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August 28, 2018

Office of Administrative Counsel
P.O. Box 30052
Lansing, MI 48909
Attn: Anne M. Boomer

RE: Adm. File No. 2017-29

Dear Ms. Boomer:

The Attorney Grievance Commission supports adopting MRPC 4.4(b) which provides guidance to lawyers regarding steps to be taken upon receipt of inadvertently distributed material. As you are aware, the proposed language is similar to Michigan Court Rule 2.302(B)(7). Accordingly, it is recommended that the Court Rule be referenced in proposed Rule 4.4(b). Please see below:

RULE: 4.4 Respect for Rights of Third Persons

(b) A lawyer who receives a document or electronically stored information relating to the representation of the lawyer's client, and knows or reasonably should know that the document or electronically stored information was inadvertently sent, shall promptly notify the sender and act in compliance with MCR 2.302(B)(7).

We appreciate the opportunity to file our comments. Thank you.

Very truly yours,

A handwritten signature in cursive script, appearing to read "A Gershel".

Alan M. Gershel
Grievance Administrator

AMG/sgm(cjv)