

Attorney Discipline Board



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NOTICE OF SUSPENSION


DP-113/84

MARIO TABONE (P 27727), 30800 Telegraph Road, Suite 3875, Birmingham, MI 48010, by Attorney Discipline Board Oakland County Hearing Panel #2, pursuant to a Stipulation for Consent Order pursuant to former GCR 1963, 964.6 (e).

- (1) Suspension (by consent);
- (2) For a period of one (1) year;
- (3) Effective March 20, 1985.

Respondent plead nolo contendere to charges that he: improperly handled client funds, had no client trust account and wrongfully deposited client funds in a personal business account; improperly retained several thousand dollars as attorney fees, which funds should have been applied to the payment of property taxes on behalf of said client resulting in delayed payment of said taxes and interest charges against the client; filed an erroneous civil complaint without client review and approval and stipulated to a settlement and dismissal of said litigation without the knowledge or consent of the client and without a provision for reimbursement of funds owed to his client by the adverse party; misrepresented that he had expertise in the area of real estate foreclosures; performed and billed for unauthorized and unnecessary work; ordered fire insurance in the name of the general partner rather than the owners of the subject real estate; knowingly misrepresented certain facts to the Attorney Grievance Commission in response to a request for investigation regarding the aforementioned misconduct.

The Complaint also charged improper use of a letterhead bearing Respondent's name as a principal member of his law firm together with a designation of his presidency of the Housing Owner's of Michigan Exchange in violation of DR2-102(E) which provides in pertinent part: "A lawyer who is engaged both in the practice of law and another profession or business shall not so indicate on his letterhead, office sign, or professional card..." The Complaint also charged violations of Canons 1, 6, 7, and 9 of the Code of Professional Responsibility, to-wit: DR1-102(A), DR6-101(A), DR7-101(A), and DR9-102(B).


JOHN F. X. DWAIHY, Executive Director
& General Counsel

Dated: March 20, 1985