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NOTICE OF DISBARMENT AND RESTITUTION

Case No. 17-117-GA

Notice Issued: February 22, 2018

Jonathan F. Rosenthal, P 66851, Franklin, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #72.

Disbarred, Effective February 21, 2018¹

Based on respondent's default, the hearing panel found that respondent committed professional misconduct when he inflated costs for an expert witness while representing four plaintiffs in a civil suit and then failed to pay the expert's fee resulting in the plaintiffs having to withdraw their suit; misrepresented to another client the amount of court ordered sanctions; failed to pay court reporter invoices resulting in the entry of a civil judgment against respondent; and failed to respond to two requests for investigation.

Specifically, the panel found that respondent neglected a legal matter entrusted to him and handled a legal matter he should have known he was not competent to handle, in violation of MRPC 1.1(a) and (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 keep a client reasonably informed and failed to explain a matter to the extent necessary for a client to make informed decisions, in violation of MRPC 1.4(a) and (b); failed to promptly pay or deliver funds provided by his clients for payment of litigation costs that a third person was entitled to receive, and failed to render a proper accounting, in violation of MRPC 1.15(b)(3); failed to hold client funds separate from his own, failed to deposit funds in an IOLTA or non-IOLTA trust account, and failed to otherwise safeguard funds provided by his clients for litigation costs, in violation of MRPC 1.15(d); upon termination of the representation, failed to take reasonable steps to protect the client's interest, in violation of MRPC 1.16(d); failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2); 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)-(c).

The panel ordered that respondent be disbarred from the practice of law in Michigan and that he pay restitution in the total amount of \$22,812.25. Costs were assessed in the amount of \$1,998.50.

Mark A. Armitage
Executive Director

¹ Respondent has been continuously suspended from the practice of law in Michigan since December 12, 2017. Please see Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), issued December 15, 2017.