

## Attorney Discipline Board



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NOTICE OF SUSPENSION

File No. DP-253/82  
 DP-108/82  
 DP-149/81

GOLDWYN J. ROBINSON (P 19519), 6736 Elizabeth, Garden  
 City, MI, 48135, by Attorney Discipline Board Wayne County Hearing  
 Panel #1.

- (1) Suspension;
- (2) For a period of twelve (12) months;
- (3) Effective July 18, 1983.

The hearing panel made the following findings: Respondent was a salaried employee of a certain mortgage company and was, for a period, an officer in said company; Respondent's principal legal responsibilities were to said mortgage company for the collection of delinquent accounts, foreclosure of mortgages and the incorporation of prospective borrowers; incorporation of prospective borrowers of Respondent's employer was done so that the mortgage company could charge those borrowers 24% interest per year on their mortgage notes; the mortgage company solicited said mortgages by advertisement; the sales package given to prospective borrowers included an "attorney retainer agreement" providing for employment of Respondent as the attorney who would arrange or procure a mortgage for a grossly excessive fee ranging from \$1,000 to \$8,000 depending on the size of the mortgage and although Respondent never received an amount in excess of \$80 (the balance of said "fee" being collected by the mortgage company), Respondent knowingly permitted the use of said agreement and did nothing to terminate his relationship with the mortgage company; that Respondent knew or should have known that the collection of said "fees" was an improper practice by his employer; that in the four years of his employment by the mortgage company, Respondent incorporated approximately 700 applicants for mortgage loans for the sole purpose of permitting a charge of the maximum permissible amount of interest; Respondent incorporated individual persons he never actually met and was present infrequently when the mortgagor appeared to execute the mortgage note and mortgage; some prospective mortgagors did not know they had been incorporated until they had received a copy of their corporate certificate after completion of the mortgage loan; Respondent made no effort to explain to prospective mortgagors that it might not be in their best interest to incorporate and pay the maximum permissible rate of interest, thereby permitting damage to his clients.

The panel found that Respondent improperly entered into business transactions with said clients, continued representation of multiple clients after learning of the existence of said objectionable attorney retainer agreement and knowing that the proffered employment would be adversely affected by his representation of the mortgage company, and permitted his employer to regulate and direct his professional judgment while rendering legal services to prospective borrowers. The panel found violations of Canons 2, 5, and 7 of the Code of Professional Responsibility, to-wit: DR2-106(A), DR5-105, DR5-107 and DR7-101(3).

*John F. X. Dwaihy*  
 JOHN F. X. DWAIHY, Executive Director  
 & General Counsel

*David Baker Lewis*  
 DAVID BAKER LEWIS, Secretary of the  
 Attorney Discipline Board

Dated: July 26, 1983