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211 WEST FORT STREET, SUITE 1410
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PHONE: 313-963-5553 | FAX: 313-963-5571

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NOTICE OF DISBARMENT AND RESTITUTION

Case No. 17-79-GA

Notice Issued: January 25, 2018

Matthew John Stephens, P 74424, Okemos, Michigan, by the Attorney Discipline Board Ingham County Hearing Panel #3.

Disbarred, Effective January 24, 2018¹

Based on respondent's default, the hearing panel found that respondent committed professional misconduct while defending a client against a breach of contract suit stemming from a property dispute. The misconduct consists of his failure to attend to his responsibilities as counsel for his client in regard to the litigation he was hired to defend and also in taking her property, specifically a \$2,000 retainer fee and a \$250 payment for a letter sent to the opposing side in the litigation.

Specifically, the panel found that respondent neglected a legal matter entrusted to him, in violation of MRPC 1.1(c); failed to seek the lawful objectives of a client through reasonably available means permitted by law, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness, in violation of MRPC 1.3; failed to communicate with his client regarding the status of her legal matter, in violation of MRPC 1.4(a); failed to explain a matter to the extent reasonably necessary to permit a client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); failed to hold property of his clients in connection with the representation separate from his own property, in violation of MRPC 1.15(d); failed to deposit legal fees and expenses that have been paid in advance in the client trust account, in violation of MRPC 1.15(g); failed to refund the unearned portion of the advance payment of fee, in violation of MRPC 1.16(d); and failed to answer a request for investigation, in violation of MCR 9.104(7), MCR 9.113(A) and MCR 9.113(B)(2). Respondent was also found to have violated MCR 9.104(1)-(4) and MRPC 8.4(a).

The panel ordered that respondent be disbarred from the practice of law in Michigan and that he pay restitution in the total amount of \$2,250.00. Costs were assessed in the amount of \$2,060.35.

Mark A. Armitage
Executive Director

¹ Respondent has been continuously suspended from the practice of law in Michigan since January 26, 2017. Please see Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), issued January 26, 2017, *Grievance Administrator v Matthew John Stephens*, Case No. 16-136-GA.