

STATE OF MICHIGAN

FILED
ATTORNEY DISCIPLINE BOARD
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Attorney Discipline Board

In the Matter of the Reinstatement Petition of
WILLIAM C. ROUSH, P 23444,

Petitioner/Appellant,

Case No. 15-36-RP

ORDER OF ELIGIBILITY FOR REINSTATEMENT AND ADDRESSING MOTIONS TO REDUCE ADMINISTRATIVE COST AND FOR OTHER RELIEF

Issued by the Attorney Discipline Board
211 W. Fort St., Ste. 1410, Detroit, MI

This matter is before the Attorney Discipline Board on the filing of petitioner's petition for review of a hearing panel order entered June 27, 2016 denying his petition for reinstatement. Petitioner also seeks to reduce the administrative cost assessed, to delete expenses not actually or necessarily incurred, a payment plan for costs assessed, and to sanction the Grievance Administrator and his counsel.

The Attorney Discipline Board has conducted review proceedings in accordance with MCR 9.118, which included a review of the record below, the Administrator's responses to respondent's various motions, and consideration of the briefs and arguments presented by petitioner and the Grievance Administrator at a review hearing conducted on October 19, 2016, and the Board is otherwise fully advised;

NOW THEREFORE,

IT IS ORDERED that the hearing panel order denying petition for reinstatement entered June 27, 2016, is **VACATED**; in accordance with the dissenting opinion of hearing panel member, Eugene Mossner, the Board is persuaded that petitioner has satisfactorily established his eligibility for reinstatement under the criteria in MCR 9.123(B) by clear and convincing evidence.

IT IS FURTHER ORDERED that petitioner, William C. Roush, shall be **REINSTATED** to the practice of law in the State of Michigan upon satisfactory proof, provided to the Attorney Grievance Commission and Attorney Discipline Board, that he has paid applicable membership dues to the State Bar of Michigan in accordance with Rules 2 and 3 of the Supreme Court's Rules Governing the State Bar.

IT IS FURTHER ORDERED that petitioner is not eligible to practice law in Michigan until the Board has issued an order of reinstatement.

IT IS FURTHER ORDERED that petitioner's motion to reduce the \$750 administrative cost to zero or to credit that amount toward any costs assessed is **DENIED**.

IT IS FURTHER ORDERED that petitioner's motion to delete expenses of the Attorney Grievance Commission not actually or necessarily incurred, is **GRANTED, IN PART**; the costs assessed to petitioner for the Attorney Grievance Commission, totaling \$7,042.69, as reflected in the June 27, 2016 hearing panel report, are reduced by \$6,265.05 because we **VACATE** the portions of the order directing petitioner to pay for the following items:¹

1. \$429.10 for preparation of the Grievance Administrator's Reinstatement Report/Books, as reflected on the Itemized Statement of Expenses filed September 29, 2015, and as reflected on the Amended Itemized Statement of Expenses filed June 17, 2016;
2. \$558.00 for copying, bates stamping and binding of exhibits from petitioner's hearing brief, as reflected on the Itemized Statement of Expenses filed September 29, 2015, and as reflected on the Amended Itemized Statement of Expenses filed June 17, 2016;
3. \$228.20 for the transcript of the deposition of Dr. Sidiropoulos, as reflected on the Amended Itemized Statement of Expenses filed June 17, 2016;
4. \$103.90 for preparation of documents to Dr. Shiener, as reflected on the Amended Itemized Statement of Expenses filed June 17, 2016;
5. \$275.60 for the transcript of Dr. Sidiropoulos' deposition, as reflected on the Amended Itemized Statement of Expense filed June 17, 2016;
6. \$3,900 for Dr. Shiener's March 3, 2016, deposition fee, as reflected on the Amended Itemized Statement of Expenses filed June 17, 2016; and,
7. \$770.25 for the transcript of Dr. Shiener's deposition, as reflected on the Amended Itemized Statement of Expenses filed June 17, 2016.

IT IS FURTHER ORDERED that petitioner's motion to sanction the Grievance Administrator and his counsel is **DENIED**. The Board is not persuaded that a violation of MCR 2.114(D) has been established.

IT IS FURTHER ORDERED that petitioner's request for an installment payment plan of \$10 per month for payment of costs now totaling \$1,320.64 is **DENIED**. Petitioner may pay such costs in installments of \$75 per month with the first payment due on or before April 1, 2017 and on the 1st of each month thereafter, with a final payment of \$45.64 due on or before September 1, 2018.

¹ It would be unfair to order petitioner to pay the full amount of the costs requested by the Attorney Grievance Commission, specifically, preparing and copying the Grievance Administrator's reinstatement report/book which must be prepared pursuant to MCR 9.124(C)(2), recopying and organizing petitioner's exhibits to his hearing brief, copies of Dr. Sidiropoulos' deposition transcripts because they were provided free of charge to the Administrator and hearing panel by petitioner, and for any costs associated with Dr. Shiener. We therefore reduce those costs, as reflected above.

If any of the installment payments are over five business days late, this payment plan will be vacated and a certification of non-payment will be issued.

Check or money order shall be made **payable to the Attorney Discipline System**, but submitted to the Attorney Discipline Board, 211 W. Fort St., Ste. 1410, Detroit, MI 48226-3236 for proper crediting. (See attached instruction sheet.)

ATTORNEY DISCIPLINE BOARD

By:



Louann Van Der Wiele, Chairperson

DATED: March 10, 2017

Board members Louann Van Der Wiele, Rev. Michael Murray, Dulce M. Fuller, James A. Fink, John W. Inhulsen, Jonathan E. Lauderbach, Barbara Williams Forney, Karen D. O'Donoghue, and Michael B. Rizik, Jr., concur in this decision.