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NOTICE OF SUSPENSION AND RESTITUTION

Case No. 15-151-GA

Notice Issued: July 3, 2019

Mark A. Chaban, P 57799, Plymouth, Michigan, by the Attorney Discipline Board, Tri-County Hearing Panel #21.

Suspension - One Year, Effective October 31, 2017

As alleged in the formal complaint, and established by the evidence and testimony submitted, the hearing panel found that respondent committed professional misconduct while representing the client-tenant in a landlord-tenant matter.

The hearing panel found that respondent brought or defended a proceeding, or asserted or controverted an issue therein, without a basis for doing so that was not frivolous, in violation of MRPC 3.1; failed to make reasonable efforts to expedite litigation consistent with the interests of the client, in violation of MRPC 3.2; made knowingly false statements of material fact to a tribunal, in violation of MRPC 3.3(a); and knowingly made a false statement of material fact or law to a third person, in violation of MRPC 4.1. Respondent was also found to have violated MCR 9.104(1)-(3) and MRPC 8.4(b) and (c).

The panel ordered that respondent's license to practice law in Michigan be suspended for one year and that respondent be required to make restitution in the amount of \$30,973.75. Respondent filed a timely petition for review and a petition for stay of discipline pending the review proceedings. The Grievance Administrator filed an objection to respondent's request for a stay and, on November 8, 2017, the Attorney Discipline Board denied respondent's request for a stay of discipline. Upon review, the Board affirmed the hearing panel's order of suspension and restitution on December 19, 2018. Respondent's motion for reconsideration was denied by the Board on February 14, 2019. On March 15, 2019, respondent filed an application for leave to appeal with the Michigan Supreme Court. Respondent's application for leave to appeal was denied on May 28, 2019. Total costs were assessed in the amount of \$3,522,62.


Mark A. Armitage
Executive Director