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NOTICE OF REVOCATION

DP-94/82
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DP-130/82
DP-150/82

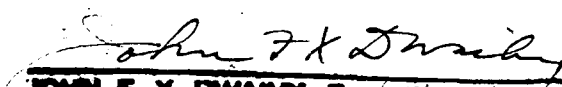
GORDON SUBER (P 21118), 28080 Rey De Copas Lane, Malibu, CA 90265, by the Attorney Discipline Board Genesee Circuit Hearing Panel "C".


- (1) Revocation of license;
- (2) Effective October 28, 1982.

The hearing panel made the following findings: Respondent represented a client in a certain real estate transaction resulting in proceeds to the client of about \$26,310; Respondent admitted that he solicited and did borrow from said client \$15,000 through a corporation of which Respondent was sole stockholder and an additional \$7,000 loan to Respondent personally; Respondent moved to California without advising the client-creditor and filed bankruptcy discharging the debt to the client creditor in violation of the Code of Professional Responsibility, to-wit: DR1-102(A)(4), DR5-104(A) and GCR 1963, 953(4). Respondent violated GCR 964.13 by attempting to resign from the State Bar of Michigan while under investigation regarding the aforementioned matter. Respondent improperly advised a client to accept settlement of a personal injury claim against the driver-defendant in a "Dram Shop Act" action and improperly advised that the client could separately pursue his claim against the bar owner; Respondent admitted failure to comply with the orders of the Genesee Circuit Court to undertake a joinder of the driver as a defendant in the pending suit against the bar owner; Respondent's mishandling of the case resulted in dismissal of the client's suit against the bar owner and a resulting obstacle to recovery against the bar owner, in violation of DR1-102(A)(1)(5)(6), DR6-101(A)(3)(neglect), DR7-101(A)(1)-(3) and GCR 1963, 953(1)-(4). In a separate matter the panel found that Respondent had failed and neglected to pursue a certain personal injury claim resulting in effectuation of the applicable statute of limitations. Respondent obtained a settlement of \$175,000 for a certain personal injury client, \$35,000 of which was Respondent's fee; the client was of poor health and lacked the knowledge necessary for management or investment of the net settlement funds; Respondent advised the client to invest in certain real estate and obtained from her a power of attorney to manage the funds; that Respondent invested the client funds in a business ven-

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ture known as Four/Sixteen Associates and at the time of the investment Respondent was the sole stockholder of said corporation; respondent failed to protect the interests of said client, failed to advise the client regarding any investments and moved to California without advising the client regarding the funds and respondent filed bankruptcy, in violation of DR5-104 and DR6-101(A)(3) and GCR 953(2)-(4). The panel also found that Respondent, as fiduciary handling the estate of his father, failed to file an inventory and accounting, failed to pay estate assets to the fiduciary appointed upon Respondent's removal, failed to pay a surcharge and neglected the matter in violation of DR1-102(A)(5), DR6-101(A)(1-3), DR7-101(1-3), DR9-102(A)(2) and DR9-102(B)(1-4). Respondent also failed to answer a Formal Complaint filed by the Grievance Administrator in violation of GCR 1963, 953(7) and 964.4(a). There is no record of previous discipline. Costs were assessed in the amount of \$797.21.


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


DAVID BAKER LEWIS, Secretary of the
Attorney Discipline Board

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