

MEMBERS
MICHAEL B. RIZIK, JR.
CHAIRPERSON
LINDA S. HOTCHKISS, MD
VICE-CHAIRPERSON
REV. DR. LOUIS J. PRUES
SECRETARY
KAREN D. O'DONOGHUE
MICHAEL S. HOHAUSER
PETER A. SMIT
ALAN GERSHEL
LINDA M. ORLANS
JASON M. TURKISH

STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD



333 WEST FORT STREET, SUITE 1700
DETROIT, MICHIGAN 48226-3147
PHONE: 313-963-5553

MARK A. ARMITAGE
EXECUTIVE DIRECTOR
—
WENDY A. NEELEY
DEPUTY DIRECTOR
—
KAREN M. DALEY
ASSOCIATE COUNSEL
—
SHERRY MIFSUD
OFFICE ADMINISTRATOR
—
ALLYSON M. PLOURDE
CASE MANAGER
—
OWEN R. MONTGOMERY
CASE MANAGER
—
JULIE M. LOISELLE
RECEPTIONIST/SECRETARY
—
www.adbmich.org

NOTICE OF DISBARMENT

Case No. 19-106-GA

Notice Issued: September 9, 2022

Phillip G. Bazzo, P 25243, Lincoln Park, by the Attorney Discipline Board affirming Tri-County Hearing Panel #16 Order of Disbarment.

Disbarment - Effective February 24, 2021

Based on the evidence presented by the parties at the hearings held in this matter, the hearing panel found that respondent committed professional misconduct as charged in a two-count formal complaint involving two separate, unrelated client matters. In the first matter, as referenced in Count One of the formal complaint, the panel found that respondent represented a client when the representation of that client was materially limited by the lawyer's own interests, in violation of MRPC 1.7(b), which did not satisfy the exceptions to MRPC 1.7(b)(1)-(2); entered into a business transaction with a client, in violation of MRPC 1.8(a), which did not satisfy the exceptions of MRPC 1.8(a)(1)-(3); failed to promptly notify a client when funds to which the client had an interest were received, in violation of MRPC 1.15(b)(1); failed to promptly pay or deliver any funds to which a client was entitled to receive, in violation of MRPC 1.15(b)(3); failed to promptly render a full accounting regarding property to which a client was entitled, in violation of MRPC 1.15(b)(3); failed to appropriately safeguard client funds, in violation of MRPC 1.15(d); and, engaged in conduct that involved dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflected adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b).

In the second matter, as referenced in Count Two of the formal complaint, the panel found that respondent represented a client when the representation of that client was materially limited by the lawyer's own interests, in violation of MRPC 1.7(b), which did not satisfy the exceptions to MRPC 1.7(b)(1)-(2); knowingly revealed a confidence or secret of a client, without permission or other exception, in violation of MRPC 1.6(b)(1); knowingly used a confidence or secret of a client to the disadvantage of the client, without permission or other exception, in violation of MRPC 1.6(b)(2); knowingly used a confidence or secret of a client to the advantage of the lawyer or a third person, without permission or other exception, in violation of MRPC 1.6(b)(3); failed to maintain a normal client-lawyer relationship with his client, when that client's ability to make adequately considered decisions in connection with the representation may have been impaired, in violation of MRPC 1.14(a); and, attempted to seek the appointment of a guardian or take other protective action with respect to a client before properly assessing whether the client could adequately act in his own interest, in violation of MRPC 1.14(b).

Respondent was also found to have violated MCR 9.104(1)-(3) and MRPC 8.4(a) and(c), as charged in both counts of the formal complaint.

The panel ordered that respondent be disbarred from the practice of law. Respondent filed a timely petition for review and a petition for a stay of the discipline imposed. Respondent's petition for stay was denied by the Board on February 26, 2021. After conducting review proceedings in accordance with MCR 9.118, the Board affirmed the hearing panel's order of disbarment on September 28, 2021. On October 19, 2021, respondent filed a motion for reconsideration of the Board's order pursuant to MCR 9.118(E), which was denied on January 12, 2022.

On February 9, 2022, respondent filed a timely application for leave to appeal with the Michigan Supreme Court, pursuant to MCR 9.122(A). On May 31, 2022, the Court issued an order denying respondent's application for leave to appeal. On July 6, 2022, respondent filed a motion for reconsideration of the Court's May 31, 2022 order. On September 6, 2022, the Court denied respondent's motion. Costs were assessed in the total amount of \$3,830.50.