

NOTICE TO THE BAR

Re: Defaults Scheduled for Review by the Disciplinary Review Board

The following matters have been certified to the Disciplinary Review Board as defaults, in accordance with R. 1:20-4(f):

In the Matter of Andres J. Diaz
Docket No. DRB 15-339
District Docket No. XIV-2013-0597E

In the Matter of Barbara Kirsch Einhorn
Docket No. DRB 15-340
District Docket No. XIV-2014-0387E

In the Matter of Hugo L. Moras
Docket No. DRB 15-355
District Docket No. VA-2015-0032E

In the Matter of Joseph A. Vena
Docket No. DRB 15-371
District Docket No. VI-2015-0001E

These matters are scheduled to be reviewed by the Board on **Thursday, February 18, 2016**. R. 1:20-4(f) provides that an attorney-respondent's failure to timely file an answer "shall be deemed an admission that the allegations of the complaint are true and . . . provide sufficient basis for the imposition of discipline." Although chances for a successful motion are limited, a motion to vacate the default may be filed with the Board **by no later than February 8, 2016. MOTIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED BY THE BOARD.** The motion should specify why the attorney-respondent failed to file a timely answer (including lack of notice) and should set forth any claimed meritorious defenses to the ethics charge. The motion must also be simultaneously served on the Director of the Office of Attorney Ethics and, where appropriate, the district ethics committee responsible for the underlying ethics matter. A certification regarding that service must accompany any documents filed with the Board.

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Respondents are hereby advised that, generally, in a default matter, the discipline is enhanced to reflect a respondent's failure to cooperate with disciplinary authorities as an aggravating factor. In re Kivler, 193 N.J. 332, 338 (2008).

Respondents may communicate with the Board by contacting the Office of Board Counsel at:

P.O. Box 962, Trenton, NJ 08625, Telephone: 609-292-1012

Dated: January 15, 2016

Ellen A. Brodsky
Chief Counsel
Disciplinary Review Board