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NOTICE OF DISBARMENT
(Pending Appeal)

Case No. 15-72-GA

Notice Issued: March 20, 2017

Timothy H. McCarthy, Jr., P 74698, Okemos, Michigan, by the Attorney Discipline Board Ingham County Hearing Panel #5.

Disbarred, Effective March 18, 2017

Respondent filed an answer to the formal complaint and appeared at each of the three hearings. As alleged in the formal complaint, and established by the evidence and testimony submitted, the hearing panel found that respondent committed acts of professional misconduct in his representation of a client for medical malpractice claims arising out of an alleged unnecessary procedure performed on the client. Specifically, respondent neglected his client's legal matter, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in representing his client, in violation of MRPC 1.3; failed to keep his client reasonably informed about the status of the matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); made misrepresentations of the facts or circumstances surrounding a request for investigation, in violation of MCR 9.104(6); and made misrepresentations in his answer to the request for investigation, in violation of MCR 9.113(A). Respondent was also found to have violated MCR 9.104(1)-(4) and MRPC 8.4(a) and (b).

The panel ordered that respondent be disbarred from the practice law in Michigan. Respondent filed a timely petition for review and a petition for stay of discipline pending the review proceedings. The Board denied respondent's petition for stay of discipline on March 17, 2017. This matter has been scheduled for hearing before the Attorney Discipline Board.

Mark A. Armitage
Executive Director