

Attorney Discipline Board



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This is to inform the Courts of the State of Michigan of the following
 Order of Discipline:

NOTICE OF SUSPENSION

File No. DP-2/80

ALAN S. GOLDBERG, (P14093), 2419 First National Building, Detroit,
 MI 48226, by Attorney Discipline Board Wayne Circuit Hearing Panel "J".

- (1) Suspension;
- (2) For a period of three(3) years and one (1) day;
- (3) Effective October 14, 1980.

Respondent was charged in the Formal Complaint as follows: Count I-Respondent counseled and requested of a probate client-guardian that she invest \$20,000 from the estate of the ward in a certain venture; that said funds were given to Respondent who prepared an agreement listing himself and said client as co-partners; that such investment of funds of the deceased in a business owned by said client was prohibited by the Michigan Probate Code, MCLA 700.455; that Respondent failed and neglected to advise said client to seek independent advice regarding the sagacity of said investments; Respondent invested in a client-owned enterprise; that Respondent failed to account to the guardian-client for the money of the ward invested notwithstanding her repeated requests; that Respondent failed to account to the Oakland County Probate Court for said funds. Separate counts (II through VI) involving other clients charged failure to account for settlement funds, commingling and conversion of client settlement funds by endorsement of client's name on check, issuance of dishonored checks and failure to answer the Grievance Administrator's Requests for Investigation.

The Hearing Panel entered findings of misconduct regarding Count I and concluded that Respondent had violated Canons 1, 5, 6 and 9 of the Code of Professional Responsibility, including DR 1-102(A)(5)(6), DR 5-101(A), DR 5-104(A), DR 5-105(B)(C), DR 5-107(A)(2), DR 6-101(A)(3), DR 9-102(B)(3), and GCR 953(1-4). Respondent was assessed costs in the amount of \$372.65. On review, the Attorney Discipline Board increased the suspension to three (3) years and one (1) day, thereby requiring recertification by the Board of Law Examiners prior to possible future reinstatement. Respondent, through counsel, has filed a request for leave to appeal to the Michigan Supreme Court, however, without a request for stay of discipline, continuing the suspension made effective on October 14, 1980, by Hearing Panel Order.

David Baker Lewis

 David Baker Lewis, Secretary
 ATTORNEY DISCIPLINE BOARD

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