

NOTICE OF SUSPENSION

Case Nos. 00-66-GA; 00-86-FA

Issued: November 14, 2000

Barry D. Yaker, P-22605, Birmingham, Michigan, by the Attorney Discipline Board, Tri-County Hearing Panel #54.

- 1) Suspension - 180 Days;
- 2) Effective November 14, 2000.

The hearing panel found that the allegations in the formal complaint were established by default, to wit: That respondent violated an escrow agreement by taking possession of \$50,000.00 in overbid funds from the sheriff's sale of his home; failed to respond to oral and written requests to return the funds; converted and/or used the funds for his own purposes; filed a lawsuit with the sole intent to burden, harass or delay the foreclosure proceedings against his home; and failed to answer the formal complaint served by the Grievance Administrator. Respondent's conduct was in violation of MCR 9.104(1)-(5) and (7); and Michigan Rules of Professional Conduct 3.1; 4.4; 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent's license be suspended for 180 days. Costs were assessed in the amount of \$269.53.