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**NOTICE OF DISBARMENT AND RESTITUTION**

Case No. 19-60-GA

**Notice Issued: October 28, 2022**

Scott E. Combs, P 37554, Plymouth, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #14.

Disbarment - Effective September 29, 2021<sup>1</sup>

After proceedings conducted pursuant to MCR 9.115, the panel found that respondent committed professional misconduct during his representation of a client in a wrongful discharge from employment claim.

The panel specifically found that respondent failed to keep his client reasonably informed about the status of his matter and to comply properly with reasonable requests for information, including, but not limited to, notifying his client promptly as to the status of settlement proceeds, in violation of MRPC 1.4(a); failed to explain a matter to his client to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); after having modified his fee agreement to accept as his attorney fee for the employment matter the amount his client decided was fair, respondent charged and/or collected a clearly excessive fee, in violation of MRPC 1.5(a); after having modified his fee agreement to accept as his attorney fee for the employment matter the amount his client decided was fair, and upon keeping the entire \$3,600 settlement check for himself, respondent failed to communicate the basis or rate of his fee to his client, in violation of MRPC 1.5(b); failed to promptly deliver funds that his client was entitled to receive, in violation of MRPC 1.15(b)(3); failed to promptly render a full accounting to his client of the funds in his possession, in violation of MRPC 1.15(b)(3); when two or more persons, one of whom was respondent, and the other of whom was his client, claimed an interest in all or part of the June 29, 2017 settlement check in the amount of \$3,600, respondent failed to keep it separate in trust until the dispute is resolved, in violation of MRPC 1.15(c); failed to safeguard and hold property (funds) of a client in connection with the representation separate from the lawyer's own property, in violation of MRPC 1.15(d); and engaged in conduct that involved deceit or misrepresentation, where such conduct reflected adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b). Respondent was also found to have violated MCR 9.104(1)-(3); and MRPC 8.4(c).

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<sup>1</sup> Respondent has been continuously suspended from the practice of law in Michigan since October 14, 2020. Please see Notice of Suspension and Restitution, issued December 8, 2021, in *Grievance Administrator v Scott E. Combs*, Case No. 15-154-GA.

The panel ordered that respondent be disbarred from the practice of law and that he pay restitution in the total amount of \$3,100.00.

Respondent filed a timely petition for review. After proceedings conducted in accordance with MCR 9.118, the Board issued an order on March 11, 2022, affirming in part and reversing in part the hearing panel's findings of misconduct,<sup>2</sup> and affirming the order of disbarment and restitution. On April 8, 2022, respondent filed a timely application for leave to appeal with the Michigan Supreme Court, pursuant to MCR 9.122. On September 27, 2022, the Court issued an order denying respondent's application for leave to appeal. Costs were assessed in the total amount of \$3,616.84.

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<sup>2</sup> The Board's order reversed the panel's finding that respondent violated MRPC 1.5(a) and (b).