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**ATTORNEY DISCIPLINE BOARD**



333 WEST FORT STREET, SUITE 1700  
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PHONE: 313-963-5553

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**NOTICE OF REPRIMAND WITH CONDITION**

Case No. 18-56-GA

**Notice Issued: June 8, 2021**

Anthony J. Szilagyi, P 56473, East Lansing, Michigan, by the Attorney Discipline Board Ingham County Hearing Panel #3.

Reprimand, effective June 4, 2021

After proceedings in accordance with MCR 9.115 and based on the evidence presented by the parties at the hearings held in this matter, the hearing panel found that respondent engaged in misconduct as alleged in Counts One and Four of a four-count formal complaint filed by the Grievance Administrator. Specifically, in regard to Count One, the panel found that while representing a client and her business in a real estate transaction and subsequent civil litigation resulting from the real estate transaction, respondent committed professional misconduct in regard to representations contained within an affidavit he was ordered to provide to account for funds received from the sale proceeds, and by omission of additional facts known by him at the time the affidavit was submitted to the court.

With regard to Count Four, the panel found that respondent settled a claim for malpractice without first advising another client in writing that independent representation was appropriate, in violation of MRPC 1.8(h)(2), 8.4(a) and (c), and MCR 9.104(1). The panel found that misconduct was not established with regard to the allegations of misconduct contained in Counts Two and Three of the formal complaint, and both were dismissed.

The panel ordered that respondent's license to practice law be suspended for a period of 30 days, and that he be required to take an appropriate professional ethics class that provides education on the procedural and technical requirements of the Michigan Rules of Professional Conduct as a refresher. Respondent filed a timely petition for review seeking a review of the findings of misconduct made regarding Count One of the formal complaint, and the discipline imposed by the panel, arguing that a suspension was excessive. Respondent also filed a petition for a stay, which resulted in an automatic stay of the hearing panel's order of suspension and condition, pursuant to MCR 9.115(K). The Grievance Administrator filed a cross-petition for review seeking review of the panel's dismissal of some allegations of misconduct and an increase in the discipline imposed.

After review proceedings conducted in accordance with MCR 9.118, the Attorney Discipline Board reversed the panel's findings of misconduct regarding Count One of the formal complaint and dismissed it in its entirety. Finding that the appropriate sanction for the misconduct established in Court Four was a reprimand, the Board reduced the discipline imposed by the hearing panel from a suspension of 30 days to a reprimand and affirmed the condition imposed by the panel. Finally, based on the Board's dismissal of Count One and the hearing panel's dismissal of Counts Two, Three, and part of Count Four, the Board found that the actual costs assessed should be reduced. Total costs were assessed in the amount of \$3,471.35.