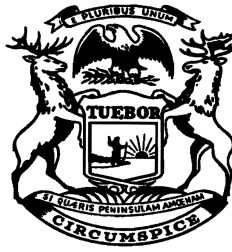


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NOTICE OF SUSPENSION AND RESTITUTION WITH CONDITION

Case No. 16-36-GA

Notice Issued: November 18, 2016

David Lyle Haverstick, P 78202, Commerce Township, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #62.

Suspension - One Year, Effective November 18, 2016¹

Respondent was in default for his failure to file an answer to the formal complaint and did not attend the public hearing. Based on respondent's default, the hearing panel found that respondent committed professional misconduct in his representation of a client in a probate matter when he failed to commence the probate proceedings and when he failed to return the client's documents and refund the unearned fee. The panel found that respondent handled a legal matter which respondent knew, or should have known, that he was not competent to handle and failed to either associate with a competent lawyer or undertake preparation to become competent, in violation of MRPC 1.1(a) and (b); failed to diligently represent the client's interests, in violation of MRPC 1.1(c) and 1.3; failed to seek the lawful objectives of his client, in violation of MRPC 1.2(a); failed to keep his client reasonably informed as to the status of the proceedings or provide explanations of the matter reasonably necessary to permit the client to make informed decisions concerning the representation, in violation of MRPC 1.4(a) and (b); failed to refund unearned fees or return the client's file, in violation of MRPC 1.16(d); failed to timely answer a request for investigation, in violation of MCR 9.104(7), MCR 9.113(A), and MCR 9.113(B)(2); and knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2). Respondent was also found to have violated MCR 9.104(1)-(4); and MRPC 8.4(a) and (c).

The panel ordered that respondent's license to practice law be suspended for one year. The panel also ordered that respondent be required to pay restitution in the amount of \$1,000.00 to Kimberly Rush and to return the original copy of David Loren Rabb's will to Complainant Rush. Costs were assessed in the amount of \$1,944.83.

Mark A. Armitage

¹ On June 23, 2016, the hearing panel issued an order suspending respondent from the practice law based on his failure to appear at the public hearing. That suspension went into effect on June 30, 2016. Please see Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), issued June 30, 2016.