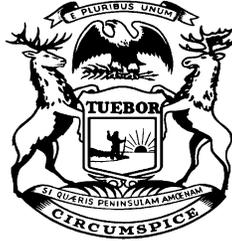


MEMBERS
JONATHAN E. LAUDERBACH
CHAIRPERSON
MICHAEL B. RIZIK, JR.
VICE-CHAIRPERSON
BARBARA WILLIAMS FORNEY
SECRETARY
KAREN D. O'DONOGHUE
LINDA S. HOTCHKISS, MD
MICHAEL S. HOHAUSER
PETER A. SMIT
ALAN GERSHEL
LINDA M. ORLANS

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 AND RESTITUTION

Case No. 18-83-GA

Notice Issued: April 30, 2021

John J. Koselka, P 48740, Adrian, Michigan, by the Attorney Discipline Board.

Disbarment, Effective February 21, 2020

After proceedings held in accordance with MCR 9.115, the hearing panel found that respondent committed professional misconduct by inappropriately using funds belonging to an estate and funds received from an unrelated settlement that were being held in his firm's IOLTA account to pay personal and business expenses, and by making repeated deposits to the account to replace the funds he improperly used for his personal and business matters.

The panel found that respondent held funds other than client or third person funds in an IOLTA, in violation of MRPC 1.15(a)(3); failed to hold property of clients or third persons separate from his own, in violation of MRPC 1.15(d); and deposited funds into an IOLTA in excess of the amount reasonably necessary to pay financial institution service charges or fees, or to obtain a waiver of service charges or fees, in violation of MRPC 1.15(f). Respondent was also found to have violated MRPC 8.4(a), and MCR 9.104(2)-(4).

The panel ordered that respondent's license to practice law in Michigan be suspended for one year and that he pay \$2,000 in restitution to the heirs of the involved estate. The Grievance Administrator filed a timely petition for review seeking an increase in the level of discipline. After conducting review proceedings in accordance with MCR 9.118, the Board issued an order on September 29, 2020, increasing discipline from a one year suspension with restitution to disbarment with restitution.

On October 27, 2020, respondent filed an application for leave to appeal with the Michigan Supreme Court. In an order dated February 2, 2021, the Court denied respondent's application for leave to appeal. Thereafter, respondent filed a motion for reconsideration of the Court's February 2, 2021 order. The Court denied respondent's motion for reconsideration on April 28, 2021. Costs were assessed in the total amount of \$3,594.78.