

**NOTICE OF SUSPENSION WITH CONDITIONS**

**(By Consent)**

Case No. 23-65-GA

**Notice Issued: June 25, 2025**

Jon H. Berkey, P 10728, La Jolla, CA

Suspension - 90 Days, Effective June 25, 2025

Respondent and the Grievance Administrator filed a Second Amended Stipulation for Consent Order of Discipline pursuant to MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by Tri-County Hearing Panel #14. The second amended stipulation contained respondent's admissions to the factual allegations and allegations of professional misconduct set forth in the third amended formal complaint. Specifically, that respondent committed professional misconduct when he misused his IOLTA, failed to provide a valid address to the State Bar of Michigan, engaged in the unauthorized practice of law while living in California, falsely advertised regarding his ability to practice law in California, and provided false statements to the Grievance Administrator.

Based on respondent's admissions and the second amended stipulation of the parties, the panel found that respondent held his own funds into his IOLTA in an amount more than reasonably necessary to pay financial institution service charges or fees, in violation of MRPC 1.15(f) [Count One]; practiced law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, in violation of MRPC 5.5(a) [Count Three]; used a form of public communication that was misleading, in violation of MRPC 7.1 [Count Two]; engaged in advertisement and communications that omitted facts necessary to make the statement considered as a whole not materially misleading, in violation of MRPC 7.1(a) [Count Four]; used a firm name that implied a partnership or other association that was not accurate by using the plural of "attorney" in his letterhead, in violation of MRPC 7.5(d) [Count Four]; knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2) [Counts One and Five]; violated or attempted to violate the Rules of Professional Conduct, in violation of MRPC 8.4(a) [Counts One and Three]; and engaged in conduct that violates the standards or rules of professional conduct adopted by the Supreme Court, in violation of MCR 9.104(4) [Counts One, Two, and Three].

In accordance with the second amended stipulation of the parties, the hearing panel ordered that respondent's license to practice law in Michigan be suspended for 90 days and that he be subject to conditions relevant to the established misconduct. Total costs were assessed in the amount of \$1,985.13.