

**Theodore A. Golden, M.D.**

1746 Bellwood Court  
Bloomfield Hills, MI 48302  
(248)626-2252

**B-1**

July 22, 2003

Cynthia C. Bullington  
Attorney Grievance Commission  
243 W. Congress, Suite 256  
Detroit, MI 48226-3259

Re: File 1064/03 Theodore A. Golden, M.D. as to Hanley M. Gurwin, Esq.

Dear Ms. Bullington:

I am writing to you to appeal the decision made by Mr. Stephen Vella concerning my complaints of attorney misconduct committed by Hanley M. Gurwin, Esq., your file 1064/03.

In a telephone conversation with Mr. Vella on July 17, 2003, Mr. Vella stated that it would not be fair to Mr. Gurwin if he was disciplined for the misconduct charges that I filed against him, and therefore he closed the file, without a decision being made if Mr. Gurwin was guilty of attorney misconduct. I feel that the Attorney Grievance Commission should make a decision on whether Mr. Gurwin committed attorney misconduct as I have alleged, and then determine what action to take against him.

My complaints about Mr. Gurwin's egregious behavior prompted Mr. Vella to determine that there was attorney misconduct committed by Mr. Gurwin if the facts in my complaint were true, because Mr. Vella served Mr. Gurwin with a request for investigation according to the procedures followed by the Attorney Grievance Commission as described in written materials provided to me by the Commission. An attorney served with a request for investigation has a duty to file an answer in order to refute the charges against him.

Mr. Gurwin's delayed response did not refute my complaints against him. My detailed complaint that he was unprepared and incompetent in preparing for the mediation was answered with "I was thoroughly prepared". He should provide his file on the case in order to prove that he was prepared. In my complaint I specially requested that the Commission obtain the file in order to prove the validity of my charge. His statement that "I was thoroughly prepared" does not refute the charge, and this charge against him should not have been dismissed.

Mr. Gurwin's response to charges that he was unprofessional and unethical concerning statements that he made to me was that I was at fault for not being tolerant of his unsolicited remarks concerning local rabbis, and the derogatory remarks that he made about my ex-wife. I mentioned his conduct as described in my complaint to a number of people to test their reaction, and all were appalled.

Mr. Gurwin had no response to my complaint about his billing practices, and manipulating the Goldens' account. In a letter dated Feb. 19, 2003, to my attorney, Michael Robbins, Esq., Mr. Gurwin rightly states that Mr. Robbins violated the court order that appointed Mr. Gurwin the mediator. Mr. Michael Robbins, in a letter to Mr. Gurwin that is in your file, defended his own attorney misconduct of filing my Judgment of Divorce prior to resolution of the mediator's fees as required by Court order by implying that Mr. Gurwin's billing practices were not proper.

Mr. Gurwin implied that Mr. Robbins was dismayed by my complaints. I complained to Mr. Robbins during the first mediation session that Mr. Gurwin was not prepared. I complained to Mr. Robbins in a letter about Mr. Gurwin. Mr. Robbins was familiar with Mr. Gurwin's shortcomings, and we had several discussions concerning them. Mr. Robbins concurred with my observation that Mr. Gurwin was "over the hill".

Not included in my original complaint was the fact that my ex-wife told me that Mr. Gurwin made derogatory remarks about me when he held private sessions with her. She did not give me further details.

Since I filed my complaint I have learned that divorce mediators are required or should have at least eight hours a year minimum of continuing education concerning mediation. I ask that you obtain from Mr. Gurwin proof that he has yearly continuing education credits. Perhaps, certain required continuing education courses concerning ethics, professionalism, and mediation fundamentals would refresh and improve Mr. Gurwin's mediation skills.

Unfortunately, you cannot teach a man character. Michael Robbins Esq. and Randy Glanz, Esq. had the court appoint their colleague and friend Mr. Gurwin to be the mediator. A good assignment, and a well paying job. Mr. Gurwin commits numerous accounts of attorney misconduct, and is not paid. The Court order concerning Mr. Gurwin's fee is disregarded by the two attorneys so attorney misconduct charges against Mr. Gurwin are not expressed before Judge Patrick Brennan. Mr. Gurwin's letter to the two attorneys dated February 19, 2003, charges them with violating the court order, a serious charge of attorney misconduct, in order to collect the unpaid fee. Mr. Robbins paid Mr. Gurwin \$1,000 in order to make it go away. The blackmail succeeded. Would you treat a professional colleague and friend the way Mr. Gurwin did? What about attorney misconduct in that activity?

In the same letter dated February 19, 2003, Mr. Gurwin writes, "If your clients had expressed dissatisfaction with my services, I am certain that one or both of you would have brought that to my attention." Was Mr. Robbins afraid to offend Mr. Gurwin, by telling Mr. Gurwin the truth. I hope that the Commission is not afraid to tell Mr. Gurwin the truth. "Yes, Mr. Gurwin, you committed attorney misconduct."

Mr. Gurwin's attorney misconduct caused me to have excessive legal fees, a prolonged divorce procedure, and emotional stress. The same type of financial and emotional damages that result from more overt criminal activity.

I ask that you re-open the investigation concerning the above file. I have presented additional information. I also feel that the investigation was incomplete, and had not been objective. I hope that you concur with my charges against Mr. Gurwin, and at least admonish Mr. Gurwin.

Thank you.

Sincerely,

Theodore A. Golden, M.D.