

# Attorney Discipline Board



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## NOTICE OF SUSPENSION

File No. DP-165/80

RONALD J. PREBENDA (P 19080), 528 Buhl Building, Detroit, MI 48226, by a split decision of the Attorney Discipline Board having the effect of affirming the hearing panel Order of Discipline.

- (1) Suspension;
- (2) For a period of 121 days;
- (3) Effective July 29, 1981 (Board appeal period over 12/23/81).

Respondent was charged in a three count Formal Complaint with: participation in a fraudulent attorney fee arrangement; participation in a fraudulent stock sale scheme; and, perjury before a Federal Grand Jury, or in the alternative, submitting a false answer to the Grievance Administrator's Request for Investigation. The Attorney Discipline Board Wayne Circuit Hearing Panel "E" found: that Respondent had engaged in fraudulent attorney fee and stock sale schemes (two counts). However, the panel dismissed Count III which charged perjury or the making of false statements in an answer to the Grievance Administrator's Request for Investigation. Mitigating evidence was considered.

On review, three Opinions were issued by the Attorney Discipline Board. There being no majority opinion, the hearing panel Order of Suspension of 121 days was affirmed. A two member minority of the Board would affirm the 121 day suspension and found as follows: Respondent had engaged in a fraudulent attorney fee arrangement which provided for payment of fees without services and payment of fees to an official of a certain labor union; Respondent had submitted perjurious testimony to the Federal Grand Jury, or in the alternative, submitted a false answer to the Grievance Administrator's Request for Investigation. The two member minority of the Board found that there was insufficient evidence to support the allegations that Respondent engaged in a fraudulent corporate stock sale scheme.

A three member plurality of the Board found support for all three counts and would increase the suspension to one (1) year. A one member minority would affirm the findings of the panel, but reduce discipline to 60 days. Respondent was assessed costs in the amount of \$2,900.20.

*John F. X. Dwaihy*  
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 DAVID BAKER LEWIS, Secretary of the  
 Attorney Discipline Board