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AMENDED NOTICE OF DISBARMENT AND RESTITUTION¹

Case No. 19-31-GA

Notice Issued: June 11, 2020

John P. Lozano, P 52862, Saginaw, Michigan, by the Attorney Discipline Board Genesee County Hearing Panel #1

Disbarment - Effective October 3, 2019²

Based on respondent's default, and the evidence presented at the hearing, the hearing panel found that respondent committed professional misconduct as set forth in the formal complaint. Specifically, respondent was hired to represent the client's company as a creditor in a Chapter 13 bankruptcy proceeding. Respondent received eight separate checks totaling \$3,500 payable to his client, and instead of informing his client of the checks, respondent endorsed the checks and deposited them into his own account.

The hearing panel found that respondent failed to keep a client reasonably informed about the status of a matter, in violation of MRPC 1.4(a); failed to promptly notify a client when funds in which the client had an interest were received, in violation of MRPC 1.15(b)(1); failed to promptly pay or deliver any funds that a client was entitled to receive, and failed to promptly render a full accounting regarding the funds, in violation of MRPC 1.15(b)(3); failed to hold property of a client in connection with a representation separate from his own property, in violation of MRPC 1.15(d); and filed an answer to a request for investigation that contained a misrepresentation and/or did not fully and fairly disclose all the facts and circumstances pertaining to the alleged misconduct, in violation of MCR 9.104(6), MCR 9.104(7), and MCR 9.113(A). Respondent was also found to have violated MCR 9.104(2) and (3), and MRPC 8.4(a) and (b).

The panel ordered that respondent's license to practice law in Michigan be suspended for three years and that he pay restitution totaling \$3,500. The Grievance Administrator filed a timely petition for review. After conducting review proceedings in accordance with MCR 9.118, the Attorney Discipline Board increased the discipline from a three-year suspension to disbarment and affirmed the order requiring respondent to pay restitution. Total costs were assessed in the amount of \$2,274.91.

/s/ Mark A. Armitage
Executive Director

¹ The first notice issued on June 8, 2020 had two transposed digits in respondent's p-number. This amended notice corrects that mistake.

² Respondent has been continuously suspended from the practice of law in Michigan since November 28, 2017. See Notice of Suspension And Restitution With Conditions (By Consent), issued June 21, 2018, *Grievance Administrator v John P. Lozano* 17-39-GA.