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NOTICE OF DISBARMENT AND RESTITUTION

Case No. 18-21-GA

Notice Issued: July 13, 2018

James F. Wynn, P 32292, Petoskey, Michigan, by the Attorney Discipline Board Emmet County Hearing Panel #1.

Disbarred, Effective July 12, 2018

Based on respondent's default, the hearing panel found that respondent committed professional misconduct in his representation of American Hospitality Management 1, LLC, for negotiation of potential financing and management assistance agreements in hotel projects; and that he failed to answer a request for investigation.

The panel found that respondent failed to promptly pay or deliver funds that the client or third person is entitled to receive, in violation of MRPC 1.15(b)(3); failed to hold client and third party funds in connection with a representation separate from the lawyer's funds, in violation of MRPC 1.15(d); failed to deposit the client or third person funds into an IOLTA or non-IOLTA account, and failed to appropriately safeguard such funds, in violation of MRPC 1.15(d); in the course of representing a client, knowingly made a false statement of material fact to a third person, in violation of MRPC 4.1; engaged in conduct that violated a criminal law of the state, in violation of MCR 9.104(5); and failed to answer a request for investigation in conformity with MCR 9.113(A), in violation of MCR 9.104(7). Respondent was also found to have violated MCR 9.104(1)-(3); and MRPC 8.4(a)-(c).

The panel ordered that respondent be disbarred from the practice of law in Michigan and that he be required to pay restitution in the amount of \$250,000 to the complainant. Costs were assessed in the amount of \$2,101.69.


Mark A. Armitage
Executive Director