

Attorney Discipline Board



BOARD MEMBERS:

FREDERICK G. BUESSER, JR.
JOHN L. COTÉ, CHAIRPERSON
MSGR. CLEMENT H. KERN
DAVID BAKER LEWIS, SECRETARY
FRANK J. MCDEVITT, D.O.
WILLIAM G. REAMON
LYNN H. SHECTER,
VICE-CHAIRPERSON

JOHN F. X. DWAIHY
COUNSEL/ADMINISTRATOR

SUITE 1260
333 W. FORT STREET
DETROIT, MICHIGAN 48226
TELEPHONE: (313) 963-5553

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

34942-A, 35563-A, 35738-A,
36016-A, 36239-A, 37013-A

NOTICE OF SUSPENSION

MICHAEL A. THOMAS (P21382), 1824 Guardian Building, Detroit, MI 48226, by Attorney Discipline Board Oakland County Hearing Panel #2, for a period of three (3) years and one (1) day, effective January 28, 1980. The Hearing Panel issued the Order of Discipline pursuant to a Stipulation and Discipline Board Order of Consolidation of twenty-three (23) separate files involving approximately twenty-seven (27) counts of misconduct.

Respondent was charged, in five (5) separate Formal Complaints, with the following acts of misconduct: Criminal conduct resulting in a three-count felony indictment by the United States Government for conspiracy to defraud the government, mail fraud, and removal of papers from a Federal file; Respondent pleaded guilty to one (1) of said counts. Neglect of numerous personal injury matters resulting in dismissal, and, in several instances, loss of a client's cause of action, due to lack of progress and proper prosecution, failure to properly manage and supervise numerous personal injury matters, failure to prepare said causes for trial, failure to make numerous appearances with or on behalf of several clients and failure to appear at a scheduled trial. Failure to commence personal injury litigation despite promises to several clients and repeated misrepresentations to those clients regarding the progress of their cause. Fraudulent misrepresentations to courts of law and numerous clients regarding: the taking of default judgments, alleged payment of claims, the veracity of pleadings, signatures, stipulations and statements; the Formal Complaints also alleged false statements made in response to the Grievance Administrator's Request for Investigation. Failure to respond to numerous inquiries of various clients and failure to explain to or notify said clients of the dismissal of their causes. The Formal Complaints alleged violation of the following disciplinary rules: Canon 1, DR 1-102 (A) (1)(4) (5) and (6); Canon 6, DR 6-101 (A) (2 and 3); Canon 7, DR 7-101 (A) (1-3); Canon 9, DR 9-102 (A) and (B) (4); Supreme Court Rule 15.2 (1-4) and (6); GCR 962.1 and 2 and 953(7). The pertinent rules

prohibit conduct involving dishonesty, fraud, deceit or misrepresentation; conduct prejudicial to the administration of justice; conduct adversely reflecting upon one's fitness to practice law; handling of a legal matter without adequate preparation; neglect of a legal matter; failure to seek the lawful objectives of a client; failure to carry out a contract of employment; prejudice or damage to a client in the course of the professional relationship; conduct that exposes the profession or courts to obloquy, contempt, censure, reproach; conduct contrary to justice, ethics, honesty or good morals; improper handling of client funds and failure to promptly pay or deliver to a client funds, securities, or other property which the client is entitled to receive and failure to answer a Request for Investigation or Formal Complaint.

Respondent withdrew his Answers to the various Complaints, and the allegations were considered as confessed. The Hearing Panel determined that Respondent's misconduct constituted violations of each of the aforementioned rules.

David Baker Lewis

David Baker Lewis, Secretary
ATTORNEY DISCIPLINE BOARD