

## Attorney Discipline Board



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NOTICE OF SUSPENSION

(AMENDED AS TO EFFECTIVE DATE ONLY)

File No. DP 104/84

Thomas A. Nickels, P 27008, 150 E. Chisholm, P. O. Box 245, Alpena, MI 49707, by the Michigan Supreme Court modifying a Hearing Panel Order of Revocation. (an Interim Notice of Revocation was issued October 25, 1985).

- (1) Suspension;
- (2) For a Period of Three Years;
- (3) Effective October 18, 1985.

The Attorney Discipline Board affirmed the Hearing Panel findings. The Respondent, on behalf of a client, entered into a civil settlement agreement whereby opposing parties endorsed insurance checks to the Respondent in consideration of Respondent's agreement to issue return checks to counsel for said opposing parties. Thereafter, Respondent stopped payment on the two checks he issued to opposing counsel and withdrew insurance settlement proceeds from his escrow account in the amount of \$70,188.00 and delivered said funds to his client who was residing out of the state. Neither Respondent's stop payment order nor his diversion of funds to his client were done with the knowledge or consent of any of the other parties or their attorneys. The Panel found violations of Canons 1 and 7 of the Code of Professional Responsibility, to wit: DR 1-102(A)(4-6) and DR 7-102(A)(7). The Hearing Panel noted prior discipline of two reprimands in 1980 and 1982 and a suspension of 120 days effective October 18, 1985.

*John F. X. Dwaihy*

John F. X. Dwaihy  
 Executive Director &  
 General Counsel

APR 01 1986

Dated: \_\_\_\_\_