

**State of Michigan
Attorney Discipline Board**

FILED
ATTORNEY DISCIPLINE BOARD
17 JUN -7 PM 3:29

**Grievance Administrator,
Michigan Attorney Grievance Commission,**

Petitioner,

Case No. 17-68-GA

v

Todd R. Branch, P61823,

Respondent.

Formal Complaint

(Parties and Jurisdiction)

1. Petitioner, Grievance Administrator, is authorized by MCR 9.109(B)(6) to prosecute this Formal Complaint by the Attorney Grievance Commission, which is the prosecution arm of the Supreme Court for the discharge of its constitutional responsibility to supervise and discipline Michigan attorneys.

2. As a licensed Michigan attorney, Respondent is subject to the jurisdiction of the Supreme Court and the Attorney Discipline Board as set forth in MCR 9.104.

3. Michigan attorneys have a duty to conduct themselves personally and professionally at all times in conformity with the standards imposed on members of the bar as a condition of the privilege to practice law.

4. Respondent is a Michigan attorney who was licensed in 2008 and who resides or has his place of business in the County of Wayne.

Factual Allegations

(Failure to Answer)

5. On or about November 29, 2016, a Request for Investigation filed by the Grievance Administrator against Respondent in File No. 16-1625 was served on Respondent in accordance with MCR 9.112(C)(1)(b) by mailing a copy of the Request for Investigation by regular mail to Respondent at his last known address, which was 368-13300 Tecumseh Road East, Tecumseh, ON, N8N 4R8.

6. The Request for Investigation set forth factual allegations that Respondent had been suspended from the practice of law in Canada by the Law Society of Upper Canada by Decision and Order of the Hearing Division dated August 15, 2015.

7. The Hearing Division made findings of fact and conclusions of law that Respondent had failed to respond to two separate client grievances.

8. On or about February 14, 2016, a Final Notice, attaching a copy of the Request for Investigation, was served on Respondent at his Rule 2 address, 18530 Mack Avenue, Suite 544, Grosse Pointe Farms, MI 48236-3254.

9. The certified mailing card was returned to the Attorney Grievance Commission with the name "S. Maynard" having been signed to the card.

10. A staff investigator attempted to contact Respondent on several occasions but when Respondent's telephone number was called, a voice prompt stated that messages were not being taken at the time.

11. Respondent's current Michigan driver's license shows an address of 734 Westchester Road, Grosse Pointe Farms, MI 48230-1826.

12. On or about February 27, 2017, Respondent was contacted concerning his failure to answer the Request for Investigation at his email address: tririchard@toddbbranch.com.

13. On or about March 2, 2017, Respondent sent a responsive email in which he stated, as follows:

With all due respect, sir, I have no idea to what you are referring? I suffered a bilateral pulmonary embolism last year, from which I am still recovering. To put it bluntly, "my life is going to hell in a hand-basket."

I have not practiced law in Michigan in years and I have no clients in Michigan. I maintain a mailing address at the UPS Store in Grosse Pointe, Michigan, which I attend at once every few months to pick up any "straggle" mail from when I used to live, work and/or go to school in Michigan.

That being said, I intend to cross the border this weekend and pick up my mail (depending on how I'm feeling). Hence, if the AGC has sent me something, please scan it and email it to me; otherwise, I will respond once I pick up my mail and I have an idea to what you are referring.

14. On or about March 7, 2017, an additional Final Notice, attaching the Request for Investigation, was sent to the address on Respondent's Michigan driver's license, which is 734 Westchester Road, Grosse Pointe Farms, MI 48230-1826.

15. On or about March 31, 2017, a copy of the Request for Investigation was emailed to Respondent at his email address of tririchard@toddbbranch.com.

16. As of the date of the filing of this Complaint, Respondent has failed to answer the Requests for Investigation.

(Grounds for Discipline)

17. By reason of the conduct described above in this Formal Complaint, Respondent has committed the following misconduct and is subject to discipline under MCR 9.104, as follows:

- a) Failed to timely answer a Request for Investigation, in violation of MCR 9.104(7), MCR 9.113(A), and MCR 9.113(B)(2); and,
- b) Engaged in conduct prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1).

Wherefore, Respondent should be subjected to such discipline as may be warranted by the facts and circumstances of such misconduct.

Dated: June 7, 2017



Alan M. Gershel, P29652
Grievance Administrator
Attorney Grievance Commission
535 Griswold, Suite 1700
Detroit, Michigan 48226
(313) 961-6585

State of Michigan
Attorney Discipline Board

FILED
ATTORNEY DISCIPLINE BOARD
17 JUN -7 PM 3:29

Grievance Administrator,
Michigan Attorney Grievance Commission,

Petitioner,

Case No. 17-68-GA

v

Todd R. Branch, P61823,

Respondent.

Discovery Demand

As permitted by MCR 9.115(F)(4), Petitioner makes the following demand for discovery:

- 1) Copies of all documentary evidence to be introduced at the hearing, or access to such documentary evidence so that it can be inspected and copied, in accordance with MCR 9.115(F)(4)(a); and,
- 2) The names and addresses of any persons to be called as witnesses at the hearing, in accordance with MCR 9.115(F)(4)(a)(i).

Under MCR 9.115(F)(4)(c), your failure to comply timely with the above demands may subject you to one or more of the sanctions set forth in MCR 2.313(B)(2)(a)-(c).

Dated: June 7, 2017


Cynthia C. Bullington, P33989
Assistant Deputy Administrator
Attorney Grievance Commission
535 Griswold, Suite 1700
Detroit, Michigan 48226
(313) 961-6585