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NOTICE OF SUSPENSION WITH CONDITIONS
(By Consent)

Case No. 20-46-GA

Notice Issued: August 19, 2020

Mark Hermiz, P 76378, Troy, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #64.

Suspension - 18 Months, Effective April 8, 2018¹

Respondent and the Grievance Administrator filed a Stipulation for Consent Order of Discipline, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contained respondent's admissions to the allegations that he committed acts of professional misconduct in relation to his representation of a client and the client's company after being retained to negotiate or file civil actions to collect unpaid medical bills owed to the client and the client's company.

Based upon respondent's admissions and the stipulation of the parties, the panel found that respondent failed to obtain specific settlement authority from his client in each matter, in violation of MRPC 1.2(a); failed to keep a client reasonably informed about the status of a matter, in violation of MRPC 1.4(a); failed to explain each settlement to his client through its authorized representative, in violation of MRPC 1.4(b); failed to enter into a written contingent fee agreement, in violation of MRPC 1.5(c); failed to issue a disbursement sheet for each settlement, in violation of MRPC 1.5(c); failed to notify his client promptly when settlement checks were received, in violation of MRPC 1.15(b)(1); and, failed to hold client funds separate from his own funds, in violation of MRPC 1.15(d). Respondent was also found to have violated MRPC 8.4(a) and MCR 9.104(2), (3), and (4).

In accordance with the stipulation of the parties, the panel ordered that respondent's license to practice law in Michigan be suspended for 18 months, effective retroactively to April 8, 2018 the date upon which respondent could have sought reinstatement from the suspension entered in *Grievance Administrator v Mark Hermiz*, 17-85-GA, as agreed to by the parties, and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$766.00.

/s/ Mark A. Armitage
Executive Director

¹ Respondent has been continuously suspended from the practice of law in Michigan since October 11, 2017. See Notice of Suspension With Conditions (By Consent), *Grievance Administrator v Mark Hermiz*, 17-85-GA, issued October 5, 2017.