

NOTICE OF REVOCATION PURSUANT TO RESIGNATION
(By Consent)
Case No. 94-135-GA; 94-163-FA; 94-177-GA

Stephen M Wittenberg, P 22487, Boca Raton, FL by Attorney
Discipline Board Tri-County Hearing Panel #51.

- 1) Revocation;
- 2) Effective April 1, 1994.

The Grievance Administrator and the respondent filed a stipulation for consent order of discipline which was approved by the Attorney Grievance Commission and accepted by a hearing panel in accordance with MCR 9.115(F)(5). The respondent offered a plea of no contest to the allegations contained in three formal complaints that he received a settlement draft made payable to his client, himself, and two other law firms to whom the client was indebted for fees and costs but failed to notify one of those firms that the settlement draft had been received, endorsed another attorney's name on the draft without the attorney's knowledge or consent, failed to maintain the disputed funds in a separate account and failed to pay those funds to the attorney that, following the referral of a personal injury case from another attorney, respondent failed to notify his client of his receipt of the file, failed to safeguard the file and lost the file; that respondent stipulated to the dismissal of a personal injury action without the knowledge or consent of his client; that in December 1993, the respondent abandoned his law practice without notice to his clients, leaving 133 active client files and 319 closed files unattended in his office; and that respondent failed to answer a formal complaint. Respondent's conduct was alleged to be in violation of MCR 9.104(1-4,7) and the Michigan Rules of Professional Conduct 1.1(a-c), 1.2(a), 1.3, 1.4, 1.15(a-c), 1.16(d), 3.2, 8.1(b) and 8.4(a,c).

In accordance with the stipulation dated September 28, 1994, the hearing panel issued an order on October 7, 1994 revoking the respondent's license to practice law in Michigan, effective April 1, 1994 and until an order of reinstatement pursuant to MCR 9.123(B) and MCR 9.124. Costs were assessed in the amount of \$23.56.