Disciplinary Summaries

2019

ARNOLD M. ABRAMOWITZ

Disbarred on December 2, 2019 (240 *N.J.* 204) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep client reasonably informed about the status of a matter and to comply with reasonable requests for information), *RPC* 1.4(c) (failure to explain the matter to the extent reasonably necessary to permit client to make informed decision regarding the representation), *RPC* 1.8(e) (providing financial assistance to a client), *RPC* 1.15(a) (commingling and negligent misappropriation), *RPC* 1.15(b) (failure to promptly deliver funds to a third party), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations), *RPC* 5.5(a) (practicing law while suspended), *RPC* 8.1(a) (false statements to ethics authorities), *RPC* 8.1(b) (failure to cooperate with ethics authorities), *RPC* 8.4(c) (commission of a criminal act that reflects on the lawyer's honesty, trustworthiness or fitness as a lawyer), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Among other misconduct, respondent mishandled two loans on behalf of clients from the Lead Hazard Control Assistance Program (LHCP), mishandled a client matter against the New Jersey Property-Guaranty Association (NJPLIGA), negligently misappropriated funds in seven matters, commingled funds, made false statements to ethics authorities and failed to cooperate. Hillary Horton represented the OAE before the Supreme Court and Catherine M. Brown represented the respondent. Respondent was previously disciplined: Admonished in 1995; admonished in 1996; admonished in 1997; reprimanded in 2008; suspended for three months in 2009; and suspended for one year in 2015. This matter was discovered as a result of the Trust Overdraft Notification Program.

WILLIAM E. AGRAIT

Suspended for three months on March 21, 2019 (effective April 22, 2019), (237 *N.J.* 250) for violating *RPC* 1.5(b) (failure to set forth in writing the basis or rate of a fee), and *RPC* 1.7(a) (conflict of interest). Rosemary J. Bruno appeared before the DRB for District VA and Clifford J. Weininger appeared for respondent. The respondent was previously disciplined: Admonished in 1995; reprimanded in 2002; and censured in 2011.

ANNETTE PATRICIA ALFANO

Censured on June 13, 2019 (238 *N.J.* 239) for violating *RPC* 1.15(a) (failure to safeguard property belonging to a client or third party); *RPC* 1.15(b) (failure to promptly disburse funds); *RPC* 4.1(a)(1) (knowingly making a false statement of material fact or law to a third person); and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) in connection with a real estate matter. Christina Blunda appeared before the DRB for the OAE and Scott B. Piekarsky appeared for the respondent. The respondent was previously disciplined: Admonished in 2015.

OUSMANE DHU'L-NUN AL-MISRI

Suspended for three months on a certified record on November 13, 2019, effective December 12, 2019 (240 *N.J.* 179) for violating *RPC* 1.1(a) (gross neglect); *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to keep client reasonably informed about a matter and to reply to client's reasonable requests for information; *RPC* 5.5(a)(2) (assisting a person who is not a member of the bar in the unauthorized practice of law; and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Christina Blunda represented the OAE and respondent failed to appear. The respondent was previously disciplined: Admonished in 1996 and 2002 and censured in 2009.

ESTHER MARIA ALVAREZ

Admonished on September 20, 2019 *(Unreported)* for her violation of *RPC* 1.1 (a) (gross neglect), *RPC* 1.3 (lack of diligence), and *RPC* 1.4(b) (failure to communicate with the client) in a matrimonial matter. John M. Boyle handled the matter for District VI and Raymond S. Londa represented the respondent.

KATERINA N. ARVANITAKIS

Disbarred by consent on January 16, 2019 (236 *N.J.* 353). Respondent acknowledged that she knowingly misappropriated client funds in connection with her guilty plea to felony wire fraud in the United States District Court for the Southern District of New York, in violation of *18 U.S.C. § 1342* and *2*. Respondent acknowledged that if she went to a hearing on that matter, she could not successfully defend herself against those charges. Deputy Ethics Counsel Eugene A. Racz represented the OAE and

Peter M. Zirbes represented the respondent.

FRANCIS CHARLES BABCOCK, JR.

Censured on January 10, 2019 (238 *N.J.* 241) for ethics violations committed in two separate matters. The first matter, investigated by the OAE, resulted in violations of *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.15(b) (failure to promptly notify and deliver funds or property to a client or third party), *RPC* 1.16(d) (failure to protect client's interests on termination of representation), *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) stemming from respondent's delay in handling an estate and failure to comply with a judge's orders to turn records over to a substituted administrator. The second matter, investigated by the District VI Ethics Committee, was a certified record stemming from a grievance of a former client that resulted in violations of *RPC* 1.4(b) (failure to communicate with client) and *RPC* 1.16(d) (failure to protect client's interests on termination of representation). HoeChin Kim represented the OAE and respondent was pro se before the DRB. Respondent was previously disciplined: Reprimanded in 2017.

BASSEL BAKHOS

Censured on September 20, 2019 (239 *N.J.* 526) following his violation of *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect); *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to communicate with client); *RPC* 1.16(a)(2) (failure to withdraw from representation); *RPC* 3.3(a)(1) (lack of candor to a tribunal); *RPC* 3.3(a)(5) (failure to disclose a material fact to a tribunal); *RPC* 3.4(d) (failure to make reasonably diligent efforts to comply with legally proper discovery requests from opposing party); *RPC* 4.1(a) (false statement of material fact or law to a third party); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Reid Adler represented the OAE before the DRB and Steven R. Lane represented the respondent.

JOSEPH PETER BARRETT

150-day retroactive suspension effective March 24, 2017 (238 *N.J.* 517) The Court held that because a Utah court limited the presentation of evidence of a business dispute between respondent and his former Utah law firm, and because evidence that may exist in Utah cannot be compelled by respondent in New Jersey, the Court could not conclude that the OAE proved by clear and convincing evidence that respondent knowingly misappropriated law firm funds in violation of *RPC* 1.15a under circumstances justifying greater discipline than that imposed in Utah. The New Jersey Supreme Court considered whether Respondent, who received a 150-day day suspension for knowing misappropriation of law firm funds in Utah – a jurisdiction that applies a preponderance of evidence standard and recognizes no business dispute defense – could be disbarred in New Jersey under New Jersey's clear and convincing evidence standard based only on the Utah record. Charles Centinaro appeared before the Supreme Court for the OAE and John McGill, III, appeared for the respondent.

RICHARD J. BARRETT

Disbarred by a motion for final discipline on September 20, 2019, (__*N.J.*__) for violating *RPC* 1.15(a) (failure to safeguard funds), the principles of In re Hollendonner, 102 *N.J.* 21 (1985) and In re Wilson, 81 *N.J.* 451 (1979); *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness); and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent pled guilty to one count of petit larceny, a class A misdemeanor, in violation of N.Y. State Penal law § 1.55.25 (Consol. 1967). Eugene A. Racz represented the OAE and respondent was pro se.

CIATTA BAYSAH

Censured on a certified record on December 3, 2019, (140 *N.J.* 205) in a matrimonial matter, where respondent misrepresented the status of the case to the client, violating *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary for the client to make informed decisions about the representation), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Maria Vallejo represented District VI and respondent was pro se.

KEVIN J. BEGLEY

Admonished on June 24, 2019 *(Unreported)* for his violations of *RPC* 1.1 (a) (gross neglect); *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to communicate); and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) in his representation of a client who filed suit against their insurance carrier for failure to provide coverage. James E. Tonrey, Jr. represented District VIII and Michael L. Lazarus represented the respondent.

JEFFREY M. BENJAMIN

Suspended for six months on March 12, 2019, effective June 3, 2016 through December 3, 2016, (237 *N.J.* 152), following a motion for reciprocal discipline. Respondent's unethical New York conduct constituted the violation of the following equivalent New Jersey *RPCs*: *RPC* 1.4(b) (failure to comply with reasonable requests for information), *RPC* 1.15(a) (failure to hold client's funds separate from the lawyer's own property), and *RPC* 1.15(b) (failure to promptly deliver funds to the client). Hillary Horton represented the OAE and respondent was pro se.

DAVID CHARLES BERMAN

Suspended for six months, following certification of the record, on July 18, 2019 (238 *N.J.* 587) for failing to comply with R. 1:20-20, which requires a suspended attorney to file an affidavit with the Director of the Office of Attorney Ethics specifying steps taken to comply with each provision of the rule, in violation of *RPC* 8.1(b) (failure to reply to a lawful demand for information from the disciplinary authority) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se. Respondent was previously disciplined: Suspended for two years in 2017.

ROBERT J. BERNOT

Suspended for six months on a certified record on May 2, 2019 (effective November 3, 2019), (237 *N.J.* 493) for violating *RPC* 5.5(a) (1) (engaging in the unauthorized practice of law). Patrick J. Cerillo handled the matter for District XIII and respondent defaulted. The respondent was previously disciplined: Reprimanded in 2012; temporarily suspended in 2013; and suspended for two years in 2018.

MARK A. BERNSTEIN

Admonished by the DRB on May 29, 2019 (*Unreported*) for misconduct in a criminal matter which violated *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with a client), *RPC* 5.3(a) (failure to supervise a nonlawyer assistant), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Thomas C. McCoy handled the matter on behalf of District IIIA and Robert Ramsey represented the respondent.

NEAL JONATHAN BLAHER

Disbarred reciprocally on September 12, 2019 (239 *N.J.* 524) on the basis of discipline (disbarment) imposed in Florida for unethical conduct that in New Jersey constitutes violations of *RPC* 1.15(a) (failure to safeguard funds-knowing misappropriation of trust funds), *RPC* 1.15(d) (recordkeeping improprieties), *RPC* 8.4(e) (conduct involving dishonesty, fraud, deceit or misrepresentation) and the principles of In re Wilson, 81 N.J. 451 (1979). Eugene A. Racz represented the OAE and respondent was pro se.

KOURTNEY ANNA BORCHERS

Admonished by the DRB on July 19, 2019 (*Unreported*) for financial misconduct which violated *RPC* 1.15(d) (recordkeeping). Amanda Figland handled the matter for the OAE and John A. Zohlman represented the respondent.

WILLIAM JOHN BOWE

Prohibited from applying for readmission to the New Jersey bar for the one year and prohibited from applying for pro hac vice admission in any New Jersey matters until further order of the Court, on July 23, 2019, (239 *N.J.* 84) for violating *RPC* 1.15(a) (failure to safeguard funds; commingling personal and client funds), *RPC* 1.15(d) (recordkeeping violations), *RPC* 5.5(a) (unauthorized practice of law), and *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer). Respondent had been administratively revoked pursuant to Rule 1:28-2(c) on August 25, 2014. Al Garcia and Hillary Horton represented the OAE and Robert A. Weir, Jr. represented respondent.

CHRISTOPHER D. BOYMAN

Disbarred on March 27, 2019, (237 *N.J.* 368) for violating *RPC* 5.5(a)(1) and Rule 1:20-20(b)(1) (practicing law while suspended), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Timothy J. McNamara represented the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Censured in 2010 and 2014; and suspended for three years in 2018.

JAMES D. BRADY

Disbarred, effective November 12, 2019, on a certified record (240 *N.J.* 100) for violating *RPC* 1.5(c) (conclusion of a contingent fee matter, failure to provide the client with a written statement of the outcome of the

matter and, if there was a recovery, showing the remittance to the client and the method of its determination), *RPC* 1.15(a)(failure to safeguard funds) and the principles set forth in In re Wilson, 81 *N.J.* 451 (1979), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), *RPC* 8.4(b) (criminal act that reflects adversely on a lawyer's honesty, trustworthiness, or fitness to practice), and *RPC* 8.4(c)(conducting involving dishonesty, fraud, deceit or misrepresentation). Respondent obtained a $100,000 recovery for his clients in a one-third continency fee matter. Respondent disbursed the sum of $51,000 to the clients and paid off the clients' lien of $6,480, but knowingly misappropriated the remaining proceeds of $9,186.67 from the clients' two-thirds portion of the settlement. HoeChin Kim appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent was previously disciplined: Admonished in 2003; censured in 2009; and suspended for three months in 2018.

ADAM L. BRENT

Suspended for three months on December 5, 2019 (240 *N.J.* 222) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.5(b) (failure to set forth in writing the basis or rate of the fee), *RPC* 1.16(d) (on termination of representation, failure to surrender papers to which the client is entitled, and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Steven J. Zweig represented the OAE before the DRB and respondent was pro se. The respondent was previously disciplined: Temporarily suspended in 2019.

SHARON PRATICO BUCCI

Reprimanded on June 14, 2018 (238 *N.J.* 244) for violating *RPC* 1.15(a) (commingling personal and client funds; failure to safeguard funds), and *RPC* 1.15(d) (failure to comply with the recordkeeping requirements of *R.* 1:21-6). Reid Adler represented the OAE and Robert E. Ramsey represented respondent on a motion for discipline by consent granted by the DRB. This matter was discovered as a result of the Random Audit Compliance program.

JAMES PETER BYRNE

Disbarred on April 25, 2019 (237 *N.J.* 441) following unethical conduct in three matters that violated *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.16(d) (failure to protect a client's interests upon termination of the representation), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE on an Order to Show Cause before the Supreme Court and respondent failed to appear. Respondent has a prior disciplinary history: Reprimanded in 2006 and Suspended for three months in 2018.

JILL CADRE

Admonished by the DRB on November 25, 2019 (*Unreported*) for financial misconduct which violated *RPC* 1.15(a) (negligent misappropriation of client funds), *RPC* 1.15(d) (recordkeeping), and *RPC* 5.3(a) and (b) (failure to make reasonable efforts to ensure that the conduct of nonlawyers is compatible with the lawyer's professional obligations). Timothy J. McNamara handled the matter for the OAE and Thomas D. Flinn, represented the respondent. This matter was detected through the Random Audit Compliance Program.

ALEXANDER THOMAS CAIOLA

Reprimanded on a certified record on May 14, 2019 (238 *N.J.* 26) for violating *RPC* 1.15(a) (commingling and failure to safeguard client funds), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations) and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Reid Adler represented the OAE and respondent was pro se. This matter was discovered as a result of the Trust Overdraft Notification Program.

EDWARD M. CHAR

Disbarred by consent on May 15, 2019 (___*N.J.*___) following his admission that he knowingly misappropriated client funds, contrary to In re Wilson, 81 *N.J.* 451 (1979). Hillary Horton represented the OAE and Kim D. Ringler represented the respondent.

VINCENT CHIRICO

Suspended for three months on July 24, 2019 (effective August 19, 2019) (__*N.J.* __) for violating *RPC* 1.7(a)(2) (concurrent conflict of interest), *RPC* 1.15(d) (recordkeeping for failing to maintain New Jersey trust and business accounts), *RPC* 3.3(a)(1) and (5) (false statement of material fact or law to a tribunal and failure to disclose to the tribunal material facts, knowing the omission is reasonably certain to mislead the tribunal),

RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Jason Saunders and Eugene A. Racz handled the matter for the OAE. Joseph P. LaSala represented the respondent.

YOHAN CHOI

Suspended for two years on July 22, 2019, retroactive to May 2, 2018, (239 *N.J.* 68). Respondent pleaded guilty in the United States District Court for the Eastern District of New York to one count of conspiracy to commit money laundering, contrary to 18 U.S.C. § 1956, and one count of knowingly and willfully making a false, fictitious, or fraudulent statement or representation to Homeland Security Investigations (HIS), an arm of the United States Department of Homeland Security, contrary to 18 U.S.C. § 1001(a)(2). Respondent paid for approximately 30 to 35 personal injury cases at $1,000 per referral and he also agreed to launder some of the health care fraud proceeds through his business account by issuing checks to shell corporations. When HSI questioned respondent about the checks issued to the shell corporations, he falsely asserted that the checks were for legitimate expenses instead of admitting they were prohibited kickbacks. Hillary Horton represented the OAE and Richard E. Mischel represented respondent on a Motion for Final Discipline granted by the DRB.

MICHAEL K. CHONG

Admonished by the DRB on March 27, 2019 (*Unreported*) for misconduct in a bankruptcy matter which violated *RPC* 3.4(g) (presenting, participating in presenting or threatening to present criminal charges to obtain an improper advantage in a civil matter). Jason T. Komninos handled the matter for District IIB and respondent was pro se.

LINDA D. COFFEE

Disbarred by consent on October 3, 2019 (240 *N.J.* 50). Respondent acknowledged that she knowingly misappropriated funds, and that if she went to a hearing on that matter, she could not successfully defend herself against those charges. Timothy J. McNamara represented the OAE and Kevin C. Watkins represented the respondent. This matter was detected through the Random Audit Compliance Program.

MATTHEW I. COHEN

Suspended for two years on January 30, 2019, effective immediately, (236 *N.J.* 495) following a motion for reciprocal discipline. Respondent violated the equivalents of *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with a client), *RPC* 1.4(c) (failure to explain a matter to a client to the extent reasonable to permit the client to make informed decisions regarding the representation), *RPC* 1.16(a)(1) (failure to withdraw when the representation will result in a violations of the RPCs), *RPC* 1.16(d) (improper termination of representation), *RPC* 5.5(a)(1) (unauthorized practice of law), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Hillary Horton represented the OAE and respondent was pro se.

MAXWELL COLBY

Suspended for two years on January 11, 2019 effective March 15, 2019, (___*N.J.*___) for violating *RPC* 1.1(a) (gross neglect); *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to communicate with client); *RPC* 1.8(a) (conflict of interest); *RPC* 1.15(d) (recordkeeping); *RPC* 5.5(a)(1) (unauthorized practice of law); and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Reid Adler represented the OAE, Claire Scully represented District IX and the respondent was pro-se. The respondent was previously disciplined: Reprimanded in 2002 and in 2008; temporarily suspended in 2017 and suspended for one year in 2018.

KENDAL COLEMAN

Censured on July 25, 2019 (___*N.J.*___) in two ethics matters, one of which proceeded as a certification of the record, for violating *RPC* 1.15(a) (negligent misappropriation and failure to safeguard funds), *RPC* 1.15(d) , Rule 1:21-6 (recordkeeping), RPC 5.5(a)(1) (unauthorized practice of law), *RPC* 7.1(a) (communication about a lawyer or the lawyer's services), and *RPC* 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit or misrepresentation). Reid Adler and Hillary Horton represented the OAE. This matter was discovered as a result of the Trust Overdraft Notification Program.

JORDAN B. COMET

Suspended for three months on May 6, 2019, effective June 3, 2019, (___*N.J.*___) for violations of *RPC* 1.15(a) failure to safeguard client funds and the negligent misappropriation of client funds) and *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations). Al

Garcia and Hillary Horton represented the OAE and Robyn M. Hill represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

CHRISTOPHER CORSI

Suspended for three months on a certified record on November 15, 2109 effective December 12, 2019, (240 *N.J.* 180) for violating *RPC* 1.2(a) (failure to abide by the client's decisions concerning the scope and objectives of the representation), *RPC* 1.4(b) (failure to communicate with client), *RPC* 3.3(a)(1) (false statement of material fact or law to a tribunal), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Cynthia Earl represented the District IIIB Ethics Committee and respondent was pro-se.

PETER J. CRESCI

Disbarred on March 21, 2019 (237 *N.J.* 210) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.5(c) (on conclusion of a contingent fee matter, failure to provide the client with a written statement of the outcome, showing also any remittance to the client and its method of determination), *RPC* 1.15(a) (failure to safeguard funds of a third person and commingling of funds), *RPC* 1.15(b) (failure to make a prompt disposition of funds in which a client or third person has an interest), *RPC* 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:20-16), *RPC* 5.5(a)(1) (practicing law while suspended), *RPC* 8.1(a) (false statement of material fact to a disciplinary authority) *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation), and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985) (knowing misappropriation of client and/or escrow funds). Timothy J. McNamara represented the OAE before the Supreme Court and respondent appeared pro se. The respondent was previously disciplined: Censured in 2018.

MARCIA LYNNE CZAPELSKI

Admonished by the DRB on May 31, 2019 (*Unreported*) for misconduct in a divorce matter which violated *RPC* 1.3 (lack of diligence). Theodore J. Romankow handled the matter on behalf of District XII and respondent was pro se. Respondent was previously admonished in 2009.

CHARLES M. DAMIAN

Reprimanded on June 14, 2019 (238 *N.J.* 240) for violating *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations). Amanda Figland represented the OAE and Mark D. Garfinkle represented respondent on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Admonished in 2015. This matter was discovered as a result of the Random Audit Program.

DWIGHT HUGH DAY A/K/A DWIGHT HUGH SIMON DAY

Censured on July 22, 2019 (239 *N.J.* 21) for the negligent misappropriation of client funds, in violation of *RPC* 1.15(a), failure to cooperate with disciplinary authorities, in violation of *RPC* 8.1(b) and conduct involving dishonesty, fraud, deceit or misrepresentation, in violation of *RPC* 8.4(c). Christina Blunda appeared before the Supreme Court for the OAE and Tisha N. Adams appeared for the respondent.

STEPHEN P. DEMPSEY

Reprimanded on December 5, 2019 (240 *N.J.* 221) following his guilty plea to the fourth-degree crime of operation of a motor vehicle during a period of a driver's license suspension (second or subsequent violation) in violation of N.J.S.A. 2C:40-26(b), and driving under the influence, in violation of N.J.S.A. 39:4-50 conduct in violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects). Amanda Figland represented the OAE and respondent was pro se on a motion for final discipline granted by the DRB.

MICHAEL DESAPIO

Disbarred by consent on August 13, 2019 (239 *N.J.* 477) after admitting that he could not successfully defend himself against pending charges involving the knowing misappropriation of client and/or fiduciary funds. Ryan J. Moriarty represented the OAE and Anthony M. Rotunno represented the respondent.

TIMOTHY A. DILLON

Reprimanded on September 6, 2019 (239 *N.J.*

530) following a motion for reciprocal discipline in which respondent was found to have violated *RPC* 1.1(a) (gross neglect); *RPC* 1.1(b) (pattern of neglect); *RPC* 1.3 (lack of diligence); *RPC* 1.15(d) (recordkeeping violations); *RPC* 5.3(b) and (c)(2) (failure to supervise non-lawyer staff); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) in relation to his practice of law in Delaware. Hillary Horton represented the OAE and respondent was pro se.

EVAN R. DRACHMAN

Reprimanded on July 19, 2019 (___*N.J.*___) for violating *RPC* 1.7(a)(2) (conflict of interest) and *RPC* 5.5(a)(1) (practicing law while ineligible). Reid Adler represented the OAE and Barry A. Kozyra represented the respondent.

A. RANDALL DRISGULA

Admonished by the DRB on March 29, 2019 (*Unreported*) for misconduct in a real estate matter in regard to escrow funds which violated *RPC* 1.15(a) (failure to safeguard funds). HoeChin Kim represented the OAE and Candice L. Drisgula represented the respondent.

JAMES M. DUCKWORTH

Admonished by the DRB on April 26, 2019 (*Unreported*) for financial misconduct which violated *RPC* 1.15(a) and (d) (failure to safeguard funds, commingling, recordkeeping). Joe Glyn represented the OAE and Marc D. Garfinkle represented the respondent. This matter was discovered as a result of the Trust Overdraft Notification Program.

DAVID G. ESPOSITO

Censured on November 22, 2019 (240 *N.J.* 174) for knowingly violating *RPC* 1.15(b) (failing to promptly notify clients of receipt of funds to which they are entitled and failure to promptly disburse those funds) and *RPC* 1.15(d) (recordkeeping violations). Eugene A. Racz represented the OAE and Monica Chheda Fillmore represented respondent on a motion for discipline by consent granted by the DRB. This case was discovered solely as a result of the Random Audit Compliance Program.

GEORGE LOUIS FARMER

Reprimanded on September 6, 2019 (239 *N.J.* 527), for violating *RPC* 8.4(g) (engaging, in a professional capacity, in conduct involving discrimination). Dorothy F. McCrosson represented the District I Ethics Committee and respondent was pro se. Respondent was previously disciplined: Admonished in 2012.

JOSEPH A. FERRIERO

Disbarred on September 19, 2019, (239 *N.J.* 567) for violating *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent was found guilty following a jury trial in federal court for engaging in a criminal bribery scheme as a political party official. Eugene A. Racz represented the OAE and Robert Hille appeared on behalf of respondent on a motion for final discipline granted by the DRB.

DANIEL J. FOX

Suspended for one year on a certified record on November 6, 2019 (240 *N.J.* 98) for violating *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Ryan J. Moriarty appeared for the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Suspended in 2010 and censured in 2012.

BARRY N. FRANK

Disbarred on October 1, 2019 (240 *N.J.* 46) on a certified record for his violation of *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to communicate with client); *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation); *RPC* 1.5 (unreasonable fee); *RPC* 1.15(a) (failure to safeguard funds); *RPC* 1.16(a)(1) (failure to withdraw from representation if representation will result in violation of the Rules of Professional Conduct or other law); *RPC* 5.5(a)(1) (unauthorized practice of law); *RPC* 8.1(b) (failure to cooperate with disciplinary authorities); *RPC* 8.4(b) (committing criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer); and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Reid Adler represented the OAE and respondent was pro se. Respondent was previously disciplined: Censured in 2016 and suspended for one year in 2018.

KIRSTEN ELIZABETH FRANKLIN

Suspended for three years on January 24, 2019, retroactive to January 7, 2010 (236 *N.J.* 453), based on discipline imposed in the State of Florida which, in New Jersey, constitutes violation of *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with clients), and *RPC* 1.16(d) (failing to protect a client's interests upon termination of the representation, including refunding any unearned fees), *RPC* 5.4(a) (sharing legal fees with a nonlawyer), *RPC* 5.4(c) (permitting a person who employs or pays the lawyer to render legal services for another to direct or regulate the lawyer's professional judgment in rendering such legal services), *RPC* 5.4(d)(3) (practicing law in the form of a professional corporation where a nonlawyer has the right to direct or control the professional judgment of a lawyer) and *RPC* 8.4(a) (violating or attempting to violate the RPCs). Christina Blunda appeared before the DRB for the OAE and respondent appeared pro se via telephone.

STEVEN DANIEL FREESMAN

Disbarred by consent on October 18, 2019 (240 *N.J.* 55) for the knowing misappropriation of trust funds. Jason D. Saunders represented the OAE and Respondent was represented by Justin D. Santagata. This matter was discovered as a result of the Random Audit Program.

CARY FRIEZE

Admonished on October 21, 2019 (*Unreported*) for violations of *RPC* 1.15(d) (failure to comply with the recordkeeping provisions of R. 1:21-6), *RPC* 5.5(a)(1) (practicing law while ineligible), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Respondent had an unblemished 47-year disciplinary history. Hillary Horton and Al Garcia represented the OAE and Peter N. Gilbreth represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

STACY B. FRONAPFEL

Reprimanded on May 6, 2019 (237 *N.J.* 433) for violating *RPC* 5.5(a)(1) (unauthorized practice of law). Paul A. Carbon appeared before the DRB for District XA and respondent waived her appearance.

PRESTON I. FULFORD

Suspended for three months on March 22, 2019 (effective April 22, 2019), (237 *N.J.* 252) for committing an act of domestic violence, in violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects). Eugene A. Racz represented the OAE before the DRB and respondent appeared pro se.

MARC ALLEN FUTTERWEIT

Disbarred by consent on March 4, 2019 (237 *N.J.* 246). Respondent acknowledged that he knowingly misappropriated client trust funds, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Steven J. Zweig represented the OAE and Robert E. Ramsey represented the respondent. The respondent was previously disciplined: Admonished in 2009 and reprimanded in 2014. This matter was discovered solely as a result of the Random Audit Compliance Program.

JOHN JOSEPH GARAGOZZO

Censured on October 4, 2019 (240 *N.J.* 53) for knowingly violating *RPC* 5.5(a)(1) (unauthorized practice of law), *RPC* 7.1(a) (false or misleading communication about the lawyer, the lawyer's services, or any matter in which the lawyer has or seeks a professional involvement), *RPC* 7.5(a) (improper use of a professional designation that violates *RPC* 7.1), *RPC* 8.1(a) (knowingly making a false statement of material fact in connection with a disciplinary matter) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Eugene A. Racz represented the OAE and respondent was pro se.

ROBERT JOHN GENOVESE

Disbarred on June 13, 2019, (238 *N.J.* 242) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information), *RPC* 1.5(b) (failure to set forth fee in writing), *RPC* 1.15(a) (failure to safeguard funds), *RPC* 1.15(b) (failure to promptly notify client or third person of receipt of funds and to promptly deliver the funds), *RPC* 1.15(d) (failure to comply with recordkeeping requirements), *RPC* 1.16(d) (failure to refund unearned fees), *RPC* 3.2 (a lawyer shall treat with courtesy and consideration all persons involved in the legal process), *RPC* 4.4(a) (respect the right of a third persons), *RPC* 5.5(a) (practicing law while ineligible to do so), *RPC* 5.5(a)(2) (assisting a person in the unauthorized practice of law), *RPC* 8.1(a) (knowingly making a false statement of

material fact to disciplinary authorities), *RPC* 8.1(b) and Rule 1:20-3(g) (failure to cooperate with disciplinary authorities), *RPC* 8.4(b) (criminal conduct that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer) *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), *RPC* 8.4(d) (conduct prejudicial to the administration of justice), and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985). Christina Blunda represented the OAE before the Supreme Court and Respondent was pro-se. Respondent has been temporarily suspended from the practice of law since April 18, 2018. This matter was discovered as a result of the Trust Overdraft Notification Program.

SAL GREENMAN

Disbarred on April 9, 2019 (237 *N.J.* 307) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 5.5(a)(1) (practicing law while suspended), *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Timothy J. McNamara represented the OAE and Michael J. Confusione represented respondent before the Supreme Court. The respondent was previously disciplined: Censured in 2016 and suspended for one year in 2018.

SAUL GARY GRUBER

Censured on June 3, 2019 (238 *N.J.* 149) on two certified records for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failing to communicate with client), *RPC* 4.1(a)(1) (false statement of material fact to a third person), *RPC* 8.1(a) (knowingly making a false statement of fact to, and knowingly failing to reply to a lawful demand of information from, a disciplinary authority), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent failed to file an answer in response to two separate ethics complaints. On the certified records to the Disciplinary Review Board, respondent retained counsel, who filed a motion to vacate the defaults. Although it denied the motion, noting respondent had admitted to the violations charged in the complaints, the Board did take into account the mitigation presented in formulating the appropriate sanction. Michael J. Wietrzychowski and Theresa D. Brown represented the District IIIB Ethics Committee, and Frank L. Corrado represented respondent.

STEPHANIE FRANGOS HAGAN

Admonished by the DRB on April 30, 2019 (*Unreported*) misconduct in a matrimonial matter which violated *RPC* 1.7(a) (concurrent conflict of interest). William E. Staehle represented District XIII and Mark M. Tallmadge represented the respondent.

SANGHWAN HAHN

Censured on a certified record on September 6, 2019 (239 *N.J.* 529) for failing to comply with R. 1:20-20, which requires that a suspended attorney file an affidavit with the Director of the Office of Attorney Ethics specifying steps taken to comply with each provision of the rule. Hillary Horton represented the OAE. Respondent was previously disciplined: Suspended for three months in 2017.

RHASHEA LYNN HARMON

Suspended for an indeterminate period on November 7, 2019, effective December 4, 2019, (240 *N.J.* 124) and ordered by the Court that Respondent shall not petition for reinstatement to practice for a period of five years from the effective date of suspension, for violating *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.16(c) (failure to comply with applicable law when terminating a representation), *RPC* 1.16(d) (on termination of the representation, failure to take steps reasonably practicable to protect a client's interests), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Timothy J. McNamara represented the OAE before the Supreme Court and respondent failed to appear.

WILLIAM L. HUNEKE

Censured on a certified record on May 3, 2019 (237 *N.J.* 432) for violations of *RPC* 1.15(a) (commingling and failure to safeguard client funds), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Hillary Horton and Reid Adler represented the OAE and respondent was pro se. This matter was discovered solely as a result of the Random Audit Compliance Program.

ROBERT RICHARD HYNES

Admonished by the DRB on April 24, 2019 (*Unreported*) for failing to properly supervise an

employee who improperly directly communicated with a prospective personal injury client via an unsolicited phone call, misconduct which violated *RPC* 5.3(a) and (b) (failure to make reasonable efforts to ensure that the conduct of nonlawyers is compatible with the lawyer's professional obligations), *RPC* 7.3(b)(5) (improper, unsolicited, direct contact with a prospective client), and *RPC* 8.4(a) (violating or attempting to violate the Rules of Professional Conduct, knowingly assisting or inducing another to do so, or doing so through the acts or another). Timothy J. Little. represented District VIII and respondent was pro se.

ERNEST IANETTI

Censured on May 14, 2019 (___*N.J.*___) for respondent's violations of *RPC* 1.7(a) (concurrent conflict of interest), *RPC* 1.8(a) (entering into a prohibited business transaction with a client), *RPC* 8.1(a) (knowingly making a false statement of material fact), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Al Garcia represented the OAE and Robert J. DeGroot represented the respondent.

AIMAN IBRAHIM

Disbarred on a certified record on October 25, 2019 (240 *N.J.* 110) for knowingly misappropriating trust and escrow funds; making a false statement of fact in connection with a disciplinary matter; failing to reply to a lawful demand for information from a disciplinary authority; committing a criminal act that reflects adversely on the honesty, trustworthiness, or fitness of the lawyer; engaging in conduct involving dishonesty, fraud, deceit or misrepresentation; and engaging in conduct prejudicial to the administration of justice. Christina Blunda represented the OAE and respondent failed to appear. This matter was solely discovered as a result of the Trust Overdraft Notification Program.

MARK JOHNS

Disbarred on June 19, 2019 (238 *N.J.* 76) following a motion for reciprocal discipline in which respondent was found to have violated *RPC* 1.3 (lack of diligence), *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary for the client to make informed decisions about the representation), *RPC* 1.5(b) (failure to set forth in writing the rate or basis of the attorney's fee), *RPC* 1.16(d) (failure to return an unearned retainer or client file on termination of the representation), *RPC* 5.5(a) (practicing while suspended), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Respondent practiced law unabated in numerous courts in Pennsylvania following his January 30, 2015 suspension. Hillary Horton represented the OAE on an Order to Show Cause before the Supreme Court and respondent failed to appear. Respondent was previously disciplined: Suspended for three months in 2018.

ALAN MONTE KAMEL

Admonished by the DRB on May 30, 2019 (*Unreported*) for misconduct in a collection matter which violated *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions about the representation), *RPC* 1.5(b) (failure to communicate in writing the basis or rate of the fee), and *RPC* 1.5(c) (failure to communicate the method by which the fee is to be determined in a contingent fee matter). Jared B. Weiss handled the matter on behalf of District XII and Justin A. Marchetta represented the respondent. Respondent was previously admonished in 1995.

LOUIS I. KARP

Censured on a certified record on May 6, 2019 (___*N.J.*___) for violating *RPC 1.1(a)* (gross neglect), *RPC 1.3* (lack of diligence), *RPC 1.4(b)* (failure to communicate with the client), *RPC 1.16(d)* (failure to turn over client file on termination of representation) and *RPC 8.1(b)* (failure to cooperate with disciplinary authorities). Ricki Anne Sokol represented the District XB Ethics Committee and respondent was pro se.

EYAL KATZMAN

Disbarred on October 1, 2019 (240 *N.J.* 47) following a motion for final discipline following respondent's conviction following a jury trial in New York Supreme Court, Queens County to two counts of third-degree criminal sexual act (victim less than seventeen years old), contrary to N.Y.P.L. 130.40-2; three counts of third-degree patronizing a prostitute, contrary to N.Y.P.L. 1230.04; and three counts of endangering the welfare of a child, contrary to N.Y.P.L. 260.1-1. Respondent solicited high school-aged girls for sex in exchange for money. He showed no remorse for his conduct and attempted to shift blame to his victims. Hillary Horton represented the OAE and respondent was pro se.

KEIRSTEN KLATCH

Reprimanded on July 12, 2019 (238 *N.J.* 477) following a motion for reciprocal discipline. Respondent violated *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 1.8(a) (improper business transaction with a client), *RPC* 1.15(a) and (d) (recordkeeping violations), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Respondent's license to practice law in New Jersey was revoked on June 4, 2018 but her misconduct occurred prior to the Order's effective date. Hillary Horton represented the OAE and Joseph C. Mahon represented respondent.

RICHARD C. KLEIN

Disbarred by consent on February 11, 2019 (237 *N.J.* 1). Respondent acknowledged that he was aware that the OAE alleged that he fabricated multiple false orders and forged judges' signatures thereon, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Respondent was temporarily suspended in 2018 pending a remand for a mitigation hearing in this matter. Johanna Barba Jones represented the OAE and respondent was represented by Ronald A. Graziano.

ANTHONY J. LARUSSO

Disbarred on a certified record on October 10, 2019 (240 *N.J.* 40) for charging an unreasonable fee; failing to set forth, in writing, the basis or rate of the fee; engaging in a_concurrent conflict of interest: failing to comply with the recordkeeping requirements of Rule 1:21-6); making a false statement of material fact or law to a third person; making a false statement of material fact to a disciplinary authority and engaging in_conduct involving dishonesty, fraud, deceit or misrepresentation. Respondent has prior discipline: censured in 2007 and 2012. Christina Blunda represented the OAE and respondent failed to appear.

WILLIAM M. LAUFER

Admonished on May 31, 2019 (___*N.J.*___) for violating *RPC* 8.4(d) (conduct prejudicial to the administration of justice) for "jokingly" stating to an adversary during a courtroom recess in a hotly-contested matrimonial/domestic violence matter that he had the Morris County Prosecutor, who was respondent's former law partner, "in his pocket" and that "he does what I ask." Al Garcia represented the OAE and Lawrence P. Cohen represented the respondent.

JULIE ANNA LA VAN

Reprimanded on July 12, 2019 (238 *N.J.* 474) for violating *RPC* 8.4(a) (violating or attempting to violate the RPCs, knowingly assisting or inducing another to do so, or doing so thorough the acts of another) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Joseph Schramm, III represented the District IIIB Ethics Committee and Marshall D. Bilder represented respondent.

RICHARD LEDINGHAM

Disbarred on October 30, 2019 (240 *N.J.* 115), for violating *RPC* 1.5(a) (charging an unreasonable fee) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit and misrepresentation). Stephanie Shreter represented District IIIB before the DRB. Amanda Figland represented the OAE before the Supreme Court and respondent was pro se. The respondent was previously disciplined: Suspended for 3 months in 2007 and temporarily suspended in 2015.

CHARLES H. LEE

Suspended for three months on April 16, 2019, effective May 6, 2019, (237 *N.J.* 437) for violating *RPC* 1.5(a) (unreasonable fee), *RPC* 1.5(c) (improper contingent fee), *RPC* 1.7 (a)(2) (conflict of interest), *RPC* 1.15(a) (commingling), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations), *RPC* 5.5(a)(1) (practicing law while ineligible), *RPC* 7.5(c) (improper law firm name), *RPC* 7.5(d) (improper law partnership), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Christina Blunda represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Admonished in 1998.

YUEXIN LI

Censured on July 25, 2019, (239 *N.J.* 141) for violating *RPC* 1.15(b) (failure to promptly deliver funds or other property belonging to the client), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Timothy J. McNamara represented the OAE and respondent was pro-se on a motion for discipline by consent granted by the DRB. This matter

was discovered solely as a result of the Trust Overdraft Notification Program.

MICHAEL D. LINDNER, JR.

Admonished on a certified record (239 *N.J.* 528) for violating *RPC* 5.5(a) (unauthorized practice of law – failure to maintain liability insurance while practicing as an LLC). Jason D. Saunders represented the OAE and respondent was pro se.

FREDERICK S. LOWENBERG

Censured on July 12, 2019 (238 *N.J.* 475) following a motion for reciprocal discipline. Respondent violated *RPC* 1.1(a) (gross neglect), *RPC* 1.16(d) (failure to refund an unearned fee), *RPC* 1.3 (lack of diligence), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton and Johanna Barba Jones represented the OAE and respondent was pro se.

PHILLIP L. LUCAS

Admonished by the DRB on June 25, 2019 (*Unreported*) for violating *RPC* 1.5(b) (failure to communicate in writing the basis or rate of the fee), and *RPC* 1.6(a) (revealing information relating to the representation of a client without obtaining the client's consent). Margarie M. Herlihy represented District VIII and respondent was pro se.

ANIA MARCINKIEWICZ

Suspended for one year on December 4, 2019 (240 *N.J.* 207) following her guilty plea to third-degree aggravated assault causing significant bodily injuries, and third-degree endangering the welfare of a child, conduct that violated *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects). Amanda Figland represented the OAE and Kevin G. Roe represented the respondent on a motion for final discipline granted by the DRB.

SCOTT MARINELLI

Censured on a certified record on November 18, 2019 (240 *N.J.* 181) for violations of *RPC* 8.1(b) (failure to reply to a lawful demand for information from the disciplinary authority) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Joseph A. Glyn represented the OAE and respondent was pro se.

JEFFREY D. MARKS

Censured on March 13, 2019 (237 *N.J.* 247) for violating *RPC* 1.15(a) (failure to safeguard funds/commingling) and *RPC* 1.15(d) (failure to comply with recordkeeping requirements under Rule 1:21-6). Timothy J. McNamara represented the OAE and John McGill, III represented the respondent before the DRB. This matter was discovered as a result of the Random Compliance Audit Program.

ROBERT C. MASESSA

Censured on July 25, 2019, (239 *N.J.* 85) for violating *RPC* 1.15(b) (failure to promptly deliver funds or other property belonging to the client), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Timothy J. McNamara represented the OAE and Thomas P. Scrivo represented respondent on a disciplinary stipulation accepted by the DRB.

JOHN E. MAZIARZ

Reprimanded on July 12, 2019 (238 *N.J.* 476) for violating *RPC* 1.15(a) (commingling and negligent misappropriation of funds), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Steven J. Zweig represented the OAE before the DRB and respondent was pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

DANIEL W. MCCARTNEY, JR.

Disbarred on June 19, 2019 (238 *N.J.* 342) following a motion for reciprocal discipline. Respondent violated *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep client reasonable informed about the states of a matter or to promptly comply with reasonable requests for information), *RPC* 1.4(c) (failure to explain matter to extent reasonably necessary to permit the client to make informed decisions regarding the representation), *RPC* 1.15(d) (recordkeeping), *RPC* 1.6(d)(1) (failure to protect a client's interests on termination of the representation), *RPC* 3.3(a) (false statement of material fact or law to a tribunal), *RPC* 5.5(a) (unauthorized practice of law), *RPC* 8.4(b) (criminal conduct that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer),

RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and the respondent was pro se.

BRIAN P. MEEHAN

Disbarred by consent on January 10, 2019 (236 *N.J.* 300) following his no contest plea in the Court of Common Pleas, First Judicial District of Pennsylvania to statutory sexual assault, victim 11 years or older, contrary to 18 Pa.C.S. §3122.1(B); corruption of minors, defendant 18 years or older, contrary to 18 Pa.C.S. §6301(A)(1)(ii); and promoting prostitutes, own house of prostitution or business, contrary to 18 Pa.C.S. §5902(B)(1). Hillary Horton represented the OAE and Samuel C. Stretton of Pennsylvania represented the respondent.

RAYMOND F. MEISENBACHER, JR.

Reprimanded on May 30, 2019 (238 *N.J.* 133) for violating *RPC* 1.15(b) (failure to promptly notify a client or third person of receipt of funds and to promptly deliver those funds), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Michael Paul O'Grodnick represented District XIII and Victor A. Rotolo represented respondent.

ROBERT J. MICHELINI

Censured on December 6, 2019, (235 *N.J.* 170) for violating *RPC* 5.4(d)(1) (practicing law for profit in association with a nonlawyer); *RPC* 7.1(a)(1) (making material misrepresentation of fact or law about the lawyer, the lawyer's services, or any other matter in which the lawyer has or seeks professional involvement; and *RPC* 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit or misrepresentation). Christina Blunda represented the OAE and Thomas Scrivo represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

DIEGO P. MILARA

Suspended for one year on a certified record on May 1, 2019 (237 *N.J.* 431) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.16(d) (failure to protect client's interest on termination of the representation), *RPC* 8.1(b) (failure to respond to a lawful demand for information by disciplinary authorities), *RPC* 8.4(c) (conducting involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Keith Kandel represented District VI and respondent was pro se. The respondent was previously disciplined: Temporarily suspended as of January 22, 2015 and censured in 2018.

JOHN C. MILLER, III

Admonished by the DRB on March 29, 2019 (*Unreported*) for violating *RPC* 1.15 (a) and (b) (negligent misappropriation, commingling and recordkeeping). Reid Adler represented the OAE and Fredric L. Shenkman represented respondent. This matter was detected solely by the Trust Overdraft Notification Program.

BRUCE C. MORRISSEY

Reprimanded on November 18, 2019, (240 *N.J.* 182) for violating *RPC* 1.4 (c) (failure to explain a matter to the extent reasonably necessary to permit client to make informed decisions about the representation), *RPC* 1.5(c) (a contingent fee agreement shall be in writing and shall state the method by which the fee is to be determined) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Andrew Macklin represented District IIA and respondent was pro-se.

GREGORY K. MUELLER

Reprimanded on July 24, 2019 (___*N.J.*___) for violating *RPC* 1.7(a)(1) and (2) (concurrent conflict of interest) and *RPC* 5.1(a) and (c) (failure to supervise another lawyer). Jason D. Saunders and Eugene A. Racz handled the matter for the OAE. Carl D. Poplar represented the respondent.

STEPHEN ROBERT MURPHY

Disbarred on a certified record on September 11, 2019 (239 *N.J.* 523) for violating *RPC* 1.15(a) (knowing misappropriation of client funds and failure to safeguard funds), the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985), *RPC* 1.15(d) and R. 1:21-6 (recordkeeping violations) and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Hillary Horton represented the OAE before the Supreme Court and respondent failed to appear.

ANNETTE MARIA OAKLEY

Censured on May 31, 2019 (238 *N.J.* 134) for knowingly violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 5.5(a)(1) (unauthorized practice of law) and *RPC* 8.4(c) (conduct prejudicial to the administration of justice). Eugene A. Racz represented the OAE and respondent appeared pro se on a motion for reciprocal discipline granted by the DRB.

DEAN F. OWENS, II

Admonished by the DRB on November 25, 2019 (*Unreported*) for violating *RPC* 1.3 (lack of diligence) and *RPC* 1.4(b) and (c) (failure to communicate with a client). Jennifer L. Gottschalk represented District IIIB and Robert N. Agre represented respondent.

HERCULES PAPPAS

Admonished on March 7, 2019 (237 *N.J.* 121) on a certified record for a violation of *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Although the Disciplinary Review Board had recommended a reprimand, the Court determined the appropriate quantum of discipline was an admonition. Albert Olizo, Jr. represented the District IV Ethics Committee and respondent was pro se.

M. BLAKE PERDUE

Suspended for six months on a certified record on October 15, 2019, effective October 31, 2019 (240 *N.J.* 43) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep client reasonably informed about the status of the matter), *RPC* 1.4(c) (failure to explain a matter to client sufficiently to permit client to make informed decisions), *RPC* 1.16(d) (failure to protect client interests and return file on termination of representation), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Angela Marie Scafuri represented the District XA Ethics Committee and respondent failed to appear.

CARLOS E. PEREZ

Reprimanded on November 22, 2019 (_ *N.J.*___) for violating *RPC* 5.5(a)(1) (practicing law while ineligible to do so) and *RPC* 8.4(a) (violating the Rules of Professional Conduct). The DRB determined to dismiss the charged violation of *RPC* 8.4(a). Andrew Olesnycky represented District VC and Rubin Sinins represented respondent on a motion for discipline by consent granted by the DRB.

JACK BARRY PHILLIPS

Disbarred on January 16, 2019 (236 *N.J.* 414) for knowing misappropriation of escrow funds in violation of *RPC* 1.15(a) and the principles of In re Wilson, 81 *N.J.* 451 (1970) (knowing misappropriation of client funds) and In re Hollendonner, 102 *N.J.* 21 (1985) (knowing misappropriation of escrow funds), *RPC* 1.15(c) (failure to maintain disputed funds separate and intact), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). The funds at issue were proceeds from the sale of realty subject to bankruptcy proceedings of respondent's former wife, also a disbarred New Jersey attorney. HoeChin Kim appeared before the Supreme Court for the OAE and respondent failed to appear.

DAVID QUATRELLA

Disbarred on April 2, 2019 (237 *N.J.* 402) on a motion for final discipline. Respondent was convicted in the United States District Court for the District of Connecticut of one-count of wire fraud, contrary to 18 U.S.C. § 371, for his part in connection with a scheme to defraud insurances providers via three stranger-originated life insurance policies (STOLIs). Hillary Horton represented the OAE before the Supreme Court and respondent failed to appear.

VICTOR K. RABBAT

Disbarred on March 27, 2019, (237 *N.J.* 369) for violating *RPC* 1.15(a) (failure to safekeep property of clients and third persons), *RPC* 3.4(c) (knowingly disobeying a court order – to hold funds in trust), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation), *RPC* 8.4(d) (engaging in conduct prejudicial to the administration of justice), and N.J.S.A. 2C:21-15 (misapplication of entrusted property), and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985) (involving the knowing misappropriation of client and escrow funds). Respondent was previously disciplined: Admonished in

2012; suspended for 3 years in 2017. Reid Adler appeared before the Supreme Court for the OAE and respondent failed to appear.

MAHESH RAJAN

Reprimanded on April 12, 2019 (237 *N.J.* 434) for violating *RPC* 1.7(a) (concurrent conflict of interest) and *RPC* 1.8(a) (prohibited business transaction with a client or knowingly acquire an ownership, possessory, security or other pecuniary interest adverse to a client). Johanna Jones represented the OAE and respondent was *pro se* on a motion for discipline by consent granted by the DRB.

FERNANDO J. REGOJO

Disbarred on October 9, 2019 (240 *N.J.* 42) for knowing misappropriation of trust funds and escrow funds totaling $186,606 in three matters, in violation of *RPC* 1.15(a) and the principles of In re Wilson, 81 *N.J.* 451 (1970) (knowing misappropriation of client funds) and In re Hollendonner, 102 *N.J.* 21 (1985) (knowing misappropriation of escrow funds); *RPC* 1.15(d) (failure to comply with recordkeeping requirements required by R. 1:21-6); *RPC* 8.1(b) (failure to cooperate with disciplinary authorities); *RPC* 8.4(b) (criminal act that reflects adversely upon the honesty, trustworthiness or fitness as a lawyer); and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent was temporarily suspended effective April 23, 2018. HoeChin Kim appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent was previously disciplined: Reprimanded in 2001, 2004 and 2005; and censured in 2006.

RICHARD M. ROBERTS

Disbarred by consent on August 7, 2019 (239 *N.J.* 449) following respondent's plea in New Jersey Superior Court to third-degree perjury and theft by failure to make the required disposition. During his allocution, respondent admitted that he stole $20,000 from his firm's attorney trust account and used the funds to make alimony payments. Hillary Horton represented the OAE on a motion for disbarment by consent and John J. McMahon represented respondent. Respondent was previously disciplined: Admonished in 2002; censured two times in 2009; suspended for three months in 2015; and suspended for three years in 2017.

CHERI S. WILLIAMS ROBINSON

Suspended for one year on a certified record on January 24, 2019, effective May 23, 2018, (236 *N.J.* 449). Respondent violated *RPC* 8.1(b) (failure to cooperate), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) for failing to file the required R. 1:20-20 affidavit. Hillary Horton represented the OAE and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2015; suspended for three-months in 2016; and suspended for one-year in 2017.

MATTHEW THOMAS ROSE

Censured on July 19, 2019 (___*N.J.*__) for violating *RPC* 1.4(b) failure to keep a client reasonably informed about the status of a matter or to promptly comply with reasonable requests for information) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Frank V. Carbonetti appeared before the DRB for District IIA and respondent appeared pro se.

MICHAEL J. ROSENBLATT

Disbarred on October 9, 2019 (240 *N.J.* 39) for respondent's criminal conviction in the State of New York for grand larceny (second degree) in violation of Penal Law Sec. 155.40(1), conduct that in New Jersey violates *RPC* 1.15(a), In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985) (knowing misappropriation of client and escrow funds), *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Amanda Figland appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent was previously disciplined: Suspended for six months in 2001.

STEVEN H. SALAMI

Disbarred by consent on December 9, 2019 (240 *N.J.* 211) after respondent acknowledged he could not defend against charges of knowing misappropriation of client and escrow funds. Ryan J. Moriarty represented the OAE and Vincent J. Martinelli represented the respondent. Respondent was previously disciplined: Admonished in 2015; censured in 2017; and temporarily suspended in 2019.

ANTHONY F. SARSANO

Reprimanded on June 3, 2019 (238 *N.J.* 77) for violating *RPC* 1.7(a)(2) (concurrent conflict of interest) in a real estate transaction where he represented the seller and his wife, a real estate agent, represented the buyer. HoeChin Kim represented the OAE and Mario M. Blanch represented respondent. Respondent was previously disciplined: Reprimanded in 1995.

AILEEN MERRILL SCHLISSEL

Suspended for three months on January 10, 2019 (236 *N.J.* 296) for violating *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations); *RPC* 5.5(a) and Rule 1:21-1B (a)(4) (unauthorized practice of law for failure to maintain professional liability insurance); *RPC* 8.1(b) (failure to cooperate with disciplinary authorities); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Joseph A. Glyn represented the OAE before the DRB and the respondent was pro se. The respondent was previously disciplined: Temporarily suspended in 2017. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

AILEEN MERRILL SCHLISSEL

Suspended for six months on July 16, 2019 effective April 11, 2019 (___*N.J.*___) based on discipline imposed in the state of Nevada for unethical conduct that in New Jersey constitutes violations of *RPC* 1.15(a) (safekeeping property), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failing to keep a client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information), *RPC* 5.3 (responsibility regarding nonlawyer assistance), *RPC* 5.4(a) (professional independence of a lawyer), *RPC* 5.5(a) and Rule 1:20-1B(a)(4) (unauthorized practice of law and failure to maintain liability insurance), and *RPC* 7.1 (communications concerning lawyer's service). Johanna Barba Jones appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Temporarily suspended in 2017 and suspended for three months in 2019.

KYLE G. SCHWARTZ

Admonished by the DRB on September 20, 2019 (*Unreported*) for violating *RPC* 1.3 (lack of diligence) and *RPC* 1.4(b) (failure to communicate with a client) in an estate matter. Richard Anthony Gantner represented District XIII and James R. Wronko represented respondent.

RONALD SCHWARTZ

Reprimanded on a disciplinary stipulation on October 22, 2018 (___ *N.J.* ___) for violating *RPC* 1.15(a) (funds held in the trust account in excess of those reasonably sufficient to pay bank charges), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping deficiencies, and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Jason D. Saunders represented the OAE and respondent was *pro se*. Respondent was previously disciplined: Suspended for three months in 1985. This matter was discovered as a result of the Trust Overdraft Notification Program.

STEPHEN N. SEVERUD

Admonished by the DRB on March 29, 2019 (*Unreported*) for violating *RPC* 1.1(a) (gross neglect) and *RPC* 1.3 (lack of diligence) in a tax assessment matter. Thomas E. Maloney, Jr. represented District XA and respondent was pro se.

FINCOURT B. SHELTON

Disbarred by a motion for reciprocal discipline on November 14, 2019 (240__ *N.J.* 171) based on parallels to In re Ort, 134 *N.J.* 146 (1993) stemming from his fee overreaching by taking excessive legal fees and commissions from estate funds and for making improper loans from those entrusted funds in Pennsylvania. Respondent violated *RPC* 1.1(a) (gross neglect), *RPC* 1.2(a) (failure to abide by a client's decisions regarding the scope and objectives of representation, and failure to consult with a client regarding the means to pursue them), *RPC* 1.4(c) (failure to explain the matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), *RPC* 1.5(a) (unreasonable fee), *RPC* 1.7(a)(2) (conflict of interest), RPC 1.8(a) (improper business transactions), *RPC* 3.3(a)(1) (false statement of material fact or law to a tribunal), *RPC* 4.1(a)(1) (false statement of material fact or law to a third person), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Eugene A. Racz represented the OAE and respondent did not appear despite proper notice.

A. JARED SILVERMAN

Censured on October 4, 2019 (240 *N.J.* 51) for violating *RPC* 1.8(a)(2) (improper business transaction

with a client; *RPC* 1.15(a) (failure to safeguard client funds); and *RPC* 1.15(d) (recordkeeping violations). The Court also imposed several conditions on respondent's law practice. Respondent is required to practice under the supervision of a practicing attorney approved by the OAE, have an OAE-approved co-signatory on his attorney accounts, and submit monthly reconciliations to the OAE on a quarterly basis. These conditions are to continue until further order of the Court. Christina Blunda appeared before the Supreme Court for the OAE and the respondent appeared pro se. This matter was discovered solely as a result of the Random Audit Compliance Program.

JOSEPH M. SIMANTOV

Admonished by the DRB on July 22, 2019 (*Unreported*) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about a the status of a matter and promptly comply with reasonable requests for information), and *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions about the representation) in a personal injury matter. Jennifer L. Young represented District XII and Pamela L. Brause represented the respondent.

LORI JO SKLAR

Three-month suspension, effective March 7, 2019 (236 *N.J.* 554). In California, respondent willfully failed to obey two court orders in violation of the California Business and Professions Code (BPC) § 6103 and also attempted to mislead a Superior Court Judge there in willful violation of BPC § 6068(d). Respondent's misconduct in California equated to violations of *RPC* 3.3(a) (knowingly making a false statement of material fact to a tribunal), *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of the tribunal), *RPC* 8.4(c) (conduct involving fraud, deceit or dishonesty) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) in New Jersey. Eugene A. Racz represented the OAE and respondent appeared pro se on a motion for reciprocal discipline granted by the DRB.

JOHN C. SMITH, JR.

Disbarred on April 26, 2019 (237 *N.J.* 443) based on discipline imposed in New York for unethical conduct that in New Jersey constitutes violations of *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter or to promptly comply with reasonable requests for information), *RPC* 1.15(a) (knowing misappropriation of client trust funds), *RPC* 1.15(b) (failure to promptly deliver funds to a client), *RPC* 1.15(d) (recordkeeping violations), *RPC* 8.4(b) (criminal conduct that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and the principles of In re Wilson, 81 *N.J.* 451(1979) and In re Siegel, 133 *N.J.* 163 (knowing misappropriation of client settlement funds). Johanna Jones represented the OAE on a motion for reciprocal discipline and Respondent was pro se.

MICHAEL W. SONG

Reprimanded on January 29, 2019, (236 *N.J.* 494) for violating *RPC* 4.1(a) (false statement of material fact to a third party), *RPC* 5.4(c) (permitting a person who recommends, employs, or pays the lawyer to render legal services for another to direct or regulate the lawyer's professional judgment) and *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Christina Blunda represented the OAE before the DRB and respondent appeared pro se.

PAUL SPEZIALE

Censured on May 30, 2019 (238 *N.J.* 76) on a certified record. Respondent was charged with violations of *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) for failing to file a R. 1:20-20 affidavit or answer the complaint. Hillary Horton represented the OAE and respondent was pro se. The respondent was previously disciplined: Temporarily suspended in 2017 and suspended for one year in 2018.

ROBERT JAMES STACK

Admonished by the DRB on February 25, 2019 (*Unreported*) for violating *RPC* 1.7(a)(2) (concurrent conflict of interest), and *RPC* 1.9(a) (representing a client in a matter and thereafter representing another client in a substantially related matter where the interests are adverse) in a real estate matter. Lawrence P. Platkin represented District XA and Thomas R. King represented the respondent.

DEBORAH STEINCOLOR

Admonished on July 19, 2019 (*Unreported*) for violating *RPC* 1.15(a) (negligent misappropriation of client funds), *RPC* 1.15(d) (recordkeeping), and *RPC* 5.3

(a) and (b) (failure to supervise a nonlawyer assistant) for failure to supervise a nonlawyer assistant who stole more than $3,000 in client funds and more than $30,000 from the respondent personally. Ryan J. Moriarty represented the OAE and Debra E. Guston represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

KENYATTA K. STEWART

Admonished on October 22, 2019 (*Unreported*) for violating *RPC* 1.5(b) (failure to set forth in writing the basis or rate of the fee), and *RPC* 1.7(a) (concurrent conflict of interest). Paul Steven Danner represented District VA and Juliana Blackburn represented the respondent.

RICHARD B. THOMPSON

Disbarred on January 16, 2020, (__ *N.J.* __) on a motion for final discipline for violating *RPC* 8.4(b) (commission of criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d)(conduct prejudicial to the administration of justice). Respondent pled guilty to one count of fourth-degree falsifying records, in violation of N.J.S.A. 2C:21-4(a), after systematically falsifying official court records in motor vehicle cases while serving in public office as a municipal court judge in nine jurisdictions. Eugene A. Racz represented the OAE before the Supreme Court and Robert E. Ramsey represented respondent. .

JEFFREY TOMAN

Disbarred on April 24, 2019 (237 *N.J.* 429) following respondent's *nolo contendere* plea in the Pennsylvania Court of Common Pleas to first-degree misdemeanor corruption of the morals of a minor. The facts upon which the plea was based included allegations that respondent engaged in sexually explicit text messages with a fourteen-year-old girl whose mother he was representing in a child custody proceeding at the time. Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se.

MARK J. UDREN

Censured on December 6, 2019 (240 *N.J.* 223) for knowingly violating *RPC* 1.15(a) (negligent misappropriation of client funds and commingling client and personal funds), *RPC* 1.15(d)(failure to comply with the recordkeeping provisions of Rule 1:21-6), and *RPC* 5.3(a)(failure to supervise non-lawyer staff). Steven J. Zweig represented the OAE and Madelaine P. Hicks represented respondent on a motion for discipline by consent granted by the DRB. This matter was discovered solely as a result of the Random Audit Compliance Program.

JAMES VALVANO, II

Censured on December 4, 2019 (240 *N.J.* 220) for violating *RPC* 5.5(a)(1) (unauthorized practice of law; practicing while ineligible), *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects), *RPC* 8.4(c) (conduct involving dishonesty, fraud deceit or misrepresentation), *RPC* 8.4(d) (conduct prejudicial to the administration of justice). The Disciplinary Review Board determined to dismiss the charged violation of *RPC* 8.4(d). Christopher DiMuro represented District VC and Mark Garfinkle represented respondent on a motion for discipline by consent granted by the DRB.

CHRISTIAN M. VAN PELT

Disbarred by consent on October 30, 2019, (240 *N.J.* 116) Respondent acknowledged that he was aware that the OAE alleged that he knowingly misappropriated funds, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Timothy J. McNamara represented the OAE and Marc D. Garfinkle represented the respondent. This matter was discovered solely as a result of the Random Audit Program.

SEYMOUR M. WASSERSTRUM

Reprimanded on December 5, 2019 (__*N.J.*__) for violating *RPC* 1.5(e) (improper division of fees between lawyers who are not in the same law firm) and *RPC* 5.3(a) and (b) (failure to make reasonable efforts to ensure that the conduct of nonlawyers is compatible with the lawyer's professional obligations). Christopher C. Fallon, III, represented the District I Ethics Committee and Vincent J. Pancari was respondent's counsel. Respondent was previously disciplined: Two admonitions in 1998 and a public reprimand in 2007.

RAHEEM S. WATSON

Reprimanded on January 25, 2019 (236 *N.J.* 493), for violating *RPC* 1.1(a) (gross neglect); *RPC* 1.3(lack of

diligence), *RPC* 1.4(b) (failure to communicate with the client) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Michael Mormando represented District IIIB and John McGill, III, represented respondent.

RAHEEM S. WATSON

Disbarred by consent on June 12, 2019 (238 *N.J.* 238) after respondent admitted he could not defend himself against allegations of knowing misappropriation of client funds. Johanna Barba Jones represented the OAE and John McGill, III represented the respondent.

MICHAEL E. WEINTRAUB

Suspended for six months on May 13, 2019, effective June 10, 2019 (238 *N.J.* 1) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 8.4(c)(conduct involving dishonesty, fraud, deceit or misrepresentation) and *RPC* 8.4(d)(conduct prejudicial to the administration of justice). In part, respondent intentionally concealed a malpractice action and default judgment against his firm after he missed a critical deadline in an action on behalf of a client against the clients' investment advisor for the alleged money mismanagement. Thomas M. Letizia represented the District VII Ethics Committee and respondent was pro se.

IAN ZEV WINOGRAD

Reprimanded on April 12, 2019 (237 *N.J.* 404) for violating *RPC* 5.5(a)(1) (practicing law in the state of New Jersey when he was not yet licensed in that jurisdiction); and *RPC* 8.4(c) (communicating with a New Jersey client in such a way as to lead him to believe that respondent was representing him as an attorney in his lawsuit in New Jersey, when he was not yet licensed to practice law in New Jersey). Christina Blunda represented the OAE and Paul S. Haberman represented respondent on a motion for discipline by consent granted by the DRB.

JOHN F. WISE

Suspended for three months on December 4, 2019, effective January 8, 2020, (240___ *N.J.* 239) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information), *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), *RPC* 1.5(b) (when a lawyer has not regularly represented a client, failure to set forth in writing the basis or rate of the attorney's fee), *RPC* 1.16(a)(2) (failure to withdraw from the representation of a client if the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client); and *RPC* 1.16(d) (on termination of representation, failure to take steps to the extent reasonably practicable to protect client's interests such as surrendering papers and property to which the client is entitled and refunding any fee that has not been earned or incurred). The DRB determined to dismiss the charged violations of *RPC* 1.4(c), *RPC* 1.5(b), and *RPC* 1.16 (a)(2). Peter Gaudioso represented District VC and Mark Garfinkle represented respondent on a motion for discipline by consent granted by the DRB. The respondent has been previously disciplined: Reprimanded in 1995; admonished in 1996; and reprimanded in 2005 and 2008.

AGNES S. WLADYKA

Reprimanded on April 18, 2019 (237 *N.J.* 439) following a motion for discipline by consent in which respondent admitted that she mishandled the representation of her elderly client by failing to set forth the rate or basis for her fee in writing, failing to make sure that the contractors who undertook repairs to the client's home did not bill excessively and fraudulently, and failing to deposit legal fees into her attorney business account, depositing them instead into her personal checking account. Respondent's conduct violated *RPC* 1.1(a) (gross neglect), *RPC* 1.5(b) (failure to set forth in writing the rate or basis of a legal fee), and *RPC* 1.15(d) and R. 1:21-6(a)(2) (recordkeeping violations). Reid Adler represented the OAE and Donald A. DiGioia represented the respondent.

JAMES WOLFE, III

Suspended for one year on a certified record on January 24, 2019 effective February 25, 2019 (236 *N.J.* 450), for violating *RPC* 1.5(a) (failure to safeguard client funds, and negligent misappropriation of client funds); *RPC* 1.15(d) and Rule 1:21-6 (failure to comply with recordkeeping requirements), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Reid Adler represented the OAE and the respondent was pro se. The respondent was previously disciplined: Admonished in 1998; reprimanded twice in 2001; suspended for three months in 2001; admonished in 2002; and reprimanded in 2009. This matter was discovered solely as a result of the Random Audit Compliance Program.

KATRINA F. WRIGHT

Suspended for one year on May 3, 2019 (__*N.J.*___) for violating *RPC* 3.3(a)(1) (knowingly making a false statement to a tribunal), *RPC* 5.5(a)(1) (unauthorized practice of law), *RPC* 7.1(a) (making a false or misleading communication about the lawyer to the lawyer's services), *RPC* 7.5(a) (using a firm name, letterhead or other professional designation that violates *RPC* 7.1), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se on a motion for reciprocal discipline granted by the DRB. Respondent was previously disciplined: Reprimanded in 2008, censured in 2015, and suspended for six months in 2017.

KATRINA F. WRIGHT

Suspended for two years on a certified record on December 3, 2019 (240 *N.J.* 218) for failing to comply with R. 1:20-20, which requires a suspended attorney to file an affidavit with the Director of the Office of Attorney Ethics specifying steps taken to comply with each provision of the rule, in violation of *RPC* 8.1(b) (failure to reply to a lawful demand for information from the disciplinary authority) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2008; censured in 2015; suspended for six months in 2017; and suspended for one year in 2019.

DANIEL B. ZONIES

Suspended for three months on December 6, 2019, effective January 6, 2020, (240___ *N.J.* 209) for violating *RPC* 1.15(a) (commingling of personal and client funds, failure to safeguard funds and negligent misappropriation of client funds) and *RPC* 1.15(d) (failure to comply with recordkeeping requirements of R. 1:21-6). Timothy J. McNamara represented the OAE and Robert E. Ramsey represented respondent on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Reprimanded in 2003 and 2013; censured in 2018.

RICHARD N. ZUVICH

Disbarred on March 22, 2019 (237 *N.J.* 253) for violating *RPC* 1.15(a) and the principles of In re Wilson, 81 *N.J.* 451 and In re Hollendonner, 102 *N.J.* 21 (knowing misappropriation); *RPC* 1.15(a) (failure to safeguard funds); *RPC* 1.15(b) (failure to promptly notify a client or third person of receipt of funds and failure to promptly disburse funds that a client or third person is entitled to receive); *RPC* 5.5(a)(1) (unauthorized practice of law); *RPC* 8.1(b) (failure to cooperate with disciplinary officials); *RPC* 8.4(b) (criminal act that reflects adversely on a lawyer's honesty, trustworthiness or fitness as a lawyer in other respects); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) and Rule 1:20-20 (conduct prejudicial to the administration of justice). Timothy J. McNamara represented the OAE before the Supreme Court and respondent failed to appear. Respondent was previously disciplined: Three-month suspension in 2017.

2018

GARY CLARIN ABASOLO

Reprimanded on October 4, 2018, (__*N.J.*__) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), and *RPC* 1.4(b) (failure to keep a client adequately informed and reply promptly to client's reasonable requests for information). Richard J. Villanova represented District VI and respondent was pro se.

DIANE MARIE ACCIAVATTI

Admonished on July 23, 2018 *(Unreported)* for violating *RPC* 1.1(A) (gross neglect) and *RPC* 1.3 (lack of diligence) after she failed to vacate a default judgment entered against her client, who paid her a flat fee to handle the matter. Despite assuring the client repeatedly that problems in her personal and professional life would not interfere with his case, the respondent failed to take any action on his behalf and did not return any portion of the unused retainer. She instead filed bankruptcy and named the client as a creditor. Francis J. Leddy, Jr. represented District XI and respondent was pro se.

MICHAEL B. ADELHOCK

Suspended for three years on March 27, 2018 (___ *N.J.* ___) for violating *RPC* 1.4(b) (failure to communicate with client); *RPC* 1.15(a) (failure to safeguard funds); *RPC* 1.15(b) (failure to promptly disburse funds); *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping); *RPC* 5.5(a)(1) (practicing while suspended); *RPC* 8.1(b) (failure to cooperate with disciplinary authorities); *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects); *RPC* 8.4(c) (conduct involving dishonesty,

fraud, deceit or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Jason D. Saunders represented the OAE and Patrick J. McCormick represented respondent on a disciplinary stipulation accepted by the DRB. The respondent was previously disciplined: Temporarily suspended since July 31, 2013.

JOSEPH ALBANO

Censured by consent on July 20, 2018 (234 *N.J.* 186) for knowingly violating *RPC* 5.5(a) (unauthorized practice of law). Joseph A. Glyn represented the OAE and respondent appeared pro se. The respondent was previously disciplined: Censured in 2016.

ALI A. ALI

Suspended for three months on December 5, 2018 (236 *N.J.* 93), effective January 4, 2019, for commingling personal funds in an attorney trust account, in violation of *RPC* 1.15(a), failing to comply with his recordkeeping obligations, in violation of *RPC* 1.15(d), improper use of a professional designation that violates *RPC* 7.1(a) (misleading advertising), in violation of *RPC* 7.5(a), improper use of a trade name, Law Champs LLC, in violation of *RPC* 7.5(e), and failing to cooperate with disciplinary authorities, in violation of *RPC* 8.1(b) and Rule 1:20-3(g). HoeChin Kim appeared for the OAE before the DRB, and respondent, pro se, waived appearance. Respondent was previously disciplined: Reprimanded in 2017. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

VINCENT J. ANCONA

Admonished on May 22, 2018 *(Unreported)* for representing clients from September 25, 2000 to April 22, 2005 while he was ineligible to do so due to his non-payment of the annual attorney assessment to the New Jersey Lawyers' Fund for Client Protection, in violation of *RPC* 5.5(a)(I). Jessica Ragno Sprague represented District XI before the DRB and respondent appeared pro se.

CARLOS ANDUJAR, JR.

Reprimanded on March 28, 2018 (134 *N.J.* 182) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence) *RPC* 1.4(b) (failure to communicate with the client) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Lisa Marie Radell represented the District I Ethics Committee and Robert J. Pinizzotto represented respondent on a motion for discipline by consent granted by the DRB.

MAGDY F. ANISE

Suspended for six months on October 18, 2018, (235 *N.J.* 360) following his guilty plea in the United States District Court, District of New Jersey, to violating 31 U.S.C. § 5324(a)(1) (for purpose of evading reporting requirements, cause a bank to fail to file a required report), and conduct that violates *RPC* 8.4(b)(criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects). Eugene A. Racz represented the OAE and Dominic J. Aprile represented respondent. Respondent was previously disciplined: Reprimanded in 1992.

WAYNE A. AUTRY

Suspended for three months on October 1, 2018, effective March 1, 2017, (235 *N.J.* 219) for failing to comply with the OAE's requests for information about a trust account overdraft, failing to appear for a demand audit, and failing to file his required Rule 1:20-20 affidavit following his temporary suspension from the practice of law, contrary to *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton and Reid Adler represented the OAE on two certifications of default, and respondent was pro se. Respondent has a prior disciplinary history: Reprimanded in 2015. This matter was discovered as a result of the Trust Overdraft Notification Program.

BARTHOLOMEW BAFFUTO

Admonished on October 24, 2018 *(Unreported)* for gross neglect and lack of diligence, in violation of *RPC* 1.1(a) and *RPC* 1.3, respectively, in connection with his client's appeal of a municipal court conviction. Additionally, respondent failed to reply to his client's reasonable requests for information or provide her with crucial information about events in the case, so that she could make informed decisions about the representation, in violation of *RPC* 1.4(b) and (c), respectively. I. Mark Cohen represented District IX and James N. Butler, Jr. represented the respondent.

ERIC B. BAILEY

Censured on a certified record on July 9, 2018 (234 *N.J.* 79) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 3.2 (failure to expedite litigation), *RPC* 8.1 (b) (failure to cooperate with disciplinary authorities) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Stephen C. Leonard represented District XII and the respondent failed to appear. The respondent was previously disciplined: Reprimanded on a certified record in 2016.

MUHAMMAD BASHIR

Censured on March 26, 2018 (___*N.J.*___) on a certified record for violating *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority), *RPC* 8.4(d) (conduct prejudicial to the administration of justice), and Rule 1:20-20 (failure to file the required affidavit of compliance pertaining to the rules governing future activities of attorneys who have been disciplined). Hillary Horton handled the matter for the OAE and respondent was pro se. The respondent was previously disciplined: Reprimanded in 1996, 2016 and 2017; admonished in 2005; and temporarily suspended in 2015.

MUHAMMAD BASHIR

Disbarred on October 9, 2018 (___*N.J.*___), for violating *RPC* 1.1(a); *RPC* 1.3; *RPC* 1.4(b); *RPC* 1.4(c); *RPC* 1.5(b); *RPC* 1.15(d); *RPC* 1.16(a)(1); *RPC* 1.16(d); *RPC* 5.5(a); *RPC* 8.4(b); *RPC* 8.4(c). Joseph A. Glyn represented the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1996, 2016 and 2017; admonished in 2005; temporarily suspended in 2015; and censured in 2018.

CHRISTOPHER J. BASNER

Suspended for two years on March 2, 2018 (232 *N.J.* 164) based on a five-year suspension in Pennsylvania. Respondent was found to have violated *RPC* 1.1(a) (gross neglect); *RPC* 1.1(b) (pattern of neglect); *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to communicate with a client); *RPC* 1.4(c) (failure to explain a matter to a client to the extent reasonably necessary to permit the client to make informed decisions regarding the representation); *RPC* 1.5(b) (failure to set forth in writing the basis or rate of fee); *RPC* 1.15(d) (failure to comply with recordkeeping rules); *RPC* 1.16(a)(1) (failure to withdraw when the representation will result in a violation of the *RPC*s); *RPC* 1.16(d) on termination of representation, failure to take steps reasonably practicable to protect a client's interests); *RPC* 3.1 (asserting an issue with no basis in law or fact); *RPC* 3.2 (failure to expedite litigation); *RPC* 3.3(a)(1) (false statement of material fact or law to a tribunal); *RPC* 8.1(b) (failure to cooperate with disciplinary authorities); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice.) Reid Adler represented the OAE and respondent was pro se on a motion for reciprocal discipline granted by the DRB.

HOWARD BATT

Reprimanded on November 16, 2018 (__*N.J.*__) for violating *RPC* 1.15(a) (negligent misappropriation of client funds), *RPC* 1.15(d) and Rule 1:21-6(record keeping violations), *RPC* 5.3(a) and (b) (failure to make reasonable efforts to ensure that the conduct of nonlawyers is compatible with the lawyers professional obligations). Reid Adler represented the OAE and John Hogan represented respondent on a motion for discipline by consent granted by the DRB. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

BARRY J. BERAN

Suspended for three months on January 31, 2018, effective March 1, 2018 (__*N.J.*__) for violating *RPC* 1.15(a) (negligent misappropriation of trust funds and commingling of funds), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations). Timothy J. McNamara represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Reprimanded in 2004; admonished in 2009; and censured in 2016 and 2017. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

ROGER C. BERNHAMMER

Disbarred by consent on June 29, 2018 (234 *N.J.* 75). Respondent acknowledged that the OAE's allegations that he knowingly misappropriated client trust account funds were true, and that if he went to a hearing, he could not successfully defend himself against those charges. Respondent was previously disciplined: Temporarily suspended in 2014. Christina Blunda represented the OAE and respondent was represented by Joseph R. Donahue. This misappropriation was initially discovered by the Random Audit Compliance Program.

ROBERT J. BERNOT

Suspended for two years on October 4, 2018, effective November 2, 2018 (___ *N.J.*___) for practicing law while temporarily suspended for failure to pay costs associated with a previous disciplinary matter, and while ineligible for failure to comply with the Court's mandated IOLTA program, and for failure to cooperate with disciplinary authorities, in violation of *RPC* 5.5(a)(1) and Rule 1:20-20(b)(1) (unauthorized practice of law), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Al Garcia represented the OAE on a certification of default and respondent was pro se. Respondent has a prior disciplinary history: Reprimanded in 2012.

RAVINDER SINGH BHALLA

Censured on June 13, 2018 (233 *N.J.* 464) for violating *RPC* 1.15(a) (failure to safeguard funds); *RPC* 1.15(b) (failure to promptly deliver to a third person funds that the person is entitled to receive); and *RPC* 8.4(c) (conduct

involving dishonesty, fraud, deceit or misrepresentation). Steven J. Zweig handled the matter for the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 2010.

NEIL S. BHATIA

Suspended for six months on October 31, 2018, effective November 29, 2018, (235 *N.J.* 366) following his guilty plea in California Superior Court to one count of misdemeanor battery, contrary to Calif. Penal Code § 242, and *RPC* 8.4(d) (criminal conduct that reflects adversely on a lawyer's honesty, trustworthiness or fitness). Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se.

BRYAN BLANEY

Reprimanded on a certified record on May 17, 2018 (235 *N.J.* 164) for violating *RPC* 5.5(a) (practicing while ineligible). Rhonda DeStefano handled the matter for the District VC Ethics Committee.

ADAM K. BLOCK

Suspended for one year on a certified record on February 9, 2018, (232 *N.J.* 110) for violations of *RPC* 3.3(a)(1) and (5) (lack of candor toward a tribunal); *RPC* 5.5 (a)(1) (practicing while administratively ineligible and practicing while suspended); *RPC* 8.1 (b) (failure to respond to a lawful demand for information from a disciplinary authority); *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4 (d) (conduct prejudicial to the administration of justice); and Rule 1:20-20 (failure to file affidavit of compliance). Al Garcia represented the OAE and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2013; censured twice in 2014; and suspended for six month in 2015. All of these matters proceeded on certified records after the respondent failed to answer the complaints.

BARRY O. BOHMUELLER

Suspended for two years on April 12, 2018, effective May 7, 2018, (232 *N.J.* 502) based upon discipline imposed by the Supreme Court of the Commonwealth of Pennsylvania for unethical conduct that in New Jersey constitutes violations of *RPC* 1.2(a) (failure to abide by the client's decisions concerning the scope and objectives of the representation); *RPC* 1.4(c) (failure to explain the matter to the extent necessary for the client to make informed decisions about the representation); *RPC* 1.5(e) (dividing a fee between lawyers not in the same firm); *RPC* 1.7(a)(2) (conflict of interest); *RPC* 5.1(c)(1) (ordering or ratifying another lawyers unethical conduct); *RPC* 5.5(a)(2) (assisting a non-lawyer in the unauthorized practice of law); *RPC* 7.1(a)(1) (material misrepresentation about the lawyer's services); *RPC* 7.3(d) (compensating or giving something of value to a person to recommend the lawyer's employment by a client or as a reward for having made a recommendation resulting in the lawyer's employment by client); *RPC* 8.4(a) (violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another); and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Reid Adler represented the OAE and Carl Poplar represented the respondent on a motion for reciprocal discipline granted by the DRB.

MICHAEL D. BOLTON

Censured on a certified record on February 9, 2018 (232 *N.J.* 109) for failing to comply with a New Jersey Supreme Court Order that required him to file an affidavit of compliance for suspended or disbarred lawyers in accordance with Rule 1:20-20, and in violation of *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se. The respondent was previously disciplined: Censured in 2016.

ROBERT D. BORTECK

Order of no discipline and dismissal on March 23, 2018 *(___ N.J. ___)* for respondent's violation of *RPC* 1.7(a)(2) (concurrent conflict of interest). The Court determined that under the circumstances of respondent's lengthy unblemished career, the fact that *In re Simon*, 206 *N.J.* 306 (2011), was filed after the conduct at issue, and the length of time since the conduct occurred, no discipline should be imposed. Thus, the Court dismissed the Letter of Admonition issued in DRB 17-068. Isabel K. McGinty represented District VB and Jay J. Rice represented respondent.

LAMOURIA BOYD

Reprimanded on November 1, 2018, (235 *N.J.* 369) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.5(b) (failure to communicate in write the rate or basis of the fee by failing to comply with Rule 5:3-5(a)), and *RPC* 1.16(c) (failure to comply with applicable law when terminating a representation by failing to comply with Rule 5:3-5(d)). Carla M. Silva represented District VA and respondent was pro-se.

CHRISTOPHER D. BOYMAN

Suspended for three years on December 6, 2018, effective January 4, 2019, (236 *N.J.* 98) for violating *RPC*

5.5(a) and Rule 1:20-20(b)(1) (practicing law while suspended), *RPC* 8.1(b) (failing to cooperate in an ethics investigation), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Timothy J. McNamara represented the OAE and Respondent failed to appear. The respondent was previously disciplined: Censured in 2010 and 2014 and temporarily suspended in 2012.

JAMES D. BRADY

Suspended for three months, effective October 26, 2018, on a certified record (235 *N.J.* 221) for violating *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.5(c) (on conclusion of contingent fee matter, failure to provide the client with a written statement of the outcome of the matter and, if there was a recovery, showing the remittance to the client and the method of its determination), *RPC* 1.15(a) (failure to hold client funds separate from the lawyer's funds), *RPC* 7.3(d) (giving something of value to a person for recommending the lawyer's service), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). HoeChin Kim appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent was previously disciplined: Admonished in 2003 and censured in 2009.

ROBERT G. BRODERICK

Censured, effective November 2, 2018, (235 *N.J.* 419) based on discipline imposed in Connecticut for unethical conduct that in New Jersey constitutes violations of *RPC* 1.17(c)(2) (improper sale of a law office) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation. Al Garcia represented the OAE and respondent was pro se on a motion for reciprocal discipline granted by the DRB.

HOWARD BURGER

Reprimanded on September 24, 2018, (235 *N.J.* 216) for violating *RPC* 1.15(a) (negligent misappropriation of client trust funds), *RPC* 1.5(d) (failure to comply with recordkeeping requirements), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Reid Adler represented the OAE before the Supreme Court and Petar Kuridza represented respondent.

C. P. BURRO

Reprimanded on November 1, 2018 (235 *N.J.* 413), for violating *RPC* 1.1(a) (gross neglect); *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep the client reasonably informed about the status of the matter and to promptly comply with reasonable requests for information); *RPC* l.16(d) (failure to return the client file upon termination of the representation); and *RPC* 8.1(b) (failure to cooperate with ethics authorities). Joseph A. Glyn represented the OAE and the respondent was pro se.

JAMES PETER BYRNE

Suspended for three months on a certified record on October 2, 2108, (235 *N.J.* 224) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.16(d) (failure to protect the client's interests on termination of the representation), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Susan C. Geiser appeared before the DRB for the District VI Ethics Committee. Reid Adler appeared before the Supreme Court for the OAE on an order to show cause and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2006; temporarily suspended in 2016, which suspension has not been lifted.

ANDREW JOHN CALCAGNO

Reprimanded on a certified record on February 8, 2018 (232 *N.J.* 108) for failing to communicate with the client in one matter, in violation of *RPC* 1.4(b), failing to withdraw from representation upon discharge by the client in one matter, in violation of *RPC* 1.16(a)(3), and failing to cooperate with disciplinary authorities in three matters, in violation of *RPC* 8.1(b). Thomas G. Russomano appeared before the DRB for District XII and respondent failed to appear.

ANDREW MICHAEL CARROLL

Reprimanded on February 9, 2018 (232 *N.J.* 111) for engaging in a sexual relationship with a client while appointed her public defender, which relationship required the appointment of new counsel, in violation of *RPC* 1.7(a)(2) (conflict of interest) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). HoeChin Kim represented the OAE and Marc D. Garfinkle represented respondent.

STEPHEN P. CHATBURN

Suspended for three months on March 26, 2018 (___*N.J.*___) for violating *RPC* 1.5(b) (unreasonable fee); *RPC* 1.15(a) (commingling and negligent misappropriation of funds); *RPC* 1.15(b) (failure to promptly disburse funds to client or third party); *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping); *RPC* 5.3(a) and (b) (failure to supervise non-lawyer employee). Andrea Fonseca-Romen represented the OAE and respondent was *pro se* on a disciplinary stipulation accepted by the DRB. The respondent was previously disciplined: Reprimanded in 1992. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

YANA CHECHELNITSKY

Suspended six-month suspension imposed on March 26, 2018 (___ *N.J.*___) following her conviction in New Jersey Superior Court to creating a dangerous condition, contrary to N.J.S.A. 2C:33-2A(2); third-degree possession of a weapon for an unlawful purpose, contrary to N.J.S.A. 2C:39-4(d); fourth-degree aggravated assault on a law enforcement officer, contrary to N.J.S.A. 2C:12-1b(5)(a); and third-degree aggravated assault on a law enforcement officer, contrary to N.J.S.A. 2C:12-1b(5)(a), in violation of *RPC* 8.4(b) (criminal act that reflects adversely on honesty, trustworthiness or fitness). Hillary Horton handled the matter for the OAE and Lawrence H. Kleiner represented the respondent on a motion for final discipline.

ALBERT ANTHONY CIARDI III

Order of dismissal on May 3, 2018 (233 *N.J.* 233*)* for charges of *RPC* 3.4(c) and *RPC* 8.4(d) against respondent as there was no clear and convincing evidence of unethical conduct. William Mackin represented District IV and Carl D. Poplar represented respondent.

GWENDOLYN FAYE CLIMMONS

Permanently barred from the practice of law in New Jersey as a multijurisdictional practitioner on January 11, 2018, effective immediately, (231 *N.J.* 398) following her conviction in the United States District Court for the Southern District of Texas, Houston Division, for conspiracy to commit health care fraud, in violation of 18 U.S.C. § 1349, and health care fraud and aiding and abetting health care fraud, in violation of 18 U.S.C. § 1347 and § 2. The charges arose from fraudulent billing submitted to Medicare by respondent's ambulance transportation service, Urgent Response Emergency Medical Services, LLC, between April 2009 and December 2011. Respondent was charged with fraudulently billing Medicare over two million dollars. Hillary Horton represented the OAE and respondent was pro se on a motion for final discipline.

ANTHONY T. COLASANTI

Disbarred by consent on August 22, 2018 (171 *N.J.* 77) for knowingly misappropriating client funds, in violation of *RPC* 1.15(a). Joseph A. Glyn represented the OAE and Christopher T. Karounos represented the respondent. The respondent was previously disciplined: Reprimanded in 2002. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MAXWELL X. COLBY

Suspended for one year on March 14, 2018, (232 *N.J.* 273) for violating *RPC* 1.1 (a) (gross neglect); *RPC* 1.3 (lack of diligence); *RPC* 1.4 (b) (failure to keep client reasonably informed about the matter); *RPC* 3.4 (c) (knowingly disobeying rules of a tribunal); *RPC* 5.5 (a) (1) (practicing law while administratively ineligible); *RPC* 8.1 (b) (failure to cooperate with disciplinary authorities); and *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Ellen Torregrossa-O'Connor represented District IX and respondent defaulted.

ALEX CONSTANTOPES

Disbarred on March 2, 2018 (232 *N.J.* 167) on a motion for reciprocal discipline based upon respondent's default failure to file an answer to a verified and supplemental petition in the state of New York that in New Jersey violates *RPC* 1.15(a) and the principles of In re Wilson, 81 *N.J.* 451 (1979), In re Hollendonner, 102 *N.J.* 21 (1985) (failure to safeguard funds and the knowing misappropriation of client escrow funds) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent also knowingly misappropriated his employer's law firm escrow funds in violation of In re Greenberg, 155 *N.J.* 138 (1998). Eugene Racz appeared before the Supreme Court for the OAE and respondent failed to appear.

PETER A. COOK

Censured on May 21, 2018 (233 *N.J.* 328*)* for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 1.15(b) (failure to promptly notify a third party of receipt of fund and failure to promptly disburse funds), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) in relation to an estate matter from 2010. Respondent also was ordered temporarily suspended effective July 5, 2018, unless the OAE certified to the Court that respondent provided proof that he completed all work on the estate and that all monies had been distributed. HoeChin Kim appeared for the OAE before the Supreme Court and Gerard E. Hanlon represented respondent. Respondent has a disciplinary history: Admonition in 2013.

KAREEM J. CRAWFORD

Reprimanded by consent on April 9, 2018 (232 *N.J.* 458) for violating *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information), *RPC* 1.5(b) (failure to communicate to the client in writing the basis or rate of the fee) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Jennifer Gottschalk represented the District IIIB Ethics Committee and respondent was pro se on a

motion for discipline by consent granted by the DRB.

PETER J. CRESCI

Censured on December 7, 2018 (___*N.J.*___) for violating *RPC* 8.1(a) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) following his failure to file the required Rule 1:20-20 affidavit. Hillary Horton represented the OAE on a certification of the record before the DRB and respondent was pro se.

DANA MARK D'ANGELO

Admonished on July 20, 2018 *(Unreported)* for failing to provide his client with a writing setting forth the basis or rate of his fee in an estate matter, in violation of *RPC* 1.5(b). Respondent also failed to communicate with his client throughout the representation, in violation of *RPC* 1.4(b). Angela M. Morisco represented District XA and Peter N. Gilbreth represented the respondemt.

MARC D'ARIENZO

Disbarred on March 14, 2018, effective immediately, (232 *N.J.* 275) for violating *RPC* 1.1 (gross neglect); *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to communicate with client); *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation); *RPC* 1.5(d) (recordkeeping violations); *RPC* 1.16(d) (failure to protect a client's interests on termination of representation); *RPC* 3.2 (failure to expedite litigation); *RPC* 3.3(a)(1) (making a false statement of material fact or law to a tribunal); *RPC* 3.3(a)(5) (failure to disclose to the tribunal a material fact knowing that the omission is reasonably certain to mislead the tribunal); *RPC* 3.4 (knowingly disobeying an obligation under the rules of tribunal); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). The DRB noted that respondent's misconduct in the instant matters replicated his prior ethical misconduct which had resulted in his extensive disciplinary history. The DRB found that respondent had a "well-established pattern of being untruthful to courts; lying to disciplinary authorities, including while under oath; failing to obey court orders; and failing to comply with recordkeeping obligations." For example, the DRB noted that respondent was first admonished for recordkeeping failures in 2001. Fifteen (15) years later, the DRB found that he still refused to comply with even "the most basic recordkeeping obligations." Respondent also evidenced a history of failing to appear in court and telling "brazen lies" in municipal court. Andrea Fonseca-Romen and Hillary Horton handled the matter for the OAE and respondent was pro se. Respondent was previously disciplined: Suspended for three months in 1999; admonished in 2001; admonished in 2004; censured in 2011; reprimanded in 2013; censured in 2014; and suspended for three months in 2016.

DAVID PERRY DAVIS

Admonished on February 20, 2018 *(Unreported)* for attempting to leverage the attorney disciplinary system to achieve a positive outcome for his client, in violation of *RPC* 8.4(d), ACPE Opinion 721, 204 N.J.L.J. 928 (June 27, 2011), and In re George, 174 *N.J.* 538 (2002). Reid A. Adler represented the OAE and the respondent was pro se.

LINDA M. DEBRANGO

Reprimanded on July 31, 2018 (___*N.J.*___) for violation of *RPC* 1.1(a) (grossly neglecting a matter, resulting in client's house being foreclosed). Joseph Raymond Zapata, Jr. represented the District VIII Ethics Committee and Robert Ramsey represented the respondent on a motion for discipline by consent granted by the DRB.

DOUGLAS J. DEL TUFO

Suspended for one year on April 25, 2018 (233 *N.J.* 100) for violating *RPC* 8.1(a) (knowingly making a false statement of material fact in connection with a disciplinary matter), *RPC* 8.4 (b) (criminal conduct that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects), and *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Reid A. Adler represented the OAE and Robert Ramsey represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2011; admonished in 2011; reprimanded in 2012; temporarily suspended in 2012; and suspended for three months in 2014.

GARETH DAVID DESANTIAGO-KEENE

Censured on January 12, 2018, (231 *N.J.* 448) for violating *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 1.4(c) (failure to explain a matter of the extent reasonable necessary to permit the client to make informed decisions regarding the representation), *RPC* 1.7(a)(2) (concurrent conflict of interest), *RPC* 1.16(d) (improper termination of representation), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) and 8.4(d) (conduct prejudicial to the administration of justice). David Torchin represented District IIA and Lawrence Herman Kleiner represented respondent.

WILLIAM T. DICIURCIO II

Censured by consent on July 31, 2018 (234 *N.J.* 339) for violating *RPC* 5.5(a)(1) (practicing law while ineligible to do so) and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Respondent was ineligible to practice law from October 19, 2016 to February 13, 2017, during which time he entered his appearance in thirteen New Jersey municipal courts involving seventy-three summonses. Because of his failure to cooperate during the ethics investigation, the district ethics committee investigator was required to reach out to eighty-one municipal courts and ten county courts to ascertain whether Respondent had practiced in those jurisdictions during his period of ineligibility. Melissa J. Brown represented the District IV Ethics Committee and respondent was *pro se*. The respondent was previously disciplined: Reprimanded in 2012.

DANIEL JAMES DOMENICK

Suspended for one year on March 27, 2018, effective immediately, (___*N.J.*___) based upon discipline imposed by the Supreme Court of the Commonwealth of Pennsylvania for unethical conduct that in New Jersey constitutes violations of *RPC* 1.3 (lack of diligence); 1.4(b) (failure to communicate with the client); 1.5(a) (unreasonable fee); 1.15(b) (failure to promptly disburse funds); 1.16 (d) (upon termination of representation, failure to protect the client's interests); and 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Joseph A. Glyn represented the OAE before the DRB and respondent failed to appear. The respondent has been temporarily suspended since December 15, 2017 for his failure to comply with the determination of the District VIII Fee Arbitration Committee in a separate matter.

LESZEK DOWGIER

Reprimanded on May 17, 2018 (233 *N.J.* 291) on a motion for final discipline following his conviction of third-degree eluding a police officer, contrary to N.J.S.A. 2C:29-2(b), and driving under the influence, contrary to N.J.S.A. 39:4-50(a), conduct in violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness). Eugene A. Racz and Hillary Horton handled the motion for final discipline on behalf of the OAE and Scott B. Piekarsky represented respondent.

THOMAS E. DOWNS IV

Reprimanded on November 1, 2018 (235 *N.J.* 412) for violating *RPC* 1.3 (lack of diligence) and *RPC* 1.4(b) (failure to keep a client reasonably informed). Respondent represented an estate but failed to finalize the estate for approximately two years (when new counsel completed the estate in eight months) and failed to provide effective communication with the executrix until she filed an ethics grievance. HoeChin Kim appeared before the DRB on behalf of the OAE, and Gerard E. Hanlon represented respondent. Respondent was previously disciplined: Admonished in 2013 and censured in 2016.

NEIL GEORGE DUFFY III

Censured on August 1, 2018 (234 *N.J.* 401) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failing to communicate with client), *RPC* 1.5 (b) (failing to set forth in writing the basis or rate of the fee), *RPC* 1.15 (d) (recordkeeping violations), *RPC* 1.16 (d) (failing to refund an unearned fee), and Rule 1:21-6 (a)(2) (failing to deposit legal fees in to an attorney business account). Martine Cohen represented District XII and Donald A. DiGioia represented the respondent on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Admonished in 2010; reprimanded in 2011 and 2013.

ANDREW W. DWYER

Censured on two certified records on November 19, 2018 (___ N.J. ___) for i) failing to cooperate in an ethics investigation conducted by the District IV Ethics Committee, in in violation of *RPC* 8.1(b), and ii) committing gross negligence, in violation of *RPC* 1.1(a), lacking diligence, in violation of *RPC* 1.3, failing to keep a client reasonably informed about the status of a matter and failing to promptly reply to reasonable requests for information, in violation of *RPC* 1.4(b), failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of *RPC* 1.4(c), and failing to cooperate with the investigation conducted by the District VA Ethics Committee, in violation of *RPC* 8.1(b). Allan Richardson represented District IV, William Tellado represented District VA and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2015.

PAUL A. DYKSTRA

Disbarred by consent on April 30, 2018 (233 *N.J.* 151) for respondent's knowing misappropriation of client trust funds from the sale of a client's real estate. HoeChin Kim represented the OAE and Raymond F. Flood represented the respondent. Respondent was previously disciplined: Suspended for three months in 1999; admonished in 2000; and suspended for three months in 2004.

RICHARD EUGENE EHRLICH

Suspended for three months on October 4, 2018, effective November 2, 2018 (___*N.J.*___) based on discipline imposed with consent in Florida for unethical conduct that, in New Jersey, constitutes violations of *RPC* 1.4(c) (failure to

communicate with client to the extent reasonably necessary to permit client to make informed decisions regarding the representation); *RPC* 5.3(a),(b) and (c)(1) (failure to make reasonable efforts to ensure that the conduct of non-lawyers of the firm is compatible with the obligations of the lawyer); *RPC* 5.5(a)(1) and (2) (practicing law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction, and assisting a non-lawyer in conduct that constitutes the unauthorized practice of law; *RPC* 7.3(b)(5) (unsolicited direct contact with a prospective client to obtain professional employment and pecuniary gain); and *RPC* 8.4(a) (engaging in conduct that violates the RPCs). Johanna Barba Jones appeared before the DRB on a motion for reciprocal discipline and respondent waived his appearance.

STEVEN LEON ELLMAN

Suspended for three months on April 11, 2018, retroactive to November 13, 2013, (234 *N.J.* 608*)* for numerous ethics violations stemming from his California law practice, including *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep client reasonably informed about the status of a matter and to comply promptly with reasonable requests for information), *RPC* 1.15(a) (negligent misappropriation of client funds and commingling of funds), *RPC* 1.15(b) (failure to promptly notify a client or third person of receipt funds and failure to promptly distribute funds that a client or third person is entitled to receive), *RPC* 1.15(c) (failure to segregate disputed funds), *RPC* 1.15(d) (failure to comply with recordkeeping rules), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation. Upon reinstatement, respondent is to submit quarterly reconciliations of his attorney accounts to the Office of Attorney Ethics for a period of two years. HoeChin Kim appeared before the Supreme Court for the OAE, and respondent was represented by Kim D. Ringler.

KEVIN C. FOGLE

Suspended for three months on November 2, 2018, effective November 30, 2018 (235 *N.J.* 417) based on discipline imposed in Pennsylvania for unethical conduct that in New Jersey constitutes violations of *RPC* 1.4(b) (failure to communicate with client); *RPC* 1.15(a) (failure to safeguard funds); *RPC* 1.15(b) (failure to promptly notify client of receipt of funds and to promptly deliver the monies); *RPC* 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:21-6(c)); *RPC* 1.16(a)(1) (failure to withdraw from representation of a client when the representation will result in the violation of the *RPC*s); *RPC* 1.16(d) (failure to protect the client's interest on termination of representation); *RPC* 4.2 (communication with a person represented by counsel); *RPC* 8.1(b) (failure to cooperate with disciplinary authorities); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Joseph A. Glyn appeared before the DRB for the OAE and respondent failed to appear.

JEAN-WATSON E. FRANCOIS

Admonished on April 24, 2018 *(Unreported)* for failing to communicate, in writing, the basis or rate of his fee to a client in a traffic court matter, a violation of *RPC* 1.5(b). Additionally, after entering an appearance on the client's behalf, the respondent relocated his office and failed to inform his client or the court and did not arrange for his mail to be forwarded, in violation of *RPC* 1.3. He was consequently unaware that a trial had been scheduled and could not inform his client, causing a bench warrant to be issued when he failed to appear, in violation of *RPC* 1.4(b). Robert J. Logan represented District XII and respondent was pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Admonished in 2016.

BARRY N. FRANK

Suspended for one year on March 22, 2018, (__ *N.J.*) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.5(b) (failure to memorialize the rate or basis of the fee), *RPC* 1.15(d) (recordkeeping violations), *RPC* 5.4(b) (forming a partnership with a non-lawyer involving the practice of law), *RPC* 5.5 (a)(2) (assisting a person who is not a member of the bar in the unauthorized practice of law), *RPC* 7.1 (a)(2) making a false or misleading communication about the lawyer or the lawyer's service), *RPC* 7.5 (a) and (c) (using misleading firm letterhead containing the name of a person not actively associated with the firm as an attorney), *RPC* 8.1 (b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4 (a) (knowingly assisting or inducing another to violate the RPCs). This matter was originally before the DRB based on respondent's default. The DRB granted respondent's motion to vacate the default but his answer was subsequently suppressed by the hearing panel chair following respondent's failure to participate in the hearing process. Andrea Fonseca-Romen represented the OAE and respondent was pro se. The respondent was previously disciplined: Temporarily suspended in 2014 and 2016 and censured in 2016.

JARRED S. FREEMAN

Suspended for three months on September 6, 2018, effective October 8, 2018 (236 *N.J.* 299) for violating *RPC* 1.2(a) (failure to abide by a client's decisions concerning the scope and objectives of the representation), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of the matter), *RPC* 3.3(a)(1) (knowingly making a false statement of material fact or law to a tribunal), *RPC* 4.1(a)(1) (knowingly making a false statement of material fact or law to a third person); *RPC* 8.1(a) (knowingly making a false statement of material fact in connection with a disciplinary matter), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Allan Marain appeared before the DRB for

District VIII and Justin T. Loughry appeared for the respondent.

AARON S. FRIEDMANN

Disbarred by consent on October 2, 2018 (235 *N.J.* 228) following his resignation and disbarment in Pennsylvania for the misappropriation of client funds in an estate matter. Jason D. Saunders represented the OAE and Robert S. Tintner represented the respondent. Respondent was previously disciplined: Suspended for six months in 2004.

BARRY DEAN FRIEDMAN

Disbarred by consent on May 3, 2018 (231 *N.J.* 492) after he admitted that he could not defend himself in connection with pending disciplinary charges involving the knowing misappropriation of clients' trust funds. The respondent had been temporarily suspended from practicing law in this state since January 24, 2018. Joseph A. Glyn represented the OAE and Pamela L. Brause, Esq., represented the Respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOSEPH GACHKO

Admonished on January 23, 2018 *(Unreported)* for violating *RPC* 1.15(b), which requires an attorney to "promptly deliver to a client or third person any funds or other property that the client or third person is entitled to receive; *RPC* 8.1(b), which prohibits an attorney from knowingly failing to reply to a lawful demand for information from a disciplinary authority; and *RPC* 1.15(d), which obligates an attorney to comply with the recordkeeping requirements imposed by Rule 1:21-6. Joseph A. Glyn represented the OAE and Raymond Londa represented the respondent on a motion for discipline by consent granted by the DRB. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOSHUA L. GAYL

Suspended for three years on November 2, 2018, effective April 7, 2017, (235 *N.J.* 415) following his conviction in the United States District Court for the District of New Jersey to one count of conspiracy to commit obstruction of justice, contrary to 18 U.S.C. § 371, and *RPC* 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent communicated with fraud victims on behalf of corporate principals who were barred by the Court from communicating with any persons named as witnesses by the government. He also assisted corporate principals in providing refunds to potential witnesses in the government's criminal case in exchange for executed civil releases. Hillary Horton represented the OAE on a motion for final discipline and the respondent was pro se.

DIANE KANTOFF GAYLINN

Disbarred by consent on May 23, 2018 (233 *N.J.* 344) after respondent acknowledged that she had engaged in a pattern of borrowing funds that were to remain inviolate in her attorney trust account without the consent of any party. Reid Adler represented the OAE and Andrew Cevasco represented the respondent. This case was discovered solely as a result of the Random Audit Compliance Program.

JOHN N. GIORGI

Censured on November 27, 2018 (___*N.J.*___), for violating *RPC* 1.15(a) (commingling), and *RPC* 1.15(d) (recordkeeping violations). Timothy J. McNamara represented the OAE and Raymond S. Londa represented respondent on a motion for discipline by consent granted by the Disciplinary Review Board. The respondent was previously disciplined: Three-month suspension in 2004. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MARTIN A. GLEASON

Disbarred on a certified record on October 11, 2018 (___ *N.J.* ___) for exhibiting gross neglect and lack of diligence, failing to communicate with a client, recordkeeping violations, lying to ethics authorities and knowingly misappropriating clients' and escrowed funds by using them for purposes unrelated to the clients' matter and without their knowledge or permission. Christina Blunda appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent was previously disciplined: Reprimanded in 2011; admonished in 2015; and temporarily suspended in 2017. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

RAPHAEL J. GLINBIZZI

Censured on May 17, 2018 *(___N.J.___)* for violating *RPC* 1.9(c) (using information relating to a former representation to the disadvantage of the former clients), *RPC* 8.4(b) (commission of a criminal act that reflects adversely upon the attorney's honesty, trustworthiness, or fitness as a lawyer in other respects), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent used the social security number of his former father-in-law from a prior representation to open two fraudulent credit cards in 2006. Respondent's in-laws were contacted by one of the credit card companies for non-payment, but declined to report him to authorities despite such advice from the company, as

long as respondent paid back the debt. Respondent did so in early 2009 with money from his own family. HoeChin Kim represented the OAE and Marc D. Garfinkle represented respondent before the Supreme Court.

WILLIAM M. GOLDBERG

Admonished on March 20, 2018 *(Unreported)* for violating RPC 1.4(b) (failure to keep a client reasonably informed about the status of a matter) and RPC 1.15(b) (failure to promptly notify a client or third person upon receipt of funds in which the client or third person has an interest and to promptly deliver those funds) in connection with an estate matter. Timothy J. McNamara represented the OAE and Andrew M. Epstein represented the respondent before the DRB.

MATTHEW M. GORMAN

Censured on October 17, 2018 (235 *N.J.* 171) for failing to file his required Rule 1:20-20 affidavit, contrary to *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE on a certification of default, and the respondent was pro se.

SAL GREENMAN

Suspended for one year on May 30, 2018, (233 *N.J.* 351) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with the client), *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Timothy J. McNamara represented the OAE and respondent was pro se. The respondent was previously disciplined: Temporarily suspended in 2015 and censured in 2016.

JEFFREY R. GROW

Suspended for three months on March 13, 2018 (232 *N.J.* 216) for violating *RPC* 8.1(b) (failure to cooperate with an ethics investigation); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4 (d) (conduct prejudicial to the administration of justice). Al Garcia represented the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 2012 and censured in 2015.

PAUL WALTER GRZENDA

Disbarred on January 17, 2018 (231 *N.J.* 450) for violating *RPC* 1.15(a), and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985) (knowing misappropriation of client and escrow funds). Timothy J. McNamara appeared before the Supreme Court for the OAE and respondent appeared pro se.

WILLIAM T. HAGGERTY

Admonished on May 24, 2018 *(Unreported)* for prosecutorial misconduct in failing to disclose a familial relationship with the chair of the company which had filed charges against the defendant, in violation of *RPC* 3.3(A)(5). The DRB rejected the respondent's argument that he did not view his brother's position as a material fact, noting the immediate declaration of a mistrial and the perception that the familial relationship could influence how he prosecuted the matter. The DRB also rejected the respondent's argument that he did not intend to deceive the court, noting that *RPC* 3.3(A)(5) does not require intent but, rather, only knowledge that the omission is reasonably certain to mislead the tribunal. Lawrence H. Shapiro represented District IX before the DRB and Marc Garfinkle represented the respondent.

STEPHANIE A. HAND

Suspended for one year on October 31, 2008, effective immediately (235 *N.J.* 367) following her conviction in the United States District Court to two misdemeanor counts of failure to file income tax returns, contrary to 26 U.S.C. § 7203. Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se. Respondent was previously disciplined: Admonished in 2010 and 2015.

JACQUELINE ROCHELLE HARRIS

Disbarred on April 26, 2018, (233 *N.J.* 131) for violating *RPC* 1.15(a), and the principles of In re Wilson, 81 *N.J.* 451 (1979) (knowing misappropriation of client funds), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Reid Adler represented the OAE and respondent defaulted. The respondent was previously disciplined: Admonished in 2001; censured in 2009; and temporarily suspended in 2013 and again in 2017. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

SETH C. HASBROUCK

Censured on a certified record on October 4, 2018 *(___ N.J. ___)* for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 5.5(a) (practicing while ineligible), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). John

P. Johnson, Jr., Esq. represented District IV and respondent was pro se.

EDWARD HARRINGTON HEYBURN

Censured on July 9, 2018, (234 *N.J.* 80) for violating *RPC* 1.15(a) (negligent misappropriation of client trust funds), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations). This matter was submitted to the DRB by way of a Disciplinary Stipulation. Reid Adler represented the OAE and respondent was pro se. The respondent was previously disciplined: Censured in 2013 and 2015. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

WILLIAM T. HOWES

Admonished on June 29, 2018 *(Unreported)* for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of the matter and to comply with reasonable requests for information) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) in connection with his representation of a client in a guardianship matter. Jennifer L. Toth represented District XIII and respondent was pro se on a motion for discipline by consent granted by the DRB.

DOUGLAS J. HULL

Admonished on February 21, 208 *(Unreported)* for his handling of an estate matter. The respondent violated *RPC* 1.3, which requires a lawyer to "act with reasonable diligence and promptness in representing a client." Glenn D. Kassman represented District IIIA before the DRB and Adam J. Adrignolo represented the respondent.

TY HYDERALLY

Suspended for three months on June 22, 2018 (235 *N.J.* 364) effective July 20, 2018. Respondent was convicted of simple assault, contrary to N.J.S.A. 2C:12-1a(1), in violation of *RPC* 8.4(b). Pursuant to the Supreme Court's Order, respondent's law firm was permitted to continue to operate under the name "Hyderally & Associates, P.C." during the period of suspension, provided that the following conditions were met: (1) all firm clients receive notice of respondent's suspension from practice, (2) the firm website contains a notice of respondent's suspension from practice, and (3) respondent receives no financial benefit from the firm for the period of suspension. Joseph A. Glyn represented the OAE on a motion for final discipline granted by the DRB and Gerard Hanlon represented the respondent. The respondent was previously disciplined: Reprimanded in 1999.

SEBASTIAN ONYI IBEZIM, JR.

Reprimanded on March 28, 2018, (__*N.J.* __) for violating *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations) and *RPC* 7.5(e) (using misleading attorney letterhead). Al Garcia represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Admonished in 2014, 2015 and 2016. This case was discovered solely as a result of the Random Audit Compliance Program.

IHAB AWAD IBRAHIM

Censured on December 6, 2018, (236 *N.J.* 97) for failing to communicate in writing the rate or basis of the fee and improper communication about the subject of the representation with a person the lawyer knows to be represented by counsel. Richard M. Cohen appeared before the DRB for the District XII Ethics Committee and Robert F. Clark represented respondent. The respondent was previously disciplined: Reprimanded in 2017.

FARRAH A. IRVING

Reprimanded on June 12, 2018, (233 *N.J.* 462) for violating *RPC* 1.5(c) (failure to provide a contingent fee agreement, stating the method by which the fee is to be determined), *RPC* 3.3(a) (lack of candor to a tribunal), *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4 (d) (conduct prejudicial to the administration of justice). Steven P. Ross represented District IIA and respondent was pro se on a motion for discipline by consent granted by the DRB.

ULYSSES ISA

Suspended for three months on December 7, 2018, (*N.J.* __) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep client adequately informed and to promptly reply to the client's reasonable requests for information), *RPC* 1.5(b) (failure to communicate in writing the rate or basis of the fee), *RPC* 1.15(d) (recordkeeping violations), *RPC* 1.16(c) (failure to comply with applicable law when terminating a representation), *RPC* 5.5(a)(1) (unauthorized practice of law), *RPC* 8.1(a) (knowingly making a false statement of material fact in connection with a disciplinary matter), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Rachel Mongiello represented the District VI Ethics Committee and respondent was pro se.

FREDDY JACOBS

Disbarred on April 12, 2018 (232 *N.J.* 499), following respondent's criminal conviction in the United States District Court for the Southern District of New York on one count of conspiracy to commit immigration fraud, contrary to 18 U.S.C. §1546(a) and 18 U.S.C. §371, conduct in violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on attorney's honesty, trustworthiness or fitness). Respondent submitted falsified asylum applications in immigration matters. Hillary Horton handled the matter for the OAE and respondent was pro se on a motion for final discipline.

RAJSHAKTISINH D. JADEJA

Suspended for two years on November 15, 2018, effective June 7, 2017, (___*N.J.*___) following his conviction in the Supreme Court of New York, Nassau County, to second-degree manslaughter, second-degree assault, driving while under the influence of alcohol, and driving while impaired by alcohol and drugs, in violation of *RPC* 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness). Respondent was involved in a fatal motor vehicle accident on the Long Island Expressway while under the influence of alcohol and Xanax. Hillary Horton represented the OAE on a motion for final discipline and James M. McGovern, Jr. represented the respondent.

MARK JOHNS

Suspended for three months on April 24, 2018, effective May 21, 2018, (233 *N.J.* 79) based upon discipline imposed by the Supreme Court of the Commonwealth of Pennsylvania for unethical conduct that in New Jersey constitutes violations of *RPC* 1.1(a) (gross neglect), *RPC* 1.1 (b) (pattern of neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to protect a client's interests on termination of the representation), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Reid Adler represented the OAE and respondent was pro se on a motion for reciprocal discipline granted by the DRB.

EDWARD GLEN JOHNSON

Reprimanded on December 6, 2018 (___ *N.J.* ___) for violating *RPC* 1.15(a) (negligent misappropriation) and *RPC* 1.15(d) (recordkeeping violations). The Court further ordered respondent to submit monthly three-way reconciliations on a quarterly basis to the OAE for two years. HoeChin Kim appeared for the OAE before the DRB, and Scott B. Piekarsky represented respondent. Respondent was previously disciplined: Admonished in 2009.

BENJAMIN G. KELSEN

Reprimanded on December 13, 2018 (___*N.J.*___) for commingling of funds and recordkeeping violations. Christina Blunda represented the OAE and Marc D. Garfinkle represented the respondent on a motion for discipline by consent granted by the DRB. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOHN A. KLAMO

Suspended for three months, effective February 9, 2018, on January 10, 2018 (231 *N.J.* 395) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.2 (failure to abide by a client's decision about the scope and objectives of the representation), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 5.5(a) & Rule 1:21-1A(a)(3) (unauthorized practice of law), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Lewis Fichera represented District IV, and the respondent was represented by Steven K. Kudatzky. The respondent has been disciplined previously: Reprimanded in 1996; suspended for three months in 2013; and censured in 2016.

JOHN A. KLAMO

Suspended for two years on May 30, 2018 (233 *N.J.* 352) for violating *RPC* 1.15(a) (failure to safeguard client funds), *RPC* 8.1(a) (knowingly making a false statement of material fact in connection with a disciplinary matter), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) for mishandling the disbursement of insurance proceeds to his client and lying to his client and ethics authorities about the same. Andrea Fonseca-Romen represented the OAE and respondent was represented by Steven K. Kudatzky. The respondent has been disciplined previously: Reprimanded in 1996; suspended for three months in 2013; censured in 2016; and suspended for three months in 2018.

JOHN A. KLAMO

Disbarred on November 28, 2018 (___*N.J.*___) for his extensive disciplinary history and violations of *RPC* 8.1(a) (knowingly making a false statement of material fact in connection with a disciplinary matter); *RPC* 8.4(a) (violating or attempting to violate the RPC's, knowingly assisting or inducing another to do so, or doing so through acts of another); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Johanna Barba Jones appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 1996; suspended for three months in 2013 and again in 2018, censured in 2016 and suspended for two years in

2018.

MICHAEL WILLIAM KWASNIK

Disbarred by consent on December 28, 2018 (___*N.J.*___) after respondent acknowledged that the OAE's allegations that he knowingly misappropriated client funds were true and if he went to a hearing on this matter, he could not successfully defend himself against these charges. Jason D. Saunders represented the OAE And Richard F. Klineburger represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2011.

JAMES R. LANGIONE

Suspended for six months on July 19, 2018, effective August 13, 2018 (234 *N.J.* 180) for violating *RPC* 1.5(a) (failure to safeguard client funds), *RPC* 1.15(d) and Rule 1:210-6 (recordkeeping violations) and *RPC* 5.3 (a) and (b) (failure to supervise non-lawyer employees). Reid Adler represented the OAE and respondent was pro-se on a motion for reciprocal discipline granted by the Disciplinary Review Board.

STEPHEN HAROLD LANKENAU

Suspended for two years on August 31, 2018 (___*N.J.*___), retroactive to February 22, 2016, following two motions for reciprocal discipline based upon two orders of the Delaware Supreme Court suspending respondent for eighteen months, effective February 22, 2016 (Lankenau I), and for a consecutive six-month term, effective March 9, 2017 (Lankenau II). Respondent violated *RPC* 1.15(a) (failure to safeguard funds); *RPC* 1.15(b) (failure to promptly notify clients or third persons of receipt of funds in which they have an interest and to promptly disburse those funds); *RPC* 3.3(a)(1) (false statement of material fact to a tribunal); *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of tribunal); *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Respondent is not to be reinstated in New Jersey unless and until he is reinstated to practice in Delaware. Hillary Horton represented the OAE and respondent was pro se.

TYLER J. LARSEN

Suspended for six months on November 1, 2018, effective November 30, 2018 (235 *N.J.* 411) for violating *RPC* 3.8(d) (prosecutor in a criminal defense shall timely disclose exculpatory evidence to the defense). As the prosecutor in an armed robbery trial, respondent informed the defendant's attorney that his eyewitnesses had identified that defendant, but did not disclose that he had tainted the eyewitnesses by improperly showing them a photograph of the defendant. Eugene A. Racz represented the OAE while respondent waived appearance for oral argument on a motion for reciprocal discipline granted by the DRB.

ANDREW LASCHUK

Disbarred by consent on February 2, 2018 (227 *N.J.* 59) for the knowing misappropriation of client funds. Jason D. Saunders represented the OAE and Respondent was represented by Steven M. Gabor.

PAMELA TERRAINE LEE

Disbarred on November 28, 2018, effective immediately, (236 *N.J.* 88) for knowing misappropriation of client funds, in violation of *RPC* 1.15(a) and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985) (knowing misappropriation of client funds); *RPC* 1.16(d) and Rule 1:21-6 (recordkeeping, and on termination of representation, failure to protect a client's interests, including returning papers and refunding unearned fees); and *RPC* 8.1(b) (failure to cooperate with the New York ethics authorities). On approximately sixteen occasions between September 2012 and April 2015, respondent took client or escrow funds, comprising deposits and sale proceeds in real estate transactions, and converted them to her own personal use, without the prior authorization of the parties. Hillary Horton and Johanna Barba Jones represented the OAE on a motion for reciprocal discipline and respondent was pro se.

ROBERT H. LEINER

Disbarred on a certified record on February 8, 2018 *(___ N.J. ___)* for knowing misappropriation of escrow funds, in violation of *RPC* 1.15(a) and the principles of In re Hollendonner, 102 *N.J.* 21 (1985). Respondent also violated *RPC* 3.3(a)(1) (knowingly making a false statement of material fact to a tribunal), *RPC* 3.3(a)(5) (failure to disclose to the tribunal a material fact, knowing that the omission is reasonably certain to mislead the tribunal), *RPC* 5.5(a)(1) (practicing law while ineligible), *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the attorney's honesty, trustworthiness or fitness as a lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). HoeChin Kim appeared for the OAE before the Supreme Court, and respondent was pro se. Respondent was previously disciplined: Temporary suspension for failure to pay a fee arbitration award, effective June 24, 2005, until January 5, 2009; reprimanded in 2005.

ROBERT CAPTAIN LEITE

Reprimanded on June 12, 2018 (233 *N.J.* 460) for violating *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information), *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding representation), *RPC* 1.16(c) (failure to comply with applicable law requiring notice to or permission of a tribunal when terminating representation), and *RPC* 1.16(d) (failure to take reasonably practicable steps to protect a client's interest upon termination of representation) for his representation of his clients (husband and wife) in a lawsuit against the clients' mortgage lenders for a mortgage modification and damages. Jennifer Branch Stewart represented District IV and Gary D. Nissenbaum represented respondent.

LAWRENCE W. LINDSAY

Admonished on February 21, 2018 *(Unreported)* for violating RPC 1.7(a) (conflict of interest) and RPC 1.4(b) (keeping a client reasonably informed about the status of the matter and promptly replying to reasonable requests for information) in his representation of equal partners in a limited liability company who had a falling out and whose interests became adverse. Ronald W. Katkocin represented District IV and Teri S. Lodge represented the respondent on a motion for discipline by consent granted by the DRB.

THOMAS LUDWIG

Reprimanded on April 25, 2018 (233 *N.J.* 99) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep clients reasonably informed about the status of a matter), and *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority) in relation to an estate matter from 2007. Respondent also was ordered to submit proof to the OAE within ninety days of the filing date of the Order, by way of a detailed certification, that the estate at issue has been concluded. William Strasser represented District IIA and respondent was pro se.

DEAN MAGLIONE

Admonished on November 21, 2018 (Unreported) for inserting language in the settlement agreement of a Superior Court matter requiring the grievant to withdraw his ethics grievance against respondent in return for mutual releases, in violation of *RPC* 8.4(d) and A.C.P.E. Opinion 721, 204 N.J.L.J. 928 (June 27, 2011). Geri Albin represented District VA and Raymond S. Londa represented the respondent.

EDWARD P. MCKENZIE

Suspended for one year on December 6, 2018, effective January 4, 2019, (___*N.J.*___) following his Alford plea, see North Carolina v. Alford, 400 U.S. 25 (1970), in the Superior Court of the Virgin Islands to one count of compounding a crime, contrary to 14 V.I.C. §521(a)(3), and in violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on a lawyer's honesty, trustworthiness, or fitness), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent knowingly concealed the crime of obtaining property under false pretenses as part of his role in a larger bid rigging conspiracy. Hillary Horton represented the OAE on a motion for final discipline and Jonathan D. Clemente represented the respondent.

NIRAV MEHTA

Reprimanded by consent on April 3, 2018 (232 *N.J.* 452) for violating *RPC* 1.15(a), *RPC* 1.15(d), and Rule 1:21-6. Joseph A. Glyn represented the OAE, and Rosalyn A. Metzger represented the respondent on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Reprimanded in 2016. This matter was discovered solely as a result of the Random Audit Compliance Program.

DIEGO P. MILARA

Censured on September 21, 2018 (235 *N.J.* 170) for violating *RPC* 1.3(b) (lack of diligence); *RPC* 1.15(d) (recordkeeping); *RPC* 5.5(a)(1) (practicing law while ineligible); *RPC* 8.1(b) (failure to cooperate with ethics authorities); and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Al Garcia represented the OAE before the DRB and Gerard E. Hanlon appeared on behalf of the respondent. The respondent was previously disciplined: Temporarily suspended in 2016 and again in 2017 in a separate matter. He remains suspended to date.

S. MICHAEL MUSA-OBREGON

Admonished on April 25, 2018 *(Unreported)*. Pursuant to *RPC* 8.5(a), as a New York attorney, not admitted in New Jersey, respondent was subject to the jurisdiction of New Jersey disciplinary authorities for legal services he undertook in this state. The respondent entered into a retainer agreement pertaining to a family court action which provided that twenty-five percent of the fee was non-refundable. The DRB found that this
term in the agreement violated *RPC* 1.5(a), which requires a lawyer to charge a reasonable fee. The provision also violated Rule 5:3-5(b), which prohibits the inclusion of a non-refundable retainer provision in a civil family action fee agreement. Francis J. Leddy, Jr. represented District XI and Kim D. Ringler represented the respondent.

HOWARD Z. MYEROWITZ

Censured on November 2, 2018 (235 *N.J.* 416) for making misrepresentations to a United States federal court in the course of his representation of defendants in a trademark infringement suit, contrary to *RPC* 3.3(a)(1) false statement of material fact or law to a tribunal); *RPC* 3.4(c) (knowingly disobey an order of a tribunal); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE on a motion for reciprocal discipline and respondent was pro se.

RACHEL H. NASH

Two-year suspension imposed on March 27, 2018, effective April 23, 2018, (___ *N.J.*___) for violating *RPC* 3.1 (asserting an issue with no basis in law or fact); *RPC* 3.2 (failure to expedite litigation); *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal); *RPC* 4.4(a) (during the representation of a client, using means that have no substantial purpose other than to embarrass, delay or burden a third person); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). This matter was based upon the respondent's unethical conduct in three civil actions in New York in which she repeatedly filed frivolous claims, cast aspersions on opposing counsel, failed to follow court orders, and showed no remorse for her conduct. Hillary Horton handled the matter for the OAE and respondent was pro se on a motion for reciprocal discipline.

BENJAMIN NAZMIYAL

Disbarred on October 1, 2018, (235 *N.J.* 222) for violating *RPC* 1.15(a) (commingling of funds); *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority); *RPC* 8.4(b) (criminal act that reflects adversely on a lawyer's honesty, trustworthiness or fitness as a lawyer in other respects); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) and Rule 1:20-20 (conduct prejudicial to the administration of justice). Al Garcia, Deputy Ethics Counsel represented Office of Attorney Ethics and respondent defaulted. The respondent was previously disciplined: Temporarily suspended twice in 2016.

ANDREW M. NEWMAN

Admonished on July 23, 2018 *(Unreported)* for (1) failing to maintain trust or business account cash receipts and disbursements journals; (2) maintaining improper trust and business account check images; and (3) failing to maintain proper monthly trust account three-way reconciliations. Although the respondent corrected the first two deficiencies, he was still not in compliance with the third deficiency as of the date of the oral argument before the DRB. In its letter of admonition, the DRB required the respondent, within ninety days from the issuance of the admonition, to bring his records into compliance with Rule 1:21-6 and provide proof to the OAE that he had done so. Al Garcia represented the OAE before the DRB and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

CHRISTIE-LYNN NICHOLSON

Disbarred on October 9, 2018 (228 *N.J.* 524) for knowing misappropriation of law firm funds, in violation of *RPC* 1.15(a) and In re Siegel, 133 *N.J.* 162 (1992). Joseph A. Glyn represented the OAE before the Supreme Court and respondent failed to appear.

FELIX NIHAMIN

Suspended for one-year on September 11, 2018, effective October 8, 2018 (235 *N.J.* 144) following a motion for reciprocal discipline after respondent's voluntary resignation from the New York Bar. Respondent admitted that he could not successfully defend against a charge that he had practiced while suspended in New York. Respondent's conduct violated *RPC* 5.5(a) (practicing law while suspended); *RPC* 8.1(a) (failure to cooperate with disciplinary authorities); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and Kim D. Ringler represented respondent. Respondent has a prior disciplinary history: Admonished in 2010 and suspended for three-months in 2014.

ROBERT NOVY

Disbarred by consent on September 4, 2018 (___*N.J.*___). Respondent acknowledged he was aware that the OAE alleged that he knowingly misappropriated client trust funds, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Jason D. Saunders represented the OAE and Thomas R. Curtin represented the respondent.

MICHAEL OSBORNE

Censured on a certified record on July 6, 2018 (234 *N.J.* 22) for failure to reply to a lawful demand for information from a disciplinary authority, contrary to *RPC* 8.1(b), and conduct prejudicial to the administration of justice, contrary to *RPC* 8.4(d), following his failure to file a required Rule 1:20-20 affidavit. Hillary Horton represented the OAE and respondent

was pro se.

MICHAEL OSBORNE

Censured on a certified record on September 6, 2018 (235 *N.J.* 143) for violating *RPC* 1.16(b) (safekeeping property) and *RPC* 8.1(b) (failure to cooperate with an ethics investigation). Peter J. Hendricks represented District VIII and respondent failed to respond to the complaint. The respondent was previously disciplined: Temporarily suspended in 2016 (he remains suspended to date) and censured in July 2018. This case also proceeded on a certified record.

NICHOLAS A. PAGLIARA

Three-month suspension imposed on March 22, 2018, effective April 23, 2018, (___ *N.J.*___) following respondent's criminal conviction in the Superior Court of New Jersey to third-degree aggravated assault, contrary to N.J.S.A. 2C:12-1(b)(7), in violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on lawyer's honesty, trustworthiness or fitness as a lawyer). This matter resulted from an incident of domestic violence between respondent and his wife. Eugene A. Racz and Hillary Horton handled the matter for the OAE and respondent was pro se on a motion for final discipline.

JEFFREY L. PERLMAN

Suspended for one year on July 9, 2018, effective August 3, 2018, (234 *N.J.* 77) based on discipline imposed in Pennsylvania for unethical conduct that in New Jersey constitutes violations of *RPC* 1.1(a) (gross neglect); *RPC* 1.1(b) (pattern of neglect); *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to communicate with the client); *RPC* 1.4(c) (failure to explain the matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation); *RPC* 1.15(a) (failure to safeguard client funds, negligent misappropriation, and commingling); *RPC* 1.15(b) (failure to promptly notify and deliver funds or property to client or third party); *RPC* 1.16(d) (failure to protect client's interests upon termination of representation); *RPC* 3.2 (failure to expedite litigation); *RPC* 4.1(a)(1) (false statement of material fact or law to a third person); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Prior to reinstatement, respondent must provide proof of his fitness to practice, as attested to by a mental health professional approved by the Office of Attorney Ethics. Eugene A. Racz, Esq. handled the matter for the OAE and the respondent was pro se.

MARIO J. PERSIANO, III

Suspended for three months on April 24, 2018, effective May 22, 2018, (233 *N.J.* 78) following his criminal conviction in the Superior Court of New Jersey to fourth-degree obstructing the administration of law or other governmental function, contrary to N.J.S.A. 2C:29-1, in violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on lawyer's honesty, trustworthiness or fitness as a lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). respondent's ethical misconduct occurred while he was employed as the Pennsauken Township public defender when he obtained private clients, who were actually eligible for public defender representation, by failing to completely and accurately explain the right to obtain representation to those clients. Eugene A. Racz and Hillary Horton handled the matter for the OAE and Robert E. Ramsey represented the respondent on a motion for final discipline.

NICOLE LEIGH PERSKIE

Suspended for a period of two years on October 2, 2018, (235 *N.J.* 226) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep the client reasonably informed), *RPC* 1.5(b) (failure to communicate in writing the rate of basis of the fee), *RPC* 1.15(d) (failure to comply with recordkeeping requirements), *RPC* 5.5(a)(1) (practicing law while administratively ineligible to do so), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), *RPC* 8.4(b) (engaging in criminal conduct that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Timothy J. McNamara represented the OAE and Respondent failed to appear. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOAN OTHELIA PINNOCK

Suspended for three months on December 5, 2018 (effective January 4, 2019), (236 *N.J.* 96) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Sam Della Fera represented District VA Ethics Committee and the respondent was pro se. The respondent was previously disciplined: Reprimanded in 2013.

MICHAEL J. POCCHIO

Admonished on October 1, 2018 *(Unreported)* for allowing a client's divorce case to be dismissed for lack of prosecution and then failing to remedy that dismissal, in violation of *RPC* 1.1 (a), *RPC* 1.3 and *RPC* 3.2. He failed to keep his client informed about the status of her matter and never discussed with her the lack of service or the options to effectuate it and never informed her that the matter had been

dismissed, in violation of *RPC* 1.4(b). Angela F. Pastor represented District VIII and respondent was pro se.

TATIANA FILIMONOVA POLEY

Suspended for one year on March 12, 2018 (232 *N.J.* 195) following her conviction in the state of New York of third-degree larceny and for the unauthorized practice of law. Hillary Horton represented the OAE on a motion for reciprocal discipline and respondent was pro se.

RONALD S. POLLACK

Censured on December 5, 2018 (236 *N.J.* 95) as a matter of reciprocal discipline from the Commonwealth of Pennsylvania for violations of *RPC* 1.3 (lack diligence), *RPC* 1.4(b) (failure to keep clients reasonably informed about the status of matters and to promptly comply with reasonable requests for information), *RPC* 1.15(a) (negligent misappropriation of trust funds and commingling of funds), *RPC* 1.15(b) (failure to promptly notify clients or third persons of receipt of funds and failure to promptly disburse funds that clients or third persons were entitled to receive), *RPC* 1.15(c) (failure to segregate disputed funds), and *RPC* 1.15(d) (failure to comply with recordkeeping rules). HoeChin Kim appeared for the OAE before the DRB, and Robyn M. Hill represented respondent.

RICHARD L. PRESS

Censured on June 21, 2018 (__ *N.J.*___) on a motion for reciprocal discipline for falsely reporting that his litigation bag/briefcase had been stolen in the federal courthouse in Camden, in violation of *RPC* 3.3(a)(1) (knowingly making a false state of material fact to a tribunal), and *RPC* 4.1(a)(1) (knowingly making a false statement of material fact to a third person). Hillary Horton handled the motion for reciprocal discipline on behalf of the OAE and Robert E. Ramsey represented respondent. The respondent was previously disciplined: Reprimanded in 2009.

JOEL I. RACHMIEL

Admonished on April 24, 2018 *(Unreported)* for holding monies from a personal injury settlement in escrow to pay medical liens, then delaying paying the liens for almost six years. The delay caused the client's accounts to be placed in collection, adversely affecting her credit rating. During this time, respondent failed to respond to the client's requests for a status report on these payments, in violation of *RPC* l.l(a), *RPC* 1.3, and *RPC* 1.4(b) and (c). Richard J. Botos represented District XII and Raymond S. Londa represented the respondent on a motion for discipline by consent granted by the DRB.

KARLENE A. RAWLE-WALTERS

Admonished on July 20, 2018 *(Unreported)* for violating *RPC* 1.1(A) (handling or neglecting a matter entrusted to the lawyer in such manner that the lawyer's conduct constitutes gross negligence) in connection with an investment made by the grievant in a company run by respondent's husband. Christina Blunda represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB.

MICHAEL L. RESNICK

Disbarred on March 2, 2018, (232 *N.J.* 166) for violating *RPC* 1.15(a) and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985) (failure to safeguard funds and the knowing misappropriation of client and escrow funds), *RPC* 1.15(b) (failure to promptly disburse funds in which a client or third person has an interest), *RPC* 8.1(b) and Rule 1:20-3(g)(3) (failure to reply to a lawful demand for information from a disciplinary authority), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Timothy J. McNamara represented the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1998 and 2014 and temporarily suspended in 2016 and 2017. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

ARCADIO J. REYES

Admonished on June 13, 2018 (233 *N.J.* 463) for gross neglect, contrary to *RPC* 1.1(a), lack of diligence, contrary to *RPC* 1.3, failure to return an unearned fee, contrary to *RPC* 1.4(b), and failure to set forth in writing the rate or basis for a fee, contrary to *RPC* 1.5(b). Hillary Horton represented the OAE on a motion for reciprocal discipline from the District of Columbia and respondent was pro se.

STUART I. RICH

Suspended for two years on July 6, 2018, effective August 6, 2018, (234 *N.J.* 21) based on his guilty plea in the New York Supreme Court to one count of fifth-degree criminal tax fraud, in violation of 20 N.Y.C.R.R. §1802, a Class A misdemeanor under §70.14 of the New York Penal Code, conduct that in New Jersey constitutes the violation of *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Eugene A. Racz handled the matter for the OAE and the respondent was pro se.

RICHARD P. RINALDO

Admonished on October 1, 2018 *(Unreported)* for commingling personal funds with client funds in violation of *RPC* 1. 15(a) and for failing to keep proper records, in violation of Rule 1:21-6 and *RPC* 1.15(d). Reid A. Adler represented the OAE and Robert E. Ramsey represented the respondent.

JOSEPH A. RIZZO

Censured on May 31, 2018 (233 *N.J.* 400) for lack of diligence, in violation of *RPC* 1.3, failure to keep a client reasonably informed, in violation of *RPC* 1.4(b), failure to promptly disburse funds, in violation of *RPC* 1.15(b), failure to return an unearned fee, in violation of *RPC* 1.16(d), and practicing while ineligible, in violation of *RPC* 5.5(a)(1) in one client matter. Hillary Horton represented the OAE on a motion for reciprocal discipline from Pennsylvania and respondent was pro se.

GENE S. ROSEN

Suspended for three years on January 10, 2018 (231 *N.J.* 394) based on discipline imposed in the state of Florida, which, in New Jersey constitutes a violation of *RPC* 1.15(d) (recordkeeping violation), *RPC* 1.2(d) (assisting a client in conduct the attorney knows is illegal, criminal or fraudulent), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Christina Blunda represented the OAE before the DRB and respondent appeared pro se, by telephone.

ANDREW S. ROSENBLOOM

Admonished on May 2, 2018 (235 *N.J.* 88) for respondent's violation of *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Andrew J. Karcich appeared before the DRB for District IV and respondent waived appearance.

ROBERT E. ROTHMAN

Suspended for three years, retroactive to May 10, 2012, (235 *N.J.* 93) following respondent's guilty plea in the United States District Court for the District of New Jersey to an information charging him with one count of the Sherman Act Conspiracy, in violation of 15 U.S.C. § 1, conduct that violates *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer). This case arises out of the same criminal conspiracy as two companion cases, In re May, 230 *N.J.* 56 (2017) and In re Stein, 230 *N.J.* 57 (2017). Eugene A. Racz represented the OAE on a motion for final discipline and Raymond S. Londa represented the respondent.

MICHAEL E. RYCHEL

Reprimanded on February 9, 2018, (232 *N.J.* 112) for violating *RPC* 3.2 (a lawyer shall treat with courtesy and consideration all persons involved in the legal process). Kevin P. Kelly represented District IIA before the DRB and respondent was pro se.

ERICA MARIE SCAVONE

Censured on April 5, 2018 (232 *N.J.* 455) for violating *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Loryn Lawson represented District IX and respondent was pro se on a motion for discipline by consent granted by the Disciplinary Review Board.

DAVID THOMAS SCHLENDORF

Admonished on July 23, 2018 *(Unreported)* for violating *RPC* 1.5(b) (when a lawyer has not regularly represented a client, the basis or rate of the fee shall be communicated in writing to the client before or within a reasonable time after commencing the representation) in two separate matters. Gregory B. Thomlison represented District IIIA and Robyn M. Hill represented the respondent.

JEFF A. SCHNEPPER

Reprimanded on September 24, 2018 (235 *N.J.* 217*)* for engaging in a concurrent conflict of interest in violation of *RPC* 1.7(a). Katrina Vitale represented District IV and respondent was pro se. Respondent was previously disciplined: Reprimanded in 1999.

MADELINE E. SCHWARTZ

Disbarred by consent on November 30, 2018 (236 *N.J.* 90), following her three-year suspension in Pennsylvania for knowing misappropriation of client trust funds and misrepresenting information to a client. Amanda Figland represented the OAE and respondent was represented by Kim D. Ringler. Respondent was previously suspended for three months in 2000.

EVERETTE L. SCOTT

Disbarred on April 23, 2018 (232 *N.J.* 599), following his criminal conviction in the United States District Court for the Southern District of New York on one count of securities fraud, contrary to 15 U.S.C. §78ff and §78j (b), and two counts

of wire fraud, contrary to 18 U.S.C. §1343, conduct in violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on attorney's honesty, trustworthiness or fitness), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and the principles of In re Wilson, 81 *N.J.* 451 (1979), and In re Hollendonner, 102 *N.J.* 21 (1985). Respondent and a former client stole in excess of five million dollars in two fraudulent schemes: a Treasury Strips scheme, and a coal mine investment scheme. Eugene A. Racz and Hillary Horton handled the matter for the OAE and John McGill represented the respondent on a motion for final discipline.

GNOLEBA R. SERI

Suspended for eighteen months on January 17, 2018 (234 *N.J.* 183) for violating *RPC* 8.4(b) (committing a criminal act that reflects adversely on the attorney's honesty, trustworthiness or fitness as a lawyer in all other respects) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) based upon respondent's guilty plea on June 29, 2016, in the United States District Court of New York, to one count of fraud and misuse of visa, permits, and other documents, in violation of 18 *U.S.C.* §§ 2 and 1546(a). Specifically, respondent knowingly submitted falsified I-864 Forms in support for immigration visas. Eugene A. Racz represented the OAE and the respondent appeared *pro se* on the motion for final discipline.

ROBERT S. SHIEKMAN

Reprimanded on September 20, 2018 (235 *N.J.* 167*)*, following respondent's guilty plea to fourth-degree assault by auto and driving while intoxicated, in violation of N.J.S.A. 2C:12-1c(2) and N.J.S.A. 39:4-50, respectively. Joseph A. Glyn represented the OAE and Robert E. Ramsey represented the respondent on a motion for final discipline granted by the DRB.

KEITH T. SMITH

Censured on a certified record on January 11, 2018 (231 *N.J.* 397) for recordkeeping deficiencies, in violation of *RPC* 1.15(d) and Rule 1:21-6, and failure to cooperate with ethics authorities, in violation of *RPC* 8.1(b) and Rule 1:20-3(g)(3). Michael J. Sweeney represented the OAE and respondent was *pro se*. Respondent was previously disciplined: Admonished in 2008 and censured in 2011; and temporarily suspended in 2017. This matter was discovered solely as a result of the Random Audit Compliance Program.

KEITH T. SMITH

Suspended for three months effective October 19, 2018 (235 *N.J.* 169) for violating *RPC* 3.5(b) (ex parte communications) and *RPC* 4.2 (a lawyer shall not communicate with a person the lawyer knows is represented by counsel) in a District I matter and *RPC* 5.5(a)(1) and Rule 1:28A-2(d) (practicing law while ineligible for failing to comply with IOLTA requirements) in an OAE matter. The Court denied Respondent's petition for review. Steven D. Scherzer represented District I, HoeChin Kim represented the OAE, and respondent was pro se. Respondent was previously disciplined: Admonished in 2008; censured in 2011; temporarily suspended in 2017 and censured in 2018.

KEITH T. SMITH

Suspended for six months on September 21, 2018, effective January 21, 2019 (235 *N.J.* 169) following respondent's guilty plea to simple assault, contrary to N.J.S.A. 2C:12-1a(3) and in violation of *RPC* 8.4(b). Joseph A. Glyn represented the OAE and respondent appeared pro se on a motion for final discipline granted by the DRB. The respondent was previously disciplined: Admonished in 2008; censured in 2011; temporarily suspended in 2017; censured in 2018 and suspended for three months effective October 19, 2018.

THEODORE H. SMITH

Disbarred by consent on November 28, 2018, (___*N.J.*___) after he admitted that he knowingly misappropriated clients' trust funds. Steven J. Zweig represented the OAE and Fredric L. Shenkman represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

WILLIAM J. SORIANO

Suspended for two years on April 9, 2018 effective May 8, 2018 (232 *N.J.* 457) for violating *RPC* 1.15(b) (failure to promptly disburse funds to a third party); *RPC* 1.2(d) (assisting a client in conduct the attorney knows to be illegal, criminal or fraudulent); and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Steven J. Zweig appeared before the Supreme Court for the OAE and Lewis Markowitz appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2004 and censured in 2011.

MICHAEL R. SPECK

Reprimanded on November 8, 2018 (___*N.J.*___) for violating *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations) for failing to properly oversee trust and business accounts of the law practice of his deceased partner. Andrea R. Fonseca-Romen and Hillary Horton represented the OAE and

Donald M. Lomurro represented the respondent.

RONALD W. SPEVACK

Admonished on April 25, 2018 *(Unreported)* for his violations of *RPC* 1.1(a) (competence and gross negligence), *RPC* 1.3 (diligence), *RPC* 1.4(b) (communication), *RPC* 1.5(b) (retainer agreement), and *RPC 8.4(d)* (misconduct) in connection with his handling of a medical malpractice case. Howard Duff represented District VIII and Pamela Lynn Brause represented the respondent on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Reprimanded in 1997 and two admonitions in 2005.

PAUL SPEZIALE

Suspended for one year on a certified record on May 2, 2018, (233 *N.J.* 203) for violating *RPC* 1.1(a) (gross neglect); *RPC* 1.2(a) (failure to abide by the client's decisions regarding the scope of the representation); *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to keep a client reasonably informed); *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary for the client to make informed decisions about the representation); *RPC* 1.15(a) (commingling of funds); *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations); *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of tribunal); *RPC* 5.5(a) (practicing law while ineligible); *RPC* 8.1(b) (failure to respond to a lawful demand for information from a disciplinary authority); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). The violations arose from Speziale's failure to protect his clients' interests in a business venture and his subsequent mishandling of their bankruptcy petition. Eugene A. Racz, Esq. appeared before the Supreme Court for the OAE and respondent failed to appear. The first of the four matters considered here was docketed solely as a result of the Trust Overdraft Notification Program.

CLAUDIO MARCELO STANZIOLA

Censured on May 31, 2018, (233 *N.J.* 401) for violating *RPC* 1.8 (a) (improper business transaction with a client). Francis Accisano represented District IX before the DRB and Richard M. Keil represented respondent.

GEORGE P. STASIUK

Censured on October 4, 2018 (___*N.J.*___) for failing to file his required Rule 1:20-20 affidavit, contrary to *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE on a certification of default and respondent was pro se. Respondent has a prior disciplinary history: Censured in 2016.

ALAN M. STEINMETZ

Disbarred by consent on August 10, 2018, (234 *N.J.* 607). Respondent acknowledged that he was aware that there was presently pending against him an investigation alleging the knowing misappropriation of escrow funds. Respondent acknowledged that this allegation is true and if he went to a hearing on that matter, he could not successfully defend himself against those charges. Timothy J. McNamara represented the OAE and Marc D. Garfinkle represented the respondent.

PETER S. STERN

Disbarred by consent on December 17, 2018, (___ *N.J.*___) for respondent's knowing misappropriation of client trust funds, in violation of *RPC* 1.15(a) and In re Wilson, 81 *N.J.* 451 (1979). Reid Adler represented the OAE and Marc Garfinkle represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

KENNETH C. STRAIT, JR.

Disbarred by consent on April 2, 2018 (232 *N.J.* 451) for respondent's knowing misappropriation of client trust account funds. Christina Blunda represented the OAE and Gerard E. Hanlon represented the respondent. Respondent was previously disciplined: Reprimanded in 2011. This case was discovered solely as a result of the Trust Overdraft Notification Program.

CRAIG C. SWENSON

Disbarred by consent on April 30, 2018, (233 *N.J.* 149) for knowingly misappropriating client trust funds. Al Garcia represented the OAE and Edward Cillick represented the respondent. The respondent was previously disciplined: Admonished in 2017.

JASON M. TABOR

Disbarred on September 18, 2018 (235 *N.J.* 162) for knowing misappropriation of client funds in violation of *RPC* 1.15(a) and the principles of In re Wilson, 81 *N.J.* 451 (1979) (knowing misappropriation of client funds), *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Although the Disciplinary Review Board was divided evenly as to whether an attorney-client relationship existed between the respondent and the grievant and whether he committed a violation of knowing misappropriation, the Court

determined after its own review that respondent did commit knowing misappropriation in violation of In re Wilson. HoeChin Kim appeared before the Supreme Court for the OAE and respondent failed to appear.

LOGAN M. TERRY

Censured on November 1, 2018 (235 *N.J.* 414) for violating *RPC* 1.7(a)(2) (conflict of interest) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) in his representation of a client in a criminal matter. Joseph A. Glyn appeared before the DRB for the OAE and respondent appeared pro se.

RONALD THOMPSON

Reprimanded on September 21, 2018 (235 *N.J.* 166) for violating *RPC* 1.4(b) (failure to keep the client reasonably informed about the status of a matter) and *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation). K. Raja Bhattacharya represented DEC VB and Marc D. Garfinkle represented respondent before the Disciplinary Review Board. Respondent was previously disciplined: Admonished in 1998 and 2010.

FRANK N. TOBOLSKY

Disbarred on June 15, 2018 (___*N.J.*___) for knowing misappropriation of escrow funds in violation of *RPC* 1.15(a) (knowing misappropriation), *RPC* 1.15(c) (failure to hold property of clients or third parties in the lawyer's possession separate from the lawyer's own property), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and the principles of In re Hollendonner, 102 *N.J.* 21 (1985). Respondent's affirmative defense of gambling and depression did not meet the standard enunciated in In re Jacob, 95 *N.J.* 132 (1994). HoeChin Kim appeared before the Supreme Court for the OAE and respondent failed to appear.

EMERY Z. TOTH

Admonished on May 22, 2018 *(Unreported)* for engaging in a conflict of interest by referring one client to another client for financial advice without disclosing his personal relationship with the other client, in violation of *RPC* 1.7(a)(2). Richard Galex appeared before the DRB for District VIII and respondent appeared pro se.

KIMBERLY S. TYLER

Suspended for six months on September 7, 2018, effective October 8, 2018 (___ *N.J.* ___) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of the matter, and promptly comply with reasonable requests for information), *RPC* 1.5(b) (failure to provide the client with a writing setting forth the basis or rate of the fee, and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). John C. Garde appeared before the DRB for District VA and respondent waived appearance. The respondent was previously disciplined: Reprimanded in 2014.

ANTHONY J. VAN ZWAREN

Disbarred by consent on August 2, 2018, (234 *N.J.* 432) for knowingly misappropriating client trust funds from the attorney trust account in violation of *RPC* 1.15(a). Reid Adler represented the OAE and Gerard Hanlon represented the respondent.

WILLIAM E. WACKOWSKI

Reprimanded on a certified record on January 11, 2018 (231 *N.J.* 446) for violating *RPC* 1.4(b) (failure to communicate with the client), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Glenn D. Kassman handled the matter for District IIIA and respondent was pro se. The respondent was previously disciplined: Admonished in 2009.

DENNIS F. WAGENBLAST

Disbarred by consent on January 12, 2018 (231 *N.J.* 447) for respondent's knowing misappropriation of client funds earmarked for escrow in two real estate transactions. HoeChin Kim represented the OAE and Charles E. Starkey represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

DAVID A. WALKER

Suspended for one year on July 18, 2018, retroactive to July 7, 2017 (234 *N.J.* 164) following his criminal conviction in New Jersey Superior Court to conspiracy to facilitate the crime of using a runner, contrary to N.J.S.A. 2C:21-22.1 and N.J.S.A. 2C:5-2. Respondent accepted the referral of patients from a chiropractic practice as potential personal injury clients. Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se.

MARK WEISSMANN

Disbarred by consent on January 29, 2018, (231 *N.J.* 496) for respondent's knowing misappropriation of client trust funds. Reid Adler represented the OAE and Andrew Cevasco

represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

CHRISTOPHER R. WELGOS

Censured on July 20, 2018 (234 *N.J.* 188) for violating *RPC* 3.3 (a)(1) (knowingly make a false statement of material fact to a tribunal), *RPC* 8.1(b) and Rule 1:20-3(g) (failure to cooperate with disciplinary authorities) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Reid Adler represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Reprimanded in 2017.

MARK WEISSMAN

Disbarred by consent on January 29, 2018 (231 *N.J.* 496). Respondent acknowledged that he was aware that the OAE alleged that he knowingly misappropriated client trust account funds, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Reid A. Adler represented the OAE and Andrew J. Cevasco represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

ROBERT A. WIANECKI, JR.

Reprimanded on April 5, 2018 (232 *N.J.* 454) for violating *RPC* 1.15(d) (failure to comply with the recordkeeping requirements set forth in Rule 1:21-6). Jason D. Saunders represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

STEVEN HARLAN WOLFF

Admonished on November 21, 2018 *(Unreported)* for utilizing a retainer agreement in a divorce matter that failed to comply with Rule 5:3-5, a violation of *RPC* 1.5(b). Respondent discovered during the investigation of this matter that his bookkeeper, an independent contractor, had died and had not provided him with the password to his Quickbook records. The company would not allow him access to the records and he was, therefore, unable to produce required attorney books and records, in violation of the recordkeeping requirements of *RPC* 1.15(d) and Rule 1:21-6. Lori P. Hager represented District XA and respondent was pro se.

ANTOINETTE M. WOOTEN

Disbarred on October 18, 2018, effective immediately, (235 *N.J.* 358) following her disbarment in the United States District Court for the Eastern District of New York for the knowing misappropriation of client funds, contrary to *RPC* 1.15(a), and the principles of In re Wilson, 81 *N.J.* 451 (1979). Respondent knowingly and intentionally misappropriated her client's settlement funds. Hillary Horton represented the OAE on a motion for reciprocal discipline and respondent was pro se.

DANIEL B. ZONIES

Censured on October 17, 2018 (___ *N.J.* ___) for violating *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), *RPC* 1.8(e) (improper financial assistance to a client), and *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations). Jennifer Biderman appeared for District IV before the DRB and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2003 and 2013.

2017

EMMANUEL N. ABONGWA

Censured on a certified record on July 20, 2017 for violating *RPC* 1.15(a) (failure to safeguard funds) and *RPC* 8.1(b) and *R.* 1:20-3(g)(3) (failure to cooperate with disciplinary authorities). Steven J. Zweig handled the matter for the OAE and Respondent was pro se. Respondent was previously disciplined: Temporarily suspended in 2015 until further Order of the Court.

JEFFREY M. ADAMS

Disbarred on a certified record on September 14, 2017 (230 *N.J.* 391) for violating *RPC* 1.15(a) and the principles of Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1984) (knowing misappropriation of trust and/or escrow funds), *RPC* 1.15(a) (failure to safeguard client or third-party funds), *RPC* 1.15(b) (failure to promptly return client or third party funds), *RPC* 5.5(a)(1) (practicing law while ineligible), *RPC* 8.1(a) (making a false statement to ethics authorities), *RPC* 8.1(b) (failure to cooperate with an ethics investigation), and *RPC* 8.4(d) (failure to file a Rule 1:20-20 affidavit following a temporary suspension). Jason D. Saunders represented the OAE and respondent was pro se. The respondent was previously disciplined: Suspended in 2015; admonished in 2014. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

PETER A. ALLEGRA

Reprimanded on June 2, 2017, for violating *RPC* 1.7(a)(2) (engaging in a conflict of interest) and *RPC* 1.8(a) (entering into a prohibited business transaction with a client). Christina Blunda represented the OAE and Adam Jeffrey Adrignolo and Jared James Limbach represented the respondent on a motion for discipline by consent granted by the DRB.

ALI A. ALI

Reprimanded on December 1, 2017 (231 *N.J.* 165) for violating *RPC* 1.3 (lack of diligence), *RPC* 3.2 (failure to expedite litigation), *RPC* 3.5(b) (making improper ex parte communications), *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice. Deborah B. Fineman appeared before the DRB for District VA and the respondent was pro se.

MICHAEL A. AMATO

Reprimanded on November 27, 2017 (231 *N.J.* 167) for violating *RPC* 1.8(a) (entering into a prohibited business transaction with a client). Joseph A. Glyn represented the OAE and Marc D. Garfinkle represented the respondent on a motion for discipline by consent granted by the DRB. This case was discovered solely as a result of the Random Audit Compliance Program.

PETER FLOYD ANDERSON, JR.

Disbarred on October 25, 2017 (231 *N.J.* 124) following his admissions under oath that he knowingly misappropriated escrow funds. Respondent's conduct was found to violate *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and the principles stated in In re Hollendonner, 102 *N.J.* 21 (1985). Steven J. Zweig represented the OAE on a motion for reciprocal discipline and respondent was pro se.

FRANCIS CHARLES BABCOCK JR.

Reprimanded on a certified record on October 5, 2017 (231 *N.J.* 8) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of the matter), *RPC* 8.1(b) and Rule 1:20-3(g) (3) (failure to cooperate with disciplinary authorities). Maurice Giro represented District VI and respondent failed to appear.

B. JAY BAGDIS

Disbarred on February 28, 2017, (228 *N.J.* 1) based on his conviction in the United States District Court for the Eastern District of Pennsylvania to one count of attempting to obstruct the Internal Revenue Code, 26 U.S.C. § 7212 (a); twenty–seven counts of conspiracy to defraud the United States, 18 U.S.C. § 371; eleven counts of aiding and assisting the preparation of false tax returns, 26 U.S.C. § 7206 (2); three counts of failure to file tax returns or supply information, 26 U.S.C. §7203; and five counts of failure to file currency transaction reports (CTR) by business, 31 U.S.C. § 5322, conduct that in New Jersey violates *RPC* 8.4 (b) (commission of a criminal act that reflects adversely on an attorney's honesty, trustworthiness or fitness as a lawyer), and *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Christina Blunda represented the OAE before the Supreme Court on a motion for final discipline and respondent was pro se.

ROBERT JOHN BARON

Disbarred by consent on November 28, 2017, (231 *N.J.* 168). Respondent acknowledged that he knowingly misappropriated client funds, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Joseph A. Glyn represented the OAE and Glenn R. Reiser represented the respondent.

MUHAMMAD BASHIR

Reprimanded on June 15, 2017, (229 *N.J.* 330) for violating *RPC* 1.4(b) failure to keep a client reasonably informed about the status of a matter and promptly comply with a reasonable requests for information and *RPC* 1.4(c) failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation. Robert J. Logan appeared before the DRB for District XII and Muhammad Bashir failed to appear. The respondent was previously disciplined: Reprimanded in 2016, temporarily suspended in 2015, admonished in 2005 and reprimanded in 1996.

RACHEL L. BAXTER

Reprimanded on July 19, 2017 (230 *N.J.* 52) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.15(a) (negligent misappropriation of client funds), *RPC* 1.15(b) (failure to notify a client of receipt of funds to which the client is entitled and to promptly disburse those funds). Reid Adler represented the OAE on a motion for discipline by consent granted by the DRB and respondent was pro se.

BRYNEE KYONNE BAYLOR

Disbarred on October 13, 2017, (231 *N.J.* 19) on a motion for reciprocal discipline based on her disbarment in the

State of Maryland and the District of Columbia, for unethical conduct that in New Jersey constitutes violations of *RPC* 1.15 (a), the principles of In re Wilson, 81 *N.J.* 451 (1979) (knowing misappropriation of client funds), and *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Reid Adler appeared before the Supreme Court for the OAE and respondent failed to appear.

BARRY J. BERAN

Censured on July 20, 2017 for violating *RPC* 1.3 (lack of diligence) and *RPC* 1.4(b) (failure to keep client reasonably informed about the status of matter and to promptly comply with reasonable requests for information) for the client's March 2006 motor vehicle accident that took eight and one-half years for respondent to resolve. Elizabeth L. Laurenzano represented District IV, and David H. Dugan, III represented respondent. Respondent was previously disciplined: Censured in 2016; admonished in 2009 and reprimanded 2004.

PAUL W. BERGRIN

Disbarred on June 30, 2017, (229 *N.J.* 507) following his conviction of numerous federal offenses, including but not limited to, conspiracy to murder a witness and racketeering, conduct that violates *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer). The DRB noted that respondent's criminal conduct, which also included racketeering and witness tampering, was "pervasive and abhorrent." Hillary Horton represented the OAE and Frederick D. Miceli represented respondent on the motion for final discipline.

DAVID CHARLES BERMAN

Suspended for two years on May 4, 2017 (228 *N.J.* 628), for violating *RPC* 1.1(a) (gross neglect) and *RPC* 1.1(b) (pattern of neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to allow the client to make informed decisions), *RPC* 1.16(a)(1) (failure to withdraw from a representation if that representation would result in the violation of the RPCs), *RPC* 3.3(a)(5) (failure to disclose to the tribunal a material fact), *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal), *RPC* 5.5(a)(1) (practicing law while ineligible), *RPC* 8.1(b) and Rule 1:20-3(g)(3) (failure to cooperate with disciplinary authorities), *RPC* 8.4(a) (knowingly violate the RPCs), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Eric L. Probst represented the District XA Ethics Committee before the DRB and respondent failed to appear.

THOMAS ALAN BLUMENTHAL

Disbarred on October 12, 2017, (231 *N.J.* 11) for violating *RPC* 1.8(a) improper business transaction with client, *RPC* 1.15(a) knowing misappropriation of client trust funds and escrow funds, *RPC* 8.4(c) conduct involving dishonesty, fraud, deceit or misrepresentation, and *RPC* 8.4(d) conduct prejudicial to the administration of justice. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent was pro se. Respondent was previously disciplined: Censured in 2015. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

ROBERT D. BORTECK

Admonished on June 20, 2017 (*Unreported*) for violating *RPC* 1.7(a)(2) by suing a client to recover unpaid or disputed legal fees prior to withdrawing as counsel. George Lordi represented the District VB Ethics Committee and Jay J. Rice represented the respondent.

FRED BRAVERMAN

Admonished on April 25, 2017 (*Unreported*) for violating *RPC* 1.3 (lack of diligence) and *RPC* 1.4(b) (failure to keep client reasonably informed about the status of a matter and promptly respond to requests for information). Christine M. Mercado-Spies represented the District IV Ethics Committee and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2014.

NANCY KENNEDY BRENT

Reprimanded on November 1, 2017 (231 *N.J.* 131) for practicing law during periods of ineligibility for failure to pay dues to the Lawyers' Fund for Client Protection, failure to comply with the requirements of the IOLTA program, and failure to comply with her CLE requirements, in violation of *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal) and *RPC* 5.5(a)(1) (unauthorized practice of law). Anne E. Walters represented District IV on a motion for discipline by consent granted by the DRB and respondent was pro se.

SALEEMAH MALIKAH BURNS

Censured on November 17, 2017 (231 *N.J.* 166) on a certified record for violations of *RPC 1.3* (lack of diligence), *RPC* 1.4(b) (failure to communicate with a client), *RPC* 3.4(g) (threatening to present criminal charges to obtain an improper advantage in a civil matter), *RPC* 7.1(a)(4) (making a false or misleading communication about the attorney's legal fee), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Jeffrey Fiorello represented District XI and

respondent was pro se on her motion to vacate the default. The respondent was previously disciplined: Suspended for three months in 2014.

STEPHEN JAMES BUIVIDAS

Admonished on February 22, 2017 (corrected letter dated February 23, 2017) (*Unreported*) for violating *RPC* 1.15(b) (failure to promptly notify a client or third-party upon receipt of funds in which a client or third-party has an interest, failure to promptly deliver funds to a client or third-party). Respondent failed to use settlements funds to settle a loan between his client and a creditor when, under the terms of the agreement, the creditor's loan was to be settled before funds were released to other parties from respondent's trust account. Joseph J. Fabain represented the District IV Ethics Committee and Petar Kuridza represented the respondent.

JONATHAN BURNHAM

Disbarred on a certified record on June 29, 2017 (229 *N.J.* 510) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep the client reasonably informed about the status of the matter), *RPC* 1.15(a) (knowing misappropriation of client funds), *RPC* 1.15 (b) (failure to safeguard funds), *RPC* 1.16 (d) (failure to protect client's interests after termination of representation), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Al Garcia represented the OAE before the Supreme Court and respondent failed to appear.

JAMES JOHN CALLAHAN

Reprimanded on March 28, 2017 relating to an estate matter for violating *RPC* 1.1(a) (gross neglect) and *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with the client, and *RPC* 1.15(b) (failure to promptly deliver funds to a third party). Maureen G. Bauman represented the OAE on a motion for discipline by consent granted by the DRB and Marc Garfinkle represented respondent.

BRIAN LEBON CALPIN

Admonished on January 24, 2017 *(Unreported)* for failing to protect his client's interests in a matrimonial matter in violation of *RPC* 1.3. Respondent was previously disciplined: Reprimanded in 2014.

MAURO C. CASCI

Reprimanded on November 15, 2017, (231 *N.J.* 136) for violating *RPC* 1.15(b) (failure to promptly notify a client or third person of receipt of funds or to deliver those funds), *RPC* 1.15(c) (failure to keep separate funds in which the lawyer and another claim an interest, until there is an accounting and severance of their interests), *RPC* 3.4(c) (knowingly violating an obligation under the rules of the tribunal), and *RPC* 8.4(c) (conduct prejudicial to the administration of justice). Raymond Scott Santiago represented District IX and Charles M. Moriarty represented respondent on a motion for discipline by consent granted by the DRB.

FRANK CATANIA, JR.

Disbarred on November 17, 2017, (231 *N.J.* 160) for knowing misappropriation of client and escrow funds, conduct that violates *RPC* 1.15(a) (knowing misappropriation), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and the principles of In re Wilson, 81 *N.J.* 451 (1979), and In re Hollendonner, 102 *N.J.* 21 (1985). Timothy McNamara represented the OAE and Gary D. Nissenbaum represented respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

JOSEPH CHIZIK

Disbarred on March 30, 2017 (228 *N.J.* 278) on a certified record for violating *RPC* 8.1(b) (knowingly fail to respond to lawful demands for information from disciplinary authorities) and Rule 1:20-3(g) (failure to cooperate in an ethics investigation). HoeChin Kim appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent was previously disciplined: Suspended for two years in 2016; suspended for three months in 2014; reprimanded in 2013 and 1997.

THOMAS ANDREW CLARK

Disbarred on May 3, 2017, (228 *N.J.* 521) for violating *RPC* 1.15(a) (knowing misappropriation of client funds), *RPC* 1.15(b) (failure to promptly turn over client funds or property), *RPC* 1.15(d) (recordkeeping violations), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and the principles of In re Wilson, 81 *N.J.* 451 (1979), and In re Hollendonner, 102 *N.J.* 21 (1985). Christina Blunda Kennedy represented the OAE before the Supreme Court and John McGill, III represented respondent. This case was discovered solely as a result of the Trust Overdraft Notification Program.

PAUL FRANKLIN CLAUSEN

Censured on a certified record on June 21, 2017 (229 *N.J.* 387*)* for violating *RPC* 1.4(b) (failure to communicate with client), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Richard H. Archer, Jr. represented District IIIA

and respondent was pro se.

PAUL FRANKLIN CLAUSEN

Suspended for three (3) years on December 8, 2017, effective January 8, 2018, (231 *N.J.* 193) for violating *RPC* 1.15(a) (commingling of funds), *RPC* 1.15(d) (failure to comply with recordkeeping requirements and disbursing trust account checks against uncollected funds), *RPC* 3.3(a)(1) (false statement of material fact or law to a tribunal), *RPC* 3.3(a)(5) (candor towards a tribunal), *RPC* 8.1(a) (false statements to disciplinary authorities), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Steven J. Zweig handled the matter for the OAE and respondent was pro se. The respondent was previously disciplined: Censured in 2017 and reprimanded in 2016 and 2013. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JACK S. COHEN

Disbarred by consent on January 18, 2017 for the knowing misappropriation of trust funds. Michael J. Sweeney represented the OAE and respondent failed to appear. Respondent was previously disciplined: Temporarily suspended in 2015.

ROBERT B. DAVIS

Suspended for one-year on September 13, 2017 (230 *N.J.* 385), with the suspension retroactive to February 27, 2012, for Respondent's convictions in federal and state court in New York of conspiracy to commit wire and bank fraud, in violation of 18 U.S.C. §§ 1349 and 3551, conduct that in New Jersey constitutes a violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). The Court found that the three-year suspension recommended by the Disciplinary Review Board would have been warranted but for the extraordinary delay in initiating disciplinary proceedings by the OAE, to whom Respondent had reported his convictions on February 27, 2012. HoeChin Kim appeared for the OAE before the Supreme Court, and William Levinson represented respondent.

BRIAN R. DECKER

Reprimanded on November 2, 2017, (231 *N.J.* 132) for violating *RPC* 1.4(b) (failure to adequately communicate with client). Richard Galler represented District IIA and respondent did not appear. The respondent was previously disciplined: Temporarily suspended on December 23, 2013 for failure to pay a fee arbitration award. He remains suspended to date.

PADRAIC BRIAN DEIGHAN

Censured on September 25, 2017 for Respondent's violation of *RPC* 5.5(a)(1) (unauthorized practice of law) for handling mortgage modifications for two Washington State residents, who used a mortgage modification company called Homesavers Law Group, when Respondent was not admitted in Washington or a licensed mortgage broker under Washington law. Respondent also violated *RPC* 5.4 (sharing legal fees with a non-lawyer) when he admitted that he received fees from Homesavers Law Group for assisting its New Jersey clients. In a third matter, Respondent violated *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) for misrepresenting the nature of an investment in Ohio tax liens to obtain $10,000 from an investor and failing to so invest those funds. HoeChin Kim represented the OAE, and Marc D. Garfinkle represented respondent.

SALVATORE DELELLO

Censured on June 21, 2017 (229 *N.J.* 388) for violating *RPC* 1.9(a) (conflict of interest); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Jason D. Saunders represented the OAE and respondent was *pro se* on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Three-year suspension in 1999.

ALEXANDER RALPH DESEVO

Censured on April 5, 2017 (228 *N.J.* 461*)* for violating *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the attorney's honesty, trustworthiness, or fitness as a lawyer in other respects). Specifically, in 2013, respondent successfully completed Pre-Trial Intervention on an accusation and an indictment charging him with possession of a controlled dangerous substance (cocaine). HoeChin Kim represented the OAE, and A. John Blake represented respondent. Respondent was previously disciplined: Admonished in 2011.

NICHOLAS R. DORIA

Reprimanded by consent on July 13, 2017 (*230 N.J. 47*) for violating *RPC* 1.5(a) (unreasonable fee) by overcharging the client an excessive legal fee which, through fee arbitration, resulted in refund of $34,100 from the $35,000 total legal fee paid by the client. The DRB determined that the respondent's fee was so excessive that it evidenced an intent to overreach. Mary Tom represented District XI and Robert Brian Hille represented respondent on a Stipulation of Discipline by Consent.

DAN A. DRUZ

Censured on December 8, 2017 (231 *N.J.* 190) for violating *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations). Timothy J. McNamara represented the OAE before the DRB and John McGill, III represented respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOHN R. DUSINBERRE

Censured on April 5, 2017 (228 *N.J.* 459) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Brian O. Lipman represented District VA before the DRB and Roy W. Breslow represented respondent.

LOUIS C. DWYER, JR.

Disbarred by consent on August 14, 2017, (230 *N.J.* 340) following his guilty plea in the District Court of New Jersey, Camden, to a single count of conspiracy to commit wire fraud and money laundering under 18 U.S.C. 371. Joseph A. Glyn represented the OAE and Daniel Solt represented the respondent.

RICHARD PATRICK EARLEY

Censured on December 7, 2017, (231 *N.J.* 189) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of the matter and to comply with reasonable requests for information), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Christina Blunda represented the OAE and the respondent appeared pro se.

HERBERT R. EZOR

Suspended for three months on a certified record on June 29, 2017 (229 *N.J.* 511), for failing to file an affidavit as required by R. 1:20-20, in violation of *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se. The respondent was previously disciplined: Suspended for three months in 2014 and reprimanded in 2001.

DENISE TAMARA FISCHER

Reprimanded on May 4, 2017 (228 *N.J.* 627), on a motion for reciprocal discipline based on Respondent's March 20, 2014 reprimand in Florida, for the New Jersey equivalent of *RPC* 8.1(b) (failure to respond to a lawful demand for information from a disciplinary authority). Respondent's New Jersey license was administratively revoked on August 24, 2015 because of her administrative ineligibility for seven consecutive years. Jason D. Saunders represented the OAE before the DRB and Respondent was pro se.

KRISTI A. FREDERICKS

Disbarred on October 13, 2017 (231 *N.J.* 12) for the knowing misappropriation of client funds, contrary to *RPC* 1.15(a) (failure to safeguard and the knowing misappropriation of client and escrow funds); the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985) (knowing misappropriation of client and escrow funds), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent knowingly misappropriated approximately $86,000 of client funds from two estates that she had been trusted to help administer. Hillary Horton represented the OAE on a motion for reciprocal discipline and respondent was pro se.

STEVEN R. FRENCH

Disbarred on January 18, 2017, (227 *N.J.* 532) for violating *RPC* 8.4(b) (commission of a criminal act that reflects adversely on a lawyer's honesty, trustworthiness or fitness as a lawyer) based upon respondent's conviction on August 8, 2013, in the Court of Common Pleas of the 22nd Judicial District, Commonwealth of Pennsylvania, County of Wayne (the Pennsylvania court) for bank robbery, a second degree felony. Al Garcia represented the OAE before the Supreme Court and respondent did not appear.

FRANK C. FUSCO

Reprimanded on March 24, 2017, (228 *N.J.* 159) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of the matter), *RPC* 1.5(b) (failure to communicate in writing the basis or rate of the fee), and *RPC* 5.4(a) (sharing legal fees with a non-lawyer) in connection with respondent's representation of a client embroiled in various legal problems between investors and partners and a hotel franchise involving the client. Kevin Harrington represented District XI before the DRB and respondent was pro se. The respondent was previously disciplined: Admonished in 2005.

WILLIAM B. GALLAGHER, JR.

Disbarred on a certified record on June 16, 2017 (229 *N.J.* 337) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect), *RPC* 1.3 (failure to act with diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.15(a) (knowing misappropriation of client and escrow funds and failure to safeguard funds), *RPC* 1.15(b) (failure to promptly notify a client or third party on the receipt of funds and to promptly deliver those funds to the client or third party), *RPC* 1.15(d) (recordkeeping violations), *RPC* 5.5(a)(1) (practicing law while ineligible), *RPC* 8.1(a) (knowingly making a false statement of material fact), *RPC* 8.1(b) (failure to respond to a lawful demand for information from a disciplinary authority), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) *RPC* 8.4(d) (conduct prejudicial to the administration of justice) and the principles of In re Wilson, 82 *N.J.* 451 (1979), and In re Hollendonner, 12 *N.J.* 21 (1985). Jason D. Saunders represented the OAE before the Supreme Court and respondent was pro se. The respondent was previously disciplined: Temporarily suspended in 2015 and admonished in 1997.

MICHAEL S. GAROFALO

Suspended for six months on June 6, 2017, for violating *RPC* 8.1(a) (knowingly making a false statement of material fact in a disciplinary matter), *RPC* 8.4(b) (committing a criminal act that reflects adversely on the attorney's honesty, trustworthiness or fitness as a lawyer in all other respects, specifically, harassment, a violation of N.J.S.A. 2C:33-4(a)), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) and *RPC* 8.4(g) (engaging in, in a professional capacity, in a course of conduct involving sexual harassment discrimination). Jason D. Saunders represented the OAE on a Disciplinary Stipulation and Louis M. Criscuoli represented respondent.

VINCENT J. GAUGHAN

Admonished on July 25, 2017 (*Unreported*) for practicing law while ineligible to practice for failure to file an annual IOLTA registration statement. Theresa D. Brown represented the District IIIB Ethics Committee and respondent was pro se. Respondent has a prior disciplinary history: Admonished in 2015.

JOSEPH A. GEMBALA, III

Suspended for one year on March 28, 2017, effective July 1, 2016 (228 *N.J.* 275) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information), *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), *RPC* 1.16(d) (failure to properly terminate the representation), *RPC* 5.4(a) (improper fee sharing with a non-lawyer), *RPC* 7.5(a) (letterhead violations), *RPC* 8.4(a) (violate or attempt to violate the RPCs), and *RPC* 8.4(c) (conduct involving dishonesty fraud, deceit, or misrepresentation). Respondent's discipline resulted from his affiliation with a for-profit loan modification company. Respondent accepted referrals from the for-profit loan modification company, but then did nothing to assist his clients. Hillary Horton represented the OAE and Mark J. Molz represented respondent on a motion for reciprocal discipline before the Supreme Court. The respondent was previously disciplined: Reprimanded in 2014.

DANIEL MICHAEL GILLEN

Disbarred on September 12, 2017 (230 *N.J.* 382) for respondent's felony conviction in the State of New York to attempted dissemination of indecent materials to minors (first degree), in violation of New York Penal Laws §§ 110 and 235.22.2, conduct that in New Jersey constitutes a violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects). HoeChin Kim appeared before the Supreme Court for the OAE and respondent failed to appear.

EDMUND P. GLASNER

Reprimanded on a certified record on March 21, 2017 for violating *RPC* 1.3 (lack of diligence) and *RPC* 1.4(b) (failing to communicate with client). Order also provided that Respondent remain suspended from the practice of law pending his compliance with the Court's Orders of December 14, 2007 and June 2, 2008. Brian J. DiStefano handled the matter for District IIIA.

RALPH ALEXANDER GONZALEZ

Suspended for three months on May 24, 2017, effective June 22, 2017, for violating *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Steven Zweig represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB.

JONATHAN A. GOODMAN

Admonished on March 22, 2017 (*Unreported*) for practicing law while ineligible to practice for failure to file annual IOLTA registration statements during two periods of ineligibility. Philip V. Vinick represented the District VB Ethics Committee and respondent was pro se.

JONATHAN GREENMAN

Disbarred on September 27, 2017, (230 *N.J.* 383) for violating *RPC* 1.15(a) and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985) (knowing misappropriation of client and escrow funds); *RPC* 1.1(a) (gross neglect) (four counts); *RPC* 1.3 (lack of diligence) (four counts); *RPC* 1.15(b) (failure to promptly disburse funds); *RPC* 4.1(a)(1) (making a false statement of material fact or law to a third person); *RPC* 5.5(a)(1) (practicing law while suspended); *RPC* 8.1(b) and Rule 1:20-3(g)(3) (failure to cooperate with disciplinary authorities); *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) (two counts). Timothy McNamara represented the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Suspended for 36 months in 2017; suspended for three months in 2016; censured in 2016; temporarily suspended in 2015; and admonished in 2014.

JONATHAN GREENMAN

Suspended for three years on July 19, 2017, effective immediately (230 *N.J.* 53), for violating *RPC* 1.1 (lack of competency), *RPC* 1.3 (lack of diligence), *RPC* 1.4 (failure to communicate with the client), *RPC* 3.3 (lack of candor before a tribunal), 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). The Disciplinary Review Board consolidated two matters, a motion for reciprocal discipline and a R. 1:20-20 default, for the purpose of recommending a single form of discipline. Hillary Horton represented the OAE and respondent did not participate or appear. The respondent was previously disciplined: Suspended for three months in 2016; censured in 2016; temporarily suspended in 2015; and admonished in 2014.

JOEL A. GROSSBARTH

Disbarred on September 13, 2017 (230 *N.J.* 386) for respondent's criminal conviction in the State of New York of two counts grand larceny (second degree) and one count of forgery (second degree) in violation of Penal Law §§ 155.40 and 170.10, conduct that in New Jersey violates In re Wilson, 81 *N.J.* 451 (1979) (knowing misappropriation of client funds), *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). HoeChin Kim appeared before the Supreme Court for the OAE, and respondent failed to appear.

ALEXANDER J. GUREVICH

Suspended for eighteen months on June 29, 2017, effective July 31, 2017 (229 *N.J.* 513) based on discipline imposed in New York for unethical conduct that in New Jersey constitutes violations of *RPC* 1.8(a)(1) and (3) (improper business transaction with a client); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Jason D. Saunders represented the OAE on a motion for reciprocal discipline and Justin P. Walder represented respondent.

SANGHWAN HAHN

Suspended for three months on May 4, 2017 (228 *N.J.* 630) for violating *RPC* 1.1(a) (gross neglect); *RPC* 1.5(b) (failure to state the basis or rate of the fee in writing); *RPC* 1.8(a) (improper business transaction with a client); *RPC* 1.15(a) (failure to safeguard funds and negligent misappropriation of client funds); *RPC* 1.15(d) (failure to comply with recordkeeping requirements); *RPC* 8.1(a) (knowingly make a false statement of material fact); *RPC* 8.1(b) (failure to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Jason D. Saunders represented the OAE before the DRB and respondent was pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

CHRISTOPHER M. HARTWYK

Reprimanded on October 20, 2017 (231 *N.J.* 21) following his conviction in the Criminal Court of the City of New York to offering a false instrument for filing, a second-degree misdemeanor, in violation of New York Penal Law § 175.30, and *RPC* 8.4(b) (commission of a criminal act reflecting adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent filed a letter with his supervisor, General Counsel for the Port Authority, which falsely represented that a law firm retained by the Port Authority was providing the Port Authority with a discount on its legal work when, in reality, respondent knew that no such discount had been offered. Hillary Horton represented the OAE on a motion for final discipline and John P. McDonald represented the respondent.

JOSEPH PETER HOWARD

Censured on a certified record on December 6, 2017 (231 *N.J.* 188) for violations, in his representation of a client in

three separate matters, of *RPC* 1.1(b) (pattern of neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.16(d) (failure to take steps reasonably practicable to protect a client's interests on termination of representation), *RPC* 3.2 (failure to expedite litigation), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Ronald M. Katkocin represented District IV and respondent failed to appear.

CHRISTOPHER WEST HYDE

Censured on a certified record on December 8, 2017 (231 *N.J.* 195) for violating *RPC* 1.5(b) (failure to set forth in writing the basis or rate of a fee) and *RPC* 8.1(b) (failure to cooperate with an ethics investigation). Dina M. Mikulka represented District XA and respondent was pro se. The respondent was previously disciplined: Censured in 2013; temporarily suspended in 2010; and admonished in 2008.

IHAB AWAD IBRAHIM

Reprimanded on August 1, 2017 for violating *RPC* 1.15(a) (failure to safeguard client funds and negligent misappropriation of client funds) and *RPC* 1.15(d) (failure to comply with the recordkeeping requirements set forth in *R.* 1:21-6). Steven J. Zweig represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

ERIKA J. INOCENCIO

Censured on December 8, 2017 (231 *N.J.* 233) for violating *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping); *RPC* 5.5(a)(2) (assisting a non-lawyer in the unauthorized practice of law); and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Jason D. Saunders represented the OAE before the DRB and respondent was represented by Glenn R. Reiser.

SASHA C. INTRIAGO

Reprimanded on a Disciplinary Stipulation on October 25, 2017 (231 *N.J.* 20) for violating *RPC* 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer). Jason D. Saunders represented the OAE and Mark J. Cintron represented respondent.

JOHN M. IOANNOU

Disbarred on October 13, 2017, (231 *N.J.* 17) based on his conviction in the Supreme Court of New York of one count of first-degree scheme to defraud in violation of New York Penal Law §190.6591 (b), one count of identity theft, in violation of New York Penal Law §190.80, two counts of third-degree insurance fraud, in violation of New York Penal Law §172.20, one count of first-degree offering a false instrument for filing, in violation of New York Penal Law §175.35, two counts of second-degree grand larceny, in violation of New York Penal Law §155.40 (1), and four counts of third-degree grand larceny, in violation of New York Penal Law §155.35 (1) conduct that in New Jersey violates *RPC* 8.4 (b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer), and *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Al Garcia represented the OAE before the Supreme Court and respondent was pro-se. Respondent was previously disciplined: Temporarily suspended in 2014.

MARK H. JAFFE

Censured on September 27, 2017 (230 *N.J.* 456) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 1.16(d) (failure to protect a client's interests on termination of the representation), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Respondent, who at the time was caring for his terminally mother who was also his office manager, severely neglected a client seeking an expungement and another client on a criminal matter. Respondent also failed to cooperate with the disciplinary authorities investigating the matters. Christopher Josephson and Colleen M. Crocker represented District VII on disciplinary stipulations before the DRB, Hillary Horton represented the OAE at oral argument before the Supreme Court, and respondent was represented by Pamela Lynn Brause before the DRB and Joseph J. Benedict before the Supreme Court. The respondent was previously disciplined: Reprimanded in 2012 and 1998.

MIKEL D. JONES

Disbarred by consent on January 19, 2017 after being convicted of multiple counts of wire and mail fraud, conspiracy, and money laundering. Andrea R. Fonseca-Romen handled the matter for the OAE and Orfelia M. Mayor of Florida, represented Respondent regarding the disbarment by consent.

DANIELLE M. JOSEPH

Reprimanded on a certified record on January 25, 2017 (227 *N.J.* 601) for violating *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to communicate with client); and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Peter James Hendricks represented the District VIII Ethics

Committee and Danielle M. Joseph was pro se.

JAIME MERRICK KAIGH

Reprimanded on a certified record on October 5, 2017 (231 *N.J.* 7*)* for violating *RPC* 1.3 (lack of diligence) and *RPC* 1.4(b) (failure to keep client reasonably informed about the status of matter and to promptly comply with reasonable requests for information) in failing to obtain an expungement for his client and *RPC* 8.1(b) (failure to respond to a lawful demand for information from a disciplinary authority) for failing to cooperate with the District IV Ethics Committee. Gilbert Scutti represented District IV and respondent was pro se.

ANDREW ROSS KAUFMAN

Disbarred by consent on March 29, 2017 (228 *N.J.* 309) for respondent's criminal conviction of one count of criminal conspiracy and one count of failure to make required disposition of funds received in the Philadelphia Court of Common Pleas. HoeChin Kim represented the OAE, and Jane A. Lorber represented the respondent. Respondent had been temporarily suspended since August 31, 2015.

JAMES WILLIAM KENNEDY

Disbarred by consent on September 6, 2017, (230 *N.J.* 343) Respondent acknowledged that he knowingly misappropriated client trust account funds, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Christina Blunda represented the OAEs and James Kennedy was pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

REGAN C. KENYON, JR.

Indeterminate suspension imposed on May 24, 2017, effective June 22, 2017 (229 *N.J.* 173) based on his guilty plea to third-degree attempted endangering the welfare of a child. Respondent engaged in online conversations with a law enforcement officer posing as a fourteen-year-old girl. Respondent sent images of, and links to, hardcore adult pornography, and arranged to meet with the child. Respondent did not appear at the meeting. Hillary Horton represented the OAE and Dominic J. Aprile represented respondent on a Motion for Final Discipline before the Supreme Court.

CHONG S. KIM

Suspended for three months on January 11, 2017 for engaging in the following unethical conduct: Conflict of interest-business transaction with a client, in violation of *RPC* 1.8(a); recordkeeping violations, in violation of *RPC* 1.15(d) and Rule 1:21-6; false or misleading communication about the lawyer's services, or any matter in which the lawyer has or seeks a professional involvement, in violation of *RPC* 7.1(a); using a firm name, letterhead or other professional designation that violates *RPC* 7.1; and failing to indicate the jurisdictional limitations on lawyers not licensed to practice in the jurisdiction where the office is located, in violation of *RPC* 7.5(b). Respondent was also ordered to comply with the agreement to repay the loan in the Griffith matter, and provide proof of repayment to the OAE. Upon reinstatement to the practice of law, respondent is further required to submit to the OAE monthly reconciliations of his attorney accounts on a quarterly basis for a period of two years, and until further Order of the Court. Andrea R. Fonseca-Romen appeared before the Disciplinary Review Board for the OAE and Respondent waived his appearance.

ERIC ALAN KLEIN

Disbarred on October 25, 2017 (231 *N.J.* 123) following his conviction in the United States District Court for the Southern District of New York to one count of conspiracy to defraud the United States, contrary to 18 U.S.C. § 371, and two counts of felony wire fraud, contrary to 18 U.S.C. § 371 and 1343. Respondent and his co-conspirator obtained hundreds of thousands of dollars by way of a fraudulent venture known as an "advanced fee scheme." Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se.

ALFIO S. LANUTO

Reprimanded on February 8, 2017, (227 *N.J.* 568) for violating *RPC* 8.4(b) (conduct involving the commission of a criminal act that reflects adversely on honesty, trustworthiness or fitness as a lawyer). Christina Blunda represented the OAE and respondent was pro se.

FRANK A. LAULETTA III

Censured on March 9, 2017 for violating *RPC* 1.8(a) (engaging in improper business transaction with a client or improperly acquiring a possessory, security, or other pecuniary interest adverse to the client), *RPC* 4.1(a) (knowingly making a false statement of material fact or law to a third person, or failing to disclose a material fact to a third person when disclosure is necessary to avoid assisting a criminal or fraudulent act by the client), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). William Hildebrand represented District IV before the DRB and Carl Poplar represented respondent.

JAY I. LAZEROWITZ

Disbarred by consent on November 1, 2017 (231 *N.J.* 128) for the knowing misappropriation of client funds and practicing law while suspended. Steven J. Zweig handled the matter for the OAE and John P. Lacey represented respondent regarding the disbarment by consent. The respondent was previously disciplined: Temporarily suspended in 2016. This matter was discovered solely as a result of the Random Audit Compliance Program.

MARK GERARD LEGATO

Indeterminate suspension on May 24, 2017, effective June 22, 2017 (229 *N.J.* 173), following his guilty plea in the Superior Court of New Jersey to third-degree attempted endangering the welfare of a child, contrary to N.J.S.A. 2C:5-1 and N.J.S.A. 2C:24-4(a). Isabel K. McGinty represented the OAE on a motion for final discipline and Robyn M. Hill represented the respondent.

JOSEPH D. LENTO

Suspended for one year on April 26, 2017, effective July 17, 2013 (228 *N.J.* 526) for violating *RPC* 5.4(a) (sharing legal fees with non-lawyer), *RPC* 7.3(d) (compensating or giving anything of value to a person to recommend or secure the lawyer's employment by a client, or as a reward for having made a recommendation resulting in the lawyer's employment by a client), and *RPC* 8.4(a) (violating the RPCs). Respondent unethically sought to expand his practice in Pennsylvania by contacting various employees at the Criminal Justice Center, and attempting to recruit them to help him obtain new clients. Hillary Horton represented the OAE and Kenneth D. Aita represented respondent on a motion for reciprocal discipline before the Supreme Court.

HARRY J. LEVANT

Disbarred by consent on March 24, 2017 (228 *N.J.* 237). Respondent acknowledged that he knowingly misappropriated client trust account funds, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Al Garcia represented the OAE and John M. Hanamirian represented the respondent.

MICHAEL LEVITIS

Disbarred on October 12, 2017 (231 *N.J.* 9) following respondent's conviction in the United States District Court, Eastern District of New York to knowingly and willfully making a false, fictitious and fraudulent statement and representation in a matter related to political fundraising, contrary to 18 U.S.C. § 1001 (a) (2), and his conviction in the United States District Court, Southern District of New York to conspiracy to commit mail and wire fraud, contrary to 18 U.S.C. § 1341 and 1343. Respondent ran a fraudulent debt settlement company that purported to provide debt-relief services but instead charged the clients fees, and collected funds without working on behalf of the clients. Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se.

FRANK A. LOUIS

Censured on January 25, 2017 (227 *N.J.* 566) for violating *RPC* 1.7(a)(2) (conflict of interest), *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). The respondent used the stationery of another attorney and forged that attorney's name in representing a Superior Court judge in a personal matter in order to avoid appearing on the judge's conflict list. HoeChin Kim represented the OAE and Justin Walder represented the respondent before the DRB.

AMY MACHADO

Permanently barred from appearing *pro hac vice* in New Jersey on July 20, 2017 (230 *N.J.* 236) for violating *RPC* 3.3(a)(1) (lack of candor to a tribunal, *RPC* 5.5(a)(1) (unauthorized practice of law), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Charles Centinaro certified the record to the DRB for the OAE after respondent failed to answer the complaint.

JAMES P. MADDEN

Disbarred on a certified record on January 4, 2017 (227 *N.J. 319*) for violating *RPC* 1.4(b) (failure to communicate with the client); *RPC* 1.8(a) (conflict of interest – improper business transaction with a client); *RPC* 1.15(a) (failure to safeguard funds and knowing misappropriation of funds); *RPC* 1.15(b) (failure to promptly disburse funds to a client); *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations); *RPC* 8.1(a) (false statements to a disciplinary authority); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); *RPC* 8.4(d) (conduct prejudicial to the administration of justice), Rule 1:20-20 (failure to file affidavit of compliance) and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985). Jason D. Saunders represented the OAE and respondent was *pro se*. The respondent was previously disciplined: Temporarily suspended in 2015. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

CHRISTOPHER M. MANGANELLO

Censured by consent on May 19, 2017 (229 *N.J.* 116) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(c) (failure to explain the matter to allow the client to make informed decisions about the representation), *RPC* 1.5(b) (failure to memorialize the rate or basis of the fee), *RPC* 1.16(d) (failure to return the client's file), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Although the parties had stipulated to respondent's violating *RPC* 3.2 (failure to expedite litigation), the Disciplinary Review Board dismissed that charge. Maria DeTitto represented District IV and respondent was pro se.

PASQUALE MARAGO

Reprimanded on June 19, 2017 (229 *N.J.* 338) for violating *RPC* 1.7 (concurrent conflict of interest) and *RPC* 1.8(a) (improper business transaction with a client); *RPC* 1.15(a) (negligent misappropriation of client funds and failure to safeguard funds), and *RPC* 1.15(d) and *R.* 1:21-6(c)(1)(H) (recordkeeping violations). Steven J. Zweig represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB. This case was discovered solely as a result of the Trust Overdraft Notification Program.

ISADORE H. MAY

Suspended for three years on July 20, 2017, effective May 10, 2012 (230 *N.J.* 56) based on his guilty plea in the United States District Court for the District of New Jersey to Sherman Act Conspiracy, in violation of 15 U.S.C. §1, for engaging in bid rigging at municipal tax lien auctions. Respondent's conduct that violated *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the attorney's honesty, trustworthiness, or fitness as a lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Deputy Ethics Counsel Reid Adler represented the OAE and respondent was pro-se on a Motion for Final Discipline granted by the Disciplinary Review Board.

BRIAN MCDEVITT

Suspended for six-months on November 1, 2017 (231 *N.J.* 126) for violating *RPC* 1.2(d) (counseling or assisting in conduct that the lawyer knows is illegal, criminal or fraudulent), *RPC* 1.7(a) (concurrent conflict of interest), *RPC* 3.3(a)(1), *RPC* 3.3(a)(4), *RPC* 3.3(a)(5) (lack of candor to a tribunal), *RPC* 4.1(a)(1) (making a false statement of material fact of law to a third person), *RPC* 8.1(a) (knowingly making a false statement of material fact in connection with a disciplinary matter), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Christina Blunda represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB.

ANDREW T. MCDONALD

Censured on June 1, 2017 for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to promptly respond to reasonable requests for information), *RPC* 1.16(a)(2) (failure to terminate the representation when his physical or mental condition materially impaired his ability to represent the client), *RPC* 3.2 (failure to treat others involved in the legal process with courtesy and consideration), *RPC* 3.4(c) (disobeying an obligation under the rules of a tribunal), *RPC* 5.4(a) (improper law partnership with a non-lawyer), *RPC* 5.5(a)(1) (practicing law while ineligible), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). The Court also ordered that the respondent submit to the OAE proof of his fitness to practice law as attested by a mental health professional approved by the OAE and to continue to attend Alcoholics Anonymous or such other program on a regular basis for a period of two years and until further Order of the Court. Christina Blunda Kennedy represented the OAE and Andrew T. McDonald appeared pro se on a motion for discipline by consent granted by the Disciplinary Review Board.

OMOTAYO F. MEBUDE

Reprimanded on July 28, 2017 for violating *RPC* 1.1(a) (gross negligence), *RPC* 1.3 (lack of diligence), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Lindsay A. Dischley. represented District VA and respondent was represented by Keith Anderson.

DONALD J. MELIADO, JR.

Disbarred by consent on July 14, 2017 (230 *N.J.* 49), after respondent acknowledged that he could not successfully defend himself against seven counts of knowing misappropriation in a complaint filed by the OAE under Docket Nos. XIV-2015-0140E, XIV-2015-0312E, and XIV-2016-0576E. Andrea R. Fonseca-Romen handled the matter for the OAE and Robert Ramsey represented respondent regarding the disbarment by consent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

CRAIG R. MITNICK

Reprimanded on November 13, 2017, (231 *N.J.* 133) for violating *RPC* 1.15(a) (negligent misappropriation and commingling), *RPC* 1.5(d), and Rule 1:21-6 (recordkeeping violations). Reid Adler represented the OAE and Robert Ramsey represented respondent on a motion for discipline by consent granted by the DRB. This matter was discovered

solely as a result of the Trust Overdraft Notification Program.

BENJAMIN MORTON

Reprimanded on November 1, 2017 (231 *N.J.* 130). The parties agreed that Respondent's conduct violated *RPC* 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:21-6). Ashley L. Turner represented District VA and respondent was pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Suspended for three months in 2015.

KEITH O. MOSES

Censured on February 10, 2017, (227 *N.J.* 627) for violating *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) by failing to reply to the grievance or supply his client's file. Maria P. Vallejo appeared before the DRB for District VI and respondent appeared pro se. The respondent was previously disciplined: Censured in 2016; suspended for three months in 2014; reprimanded in 2013 and 2011; temporarily suspended in 2012; and admonished in 2002.

MARY R. MOTT

Suspended for six months on October 26, 2017, effective November 20, 2017, (231 *N.J.* 22) and barred from serving as a municipal prosecutor for five years for violating *RPC* 1.7(a)(2) (engaging in a conflict of interest); *RPC* 1.16(a) (failing to decline or terminate representation in violation of the RPCs); *RPC* 3.1 (asserting an issue with no basis in law or fact); *RPC* 3.3(a)(1) (knowingly making a false statement of material fact or law to a tribunal); *RPC* 3.3(a)(4) and (5) (candor toward a tribunal); *RPC* 8.1(a) (false statements to disciplinary authorities); and *RPC* 8.4(a), (c) and (d) (false swearing). Isabel K. McGinty appeared before the DRB for the OAE and John McGill, III appeared for respondent.

JOHN J. MURRAY, JR.

Reprimanded on a certified record on December 8, 2017 (231 *N.J.* 232*)* in two matters. The first involved an investigation into an overdraft of his attorney trust account resulting in a violation of *RPC* 1.15(d) (recordkeeping violations) and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). The second investigation resulted in another violation of *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) for Respondent's failure to cooperate. HoeChin Kim represented the OAE and respondent was pro se. The first matter was discovered solely as a result of the Trust Overdraft Notification Program.

HELI MARJO MYYRYLAINEN

Reprimanded on May 24, 2017 for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate), *RPC* 1.15(a) (negligent misappropriation of trust funds), *RPC* 1.15(b) (failure to safeguard funds), and *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations). Steven Zweig represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB.

NESTOR NEBAB, JR.

Disbarred by consent on January 24, 2017 (227 *N.J.* 600) for the knowing misappropriation of trust funds. Michael J. Sweeney represented the OAE and respondent was represented by Marc D. Garfinkle. This matter was discovered solely as a result of the Random Audit Compliance Program.

MATTHEW S. NEUGEBOREN

Disbarred on October 13, 2017 (231 *N.J.* 14) following his conviction in the United States District Court for the District of New Jersey to one count of wire fraud, contrary to 18 U.S.C. § 1343, and one count of tax fraud, contrary to 18 U.S.C. § 7206. Respondent was in-house counsel to a business, and he admitted that he fraudulently used funds from the business to fuel his gambling addiction. Respondent also knowingly omitted $630,000 in gross income from his 2011 federal tax return. Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se.

TOBIN G. NILSEN

Disbarred on June 15, 2017, effective immediately (229 *N.J.* 333) following his federal court conviction to use of a computer to entice a minor to engage in sexual activity, in violation of 18 U.S.C. §2422(b), and his state court conviction to second-degree attempted child luring, in violation of N.J.S.A. 2C:5-1 and 2C:13-16, conduct that violates *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer). Respondent had purchased an airline ticket to travel from New Jersey to Atlanta to meet up with a person he believed to be the 32-year-old mother of a nine-year-old girl living in the Atlanta area willing to permit respondent to engage in sexual activity with her daughter. Prior to his scheduled flight, he was arrested by New Jersey law enforcement officers for soliciting a different mother-daughter pair for sexual activity. Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se.

SERGEI OREL

Admonished on February 23, 2017 (*Unreported*) for violating *RPC* 1.3 (lack of diligence) for inadequate representation of a client in an immigration matter, and failing to promptly return the file following the termination of the representation. Bianca Pereiras represented the District VI Ethics Committee and respondent was pro se.

DEAN I. ORLOFF

Disbarred on January 4, 2017 (227 *N.J.* 321) for the knowing misappropriation of client funds, contrary to *RPC* 1.15(a) (knowing misappropriation; *RPC* 1.15(b) (failure to promptly disburse funds to client or third party); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985). Respondent also violated *RPC* 1.4(b) (failure to communicate with client). Hillary Horton represented the OAE and respondent was pro se on a motion for reciprocal discipline.

NANCY I. OXFELD

Suspended for three months effective November 3, 2017 (231 *N.J.* 5) for violating *RPC* 1.3 (lack of diligence), and *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter). Deborah Fineman appeared before the DRB for District VA and respondent waived appearance. The respondent was previously disciplined: Censured in 2009; reprimanded in 2005; and admonished in 2001 and 1995.

MICHAEL PALMER

Disbarred by consent on April 26, 2017, (228 *N.J.* 528) following his conviction in the State of New Jersey for violation of N.J.S.A. 2C:21-25 b(2), Financial Facilitation of Criminal Activity and N.J.S.A. 2C:20-4a, Theft by Deception and N.J.S.A. 2C:5-2, Conspiracy. Christina Blunda represented the OAE and respondent was pro se. The respondent was previously disciplined: Temporarily suspended in 2015 and admonished in 2008.

CHIRAYU A. PATEL

Disbarred on October 13, 2017 (231 *N.J.* 15) for the knowing misappropriation of client funds in violation of *RPC* 1.15(a) and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985); *RPC* 1.15(b) (failure to promptly deliver funds to a client or third party having an interest in the funds); *RPC* 8.1(b) (knowingly making false statements of material fact to a disciplinary authority); *RPC* 8.4(b) (engaging in criminal conduct that adversely reflects on a lawyer's honesty, trustworthiness or fitness as a lawyer); and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent solicited loans from his client in order to fund business ventures when in reality respondent intended to use the money not to invest in new business opportunities for his client but to repay other investors in previous unsuccessful business ventures. Missy Urban and Hillary Horton represented the OAE and John McGill, III, represented respondent. The respondent was previously disciplined: Reprimanded in 2005.

ALEX PAVLIV

Reprimanded on September 28, 2017 (230 *N.J.* 459) for violating *RPC* 1.5(c) (improper calculation of contingent fee and failing to provide the client with an accurate settlement statement on conclusion of a contingent fee matter), *RPC* 1.15(d) and R. 1:21-6(d) (recordkeeping violations). Steven J. Zweig represented the OAE and Marc D. Garfinkle represented the respondent on a motion for discipline by consent granted by the DRB. This matter was discovered solely as a result of the Random Audit Compliance Program.

BENJAMIN H. PERKEL

Suspended for three months on January 12, 2017, effective May 27, 2015, on a motion for reciprocal discipline granted by the DRB following respondent's suspension in Pennsylvania for two years, retroactive to June 12, 2014, for his violation of the Pennsylvania equivalents of New Jersey *RPC* 1.5(a) (unreasonable fee); *RPC* 4.1(a)(1) (making a false statement of material fact or law to a third person); *RPC* 8.4(a) (violating the RPCs); and *RPC* (8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Jason D. Saunders appeared before the DRB for the OAE and respondent appeared pro se.

JEFFREY R. POCARO

Suspended for three years on September 11, 2017, effective October 12, 2017 (230 *N.J.* 380) for violating *RPC* 1.4(c) (failing to explain a matter to the extent reasonably necessary to permit the client to make an informed decision about the representation), *RPC* 1.6(a) (improperly revealing confidential information), *RPC* 1.7(a) (concurrent conflict of interest), *RPC* 1.8(b) (using information relating to the representation of one client to the disadvantage of the client), *RPC* 1.8(f) (accepting compensation for representing a client from another person), *RPC* 5.4(c) (permitting a person who pays for legal services for another to direct or regulate the lawyer's professional judgment in rendering the legal services), *RPC* 5.5(a)(1) (unauthorized practice of law), *RPC* 8.4(d), R. 1:20-16, and R.1:20-20 (conduct prejudicial to the administration of justice) Glen J. Vida represented the District XII Ethics Committee and Jason D. Saunders represented the OAE. Respondent was pro se. Respondent was previously disciplined: Suspended for three months in 2014, censured in 2013 and 2006 and suspended for three months in 1995.

KSENIA V. PROSKURCHENKO

No additional discipline, on April 6, 2017 (228 *N.J.* 466), for respondent's violations of *RPC* 1.15(b) (failure to promptly deliver funds to a client or third person) and *RPC* 8.1(b) and R. 1:20-3(g)(3) (failure to respond to a lawful demand for information from a disciplinary authority and failure to cooperate in an ethics investigation), as those violations were committed during the same time period for which Respondent already had been suspended for six months. Respondent is required to disburse the sum of $625.27 to James Haggerty within forty-five days of the filing of the Order. HoeChin Kim represented the OAE, and respondent was represented by Warren J. Martin, Jr. Respondent was previously disciplined: Suspended for six months in 2016 and censured in 2015.

VICTOR K. RABBAT

Suspended for three years on March 22, 2017, effective April 8, 2017 (228 *N.J.* 274) for violating *RPC* 1.15(a) (misappropriation of client funds) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). While investigating a trust overdraft notification involving respondent's law firm, the OAE discovered numerous instances of misappropriation, which it classified as knowing misappropriation of client funds. The Special Master so found. The DRB agreed and recommended that respondent be disbarred. The Court in its Order "excluded from its consideration" the allegation of knowing misappropriation pertaining to the check which first instituted the overdraft notification. Then, upon de novo review, the Court found that the hearing record established only negligent misappropriation of client funds in the other instances. Hillary Horton represented the OAE and Bernard K. Freamon represented respondent before the Supreme Court. The respondent was previously disciplined: Admonished in 2012. This matter was discovered as a result of the Trust Overdraft Notification Program.

BRIAN H. REIS

Disbarred on September 28, 2017 (230 *N.J.* 460) following his guilty plea to one count of first-degree scheme to defraud, in violation of New York Penal Law §190.65(1)(b), and one count of second-degree grand larceny, in violation of New York Penal Law §155.40(1). Respondent's criminal conduct was found to violate *RPC* 1.15(a) (knowing misappropriation); *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and the principles stated in In re Wilson, 81 *N.J.* 451 (1979), and In re Hollendonner, 102 *N.J.* 21 (1985). Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se.

JOHN T. RIHACEK

Reprimanded on September 28, 2017 (230 *N.J.* 458) for violating *RPC* 1.5(a) (unreasonable fee), *RPC* 1.5(c) (improper calculation of contingent fee and failing to provide the client with an accurate settlement on conclusion of a contingent fee matter), *RPC* 1.14(a) (negligent misappropriation of client trust funds) and *RPC* 1.15(d) and *R.* 1:21-6(d) (recordkeeping violations). Steven J. Zweig represented the OAE and Marc D. Garfinkle represented the respondent on a motion for discipline by consent granted by the DRB. This matter was discovered solely as a result of the Random Audit Compliance Program.

RICHARD M. ROBERTS

Suspended for three years on September 11, 2017 (230 *N.J.* 378) for violating *RPC* 1.15 (a) (failure to safeguard client funds), *RPC* 1.15(b) (failure to properly disburse client funds), *RPC* 1.15 (d) and Rule 1:21-6 (recordkeeping violations), *RPC* 5.3 (a), (b), (c) (failure to supervise a non-attorney employee), *RPC* 5.5 (a) (unauthorized practice of law), *RPC* 8.1 (b) (failure to cooperate with ethics authorities), and *RPC* 8.4 (d) (failure to comply with Rule 1:20-20). Al Garcia, Deputy Ethics Counsel represented Office of Attorney Ethics and Respondent was pro-se. Respondent was previously disciplined: Temporarily suspended in 2015 and 2016; suspended for three months in 2015; censured in 2009 and admonished in 2002.

CHERI S. WILLIAMS ROBINSON

Suspended for one year on May 22, 2017, effective immediately, (229 *N.J.* 131) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep the client reasonably informed about the status of a matter and promptly comply with reasonable requests for information), *RPC* 1.4(c) (failure to explain the matter to the extent reasonably necessary to permit the client to make informed decisions regarding representation), *RPC* 1.5(a) (charging an unreasonable fee), *RPC* 1.15(a) (failure to safeguard client funds), *RPC* 1.15(b) (failure to promptly deliver funds or property to client or third party to which they are entitled), *RPC* 1.15(c) (failure to keep separate funds in which the attorney and a third party claim an interest), and *RPC* 1.16(d) (failure to refund advance fee). Hillary Horton represented the OAE and respondent did not appear before the DRB or the Supreme Court on the motion for reciprocal discipline. The respondent was previously disciplined: Suspended for three months in 2016 and reprimanded in 2015.

ANGELA M. ROPER

Censured on September 11, 2017 (230 *N.J.* 379) for Respondent's violations of *RPC* 1.7(a)(2) (conflict of interest with a client), *RPC* 1.10(a) (imputation of conflict of interest), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). HoeChin Kim represented the OAE, and respondent was pro se.

JOSEPH I. ROSENZWEIG

Suspended for six months on November 17, 2017, effective November 17, 2014, (231 *N.J.* 158) based on discipline imposed in the State of New York that in New Jersey constitutes violations of *RPC* 8.4 (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Christina Blunda represented the OAE and Kim D. Ringler represented the respondent on a motion for reciprocal discipline granted by the DRB.

STEVEN H. SALAMI

Censured on March 30, 2017 (228 *N.J.* 277), following his guilty plea to simple assault in violation of N.J.S.A. 2C:12-1(a)(1), unethical conduct that violates *RPC* 8.4(b) (commission of a criminal act that reflects adversely on honesty, trustworthiness or fitness as a lawyer). Jason D. Saunders represented the OAE on a motion for final discipline and Gerard E. Hanlon represented respondent. The respondent was previously disciplined: Admonished in 2015.

GERALD M. SALUTI

Disbarred on May 17, 2017 (229 *N.J.* 114) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b)(failure to keep client reasonably informed about a matter), *RPC* 1.5 (b) (failure to communicate in writing the basis or rate of fee), *RPC* 1.15 (a) (failure to safeguard client funds), *RPC* 1.15 (b) (failure to promptly disburse funds to clients), *RPC* 1.15 (d) (recordkeeping violations), *RPC* 3.3 (a)(1) (misrepresentation to a tribunal), *RPC* 5.3 (c) (3) (failure to make reasonable investigation of circumstances that would disclose past instances of conduct by a nonlawyer incompatible with the professional obligations of a lawyer), *RPC* 5.5 (a) (unauthorized practice of law, based on violation of Rule 1:21-1C(a) (3) (b)), and *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Al Garcia appeared before the Supreme Court for the OAE and respondent failed to appear.

ERIC SALZMAN

Suspended for two years on October 4, 2017 (231 *N.J.* 2) following his guilty pleas in New Jersey Superior Court to a disorderly persons charge of loitering to obtain controlled dangerous substance, contrary to N.J.S.A. 2C:33-2.1(b), and a charge of third-degree conspiracy to possess a controlled dangerous substance, contrary to N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:5-2. Respondent's reinstatement is to be conditioned upon his compliance with monitoring and substance abuse controls. Hillary Horton represented the OAE on the motion for final discipline and respondent was pro se. The respondent was previously disciplined: Admonished in 2015.

DAVID N. SAMSON

Disbarred by consent on May 25, 2017 following his plea of guilty in the United States District Court for the District of New Jersey to an Information charging him with knowingly and corruptly soliciting, demanding, accepting and agreeing to accept something of value, intending to be influenced and rewarded in connection with the business, a transaction, and a series of transactions of the Port Authority of New York and New Jersey, in violation of Title 18, United States Code, Section 666(a)(1)(B). Respondent was temporarily suspended as of July 28, 2016. Jason D. Saunders represented the OAE and respondent was represented by Justin P. Walder.

RICHARD D. SCHIBELL

Censured on September 21, 2017 (230 *N.J.* 455) for violating *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.15(a) (commingling), *RPC* 1.15(d) and Rule 1:21-6 recordkeeping, *RPC* 8.1(a) (knowingly making false statements of material fact in connection with a disciplinary matter), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Andrea R. Fonseca-Romen, represented the OAE before the DRB and Walton W. Kingsbery, III represented the respondent. This case was discovered solely as a result of the Trust Overdraft Notification Program.

MARC B. SCHRAM

Censured on a discipline by consent on July 7, 2017 (229 *N.J.* 519) for violating *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyers' honesty, trustworthiness or fitness as a lawyer). Jason D. Saunders represented the OAE and Marc D. Garfinkle represented respondent.

SEAN R. SEXTON

Censured on a certified record on December 8, 2017 (231 *N.J.* 192) for practicing law while ineligible to do so, in violation of *RPC* 5.5(a)(1). While ineligible to practice law for his failures to comply with his obligation to the New Jersey

Lawyers' Fund for Client Protection and with his CLE requirements, on April 16, 2015, respondent represented a client in a domestic violence matter in the Superior Court of New Jersey, Hudson County. Karina D. Fuentes represented District VB and respondent was pro se.

ANTHONY D. SEYMOUR

Censured on August 11, 2017 (230 *N.J.* 339) for violating *RPC* 1.5(a) (unreasonable fee), *RPC* 1.5(b) (failure to communicate in writing the basis or rate of the fee) and *RPC* 1.7(a) (concurrent conflict of interest). Jason D. Saunders represented the OAE and Adam J. Adrignolo represented respondent on a motion for discipline by consent granted by the Disciplinary Review Board.

YANA SHTINDLER

Suspended for one year on January 12, 2017, retroactive to September 30, 2013, the date which she became administratively ineligible to practice law in New Jersey, for engaging in the following unethical conduct in New York: failing to safeguard funds, in violation of *RPC* 1.15(a); recordkeeping violations, in violation of *RPC* 1.15(d); failing to supervise a non-lawyer assistant, in violation of *RPC* 5.3(a); knowingly making false statement of material fact in connection with a disciplinary matter, in violation of *RPC* 8.1(a); conduct involving dishonesty, fraud, deceit, or misrepresentation, in violation of *RPC* 8.4(c); conduct prejudicial to the administration of justice, in violation of *RPC* 8.4(d); and authorizing a non-lawyer to be a signatory on a trust account, in violation of Rule 1:21-6(c)(1)(A). Andrea R. Fonseca-Romen appeared before the Supreme Court for the OAE and Kim D. Ringler appeared on behalf of respondent.

TODD C. SICKLINGER

Suspended for three months on May 4, 2017 (228 *N.J.* 525), on a motion for final discipline based on Respondent's 2010 conviction of lewdness and years-long pattern of inappropriate sexual conduct in violation of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects). Respondent's New Jersey license was administratively revoked on 9/30/13 because of his administrative ineligibility for seven consecutive years. If Respondent applies for readmission to the bar of this State, his readmission shall be withheld for three months and he shall submit proof to the OAE of his sobriety and fitness to practice law as attested to by a mental health professional approved by the OAE. Jason D. Saunders represented the OAE and Respondent did not respond to the OAE's motion for final discipline.

RONALD P. SIERZEGA

Reprimanded on July 7, 2017, (229 *N.J.* 517) based on respondent's conviction in the Superior Court of New Jersey to cruelty and neglect of a child, a fourth degree crime, in violation of N.J.S.A. 9:6-03, conduct that violates *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer). Al Garcia appeared before the DRB for the OAE and Robert N. Agre appeared on behalf of respondent.

SANFORD F. SOLNY

Suspended for two years on July 7, 2017, effective immediately (229 *N.J.* 516) following his New York misconduct that violated *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Respondent improperly used a springing, durable power of attorney to transfer approximately $600,000 belonging to his uncle to respondent's personal accounts in the weeks preceding his uncle's death. Respondent perpetrated a fraud against the banks that held his uncle's money, and against his uncle's estate. Hillary Horton represented the OAE and respondent was pro se on the motion for reciprocal discipline. Respondent did not appear for oral argument before the DRB or the Court.

PAUL W. SONSTEIN

Admonished on April 25, 2017 (*Unreported*) for violating *RPC* 1.5(b) (when a lawyer had not regularly represented a client, the basis or rate of the fee shall be communicated in writing). Melissa Jennifer Brown represented the District IV Ethics Committee and respondent was pro se. Respondent was previously disciplined: Censured in 2003 and suspended for three months in 2002.

WILSON SOTO

Reprimanded on May 18, 2017 (229 *N.J.* 115), based on discipline imposed in New York for unethical conduct that in New Jersey constitutes violations of *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyers' honesty, trustworthiness or fitness as a lawyer in other respects), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) by engaging in conduct involving a false election affidavit. Respondent's New Jersey license was administratively revoked on 8/24/14 because of his administrative ineligibility for seven consecutive years. Jason D. Saunders represented the OAE on a motion for final discipline and respondent was pro se.

ROBERT W. STEIN

Suspended for three years on July 20, 2017, effective

May 9, 2012 (230 *N.J.* 57) based on his guilty plea in the United States District Court for the District of New Jersey to Sherman Act Conspiracy, in violation of 15 U.S.C. §1, for engaging in bid rigging at municipal tax lien auctions. Respondent's conduct that violated *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the attorney's honesty, trustworthiness, or fitness as a lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Reid Adler represented the OAE and Kim Ringler represented the respondent on a Motion for Discipline by Consent granted by the DRB.

J. ELLIOTT STOLZ

Censured on a discipline by consent on June 1, 2017 for violating *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), *RPC* 8.4(d) (conduct prejudicial to the administration of justice), and Rule 1:20-20 (rule imposing certain restrictions on suspended attorneys) by continuing to use his name in law firm operations during a period of suspension. Jason D. Saunders represented the OAE and respondent was pro se.

DAVID S. SUSSMAN

Disbarred by consent on February 7, 2017 for the knowing misappropriation of trust funds. Michael J. Sweeney represented the OAE and Respondent was represented by Keith R. Campbell. Respondent was previously disciplined: Temporarily suspended in 2017. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

CRAIG C. SWENSON

Admonished on January 20, 2017 (*Unreported*) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), and *RPC* 1.4(b) (failure to keep a client informed about the status of a matter) in workers' compensation matters. Steven J. Zweig represented the OAE and Edward W. Cillick represented the respondent on a disciplinary stipulation before the DRB.

THOMAS A. SZYMANSKI

Disbarred by consent on July 14, 2017 (230 *N.J.* 48) for the knowing misappropriation of trust funds. Jason D. Saunders represented the OAE and Respondent was represented by Richard M. Rosa. Respondent was previously temporarily suspended in 2017 and 2012. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MITCHEL TARTER

Suspended for six months on September 13, 2017, (230 *N.J.* 388) for violating *RPC* 1.4(b) failure to communicate with client, *RPC* 1.16(a)(2) prohibiting the representation of a client if the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client, *RPC* 1.16(d) failure to protect client's interests on termination of the representation, *RPC* 5.4(a) sharing legal fees with a nonlawyer, *RPC* 7.2(c) giving something of value to a person for recommending the lawyer's services, other than by advertising, *RPC* 8.1(b) failure to cooperate with disciplinary authorities and *RPC* 8.4(d) prejudicial to the administration of justice. Christina Blunda Kennedy represented the Office of Attorney Ethics and Mitchel Tarter was pro se. The respondent was previously disciplined: Suspended for three months in 2014 and temporarily suspended in 2013.

THOMAS J. TAYLOR

Reprimanded by consent on May 22, 2017, (229 *N.J.* 329) for violating *RPC* 1.4(b) (failure to communicate), *RPC* 1.16(d) (on termination of representation, failure to take steps to the extent reasonably practicable to protect a client's interest), *RPC* 3.3(a)(5) (failure to disclose a material fact to the tribunal, knowing that the omission is reasonably certain to mislead the tribunal), *RPC* 3.4 (c) (knowingly disobeying an obligation under the rules of a tribunal), *RPC* 5.5(a)(1) (practicing law while ineligible), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), Ann F. Kiernan represented the District VIII Ethics Committee and respondent was pro se.

KENNETH S. THYNE

Reprimanded on September 11, 2017 (230 *N.J.* 377) for respondent's violations of *RPC* 1.7(a)(2) (conflict of interest with a client), *RPC* 1.10(a) (imputation of conflict of interest), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). HoeChin Kim represented the OAE, and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2013.

DAVID E. TIDER

Censured on November 17, 2017 (231 *N.J.* 164) for violating *RPC* 1.6(a) (revealing information relating to the representation without the client's consent), *RPC* 1.8(a) (prohibited business transaction with a client), *RPC* 1.8(b) (using information relating to the representation to the disadvantage of a client), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Christina Blunda appeared before the DRB for the OAE and respondent waived appearance.

WILLIAM J. TORRE

Reprimanded on June 1, 2017 for violating *RPC* 1.15(a) (failure to safeguard funds and negligent misappropriation of client funds), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). HoeChin Kim represented the OAE and Gerard E. Hanlon represented respondent on a motion for discipline by consent granted by the DRB. Respondent was previously disciplined: Suspended for one year in 2015, effective January 16, 2016. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

GREGG D. TRAUTMANN

Suspended on July 13, 2017, effective August 14, 2017, (230 *N.J.* 45) for violating *RPC* 1.5(b) (failure to provide the basis or rate of fee in writing to the client), *RPC* 1.7(a) (concurrent conflict of interest), *RPC* 1.8(a) (entering into a prohibited business transaction with a client), *RPC* 8.4(a) (knowingly violating or attempting to violate the RPCs), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Catherine Romania represented District XA and Respondent was pro se on a motion for discipline by consent granted by the DRB.

FALVIO B. VAN BOEKEL

Admonished on October 23, 2017 (*Unreported*) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4 (b) (failing to keep client reasonably informed about the status of a matter and promptly comply with reasonable requests for information) and (c) (failing to explain the matter to the extent reasonably necessary to permit the client to make informed decisions about the representation). Richard Bernstein represented the District VA Ethics Committee and Zachary D. Wellbrock represented respondent on a Stipulation of Discipline by Consent before the DRB.

TODD DAVIS VAN SICLEN

Suspended for two years effective November 3, 2017, (231 *N.J.* 6) based on discipline imposed in the State of New York for unethical conduct that in New Jersey constitutes violations of *RPC* 1.7 (a) (2) (prohibiting a lawyer from representing a client if there is a significant risk that the representation will be materially limited by the lawyer's responsibilities to another client, a former client, or a third person or by a personal interest of the lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Reid Adler represented the OAE before the DRB and respondent was pro se.

RICHARD JOSEPH VAPNAR

Suspended for one year on November 17, 2017 (231 *N.J.* 161) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect), *RPC* 1.4(c) (failure to explain matter to the extent reasonably necessary to permit the client to make an informed decision regarding the representation), *RPC* 3.3(a)(1) (lack of candor toward a tribunal), *RPC* 4.1(a)(1) (making a false statement of material fact or law to a third person), *RPC* 8.1(a) (knowingly making a false statement in connection with a disciplinary matter) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Richard John Botos appeared before the DRB for District XII and respondent appeared pro se.

JOSEPH A. VENA

Reprimanded on January 11, 2017, for violating *RPC* 1.4(b) (failure to communicate with the client), *RPC* 1.4(c) (failure to explain a matter to a client to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), *RPC* 1.16(a)(3) (failure to withdraw from representation on discharge by client), *RPC* 3.3(a)(1) (false statement of material fact or law to a tribunal), *RPC* 3.3(a)(5) (failure to disclose a material fact to a tribunal, knowing that the omission is reasonably certain to mislead the tribunal), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), *RPC* 8.4(d) (conduct prejudicial to the administration of justice), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) and Rule 1:20-3(g)(3). The record was certified and respondent's motion to vacate the default was denied. Carolann M. Aschoff represented District VI Ethics Committee and respondent was pro se.

GUSTAVO L. VILA

Disbarred by consent April 3, 2017, following his disbarment in New York based on his guilty plea in the Supreme Court, Westchester County, to one count of grand larceny in the third degree, a class D felony, in violation of Penal Law §155.35 stemming from a real estate transaction. Respondent was notified by the OAE that a case had been docketed against him and Respondent advised that he wished to consent to disbarment. Jason D. Saunders represented the OAE and Marc Garfinkle represented respondent.

FRANK A. VITERITTO

Suspended for two years on two certified records on January 6, 2017 for unethical conduct charged in three formal complaints, specifically, *RPC* 1.5(b) (failure to set forth in writing the basis or rate of a fee), *RPC* 3.3(a)(1) (false statement of fact to a tribunal), *RPC* 5.5(a) (practicing law while suspended), Rule 1:20-20(b)(1), (3), (4) and (6) (rules governing suspended attorneys), *RPC* 8.1(b) (failure to cooperate with disciplinary

authorities) and Rule 1:20-3(g)(3), *RPC* 8.4(a) (violating or attempting to violate the *RPC*s), *RPC* 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Although the DRB had recommended a one-year suspension, per In re Kivler, 193 *N.J.* 332 (2008), the Supreme Court enhanced the sanction for respondent's unexcused failure to comply with its Order to Show Cause. HoeChin Kim appeared before the Supreme Court for the OAE, and respondent failed to appear. Respondent was previously disciplined: Temporarily suspended in 2012.

ALEXANDER D. WALTER

Disbarred on May 24, 2017, effective immediately, (229 *N.J.* 173) following his third-degree endangering the welfare of a child conviction. Respondent admitted masturbating multiple times in the presence of a nine-year-old child who had been residing in his home. Hillary Horton represented the OAE and Frederick J. Dennehy represented respondent on a Motion for Final Discipline before the Supreme Court.

GORDON A. WASHINGTON

Retroactively suspended for one year (from May 26, 2010 to May 25, 2011) on November 21, 2017 (231 *N.J.* 163) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.5(b) (failing to set forth, in writing, the basis or rate of the fee), *RPC* 1.7(a)(1) (conflict of interest), *RPC* 5.3(a) (failure to supervise a nonlawyer), *RPC* 1.15(b) (failure to promptly deliver funds or other property to the client or a third person), *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation. HoeChin Kim represented the OAE and respondent was pro se. Respondent was previously disciplined: Censured in 2011, temporarily suspended with the respondent's consent effective May 26, 2010 (he was reinstated effective December 10, 2015), and admonished in 2006.

MARTIN S. WEISBERG

Admonished on February 23, 2017 (*Unreported*) for violating *RPC* 5.5(a)(1) (lawyer shall not practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction) by practicing law in Pennsylvania while administratively suspended in that jurisdiction. HoeChin Kim represented the OAE and respondent was pro se on a disciplinary stipulation before the DRB.

MARC M. WEISSMAN

Admonished on June 19, 2017 (*Unreported*) for violating *RPC* 1.7(a)(1) (concurrent conflict of interest) and *RPC* 1.5(b) (when a lawyer has not regularly represented the client, the basis or rate of the fee shall be communicated in writing) by representing both his client and her boyfriend/fiancé in a real estate transaction following the discovery of recorded judgments against his client which rendered her interests adverse to those of her boyfriend/fiancé. Elaine Harris represented the District VB Ethics Committee and Michael R. Spar represented the respondent.

CHRISTOPHER R. WELGOS

Reprimanded on a certified record on May 3, 2017, (228 *N.J.* 522) for violating *RPC* 5.5(a)(1) (unauthorized practice of law), *RPC* 8.1 (b) and Rule 1:20-3(g), (failure to cooperate disciplinary authorities), and *RPC* 8.4 (d) (conduct prejudicial to the administration of justice). Robert A Knee represented the District IIA Ethics Committee.

EDWARD G. WERNER

Censured on a certified record on June 15, 2017, (229 *N.J.* 332) for violating *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) by failing to file the affidavit required by R. 1:20-20. Hillary Horton represented the OAE and respondent defaulted. The respondent was previously disciplined: Reprimanded in 2013.

ROBERT N. WILKEY

Suspended for two years on February 2, 2017, effective June 11, 2014 (227 *N.J.* 625) following his guilty plea to three counts of identity theft in the Commonwealth of Pennsylvania. Respondent used personal information obtained through a lawyer-client relationship to apply for three credit cards. Jason D. Saunders represented the OAE in a motion for final discipline and respondent was pro se.

WILLIAM S. WINTERS

Censured on a certified record on April 6, 2017 (228 *N.J.* 464) for violating *RPC* 8.1(b) (failure to comply with lawful demand for information from a disciplinary authority and to cooperate in an ethics investigation) and Rule 1:20-3(g)(3). Temporarily suspended as of April 30, 2015, respondent is to remain suspended pursuant to Orders of the Court filed April 30, 2015 and June 25, 2015, and until further Order of the Court. Michael J. Sweeney represented the OAE and John McGill, III represented respondent. This matter was discovered solely as a result of the Trust Overdraft Notification

Program.

KATRINA F. WRIGHT

Suspended for six months on September 8, 2017, effective October 6, 2017, (230__ *N.J.* 345) for violating *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Timothy J. McNamara represented the OAE and respondent was pro-se. The respondent was previously disciplined: Censured in 2015 and reprimanded in 2008.

ANDREY V. ZIELYK

Censured on a certified record on June 15, 2017 (229 *N.J.* 331) for violating *RPC* 8.1 (b) (failure to cooperate with ethics authorities) and *RPC* 8.4 (d) (conduct prejudicial to the administration of justice) for failing to file the required R. 1:20-20 affidavit following a temporary suspension from the practice of law. Hillary Horton represented the OAE and respondent was pro se. Respondent has a prior disciplinary history: Censured in 2016 and admonished in 2013.

RICHARD A. ZUVICH

Suspended for three months on a certified record on June 29, 2017 (229 *N.J.* 508) for violating *RPC* 1.15(d) and R. 1:21-6 (recordkeeping violations); *RPC* 5.5(a)(1) (practicing law while ineligible); *RPC* 8.1(a) (false statement of material fact to disciplinary authorities); *RPC* 8.1(b) (failure to respond to a lawful demand for information from disciplinary authorities); and *RPC* 8.4(c) (conducting involving dishonesty, fraud, deceit or misrepresentation). Michael J. Sweeney represented the OAE and respondent was pro se. Respondent had been temporarily suspended as of May 31, 2017.

2016

JOSEPH ALBANO

Censured on June 16, 2016 (225 *N.J.* 368) for gross neglect, pattern of neglect, lack of diligence and lack of communication. Christina Blunda Kennedy appeared before the DRB for the OAE and the respondent appeared pro se.

STEPHEN ALTAMURA

Reprimanded on July 21, 2016 (225 *N.J.* 602) for violating *RPC 8.4(c),* conduct involving dishonesty, fraud, deceit or misrepresentation. Respondent has no prior disciplinary history. Jason D. Saunders represented the OAE and the respondent was pro se.

RAYMOND ARMOUR

Disbarred on March 16, 2016 (224 *N.J.* 387) for knowing misappropriation of client funds, after respondent's willful blindness to an employee's continued misuse of client funds fostered misappropriation. Hillary Horton appeared before the Supreme Court and Alan L. Zegas represented respondent. The respondent was previously disciplined: Admonished in 2012.

HAE YEON BAIK

Reprimanded by consent on March 4, 2016 (224 *N.J.* 260) for violating *RPC* 1.5(b) (failure to set forth in writing the basis of a fee), *RPC* 1.15(a) (failure to hold a client's property separate from the lawyer's own property, to keep funds in a separate account in a New Jersey bank, and to keep such records for seven years), *RPC* 1.15(c) (failure to keep separate property in which the lawyer and another person claim interests), *RPC* 1.15(d) (failure to comply with Rule 1:21-6 recordkeeping rules), *RPC* 5.5(a)(1) (unauthorized practice of law), *RPC* 8.4(b) (a criminal act that reflects adversely on the lawyer's honesty, trustworthiness and fitness as a lawyer), and Rule 1:21-6 (recordkeeping) and N.J.S.A. 2C:21-22 (criminalizing unauthorized practice of law in New Jersey). Isabel McGinty represented the OAE and respondent was represented by Suzanne McSorley.

ERIC B. BAILEY

Reprimanded on January 27, 2016 (224 *N.J.* 100) for violations of *RPC* 1.3 (diligence); *RPC* 1.4(b) (failure to communicate); and *RPC* 8.1 (failure to cooperate with disciplinary authorities). Frederick B. Polak represented District XII and respondent was pro se on a motion for certification of the record.

MUHAMMAD BASHIR

Reprimanded on May 18, 2016 (225 *N.J.* 8) for failure to set forth in writing the rate or basis of the fee and failure to cooperate with ethics authorities in violation of *RPC* 1.5(b) and *RPC* 8.1(b). Respondent was previously disciplined: Reprimanded in 1992 and admonished in 2001. Richard Sparaco appeared before the DRB for District IIIB and respondent was pro se.

FRANCIS B. BATCHA

Censured on July 22, 2016 (225 *N.J.* 608) for participating in a real estate transaction in which the HUD-1 form did not accurately reflect the terms of the closing. Respondent violated RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Maureen G. Bauman represented the OAE and Matthew Marrone represented the respondent.

BARRY J. BERAN

Censured on March 29, 2016 (224 *N.J.* 388) for violating *RPC* 1.8(e) (providing financial assistance to clients in connection with pending or contemplated litigation), *RPC* 1.15(a) (failure to safeguard funds), *RPC* 1.15(b) (failure to promptly disburse funds), and *RPC* 1.15(d) (recordkeeping violations). Timothy J. McNamara represented the OAE and David H. Dugan, III, represented respondent on a motion for discipline by consent granted by the Disciplinary Review Board.

MICHAEL DENNIS BOLTON

Censured on September 8, 2016 (226 *N.J.* 471), for violating *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) and Rule 1:20-3(g)(3). Timothy J. McNamara represented the OAE and respondent failed to appear. Respondent was temporarily suspended in 2016 for failure to pay a fee arbitration award.

MARK HENDERSON BRADY

Reprimanded on September 20, 2016 (226 *N.J.* 587), for violating *RPC* 1.15(a) (negligent misappropriation of escrow funds), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Christina Blunda Kennedy represented the OAE and respondent was pro se.

CHRISTOPHER J. BUCKLEY

Suspended for three months on September 20, 2016, effective October 21, 2016 (226 *N.J.* 478), following his guilty plea in the Superior Court of New Jersey to disorderly persons simple assault, contrary to N.J.S.A. 2C:12-1(a). Hillary Horton represented the OAE on a motion for final discipline and Leo J. Hurley represented the respondent.

PAUL G. BULTMEYER

Disbarred on February 3, 2016 (224 *N.J.* 145) following his conviction in the United States District Court for the District of New Jersey to conspiracy to commit wire fraud, contrary to 18 U.S.C. § 1349, conduct which violated *RPC* 8.4(b) (criminal act that reflects adversely on a lawyer's honesty, trustworthiness or fitness as a lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Respondent admitted to diverting millions of dollars held by his payroll company (Ameripay) to pay the tax and payroll obligations of other clients, and using investor funds from another company (Sherbourne) to cover the shortfall in Ameripay without notifying the Sherbourne investors. More than eight million dollars in restitution was ordered. Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se.

JOSE M. CAMERON

Reprimanded on June 27, 2016 (225 *N.J.* 370) for violations of R. 5:3-5(b); *RPC* 1.5(a) (unreasonable fee); *RPC* 1.16(d) (failure to return unused portion of retainer); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). John J. Zefutie represented District VIII and respondent was pro se on a motion for discipline by consent. The respondent was previously disciplined: Admonished in 2007 and reprimanded in 2014.

VICTOR J. CAOLA

Suspended for three months retroactive to May 18, 2006 through August 18, 2006 (224 *N.J.* 211) on February 11, 2016 by way of Disciplinary Stipulation for failing to communicate with a client; failure to explain matter to the extent reasonably necessary to permit the client to make informed decisions about the representation; unreasonable fee; failure to cooperate with disciplinary authorities; and conduct involving dishonesty, fraud, deceit and misrepresentation. Additionally, Respondent was returned to disability inactive status effective August 19, 2006.

CHRISTOPHER CAPPIO

Admonished on March 24, 2016 (*Unreported*) for violating *RPC* 1.3 (diligence) and *RPC* 1.4(b) (failure to keep client reasonably informed) following respondent's neglect of a bankruptcy client. Katrina Vitale represented District IV on the motion for discipline by consent and respondent was pro se.

ANNE P. CATALINE

Disbarred on a certified record on March 2, 2016 (224 *N.J.* 256) for gross neglect, lack of diligence, failure to communicate with client, failure to safeguard funds, conduct involving dishonesty, fraud, deceit or misrepresentation and knowing misappropriation clients' funds by using them for purposes unrelated to the clients' matter and without their knowledge or permission. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent failed to

appear.

JOSEPH S. CHIZIK

Suspended for two years on September 8, 2016 (226 *N.J.* 473) on two certified records for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with the client), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) and Rule 1:20-20 (conduct prejudicial to the administration of justice). HoeChin Kim represented the OAE, and respondent was represented by James J. Gerrow, Jr. Respondent was previously disciplined: Private reprimand (admonition) in 1988; Reprimand in 1997; Reprimand in 2013; and Three-month suspension in 2014.

EUGENE E. CHMURA

Disbarred on September 28, 2016 (226 *N.J.* 544) following his New York disbarment for the knowing misappropriation of client funds, contrary to New Jersey *RPC* 1.15(a) (knowing misappropriation); *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and the principles of In re Wilson, 81 N.J. 451 (1979) and In re Hollendonner, 102 N.J. 21 (1985). Hillary Horton represented the OAE on a motion for reciprocal discipline and respondent was pro se.

CATHLEEN J. CHRISTIE

Admonished on November 29, 2016 (*Unreported*) for representing six clients in civil and criminal matters during a period in which she was ineligible to practice law due to nonpayment of the annual assessment to the New Jersey Lawyers' Fund for Client Protection. Jason D. Saunders represented the OAE and Matthew W. Young represented respondent in a Stipulation of Facts before the Disciplinary Review Board.

PAUL G. CLAUSEN

Reprimanded on January 13, 2016 (224 *N.J.* 30) for gross neglect, failing to act diligently in representing a client and failing to keep the client reasonably informed about the status of the matter. Valerie Ann Jackson appeared before the DRB for District VIII and respondent appeared pro se. Respondent was previously reprimanded in 2013.

JOHN J. COLLINS

Suspended for three months on September 20, 2015, effective October 21, 2016 (226 *N.J.* 514), following his guilty plea in the Superior Court of New Jersey to three disorderly persons offenses: two counts of simple assault, contrary to N.J.S.A. 2C:12-1(a), and one count of criminal mischief, contrary to N.J.S.A. 2C:17-3(b)(1). Hillary Horton represented the OAE on a motion for final discipline and John McGill III represented the respondent.

FRANK J. COZZARELLI

Disbarred on May 2, 2016 (225 *N.J.* 16) for the knowing misappropriation of client funds, contrary to New Jersey *RPC* 1.15(a) (knowing misappropriation); *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985). The Supreme Court ultimately ruled that respondent's incident of major depression failed to satisfy the requisite standard for legal insanity as required by In re Jacob, 95 N.J. 132 (1984). Maureen G. Bauman represented the OAE and S.M. Chris Franzblau represented respondent. The respondent was previously disciplined: Suspended for thirteen months in 2005. This matter was discovered solely as a result of the Random Audit Program.

FRANCIS P. CROTTY

Censured on November 4, 2016 (227 *N.J.* 50), for violating *RPC* 1.3 (failure to act with due diligence and promptness in representing a client), *RPC* 1.4 (b) (failure to keep a client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information), *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), *RPC* 3.3(a)(1) (making a false statement of material fact or law to a tribunal), *RPC* 3.3(a)(5) (failure to disclose to the tribunal a material fact knowing that the omission is reasonably certain to mislead the tribunal), *RPC* 5.5(a)(1) (practicing law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction), *RPC* 7.1(a)(1) (a lawyer shall not make false or misleading communications about the lawyer, the lawyer's services, or nay matter in which the lawyer has or seeks a professional involvement), *RPC* 7.5(a) (a lawyer shall not use a firm name, letterhead, or other professional designation that violates *RPC* 7.1), and *RPC* 8.4(c) (conduct involving dishonesty, deceit, or misrepresentation). Kevin P. Kelly, Esq., represented District IIA and Joseph P. Rem, Jr., Esq., represented respondent on a motion for discipline by consent granted by the Disciplinary Review Board.

ARTHUR J. CUTILLO

Disbarred by consent on September 6, 2016 (226 *N.J.*

469) following his guilty plea in the United States District Court for the Southern District of New York to one count of conspiracy to commit securities fraud, contrary to 18 U.S.C. §317, and one count of securities fraud, contrary to 15 U.S.C. §78j(b) and 15 U.S.C. §78ff. Hillary Horton represented the OAE and Edward J. Dimon represented the respondent.

GREGORY DANESE

Disbarred by consent on March 11, 2016 (224 *N.J.* 276). Respondent acknowledged that he was aware that the OAE alleged that he knowingly misappropriated funds belonging to a client for whom he had a power of attorney, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Timothy J. McNamara represented the OAE and Petar Kuridza, represented the respondent.

MARC D'ARIENZO

Suspended for three months on July 22, 2016 (225 *N.J.* 604) for failing to keep the client reasonably informed about the status of the matter and failing to communicate the basis or rate of the fee in writing. Louis Miron appeared before the DRB for District XII and respondent appeared pro se. The respondent was previously disciplined: Suspended for three months in 1999, admonished in 2001 and 2004, censured in 2011, reprimanded in 2013 and censured in 2014.

MARVIN S. DAVIDSON

Suspended for three years on November 3, 2016 (227 *N.J.* 135) for failing to safeguard funds, recordkeeping violations, failing to cooperate with disciplinary authorities, conduct prejudicial to the administration of justice and violating Rule 1:20-20. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and Ronald M. Gutwirth appeared for the respondent. Respondent was previously suspended for three months in 1995, reprimanded in 2005, suspended for six months twice in 2010 and suspended for one year in 2012.

AHMAD L. DESOKY

Suspended for one year, effective immediately, on May 5, 2016 (224 *N.J.* 453) following his guilty plea in United States District Court for the District of New Jersey to four counts of criminal contempt or the aiding and abetting of such conduct, contrary to 18 U.S.C.§ 401.3. Respondent failed to satisfy the terms and conditions of a consent decree signed between his family's sports nutrition company and the United States Attorney's Office to cease marketing food products that were prepared, packed, or held under unsanitary conditions. Hillary Horton represented the OAE and respondent was pro se on a motion for final discipline before the DRB.

ANDRES J. DIAZ

Censured on December 8, 2016 (227 *N.J.* 233) for failing to timely comply with his obligation to file a *R. 1:20-20* affidavit, contrary to *RPC* 8.1(b) (failure to cooperate with ethics authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). The Court also ordered that respondent remain suspended from the practice of law pursuant to the Court's order of February 28, 2013, and pending his compliance with the fee arbitration determination and his payment of a $500 sanction to the Disciplinary Oversight Committee. Hillary Horton represented the OAE on a motion for certification of the record. The respondent was previously disciplined: Reprimanded in 1997.

ROBERT C. DIORIO

Disbarred on January 20, 2016 (224 *N.J.* 32), for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.5(a) (charging an unreasonable fee), *RPC* 1.15(a) (failure to safeguard funds), *RPC* 1.15(b) (failure to properly disburse funds), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations), *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and the principles set forth in In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985). Timothy J. McNamara represented the OAE and Respondent failed to appear. Respondent was previously disciplined: Censured in 2010.

DAVID A. DORFMAN

Suspended for one year on July 7, 2016, retroactive to January 23, 2012 (225 *N.J.* 531) for his New York misconduct following a legal malpractice judgment, including eventually a criminal conviction for contempt of court, in violation of *RPC* 3.3(a)(1) (false statement of material fact or law to a tribunal), *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE on a motion for reciprocal discipline and John Bowens represented respondent.

THOMAS E. DOWNS IV

Censured on a certified record on March 9, 2016 (224 *N.J.* 272) for failure to keep a client reasonably informed, failing to provide in writing the rate of basis of attorney's fee, failing to return unearned portion of retainer, failing to cooperate with disciplinary authorities and conduct involving

dishonesty, fraud, deceit or misrepresentation. Vikrant Advani appeared before the DRB for the District VIII Ethics Committee and respondent failed to appear. The respondent was previously disciplined: Admonished in 2013.

SIDDHARTH G. DUBAL

Disbarred by consent on January 26, 2016, (224 *N.J.* 35) for the knowing misappropriation of client trust funds. Michael J. Sweeney represented the OAE and Frederick J. Dennehy represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

THOMAS SANDBERG DURST

Admonished on July 27, 2016 (*Unreported*) for failing to promptly return an unearned retainer, failure to keep a client reasonably informed, and failure to cooperate during the investigation of the matter. Christina Lynn Saveriano represented District VII and respondent was pro se on a disciplinary stipulation before the Disciplinary Review Board.

MARK EDELSTEIN

Three-month suspension effective February 12, 2016 (224 *N.J.* 31). Respondent executed a disciplinary stipulation admitting violations of *RPC* 1.15(d) (recordkeeping), *RPC* 5.3(a) (failure to supervise a non-lawyer), *RPC* 7.1(a)(1) (making a false or misleading communication about the lawyer's services), *RPC* 7.5(d) (false or misleading law firm name, and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Jason D. Saunders appeared on behalf of the OAE and respondent was pro se.

RAYMOND J. FARRELL

Censured on a certified record on May 4, 2016 (224 *N.J.* 452) for neglecting a client matter, failing to diligently represent the client's interests in a real estate matter, allowing a default judgment to be entered against her due to his inaction and failing to cooperate with disciplinary authorities. Michael J. Sweeney represented the OAE and respondent was pro se.

ARTHUR M. FIELD

Disbarred by consent on November 10, 2016 (227 *N.J.* 76) for Securities Fraud, Conspiracy and Forgery. Christina Blunda Kennedy represented the OAE and the respondent appeared pro se. Respondent was previously admonished in 1999.

ROBERT A. FORTUNATO

Censured on May 19, 2016 (225 *N.J.* 3) for violating *RPC* 1.15(a) (negligent misappropriation of client funds), *RPC* 1.15(b) (failure to promptly notify clients or third parties of receipt of funds in which they have an interest and to promptly disburse those funds), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Jason D. Saunders represented the OAE and respondent was pro se on a Disciplinary Stipulation submitted to the DRB.

ROBERT A. FRANCO

Suspended for one year on November 17, 2016 (227 *N.J.* 155) for violating *RPC* 1.15 (failure to promptly notify clients or third person of receipt of funds in which they have an interest and to promptly disburse those funds), *RPC* 1.15(c) (failure to segregate disputed funds), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent is to remain suspended pursuant to the Order filed January 29, 2013, and pending his compliance with the fee settlement agreement in District Docket X-20120-0021F and his payment of the sanction of $500 to the Disciplinary Oversight Committee. HoeChin Kim represented the OAE before the Court and Robyn M. Hill represented respondent. Respondent was previously disciplined: Suspended for 3 months in 2012; temporarily suspended in 2013.

JEAN WATSON E. FRANCOIS

Admonished on September 22, 2016 (*Unreported*) for violating *RPC* 1.4(b) (failure to keep client reasonably informed) and *RPC* 1.5(b) (failure to communicate legal fee in writing) following respondent's representation of a client in municipal court on a traffic violation. Robert J. Logan represented District XII on the motion for discipline by consent and respondent was pro se.

BARRY N. FRANK

Censured on November 2, 2016 (227 *N.J.* 57) for failing to cooperate with disciplinary authorities in violation of *RPC* 8.1(b) during the investigation of five separate grievances. Order also temporarily suspended Mr. Frank until such time as he cooperates with the OAE's investigation of his conduct in the underlying grievances. Andrea R. Fonseca-Romen appeared before the Supreme Court for the OAE and Respondent failed to appear.

ROBIN L. FRENCH

Reprimanded on October 5, 2016 (226 *N.J.* 593), for violating *RPC* 5.5(a) (unauthorized practice of law). Damian

Christian Shammas represented the District XB Ethics Committee before the DRB and Gerard E. Hanlon, represented the Respondent.

THOMAS G. FREY

Disbarred on September 26, 2016 (226 *N.J.* 545) for violating RPC 8.4(b) (commission of a criminal act that reflects adversely on a lawyer's honesty, trustworthiness or fitness as a lawyer), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Steven Zweig represented the OAE and Thomas G. Frey was pro se. The respondent was previously disciplined: Reprimanded in 2007.

MARK B. FROST

Admonished on July 27, 2016 (*Unreported*) for violating RPC 1.7(a)(1) and (a)(2) by engaging in a concurrent conflict of interest during *pro hac vice* representation of three employee plaintiffs suing the City of Paterson Fire Department in an employment discrimination action. The Disciplinary Review Board also determined that respondent violated recordkeeping rules by depositing legal fees into an attorney trust account. Christina Blunda Kennedy represented the OAE and Mark S. Kancher represented respondent.

WILLIAM E. GAHWYLER

Disbarred on June 17, 2016 (225 *N.J.* 332) on a certified record for the knowing misappropriation of escrow funds in violation of *RPC* 1.15(a) and the principles of In re Hollendonner, 102 N.J. 21 (1985). Respondent was previously disciplined: Censured in 2008 and 2012 and suspended for one year in 2013. Jason D. Saunders handled the matter for the OAE and respondent was pro se.

MICHAEL D. GARBER

Disbarred by consent on April 6, 2016 (224 *N.J.* 390). Respondent's conduct involved the knowing misappropriation of escrow funds in violation of *RPC* 1.15(a) and the principles of In re Hollendonner, 102 *N.J.* 21 (1985). Jason D. Saunders represented the OAE and Warren L. Fink represented the respondent.

LARRY S. GELLER

Censured on December 7, 2016 (227 *N.J.* 228) for violating *RPC* 1.15(a) (failure to safeguard funds), *RPC* 1.15(b) (failure to promptly disburse funds to the client or third party); RPC 1.15(d) and Rule 1:21-6 (recordkeeping violations). Jason D. Saunders appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 2003. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

ANTHONY J. GIAMPAPA

Suspended for one year on October 7, 2016 (226 *N.J.* 594) on a certified record for failing to comply with a New Jersey Supreme Court Order that required the respondent to file an affidavit of compliance for suspended or disbarred attorneys in accordance with Rule 1:20-20 affidavit thereby violating *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority), *RPC* 8.4(d) (conduct prejudicial to the administration of justice), and Rule 1:20-20. Hillary Horton represented the OAE and respondent was pro se. The respondent was previously disciplined: Suspended in 2013; censured in 2009 and 2008; and admonished in 2007.

PHILIP ALEXANDER GOIRAN

Censured on April 26, 2016 (224 *N.J.* 446) following a motion for discipline by consent. Respondent committed a criminal act which reflected adversely on his honesty, trustworthiness or fitness by committing a third-degree assault on his father-in-law in Colorado following a domestic altercation. Respondent's conduct was the result of significant stress caused by his marital separation and respondent took measures to make amends with his in-laws following the altercation. Hillary Horton handled the matter for the OAE and respondent was pro se.

ELIZABETH MICHELLE GOLDMAN

Disbarred on January 20, 2016 (224 *N.J.* 33) following her New Jersey Superior Court criminal conviction to second-degree robbery, contrary to N.J.S.A. 2C:15-1(a). Respondent robbed a bakery by simulating a weapon with her finger and making threats to the employees. Hillary Horton and Al Garcia represented the OAE on a motion for final discipline and respondent did not appear.

OSUALDO GONZALEZ

Reprimanded on July 21, 2016 (225 *N.J.* 603) for violating *RPC* 1.15(b) (negligent misappropriation) and *RPC* 1.15(d) (failure to comply with recordkeeping requirements of Rule 1:21-6). Jason D. Saunders represented the OAE and Respondent was *pro se*. Respondent was previously disciplined: Admonition in 2014 for violations of *RPC* 1.4(b), *RPC* 1.2(a), and *RPC* 1.5(b).

GERALD GORDON

Reprimanded on December 8, 2016 (227 *N.J.* 234) for failing to act diligently in representing a client, failing to keep

the client reasonably informed about the status of the matter and failing to cooperate with disciplinary authorities. Timothy J. Little appeared before the DRB for District VIII and respondent appeared pro se.

JONATHAN GREENMAN

Censured on May 19, 2016 (225 *N.J.* 11), for violating *RPC* 8.1(b) and Rule 1:20-3(g)(3) (failure to cooperate with disciplinary authorities). Timothy J. McNamara represented the OAE and Respondent failed to appear.

JONATHAN GREENMAN

Suspended for three months on October 5, 2016, (226 *N.J.* 595) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 1.5(b) (failure to set forth in writing the rate or basis of a fee), *RPC* 1.5(c) (failure to prepare a fee agreement in a contingency matter), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities,) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). David L. Rutherford, Esq., represented the District IIA Ethics Committee and Jonathan Greenman, Esq. appeared *pro se*. The respondent was previously disciplined: Censured in 2016 and admonished in 2014.

SAL GREENMAN

Censured on May 19, 2016 (225 *N.J.* 10), for violating *RPC* 8.1(b) and Rule 1:20-3(g)(3) (failure to cooperate with disciplinary authorities). Timothy J. McNamara represented the OAE and Respondent failed to appear.

FRANCISCO S. GUZMAN

Reprimanded on December 7, 2016 (227 *N.J.* 232), for violating *RPC* 1.1(b) pattern of neglect) and *RPC* 1.3 (lack of diligence) in three matters. Daniel Patrick D'Alessandro, Esq., represented District VI Ethics Committee and Vladimir Rene, Esq., represented Respondent.

MAEBLE L. HAIRSTON

Disbarred by consent on July 26, 2016 (225 *N.J.* 613) following her guilty plea to one count of racketeering, in violation of N.J.S.A. 2C:41-2 in the Morris County Superior Court. This charge was subsequently downgraded to a third degree offense and respondent was required to surrender her law license. Respondent admitted to defrauding mortgage lenders of over $1,000,000 by diverting closing funds and filing false settlement statements. Charles Centinaro represented the OAE and James N. Butler, Jr., represented the respondent.

JOHN F. HAMILL, JR.

Respondent was disbarred on March 2, 2016 (224 *N.J.* 257) on a certified record from the OAE. Respondent committed violations of *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4 (failure to communicate), *RPC* 3.3(a)(1) (false statements of material fact or law to a tribunal), *RPC* 8.1(b) (failure to cooperate), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), *RPC* 8.4(d) (conduct prejudicial to the administration of justice), and *RPC* 1.15(a) (knowing misappropriation of client funds, and the principles of In re Wilson 81 *N.J.* 451 (1979). Respondent was previously reprimanded in 2004. Maureen G. Bauman Esq. handled the matter for the OAE. Respondent was self-represented.

ROLAND G. HARDY

Disbarred on May 4, 2016 (224 *N.J.* 557) for knowing misappropriation in violation of *RPC* 1.15(a) and the principles of In re Hollendonner, 102 *N.J.* 21 (1985) and In re Wilson, 81 *N.J.* 21 (1985). Andrea R. Fonseca-Romen appeared before the Supreme Court for the OAE and Jay J. Blumberg appeared on behalf of respondent.

GEORGE P. HELFRICH, JR.

Admonished on February 24, 2016 (*Unreported*) for violating *RPC* 1.4(b) (failure to keep client reasonably informed); *RPC* 3.3(b) (lack candor with the court); and *RPC* 3.4(c) (disobeying an obligation under the rules of a tribunal) by failing to notify the trial judge that his client and witnesses were unavailable for trial on certain dates. Stuart D. Minion represented District VC on a motion for discipline by consent and respondent was pro se.

ROBERT L. HENNESSEY

Disbarred by consent on May 3, 2016 (224 *N.J.* 492). Respondent acknowledged that he was aware that the OAE alleged that he knowingly misappropriated client trust account funds, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Timothy J. McNamara represented the OAE and Alan L. Zegas represented the respondent.

VICTOR J. HOROWITZ

Disbarred by consent on September 6, 2016 (226 *N.J.* 467) for committing health care fraud, and filing a false federal tax return, in violation of *RPC* 8.4(b) and *RPC* 8.4(c) Christina Blunda Kennedy represented the OAE and Marc Garfinkle

represented the respondent.

SEBASTIAN ONYE IBEZIM, JR.

Admonished on July 27, 2016 (*Unreported*) for violating *RPC* 1.3 (diligence); *RPC* 1.4(b) (failure to keep client reasonably informed) and *RPC* 1.4(c) (failure to explain the matter to the extent reasonably necessary) by failing to act promptly in a personal injury matter and failing to keep the client informed about important events in the case. Carla M. Silva represented District VA on a motion for discipline by consent and Juliana E. Blackburn represented the respondent. The respondent was previously discipline: Admonished in 2015 and 2014.

CHARLES BRIAN KAPALIN

Suspended for three years on December 8, 2016, effective December 12, 2014 (227 *N.J.* 224), following his guilty plea in the United States District Court for the District of New Jersey to one count of conspiring to smuggle contraband into a federal detention facility, contrary to 18 U.S.C. §317 and 18 U.S.C. §1791(a). Respondent admitted using his status as a defense attorney to secure meetings with inmates who were part of the scheme to smuggle marijuana and tobacco into the institution. Hillary Horton represented the OAE on a motion for final discipline and Robert J. DeGroot appeared on behalf of the respondent.

JOSEPH P. KELLY

Reprimanded on June 22, 2016 (225 *N.J.* 335) on a certified record from District VC for violations of *RPC* 1.3 (diligence); *RPC* 1.4(b) (failure to communicate with a client); and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Pablo Blanco represented District VC and respondent was pro.

JOHN A. KLAMO

Censured on June 15, 2016 *(*225 *N.J.* 331*)* for violating *RPC* 1.2 (failure to abide by a client's decision about the scope and objectives of the representation), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 3.2 (failure to expedite litigation), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Jean S. Chetney represented District IV before the DRB, and the respondent was represented by Steven K. Kudatzky. The respondent was previously disciplined: Reprimanded in 1996 and suspended for three months in 2013.

RICHARD F. KLINEBURGER

Reprimanded on December 2, 2016 (227 *N.J.* 206), for violating *RPC* 1.1(a) (gross neglect) and *RPC* 1.4(b) (failure to keep client reasonably informed about the status of the matter). Michael J. Sweeney represented the OAE on a motion for discipline by consent and Petar Kuridza represented the respondent.

CRAIG JOSEPH KOBRIN

Admonished on February 2, 2016 (*Unreported*) for violating *RPC* 1.15(b) (promptly notify and deliver third-party funds) and *RPC* 1.15(c) (commingling) by failing to promptly disburse funds to his client's doctor following successful litigation of a personal injury matter. Carl Peer represented District XII and Michael Alvarez represented the respondent.

CRAIG JOSEPH KOBRIN

Admonished on February 2, 2016 (*Unreported*) for violating *RPC* 1.8(e) (financial assistance to a client) for providing an altruistic cash "advance" to a personal injury client. Paul Steven Danner represented District VA and Michael Alvarez represented the respondent.

ANDREW MICHAEL KUSNIRIK, III

Disbarred by consent on November 7, 2016 (227 *N.J.* 59) for the knowing misappropriation of trust funds. Michael J. Sweeney represented the OAE and Respondent was represented by Marc D. Garfinkle. This matter was discovered solely as a result of the Random Audit Program.

WILLIAM J. LAWLOR III

Reprimanded on a certified record on May 18, 2016 *(*225 *N.J.* 2*)* for violating *RPC* 1.15(b) (failure to promptly deliver funds to client) and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). HoeChin Kim represented the OAE and respondent was *pro se*.

JILL ANNE LAZARE

Admonished on May 24, 2016 (*Unreported*) for violating *RPC* 3.3(a)(1) (knowingly making a false statement of material fact or law to a tribunal); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) following respondent's representation of a plaintiff-husband in a divorce action. Respondent resisted informing opposing counsel and the trial judge about the source of a document used

during trial. Carl L. Peer represented District XII and Robin M. Hill represented the respondent.

HARRIS C. LEGOME

Disbarred on October 3, 2016 (226 *N.J.* 590), for violating *RPC* 1.5(a) (unreasonable and excessive fee), *RPC* 1.5(c) (failure to provide client with a writing in a contingent fee case), *RPC* 1.7(a)(2) (concurrent conflict of interest), *RPC* 1.7(b) (failure to obtain informed written consent after full disclosure of conflict), *RPC* 1.8(a) (conflict of interest by acquiring a pecuniary interest adverse to a client), *RPC* 1.8(c) (preparation of an instrument providing a substantial gift from client to lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Timothy J. McNamara represented the OAE and Joseph P. Grimes represented respondent.

WALTER D. LEVINE

Reprimanded on April 20, 2016 (224 *N.J.* 441), for violating *RPC* 1.9(a) (representing a client in the same or a substantially related matter in which the client's interests are materially adverse to a former client, without obtaining the former client's consent), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Douglas Ehrenworth represented District XA and Samuel N. Reiken represented respondent.

LARRY S. LOIGMAN

Reprimanded on March 9, 2016 (224 *N.J.* 271) for violating *RPC* 3.1 (bringing a frivolous claim) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Lawrence H. Shapiro appeared before the DRB for District IX, Maureen G. Bauman appeared before the Supreme Court for the OAE and David H. Dugan, III appeared for the respondent at both levels. The respondent was previously disciplined: Reprimanded in 1989.

DOUGLAS M. LONG

Reprimanded on November 4, 2016 *(227 N.J. 49)*. Respondent signed a stipulation of discipline by consent in which it was agreed that he violated *RPC* 1.15(a) (failure to safeguard property of clients or third parties and negligent misappropriation); *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations); and *RPC 5.3(a)* and *(b)* (failure to supervise a non-lawyer assistant). Jason D. Saunders represented the OAE and K. Roger Plawker represented the respondent. This matter was discovered solely as a result of the Random Audit Program.

SUSAN A. LOWDEN

Censured on September 21, 2016 (226 *N.J.* 586) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) in a matrimonial matter where respondent failed to file a divorce complaint for over five years and misrepresented to the client that she had sent a complaint to the court for filing in 2012 when she had not. Maryann J. Rabkin represented District IV and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2014.

ANTHONY F. MALANGA, JR.

Disbarred on October 20, 2016 (227 *N.J.* 2) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.4(b) and (c) (failure to communicate with clients), *RPC* 1.7(a)(1) (conflict of interest), *RPC* 1.8(e) (provision of financial assistance to clients in connection with pending or contemplated litigation), *RPC* 1.15(c) (failure to keep disputed property separate and intact until dispute was resolved), *RPC* 3.2 (failure to expedite litigation), *RPC* 8.4(b) (commission of a criminal act that reflects on the attorney's honesty, trustworthiness or fitness as a lawyer), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), *RPC* 8.4(d) (conduct prejudicial to the administration of justice), and the principles of *In re Wilson*, 81 *N.J.* 451 (1979). HoeChin Kim appeared before the Supreme Court for the OAE and Robyn M. Hill represented respondent.

MICHAEL Z. MANDALE

Suspended for one year on December 7, 2016 (227 *N.J.* 222) for representing numerous clients, largely in tax matters, following his administrative suspension in Pennsylvania, neglecting those matters, engaging in the unauthorized practice of law by engaging new clients during his period of ineligibility, and for failing to cooperate with the Pennsylvania disciplinary authorities "at every step in its process." Hillary Horton represented the OAE on a motion for reciprocal discipline and Craig M. Robinson appeared on behalf of the respondent.

ALBERT K. MARMERA

Admonished on July 29, 2016 *(Unreported).* Respondent signed a stipulation of discipline by consent in which it was agreed that he violated *RPC* 1.15(a) (failure to safeguard property of clients or third parties and negligent misappropriation); *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations); and *RPC 5.3(a)* and *(b)* (failure to supervise a nonlawyer assistant). Jason D. Saunders represented the OAE and K. Roger Plawker represented the respondent. This matter was discovered solely as a result of the

Random Audit Program.

JEFFREY K. MARTIN

Suspended for six months on September 21, 2016 (226 *N.J.* 588), based upon discipline imposed by the Supreme Court of the State of Delaware for unethical conduct that in New Jersey constitutes violations of *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal), *RPC* 5.3(a) (failure to supervise a non-lawyer assistant), *RPC* 5.4(a) (paying to or sharing fees with a suspended or disbarred attorney), *RPC* 5.5(a)(2) (assisting in the unauthorized practice of law), *RPC* 8.4(d) (conduct prejudicial to the administration of justice), and Rule 1:20-20(b)(13). Steven J. Zweig represented the OAE and respondent was pro se.

NIRAV KURT MEHTA

Reprimanded on November 4, 2016 *(227 N.J. 53)* on a motion for discipline by consent granted by the Disciplinary Review Board. Respondent acknowledged submitting a false document to the District IIIB Ethics Committee investigator in response to the grievance, in violation of *RPC* 8.1(a) (false statement of material fact in connection with a disciplinary matter) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). John M. Hanamirian represented the District IIIB Ethics Committee and E. Carr Cornog, III represented the respondent.

HUGO L. MORAS

Disbarred on October 14, 2016 (226 *N.J.* 598), for violating *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.5(b) (failing to set forth in writing the rate or basis of the fee), *RPC* 1.5(c) (failure to prepare a written fee agreement in a contingent fee case), *RPC* 1.16(d) (failure to protect a client's interests on termination of the representation), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Steven J. Zweig represented the OAE and respondent failed to appear. Respondent was previously disciplined: Suspended for six months in 1993; temporarily suspended and reprimanded in 1997; reprimanded in 2005; suspended for three months in 2013; and suspended for one year in 2015.

KEITH O.D. MOSES

Censured on May 19, 2016 (225 *N.J.* 4) for improperly entering into a business transaction with a client, contrary to *RPC* 1.8(a) (conflict of interest). Respondent engaged in a real estate transaction with a client he had represented in another capacity, without the appropriate protections for the client, causing harm to the client. Maureen G. Bauman represented the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 2002; reprimanded in 2011; reprimanded in 2012; reprimanded in 2013; and suspended for three-months in 2014.

BARTON NACHAMIE

Disbarred by consent on June 27, 2016 (225 *N.J.* 371) following his plea of guilty in the State of New York to grand larceny in the third degree (two counts) a class D felony, and falsifying business records in the first degree (five counts) a class E felony. Respondent was notified by the OAE that a case had been docketed against him and Respondent advised that he wished to consent to disbarment. Michael J. Sweeney represented the OAE and Respondent was represented by Paul B. Bergman.

RAYMOND S. NADEL

Censured on December 7, 2016 (227 *N.J.* 231) for engaging in the unauthorized practice of law by representing more than seventy-five Delaware residents in personal injury cases involving Delaware-registered vehicles while not being admitted to practice in Delaware. Hillary Horton represented the OAE on a motion for reciprocal discipline and David H. Dugan III represented the respondent. The respondent was previously disciplined: Reprimanded in 1997.

NICOLAS NICOSIA

Reprimanded by Consent on November 4, 2016 (227 *N.J.* 52*)* for negligently failing to safeguard funds and recordkeeping violations. Christina Blunda Kennedy appeared before the DRB for District VI and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

ROBERT J. NISH

Admonished on September 22, 2016 (*Unreported*) for violating RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) following respondent's failure to notify his adversary in regard to the return of a deposit in a real estate transaction. William C. Mack represented District XA on the motion for discipline by consent and Peter N. Gilbreth represented respondent.

GREGORY R. NOONAN

Disbarred on October 14, 2016 (226 *N.J.* 596) for knowing misappropriation of client funds in violation of *RPC* 1.15(a) and the principles of In re Wilson, 81 N.J. 21 (1985). Andrea R. Fonseca-Romen appeared before the Supreme Court for the OAE and respondent was pro se.

JOHN J. O'HARA, III

Disbarred on March 1, 2016 (224 *N.J.* 255), for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of the matter), *RPC* 1.4(c) (failure to permit a client to make informed decisions regarding the representation), *RPC* 3.4(c) (knowingly disobeying an obligation under the Rules of a tribunal), *RPC* 5.5(a)(1) (practicing law while suspended), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Timothy J. McNamara represented the OAE and Respondent failed to appear.

DENNIS J. OURY

Suspended for three years on November 2, 2016, effective November 17, 2009 (227 *N.J.* 47), following his guilty plea in the United States District Court for the District of New Jersey to conspiracy to defraud the Borough of Bergenfield of money, property, and honest services, contrary to 18 U.S.C. §1349, and failure to file a federal tax return for tax year 2006, contrary to 26 U.S.C. §7203. Hillary Horton represented the OAE on a motion for final discipline and John M. Carbone represented the respondent.

MARC Z. PALFY

Suspended for three years on July 22, 2016 (225 *N.J.* 611) for neglecting and mishandling multiple bankruptcy matters, a personal injury matter, and practicing while ineligible, misconduct encompassing two five-count complaints. Maureen G. Bauman handled the matter on behalf of the OAE and Douglas S. Crawford represented the respondent. The respondent was previously disciplined: Censured in 2014 and suspended for three months in 2015.

JOHN O. PARAGANO

Suspended for three months on November 17, 2016, effective December 16, 2016 (227 *N.J.* 136), following his guilty plea in the Superior Court of New Jersey to the disorderly persons offense of simple assault, in violation of N.J.S.A. 2C:1a(1), conduct that violates *RPC* 8.4(b) (commission of a criminal act that reflects adversely on honesty, trustworthiness or fitness as a lawyer). Michael J. Sweeney represented the OAE on a motion for final discipline and Gerard E. Hanlon represented respondent. The respondent was previously disciplined: Censured in 2007.

JAE HOON PARK

Suspended for three months on July 22, 2016, effective August 22, 2016 (225 *N.J.* 609), for his violation of *RPC* 8.4(b) (criminal act that reflects adversely on his honesty, trustworthiness or fitness as a lawyer) following his guilty plea to third-degree aggravated assault, contrary to N.J.S.A. 2C:12-1(b)(7). Respondent attempted to cause serious bodily harm to his mother by forcing her to take a dangerous quantity of prescription pills. Hillary Horton represented the OAE on a motion for final discipline and Gerald D. Miller represented the respondent.

HARRY G. PARKIN

Disbarred by consent on October 20, 2016 (227 *N.J.* 187), following his conviction in the United States District Court for the District of New Jersey (USDNJ), of attempted extortion under color of official right, induced by wrongful use of fear of economic harm (18 U.S.C. §1951(a)). Steven J. Zweig represented the OAE and Lindsay L. Burbage represented respondent.

JEANNET E. PAVEZ

Reprimanded on March 7, 2016 (224 *N.J.* 267) for violating *RPC* 1.7(a) (concurrent conflict of interest); *RPC* 1.15(b) (failure to promptly notify clients of receipt of funds in which they have an interest and to promptly disburse these funds); and *RPC* 1.15(d) (failure to comply with the recordkeeping requirements of R.1:21-6. Maureen G. Bauman represented the OAE on a motion for discipline by consent granted by the DRB and respondent was pro se. This matter was discovered solely as a result of the Random Audit Program.

QUEEN E. PAYTON

Reprimanded on November 17, 2016 (227 *N.J.* 158), for violating *RPC* 5.5(a)(2) (assisting a person who is not a member of the bar in the performance of activity that constitutes the unauthorized practice of law; *RPC* 8.4(a) (knowingly assisting another to violate the *RPCs*); *RPC* 8.4(d) (conduct prejudicial to the administration of justice); and Rule 1:20-20 (failure to file compliance affidavit). Jason D. Saunders appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Reprimanded in 2011 and admonished in 2005.

JOHN C. PENBERTHY

Admonished on March 24, 2016 (*Unreported*) for violating *RPC* 5.5(a) (unauthorized practice of law) following respondent's representation of clients during a period during which he was ineligible to practice law due to his failure to complete and self-report his compliance with Continuing Legal Education requirements. Gilbert J. Scutti represented District

IV on the motion for discipline by consent and respondent was pro se.

KIRILL PERCY

Disbarred on September 14, 2016 (226 *N.J.* 475) following his guilty plea in the United States District Court for the Southern District of New York to one count of conspiracy to defraud the United States government, contrary to 18 U.S.C. §371, and to one count of health care fraud, in the United States District Court for the Eastern District of New York, contrary to 18 U.S.C. §1347. Hillary Horton represented the OAE and respondent was pro se.

GENIA C. PHILIP

Admonished on November 21, 2016 (*Unreported*) for lack of diligence and failure to keep client reasonably informed in a single divorce matter. Shelia Ann Woolson represented District VA and John McGill, III represented respondent.

DUANE T. PHILLIPS

Suspended for one year on March 10, 2016 *(*224 *N.J.* 274*)* for violating *RPC* 5.5(a) (practicing law while suspended) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent continued to represent a matrimonial client during his term of suspension and failed to disclose that representation in his Rule *1:20-20* affidavit filed with the OAE. HoeChin Kim represented the OAE and respondent was *pro se*. The respondent was previously disciplined: Admonished in 2010, censured in 2011 and in 2013, and suspended for three months in 2014.

JOHN REX POWELL

Disbarred by consent on March 7, 2016 (224 *N.J.* 266), following respondent's conviction in the U.S. District Court for the Southern District of Indiana of one count of engaging in child pornography enterprise and two counts of sexual exploitation of a minor. Michael J. Sweeney represented the OAE and Matthew S. Toll represented the respondent.

ADAM S. PRIBULA

Censured on March 4, 2016 (224 *N.J.* 264), for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (failure to act with reasonable diligence and promptness in representing a client), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information), *RPC* 1.15(b) (failure to promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Carl J. DiPiazza represented District XA and Brian J. Fruehling represented respondent on a motion for discipline by consent granted by the Disciplinary Review Board.

ROBERT P. PRIGNOLI

Reprimanded on March 4, 2016 (224 *N.J.* 263) for violating *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter); and *RPC* 1.15(b) (failure to promptly deliver to the client or third party any funds that the client or third party is entitled to receive) in a real estate matter. Maureen G. Bauman represented the OAE on a motion for discipline by consent granted by the DRB and E. Carr Cornog, III represented respondent.

KSENIA V. PROSKURCHENKO

Suspended for six months May 4, 2016 *(*224 *N.J.* 493*)* on a certified record for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.16(d) (failure to refund unearned fee on termination of the representation), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Prior to reinstatement to the practice of law, Respondent is to refund the $1375 retainer to her client in the *Franchetti* matter and submit proof to the Office of Attorney Ethics of her successful completion of four credit hours of continuing legal education courses in attorney ethics. HoeChin Kim represented the OAE and respondent was represented by Warren J. Martin, Jr. Respondent was previously disciplined: Censured in 2015.

CHERI S. WILLIAMS ROBINSON

Suspended for three months on two certified records on November 2, 2016 (227 *N.J.* 45) for violating *RPC* 1.4(b) (failure to communicate with client) and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Respondent also was ordered to remain suspended until she paid the outstanding fee arbitration award in District Docket No. IV-2014-0058F and the sanction of $500 to the Disciplinary Oversight Committee, per the Court's Order of June 4, 2015. Michael J. Silvanio represented District IV and respondent was pro se. Respondent was previously disciplined: Temporary suspension in 2015; Reprimand in 2015.

MERRILL N. RUBIN

Suspended for two years on December 7, 2016 (224 *N.J.* 229), following his guilty plea in the Superior Court of New York to one count of tax evasion, in violation of the

Criminal Tax Fraud Act, N.Y. Tax Law, §1804, conduct that in New Jersey violates *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the lawyers' honesty, trustworthiness, or fitness as a lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Steven J. Zweig represented the OAE and the Respondent was pro se.

WILLIAM J. RUSH

Reprimanded on June 2, 2016 (225 *N.J.* 15) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.15(a) (commingling funds and recordkeeping violations), *RPC* 1.15(b) (failure to promptly notify clients or third parties of receipt of funds in which they have an interest and to promptly disburse those funds), *RPC* 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:21-6), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) in two real estate transactions. HoeChin Kim appeared before the DRB for the OAE and Glenn R. Reiser appeared on behalf of respondent.

SCOTT F. SAIDEL

Disbarred by consent on December 13, 2016 (227 *N.J.* 151) for respondent's criminal conviction of one count of conspiracy to commit money laundering, to tamper with a witness, and to obstruct justice in the U.S. District Court for the Southern District of Florida. HoeChin Kim represented the OAE, and Dena M. Seiden of Florida represented the respondent. Respondent has a disciplinary history: Suspended for 6 months in 2001; Temporarily suspended in 2013.

GERALD M. SALUTI, JR.

Suspended for one year, effective May 29, 2014, on July 22, 2016 (225 *N.J.* 606), for violating *RPC* 1.1((a) (gross neglect); *RPC* 1.2 (a) (failure to abide by client's instructions); *RPC* 1.3 (lack of diligence); *RPC* 1.4(b) (failure to keep client reasonably informed about the status of a matter); *RPC* 1.5(b) (failure to communicate in writing the basis or rate of fee); *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); *RPC* 8.4(d) (conduct prejudicial to the administration of justice); and *RPC* 8.4(e) (stating or implying an ability to influence a government agency or official, or achieve results by means that violate the *RPC*s or other law). David M. Dugan represented District VA and Robert P. Donovan represented respondent. Respondent was previously disciplined: Admonished in 2007; reprimanded in 2013; and suspended for three months in 2014.

GERALD M. SALUTI, JR.

Imposing no additional discipline (224 *N.J.* 454) on May 5, 2016 for violating *RPC* 1.5(b) (failure to provide client with a writing setting forth the basis or rate of the fee), in view of the fact that said violation would not have increased the three-month term of suspension ordered on January 31, 2014, had the violation been considered with that matter. David M. Dugan represented District VA and Robert P. Donovan represented respondent.

WILLIAM G. SCHER

Disbarred on November 9, 2016 (227 *N.J.* 56) on a motion for reciprocal discipline based on respondent's affidavit of resignation in the State of New York for conduct that in New Jersey violates *RPC* 1.15(a) (knowing misappropriation of funds); *RPC* 8.1(a) (knowingly making a false statement of material fact to disciplinary authorities; *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation, and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985). Charles Centinaro appeared before the Supreme Court for the OAE and the respondent appeared pro se.

TERRY L. SHAPIRO

Disbarred by consent on April 20, 2016, (224 *N.J.* 443) after respondent acknowledged that he knowingly misappropriated client funds, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Timothy J. McNamara represented the OAE and Robert Ramsey represented the respondent.

EUNGNAM PETER SHIN

Reprimanded on May 5, 2016 (224 *N.J.* 455) for misrepresenting to the bankruptcy court that his client, the creditor, had taken a required credit counseling course when, in fact, his client had not taken the course. Hillary Horton represented the OAE and respondent was pro se on a motion for reciprocal discipline before the DRB.

DARRYL W. SIMPKINS

Suspended for three years on March 1, 2016, effective March 30, 2016 (224 *N.J.* 253), for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 8.4(b) (commission of a criminal act that reflects adversely on the attorney's honesty, trustworthiness or fitness as a lawyer) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Timothy J. McNamara represented the Office of Attorney Ethics before the Supreme Court and John McGill, III represented respondent.

VICTOR G. SISON

Suspended for three months on November 17, 2016, effective December 16, 2016 (227 *N.J.* 138), for engaging in ticket fixing while a municipal court judge, in violation of *RPC* 8.4(b) and (d). Jason D. Saunders appeared before the Disciplinary Review Board for the OAE and Salvatore T. Alfano represented the respondent.

NESTOR SMITH

Suspended for three months on October 6, 2016, effective November 4, 2016 (228 *N.J.* 22) for failure to abide by his client's decision, lack of diligence; failure to keep his client reasonably informed, failure to comply with reasonable requests for information, and failure to explain the matter to the extent reasonably necessary to allow the client to make an informed decision; knowingly making false statements of material fact to disciplinary authorities; engaging in a criminal act; engaging in conduct involving fraud, dishonesty, deceit and misrepresentation; and engaging in conduct prejudicial to the administration of justice. Christina Blunda Kennedy appeared before the DRB for the OAE and David Dugan appeared for the respondent.

JOHN C. SPADORA

Censured on April 21, 2016 (224 *N.J.* 445) for commingling funds, recordkeeping violations, and failure to cooperate with disciplinary authorities. Respondent, at the time of the complaint, had approximately $165,000 in unidentified funds in his trust account that he claimed were "unidentified legal fees," which must be cleared while respondent is monitored. Missy Urban handled the matter at the hearing stage, Hillary Horton argued it before the DRB for the OAE, and Robert J. Pompliano represented respondent. This matter was discovered as a result of the Random Audit Compliance Program.

GEORGE P. STASIUK

Censured on a certified record on February 12, 2016 (___*N.J.*___) for abandoning an employment discrimination client without working on her case, and for failing to return an unearned $6,500 retainer. The Court Order required that Stasiuk must refund the retainer within 30 days of the filing date of the Order or be temporarily suspended until he so complied. Hillary Horton represented the OAE before the Court and respondent was pro se.

CLIFFORD G. STEWART

Admonished on May 24, 2016 (*Unreported*) for record keeping violations which did not impact client funds. Andrea R. Fonseca-Romen represented the OAE and respondent was pro se. This matter was discovered as a result of the Trust Overdraft Notification Program. The respondent was previously disciplined: Admonished in 2014.

ARTURO SUAREZ-SILVERIO

Suspended for one year on October 6, 2016 (226 *N.J.* 547), based upon discipline imposed by the United States Court of Appeals for the Third Circuit for unethical conduct that in New Jersey constitutes violations of *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect), *RPC* 1.3 (lack of diligence), *RPC* 3.3(a)(1) (false statement of fact or law to a tribunal), *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Steven J. Zweig represented the OAE and Lee A. Gronikowski represented respondent. The respondent was previously disciplined: Admonished in 2009.

HERBERT J. TAN

Disbarred April 20, 2016 (224 *N.J.* 438) on two certified records for numerous ethics violations stemming from ten docketed matters, including multiple violations of *RPC* 1.1(a) (gross negligence), *RPC* 1.1(b) (pattern of negligence), *RPC* 1.2(d) (counseling a client to engage in conduct that the lawyer knows to be fraudulent), *RPC* 1.3 (failure to act with reasonable diligence and promptness in representing a client), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of the matter or to comply with reasonable requests for information from a client), *RPC* 1.5(c) (failure to advise the client that the fee may be based on the reasonable value of his services and failure to account for the application of his non-refundable retainer to any contingent fee award), *RPC* 1.15(d) (recordkeeping violations), *RPC* 1.16(d) (failing to protect a client's interests on termination of the representation), *RPC* 3.1 (filing a frivolous claim), *RPC* 3.2 (failing to expedite litigation), *RPC* 5.5(a) (unauthorized practice of law), *RPC* 7.1(a) (misleading communications), *RPC* 8.1(b) (failure to respond to a lawful demand for information from a disciplinary authority), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (engaging in conduct prejudicial to the administration of justice). HoeChin Kim appeared before the Supreme Court for the OAE and respondent, who failed to appear, was pro se. Respondent was previously disciplined: Reprimanded in 2006; reprimanded in 2010; censured in 2011 (also ordered to submit a proctor's name to the OAE); temporarily suspended in 2013 (for failing to submit the name of a proctor); reprimanded in 2014; and suspended for one year in 2015.

LAWRENCE G. TOSI

Disbarred by consent on November 1, 2016 (227 *N.J.* 43) for knowing misappropriation of client funds. Michael J.

Sweeney represented the OAE and Glenn R. Reiser represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

EFTHEMOIS D. VELAHOS

Suspended for six-months on May 26, 2016 (225 *N.J.* 165) following a motion for discipline by consent. Respondent's conduct involved a multitude of ethical violations in mortgage modification matters in violation of *RPC* 1.15(a) (commingling), *RPC* 1.15(d) (recordkeeping), *RPC* 1.16(a)(1) (failure to withdraw from representation), *RPC* 5.3 (failure to supervise), *RPC* 5.5(a)(1) (practicing while administratively ineligible) *RPC* 5.5 (unauthorized practice of law), *RPC* 7.1, 7.3, 7.4, 7.5 (false or misleading advertising), *RPC* 8.1 (misrepresentation to disciplinary authorities), *RPC* 8.4(b) (commit a criminal act), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation); *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Respondent was previously disciplined: Censured in 2014. Jason D. Saunders handled the matter for the OAE and respondent was represented by Teri Lodge.

MICHAEL J. VOLLBRECHT

Reprimanded on March 9, 2016 (224 *N.J.* 273), for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 3.2 (failure to expedite litigation), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Timothy J. McNamara represented the OAE and Respondent was pro se.

DONALD E. WARREN

Suspended for three months on December 5, 2016, effective January 6, 2017 (227 *N.J.* 226), for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.7(a)(2) and *RPC* 1.8(a) (conflict of interest). Timothy J. McNamara represented the OAE and Antonio J. Toto represented respondent on a motion for discipline by consent granted by the Disciplinary Review Board.

JOHN L. WEICHSEL

Suspended for three months, effective December 16, 2016 (227 *N.J.* 141), for failing to safeguard funds, failing to comply with recordkeeping requirements of R. 1:21-6, failing to supervise a non-lawyer employee and knowingly making a false statement of material fact in connection with a disciplinary matter. Christina Blunda Kennedy appeared before the DRB for the OAE and Edward S. Zizmor represented the respondent. The respondent was previously disciplined: Admonished in 2010 and reprimanded in 2012.

ROGER J. WEIL

Disbarred on March 9, 2016 (224 *N.J.* 269) for knowing misappropriation of escrow funds by using them for purposes unrelated to the escrow and without the owner's knowledge or permission, failure to promptly turn over funds, knowingly making a false statement of material fact, and conduct involving dishonesty, fraud, deceit or misrepresentation and the principles of In re Hollendonner, 102 *N.J.* 21 (1985). . Christina Blunda Kennedy appeared before the Supreme Court for the OAE and Gerard E. Hanlon appeared for respondent.

WALTER N. WILSON

Disbarred on a certified record on November 17, 2016 (227 *N.J.* 140), for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.8(a) (improper business transaction with a client), *RPC* 1.15(a) (knowing misappropriation), *RPC* 8.1(b) and Rule 1:20-3(g)(3) (failure to cooperate with disciplinary authorities), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and the principles of In re Hollendonner, 102 *N.J.* 21 (1985), and In re Wilson, 81 *N.J.* 451 (1979). Reid Adler represented the OAE and respondent appeared pro se. Respondent was previously admonished in 2015.

THOMAS M. WOLFE

Reprimanded on November 4, 2016 (227 *N.J.* 54) for failing to respond to the client's reasonable requests for information and about the status of the matter and failing to take the steps to the extent reasonably necessary to permit the client to make informed decisions regarding the representation. Risa A. Kleiner appeared before the DRB for District VIII and Pamela Lynn Brause represented respondent. Respondent was previously admonished in 2013.

ANDREY V. ZIELYK

Censured on a certified record on September 8, 2016 (226 *N.J.* 472) for violating *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) and Rule 1:20-3(g)(3). Michael J. Sweeney represented the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 2013; censured in 2015; and temporarily suspended in 2015.

Carl G. Zoecklein - Admonished on September 22, 2016 (*Unreported*) for violating *RPC* 1.3 (diligence); *RPC* 1.4(b) (inadequate communication with a client); and *RPC* 8.1(b) (failure to cooperate with an ethics investigation) by neglecting a client matter in a real estate dispute and not initially

responding to requests for information from the investigator. Charles R. Cohen represented District IIA on the disciplinary stipulation and Salvatore T. Alfano represented respondent.

2015

ARNOLD M. ABRAMOWITZ

Suspended for one year on a certified record effective April 13, 2015 (220 *N.J.* 589) for violating *RPC* 1.1(b) (pattern of neglect), *RPC* 1.4(b) (failure to communicate with client), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Andrea L. Alexander represented District VB and respondent was pro se. The respondent was previously disciplined: Admonished in 1995, 1996 and 1997, reprimanded in 2008, and suspended for three months in 2009.

EVANS C. AGRAPIDIS

Reprimanded on March 26, 2015 (221 *N.J.* 64) for failing to promptly deliver funds to a client or third party. The OAE's random audit revealed that $114,624 remained on deposit in respondent's trust account, representing eighty client trust balances that lay dormant in the firm's trust account for periods of five to fourteen years. Almost all of the balances were undisbursed proceeds from personal injury cases handled by respondent. Maureen G. Bauman represented the OAE before the DRB and Alan L. Zegas represented respondent. The respondent was previously disciplined: Reprimand in 2006. This matter was discovered solely as a result of the Random Audit Program.

ANNETTE P. ALFANO

Admonished on May 27, 2015 (*Unreported*) for improper release of escrow funds in a cancelled real estate transaction. Melissa A. Czartoryski represented the OAE and the respondent was pro se.

JOHN CHARLES ALLEN

Censured on May 6, 2015 (221 *N.J.* 298) for violating *RPC* 1.1(a), *RPC* 1.3, *RPC* 1.4(b), *RPC* 8.4(a), and *RPC* 8.4(d). Timothy Little appeared before the DRB on behalf of the District VIII Ethics Committee and the respondent appeared pro se. The respondent was previously disciplined: Admonished in 2005.

DOUGLAS R. ARNTSEN

Disbarred on March 6, 2015 (220 *N.J.* 585) following his guilty plea in New York State Court to three counts of first-degree grand larceny, in violation of NY Penal Law §155.40(2) and one count of first-degree scheme to defraud, in violation of NY Penal Law §190.65(1)(b). The Court determined that respondent's criminal conduct equated to the knowing misappropriation of funds and that disbarment was required in accord with the principles of In re Wilson, 81 N.J. 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985). Hillary Horton represented the OAE on the motion for final discipline and respondent was pro se.

WAYNE ANTONIO AUTRY

Reprimanded on a certified record on July 2, 2015 (222 *N.J.* 5) for recordkeeping violations and failure to respond to a lawful demand for information from a disciplinary authority. The case resulted from respondent's failure to comply with the conditions required by a February 27, 2013 Agreement in Lieu of Discipline ("AILOD"). The AILOD required respondent to attend in-person a course on trust and business accounting by a certain date. Respondent instead listened to an audio recording of an accounting course. Additionally, respondent applied for CLE credit for the course when the AILOD forbid such credit. Respondent failed to take corrective action and respond to the disciplinary authorities. Missy Urban represented the OAE and respondent was pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

CONSTANTINE BARDIS

Reprimanded on January 22, 2015 (220 *N.J.* 340) for commingling of client and personal funds in the trust account and recordkeeping deficiencies. Melissa A. Czartoryski handled the matter for the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 2012. This matter was discovered as a result of the Trust Overdraft Notification Program.

JENNIFER L. BARRINGER

Reprimanded on a certified record on July 21, 2015 (222 *N.J.* 32) for violating Rule 1:20-6, *RPC* 1.15(d) (recordkeeping violations), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Temporarily suspended as of May 15, 2014, respondent is to remain suspended pending submission of proof to the OAE that she properly maintains all required New Jersey bank accounts and client records. HoeChin Kim represented the OAE, and respondent was pro se. This matter was discovered as a result of the Trust Overdraft Notification Program.

EDWARD R. BASSETTI

Censured on September 25, 2015 (223 *N.J.* 239) relating to a real estate matter for lack of diligence in violation of *RPC 1.3*, failure to communicate with client in violation of *RPC 1.4 (b),* failure to promptly disburse funds in violation of *RPC 1.15 (b)* and recordkeeping deficiencies in violation of *RPC 1.15 (d).* Maureen G. Bauman represented the OAE. Respondent was represented by Adam Adrignolo on the motion for discipline by consent. The respondent was previously disciplined: Reprimanded in 2013.

DAVID M. BECKERMAN

Censured on September 28, 2015 (220 *N.J.* 215) for engaging in conduct in violation of *RPC* 3.2 (failing to treat with courtesy and consideration all persons involved in the legal process) and *RPC* 3.4 (threatening to present criminal charges to obtain an improper advantage in a civil matter). Philip B. Vinick handled the matter for the District VC Ethics Committee and respondent was pro se. Respondent was previously disciplined: Admonished in 2014.

VINCENT E. BEVACQUA

Suspended for three months on December 9, 2015, effective January 7, 2016, (223 *N.J.* 407) for violating *RPC* 4.1(a)(1) (false statement of material fact to a third person) and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). David M. Puteska represented District VA and Thomas R. Ashley represented respondent. The respondent was previously disciplined: Reprimanded in 2002; suspended for six months and then suspended for an additional three years in 2004.

ADAM K. BLOCK

Suspended for six months on a certified record on September 10, 2015 (222 *N.J.* 609) for gross neglect, lack of diligence, failure to communicate with the client, practicing while ineligible and failure to cooperate with disciplinary authorities. Richard M. Cohen appeared before the DRB for the District XII Ethics Committee and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2013, and censured twice in 2014.

THOMAS A. BLUMENTHAL

Censured on July 15, 2015 (222 *N.J.* 25) for violating RPC 1.7(a), by representing both the buyer and the seller in a real estate transaction, without disclosure of the conflict and without obtaining the written consent of both parties. In addition, respondent stonewalled the discovery requests made by grievant's attorney in a malpractice action related to the real estate transaction. Adam Schwartz appeared before the DRB on behalf of the District IIB Ethics Committee. Respondent waived appearance for oral argument

CAROLE KING BOYD

Reprimanded on May 21, 2015 (221 *N.J.* 482) for violating *RPC 1.16 (d)* (failure to take reasonable steps to protect the interests of a client on termination of representation). Maureen G. Bauman represented the OAE and respondent was pro se. Respondent was previously disciplined: Temporarily suspended in 2011.

TERENCE S. BRADY

Suspended for one year on January 14, 2015 (220 *N.J.* 212) for violating *RPC* 5.5(a)(1) and Rule 1:20-16 (unauthorized practice of law), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Jason D. Saunders represented the OAE and respondent was represented by John P. Yetman, Jr., Esq. Respondent was previously disciplined: Suspended for three months in 2011.

JOSE N. CAMERON

Reprimanded on March 30, 2015 (221 *N.J.* 238*)* for recordkeeping deficiencies and negligent misappropriation of client funds. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent appeared pro se. Respondent was previously disciplined: Admonished in 2007. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

GEORGE B. CAMPEN

Disbarred by consent on November 19, 2015 (223 *N.J.* 360) for instances of knowing misappropriation that occurred in 2014 and 2015. Michael J. Sweeney represented the OAE and Robert E. Margulies represented the respondent. This matter was discovered solely as a result of the Random Audit Program.

V. JAMES CASTIGLIA

Reprimanded on March 2, 2015 (220 *N.J.* 582) for violating *RPC* 1.2(a) (failure to abide by a client's decisions concerning the scope and objectives of the representation). Michael Justice represented District XB and Respondent was pro se on a motion for discipline by consent granted by the Disciplinary Review Board. Respondent was previously disciplined: Admonished in 1997; reprimanded in 1999 and 2009.

ANNE P. CATALINE

Respondent was suspended for two years on September 28, 2015 (223 *N.J.* 269), on a certified record from the District IIIB Ethics Committee. Respondent's conduct was in violation of *RPC* 1.1(a). *RPC* 1.4(b), *RPC* 1.15(a) and *RPC* 8.1(b) Respondent was previously reprimanded in 2014 for similar violations of *RPC* 1.1(a). *RPC* 1.4(b), *RPC* 1.3 and *RPC* 8.1(b). Yasmeen Khaleel handled the matter for District IIIB and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2014.

JOHN E. CERZA

Reprimanded on January 15, 2015 (220 *N.J.* 215) for violating *RPC* 1.15(b) (failure to promptly deliver funds to a client), *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Timothy J. McNamara represented the OAE and Salvatore T. Alfano represented respondent. Respondent was previously disciplined: Admonished in 2010.

FRANCIS X. CONNOLLY

Disbarred by consent on October 19, 2015 (223 *N.J.* 288*)* for knowing misappropriation of funds from estates for which he served as executor. Steven J. Zweig represented the OAE and Edward J. Dimon represented respondent.

JOHN L. CONROY, JR.

Admonished on October 16, 2015 *(Unreported)* for neglect of a client matter, failure to communicate with the client and failure to provide him with a writing setting forth the basis or rate of the fee. Gilbert J. Scutti represented the District IV Ethics Committee on a Motion for Discipline by Consent and the respondent was pro se.

JORGE CRUZ

Reprimanded on April 1, 2015 (221 *N.J.* 257) for engaging in a conflict of interest by drafting a lease for a landlord and later representing the tenant without obtaining their written consent to the dual representation. Further, respondent prepared an application and affidavit for the transfer of a liquor license and failed to disclose to the ABC that the beneficiary of the transaction had an interest in two other liquor licenses. In doing so, respondent engaged in conduct involving dishonesty, fraud or deceit and misrepresentation. Maureen G. Bauman represented the OAE and Raymond Londa represented the respondent.

CHARLES M. DAMIAN

Admonished on May 27, 2015 (*Unreported*) for filing a defective complaint in a foreclosure action, failing to cure the deficiencies despite court notification, and taking no action to vacate the dismissal after it occurred in May 2013. The respondent also failed to inform his client that he failed to amend the original complaint, that the complaint was dismissed, that it had not been reinstated and that he never filed a new complaint on their behalf. Robert J. Rohrberger represented District VC and Catherine Mary Brown represented the respondent on a motion for discipline by consent.

MICHAEL COREY DAWSON

Admonished on October 20, 2015 *(Unreported)* for failing to reply to repeated requests for information from the DEC investigator regarding his representation of a client in three criminal defense matters, in violation of *RPC* 8.1(b). Berge Tumaian represented the District IIIB Ethics Committee and respondent was pro se.

SHANE C. DE LEON

Disbarred by consent on February 25, 2015 (220 *N.J.* 568) for the knowing misappropriation of client escrow funds. Jason D. Saunders represented the OAE and James N. Barletti represented respondent.

RICHARD MARIO DELUCA

Admonished on March 9, 2015 (*Unreported*) for commingling personal and trust funds in his attorney trust account, in violation of *RPC* 1.15(a). Michael J. Sweeney represented the OAE and John McGill III represented the respondent. This matter was discovered as a result of the Trust Overdraft Notification program.

DAVID WARREN DENENBERG

Disbarred by consent on February 25, 2015 (220 *N.J.* 566) following his guilty plea in United States District Court, Eastern District of New York to eight counts of mail fraud, in violation of 18 U.S.C. §1341, §1342, and §3551. Hillary Horton represented the OAE before the Supreme Court and Steven M. Lester represented the respondent. The respondent was previously disciplined: Reprimanded in 2007.

PAUL D. DIGIACOMO

Disbarred by consent on January 5, 2015 (220 *N.J.* 113) for the knowing misappropriation of escrow and/or law firm funds. Jason D. Saunders represented the OAE and Martin D. Eagan represented respondent.

ANDREW WILLIAM DWYER

Reprimanded by consent on September 25, 2015 (223 *N.J.* 240) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), and *RPC* 8.4(c) (conduct involving dishonesty, deceit or misrepresentation). Richard Bernstein represented District VA and respondent was pro se.

ALLAN P. DZWILEWSKI

Reprimanded on March 27, 2015, (221 *N.J.* 212) for violating *RPC* 1.2(a), *RPC* 1.4(b) and *RPC* 1.4(c). Douglas Ehrenworth represented District XA and respondent was pro se on a motion for discipline by consent granted by the DRB. Respondent was previously disciplined: Reprimanded in 2007.

HERBERT R. EZOR

Suspended for three months on a certified record on July 2, 2015 (222 *N.J.* 8) for using his trust account as a personal account, practicing law while ineligible, failing to cooperate with disciplinary authorities, engaging in conduct involving dishonesty, fraud, deceit or misrepresentation), and engaging in conduct prejudicial to the administration of justice. Christina Blunda Kennedy appeared before the DRB for the OAE and the respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2001. This matter was discovered as a result of the Trust Overdraft Notification Program.

THOMAS A. FEE

Disbarred by consent on January 22, 2015 (220 *N.J.* 342) for utilizing the power of attorney he held for his aunt, and subsequently his authority as executor of her estate, to take funds of more than $73,000 from her bank accounts for his own personal use and utilizing his aunt's credit card to purchase more than $7,700 of goods and services for his own use and taking funds from his aunt's bank account to pay the credit card bills. Missy Urban represented the OAE and Orlando Torres, Jr. represented the respondent.

ERIC A. FELDHAKE

Censured on June 4, 2015 (222 *N.J.* 10) for violating *RPC* 1.4(d) (failure to advise client that assistance client seeks is prohibited by *Rules of Professional Conduct*), *RPC* 4.4(a) (conduct that has no substantial purpose other than to embarrass, delay, or burden third person or use of methods to obtain evidence that violates legal rights of such person), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Daniel Q. Harrington appeared before the DRB for District IV and David H. Dugan, III represented respondent.

NICHOLAS FITZGERALD

Reprimanded on February 27, 2015 (220 *N.J.* 570) for violating *RPC* 1.17(c)(2) (failure to timely notify clients of the sale of the attorney's law practice, at least sixty days prior to the actual transfer of the law practice); *RPC* 1.17(c)(3) (failure, as purchasing attorney of a law practice, to publish a notice of the transfer in the New Jersey Law Journal, at least thirty days in advance of the transfer date; *RPC* 1.17 (d) (improperly charging additional fees upon the sale of a law practice); and *RPC* 8.4(a) (violating the RPCs through the acts of another). Michael J. Sweeney represented the OAE and Glenn Reiser represented respondent.

DANIEL J. FOX

Suspended for one year on April 23, 2015, effective February 1, 2010 (221 *N.J.* 263) following his guilty plea in United States District Court for the District of New Jersey to one-count of making a false, fictitious and fraudulent statement to the Department of Housing and Urban Development, in violation of 18 U.S.C. §1001. Hillary Horton represented the OAE on a motion for final discipline and Ronald C. Hunt represented respondent. The respondent was previously disciplined: Censured in 2012.

VINCENT JOSEPH GAUGHAN

Admonished on July 2, 2015 *(Unreported)* for failing to cooperate with a disciplinary investigation. Stephen Traub handled the matter for the District IIIB Ethics Committee and respondent was pro se.

ERYK A. GAZDZINSKI

Reprimanded on January 15, 2015 (220 *N.J.* 218) for not having a fee agreement with his client in a civil family action, in violation of *RPC* 1.5(b), failing to provide his entire file to the ethics investigator, in violation of *RPC* 8.1(b), and entering into an agreement to dismiss the ethics grievance in exchange for a resolution of a fee arbitration matter, in violation of *RPC* 8.4(d). Anne T. Picker appeared before the DRB for District IV and David H. Dugan, III appeared for

respondent.

ELIZABETH A. GLASSER

Censured on a certified record on July 15, 2015 (222 *N.J.* 26) for gross neglect, lack of diligence, failure to adequately communicate with the client, failure to memorialize the rate or basis of the fee, failure to refund an unearned retainer, failure to return the file on termination of the representation, practicing while ineligible, and failure to cooperate with disciplinary authorities. Karen E. Bezner appeared before the DRB for the District XII Ethics Committee and respondent failed to appear.

MARTIN A. GLEASON

Admonished on a certified record on February 3, 2015 (*Unreported*) for failing to inform his client on two occasions that the client's land use application had been deemed deficient by the local planning board. The respondent also failed to cooperate with the District XIII Ethics Committee. John C. Macce represented District XIII and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2011.

ADAM ROBERT GLINN

Disbarred by consent on October 28, 2015 (223 *N.J.* 344) for knowing misappropriation of approximately $260,000 in client funds. Michael J. Sweeney represented the OAE and Fredrick J. Dennehy represented the respondent. This matter was discovered solely as a result of the Random Audit Program.

RAYMOND GOODWIN

Censured on a certified record on February 12, 2015 (220 *N.J.* 487) for failing to comply with a New Jersey Supreme Court Order that required the respondent to file an affidavit of compliance for suspended or disbarred attorneys in accordance with R.1:20-20, in violation of *RPC* 8.4(d), and failing to cooperate with disciplinary authorities, in violation of *RPC* 8.1(b). Jason D. Saunders represented the OAE and respondent was pro se. The respondent was previously disciplined: Suspended in 2011 and reprimanded in 2010.

LEE A. GOTTESMAN

Suspended for three years, retroactive to May 13, 2013, (222 *N.J.* 28) following his conviction in the United States District Court for the District of New Jersey to tax evasion, in violation of 26 U.S.C. § 7201, and willful failure to pay payroll taxes, in violation of 26 U.S.C. § 7202. Respondent failed to pay his own income taxes and also collected payroll tax from his employees while failing to turn it over to the IRS. Hillary Horton represented the OAE on a motion for final discipline and Salvatore T. Alfano represented respondent. The respondent was previously disciplined: Censured in 2005.

JEFFREY R. GROW

Censured on October 23, 2015 (223 *N.J.* 342) for violating *RPC* 1.16(b) (improper withdrawal from the representation of the client), *RPC* 1.16 (c) (failure to comply with applicable law requiring notice to or permission of a tribunal when terminating the representation), *RPC* 1.16 (d) (failure to protect his client's interests, upon termination of the representation), *RPC* 5.5(a) (1) (practicing law while ineligible), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Michael C. Gaus represented District XB and respondent was pro se on a motion for discipline by consent granted by the DRB. Respondent was previously disciplined: Admonished in 2011.

MICHAEL D. HALBFISH

Disbarred on a certified record on February 4, 2015 (220 *N.J.* 463) for misconduct in five matters in which he violated *RPC* 1.1(a) gross neglect, *RPC* 1.1(b) pattern of neglect, *RPC* 1.3 lack of diligence, *RPC* 1.4(b) failure to keep his clients apprised of the status of their cases, and *RPC* 8.1(b) failure to comply with reasonable requests for information from a disciplinary authority. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent had previously been disciplined: Censured in 2010 and 2011, and suspended for six months in 2013.

FRANK J. HANCOCK

Suspended for six months on April 7, 2015, retroactive to September 24, 2008 (221 *N.J.* 259) for assisting a disbarred lawyer in the unauthorized practice of law in New York, in violation of *RPC* 5.5(a)(2); failing to utilize a written fee agreement, in violation of *RPC* 1.5(b); and conduct involving dishonesty, fraud, deceit or misrepresentation, in violation of *RPC* 8.4(c). Hillary Horton represented the OAE before the DRB on a motion for reciprocal discipline and respondent failed to appear.

STEPHANIE A. HAND

Admonished on January 20, 2015 (*Unreported*) for failing to communicate with her client about the status of his case, failing to inform her client that an unfavorable arbitrator's decision was not appealable, and failing to notify her client that she could not file a complaint on his behalf. She also failed to act with diligence in the representation of her client. Elizabeth

D. Silver represented District VA and John McGill III represented respondent.

RICHARD S. HANLON

Disbarred by consent on March 4, 2015 (220 *N.J.* 584) after pleading guilty to theft of his client's funds under Hudson County Indictment No. 1222-07-2014 in violation of N.J.S.A. 2C:20-3. Jason D. Saunders represented the OAE and Chanel Hudson represented respondent. The respondent was previously disciplined: Suspended for three months in 1997.

EDWARD HARRINGTON HEYBURN

Censured on June 18, 2015 (221 *N.J.* 631) for gross neglect, lack of diligence, failure to communicate with a client, and misrepresentation to a client he was representing in a nursing home malpractice/wrongful death case. Robert W. Rubinstein represented District VII and respondent was pro se. The Respondent was previously disciplined: Censured in 2013.

JOHN JOSEPH HUTT

Admonished on May 27, 2015 *(Unreported)* for his handling of a personal injury case in which he failed to resolve outstanding medical liens for more than one year, a violation of *RPC* 1.3. This lack of diligence, in turn, caused respondent to fail to promptly deliver funds to third parties, the medical providers and lienholders, a violation of *RPC* 1.15(b). Further, respondent failed to reply to inquiries from the client about the settlement of these liens, a violation of *RPC* 1.4(b). Maureen G. Bauman represented the OAE and respondent was pro se on a motion for discipline by consent.

LAWRENCE J. JASKOT

Disbarred by consent on January 7, 2015, (220 *N.J.* 189) for knowingly misappropriating clients' trust funds. Christina Blunda Kennedy represented the OAE and Raymond Flood represented the respondent.

JOSUE JEAN BAPTISTE

Admonished on September 21, 2015 *(Unreported)* for failing to keep his client reasonably informed about the status of a case, failing to promptly comply with the client's reasonable requests for information, and grossly neglecting the matter. Robert J. Logan represented the District XII Ethics Committee and respondent appeared pro se.

DARYLL B. JONES

Suspended for five years on June 26, 2015, retroactive to May 1, 2008 (222 *N.J.* 301) for failing to safeguard client funds and recordkeeping violations in relation to his almost total abdication of recordkeeping responsibility in his New York law practice. The court also barred respondent from applying for reinstatement in New Jersey prior to reinstatement in New York, required that he complete fifteen hours of courses in trust accounting prior to reinstatement, and that he submit to financial monitoring for two years following reinstatement. Hillary Horton represented the OAE before the DRB on a motion for reciprocal discipline and respondent was pro se.

PATRICK JUDGE, JR.

Disbarred by consent on July 31, 2015 (222 *N.J.* 437) for knowingly misappropriating client and law firm funds. Christina Blunda Kennedy represented the OAE and Carl Poplar represented respondent. This matter was discovered as a result of the Trust Overdraft Notification Program.

RACHEL DALE KAPLAN

Suspended for three months on December 9, 2015 retroactive to May 7, 2012 (223 *N.J.* 399) for gross neglect, lack of diligence, failure to keep a client adequately informed, failure to turn over a client file and failure to cooperate with disciplinary authorities. These violations arose in connection with the representation of three clients in divorce and adoption matters. Christopher J. Koller appeared before the DRB for District IIB and David H. Dugan III represented respondent. Respondent was previously disciplined: Suspended for three months in 2012.

DANIEL B. KELLEY

Disbarred on December 2, 2015 (223 *N.J.* 394) for violating *RPC* 1.15(a) (failure to safeguard funds), *RPC* 1.15(b) (failure to promptly deliver funds to a client or third person), *RPC* 1.15(d) and Rule 1:21-6 (recordkeeping violations), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation), and the principles of In re Wilson, 81 *N.J.* 451 (1979) and In re Hollendonner, 102 *N.J.* 21 (1985). Timothy J. McNamara represented the OAE and respondent failed to appear. This matter was discovered as a result of the Trust Overdraft Notification Program.

DANIEL DONK-MIN KIM

Suspended for six months effective July 31, 2015 (222 *N.J.* 3) for failing to comply with recordkeeping rules. Maureen G. Bauman represented the OAE and Frederick J.

Dennehy represented respondent.

YOUNG MIN KIM

Censured on a certified record on May 20, 2015 (221 *N.J.* 438) for failure to cooperate with disciplinary authorities and failure to file an answer to the disciplinary complaint. Michael J. Sweeney represented the OAE and respondent was pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

STEPHEN P. KINNARD

Censured on a certified record on February 12, 2015 (220 *N.J.* 488) for failing to comply with a New Jersey Supreme Court Order that required the respondent to file an affidavit of compliance for suspended or disbarred attorneys in accordance with R.1:20-20, in violation of *RPC* 8.4(d), and failing to cooperate with disciplinary authorities, in violation of *RPC* 8.1(b). Jason D. Saunders represented the OAE and respondent was pro se. The respondent was previously disciplined: Suspended in 2012 and admonished in 2008.

JOHN G. KOUFOS

Disbarred on February 24, 2015 (209 *N.J.* 592) following his guilty plea in the Superior Court of New Jersey to hindering apprehension or prosecution (second degree), knowingly leaving the scene of a motor vehicle accident resulting in serious bodily injury (third degree), and witness tampering (third degree), conduct that violates *RPC* 8.4(b) (commission of a criminal act that reflects adversely on his honesty, trustworthiness or fitness as a lawyer). Timothy J. McNamara represented the OAE and Timothy M. Donohue represented respondent.

RICHARD J. KWASNY

Disbarred on December 7, 2015 (223 *N.J.* 397) for knowing misappropriation of client funds in multiple client matters. Hillary Horton appeared before the DRB on a motion for reciprocal discipline and respondent was pro se.

DANIELLE LEONARD

Reprimanded on July 15, 2015 (222 *N.J.* 21) for gross neglect, lack of diligence, failure to communicate with the client, failure to promptly deliver to the client property that the client is entitled to receive, failure to cooperate with disciplinary authorities and conduct involving dishonesty, fraud, deceit or misrepresentation. Evelyn Hartmann appeared before the DRB for the District VIII Ethics Committee and the respondent appeared pro se.

ESTELLE FLYNN LORD

Reprimanded on January 15, 2015 (220 *N.J.* 339) for revealing confidential information relating to the representation of a client, engaging in a concurrent conflict of interest by sending a pre-action (fee litigation) letter to current clients and improperly terminating representation. Carl Louis Peer appeared before the DRB for District XII and Catherine Mary Brown appeared on behalf of respondent.

JOSEPH J. LOWENSTEIN

Suspended for three months effective April 25, 2010, the date of the expiration of his 2012 suspension (221 *N.J.* 264) for gross neglect, lack of diligence and failing to adequately communicate with his clients, and conduct prejudicial to the administration of justice. The DRB required respondent to submit proof of fitness by a mental health professional approved by the OAE prior to reinstatement and supervision by a proctor for a period of two years following his reinstatement. Maureen G. Bauman appeared before the DRB for the OAE and David H. Dugan, III appeared for respondent. The respondent was previously disciplined: Admonished in 2006, reprimanded in 2007, censured in 2008, suspended for three months in 2009, and suspended for an additional three-month term in 2012.

RONALD L. LUEDDEKE

Admonished on March 25, 2015 (*Unreported*) for failing to file a complaint on behalf of a client until four years after accepting representation, constituting a lack of diligence, failure to keep his client informed, and failure to comply with his client's reasonable requests for information. Scott J. Basen represented District IX and respondent was pro se.

EDWARD A. MACDUFFIE, JR. A/K/A E. ALLEN MACDUFFIE, JR.

Suspended for three months on a certified record on March 26, 2015 (221 *N.J.* 209) for failure to abide by his client's decisions concerning the scope and objectives of the representation and consult with his client about the means to pursue them; failure to communicate with his client; and failure to safeguard the property of his client. Maureen G. Bauman represented the OAE. The respondent was previously disciplined: Reprimanded in 2008; reprimanded in 2010; and temporarily suspended in 2014.

EDWARD A. MACDUFFIE, JR., A/K/A E. ALLEN MACDUFFIE, JR.

Disbarred on a certified record on July 1, 2015 (222

N.J. 2) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.8 (a) (improper business transaction with a client), *RPC* 1.15 (a) (knowing misappropriation of client funds), *RPC* 8.1 (a) (knowingly make a false statement of material fact to a disciplinary authority), and *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Maureen G. Bauman appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent was previously disciplined: Reprimanded in 2008; reprimanded in 2010; temporarily suspended in 2014; and suspended for three months in 2015.

JENEL R. MARRACCINI

Reprimanded on June 2, 2015 (221 *N.J.* 487) on a motion for discipline by consent. Respondent filed pre-signed certifications in eviction actions, even after the death of the signer, such that those certifications were not reviewed prior to filing. Upon notice of the same, respondent withdrew all eviction actions containing improper certifications, resulting in an unnecessary effect on judicial resources. Respondent's conduct violated *RPC* 3.3(a) (candor toward the tribunal), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Kristina D. Pasko handled the matter for District VB and respondent was represented by Marc D. Garfinkle.

CONNIE MCGHEE

Censured on May 20, 2015 (221 *N.J.* 439) for gross neglect, lack of diligence, failure to communicate with a client, and failure to keep client reasonably informed about the status of a wrongful death claim. Richard Bernstein represented District VA and John McGill, III represented respondent.

MICHAEL A. MCLAUGHLIN, SR.

Reprimanded on September 28, 2015 (223 *N.J.* 243) following his guilty plea in Morris County Superior Court to operating a motor vehicle while his license was suspended for driving while intoxicated, contrary to N.J.S.A. 2C:40-26(b). Hillary Horton represented the OAE on a motion for final discipline and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2004.

WILLIAM T. MEADOWS

Disbarred by consent on March 23, 2015 (221 *N.J.* 63) for the knowing misappropriation of client funds. Melissa A. Czartoryski represented the OAE and Ross M. Gigliotti, represented respondent. The respondent was previously disciplined: Temporarily suspended in 2014.

SPIRO T. MICHALS

Reprimanded on February 27, 2015 (224 *N.J. 457*) for violating *RPC 1.15(d)* and Rule 1:21-6 by issuing trust account checks to himself or others for personal or business expenses after being previously disciplined for this same conduct. Michael J. Sweeney represented the OAE and the respondent represented himself on a Motion for Discipline by Consent. The respondent was previously disciplined: Admonished in 2005.

HUGO L. MORAS

Suspended for one year on two certified records on February 2, 2015 (220 *N.J.* 351) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 3.3(a)(1) (false statement of material fact to a tribunal), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Cynthia T. McCoy represented District VB and respondent was pro se. The respondent was previously disciplined: Six-month suspension in 1993, reprimand in 1997, reprimand in 2005, and three-month suspension in 2013.

MITCHELL L. MULLEN

Admonished on January 16, 2015 (*Unreported*) for communicating directly with a party represented by counsel on two occasions. Joseph M. Moran represented District IV and Richard F. Klineburger, III represented respondent.

JOHN M. MURRAY

Reprimanded on May 6, 2015 (221 *N.J.* 299) for behaving discourteously towards a judge and repeatedly trying to avoid court appointments and pro bono work in Delaware, in violation of *RPC* 3.2 (engaging in conduct intended to disrupt a tribunal and engaging in undignified and discourteous conduct that is degrading to a tribunal), *RPC* 6.2 (seeking to avoid appointment by a court without good cause), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE on a motion for reciprocal discipline and respondent was pro se.

GEORGE OTLOWSKI

Censured on January 15, 2015 (220 *N.J.* 217) for making a false statement of material fact in connection with a disciplinary matter and conduct involving dishonesty, fraud, deceit or misrepresentation. Christina Blunda Kennedy appeared before the DRB for the OAE and Thomas Quinn appeared on behalf of respondent.

MARC Z. PALFY

Suspended for three months on a certified record on March 26, 2015 (221 *N.J.* 208) for failing to file an affidavit of compliance as required by R. 1:20-20, and in violation of *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE before the DRB and respondent defaulted. The respondent was previously disciplined: Temporarily suspended three times in 2012 for failure to comply with Court orders and censured in 2014.

JOHN J. PALITTO, JR.

Reprimanded on March 31, 2015 (221 *N.J.* 256) for failure to promptly disburse client funds, commingling, recordkeeping violations, and initially failing to cooperate with disciplinary authorities. This matter originated in the Random Audit Program. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Temporarily suspended in 2013.

ADAM S. PRIBULA

Censured on May 20, 2015 (221 *N.J.* 440) for violating *RPC* 1.1 (a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4 (b) (failure to communicate with client), *RPC* 1.5 (b) (failure to memorialize the rate or basis of the fee), *RPC* 1.16 (a) (failure to terminate the representation), *RPC* 3.2 (failure to expedite litigation), *RPC* 8.4 (b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4 (d) (engaging in conduct that is prejudicial to the administration of justice). Adam G. Brief represented District XA and respondent was pro-se.

KSENIA V. PROSKURCHENKO

Censured on a certified record on October 14, 2015 (223 *N.J.* 267) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.16(d) (failure to refund unearned fee on termination of the representation), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities. HoeChin Kim represented the OAE before the Supreme Court, and respondent was represented by Warren J. Martin, Jr.

HOWARD R. RABIN

Reprimanded on October 22, 2015 (223 *N.J.* 291) for violating *RPC* 8.4(c) (conduct involving misrepresentation) in respect to draft surety bonds. Isabel K. McGinty represented the OAE on a motion for discipline by consent, and David H. Dugan, III represented respondent.

JOSEPH RAKOFSKY

Censured on November 4, 2015 (223 *N.J.* 349) for failure to communicate his fee in writing, making false or misleading statements about his qualifications, and a letterhead violation. Missy Urban represented the OAE at the hearing stage, Hillary Horton represented the OAE before the DRB, and Thomas J. Smith, III represented respondent.

BRUCE M. RESNICK

Reprimanded on February 27, 2015 (220 *N.J.* 579) for lack of diligence, failure to communicate, failure to memorialize the rate or basis of the fee, failure to promptly disburse funds to the party entitled to receive them, and for recordkeeping violations. Maureen G. Bauman represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB.

RICHARD P. RINALDO

Censured on October 15, 2015 (223 *N.J.* 287) for exhibiting gross neglect, lack of diligence, failing to communicate with the client and improperly terminating his representation of a client in a personal injury matter. Without the knowledge and consent of his client, respondent sent a Substitution of Attorney to another attorney, who did not sign it. Upon sending the Substitution to the other attorney, respondent ceased working on the client's case, resulting in her case being dismissed with prejudice. Christina Blunda Kennedy appeared before the Supreme Court and Edward J. Kologi appeared for respondent.

MARIA J. RIVERO

Suspended for three months on September 10, 2015, effective October 9, 2015 (222 *N.J.* 573) for violating *RPC* 1.2(d) (counseling or assisting a client in conduct the lawyer knows is illegal, criminal, or fraudulent), *RPC* 1.3 (lack of diligence), *RPC* 1.7(a) (conflict of interest), *RPC* 1.5(b) (failure to set forth, in writing, the basis or rate of the fee), *RPC* 1.15(a) and (b) (failure to safeguard funds), and *RPC* 8.4(c) (conduct involving fraud, deceit or misrepresentation). Timothy J. McNamara represented the Office of Attorney Ethics and Mark M. Tallmadge represented respondent.

SPENCER B. ROBBINS

Admonished on February 25, 2015 (*Unreported*) for failing to respond to the ethics investigator's repeated requests for information. Carlos Diaz-Cobo represented District VIII and the respondent was pro se. The respondent was previously

disciplined: Admonished in 2004.

RICHARD M. ROBERTS

Suspended for three months on November 4, 2015, effective December 4, 2015, (223 *N.J.* 347) for violating *RPC* 1.16(d) (failure to return unearned fee retainer on termination of the representation) and *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority). Thomas S. Cosma represented District VA and respondent was represented by Robert J. Brass.

CHERI S. WILLIAMS ROBINSON

Reprimanded on a certified record on October 21, 2015 (223 *N.J.* 289) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) in a mortgage foreclosure action. Michael J. Silvanio represented District IV and respondent was pro se.

MICHAEL A. ROWEK

Suspended for one year on January 30, 2015 (220 *N.J.* 348) following his guilty plea in New Jersey Superior Court to one count each of third-degree unlawful possession of a prescription legend drug (Vicodin), contrary to N.J.S.A. 2C:35-10a(3); third-degree unlawful possession of a controlled dangerous substance (GBL), contrary to N.J.S.A. 2C:35-10a(1); third-degree unlawful possession of a controlled dangerous substance (Percocet), contrary to N.J.S.A. 2C:35-10a(1); fourth-degree possession of a device to defraud the administration of a drug test, contrary to N.J.S.A. 2C:36-10e; and driving while under the influence (GBL), contrary to N.J.S.A. 39:4-50. Hillary Horton represented the OAE on a motion for final discipline and David H. Dugan, III represented respondent.

DANIEL ROY

Reprimanded on July 2, 2015 (222 *N.J.* 361) for engaging in conduct involving violations of *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), and *RPC* 1.7(a)(2) (conflict of interest). Jason D. Saunders handled the matter for the Office of Attorney Ethics and respondent was pro se.

MARK RUFFOLO

Reprimanded on February 3, 2015 (220 *N.J.* 353) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) and (c) (failure to communicate with the client), and *RPC* 8.4(c) (conduct that involves dishonesty, deceit or misrepresentation). Steven P. Ross represented District IIA on the motion for discipline by consent and respondent was pro se.

LAWRENCE B. SACHS

Reprimanded on September 28, 2015 (223 *N.J.* 241). Respondent's conduct violated *RPC* 1.4(b). *RPC* 1.3, and *RPC* 1.1(a) in connection with a real estate transaction. Jason D. Saunders handled the matter for the OAE and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2009.

ELAINE T. SAINT-CYR

Suspended for two years on a certified record on July 2, 2015 (222 *N.J.* 6) for violating *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Timothy J. McNamara represented the Office of Attorney Ethics and respondent did not appear. The respondent was previously disciplined: Temporarily suspended in 2010; censured and suspended for two years in 2012.

STEVEN H. SALAMI

Admonished on May 27, 2015 *(Unreported)* for his conduct while representing a client in a litigation matter. Specifically, respondent obtained an order permitting his client to file an answer within a specified time period. Although respondent submitted the answer timely, he failed to enclose the proper filing fee. He then submitted the correct fee, but did not do so timely and the answer was rejected. Despite his knowledge that the answer had been rejected, he did not file a motion or contact the court seeking relief, in violation of *RPC* 1.1(a), 1.3 and 8.4(a). Marcy Mackolin represented the District IX Ethics Committee and Marta Natasza Kozlowska represented respondent.

ERIC SALZMAN

Admonished on May 27, 2015 (*Unreported*) for several recordkeeping violations including failure to maintain trust or business receipts journals or client ledger cards, making disbursements from the trust account against uncollected funds, making cash withdrawals from the trust account, failing to properly designate the trust account, and failing to maintain a business account. Jason D. Saunders represented the OAE and Frederick D. Miceli represented respondent. This matter was discovered as a result of the Trust Overdraft Notification Program.

STEVEN E. SAVAGE

Suspended for two years on three certified records on April 29, 2015 (221 *N.J.* 295*)* for numerous violations in three separate matters, including *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter or to promptly comply with reasonable requests for information), *RPC* 1.5(b) (failure to provide a client with a writing setting forth the basis or rate of the fee), *RPC* 1.15(a) (failure to hold property of a client in connection with a representation separate from the lawyer's own property), *RPC* 1.15(d) (recordkeeping violations), *RPC* 5.5(a)(1) (practicing while ineligible), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Pursuant to *In re Kivler*, 193 *N.J.* 332 (2008), the Court enhanced the DRB-recommended sanction of a one-year suspension to a two-year suspension for respondent's unexcused failure to comply with the Court's Order to Show Cause. HoeChin Kim represented the OAE before the Supreme Court, and respondent failed to appear. Respondent was previously disciplined: Suspended for three months in 2013.

ROBERT S. SEGUIN

Disbarred by consent on January 6, 2015 (220 *N.J.* 187) for knowing misappropriation of client funds from his attorney trust account. HoeChin Kim represented the OAE and James M. Curran represented respondent. This matter was discovered solely as a result of the Random Audit Program.

MICHAEL R. SENICK

Disbarred by consent on November 19, 2015 (223 *N.J.* 344) following his conviction in the United States District Court for the District of New Jersey of one count of bank fraud, contrary to 18 U.S.C. §1344, and his conviction in the Superior Court of New Jersey, Essex County, of one charge of applying or disposing of property entrusted to respondent in a manner he knew was unlawful and involved a substantial risk of loss or detriment to the owner, contrary to N.J.S.A. 2C:21-15. Michael J. Sweeney represented the OAE and Salvatore R. Alfano represented respondent.

JOEL F. SHAPIRO

Reprimanded on January 15, 2015 (220 *N.J.* 216) for violating *RPC* 1.3 (lack of diligence) and *RPC* 1.4(b) (failure to communicate with the client). Respondent was previously reprimanded in 2001 and admonished in 1997. Michael J. Rogers represented District XIII and respondent was pro-se. Respondent was previously disciplined: Admonished in 1997 and reprimanded in 2001.

PAULINE E. SICA

Suspended for one year on July 15, 2015, effective March 12, 2014 (222 *N.J.* 23) for violating *RPC* 8.4(b) (commission of a criminal act), *RPC* 8.4(c) conduct involving dishonesty, fraud, deceit or misrepresentation, and *RPC* 8.4 (d) (conduct prejudicial to the administration of justice). Jason D. Saunders represented the OAE and respondent defaulted. Respondent was previously temporarily suspended for failing to cooperate with the OAE in 2014.

A.B. STEIG A/K/A A. BRET STEIG

Disbarred by consent on July 9, 2015 (222 *N.J.* 20), respondent acknowledged that he was aware that the OAE had two pending investigations against him pertaining to the knowing misappropriation of client trust funds, and that if he went to a hearing on those matters, he could not successfully defend himself against those charges. Timothy J. McNamara represented the OAE and Marc. D. Garfinkle represented respondent. The respondent was previously disciplined: Admonished in 2011 and 2013.

NEIL STERNSTEIN

Admonished by consent on December 16, 2015 *(Unreported)* for failing to inform a client of receipt of his settlement funds and for failing to deposit those funds into his Attorney Trust Account. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Suspended for three months in 1995 and suspended for two years in 1995.

ARTHUR E. SWIDLER

Suspended indefinitely on a certified record, effective immediately (221 *N.J.* 62) for violations of *RPC* 8.1(b) (failure to reply to a lawful demand for information from a disciplinary authority), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice), until respondent can provide proof of his compliance with R. 1:20-20. Hillary Horton argued the case before the Supreme Court and respondent failed to appear on the Order to Show Cause. The respondent was previously disciplined: Reprimanded in 2007; temporarily suspended for less than a month in 2009; suspended for three months in 2010; suspended for six months in 2011; and suspended for three months in 2012.

JOSEPH J. TALAFOUS, JR.

Disbarred by consent on July 13, 2015 (222 *N.J.* 127) for knowingly misappropriating client funds to be held in trust for a minor, as well as funds belonging to an estate, and other unethical conduct. Isabel McGinty represented the OAE and

John McGill, III represented respondent. Respondent was previously disciplined: Temporarily suspended in 2015.

HERBERT J. TAN

Suspended for one year on March 12, 2015 (220 *N.J.* 587) for violating *RPC* 1.4(c) (failure to explain a matter to the extent reasonably necessary to allow the client to make informed decisions about the representation), *RPC* 1.7(a)(2) (conflict of interest), *RPC* 1.8(a) (business transaction with client), *RPC* 1.15(d) (recordkeeping deficiencies), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Susan S. Singer appeared for District VA before the DRB, and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2006 and 2010, censured in 2011, and reprimanded in 2014.

THOMAS J. TARIGO

Admonished on September 28, 2015 *(Unreported)* for gross neglect and filing frivolous pleadings in numerous immigration matters before the Ninth Circuit. Hillary Horton represented the OAE on a motion for reciprocal discipline and respondent appeared pro se.

JACQUELYN TODARO

Disbarred by consent on April 28, 2015 (221 *N.J.* 292) following her guilty plea in the United States District Court, Southern District of New York to count one of an Indictment charging conspiracy to commit bank fraud and wire fraud, in violation of 18 U.S.C. § 1349. Hillary Horton represented the OAE on a motion for disbarment by consent and Nancy J. Dreeben represented respondent.

FREDERICK J. TODD

Disbarred by consent on July 21, 2015 (222 *N.J.* 33). Respondent was found guilty in the U.S. District Court for the District of New Jersey to conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349 and to transacting in criminal proceeds in violation of 18 U.S.C. § 1957 in violation of *RPC* 8.4(b). Respondent's criminal conduct involved the knowing misappropriation of entrusted funds in violation of *RPC* 1.15(a). Respondent was disciplined by the Supreme Court pursuant to *RPC* 8.5(a) as respondent was not a licensed New Jersey attorney. Jason D. Saunders appeared on behalf of the OAE and Stacy Ann Biancamano represented respondent.

WILLIAM J. TORRE

Suspended for one year on December 16, 2015 (223 *N.J.* 538) for engaging in a conflict of interest by borrowing money from a client and not advising his client in writing beforehand that it was desirable to seek independent legal advice about the transaction. The Court noted that the conflict in this case resulted in substantial harm to a vulnerable, elderly victim and the discipline imposed is meant to provide notice to attorneys that serious consequences will result from this form of misconduct. Maureen G. Bauman represented the OAE and Raymond F. Flood represented respondent.

DAVID A. VESEL

Disbarred by consent on November 17, 2015 (223 *N.J.* 351) for embezzling thousands of dollars in entrusted client funds in North Carolina. Steven J. Zweig represented the OAE and F. Hill Allen represented respondent.

ROBERT M. VREELAND

Censured on a certified record on March 24, 2015 (221 *N.J.* 206) in a default matter for failure to comply with the New Jersey Supreme Court's Order requiring him to file an affidavit of compliance with R.1:20-20, following his April 23, 2012 temporary suspension from the practice of law. The Court further ordered that the respondent remain suspended pursuant to the Order filed March 22, 2012 and pending his compliance with a fee arbitration determination and payment of the $500 sanction. Melissa A. Czartoryski handled the matter for the OAE. The respondent was previously disciplined: Temporarily suspended in 2012.

ANITA LANG WALCH

Suspended for six months effective May 21, 2015 (221 *N.J.* 480) for gross neglect, pattern of neglect, failure to keep clients reasonably informed about the status of the matter, and conduct involving dishonesty, fraud, deceit or misrepresentation in several bankruptcy matters. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Admonished in 1998 and temporarily suspended in 2012.

MICHAEL J. WEBER

Admonished on June 4, 2015 *(Unreported)* for not reconciling his trust account, having inactive balances in his trust account, and other recordkeeping violations. Maureen G. Bauman represented the OAE and Robyn M. Hill represented respondent. This matter was discovered as a result of the Trust Overdraft Notification Program.

WALTER N. WILSON

Admonished on November 24, 2015 *(Unreported)* for never advising his client that, in his opinion, his appeal of the rollback taxes he had been assessed as a result of failing to file his yearly farmland assessment form would have been futile. Instead, he led the client to believe that he was pursuing an appeal in the tax court when he had filed no such appeal, in violation of *RPC* 1.1(a) and *RPC* 1.3. Richard A. Gantner represented the District XIII Ethics Committee and respondent was pro se. The respondent was previously disciplined: Temporarily suspended in 2015.

KATRINA WRIGHT

Censured on a certified record on July 16, 2015 (222 *N.J.* 27) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.16(d) (failure to surrender papers and property to a client and to refund all or part of an unearned retainer), and *RPC* 8.1(b) (failure to comply with a lawful demand for information from a disciplinary authority). Stephanie Shreter, Esq., handled the matter for the District IIIB Ethics Committee and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2008.

CHRISTOPHER L. YANNON

Reprimanded on February 26, 2015 (220 *N.J.* 581) for failure to enter into a written retainer agreement with a client. Melissa A. Czartoryski represented the OAE on a motion for discipline by consent and respondent was pro se. The respondent was previously disciplined: Suspended for one year in 2013.

2014

JEFFREY M. ADAMS

Admonished on November 25, 2014 (*Unreported*) for failing to cooperate with a district ethics committee's investigation, in violation of *RPC* 8.1(b). Terrance L. Turnbach represented District IIIA before the DRB and respondent was pro se.

LEONARD H. ADOFF

Disbarred by consent on October 16, 2014, (219 *N.J.* 621) for the knowing misappropriation of client funds. Jason D. Saunders represented the OAE and David B. Rubin represented the respondent.

ANTHONY J. BALLIETTE

Censured on a certified record on April 10, 2014 (217 *N.J.* 277) for threatening criminal prosecution if his client's former wife did not execute a property settlement agreement in violation of *RPC* 3.4(g). Edward Duffy represented District I before the DRB and respondent defaulted. The respondent was previously disciplined: Admonished in 2012.

DAVID M. BECKERMAN

Admonished on July 22, 2014 (*Unreported*) for failing to advise his client to consult with independent counsel before providing financial assistance for the client. Also, respondent failed to provide the client with written disclosure and obtain informed written consent of the terms of the transactions. Philip B. Vinick appeared before the DRB for District VC and Elliot Abrutyn appeared on behalf of the respondent.

ADAM KENNETH BLOCK

Censured on a certified record on February 14, 2014 (217 *N.J.* 21) for violation of *RPC* 5.5 (a) (practicing law while ineligible) and *RPC* 8.1 (b) (failure to cooperate with disciplinary authorities). Jeffrey R. Jablonski represented District VI and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2013.

ADAM KENNETH BLOCK

Censured on a certified record on November 18, 2014 (220 *N.J.* 33) for practicing while ineligible and failing to cooperate with disciplinary authorities. N. Ari Weisbrot represented District IIB and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2013 and censured in 2014.

MARK D. BOGARD

Reprimanded on November 20, 2014 (220 *N.J.* 44) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), and *RPC* 1.4(b) (failure to keep client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information) in connection his representation of homeowners during a loan modification and eventual sheriff's sale. Ruth V. Simon represented District XII and respondent was pro se.

GEORGE J. BOTCHEOS, JR.

Reprimanded by consent on March 13, 2014 (217 *N.J.*

147) for violating *RPC* 1.8(a) (entering into a business transaction with a client without advising in writing of the desirability of seeking the advice of independent counsel and without obtaining the written consent of the client to the transaction). Respondent borrowed a total of $1,175,000 from his client to purchase two pieces of real estate in exchange for mortgages, which respondent failed to record. For the first loan made in 1995 for the amount of $425,000, respondent repaid the same upon the sale of the property in 2008. For the second loan made in 2004 for the amount of $750,000, the client recorded the mortgage when he discovered respondent had failed to do so. In October 2011, the client initiated foreclosure proceedings when respondent fell behind on his payments, ultimately gaining title to the property. William B. Hildebrand represented District IV and respondent was pro se.

CHRISTOPHER D. BOYMAN

Censured on a certified record on May 16, 2014 (217 *N.J.* 359) for violating *RPC* 8.1(b) (failing to cooperate with disciplinary authorities) and *RPC* 8.4(b) (conduct prejudicial to the administration of justice). Christina Blunda Kennedy appeared before the DRB for the OAE and respondent did not appear. The respondent was previously disciplined: Censured in 2010.

WAYNE D. BOZEMAN

Suspended for three years effective June 18, 2014 (217 *N.J.* 613) based on respondent's criminal conviction for conspiracy to defraud the United States in violation of 18 U.S.C. §371. Respondent failed to pay personal income tax on income acquired from his game repair and resale business Keystone Game Supply, Inc., from 1999 through 2007. Melissa A. Czartoryski appeared before the Court for the OAE and David H. Dugan, III represented the respondent.

RONALD J. BRANDMAYR, JR.

Reprimanded on a certified record on November 20, 2014 (220 *N.J.* 34) for violating RPC 1.3 (lack of diligence), and RPC 1.4(b) (failure to communicate with the client). Mark F. Heinze represented District IIB and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2012.

SEAN LAWRENCE BRANIGAN

Admonished on June 23, 2014 (*Unreported*) for failing to keep a matrimonial client reasonably informed about the status of her case and failing to promptly comply with her request for an accounting of the work he had performed and the amount that the client owed. Jeffrey Michael Wactlar represented District VC and respondent was pro se.

FRED R. BRAVERMAN

Reprimanded on October 30, 2014 (220 *N.J.* 25) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 3.2 (failure to expedite litigation), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent grossly neglected his personal injury client who had been gravely injured in a motor vehicle accident in Maryland. Jason Sunkett represented District IV and Robert N. Braverman represented the respondent.

ANDREW BREKUS

Suspended on a certified record for three years effective October 21, 2014 (220 *N.J.* 1) for violating *RPC* 8.1(b) (failing to cooperate with disciplinary authorities) and *RPC* 8.4(b) (conduct prejudicial to the administration of justice). Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent did not appear. The respondent was previously disciplined: Admonished in 2000, reprimanded in 2006, censured in 2009, suspended for one year in 2009, suspended for one year in 2010, and suspended for two years in 2011.

JAMES A. BRESLIN, JR.

Censured on March 27, 2014 (217 *N.J.* 217) for gross neglect, lack of diligence, failure to safeguard trust funds, record keeping violations, and failure to cooperate with disciplinary authorities. Christina Blunda Kennedy appeared before the DRB for the OAE and Robert Ramsey appeared for the respondent. The respondent was previously disciplined: Censured in 2002.

HANY S. BROLLESY

Suspended for 3 months by consent on May 12, 2014 (217 *N.J.* 307) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Christina Blunda Kennedy appeared before the DRB for the OAE and respondent was pro se.

SALEEMAH MALIKAH K. BROWN

Suspended for three months on a certified record on

June 18, 2014 (217 *N.J.* 614), effective July 17, 2014, for violating *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 1.5(a) (unreasonable fee), *RPC* 1.15(b) (failure to promptly notify a client about the receipt of funds or to promptly turn over funds that the client is entitled to receive), *RPC* 1.15(c) (failure to keep separate funds in which a lawyer and another claim an interest, until the dispute concerning their respective interests is resolved), and *RPC* 1.15(d) and R.1:21-6 (recordkeeping), *RPC* 8.1(a) (false statement to disciplinary authorities), and *RPC* 8.1(b) (failing to cooperate with disciplinary authorities). Christina Blunda Kennedy appeared before the DRB for the OAE and respondent did not appear.

STEPHEN D. BROWN

Censured on July 28, 2014 (218 *N.J.* 387) following a stipulation of discipline by consent in which respondent agreed that he violated *RPC* 1.1(a) (gross neglect), *RPC* 1.1(b) (pattern of neglect), *RPC* 1.15(a) (negligent misappropriation), *RPC* 1.15(d) and R.1:21-6 (recordkeeping violations), *RPC* 5.3(a) and (b) (failing to adequately supervise a non-lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, deceit or misrepresentation). Respondent failed to discover forged checks and other improprieties committed by his longtime employee because he neither properly reconciled his attorney trust account nor supervised his non-lawyer assistant. Maureen G. Bauman represented the OAE on a stipulation of discipline by consent and Gerard E. Hanlon represented the respondent. The respondent was previously disciplined: Suspended for three months in 1996.

WAYNE R. BRYANT

Disbarred by consent on February 7, 2014 (216 *N.J.* 597) following respondent's criminal conviction in the United States District Court, District of New Jersey for six counts of honest services fraud, in violation of 18 U.S.C. §§ 1341, 1343, and 1346; one count of bribery, in violation of 18 U.S.C. § 666 (a); and five counts of mail fraud, in violation of 18 U.S.C. § 1341. Hillary Horton represented the OAE before the Supreme Court and Carl D. Poplar represented the respondent.

BRIAN L. CALPIN

Reprimanded by consent on June 19, 2014 (217 *N.J.* 617) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), and *RPC* 1.4(b) (failure to adequately communicate with the client). Vanessa James represented District IV and respondent was pro se.

PETER J. CAMMARANO

Disbarred on September 17, 2014 (219 *N.J.* 415) on a Motion for Final Discipline following his guilty plea in United States District Court for the District of New Jersey to one count of conspiracy to obstruct interstate commerce by extortion under color of official right, in violation of 18 U.S.C. § 1951(a). The Court issued an opinion in which it held that respondent's unethical conduct, offering, while running for and holding the position of Mayor of Hoboken, favored status to a private real estate developer in exchange for money, betrayed "a solemn public trust" and undermined public confidence in honest government warranting respondent's disbarment. Missy Urban represented the OAE in the Supreme Court and Joseph A. Hayden, Jr. represented the respondent.

LOUIS A. CAPAZZI

Disbarred by consent on December 1, 2014 (220 *N.J.* 45) for knowingly misappropriating and/or stealing client's escrowed funds. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and E. Carr Cornog III represented the respondent. The respondent was previously disciplined: Suspended for one year in 2007.

KEVIN JOSEPH CARLIN

Disbarred by consent on May 21, 2014 (217 *N.J.* 428) for knowingly misappropriating client funds to be held in escrow for mortgage payments on behalf of two clients. HoeChin Kim represented the OAE and Robert E. Ramsey represented the respondent. The respondent was previously disciplined: Reprimanded in 2003; censured in 2006; suspended for three months in 2009; suspended for one year in 2012; and suspended for two years in 2013.

DEBBIE ANN CARLITZ

Censured on July 3, 2014 (218 *N.J.* 2) for unethical conduct in Pennsylvania including failing to properly supervise her paralegal, aiding her paralegal in the unauthorized practice of law, permitting her paralegal access to her attorney trust account, practicing law while ineligible, and failing to notify her clients that she was on inactive status in Pennsylvania. Missy Urban represented the OAE on a motion for reciprocal discipline and respondent was pro se.

DAVID R. CARMEL

Suspended for three months effective November 7, 2014 (219 *N.J.* 539) for fabricating a lis pendens document and affixing a court's seal to it in an attempt to convince the IRS that its lien was junior to that of the respondent's client so that the IRS would then release its tax lien. Maureen G. Bauman represented the OAE and respondent appeared pro se.

ANNA P. CATALINE

Reprimanded on October 2, 2014 on a certified record (219 *N.J.* 429) for failing to file a personal injury lawsuit on behalf of a client prior to the statute of limitations, failing to communicate with the client, and failing to cooperate with disciplinary authorities. Theresa Brown represented District III and respondent was pro se.

PETER R. CELLINO

Censured on May 16, 2014 (217 *N.J.* 361) for undertaking the representation of a client in a divorce matter in Georgia, a state in which he was not admitted to practice. Respondent's actions amounted to the unauthorized practice of law, in violation of *RPC* 5.5(a)(1). Maureen G. Bauman represented the OAE and respondent defaulted. The respondent was previously disciplined: Censured in 2010.

OWEN CHAMBERS

Disbarred on a certified record on March 20, 2014 (217 *N.J.* 196) for failure to promptly deliver funds to a third person, failure to cooperate with disciplinary authorities, a criminal act that reflects adversely on a lawyer's honesty, trustworthiness or fitness as a lawyer, conduct involving dishonesty, fraud deceit or misrepresentation, conduct prejudicial to the administration of justice, and violations of N.J.S.A. 2C:20-3 (theft by taking) and N.J.S.A. 2C:21-34 (submission of a fraudulent claim for payment pursuant to a government contract). Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for three months in 2012 and six months in 2013.

SUCHIS MITA CHATTERJEE

Reprimanded by consent on March 4, 2014 (217 *N.J.* 55) for violating *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent misrepresented to her Pennsylvania employer that she was admitted to practice law in Pennsylvania when, in fact, she had passed the Pennsylvania Bar exam but never obtained admission to the Bar. Respondent also accepted reimbursement from her employer of an alleged $175 payment of her 2008 Bar dues. The employer discovered the misconduct only after respondent's reduction-in-force layoff in 2009. Thomas McKay III represented District IV and David H. Dugan III represented respondent.

JOSEPH S. CHIZIK

Suspended for three months on a certified record, effective February 14, 2014, (216 *N.J.* 399) for a lack of diligence, failure to communicate with clients, and failure to enter into a written fee agreement in two client matters. Respondent also failed to cooperate in the ethics investigations. Linda A. Hynes represented District IIIB and respondent was pro se. The respondent was previously disciplined: Reprimanded in 1997 and 2013.

DAVID G. CHRISTOFFERSEN

Reprimanded on October 20, 2014 (220 *N.J.* 2) for negligent misappropriation of client funds, recordkeeping violations, and failure to segregate funds subject to a legal fee dispute. Melissa A. Czartoryski appeared before the Court for the OAE and Joseph P. Depa, Jr. appeared for the respondent.

NEIL M. COHEN

Suspended indeterminately on October 23, 2014, retroactive to January 13, 2011, (220 *N.J.* 7) following his guilty plea to second-degree endangering the welfare of a child, contrary to N.J.S.A. 2C:24-4(b)(5)(a). The Court ruled that respondent's guilty plea and conviction based upon the discovery of pornographic images of children on a state-issued desktop computer and in a receptionist's desk drawer at the district office of New Jersey's Twentieth Legislative District, and on his private law office computer warranted an indeterminate suspension. Respondent may not apply for reinstatement for five years from January 13, 2011, the date of his temporary suspension. Hillary Horton represented the OAE before the DRB and Michael J. Sweeney argued the case in the Supreme Court. Daniel J. McCarthy represented the respondent.

ROBERT J. CONDURSO

Disbarred by consent on August 27, 2014 (219 *N.J.* 122) for knowing misappropriation of trust account funds. Maureen G. Bauman represented the OAE and Eric J. Marcy represented respondent. This matter was discovered solely as a result of the Random Audit Program.

EDWARD S. COOPER

Reprimanded by consent on July 11, 2014 (218 *N.J.* 162) for violating *RPC* 1.15(a) (failure to safeguard finds of a client or third party), *RPC* 1.15(b) (failure to promptly notify a person of receipt of funds and to promptly turn over funds), and *RPC* 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal). Christina Blunda Kennedy appeared before the DRB for the OAE and Rubin Sinins represented respondent.

KEITH A. COSTILL

Suspended for two years on May 16, 2014 (217 *N.J.* 354), effective June 9, 2014, following his conviction in the Superior Court of New Jersey, to one count of fourth-degree assault by auto, in violation of N.J.S.A. 2C:12-1c(1). Respondent's conviction for reckless driving, which resulted in the victim's death, established a violation of *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer). Hillary Horton represented the OAE on a Motion for Final Discipline and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2002.

CHARLES B. DALY

Censured on September 5, 2014 (219 *N.J.* 126) for violating *RPC* 1.7(a) (concurrent conflict of interest) and *RPC* 1.7(b) (1) (failure to obtain informed, written consent to the representation, after full disclosure and consultation with independent counsel). Jason D. Saunders appeared before the DRB for the OAE and the respondent was pro se. The respondent was previously disciplined: Reprimanded in 2008 and suspended for eighteen months in 2005.

DAVID P. DANIELS

Censured on March 14, 2014 (217 *N.J.* 150) for negligent misappropriation of client funds, recordkeeping violations, and failure to file suit in a personal injury matter prior to the expiration of the statute of limitations. Melissa A. Czartoryski appeared before the DRB for the OAE and the respondent waived appearance. The respondent was previously disciplined: Reprimanded in 1999.

MARC D'ARIENZO

Censured on March 14, 2014 (217 *N.J.* 151) for practicing law while ineligible. Robert Logan appeared before the DRB for District XII and respondent was pro se. The respondent was previously disciplined: Admonished in 2001; admonished and suspended for three months in 2004; censured in 2011; and reprimanded in 2013.

NEIL M. DAY

Suspended for three months on April 10, 2014, effective May 7, 2014, (217 *N.J.* 280) for violating *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit or misrepresentation) by fraudulently billing for time that he did not spend preparing-for and attending depositions. Timothy J. McNamara appeared before the DRB for the OAE and respondent was represented by John D. Arseneault.

DORCA IRIS DELGADO-SHAFER

Disbarred on May 14, 2014 (217 *N.J.* 309) for gross neglect of immigration matters and failure to cooperate with disciplinary authorities. Disbarment ordered after consideration was given to respondent's serious disciplinary history and repeated disdain for the disciplinary system. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and respondent was pro se. Respondent was previously disciplined: Suspended for two years in 2009; suspended for one year in 2011; and suspended for three years in 2012.

BARBARA K. EINHORN

Censured on May 29, 2014 (217 *N.J.* 523) for violations of *RPC* 1.3 (failure to act with reasonable diligence), *RPC* 1.4(a) (failure to communicate with a client), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities) while representing a client seeking to obtain a Retirement Benefits Court Order for her deceased husband's Thrift Savings Plan, as well as a Civil Service Retirement System Court Order. Elizabeth A. Weiler represented District XII and respondent was pro se on the matter which proceeded to the DRB as a default.

EDWARD G. ENGELHART

Suspended for one year on May 16, 2014 (217 *N.J.* 357), effective May 22, 2013, following his conviction in the United States District Court, District of New Jersey, to one count of conspiracy to structure transactions to evade a reporting requirement, in violation of 31 U.S.C. §5324(a)(3) and 5234(d)(1) and 18 U.S.C. §371. Respondent's conviction for unlawfully structuring $354,000 to assist a client in hiding funds from his wife during a divorce action established a violation of *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer). Hillary Horton represented the OAE on a Motion for Final Discipline and Scott B. Piekarsky represented respondent.

FRANCIS J. FALKENSTEIN

Reprimanded on December 12, 2014 (220 *N.J.* 110) for his violations of *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with the client), *RPC* 1.16(b) (failure to terminate the representation of a client when the client insists upon taking action with which the lawyer fundamentally disagrees), *RPC* 5.5(a)(1) (practicing law while ineligible), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Marian I. Kelly appeared before the DRB for District IV and Robert N. Agre appeared on behalf of respondent.

JOSEPH J. FELL

Reprimanded by consent on September 29, 2014 (219 *N.J.* 425) for violating *RPC* 5.5(a)(1) (practicing law while ineligible). Douglas Ciolek represented District XB and respondent was pro se on a Motion for Discipline by Consent granted by the Disciplinary Review Board. Respondent was previously disciplined: Admonished in 2011 and reprimanded in 2012.

GREGORY N. FILOSA

Suspended for one year on November 6, 2014, effective February 12, 2013, (220 *N.J.* 28) for providing opposing counsel with an inaccurate economist's expert report that failed to reflect the fact that the plaintiff in an employment discrimination suit had already obtained new employment at a higher salary than she had been earning previously. Respondent also failed to correct false answers that his client provided at depositions and attempted to leverage the false expert report into a favorable settlement. Hillary Horton represented the OAE in a Motion for Reciprocal Discipline before the DRB and respondent was pro se.

MARK W. FORD

Censured on April 1, 2014 (217 *N.J.* 251) for violating *RPC* 1.4(b) (failure to communicate with a client), *RPC* 1.4(c) (failure to explain a matter sufficiently to enable a client to make informed decisions about the representation), and *RPC* 1.5(b) (failure to communicate the basis or rate of the fee in writing). Christopher L. Soriano represented District IV and respondent was pro se. The respondent was previously disciplined: Reprimanded in 1998; admonished in 2002; reprimanded in 2009; and censured in 2011.

CLIFFORD G. FRAYNE

Reprimanded on October 29, 2014 on a certified record (220 *N.J.* 23) for violating *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), *RPC* 5.5(a)(1) (practicing law while ineligible), and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Laura M. Halm represented District IIIA and respondent was pro se.

ROGER P. FRYE

Disbarred on May 22, 2014 (217 *N.J.* 438) based on respondent's guilty plea in the Superior Court of New Jersey to endangering the welfare of a child, in violation of N.J.S.A. 2C:24-4(a), conduct that violated RPC 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer). Maureen G. Bauman appeared before the Supreme Court for the OAE and respondent appeared pro se.

RALPH V. FURINO

Suspended on a certified record for six months effective November 19, 2014 (220 *N.J.* 30) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to promptly comply with reasonable requests for information), *RPC* 1.15(b) (failure to promptly deliver to the client any funds that the client is entitled to receive), *RPC* 1.15(d) (recordkeeping) and *RPC* 8.1(b) (failing to cooperate with disciplinary authorities). Christina Blunda Kennedy appeared before the DRB for the OAE and respondent did not appear. The respondent was previously disciplined: Reprimanded in 2010, suspended for three months twice in 2012.

MARC A. FUTTERWEIT

Reprimanded on May 14, 2014 (217 *N.J.* 362) for violating *RPC* 1.5(b) (failure to memorialize the basis or rate of the legal fee), and *RPC* 1.8(a) (conflict of interest; business transaction with a client). John C. Maloney, Jr. appeared before the DRB for District XB and Gerard E. Hanlon appeared for respondent.

DEBORAH ANN GABRY

Admonished on November 26, 2014 *(Unreported)* for failing to obtain a client's written consent in a loan transaction involving respondent's husband, in which the parties' interests were directly adverse to one another, in violation of RPC 1.7(A)(2). Charles D. Craig, Jr. represented the District XB Ethics Committee and Rubin M. Sinins represented the respondent.

WILLIAM E. GAHWYLER

Censured on a certified record on March 27, 2014 (216 *N.J.* 218) for recordkeeping violations, in violation of *RPC* 1.15(d) and failure to cooperate with disciplinary authorities, in violation of *RPC* 8.1(b). Jason D. Saunders represented the OAE and respondent was pro se. The respondent was previously disciplined: Censured in 2012 and suspended in 2013.

JOSEPH A. GEMBALA III

Reprimanded on March 13, 2014 (217 *N.J.* 148) for violating *RPC* 1.5(b) (failure to communicate the basis or rate of the legal fee in writing) and *RPC* 1.15(d) and R.1:21-6(c)(1)(A) (recordkeeping violation for not complying with trust account electronic transfer requirements). Salvatore J. Siciliano represented District IV and Mark J. Molz represented

respondent.

CARL D. GENSIB

Censured on December 12, 2014 (220 *N.J.* 109) for his violations of *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 7.1(a) (false or misleading communication about the lawyer, the lawyer's services, or any matter in which the lawyer has or seeks a professional involvement), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). HoeChin Kim appeared before the DRB for the OAE and David H. Dugan III appeared on behalf of respondent. The respondent was previously disciplined: Reprimanded in 2005, censured in 2011, suspended for six months in 2012, and censured in 2012.

RALPH GERSTEIN

Admonished on June 19, 2014 (*Unreported*) for gross neglect, lack of diligence, and failure to communicate in two client matters. In one those client matters, respondent also made a misrepresentation about the status of the case, failed to return the file upon termination of the representation, and failed to promptly cooperate with the ethics investigator. Wendy M. Rosen represented District VII and Marc David Garfinkle represented the respondent.

CRAIG S. GILGALLON

Admonished on October 20, 2014 (*Unreported*) for recordkeeping irregularities and for failing to promptly satisfy the seller's mortgage from the closing proceeds while acting as a closing agent in a real estate matter. HoeChin Kim represented to OAE and Fredric L. Shenkman represented the respondent.

DONALD J. GRASSO

Suspended for two years on December 12, 2014, effective May 10, 2012 (220 *N.J.* 105) following his conviction in the United States District Court for the District of New Jersey to conspiracy to defraud the United States by conspiring to conceal income from the IRS, contrary to 18 U.S.C. §371. Respondent conspired to hide cash income at a restaurant/bar in which he was a 50% partner. Hillary Horton represented the OAE on a Motion for Final Discipline and Joseph P. La Sala represented respondent.

NEIL L. GROSS

Suspended for six months on a certified record effective January 7, 2014 (216 *N.J.* 401) for failing to promptly turn over funds to a third person, knowingly making a false statement of material fact to a tribunal, practicing law while ineligible, knowingly making a false statement of material fact to a disciplinary authority, failing to reply to a lawful demand for information from a disciplinary authority, and conduct involving dishonesty, fraud, deceit, or misrepresentation. Prior to reinstatement respondent is required demonstrate his fitness to practice as attested to by an OAE-approved mental health professional and to cooperate fully with the OAE in all disciplinary matters. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Censured in 2011 and 2012.

NEIL L. GROSS

Disbarred on a certified record on October 22, 2014 (220 *N.J.* 3) for violating *RPC* 1.3, lack of diligence, *RPC* 1.4(b) failure to communicate, *RPC* 5.5(a)(i) practicing while suspended, *RPC* 8.1(b) failure to cooperate with disciplinary authorities, *RPC* 8.4(c) and *RPC* 8.4(d) failing to file a R. 1:20-20 affidavit, following his 2012 temporary suspension. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent had previously been disciplined: Censured in 2011 and 2012 and suspended for six months in 2014.

DAVID GRUEN

Suspended for one year, effective August 1, 2014 (218 *N.J.* 4), for misconduct perpetrated in New York including improper fee sharing with a non-lawyer, overcharging clients, recordkeeping violations, and filing inaccurate forms with the Office of Court Administration. Hillary Horton represented the OAE in a Motion for Reciprocal Discipline before the DRB and David H. Dugan, III represented respondent.

FRANCES ANN HARTMAN

Admonished on July 22, 2014 (*Unreported*) for failing to act with diligence after complaint was dismissed and by not returning client's repeated phone calls and emails for an entire year. Also, respondent failed to follow up and explain in detail what was problematic with the claim filed so that the client could make a decision whether to proceed or not. Linda A. Hynes appeared before the DRB for District IIIB and respondent was pro se.

BARRY A. HOFFBERG

Reprimanded by consent on October 1, 2014 (219 *NJ* 426) for violating *RPC* 1.1(a) gross neglect, *RPC* 1.4(b) failure to keep his clients reasonably informed about the status of their matter and failure to comply with their reasonable requests for information; *RPC* 1.16(d) failure to refund a retainer and *RPC* 5.5(a) knowingly practicing law while ineligible and after his

license was revoked. In addition, if respondent applies for readmission, his readmission should be withheld for one year and he may not be admitted pro hac vice until further Order of the Court. Christina Blunda Kennedy appeared before the DRB for the OAE respondent was pro se. Respondent was previously disciplined: Reprimanded in 2005.

SEBASTIAN ONYI IBEZIM, JR.

Admonished on March 26, 2014 (*Unreported*) for maintaining outstanding, and in some cases unidentified, client balances in his attorney trust account. Maureen G. Bauman represented the OAE on a Motion for Discipline by Consent and respondent was pro se.

STUART A. KELLNER

Disbarred on a certified record on May 6, 2014 (217 *N.J.* 335) for knowingly misappropriating $100,000 in client funds intended for a real estate purchase in violation of *RPC* 1.15(a) and the principles of In Re Wilson, 81 *N.J.* 451 (1979). Jason D. Saunders represented the OAE.

JAMES A. KEY, JR.

Censured on November 20, 2014 (220 *N.J.* 31) for violating *RPC* 1.15(d) (recordkeeping violations), *RPC* 3.1 (asserting a frivolous claim), and *RPC* 5.3 (failure to supervise non-lawyer employees). Willard Shih represented District VIII before the DRB and the respondent was pro se. The respondent was previously disciplined: Admonished twice in 1996 and reprimanded in 2007.

CHRISTOPHER J. KIRKWOOD

Disbarred by consent on January 14, 2014 (216 *N.J.* 398) for knowingly misappropriating approximately $76,000 from several clients and using the money for unrelated matters without the clients' knowledge, authority or consent. Maureen G. Bauman represented the OAE and Raymond S. Londa and Joseph Gachko represented the respondent.

JEFFREY L. KRAIN

Suspended for six months effective March 11, 2014 (216 *N.J.* 585) for an improper fee sharing arrangement with an immigration paralegal, whom he assisted in the practice of law and for whom he understated earnings on the paralegal's IRS 1099 forms. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Suspended for one year in 2008.

GARY A. KRAEMER

Admonished by consent on June 24, 2014 (*Unreported*) for lack of diligence, failure to communicate, and failure to promptly turn over the file to appellate counsel in two matters litigated in Sussex County on behalf of one client. Jeffrey W. Lorell represented District XA and George T. Daggett represented respondent.

JOHN E. KURTS

Disbarred by consent on October 28, 2014 (220 *N.J.* 22) for acknowledging that there were four investigations pending against him, including an allegation that he told his client that the court had ordered a reduction in alimony when no such order existed; that he told his client that he needed an additional $1,500.00 in order to get a copy of said order when this order did not exist; and that he took $1,500.00 payment from his client to get a copy of the signed order which he knew did not exist. Respondent acknowledged that these allegations against him were true and if he went to a hearing on these matters, he could not successfully defend himself against those charges. Timothy J. McNamara represented the OAE and Frances A. Hartman represented respondent. The respondent was previously disciplined: Reprimanded in 2011.

JOSEPH C. LANE

Censured on September 24, 2014 (219 *N.J.* 321) for violating *RPC* 1.15(a) (failure to safeguard funds), *RPC* 1.15(b) (failure to promptly deliver funds to a client or third person), and *RPC* 1.7(a)(2) (concurrent conflict of interest). Jason D. Saunders represented the OAE and respondent was pro se. Respondent was previously disciplined: Admonished in 2009 and reprimanded in 2012.

BENNETT E. LANGMAN

Disbarred on September 10, 2014 (219 *N.J.* 183) for misconduct in the course of representation of two elevator companies in numerous matters in Pennsylvania state court. Respondent submitted two cases to binding arbitration without consulting with his client and took steps to conceal his actions from his client, opposing counsel, and his firm in another case which he settled without settlement authority. He also submitted fraudulent time sheets in more than 24 cases, billing for more than $115,000 worth of legal work that he did not conduct. He also failed to report his address change to the Pennsylvania Office of Attorney Registrar and failed to timely file an answer to a Pennsylvania Petition for Discipline. Respondent was disbarred by consent in Pennsylvania. Hillary Horton represented the OAE before the Supreme Court on a Motion for Reciprocal Discipline and respondent was pro se.

DANIEL G. LARKINS

Reprimanded on a certified record on February 14, 2014 (217 *N.J.* 20) for violating *RPC* 8.1(b) (failure to cooperate with ethics authorities). Mary E. WanderPolo represented District VB and respondent was pro se. The respondent was previously disciplined: Admonished in 2009 and censured in 2013.

FRED LAX

Disbarred by consent on December 12, 2014 (220 *N.J.* 111) following his conviction in New York Supreme Court, New York County to one count of second-degree Grand Larceny, a Class C felony, and one count of third-degree Grand Larceny, a Class D felony. Hillary Horton represented the OAE and Brian J. Neville represented the respondent.

DARREN P. LEOTTI

Disbarred on July 1, 2014 (218 *N.J.* 6) for the knowing misappropriation of law firm funds. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2013.

BARBARA J. LIEBERMAN

Disbarred by consent on December 18, 2014 (220 *N.J.* 164) following her guilty plea in New Jersey Superior Court to one count of first-degree financial facilitation, which included a stipulation that she forfeit her New Jersey law license. Michael J. Sweeney represented the OAE and Steven J. Feldman represented the respondent.

CHRISTINE LIPTAK

Reprimanded on February 11, 2014 (217 *N.J.* 18) for recordkeeping violations and authoring a letter to a lender in a real estate transaction that contained misrepresentations. Melissa A. Czartoryski appeared before the DRB for the OAE and Henry E. Klingeman appeared for respondent.

RICHARD B. LIVINGSTON

Disbarred on June 5, 2014 (217 *N.J.* 591) for knowingly misappropriating clients' funds by using them for purposes unrelated to the clients' matter and without their knowledge or permission. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and Raymond Londa represented respondent.

JAMES DAVID LLOYD

Admonished on June 25, 2014 (*Unreported*) for handling three client matters while ineligible to practice law for failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection. Robert J. Logan represented District XII and respondent was pro se on a Disciplinary Stipulation submitted to the DRB.

SUSAN A. LOWDEN

Reprimanded on September 5, 2014 (219 *N.J.* 129) for violating *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.5(b) (failure to provide the basis or rate of fee in writing to the client), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent also is required to complete a course in law office management within ninety days of the filing of the Order. Maryann J. Rabkin represented District IV and respondent was pro se.

MICHAEL A. LUCIANO

Disbarred on May 12, 2014 (217 *N.J.* 306) for the knowing misappropriation of $100,000 belonging to respondent's ninety-one year old client in the days before she died. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and David B. Glazer appeared for the respondent.

LOUIS MACCHIAVERNA

Suspended for two years on July 17, 2014 (218 *N.J.* 166), effective July 18, 2015, for practicing law while suspended. Melissa A. Czartoryski represented the OAE and respondent defaulted. The respondent was previously disciplined: Reprimanded in 2010; temporarily suspended in 2011 and 2013; censured in 2013; and suspended for one year in 2014.

LOUIS MACCHIAVERNA

Suspended for one year on July 17, 2014 (218 *N.J.* 164), effective July 17, 2014, for practicing law while suspended. Melissa A. Czartoryski represented the OAE and respondent defaulted. The respondent was previously disciplined: Reprimanded in 2010; temporarily suspended in 2011 and 2013; censured in 2013; and suspended for one year in 2014.

KEVIN H. MAIN

Suspended for one year on March 26, 2014 (217 *N.J.* 216), effective on April 25, 2013, for failing to comply with R. 1:20-20, which requires the filing of a detailed affidavit specifying how a previously disciplined attorney has complied with each provision of the rule and the Supreme Court's Order. By failing to file the compulsory affidavit, respondent violated *RPC* 8.1(b) and 8.4(d). Hillary Horton represented the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 2010; suspended for three months in 2011; suspended consecutively for three months in 2011; suspended for two years in 2012; and suspended for two years in 2013.

SAMUEL M. MANIGAULT

Admonished on February 28, 2014 (*Unreported*) for holding an unidentified balance of $47,040.27 in his attorney trust account, failing to keep a running cash balance for his trust account, and failing to reconcile his client ledger balance with his monthly trust account bank statements, in violation of *RPC* 1.15(d). Jason D. Saunders represented the OAE in a Stipulation of Discipline by Consent before the DRB and Bernard K. Freamon represented respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

MARC D. MANOFF

Suspended for three years on September 9, 2014 (219 *N.J.* 182) following his guilty plea in the United States District Court for the Eastern District of Pennsylvania to one count of conspiracy to commit securities fraud and two counts of securities fraud. The Court ordered that respondent not be reinstated in New Jersey until he is reinstated to practice in Pennsylvania. Missy Urban represented the OAE on a motion for final discipline and Robert S. Tintner represented respondent.

PETER E. MANOLAKIS

Disbarred effective May 29, 2014 (217 *N.J.* 521) for violating *RPC* 1.15(a) (knowing misappropriation of client and escrow funds) and the principles of In re Wilson, 81 *N.J.* 451 (1979), and In re Hollendonner, 102 *N.J.* 21 (1985). Christina Blunda Kennedy appeared before the DRB for the OAE and the respondent did not appear. The respondent was previously disciplined: Censured in 2009 and suspended in 2012.

MATTHEW A. MARINO

Disbarred on May 16, 2014 (217 *N.J.* 351) following his conviction in the United States District Court for the Southern District of New York, to one count of misprision of a felony, a violation of 18 U.S.C. § 4. Respondent's conviction of criminal activity in association with the Bayou Fund, LLC, fraud established violations of *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer) and 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and warranted disbarment. Hillary Horton represented the OAE on a Motion for Final Discipline and Paul B. Brickfield represented the respondent.

SCOTT J. MARUM

Disbarred by consent on June 24, 2014 (217 *N.J.* 621) for knowingly misappropriating clients' trust funds. Christina Blunda Kennedy represented the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 1995 and 1997, reprimanded in 2007, and suspended for one year in 1999.

CYNTHIA A. MATHEKE

Admonished on July 15, 2014 (*Unreported*) for failure to keep a client informed about the progression of a medical malpractice matter. Peter A. Gaudioso appeared before the DRB for District VC and respondent's counsel Kevin J. O'Connor waived appearance.

MARTIN J. MILITA, JR.

Censured on February 12, 2014 (217 *N.J.* 19) following a road rage incident that resulted in respondent's guilty plea in New Jersey Superior Court to one count of disorderly persons hindering apprehension by providing false information to a law enforcement official, in violation of N.J.S.A. 2C:29-3b(4), and two counts of petty disorderly persons harassment, in violation of N.J.S.A. 2C:33-4(c). Missy Urban represented the OAE on a motion for final discipline and Scott B. Piekarsky represented respondent.

CLIFFORD J. MINOR

Disbarred by consent on March 27, 2014 (217 *N.J.* 219) following his criminal conviction in United States District Court of the District of New Jersey for conspiracy to violate the travel act, in violation of 18 U.S.C. § 371; use of an interstate facility to facilitate bribery, in violation of 18 U.S.C. § 1952(a)(3)-(5); obstructing an official proceeding, in violation of 18 U.S.C. § 1512(c)(2); falsification of records, in violation of 18 U.S.C. § 1519; perjury, in violation of 18 U.S.C. § 1621(1); and making false statements, in violation of 18 U.S.C. § 1001(a)(2). Hillary Horton represented the OAE before the Supreme Court and Thomas R. Ashley represented the respondent.

WANDA MOLINA

Suspended for six months on January 31, 2014 (216 *N.J.* 551) effective February 28, 2014, following her guilty plea in the Superior Court of New Jersey to third-degree tampering with public records and fourth-degree falsifying records. Jason D. Saunders appeared on behalf of the OAE and Marc D. Garfinkle represented the respondent on a motion for final discipline.

PHILIP J. MORIN, III

Reprimanded by consent on July 11, 2015 (218 *N.J.* 163) for violating RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with the client), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Nancy E. Saccente represented District IIA and Robert J. DeGroot represented the respondent on the motion for discipline by consent before the DRB.

BENJAMIN MORTON

Suspended for three months effective January 6, 2015 (220 *N.J.* 102) for failure to communicate with a client, engaging in a prohibited business transaction with a client, recordkeeping violations, and conduct prejudicial to the administration of justice. The record in this matter is subject to a Protective Order. Melissa A. Czartoryski appeared before the DRB for the OAE and Donald B. Liberman appeared for respondent.

KEITH O. MOSES

Suspended for three months, effective February 7, 2014, (216 *N.J.* 432) for knowingly disobeying court orders in a case in which he was a party defendant and acting as his own attorney, conduct which both derailed and delayed the proceedings. Melissa A. Czartoryski appeared before the DRB and the Court for the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 2002, reprimanded in 2011 and in 2012.

ERIK MUELLER A/K/A ERIK W. MUELLER

Suspended for three years on July 3, 2014 (218 *N.J.* 3), with suspension retroactive to June 24, 2011, the date of respondent's temporary suspension for his guilty plea to conspiracy to commit wire fraud in violation of 18 U.S.C. § 1349. HoeChin Kim appeared before the Supreme Court for the OAE and Matthew S. Marrone appeared for respondent.

KENDALL S. MURPHY

Admonished on November 24, 2014 (*Unreported*) for lacking diligence and failing to adequately communicate with a client who had retained respondent to obtain the expungement of several criminal convictions. Elizabeth A. Smith represented District VII before the DRB and Joseph L. Mooney, III represented the respondent.

THOMAS L. MURPHY

Disbarred by consent on February 6, 2014 (216 *N.J.* 595) for having knowingly made false statements of material fact to a tribunal, and others, executing and submitting to tribunals false certifications, which caused a number of tax appeals to be denied, and commission of misconduct prejudicial to the administration of justice. Rona Kaplan represented the OAE and Steven Kudatzky represented respondent.

ANDREW K. MURRAY

Reprimanded on December 5, 2014 (220 *N.J.* 47) following a stipulation of discipline by consent in which respondent admitted not reconciling his trust account, having inactive balances on his trust account ledgers, and other recordkeeping violations. Michael J. Sweeney represented the OAE and respondent was pro se. This matter was discovered solely as a result of the Random Audit Program. The respondent was previously disciplined: Admonished in 2011.

FELIX NIHAMIN

Suspended for three months effective July 17, 2014 (217 *N.J.* 616) following his third-degree misapplication of entrusted property conviction, in violation of N.J.S.A. 2C:21-15. Respondent made false statements of material fact on HUD-1 settlement statements knowing that lenders would rely on the inaccurate information when funding mortgages and disbursing funds. Hillary Horton represented the OAE in the Supreme Court on a Motion for Final Discipline and Jason J. Oliveri represented respondent. The respondent was previously disciplined: Admonished in 2010.

CHRIS C. OLEWUENYI

Suspended for two years on February 7, 2014 (216 *N.J.* 576) following his guilty plea in United States District Court for the District of New Jersey to one count of conspiracy to defraud the United States, in violation of 18 U.S.C. § 371; and his guilty plea in New Jersey Superior Court to one count of conspiracy to promote or facilitate the crime of identity theft, in violation of N.J.S.A. 2C:5-2 and N.J.S.A. 2C:21-17. Hillary Horton represented the OAE before the Supreme Court and respondent was pro se.

DALE S. ORLOVSKY

Suspended for two years on December 12, 2014, effective May 11, 2012 (220__ *N.J.* 106) following his conviction in the United States District Court for the District of New Jersey to conspiracy to defraud the United States by conspiring to conceal income from the IRS, contrary to 18 U.S.C. § 371. Respondent conspired to hide cash income at a restaurant/bar in which he was a 50% partner. Hillary Horton represented the OAE on a Motion for Final Discipline and Joseph P. La Sala represented respondent.

MARC Z. PALFY

Censured on a certified record on November 20, 2014 (220 *N.J.* 32) for violating *RPC* 1.15(d) (recordkeeping) and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Respondent was also ordered to remain temporarily suspended until he complied with fee arbitration requirements. Missy Urban represented the OAE before the DRB and respondent defaulted.

DEBORAH C. PECK

Disbarred by consent on December 5, 2014, (220 *N.J.* 46) for the knowing misappropriation of trust funds. Jason D. Saunders represented the OAE and Michael P. Ambrosio represented the respondent.

DUANE T. PHILLIPS

Suspended for three months on two certified records on February 12, 2014 (216 *N.J.* 584) for violating *RPC* 1.3 (lack diligence), *RPC* 5.5(a) (practicing law while suspended), and *RPC* 8.1(b) (failure to comply with a lawful demand for information from a disciplinary authority). HoeChin Kim represented the OAE, Barbara J. Lieberman represented District I, and respondent was pro se. The respondent was previously disciplined: Admonished in 2010; censured in 2011 and 2013.

CHERYL H. PICKER

Reprimanded by consent on July 8, 2014 (218 *N.J.* 388) for violating *RPC* 1.15(a) (deposit of personal funds in the trust account) and *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Christina Blunda Kennedy appeared before the DRB for the OAE and Scott Piekarsky represented respondent. The respondent was previously disciplined: suspended for three months in 2013.

JUSTIN A. PINCK

Suspended for three months effective August 16, 2014 (218 *N.J.* 267) for misconduct which occurred before and during the sale of law practice. Respondent failed to timely notify 130 clients of the proposed sale and failed to ensure that the purchasing attorney published a notice of sale. In nine client matters, respondent engaged in gross neglect, a pattern of neglect, and lack of diligence. In seven of those matters, he failed to adequately communicate with the clients. Respondent also misrepresented the status of the case in three of the matters and failed to return files and unearned fees or costs in twenty-eight of the client matters transferred under the terms of the sale. Michael J. Sweeney represented the OAE on the Motion for Discipline by Consent and the respondent appeared pro se.

LAWRENCE R. PINCK

Suspended for three months effective August 16, 2014 (218 *N.J.* 264) for misconduct which occurred before and during the sale of law practice. Respondent failed to timely notify 130 clients of the proposed sale and failed to ensure that the purchasing attorney published a notice of sale. In eight client matters, the respondent engaged in a combination of gross neglect, a pattern of neglect, lack of diligence, and failure to communicate with clients. Respondent also failed to return files and unearned fees or costs in twenty-eight of the client matters. Michael J. Sweeney represented the OAE on the Motion for Discipline by Consent and the respondent appeared pro se.

JEFFREY R. POCARO

Suspended for three months on September 24, 2014, effective October 23, 2014 (219 *N.J.* 320) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with a client), *RPC* 1.5(b) (failure to provide client with a writing setting forth the basis or rate of the fee), *RPC* 3.2 (failure to expedite litigation), *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and *RPC* 8.4(d) (conduct prejudicial to the administration of justice) in connection with mishandling a lawsuit alleging that serious injuries to a show horse were sustained due to negligence while the horse was in dressage training. Glen J. Vida represented District XII and respondent was pro se. The respondent was previously disciplined: Suspended for one-year in 1995; censured in 2006; and censured in 2013.

HAROLD J. POLTROCK

Admonished on January 23, 2014 (*Unreported*) for recordkeeping violations, including a $11,406.27 shortfall, a failure to conduct monthly three-way reconciliations, and a failure to maintain proper client ledger cards. Christina Blunda Kennedy represented the OAE and respondent was pro se. This matter was discovered as a result of the Random Audit

Compliance Program.

ALAN S. PORWICH

Admonished on October 29, 2014 (220 *N.J.* 24) for violating *RPC* 8.1(b) (failure to cooperate with disciplinary authorities). Anabela DaCruz-Melo appeared for District XII before the DRB and Gerald D. Miller represented the respondent. The respondent was previously disciplined: Reprimanded in 1999 and censured in 2011.

WAYNE POWELL

Censured on September 5, 2014 (219 *N.J.* 128) for actions while suspended from the practice of law that were found to constitute violations of *RPC* 8.1 (b) (failure to cooperate with disciplinary authorities) and *RPC* 8.4 (d) (conduct prejudicial to the administration of justice). Maureen G. Bauman represented the OAE before the DRB and Carl Poplar represented respondent. The respondent was previously disciplined: Reprimanded in 1995, 1997, and 2010; suspended for three months in 2011; and censured in 2013.

SAMUEL RAK

Disbarred on April 9, 2014 (217 *N.J.* 278) for showing repeated disrespect for the disciplinary system by defaulting in five disciplinary complaints from 2010 to 2014, practicing law while suspended, making misrepresentations to clients, and mishandling three bankruptcy matters. Melissa A. Czartoryski represented the OAE before the Supreme Court and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2010 and suspended for three month terms in 2011 and 2013.

MICHAEL L. RESNICK

Reprimanded on October 14, 2014, (219 *N.J.* 620) for violating *RPC* 1.7(a)(2) (conflict of interest), *RPC* 1.16(d) (failure to protect a client's interests on termination of the representation), *RPC* 3.5(b) (ex parte communication with a judge), and *RPC* 8.4(a) (violation of the Rules of Professional Conduct). Respondent engaged in a romantic and sexual relationship with his client which soured during the course of the representation leading respondent to seek ex parte advice from the Presiding Family-Part Judge in the county where the client's divorce action was pending. Colleen Cunningham represented District XA and Gerard Hanlon represented respondent. The respondent was previously disciplined: Reprimanded in 1998.

FELICIA B. RUSSELL

Censured on September 5, 2014 (219 *N.J.* 130) for combined misconduct in two matters, including violating *RPC* 1.3 (lack of diligence), *RPC* 1.4 (b) (failure to communicate with client), and *RPC* 8.4 (c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Claire Scully and Anthony T. Betta represented District IX before the DRB and Marc D. Garfinkle represented respondent. The respondent was previously disciplined: Admonished in 2009 and reprimanded in 2010.

JONATHAN E. SACHAR

Suspended for three months effective June 13, 2014 (217 *N.J.* 356) for his private conduct in a real estate matter where he was seeking a commercial loan. Respondent's conduct was deceitful and he made misrepresentations by failing to advise the parties involved about the true priority of liens on the property in question. William C. Cagney appeared before the DRB for District I. Respondent waived appearance for oral argument.

GERALD M. SALUTI

Suspended for three months effective February 28, 2014 (216 *N.J.* 549) for misconduct in relation to his representation of a criminal defendant that included violations of *RPC* 1.5(b) (failing to provide client with a writing setting forth the basis or rate of the fee), *RPC* 3.3(a)(5) (failing to disclose to a tribunal a material fact knowing that its omission is reasonably certain to mislead the tribunal), *RPC* 7.1(a)(1) and (2) (making false or misleading communication about the lawyer's services that is likely to create an unjustified expectation about the results the lawyer can achieve), *RPC* 8.1(b) (failure to cooperate with disciplinary authorities), *RPC* 8.4(a) (violating or attempting to violate the *RPC*s), *RPC* 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation), and *RPC* 8.4(d) (engaging in conduct prejudicial to the administration of justice). John Michael Deitch represented District VA before the DRB and Thomas P. Scrivo represented the respondent. The respondent was previously disciplined: Admonished in 2007, admonished in 2012, and reprimanded in 2013.

OTTO J. SCERBO

Disbarred by consent on September 24, 2014 (219 *N.J.* 318) for knowing misappropriation of client funds. Missy Urban represented the OAE and Michael P. Korbanicks represented the respondent.

HOWARD P. SCHIFF

Reprimanded on May 29, 2014 (217 *N.J.* 524) for making a false statement of fact or law to a tribunal, and for conduct involving dishonesty, fraud, deceit, or

misrepresentation (filing inaccurate certifications of proof in connection with default judgments). Respondent failed to supervise non-lawyer employees (firm's staff prepared signed, but undated, certifications of proof in anticipation of defaults, and at respondent's direction would complete the certification, add factual information, and stamp the date after the certification had been signed). Respondent, through the acts of another, violated the *Rules of Professional Conduct* (respondent knew of and endorsed the practice of changing certifications). Patrick Accisano represented District IX and respondent was pro se on a Motion for Discipline by Consent granted by the DRB.

STEPHEN SCHNITZER

Admonished on March 26, 2014 (*Unreported*) for recordkeeping deficiencies and commingling, in violation of *RPC* 1.15(a) and *RPC* 1.15(d). HoeChin Kim represented the OAE in a Disciplinary Stipulation before the DRB and respondent was pro se. This matter was discovered solely as a result of the Random Audit Compliance Program.

SCOTT P. SIGMAN

Suspended for thirty months on December 18, 2014, effective January 16, 2015 (220 *N.J.* 141) on a motion for reciprocal discipline from a disciplinary proceeding in the Commonwealth of Pennsylvania for diverting referral fees and legal fees that were owed to his firm, and devoting them to his personal use. Jason D. Saunders appeared before the Supreme Court for the OAE and Kenneth Aita represented the respondent.

GOLDIE C. SOMMER

Suspended for one year on May 16, 2014 (217 *N.J.* 359), effective May 22, 2013, following her conviction in the United States District Court, District of New Jersey, to one count of conspiracy to structure transactions to evade a reporting requirement, in violation of 31 U.S.C. §5324(a)(3) and 5234(d)(1) and 18 U.S.C. § 371. Respondent's conviction for unlawfully structuring $354,000 to assist a client hide funds from his wife during a divorce action established a violation of *RPC* 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer). Hillary Horton represented the OAE on a Motion for Final Discipline and Jack D. Arseneault represented respondent.

GEOFFREY L. STEIERT

Suspended for six months on December 10, 2014 (220 *N.J.* 103) for violating *RPC* 8.4(c) and *RPC* 8.4(d) by trying to convince his former client/grievant to lie and change his testimony regarding respondent's representation of him as a means to obviate his prior discipline. Daniel Q. Harrington appeared before the DRB for District IV and respondent appeared pro se telephonically. The respondent was previously disciplined: Reprimanded in 2010.

JARED E. STOLZ

Suspended for three months effective October 3, 2014 (219 *N.J.* 123) for violating *RPC* 3.2 (failing to treat with courtesy and consideration all persons involved in the legal process); *RPC* 3.3(a)(1) (knowingly making a false statement of material fact or law to a tribunal), *RPC* 3.3(a)(5) (failing to disclose to the tribunal a material fact knowing that the omission is reasonably certain to mislead the tribunal); *RPC* 4.1(a) (in representing a client, knowingly making a false statement of material fact or law to a third person), *RPC* 8.4(a) (violating or attempting to violate the *RPCs*); and *RPC* 8.4(d) (conduct prejudicial to the administration of justice). Timothy P. McKeown represented District XIII before the DRB and Jason D. Saunders represented the OAE in the Supreme Court. Respondent was initially represented by Lee Gronikowski and then proceeded pro se.

SOON-MEE SUH

Disbarred by consent on October 29, 2014 (220 *N.J.* 21) for the knowing misappropriation of client/escrow funds. Melissa A. Czartoryski represented the OAE and Catherine M. Brown represented respondent.

HERBERT J. TAN

Reprimanded on March 14, 2014 (217 *N.J.* 149) for failing to keep his client, a corrections officer at Hudson County Correctional Facility, reasonably informed about the status of her legal matters. Susan M. Singer represented District VA before the DRB and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2006; reprimanded in 2010; and censured in 2011.

MITCHEL TARTER

Suspended for three months on January 16, 2014 (216 *N.J.* 425) for gross neglect, exhibiting a pattern of neglect, lack of diligence, and failing to withdraw from representation. Prior to reinstatement respondent is required to demonstrate his fitness to practice as attested to by an OAE-approved mental health professional. Ellen Schwartz appeared before the DRB for the District VIII and respondent failed to appear.

RONALD B. THOMPSON

Censured on September 3, 2014 (219 *N.J.* 127) for

failure to keep a client adequately informed about important events in her case and for lacking diligence in the handling of the case, resulting in its dismissal. Michael O. Kassak appeared before the DRB for District IIIB and Paul Ferrell, Jr. appeared for respondent. Respondent was previously disciplined: Censured in 2011.

JOHN E. TIFFANY

Disbarred on May 28, 2014 (217 *N.J.* 519) for numerous violations of the *Rules of Professional Conduct* and *Court Rules* in three client matters that proceeded to a hearing, and in five other matters that proceed by default. HoeChin Kim represented the OAE and Andrew J. Cevasco represented respondent. The respondent was previously disciplined: Suspended for three months in 2013.

KIMBERLY S. TYLER

Reprimanded by consent on May 29, 2014 (217 *N.J.* 525) for failing to communicate with a client. Nicole Leonard represented District VA and respondent was pro se on a motion for discipline by consent granted by the DRB. Respondent was previously disciplined: Reprimanded in 2011.

T. THOMAS VAN DAM

Disbarred by consent on October 23, 2014 (220 *N.J.* 5) for knowing misappropriation of client funds. Michael J. Sweeney represented the OAE and Raymond R. Wiss represented the respondent. This matter was discovered solely as a result of the Random Audit Program.

CLIFFORD L. VAN SYOC

Suspended for six months on January 16, 2014, effective February 14, 2014, (216 *N.J.* 427) for failing to treat with courtesy and consideration all persons involved in the legal process; making a statement the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications of a judge; and engaging in conduct prejudicial to the administration of justice. Timothy J. McNamara appeared before the DRB for the OAE and Respondent was represented by Heidi R. Weintraub.

EFTHEMOIS D. VELAHOS

Censured on December 12, 2014 (220 *N.J.* 108) for his violations of *RPC* 5.4(b) (partnership with a non-lawyer in the practice of law), *RPC* 5.5(a)(1) (failure to maintain liability insurance while practicing as a limited liability company and practicing law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction), *RPC* 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). William Nash appeared before the DRB for District IV and Teri S. Lodge waived appearance on behalf of respondent.

BRANDON WALCOTT

Reprimanded on May 14, 2014 (217 *N.J.* 367) for violating *RPC* 4.1(a) (knowingly making a false statement of material fact to a third-person) and *RPC* 8.4(c) (engage in conduct involving dishonesty, fraud, deceit or misrepresentation). Missy Urban represented to OAE and respondent was pro se on a stipulation of discipline by consent.

DAVID L. WECHT

Reprimanded on June 19, 2014 (218 *N.J.* 388) for violating RPC 1.15(a) (negligent misappropriation) and RPC 1.15(d) (recordkeeping violations). Christina Blunda Kennedy appeared before the DRB for the OAE and respondent was pro se.

BENJAMIN C. WEINER

Reprimanded on March 11, 2014 (217 *N.J.* 146) for authoring pleadings in the course of a lawsuit which disparaged the honesty and integrity of judges who comprise the Pennsylvania judiciary, in reckless disregard for their truth or falsity in violation of *RPC* 8.2(a). Peter J. Gallagher appeared before the Disciplinary Review Board for District VC. Respondent appeared pro se.

ERIC M. WINSTON

Reprimanded on October 1, 2014 (219 *N.J.* 428) for failing to file an appeals brief in an employment matter and misrepresenting to the client that the matter was proceeding normally. Respondent's conduct equated to violations of *RPC* 1.1(a) (gross neglect), *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to keep a client reasonably informed about the status of a matter), and *RPC* 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Joseph C. Perconti represented District XI and respondent was represented by Paulette L. Pitt.

MATTHEW W. WOITKOWSKI

Censured on September 9, 2014 (219 *N.J.* 181) for negligent misappropriation of funds caused by noncompliance with recordkeeping requirements and failure to keep sufficient funds in his IOLA trust account, recordkeeping violations, and conflict of interest caused by respondent permitting his real estate clients to utilize the title company that he owned for their

title abstract and title insurance needs without sufficiently disclosing his personal interest in the company to his New York law clients. Hillary Horton represented the OAE on a Motion for Reciprocal Discipline before the DRB and Michael S. Ross represented respondent.

LOIS ANNE WOOD

Disbarred by consent on August 7, 2014 (218 *N.J.* 526) for knowingly misappropriating client trust funds. Timothy J. McNamara represented the OAE before the Supreme Court and Lee A. Gronikowski represented the respondent. The respondent was previously disciplined: Admonished in 1997 and reprimanded in 2003.

MARIA A. YELLAND

Censured on October 30, 2014 (220 *N.J.* 26) for failing to return documents to a client in a bankruptcy matter; failing to keep an estate client adequately informed about the status of the matter; and for exhibiting gross negligence, lack of diligence, and failing to keep a bankruptcy client adequately informed about the status of her case. Respondent also failed to cooperate with disciplinary authorities. Nikki J. Davis and Robert Fredrick Casey represented District VII and respondent was pro se.

2013

ERNEST A. APONTE

Censured on September 5, 2013 (215 *N.J.* 298) for improper fee sharing and forming an impermissible partnership with non-lawyers in connection with mortgage modifications and bankruptcy filings, failing to maintain an attorney trust account and professional malpractice insurance while operating as a professional corporation, and lack of diligence, gross neglect and pattern of neglect in the handling of bankruptcy files. Michael J. Sweeney appeared before the DRB for the OAE. Carol Niewender Goloff appeared for the District I Ethics Committee. Jose A. Silva appeared for respondent.

KARIM ARZADI

Suspended for six months effective January 3, 2014 (216 *N.J.* 334) for knowingly making a false statement of material fact or law to a tribunal, knowingly offering false evidence, conduct involving dishonesty, fraud, deceit or misrepresentation and conduct prejudicial to the administration of justice. Specifically he repeatedly certified that false statements made in his certifications and pleadings were true, knowing they were false and made knowingly false accusations against his adversary in his pleadings. In addition, he failed to admit his wrongdoing and instead perpetrated the charade throughout the DEC hearing and DRB argument. Howard Duff appeared before the DRB for District VIII, and Robyn M. Hill and Joseph J. Benedict appeared for the respondent.

VICTOR F. AZAR

Reprimanded on October 17, 2013 (216 *N.J.* 404) for violations of RPC 1.1(b) (pattern of neglect); RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to communicate with clients); and RPC 1.16(d) (failure to protect the client's interests upon termination of the representation) in connection with three client matters. Jennifer Blum represented District IIB and Raymond Flood represented respondent.

EDWARD RALPH BASSETTI

Reprimanded on February 8, 2013 (213 *N.J.* 41) for improper release of escrow funds he held in a real estate transaction. Maureen G. Bauman appeared before the DRB for the OAE and Adam J. Adrignolo appeared for the Respondent.

JEFFREY SCOTT BECKERMAN

Censured on April 5, 2013 (213 *N.J.* 280*)* for referring 111 primarily workers' compensation cases to another attorney not in the same firm, who was not a certified workers' compensation attorney, and receiving in return referral fees totaling $104, 152.37. Melissa A. Czartoryski represented the OAE and respondent was pro se.

ADAM KENNETH BLOCK

Reprimanded on a certified record on March 7, 2013 (213 *N.J.* 80) for practicing while ineligible, in violation of RPC 5.5(a). N. Ari Weisbrot represented District IIB and respondent was pro se.

DAVID A. BOLSON

Censured on January 8, 2013 (216 *N.J.* 166) for paying 131 referral fees in primarily workers' compensation cases totaling $142,432 over a six-year period to attorneys not in his firm without obtaining the requisite status as having been certified in that specialty, such as to permit fee splitting under R. 1:39-6(d). Melissa A. Czartoryski appeared before the DRB for the OAE and respondent appeared pro se. The Respondent was previously disciplined: Admonished in 2003.

JONATHAN STAR BRISTOL

Disbarred by consent on May 9, 2013 (213 *N.J.* 519) after pleading guilty in the United States District Court for the Southern District of New York to conspiracy to commit money laundering, in violation of 18 U.S.C. §1956. Michael J. Sweeney represented the OAE and Gerard Hanlon represented the respondent.

MICHAEL J. BROWN

Reprimanded on December 17, 2013 (216 *N.J.* 341) for violating *RPC* 1.3 (lack of diligence), *RPC* 1.4(b) (failure to communicate with client), *RPC* 1.16(d) (failure to protect a client's interests on termination of the representation), and *RPC* 5.5(a) (unauthorized practice of law) in a matter in the U.S. Court of Appeals for Veterans Claims. Myles A. Seidenfrau represented District IV and Andrew B. Kushner represented respondent.

NOAH M. BURSTEIN

Reprimanded on June 13, 2013 (214 *N.J.* 46) for violating RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence) and RPC 1.4(b) (failure to keep client reasonably informed about the status of matter and failure to comply with a client's reasonable requests for information). Nancy Saccente appeared before the DRB for District IIA and respondent appeared pro se.

EDWARD BENJAMIN BUSH

Censured on December 17, 2013 (210 *N.J.* 182) for failing to "institute appropriate, timely litigation and investigation" on his client's behalf in a civil matter, constituting gross neglect in violation of RPC 1.1(a) and lack of diligence in violation of RPC 1.3. Respondent also violated RPC 1.4(b) and RPC 8.4(c) by misrepresenting the status of the civil matter to his client. Finally, respondent violated RPC 8.1(b) by failing to cooperate with disciplinary authorities. Jerome J. Turnbach appeared on behalf of District IIIA and respondent was represented by Lee A. Gronikowski. Respondent was previously disciplined: Admonished in 2012.

TONYA DENISE BUTLER

Censured on September 6, 2013 (215 *N.J.* 302) based on discipline imposed in Tennessee that in New Jersey constitutes violations of RPC 5.5(a) (practicing law while ineligible to do so) and RPC 8.4(a) (violating or attempting to violate the Rules of Professional Conduct). Missy Urban represented the OAE and respondent appeared pro se.

MICHAEL A. CASALE

Suspended for three years effective May 17, 2013 (213 *N.J.* 379) for violating RPC 1.7(b) (conflict of interest (now RPC 1.7(a)(2)) in his representation of an elderly widow in poor health and of questionable competence. Vincent E. Gentile appeared before the Supreme Court for the OAE and Frederick J. Dennehy represented the respondent.

MATTHEW JOHN CAVALIERE

Censured on January 10, 2013 (216 *N.J.* 90) for failing to comply with recordkeeping rules, practicing law in a jurisdiction where doing so violated the regulations of the legal profession in that jurisdiction (failing to have professional liability insurance) and conduct involving dishonesty, fraud, deceit or misrepresentation based on respondent's statements to a Random Auditor that his professional liability insurance had expired when, in fact, he knew that he had not obtained insurance as directed following a previous random audit.

OWEN CHAMBERS

Suspended for six months on a certified record on September 10, 2013 (215 *N.J.* 303) for violating RPC 1.4(b) (failure to communicate with the client), RPC 1.15(a) (failure to safeguard client property or funds), RPC 1.15(b) (failure to promptly deliver funds or property to a client or third person), RPC 5.3(a), (b), and (c) (failure to supervise a non-lawyer employee), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Christina Blunda Kennedy represented the OAE and respondent defaulted. Respondent was previously disciplined: Suspended for three months in 2012, which suspension is still in effect.

JOSEPH S. CHIZIK

Reprimanded on March 7, 2013 (213 *N.J.* 81) for grossly neglecting a personal injury case, failing to respond to his client's numerous requests for information about the case, failing to turn over the client's file to new counsel and failing to promptly respond to ethics authorities' requests for information. Colleen McGuigan appeared before the DRB for District IIIB and respondent's counsel James J. Gerrow, Jr. waived appearance. The respondent was previously disciplined: Reprimanded in 1997.

CINZIA CIOFFI

Reprimanded on March 8, 2013 (213 *N.J.* 87) for failing to withdraw from representation when a physical and/or mental condition materially impaired her ability to represent her clients, failing to take steps to protect her client's interests upon termination of representation and failing to cooperate with the ethics investigation. Janice L. Richter represented the OAE

and respondent was pro se.

CINZIA CIOFFI

Censured on May 14, 2013 (213 *N.J.* 522) for gross neglect, lack of diligence, failure to communicate with her client, practicing law while ineligible and failure to cooperate with disciplinary authorities. Janice L. Richter represented the OAE and respondent defaulted. The respondent was previously disciplined: Reprimanded in 2013.

PAUL FRANKLIN CLAUSEN

Reprimanded on April 22, 2013, (213 *N.J.* 461) on motion for discipline by consent. Respondent practiced law from September 2009 to January 2011 while administratively ineligible due to nonpayment of the annual attorney assessment to the New Jersey Lawyers' Fund for Client Protection (CPF). Therese H. Thompson handled the matter for District XIII and respondent was pro se.

PETER A. COOK

Admonished on January 25, 2013 *(Unreported)* for failing to act with diligence and failing to communicate with clients in a simple estate matter and in another matter where the attorney was tasked with setting up a non-profit entity and preparing initial tax returns. James Henry Forte represented District V-B before the DRB and Gerard E. Hanlon represented respondent.

CARLO J. COPPA

Disbarred by consent on March 25, 2013 (213 *N.J.* 250) after he entered a guilty plea and was sentenced on two counts of second-degree theft by failure to make required disposition of property received, contrary to *N.J.S.A.* 2C:20-9. Timothy J. McNamara represented the OAE and Santo J. Bonanno represented respondent.

PAUL JAMES CURRERI

Disbarred by consent on December 5, 2013 (216 *N.J.* 333) following his criminal conviction in New Jersey Superior Court to one count of conspiracy to commit theft by deception and securities fraud, in violation of N.J.S.A. 2C:20-4; N.J.S.A. 49:3-52(b); and N.J.S.A. 2C:5-2. Michael J. Sweeney represented the OAE before the Supreme Court and Joseph T. Afflitto, Jr. represented the respondent. The respondent was previously disciplined: Reprimanded in 2012.

MICHAEL D. D'ANGELO

Reprimanded on February 8, 2013 (213 *N.J.* 40) for defrauding the lender in a real estate transaction by allowing the closing documents to misstate the financial terms of the transaction. Respondent also failed to properly communicate the terms of the transaction to his client and did not provide the client with a writing that clearly set out his fee. Missy Urban appeared before the DRB for the OAE and Richard M. DeLuca appeared for respondent.

MARC D'ARIENZO

Reprimanded on a motion for discipline by consent on August 9, 2013 (214 *N.J.* 623) for practicing law while ineligible in violation of RPC 5.5(a)(1). Linda Couso Puccio represented District XI and respondent was pro se. The respondent was previously disciplined: Suspended for three months in 1999; admonished in 2001; admonished in 2004; and censured in 2011.

DAVID M. DE CLEMENT

Reprimanded on June 11, 2013 (214 *N.J.* 47) on motion for discipline by consent for releasing a portion of escrow funds to a party to an escrow agreement without first obtaining the other party's consent, in violation of RPC 1.15(a). Melissa A. Czartoryski handled the matter for the OAE and respondent appeared pro se.

DOUGLAS J. DEL TUFO

Suspended for three months effective January 3, 2014 (216 *N.J.* 332) for charging his public defender clients a legal fee for his representation, in violation of RPC 1.5(a) and (b) (unreasonable fee and failure to communicate the basis or rate of the fee in writing), RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and RPC 8.4(d) (conduct prejudicial to the administration of justice). HoeChin Kim represented the OAE and respondent was pro se.
The respondent was previously disciplined: Admonished in 2011 and Reprimanded in 2012.

RAKESH J. DESAI

Disbarred by consent on March 11, 2013 (213 *N.J.* 88) after pleading guilty to a charge of third-degree bribery in official matters in Hudson County Superior Court. Michael J. Sweeney represented the OAE and Anna G. Cominsky represented the respondent.

JOHN DAVID DI CIURCIO

Admonished on July 19, 2013 (*Unreported*) for failing to act with diligence and adequately communicate with a client in connection with a bankruptcy matter. Robert J. Gillispie, Jr. represented District IV and William Thomas DiCiurcio II represented respondent.

THOMAS E. DOWNS

Admonished on April 19, 2013 *(Unreported)* for failing to communicate with his client, in violation of RPC 1.4(b), and failing to reply to the ethics investigator's numerous attempts to contact him, in violation of RPC 8.1(b). Marc J. Bressler appeared before the DRB for District VIII and Frederick J. Dennehy appeared for the respondent.

DAN A. DRUZ

Reprimanded on November 14, 2013 on motion for discipline by consent (216 *N.J.* 163) for violating RPC 1.15(d) and Rule 1:21-6, recordkeeping violations. Respondent was previously disciplined: Admonished in 2010. Timothy J. McNamara represented the OAE before the DRB and respondent was pro se.

STEPHEN WILLIAM EDWARDS

Admonished on January 25, 2013 (*Unreported*) for practicing law in a jurisdiction where doing so violated the regulation of the profession, failing to keep proper records and practicing law while ineligible for failure to pay the annual New Jersey Lawyer's Fund for Client Protection assessment and failing to comply with the mandatory IOLTA program. Christopher J. Koller represented District IIB before the DRB and respondent was pro se.

SUZANNE L. ENGELHARDT

Reprimanded on February 8, 2013 (213 *N.J.* 42) for practicing law while on retired status and failing to cooperate with disciplinary authorities by refusing to submit to an interview. Melissa A. Czartoryski represented the OAE before the DRB and respondent failed to appear.

STEVEN CHARLES FEINSTEIN

Suspended for one year on December 17, 2013 (216 *N.J.* 339) for violating RPC 3.3(a)(1) (knowingly making a false statement of material fact or law to a tribunal), RPC 3.3(a)(5) (failing to disclose to the tribunal a material fact knowing that the omission is reasonably certain to mislead the tribunal), RPC 4.1(a)(1) (in representing a client, knowingly making a false statement of material fact or law to a third person), RPC 5.5(a)(1) (practicing law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction), RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and RPC 8.4(d) (conduct prejudicial to the administration of justice). The Court also ordered that respondent shall not appear pro hac vice in any New Jersey matter until further Order of the Court and that respondent's application for readmission to the New Jersey Bar shall be withheld for one year. Timothy J. McNamara appeared before the DRB for the OAE and respondent appeared pro se.

MARC PRENTISS FELDMAN

Censured on October 29, 2013 on a motion for discipline by consent (216 *N.J.* 156) for violating RPC 8.4(c), conduct involving dishonesty, fraud, deceit or misrepresentation, following his acceptance of $3,185 in legal fees to which he was not entitled. Respondent was a network attorney for a legal expense insurance company domiciled in Arizona. The company offered group legal insurance plans, through employers, as an employee benefit. Respondent prepared estate planning documents for 12 plan members but none of the members executed the documents. Six of the individuals had retained respondent for other legal services and had not specifically requested the estate planning documents. In three instances, respondent did not even speak to the clients prior to preparing the documents. However, respondent submitted claims for fees indicating that he had completed the matters when none of the documents had been executed. Diana C. Manning represented the District XA Ethics Committee. Respondent was represented by Thomas A. Cataldo.

STUART D. FELSEN

Suspended for three months on a certified record effective July 5, 2013 (214 *N.J.* 337), for lack of diligence, failure to communicate with a client, and failure to cooperate with ethics authorities. Thomas C. Jardim represented District XB and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2002; suspended for three months in 2007; and censured in 2012.

MICHAEL SETH FEUER

Disbarred by consent on September 5, 2013 (215 *N.J.* 301) following his guilty plea in United States District Court, District of New Jersey to one count of conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349. Michael J. Sweeney represented the OAE and Jordan Tucker represented the respondent.

GARY E. FOX

Admonished by consent on October 23, 2013 (*Unreported*) for improperly utilizing a client's authorization to sign the client's name to a settlement check. Melissa A.

Czartoryski represented the OAE and respondent was pro se on the motion for discipline by consent. The respondent was previously disciplined: Reprimanded in 1998.

AMEDEO ANTHONY GAGLIOTI

Disbarred on a certified record on April 18, 2013 (213 *N.J.* 380) for knowingly misappropriating client and escrow funds in three separate real estate matters. Missy Urban appeared before the Supreme Court for the OAE and respondent failed to appear.

WILLIAM E. GAHWYLER, JR.

Suspended for one year effective February 22, 2013 (212 *N.J.* 556) for taking an excessive fee, dishonesty and conflict of interest in a real estate transaction in which he represented both the buyer and seller. He prepared a false RESPA in which he certified that the seller received over $200,000 in sales proceeds when she only received $35,000 and failed to disclose that a party not listed on the statement received over $120,000 of the seller's (his client's) funds. Janice Richter appeared before the DRB for the OAE and Andrew Cevasco represented the respondent. The respondent was previously disciplined: Censured in 2011.

VINCENT L. GALASSO

Admonished on October 23, 2013 (*Unreported*) for failing to promptly disburse funds to a medical provider after receipt of settlement funds and negligent misappropriation of funds in an unrelated matter where discovery of mistake was delayed by respondent's failure to perform three-way reconciliations of trust account on a monthly basis. Melissa A. Czartoryski represented the OAE and respondent was pro se before the DRB.

EVELYN F. GARCIA

Censured on September 5, 2013 (215 *N.J.* 297) for violating RPC 1.5(b) (failure to set forth in writing the rate or nature of the fee), RPC 1.15(a) and (b) (failure to safeguard client or escrow funds held in the trust account), RPC 1.15(d), Rule 1:21-6 (recordkeeping violations), RPC 5.4(c) (a lawyer shall not permit a person who recommends, employs or pays the lawyer to render legal services for another to direct or regulate the attorney's professional judgment in rendering such legal services), RPC 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) in connection with several real estate closings. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent appeared pro se.

MICHAEL JAMES GERON

Admonished on January 22, 2013 (*Unreported*) for failing to have his fee in writing in a matrimonial matter where he had not previously represented the client and in a collection matter where a contingency fee was involved. Additionally, respondent failed to act with diligence and comply with a client's reasonable requests for information in a collection matter. Glen J. Vida represented District XII before the DRB and respondent was pro se.

ANTHONY J. GIAMPAPA

Suspended for three months effective April 19, 2013 (213 *N.J.* 392) for failing to adequately communicate with his client, failing to sufficiently explain an estate matter to a client such that the client could make an informed decision about the investment of his daughter's bequest, failing to safeguard client funds, failing to promptly deliver the funds to a client or third person, record keeping violations and practicing law while ineligible. The DRB required respondent to submit proof that he has corrected all of his recordkeeping violations prior to reinstatement to practice and to submit monthly reconciliations of his attorney accounts on a quarterly basis to the OAE for a period of two years. In additional to those conditions, the Supreme Court ordered respondent to undergo two years of supervision in the practice of law following his reinstatement. Janice L. Richter represented the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 2007 and censured in 2008 and 2009.

JEFFREY GOEKE

Disbarred by consent on April 29, 2013 (213 *N.J.* 517) for knowingly misappropriating client trust funds and escrow funds over the course of several years, primarily from real estate transactions. Maureen G. Bauman represented the OAE and Glenn R. Reiser represented the respondent.

MICHAEL DAVID HALBFISH

Suspended for six months (215 *N.J.* 493) effective October 18, 2013 for violations of RPC l.l(a) (gross neglect); RPC l.l(b) (pattern of neglect); RPC 1.3 (lack of diligence), and RPC 1.4(b) (failure to communicate with client) in five separate matters. Peter J. Hendricks appeared before the DRB for District VIII and respondent appeared pro se. The respondent was previously disciplined: Censured in 2011.

DOUGLAS B. HANNA

Admonished by consent on January 25, 2013 (*Unreported*) for not acting with diligence by not properly monitoring client funds. Christina Blunda Kennedy

represented the OAE and Michael D. Schottland represented respondent on a motion for discipline by consent. The respondent was previously disciplined: Admonished in 2010 but the underlying and instant matter shared the same factual nucleus.

EDWARD HARRINGTON HEYBURN

Censured on two certified records on November 13, 2013 (216 *N.J.* 161) for i) violating RPC 7.1(a)(1) (false or misleading communication about the lawyer's services), RPC 7.4(d) (no communication about certification as a specialist or certified in a field if misleading or false), and R.1:39-6 (no use of designations set forth in regulations by Board on Attorney Certification except as therein provided) and ii) violating RPC 1.3 (lack of diligence), RPC 1.4(b) and RPC 1.4(c) (failure to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information and failure to explain a matter to the extent reasonably necessary for the client to make informed decisions about the representation), RPC 1.15 (failure to safeguard property), RPC 8.1(b) (failure to cooperate with disciplinary authorities), RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and R.1:20-3(g)(e) (duty to cooperate in disciplinary proceedings). HoeChin Kim represented the OAE, Brian M. Brennan represented District VII, and respondent was pro se.

CHRISTOPHER P. HUMMEL

Disbarred on a certified record on February 28, 2013 (213 *N.J.* 61) for knowingly misappropriating clients' funds by using them for purposes unrelated to the clients' matter and without their knowledge or permission. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent failed to appear.

RONALD CALVIN HUNT

Reprimanded on September 5, 2013 (215 *N.J.* 300) for engaging in a conflict of interest, gross neglect, lack of diligence, failure to communicate, record keeping violations, failure to withdraw from representation where representation violated the RPCs, and failure to take steps to protect his clients' interests upon termination of the representation. Respondent was also found to have made a misrepresentation to disciplinary authorities that he was licensed to practice law in Pennsylvania when he was not in good standing in that jurisdiction and to have engaged in conduct involving dishonesty, fraud, deceit or misrepresentation. Richard Bernstein appeared before the DRB for District VA and Juliana Blackburn appeared for the respondent.

CHRISTOPHER WEST HYDE

Censured on November 12, 2013 (216 *N.J.* 160) for violating RPC 5.5(a)(1) and R. l:28A-2(d), practicing law while ineligible to do so. Catherine F. Riordan appeared before the DRB for the District XB Ethics Committee for XB-2010-0024E and Helen E. Tuttle appeared for XB-2011-0005E. Respondent waived his appearance for oral argument. Respondent was previously disciplined: Admonished in 2008 and temporarily suspended in 2010.

CHARLES P. INGENITO

Disbarred on September 19, 2013 (215 *N.J.* 516) for knowing misappropriation of client trust funds and numerous other RPC violations. HoeChin Kim appeared before the Supreme Court for the OAE and Anthony J. Fusco, Jr. appeared for the respondent.

KOWANA M. JOHNSON

Disbarred on September 18, 2013 (213 *N.J.* 368*)* for knowingly misappropriating funds belonging to an estate. Missy Urban appeared before the Supreme Court for the OAE and respondent appeared pro se.

NA-KYUNG KANG

Reprimanded on January 24, 2013 (212 *N.J.* 559) for engaging in the practice of law with a non-lawyer who intimidated and controlled the respondent and another attorney by threatening their livelihood and ability to remain in the country. Santiago D. Orozco appeared before the DRB for District XI and respondent waived appearance. The respondent was previously disciplined: Admonished in 2012.

ADAM KELLY

Admonished on December 3, 2013 *(Unreported)* for practicing law while ineligible to do so from September 27, 2010 to October 15, 2012 for failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection. Joseph Barbiere represented District IIB before the DRB and respondent appeared pro se.

LYNN ANNE KENNEALLY

Disbarred by consent on April 1, 2013 (213 *N.J.* 278) for acknowledging that the allegations in a one count Monmouth County Superior Court Indictment, charging second-degree theft by failure to make the required disposition, contrary to *N.J.S.A.* 2C:20-9, are true and if she went to a hearing on the matter, she could not successfully defend herself against those charges. Respondent failed to make the required disposition of $75,000 or more belonging to various wards under her guardianship. Timothy J. McNamara represented the OAE and James Fagen represented the respondent.

NICHOLAS KHOUDARY

Suspended for two years effective July 5, 2013 (213 *N.J.* 593) for filing a frivolous claim, conduct involving dishonesty, fraud, deceit or misrepresentation, and conduct prejudicial to the administration of justice. Stephen M. Orlofsky appeared before the DRB for the OAE and Respondent appeared pro se. The respondent was previously disciplined: Suspended for two years in 1999.

DONG SUNG KIM

Reprimanded on January 24, 2013 (212 *N.J.* 560) for engaging in the practice of law with a non-lawyer who intimidated and controlled the respondent and another attorney by threatening their livelihood and ability to remain in the country. Santiago D. Orozco appeared before the DRB for District XI and respondent waived appearance.

JOHN A. KLAMO

Suspended for three months effective May 27, 2013 (213 *N.J.* 494) for charging improper expenses in contingent fee matters, failing to promptly deliver funds belonging to clients and third parties, recordkeeping violations, and dishonest conduct in dealing with disciplinary authorities. Respondent was previously disciplined: Reprimanded in 1996. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent appeared pro se.

RICHARD D. KOPPENAAL

Admonished on October 21, 2013 (*Unreported*) for failing to cooperate with the District Ethics Committee's attempts to obtain information. Paul Alan Garfield represented District IIB and respondent was pro se.

MARTIN H. KUNER

Admonished on September 30, 2013 (*Unreported*) for failing to enter into a written retainer agreement with a personal injury client, failing to serve the summons and complaint on the defendants leading to its dismissal, and failure to communicate with his client and inform her of the dismissal. Martin L. Bearg represented District VC before the DRB and respondent was pro se.

DANIEL G. LARKINS

Censured on a certified record on June 6, 2013 (214 *N.J.* 2) for violating RPC 1.3 (lack of diligence), RPC 1.4(b) and RPC 1.4(c) (failure to communicate with the client and to explain the matter to the extent reasonably necessary for the client to make informed decisions about the representation), RPC 1.16(a)(2) (failure to terminate the representation), RPC 1.16(d) (failure to turn over file to the client on termination of representation), and RPC 8.1(b) (failure to cooperate with disciplinary authorities). Mary E. WanderPolo represented District V-B and respondent was pro se. The respondent was previously disciplined: Admonished in 2009.

DONALD H. LARSEN

Reprimanded on February 8, 2013 (213 *N.J.* 39) for misconduct in two client matters including failing to set forth in writing the basis or rate of his fee and misrepresentations to the clients concerning the status of the matters. Maureen G. Bauman appeared before the DRB for the OAE and Glenn R. Reiser appeared for the respondent.

DONALD H. LARSEN

Reprimanded by consent on December 11, 2013 (217 *N.J.* 252) for failing to set forth, in writing, the rate or basis of his fee (RPC 1.5(b)), engaging in a concurrent conflict of interest (RPC 1.7(a)(2)), and practicing law while ineligible (RPC 5.5(a)). Eric L. Probst represented District XA and respondent was pro se.

WILFRID LEBLANC, JR.

Suspended for two years on a certified record on April 25, 2013 (213 *N.J.* 489) for making misrepresentations in two real estate transactions, failing to record a mortgage for over four years and failing to deliver closing proceeds to the proper parties. Respondent also failed to cooperate with disciplinary authorities. In one matter, respondent misrepresented the purchase price on a deed of sale. In another, respondent falsely certified the sums that he received and disbursed on the HUD-1, issued five checks totaling $18, 767.50 to two individuals who were not entitled to any proceeds and failed to forward the mortgage for recording until four years after the closing. Missy Urban represented the OAE and respondent defaulted. The respondent was previously disciplined: Censured in 2006; reprimanded in 2007; suspended in 2008; and suspended in 2010.

ERIC S. LENTZ

Censured on a certified record on June 6, 2013 (214 *N.J.* 3) for failing to file the affidavit required by R. 1:20-20 following his suspension from practice, despite the OAE's continued attempts to have him comply with the rule. Michael J. Sweeney represented the OAE and respondent defaulted. Respondent was previously disciplined: Temporarily suspended in 2010, which suspension remains in effect, and reprimanded in 2012.

HARRY J. LEVIN

Censured on May 22, 2013, (213 *N.J.* 524) for failing to communicate in writing the basis of his fee before or within a reasonable time in three separate matters; for engaging in a conflict of interest when he represented two individuals whose interests became diverse, since one was to receive any recovery and the other was to pay the bill; for failing to convey a settlement offer to one of his clients and to obtain consent to accept the offer; for continuing to represent that client after he had sued him for malpractice; for entering into a business transaction with that same client without disclosing the terms of the transaction in writing or receiving the client's consent to respondent's participation in writing; and for making false statements of material facts and misrepresentations to a tribunal. Christina Blunda Kennedy appeared before the DRB for the OAE and the respondent appeared pro se. The respondent was previously disciplined: Admonished in 2008.

DAVID A. LEWIS

Suspended for two years on July 11, 2013 (214 *N.J.* 515) following his guilty plea in the United States District Court for the District of New Jersey to knowingly and willfully subscribing to a false federal income tax return, in violation of 26 U.S.C. §2706(1). Missy Urban represented the OAE before the DRB and Thomas Ambrosio represented the respondent.

FENG LI

Disbarred on May 22, 2013 (213 *N.J.* 523) for knowing misappropriation of client funds as respondent did not have a reasonable, good-faith belief of entitlement to the disputed amount of his legal fee. The Supreme Court's independent review showed i) respondent was not authorized to take a $1.2 million fee in his fee agreement; ii) respondent wrote to his clients suggesting he would charge additional fees and might inform authorities about their alleged misrepresentations unless they dropped their fee dispute; and iii) respondent deliberately deposited the unauthorized fee into his children's bank accounts and wired funds to China, where the funds could not be retrieved, after being sued by his clients. HoeChin Kim appeared before the Supreme Court for the OAE and Herbert I. Waldman appeared for the respondent.

LOUIS MACCHIAVERNA

Censured on July 12, 2013 (215 *N.J.* 1) for failure to comply with the recordkeeping requirements of R. 1:21-6 and for knowingly practicing law while ineligible. Melissa A. Czartoryski appeared before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2010 and temporarily suspended in 2011. This matter was discovered as the result of the Trust Overdraft Notification Program.

KEVIN H. MAIN

Suspended for two years on a certified record on April 25, 2013 (213 *N.J.* 491) for gross and pattern of neglect, lack of diligence, failure to communicate with clients, failure to return an unearned retainer, and failure to cooperate with disciplinary authorities in six client matters. Marta Cruz Gold represented District VII and Benjamin N. Cittadino represented respondent. The respondent was previously disciplined: Admonished in 2010 and suspended for two consecutive three month terms in 2011.

NEIL A. MALVONE

Disbarred on October 16, 2013 (216 *N.J.* 10) for conspiring with his client to defraud the client's spouse in divorce proceedings and knowingly misappropriating $11,000 in marital funds by making unauthorized personal use of the funds entrusted to him by his client. Melissa A. Czartoryski appeared before the Court for the OAE and James M. Curran appeared for respondent.

STANLEY MARCUS

Censured by consent on April 26, 2013 (213 *N.J.* 493) for sharing legal fees with nonlawyers and compensating someone to recommend or secure the lawyer's employment. Janice L. Richter represented the OAE and Michael R. Perle represented respondent. The respondent was previously disciplined: Reprimanded in 1991, 1995 and 2011.

GARY L. MASON

Reprimanded by consent on May 29, 2013 (213 *N.J.* 571) for threatening to file criminal charges and pursue civil remedies against his adversary in order to gain advantage in a civil dispute between both counsels' respective clients. A. Patrick Nucciarone appeared before the DRB for District IX on the motion for discipline by consent and respondent appeared pro se.

JOSEPH MEZRAHI

Admonished on January 25, 2013 (*Unreported*) for failing to disclose a material fact knowing that it was reasonably certain to mislead the tribunal, engaging in dishonesty, fraud, deceit or misrepresentation, and engaging in conduct prejudicial to the administration of justice by "ghostwriting" eight to ten pro forma responses on behalf of clients without revealing his involvement to the court. Glenn D. Kassman represented District IIIA before the DRB and respondent was pro se.

MELINDA D. MIDDLEBROOKS

Reprimanded on November 13, 2013 (216 *N.J.* 407) for engaging in a conflict of interest by suing a client for fees and obtaining a wage execution while actively representing the client in a bankruptcy matter. Karen E. Bezner appeared before the DRB for District XII and Andrew R. Turner appeared for the respondent.

JOSEPH T. MONGELLI

Disbarred by consent on July 23, 2013 (210 *N.J.* 151) following his guilty plea in the New York Supreme Court to one count of third degree Grand Larceny, in violation of Penal Law § 155.35(6), Securities Fraud in violation of General Business Law §352-C 06 and one count of first degree Scheme to Defraud, in violation of Penal Law 190. Michael J. Sweeney represented the OAE and John M. Carbone represented the respondent. The respondent was previously disciplined: Admonished in 2000 and temporarily suspended in 2012.

ANTHONY P. MONZO

Reprimanded on December 5, 2013 (216 *N.J.* 331) for having engaged in an impermissible business transaction with a client. Ralph A. Jacobs appeared before the DRB for the OAE and Robert E. Ramsey appeared for respondent.

HUGO L. MORAS

Suspended for three months effective March 13, 2013 (213 *N.J.* 52) for failing to maintain a business account, failing to perform monthly reconciliations of his trust account records, failing to promptly disburse client balances from his trust account, failing to maintain appropriate receipts and disbursement journals, and authorizing office staff to sign trust account checks. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. Respondent was previously disciplined: Suspended for six-months in 1993; reprimanded in 1997 and 2005.

KEITH O. D. MOSES

Reprimanded on April 26, 2013 (213 *N.J.* 497) for failure to safeguard client trust funds, commingling, negligent misappropriation of client funds, recordkeeping violations and failure to cooperate with disciplinary authorities. Melissa A. Czartoryski appeared before the DRB for the OAE. Respondent appeared pro se. Respondent was previously disciplined: Admonished in 2002; reprimanded in 2011; and temporarily suspended in 2012.

HOWARD D. MOSKOWITZ

Reprimanded on October 7, 2013 (215 *N.J.* 636) for practicing law while ineligible to do so. Michael Margello represented District XII and Bennet D. Zurofsky represented the respondent.

PHILIP N. MULDOON, JR.

Censured on March 6, 2013 (213 *N.J.* 79) for failing to comply with a client's reasonable requests for information, in violation of RPC 1.4(b); failing to communicate the basis or rate of the legal fee in writing and failing to provide a written contingency fee agreement, in violation of RPC 1.5(b) and RPC 1.5(c), respectively; failing to make reasonable efforts to ensure that a nonlawyer's conduct was compatible with the professional obligations of the lawyer, in violation of RPC 5.3(b); practicing law in violation of the rules regulating the profession, in violation of RPC 5.5(a)(1) and R. 1:21-1A(a)(3); engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, in violation of RPC 8.4(c); and engaging in conduct prejudicial to the administration of justice, in violation of RPC 8.4(d). William Mackin appeared for District IV before the DRB and respondent appeared pro se.

STUART M. NACHBAR

Reprimanded on November 13, 2013 (216 *N.J.* 408) for engaging in a conflict of interest by suing a client for fees and obtaining a wage execution while actively representing the client in a bankruptcy matter. Karen E. Bezner appeared before the DRB for District XII and respondent appeared pro se.

LEONARD H. NIEDERMAYER

Reprimanded on March 8, 2013 (213 *N.J.* 85) on a certified record for lack of diligence and failure to reply to clients' requests for information about their bankruptcy cases and failing to cooperate in the ensuing ethics investigations. Mark Caira handled the matter for District IIIB and respondent defaulted. The respondent was previously disciplined: Temporarily suspended in 2011.

FRANCIS O. OBI

Disbarred on June 5, 2013 (214 *N.J.* 4) for knowing misappropriation of escrow funds and failure to safeguard trust account funds. Maureen G. Bauman appeared before the Supreme Court for the OAE and Michael P. Ambrosio appeared on behalf of respondent.

PETER A. OUDA

Admonished by consent on October 25, 2013 (*Unreported*) for engaging in a brief sexual relationship with a client six months after he began to represent her in a malpractice action. William E. Staehle represented District XIII and Martin K. Indik represented respondent on a motion for discipline by consent.

ALAN OZAROW

Admonished on September 26, 2013 (*Unreported*) for threatening in four letters to present to the Essex County Prosecutor charges of criminal fraud against the client of an adversary. Santiago D. Orozco represented District XI before the DRB and respondent was pro se.

VINCENT J. PARAGANO

Disbarred effective March 25, 2013 (213 *N.J.* 248) for making repeated misrepresentations to his former business partners and their attorneys in order to conceal from them his use of his former partners' deposit monies to purchase a property that the partnership had agreed to abandon with the resultant loss of all of the partners' deposits. He also participated in the submission of false documents to lending institutions. During the hearing stage of the case, respondent submitted forged and fabricated documents to the OAE and the Special Master and provided false testimony at the hearing. Michael J. Sweeney appeared before the Supreme Court for the OAE and Brian Fruehling appeared for the respondent. The respondent was previously disciplined: Suspended for six months in 1999.

SERGIO RAFAEL PASTOR

Disbarred on a certified record on June 6, 2013 (213 *N.J.* 596) for knowingly misappropriating a client's funds by using them for purposes unrelated to the client's matter and without her knowledge or permission. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent was previously disciplined: Temporarily suspended in 2012.

ALEX PAVLIV

Reprimanded on September 5, 2013 (215 *N.J.* 299) for knowingly disobeying an obligation under the rules of a tribunal, in violation of RPC 3.4(c), and for failing to disclose to the tribunal a material fact, in violation of RPC 3.3(a)(5). Anthony T. Betta appeared on behalf of the District IIIA Ethics Committee and John T. Rihacek represented the respondent.

MATEO J. PEREZ

Admonished by consent on June 19, 2013 (*Unreported*) for entering an appearance in New York while unlicensed in that jurisdiction. Christina Blunda Kennedy represented the OAE and respondent was pro se on the motion for discipline by consent.

CHARLES D. PETRONE

Admonished by consent on October 23, 2013 (*Unreported*) for failing to maintain an attorney trust or business account, failing to maintain business receipts and disbursements journals, and the improper deposit of legal fees into an attorney business account. Michael J. Sweeney represented the OAE and respondent was pro se on the motion for discipline by consent.

DUANE T. PHILLIPS

Censured on March 7, 2013 (213 *N.J.* 83) for failing to communicate with a client, failing to act with diligence, failing to cooperate with ethics authorities, and engaging in fraud, deceit or misrepresentation. Gina M. Merritt represented District I and respondent was pro se. The respondent was previously disciplined: Admonished in 2010 and censured in 2011.

CHERYL H. PICKER

Suspended for three months effective April 25, 2013 (213 *N.J.* 251) for misconduct in several criminal matters. Specifically, she acted with gross neglect, failed to communicate with clients, charged an unreasonable fee, failed to continue representation when ordered to do so by tribunal, failed to protect a client's interests on termination of representation, knowingly disobeyed obligations under rules of a tribunal, had a false or misleading communication with a client regarding the percentile within which she could ensure success, failed to cooperate with disciplinary authorities, and exhibited conduct prejudicial to the administration of justice in failing to surrender to a warrant for her arrest. The Court also ordered that prior to reinstatement, respondent must submit proof of fitness to practice by a mental health professional approved by the OAE. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent waived her appearance.

JOAN OTHELIA PINNOCK

Reprimanded on October 17, 2013 (216 *N.J.* 405) for failing to communicate with her client and failing to provide the client with a formal retainer in a divorce matter. Further, respondent failed to return the client's file and failed to act diligently in an immigration matter. Lindal L. Scott-Foster

appeared before the DRB on behalf of District VA and respondent waived her appearance.

JENNIFER ANN HEINER PISANO

Disbarred by consent on May 24, 2013 (213 *N.J.* 566) following her convictions for third-degree falsifying records, misappropriation of entrusted funds, and forgery. Michael J. Sweeney represented the OAE and Thomas Ambrosio represented respondent.

JEFFREY R. POCARO

Censured on June 13, 2013 (214 *N.J.* 46) for requesting that his adversary in a lawsuit withdraw an ethics grievance it had filed against him in exchange for respondent forbearing from instituting a defamation action against it. Elizabeth A. Weiler appeared before the DRB for District IV and respondent appeared pro se. The respondent was previously disciplined: Suspended for one-year in 1995 and censured in 2006.

WAYNE POWELL

Censured on January 23, 2013 (212 *N.J.* 557) for failing to obey a court order to provide proof of malpractice insurance within fourteen days, in violation of RPC 3.4(c); failing to satisfy a settlement agreement five months after the court-decided sixty-day deadline, in violation of RPC 3.4(c), RPC 8.4(a), and RPC 8.4(d); failing to comply with opposing counsel's discovery requests, in violation of RPC 3.4(d); and failing to remove the name of a former partner/municipal court judge from his letterhead for a period of eighteen months, in violation of RPC 7.5(c). Christine P. O'Hearn appeared before the DRB for District IV and Carl D. Poplar appeared for the respondent. Respondent was previously disciplined: Reprimanded in 1995, 1997, and 2010; and suspended for three months in 2011.

GREGORY HUGH QUIGLEY

Disbarred by consent on August 19, 2013 (214 *N.J.* 624) following his guilty plea to Conspiracy to Commit Perjury in Pennsylvania, a third-degree felony. Hillary Horton represented the OAE and Varghese M. Kurian represented respondent.

SAMUEL RAK

Suspended for three months on June 7, 2013 on a certified record (214 *N.J.* 5) for failing to file an affidavit in accordance with R.1:20-20 as required by the Order of the Supreme Court of New Jersey filed March 9, 2011. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2010 and suspended for three months in 2011.

HAMDI M. RIFAI

Suspended for one year on a certified record on June 6, 2013 (213 *N.J.* 594) for failing to comply with two New Jersey Supreme Court Orders of Suspension that required respondent to file an affidavit of compliance for suspended or disbarred attorneys in accordance with Rule 1:20-20. HoeChin Kim represented the OAE and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2002; reprimanded in 2007; suspended for three months two times in 2011.

RAYMOND T. ROCHE

Suspended for six months effective March 14, 2013 (213 *N.J.* 188) for pattern of neglect in four personal injury matters and failure to cooperate with disciplinary investigators. Melissa A. Czartoryski appeared before the Supreme Court and respondent failed to appear. Respondent was previously disciplined: Temporarily suspended in 2013.

RAYMOND T. ROCHE

Disbarred by consent on August 5, 2013 (214 *N.J.* 621) for knowingly misappropriating $1,107,361.07 in trust funds belonging to clients and/or third party medical providers. Melissa A. Czartoryski represented the OAE and respondent was represented by Vincent C. Scoca. The respondent was previously disciplined: Temporarily suspended and suspended for six-months in 2013.

STEPHEN H. ROSEN

Suspended for one year effective March 7, 2013 (213 *N.J.* 36) for violating court orders restraining him from disbursing assets of trusts. Janice L. Richter appeared before the DRB and Richard M. Keil appeared for the respondent. The respondent was previously disciplined: Reprimanded in 1995; admonished in 1996; and suspended for three months in 2002.

GERALD M. SALUTI

Reprimanded on June 7, 2013 (214 *N.J.* 6) for failing to cooperate with disciplinary authorities. Glynn Dwyer appeared before the DRB for District VIII and Thomas P. Scrivo appeared for the respondent. The respondent was previously disciplined: Admonished in 2007 and 2012.

RODRIGO SANCHEZ

Reprimanded by consent on October 11, 2013 (216 *N.J.* 84) for failing to comply with a court order which resulted in the client's complaint not being reinstated. Sheila Woolson represented the District VA and respondent was pro se. The respondent was previously disciplined: Censured in 2010.

STEVEN E. SAVAGE

Suspended for three months on a certified record on October 24, 2013 (216 *N.J.* 406) for violating RPC 1.15(d) (recordkeeping violations) and RPC 8.1(b) (failure to cooperate with disciplinary authorities). Pursuant to *In re Kivler*, 193 *N.J.* 332 (2008), the Court enhanced the sanction for respondent's unexcused failure to comply with the Court's Order to Show Cause. HoeChin Kim represented the OAE before the Supreme Court, and respondent failed to appear. This matter was discovered as a result of the Trust Overdraft Notification Program.

ANDREW D. SCHILDINER

Disbarred by Consent on January 7, 2013 (216 *N.J.* 165) for knowing misappropriation of trust account funds. Timothy J. McNamara represented the OAE and Robyn M. Hill represented respondent. This matter was discovered as a result of the Random Audit Program.

BRYAN C. SCHROLL

Censured on April 17, 2013 (213 *N.J.* 391) for grossly neglecting a client's personal injury case, failing to communicate with the client, misrepresenting the status of the case to the referring attorney, and misrepresenting the status of the case to the District Ethics Committee Secretary to stave off the processing of the ethics grievance filed against him. Melissa A. Czartoryski represented the OAE before the Supreme Court and respondent was pro se.

JOEL LEE SCHWARTZ

Censured on January 10, 2013 (216 *N.J.* 167) for starting a commercial flooring business with a client which was in competition with a business owned by another client thereby creating a conflict of interest. The enterprise also violated ACPE Opinion 657, 130 N.J.L.J. 656 (February 24, 1992) requiring that a law practice be entirely separate and apart from the non-legal business enterprise. Respondent also failed to provide his client with a written statement of the payout after concluding a contingent fee matter. Ann C. Singer appeared before the DRB on behalf of District IIIB and Randolph C. Lafferty appeared for respondent.

DANIEL N. SHAPIRO

Suspended for three months effective January 25, 2013 (212 *N.J.* 561) for gross and pattern of neglect, failure to adequately communicate with his clients, failure to memorialize in writing the basis or rate of his fee, and failure to cooperate with an ethics investigation in three relatively simple matrimonial matters. N. Ari Weisbrot appeared before the DRB for District IIB and Edward W. Cillick appeared for respondent. The respondent was previously disciplined: Reprimanded in 2002 and 2010, and censured in 2011.

SHANG KOO SHIM

Reprimanded on May 29, 2013 (213 *N.J.* 572) for negligently misappropriating client funds when he disbursed closing funds prior to receiving all funds from buyer's attorney and attempting to cover it up when the OAE examined his records. Christina Blunda Kennedy appeared before the DRB for the OAE and the respondent appeared pro se.

MARTIN J. SIEGEL

Disbarred by consent on August 7, 2013 (214 *N.J.* 622) for knowingly misappropriating client funds for personal use. Missy Urban represented the OAE before the Supreme Court and Diannajean Giganti represented the respondent.

LINDA M. SMINK

Admonished on October 23, 2013 (*Unreported*) for failing to communicate the basis or rate of fee, in writing, either before or within a reasonable time after commencing the representation of a client in a criminal appeal. Also failed to communicate with the client's mother about important aspects of the matter and failed to retain hard copies of client files at her office. Cheryl M. Spilka represented District VIII and Lennox S. Hinds represented respondent before the DRB.

DAN S. SMITH

Admonished on January 22, 2013 (*Unreported*) for failing to keep client reasonably informed about the status of his personal injury matter including the fact that it had been dismissed on summary judgment and on appeal. Denise M. Luckenbach appeared before the DRB for District V-B and Bernard K. Freamon appeared for respondent. The respondent was previously disciplined: Admonished in 2010.

TONYA M. SMITH

Admonished by consent on November 25, 2013

(Unreported) for failing to perform three-way trust account reconciliations required by R.1:21-6, for cashing a trust account check payable to herself as a legal fee without first depositing it in her business account and for maintaining balances in her trust account which were unidentified. Michael J. Sweeney represented the OAE and John McGill, III represented the respondent on the motion for discipline by consent.

JEFFREY P. SQUITIERI

Disbarred on November 20, 2013 (216 *N.J.* 297) for knowingly misappropriating at least $55,000 of client funds by collecting a settlement in a personal injury matter and failing to pay the client the proceeds. Missy Urban appeared before the Supreme Court for the OAE and Joseph P. Castiglia represented the respondent. The respondent was previously disciplined: Censured in 2010.

RONALD J. STAGLIANO

Reprimanded on March 7, 2013 (213 *N.J.* 82) for engaging in a conflict of interest by handling the legal aspects of the sale of tax lien certificates as solicitor for the Borough of West Wildwood while simultaneously representing the buyer of those certificates, a corporation whose members were respondent's brother and a client. Karen Amacker appeared before the Disciplinary Review Board for District IIIB and Carl Poplar appeared for respondent.

A.B. STEIG

Admonished by consent on October 25, 2013 (*Unreported*) for failing to provide client with a writing, setting forth the basis or rate of the fee, either before or within a reasonable time after commencing representation. A. Richard Ross represented District V-C and respondent was pro se on the motion for discipline by consent. The respondent was previously disciplined: Admonished in 2011.

JAMES R. STEVENS

Admonished on July 1, 2013 (*Unreported*) for falsely representing to the OAE that he had distributed all of the estate funds remaining in trust, held in connection with a $650,000 estate matter, when he continued to hold $2,380.64. Respondent claimed that he had prepared checks to disburse the remaining estate assets but he had not timely mailed them believing that because there was an outstanding check for $1,875, he may have written them to the beneficiaries for incorrect amounts. After the outstanding check finally cleared, he mailed the checks to the beneficiaries. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent waived appearance.

SHARON S. TERRELL

Censured on a certified record on June 12, 2013 (214 *N.J.* 44) for failing to comply with a New Jersey Supreme Court Order that required the respondent to file an affidavit of compliance for suspended or disbarred attorneys in accordance with *Rule* 1:20-20, in violation of *RPC* 8.4(d), and failing to cooperate with disciplinary authorities, in violation of *RPC* 8.1(b). HoeChin Kim represented the OAE and respondent was pro se.

KENNETH S. THYNE

Reprimanded on June 25, 2013 (214 *N.J.* 107) for violating RPC 3.3(a)(1) - knowingly making a false statement of material fact or law to a tribunal, RPC 8.1(a) - knowingly making a false statement of material fact in connection with a bar admission application or in connection with a disciplinary matter, and RPC 8.4(c) - conduct involving dishonesty, fraud, deceit or misrepresentation. HoeChin Kim appeared before the DRB for the OAE and Alan L. Zegas appeared for the respondent. Shalom D. Stone represented the respondent before the Supreme Court on a petition for review, which was denied on June 25, 2013.

JOHN E. TIFFANY

Suspended for three months on a certified record on February 7, 2013 (213 *N.J.* 37) for violating RPC 1.1(a) (gross neglect), RPC 1.1(b) (pattern of neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client informed about status of matter and failure to respond to requests for information), RPC 1.4(c) (failure to provide client sufficient information to enable client to make informed decisions), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) in three client matters. Respondent has been suspended since February 8, 2012, for failing to pay a fee arbitration award and costs. HoeChin Kim represented the OAE and respondent was pro se.

AROBERT C. TONOGBANUA

Disbarred by consent on April 16, 2013 (213 *N.J.* 376) for manipulating and falsifying documentation in order to make it appear that litigation had been brought against law firm clients who in fact had not been sued. Respondent acted as the billing and supervising attorney in over 100 falsified lawsuits and the total amount billed (including all fees and costs) and/or obtained via settlement authority in all affected lawsuits under his suspension totals over one million dollars. Timothy J. McNamara represented the OAE and Michael Miller represented respondent.

MIGUEL TORRELLAS

Suspended for six months on June 6, 2013 (213 *N.J.* 597), but effective if and when respondent is readmitted to the

New Jersey bar. Respondent also barred from applying for admission pro hac vice for the period preceding his readmission. for violating RPC 5.5(a) by practicing law in New Jersey after his license had been revoked pursuant to Rule 1:28-2(c). Christina Blunda Kennedy appeared before the DRB for the OAE and respondent waived appearance.

ROBERT A. UNGVARY

Admonished on September 30, 2013 (*Unreported*) for failing to comply with discovery leading to the dismissal of a civil rights complaint, then failing to timely prosecute an appeal, not informing his client that the appeal was dismissed, and failing to discuss his decision not to pursue the appeal with his client. Frederick B. Polak represented District XII and Keith A. McKenna represented respondent. The respondent was previously disciplined: Admonished in 2010.

PAUL J. URBANIA

Censured by consent on November 1, 2013 (216 *N.J.* 157) for violating RPC 1.15(a) (failure to holds funds of third persons separate from the lawyer's own property), RPC 1.15(d) and R. 1:21-6 (recordkeeping violations). Michael J. Sweeney represented the OAE and respondent was pro se on a motion for discipline by consent. This matter was discovered as the result of the Trust Overdraft Notification Program. The respondent was previously disciplined: Reprimanded in 1993.

W.R. VEITCH A/K/A W. RICHARD VEITCH

Censured on November 13, 2013 (216 *N.J.* 162) for communicating with a criminal codefendant represented by counsel over the express, written objection of the codefendant's own counsel, contrary to RPC 4.2. Richard Galex presented the matter for District VIII and Robert H. Corbin represented respondent.

BRUCE K. WARREN, JR.

Reprimanded on June 6, 2013 (214 *N.J.* 1) for engaging in a sexual relationship with a client while acting as her court-appointed attorney. Missy Urban represented the OAE and Marc David Garfinkle represented respondent.

BRADLEY J. WEIL

Censured on April 26, 2013 (213 *N.J.* 499) for improperly disbursing a real estate escrow to his client in violation of an escrow agreement and dishonest dealings with his adversary in the case and for practicing law while ineligible to do so for failure to pay his annual assessment. Melissa A. Czartoryski appeared before the DRB for the OAE. Respondent waived appearance. This matter was discovered as the result of the Trust Overdraft Notification Program. The respondent was previously disciplined: Reprimanded in 1999.

ROGER J. WEIL

Censured on June 13, 2013 (214 *N.J.* 45) for commingling funds in his trust account and preparing false HUD-1 settlement statements in 174 real estate matters using inflated charges for surveys costs and recording fees. Christina Blunda Kennedy appeared before the DRB for the OAE and David Dugan appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2011.

EDWARD G. WERNER

Reprimanded on April 26, 2013 on a certified record (213 *N.J.* 498) for failing to return a $4,000 unearned portion of a divorce retainer to a client. Richard J. Nocella handled the matter for the District IIIB Ethics Committee and respondent defaulted.

THOMAS M. WOLFE

Admonished by consent on September 26, 2013 (*Unreported*) for preparing a will on behalf of a client that granted him a share of the estate. Maureen S. Binetti represented District VIII and Pamela Brause represented respondent on a motion for discipline by consent.

DOROTHY L. WRIGHT

Reprimanded on March 22, 2013 (213 *N.J.* 247) on motion for discipline by consent. Respondent failed to keep her client reasonably informed about the status of a matter and did not set out the basis or rate of the fee in writing. Timothy P. McKeown handled the matter for District XIII and respondent was represented by Catherine M. Brown. The respondent was previously disciplined: Admonished in 1994 and reprimanded in 1996.

CHRISTOPHER L. YANNON

Suspended for one year on October 16, 2013 (216 *N.J.* 9) for preparing three false HUD statements as part of a fraudulent real estate transaction that funded two transactions using mortgage funds that were only authorized to be used in a single transaction and for submitting false documents to the OAE to try to conceal his fraud. Hillary Horton appeared before the DRB for the OAE and K. Roger Plawker appeared on behalf of respondent.

JAMES E. YOUNG

Admonished on March 28, 2013 (*Unreported*) for

failing to take action in a worker's compensation matter resulting in the case being dismissed with prejudice for failure to prosecute. Respondent also failed to respond to his client's repeated requests for information. Ari Weisbrot represented District IIB and respondent was pro se.

ANDREY V. ZIELYK

Admonished on June 26, 2013 (*Unreported*) for failing to set forth, in writing, the basis for the fee, lack of diligence and failing to keep the client's beneficiaries adequately informed about the status of an estate matter. Mary C. McDonnell represented District XB before the DRB and Michael P. Ambrosio represented respondent.

DANIEL B. ZONIES

Reprimanded on June 25, 2013 (214 *N.J.* 106) for violating RPC 1.4(b) by failing to keep a client reasonably informed about the status of a matter and failing to promptly comply with reasonable requests for information. Mark A. Rinaldi appeared for District IV before the DRB and Jay Martin Herskowitz appeared for respondent. The respondent was previously disciplined: Reprimanded in 2003.

2012

SALVATORE ALFIERI

Admonished on May 24, 2012 (210 *N.J.* 213) for conducting an affair with his client's wife while still periodically representing his client's business. Daniel G. Giaquinto appeared before the DRB for District VII and respondent appeared pro se.

VINCENT M. ANSETTI

Censured on September 12, 2012 (212 *N.J.* 66) for his conduct as the settlement agent of two real estate transactions. In the first, respondent engaged in a business transaction with his client without advising the client in writing of the desirability of seeking independent counsel and without obtaining his client's written informed consent to the representation. He also engaged in conduct involving dishonesty, fraud, deceit or misrepresentation for certifying as accurate a false HUD-1 form. In the second transaction, respondent committed negligent misappropriation when he failed to record a disbursement from his attorney trust account and continued to make mortgage payments for the client, resulting in an invasion of other client funds. He also engaged in conduct involving dishonesty, fraud, deceit or misrepresentation for certifying as accurate a false HUD-1 form. HoeChin Kim appeared before the DRB for the OAE and Brian H. Corrigan appeared on behalf of respondent.

RAYMOND ARMOUR

Admonished (strongly) on March 19, 2012 (*Unreported*) for failing to keep clients in personal injury matters reasonably informed about the status of their matters and for failing to respond to reasonable requests for information. Additionally, respondent failed to explain that a certain amount of the settlements would be withheld for the payment of medical expenses, did not promptly notify the clients of the receipt of settlement funds and did not promptly disburse their share of the proceeds. Joanna Piorek represented District VA before the DRB and John D. Arseneault represented respondent.

STEEVE J. AUGUSTIN

Disbarred on January 26, 2012 (208 *N.J.* 594) for knowingly misappropriating trust account funds held by him in connection with a real estate closing and for repeatedly using his attorney trust account as collateral for gambling markers. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and Alan Dexter Bowman appeared for the respondent.

ANTHONY J. BALLIETTE

Admonished on December 11, 2012 (*Unreported*) for lack of diligence, failure to promptly turn over funds to lien holder (Medicaid) following the settlement of an estate, and practicing law while on the ineligible list due to nonpayment of the Lawyers' Fund for Client Protection assessment. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent appeared pro se.

TAMA VAIL BARAN

Admonished on July 5, 2012 (210 *N.J.* 553) for representing a client in a municipal court matter while engaging in an affair with the client's husband. Daniel G. Giaquinto appeared before the DRB for District VII and respondent appeared pro se.

CONSTANTINE BARDIS

Admonished on June 7, 2012 (210 *N.J.* 253) for negligent misappropriation of client trust funds, record keeping violations and failure to supervise a non-lawyer employee. Melissa A. Czartoryski appeared before the DRB for the OAE and Ronald M. Gutwirth represented respondent.

MARK JOSEPH BELLOTTI

Disbarred by consent on August 7, 2012 (211 *N.J.* 272) following his plea in Monmouth County Superior Court to

one count of second degree conspiracy and one count of second degree theft by deception. Michael J. Sweeney represented the OAE and Milton Bouhoutsos, Jr. represented the respondent.

ROBERT J. BERNOT

Reprimanded on May 2, 2012 (210 *N.J.* 117) for his conduct in representing a debtor in litigation commenced by creditors. Respondent did not make clear to the client the limited extent of his representation, in violation of RPC 1.4(c), and failed to communicate the basis or rate of fee in writing, in violation of RPC 1.5(b). Tara Johnson appeared before the DRB for District XIII and the respondent appeared pro se.

MARVIN BLAKELY

Reprimanded on January 25, 2012 (208 *N.J.* 589) for negligently misappropriating client funds by over disbursing $12,111.46 in a real estate matter due to his failure to maintain client ledger cards, receipts and disbursements journals, and to perform three-way reconciliations of his attorney trust account. The respondent also grossly neglected this real estate matter by not reviewing the closing documents or communicating with the clients prior to the closing, failing to review the title binder, making a disbursement to a company not associated with the transaction, failing to question obvious discrepancies in the HUD-1 statement and closing on the property, which was the subject of a bankruptcy proceeding, without securing bankruptcy court approval. Respondent also failed to set forth in writing the basis or rate of his fee, and practiced law while ineligible to do so for failure to pay the 2006 annual attorney registration fee. Christina Blunda Kennedy appeared before the DRB for the OAE and Catherine M. Brown appeared for the respondent. The respondent was previously disciplined: Admonished in 2011.

BARRY S. BLOCK

Admonished on January 30, 2012 (*Unreported*) for lack of diligence and failure to communicate with a client in a landlord/tenant matter. John E. Lanza represented District XIII and respondent was pro se on a motion for discipline by consent granted by the DRB.

PETER JOSEPH BONFIGLIO, III

Reprimanded on November 5, 2012 (212 *N.J.* 435) for falsely representing to an individual that he had given his file to a colleague to review the viability of a potential dental malpractice case and for failing to reply to the individual's request for the status of the review of his claim. Cindy M. Perr appeared before the DRB for District IIIB and the respondent appeared pro se.

TERENCE S. BRADY

Suspended for three months effective June 6, 2011 on a certified record (212 *N.J.* 101) for misconduct in five client matters, including failure to communicate, gross neglect, pattern of neglect, lack of diligence and failing to protect his clients' interests upon termination of representation. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of these matters. Janice L. Richter represented the OAE.

RONALD J. BRANDMAYR, JR.

Reprimanded on December 6, 2012 (212 *N.J.* 472) for representing two clients during a period of time when he knew he was ineligible to practice due to his failure to pay the annual registration fee. Janice L. Richter represented the OAE before the DRB and respondent appeared pro se.

NEIL H. BRAUNSTEIN

Suspended for one year on May 9, 2012 (210 *N.J.* 148) based on his conviction in the Superior Court of New Jersey to third-degree attempted criminal coercion by an official in violation of N.J.S.A. 2C:13-5(a)(4). Janice L. Richter appeared before the Supreme Court for the OAE and respondent appeared pro se.

KENNETH H. BROOKMAN

Disbarred on January 6, 2012 (208 *N.J.* 483) for knowingly misappropriating estate and client funds by using them to pay for his personal and business expenses. Janice L. Richter appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2010.

DONALD STUART BURAK

Disbarred on January 6, 2012 (208 *N.J.* 484) as a result of respondent's guilty plea in the United States District Court for the District of New Jersey to one count of possession of child pornography in violation of 18 U.S.C.A. § 2252A(a)(5)(B) and (b)(2). Maureen G. Bauman appeared before the Supreme Court for the OAE and Robert Ramsey appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2008.

EDWARD BENJAMIN BUSH

Admonished on June 19, 2012 (210 *N.J.* 182) for lack of diligence, failure to keep a client reasonably informed about the status of a matter and to comply with reasonable requests for information in connection with an estate matter. Michael K.W. Nolan represented District IIIA and respondent was pro se on a motion for discipline by consent granted by the DRB.

DUNCAN GORDON CAMERON

Disbarred on a certified record on February 1, 2012

(209 *N.J.* 34) for knowingly misappropriating $94,519.91 in client funds by depositing the funds into his personal business checking account and spending the funds without the knowledge or authorization of his client. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and the respondent failed to appear.

CATHY C. CARDILLO

Reprimanded on December 19, 2012 (212 *N.J.* 486) for entering into an agreement in which a restriction on her right to practice was part of the settlement of a controversy between the parties. Charles Centinaro appeared before the Supreme Court for the OAE and respondent appeared pro se.

KEVIN JOSEPH CARLIN

Suspended for one year on a certified record on January 25, 2012 (208 *N.J.* 592) for misconduct in three client matters, including gross neglect, failure to communicate with clients, failure to memorialize the basis or rate for his fee, recordkeeping violations and failure to cooperate with disciplinary authorities during the investigation and processing of these matters. Lee A. Gronikowski represented the OAE. The respondent was previously disciplined: Reprimanded in 2003; censured in 2006; suspended in 2009; and temporarily suspended in 2011.

KEVIN JOSEPH CARLIN

Suspended for two years on a certified record effective January 26, 2013 (212 *N.J.* 475) for lack of diligence, gross neglect and failure to cooperate with his client in a bankruptcy matter. Respondent also failed to cooperate with disciplinary authorities in the investigation and processing of this matter. Daniel F. Dryzga, Jr. represented District VII. Respondent was previously disciplined: Reprimanded in 2003; censured in 2006; suspended for three months in 2009; and suspended for one year effective January 25, 2012.

JUHONG J. CHA

Reprimanded on January 25, 2012 (208 *N.J.* 590) for forging the signature of another attorney on an addendum to a real estate contract. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se.

OWEN CHAMBERS

Suspended for three months effective April 9, 2012 (209 *N.J.* 417) for gross neglect, lack of diligence, failure to communicate and failure to safeguard client's property. Further, respondent failed to cooperate with disciplinary authorities during the investigation of this matter and lied under oath during the disciplinary hearing. Anish A. Joshi appeared before the DRB for District VIII and Donald M. Lomurro appeared for the respondent.

ALEXANDER CHAN

Disbarred by consent on October 5, 2012 (212 *N.J.* 193) for knowingly misappropriating clients' trust funds. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and Lawrence Lustberg represented the respondent.

GEORGE STEWART CUMMINGS II

Disbarred by consent on October 9, 2012 (212 *N.J.* 196) for knowingly misappropriating clients' and his law firm's funds by using them for purposes unrelated to the clients' or the firm's purposes and without their knowledge or permission. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and Joseph P. Rem represented the respondent.

PAUL J. CURRERI

Reprimanded on November 5, 2012 (212 *N.J.* 433) for his role as the settlement agent in four real estate closings where respondent certified as accurate HUD-1 forms that contained misrepresentations, in violation of RPC 8.4(c); where respondent assisted his clients in committing a fraud, in violation of RPC 1.2(d); where respondent failed to memorialize his fee arrangement, in violation of RPC 1.5(b); and where respondent engaged in a conflict of interest, in violation of RPC 1.7(a). The Board took into account respondent's extensive mitigation in recommending a reprimand, rather than a censure. HoeChin Kim appeared before the DRB for the OAE and Robyn M. Hill appeared on behalf of respondent.

TERENCE J. DAHL

Reprimanded on a certified record on December 6, 2012 (212 *N.J.* 471) for failing to comply with a client's reasonable requests for information in an estate matter. David L. Rutherford represented District IIA.

EARL SETH DAVID

Disbarred by consent on June 14, 2012 (210 *N.J.* 328) as a result of respondent's criminal conviction in the U.S. District Court for the Southern District of New York for violations of 18 U.S.C. § 1546(a) and 18 U.S.C. § 1001, in connection with respondent's participation in a conspiracy to make material false statements in relation to immigration applications, and to committing mail fraud and wire fraud, in violation of 18 U.S.C. § 1341 and 1349. Missy Urban represented the OAE before the Supreme Court and Avraham C. Moskowitz represented the respondent. The respondent was previously disciplined: Suspended in 2004.

MARVIN S. DAVIDSON

Suspended for one year on October 17, 2012 (212 *N.J.* 289) for his misconduct in two separate cases. In the first, a District XII matter, while he was on the IOLTA Ineligibility List, respondent made two court appearances. In the second, a District VB matter, respondent wrongfully withheld funds belonging to his former employee/client to cover a possible claim for unpaid bills from the Dell computer company. He also failed to cooperate with ethics authorities. James J. McDonald appeared before the DRB for District VB and respondent appeared pro se. Respondent was previously disciplined: Suspended for 3 months in 1995; reprimanded in 2005; temporarily suspended in 2009; and suspended for two consecutive 6-month terms in 2010.

NATHANIEL MARTIN DAVIS

Reprimanded on February 10, 2012 (209 *N.J.* 89) for failing to turn over a former client's file to her new attorney after multiple oral, written and in-person requests. Thomas Joseph O'Leary appeared before the DRB for District VA and Alan Dexter Bowman appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2007.

MARC ADAM DEITCH

Reprimanded on March 9, 2012 (209 *N.J.* 423) for failing to safeguard client funds and allowing a negligent misappropriation of trust account funds. Respondent failed to supervise his wife/paralegal and her handling of his bank accounts, allowing her to steal $14,400 of funds being held in his trust account. This failure to supervise also allowed her to overcharge parties in real estate transactions. Additionally, respondent had multiple recordkeeping violations. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent appeared pro se.

DORCA IRIS DELGADO-SHAFER

Suspended for three years effective after the expiration of the prior terms of suspension imposed on January 2, 2009 and November 17, 2011 (210 *N.J.* 127) for filing six successive and deficient petitions for bankruptcy in order to derail a civil case pending against her, failing to file an affidavit of compliance pursuant to R.1:20-20(b)(15), making misrepresentations to a court and failing to cooperate with disciplinary authorities. Melissa A. Czartoryski represented the OAE before the DRB and respondent appeared pro se. The respondent was previously disciplined: Suspended for one year in 2009 and for one year in 2011.

DOUGLAS J. DEL TUFO

Reprimanded on May 22, 2012 (210 *N.J.* 183) for commingling personal and business funds in his attorney trust account and then paying personal and business expenses from that account. Respondent had been audited by the OAE previously and advised that this practice was a violation of recordkeeping rules. Respondent also failed to maintain ledger cards, made unauthorized electronic transfers and failed to maintain a running cash balance for his trust account. Janice L. Richter appeared before the DRB for the OAE and the respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program. The respondent was previously disciplined: Admonished in 2011.

NICHOLAS V. DEPALMA

Admonished on February 17, 2012 (*Unreported*) for engaging in conduct involving dishonesty, fraud, deceit or misrepresentation by signing a deed as the preparer when another attorney had prepared the deed and affixing his jurat outside the presence of the sellers and in absence of their signatures. Melissa Suarez represented District II-B before the DRB and respondent appeared pro se.

ROBERT J. DEPALMA

Disbarred by consent on October 24, 2012 (212 *N.J.* 364) for respondent's knowing misappropriation of client funds earmarked for recordation of the deed, mortgage, and powers of attorney from a client's real estate closing during which respondent acted as the settlement agent. HoeChin Kim represented the OAE and Marc D. Garfinkle represented the respondent.

NELSON DIAZ

Reprimanded on February 8, 2012 (209 *N.J.* 89) for failure to supervise lawyer and non-lawyer employees and engaging in dishonest conduct and conduct prejudicial to the administration of justice where lawyers under his supervision utilized hundreds of pre-signed certifications which were filed in Bankruptcy Court even though the signatories on the certifications did not review them or attest to their accuracy. Melissa A. Czartoryski represented the OAE and Peter N. Gilbreth represented the respondent.

JOHN D. DICIURCIO

Reprimanded on September 20, 2012 (212 *N.J.* 109) for sending direct mail solicitation letters that were in violation of RPC 7.1(a)(1) (for one letter that misled the recipient that she could lose her driver's license for making an illegal U-turn), *Guideline 2(a)* (for all three letters that did not comply with the Guideline's requirements) and *Opinion 35* (for all three letters that failed to have the required language). The Committee on Attorney Advertising had recommended an admonition. HoeChin Kim appeared before the DRB for the OAE and respondent appeared pro se.

WILLIAM T. DICIURCIO II

Reprimanded on September 20, 2012 (212 *N.J.* 110)

for sending direct mail solicitation letters that were in violation of *RPC* 7.1(a)(1) (for one letter that misled the recipient that she could lose her driver's license for making an illegal U-turn), *Guideline 2(a)* (for all three letters that did not comply with the Guideline's requirements) and *Opinion 35* (for all three letters that failed to have the required language). The Committee on Attorney Advertising had recommended an admonition. HoeChin Kim appeared before the DRB for the OAE and respondent appeared pro se.

STEPHEN G. DOHERTY

Disbarred by consent on April 26, 2012 (210 *N.J.* 110) as a result of respondent's criminal conviction in the United States District Court for the Eastern District of Pennsylvania for fifteen felony counts including Conspiracy, in violation of 18 U.S.C. § 1349, Mail Fraud, in violation of 18 U.S.C. § 1341, Wire Fraud, in violation of 18 U.S.C. § 1343, Fraudulent Bankruptcy Filing, in violation of 18 U.S.C. § 157(1), False Bankruptcy Record, in violation of 18 U.S.C. § 1519 and Conspiracy to Launder Money, in violation of 18 U.S.C. § 1956(h), in connection with a mortgage fraud scheme. Michael Sweeney represented the OAE before the Supreme Court and William J. Winning represented the respondent.

AURELIA M. DURANT

Admonished on December 6, 2012 *(Unreported)* for failing to notify her clients that she would be moving out of state and that another lawyer would be handling their bankruptcy matter, nor did she follow up on the status of the matters that had been taken over. Timothy J. McNamara represented the OAE before the DRB and Bernard K. Freamon represented the respondent.

HOWARD L. EGENBERG

Reprimanded on September 6, 2012 (211 *N.J.* 604) for representing all parties in a real estate transaction without obtaining a written acknowledgment or waiver of a conflict of interest, or the express consent of all parties. Respondent also made misrepresentations on the HUD-1 settlement statement. Christopher J. Koller appeared before the DRB for District IIB and Ellyn Freiberg Essig appeared for the respondent.

JOHN M. FALZONE, JR.

Censured on March 19, 2012 (209 *N.J.* 420) for failing to supervise his secretary-wife and for failing to conduct three-way reconciliations of his attorney trust account, which conduct enabled his wife to steal over $275,000 from his attorney trust account. Respondent also lied to ethics authorities during its investigation. HoeChin Kim appeared before the DRB for the OAE and respondent waived appearance. This matter was discovered solely as a result of the Random Audit Compliance Program.

GEORGE LOUIS FARMER

Admonished on March 27, 2012 (*Unreported*) for engaging in a conflict of interest with an existing client when he brought the clients into a lawsuit as a third party defendant. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se.

JOSEPH J. FELL

Reprimanded on July 18, 2012 (211 *N.J.* 2) for engaging in a business transaction with his client without complying with the requirements of RPC 1.8(a)(2) (advising client in writing of desirability of seeking advice of independent counsel) or RPC 1.8(a)(3) (obtaining client's written informed consent to terms of transaction and attorney's role in transaction). HoeChin Kim appeared before the DRB for the OAE and respondent waived appearance. Respondent was previously disciplined: Admonished in 2011.

KIM ANDRE FELLENZ

Disbarred on September 12, 2012 (212 *N.J.* 64) for knowingly misappropriating client funds in several different matters. Melissa A. Czartoryski appeared before the Supreme Court and Alan Peyrouton appeared for respondent. This matter was discovered as the result of the Trust Overdraft Notification Program.

STUART D. FELSEN

Censured on a certified record on November 5, 2012 (212 *N.J.* 434) for gross neglect, lack of diligence, and failure to explain a matter to the extent reasonably necessary for the client to make informed decisions about the representation in a DWI case. Although ordered by the Court to do so, respondent failed to obtain a videotape containing exculpatory evidence and falsely stated to his client that the tape did not exist. Michael R. Ascher represented District XA. The respondent was previously disciplined: Reprimanded in 2002 and suspended for three months in 2007.

RICHARD M. FLYNN

Reprimanded by consent on February 14, 2012 (209 *N.J.* 92) for misrepresenting to beneficiaries in an estate matter the nature of the disbursement of certain fees. Jean Chetney appeared before the DRB for District IV and Robert E. Ramsey appeared for respondent.

BRIAN FOWLER

Admonished on April 27, 2012 (*Unreported*) for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information and notify his client about and deliver funds. In

connection with an estate matter, respondent received but failed to deposit at least 19 checks and additionally failed to respond to more than a dozen inquiries from his client about the funds. Paul Garfield represented District IIB before the DRB and respondent was pro se. The respondent was previously disciplined: Admonished in 2007 and 2011.

DANIEL JAMES FOX

Censured on a certified record on June 7, 2012 (210 *N.J.* 255) for failing to comply with R. 1:20-20, which requires a suspended attorney to file an affidavit with the Director of the Office of Attorney Ethics specifying steps taken to comply with each of the provisions of the rule. Michael J. Sweeney represented the OAE. The respondent was previously disciplined: Suspended in 2010.

RANDI K. FRANCO

Suspended for three months on December 5, 2012 (212 *N.J.* 471), effective January 4, 2013, for violating RPC 1.5(d) (commingling funds and charging a non-refundable retainer), *RPC* 1.7(a) (conflict of interest), RPC 1.8(a) (impermissible business transaction with a client) and RPC 1.15(d) and R. 1:21-6 (recordkeeping violations). The Supreme Court disagreed with the DRB's finding of clear and convincing evidence that respondent knowingly misappropriated escrow funds in violation of RPC 1.15(a) and the principles of In re Hollendonner, 102 N.J. 21 (1985). HoeChin Kim appeared before the Supreme Court for the OAE and respondent appeared pro se.

ROBERT A. FRANCO

Suspended for three months on December 5, 2012 (212 *N.J.* 470), effective January 4, 2013, for violating RPC 1.5(d) (commingling funds and charging a non-refundable retainer), RPC 1.7(a) (conflict of interest), RPC 1.8(a) (impermissible business transaction with a client) and RPC 1.15(d) and R. 1:21-6 (recordkeeping violations). HoeChin Kim appeared before the DRB for the OAE and respondent appeared pro se.

JAMES K. FRUEHLING

Disbarred by consent on October 17, 2012 (212 *N.J.* 285) following his guilty plea in the Eastern District of Pennsylvania to one count of conspiracy to manufacture 1000 or more marijuana plants, in violation of 21 U.S.C. §841(a)(1), (b)(1)(A) and possession with intent to distribute 1000 or more marijuana plants, in violation of 21 U.S.C. §841(a)(1), (b)(1)(A). Michael J. Sweeney represented the OAE and Brian J. Fruehling represented the respondent.

SHAUNA MARIE FUGGI

Admonished on February 17, 2012 (*Unreported*) for engaging in conduct (burning her estranged husband's personal belongings in her driveway and sending him a text message about the same) that reflected adversely on her honesty, trustworthiness or fitness as a lawyer. HoeChin Kim appeared before the DRB for the OAE and respondent waived appearance.

RALPH V. FURINO

Suspended for three months on May 2, 2012 on a certified record (210 *N.J.* 122) for failing to perform any work after being retained by a client in a domestic relations matter. Respondent failed to return the file to the client upon termination of his representation, and failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Anish A. Joshi represented District VIII. The respondent was previously disciplined: Reprimanded in 2010.

RALPH V. FURINO

Suspended for three months effective August 3, 2012 on a certified record (210 *N.J.* 124) for misconduct in two client matters. In one matter, the respondent grossly neglected his client's personal injury matter and lacked diligence by failing to answer interrogatories, thereby causing the client's complaint to be dismissed. In a second matter, respondent failed to communicate with his client. In both matters, respondent failed to return the file to the client upon termination of his representation, and failed to cooperate with disciplinary authorities during the investigation and processing of these matters. Anish A. Joshi represented District VIII. The respondent was previously disciplined: Reprimanded in 2010.

CARL D. GENSIB

Suspended for 6 months on March 9, 2012 (209 *N.J.* 421) for facilitating fraud in five real estate transactions where he prepared and certified as accurate false HUD-1 forms. He also engaged in conflicts of interest in two transactions and failed to memorialize the fee arrangement in all five transactions. HoeChin Kim appeared before the DRB for the OAE and David H. Dugan, III appeared on behalf of respondent. The respondent was previously disciplined: Reprimanded in 2005 and censured in 2011.

CARL D. GENSIB

Censured on November 29, 2012 (212 *N.J.* 465) for his conduct in representing a buyer in a real estate transaction. Respondent failed to explain a matter to the extent reasonably necessary for the client to make informed decisions about the representation, in violation of RPC 1.4(c) and failed to communicate the basis or rate of fee in writing, in violation of RPC 1.5(b). HoeChin Kim appeared before the DRB for the OAE and David H. Dugan III appeared on behalf of respondent. The respondent was previously disciplined: Reprimanded in 2005; censured in 2011; and suspended for six

months in 2012.

JOSEPH R. GIANNINI

Censured on December 7, 2012 (212 *N.J.* 479) for violations of RPC 3.1 (asserting frivolous issues), RPC 3.4(d) (making frivolous discovery requests), RPC 3.4(e) (alluding, in trial, to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence) and RPC 8.4(d) (engaging in conduct prejudicial to the administration justice). The Court's six-page Order explained in detail why respondent's constitutional arguments, that the disciplinary process violated his due process and free speech rights, lacked any substantive merit. HoeChin Kim appeared for the OAE before the Supreme Court and respondent appeared pro se.

ARTHUR R. GLOESER

Disbarred on March 9, 2012 (209 *N.J.* 415) for knowingly misappropriating client funds by authorizing the transfer of $26,208 from his law firm's trust account to the business account to provide sufficient funds to meet payroll obligations. Michael J. Sweeney appeared before the Supreme Court for the OAE and Robyn M. Hill represented the respondent. The respondent was previously disciplined: Reprimanded in 1995.

STEVEN F. GOLDMAN

Disbarred by consent on January 13, 2012 (209 *N.J.* 7) for knowingly misappropriating approximately $50,500 from several clients and using the money for unrelated matters without the clients' knowledge, authority or consent. Lee A. Gronikowski represented the OAE before the Supreme Court and Hayes R. Young represented the respondent.

RALPH ALEXANDER GONZALEZ

Admonished on November 16, 2012 (*Unreported*) for engaging in conduct prejudicial to the administration of justice by attempting to persuade a client to withdraw her ethics grievance as part of a settlement of a civil suit against her for non-payment of legal fees. Lewis C. Fichera represented District IV before the DRB and respondent was pro se. The respondent was previously disciplined: Reprimanded in 1995.

CHARLES X. GORMALLY

Reprimanded on December 19, 2012 (212 *N.J.* 486) for making an agreement in which a restriction on the lawyer's right to practice was part of the settlement of a controversy between the parties. Charles Centinaro appeared before the Supreme Court for the OAE and Michael R. Griffinger appeared for the respondent.

NEIL LAWRENCE GROSS

Censured on May 2, 2012 on a certified record (210 *N.J.* 115) for failing to complete post-closing steps in a real estate matter and for failing to cooperate with the ethics committee in the investigation and processing of this matter. Larry D. Raiken represented the District XB Ethics Committee. The respondent was previously disciplined: Censured in 2011.

JEFFREY R. GROW

Admonished on March 26, 2012 (209 *N.J.* 424) for failing to properly notify an estate client in writing of the basis or rate of the fee to probate a will and for sending a letter to the client threatening to file criminal charges against her in relation to her failure to pay the fee. JoAnn Pietro represented District XB before the DRB and respondent was pro se.

STEVE HALLETT

Admonished on July 25, 2012 (*Unreported*) for failure to keep proper financial records and maintaining a balance in his attorney trust account from May 2006 to May 2011, without identifying the rightful owners or applying for permission to transfer the funds to the Superior Court Trust Fund. As a result, third parties made unauthorized disbursements. Melissa A. Czartoryski represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Reprimanded in 2001 and 2002. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOHN W. HARGRAVE

Admonished on October 25, 2012 (*Unreported*) for entering into a business transaction with bankruptcy clients by which respondent obtained a mortgage against their residence in order to prevent or delay a third-party from obtaining a lien against the house without fully disclosing the terms in writing, advising the clients in writing of the desirability of seeking independent counsel and obtaining written informed consent from the clients. Maureen G. Bauman represented the OAE and Robert Ramsey represented respondent on a motion for discipline by consent granted by the DRB.

RICHARD C. HEUBEL

Censured on a certified record on June 7, 2012 (210 *N.J.* 252) for failing to diligently represent his client in a real estate closing and keep her reasonably informed about the status of the matter. Additionally, his poor recordkeeping practices led to the negligent misappropriation of client trust funds. Lee A. Gronikowski represented the OAE. The respondent was previously disciplined: Admonished in 2009.

CHRISTOPHER T. HOWELL

Admonished on February 21, 2012 (*Unreported*) for failing to act with reasonable diligence and failing to keep his client informed about the status of her foreclosure matter. Christopher Perez represented District V-C before the DRB and respondent was pro se.

WILLIAM TIMOTHY HOWES

Admonished on October 1, 2012 (*Unreported*) for failing to act with reasonable diligence and engaging in conduct involving dishonesty, deceit or misrepresentation by lying to a client and her husband about the status of her appeal. Richard B. Gelade represented District VII before the DRB and respondent was pro se.

FERNANDO IAMURRI

Admonished on July 25, 2012 (*Unreported*) for gross negligence, failing to act with reasonable diligence and failing to keep his immigration client reasonably informed about the status of his matter. Respondent missed two deadlines for appeals and failed to set forth defenses to the removal proceeding or otherwise stay or vacate the deportation order. Abed Awad represented District XI and respondent was pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Admonished in 2010.

ALEXANDER M. ILER

Disbarred by consent on July 5, 2012 (210 *N.J.* 552) for knowingly misappropriating client trust funds. Timothy J. McNamara represented the OAE and Robert E. Ramsey represented respondent.

JOSE A. IZQUIERDO

Disbarred on January 12, 2012 (209 *N.J.* 5) as a result of respondent's guilty plea in the United States District Court for the District of New Jersey to a one-count accusation charging respondent with knowingly and willfully making materially false, fictitious and fraudulent statements and representations to the Federal Bureau of Investigations, in violation of 18 U.S.C.A. *§* 1001. Lee A. Gronikowski appeared before the Supreme Court for the OAE and Eric R. Breslin appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2008.

WILLIAM C. JAEKEL

Disbarred by consent on September 21, 2012 (212 *N.J.* 111) for knowingly misappropriating real estate escrow funds. Melissa A. Czartoryski represented the OAE and Glenn R. Reiser represented the respondent. This matter was discovered solely as a result of the Random Audit Program.

MARK H. JAFFE

Reprimanded on July 18, 2012 (211 *N.J.* 1) for making false statements of material fact to the trial judge in a municipal court matter resulting in respondent being permitted to withdraw from the case without notice to the client, a woman who did not speak English, or her English-speaking representative. Thomas A. Cunniff appeared before the DRB for District VII and Joseph J. Benedict appeared on behalf of respondent. Respondent was previously disciplined: Reprimanded in 1998.

STUART W. JAY

Reprimanded on May 24, 2012 (210 *N.J.* 214) for knowingly practicing law while ineligible to do so for failure to complete the annual attorney registration form and pay the annual fee. Janice L. Richter appeared before the DRB for the OAE and the respondent appeared pro se. The respondent was previously disciplined: Suspended in 1996.

ROBERT JOSEPH JENEY, JR.

Reprimanded on January 25, 2012 (208 *N.J.* 591) for failure to safeguard, in his attorney trust account, the proceeds from the sale of his client's marital home by paying his own firm's legal fees from those proceeds when he was not authorized to do so, by refusing to pay legal fees owed to his client's wife's attorney as provided in his client's property settlement agreement, and by releasing the funds to his client upon termination of their attorney-client relationship without the consent of the attorney representing his client's wife. Richard W. Mackiewicz, Jr. appeared before the DRB for District VI and respondent appeared pro se.

GEORGE W. JOHNSON

Admonished on March 22, 2012 (*Unreported*) for taking a loan from a testamentary trust which he served as trustee without seeking prior court approval and therefore creating an impermissible conflict of interest. Michael J. Sweeney appeared before the DRB for the OAE and Raymond S. Londa represented respondent.

JERROLD N. KAMINSKY

Suspended for three months effective October 11, 2012 (212 *N.J.* 37) for misconduct in several real estate matters. Specifically respondent prepared false HUD-1 settlement statements and presented those statements to the clients for execution knowing they were fraudulent. Also, in one of the real estate transactions, respondent engaged in a concurrent conflict of interest. Michael J. Sweeney appeared before the DRB for the OAE and Gerard E. Hanlon appeared for the respondent.

THOMAS KANE

Reprimanded on December 6, 2012 (212 *N.J.* 477) for threatening to present criminal charges in order to obtain an improper advantage in his own divorce case, contrary to RPC 3.4(g). Cristal M. Holmes-Bowie appeared before the DRB for District IIIB and David H. Dugan, III appeared for respondent.

NA-NYUNG KANG

Admonished on March 23, 2012 (*Unreported*) for failing to act diligently in filing an answer to a divorce complaint and failing to keep his client reasonably informed about the status of the matter. Santiago D. Orozco represented District XI before the DRB and David M. Paris represented respondent.

RACHEL D. KAPLAN

Suspended for three months effective February 6, 2012 (208 *N.J.* 487) for failing to act diligently in finalizing the equitable distribution in a pension matter and failing to communicate with the client by not returning multiple phone calls. A greater level of discipline was imposed because respondent made misrepresentations to the District Ethics Committee. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent appeared pro se.

GLEB L. KARDASH

Reprimanded on May 2, 2012 on a certified record (210 *N.J.* 116) for failing to provide a written fee agreement to his client in a matrimonial matter and for failing to cooperate with disciplinary authorities in the investigation and processing of this matter. Christine Gillen represented District IIB.

KENNETH HARRY KELL

Disbarred by consent on August 23, 2012 (211 *N.J.* 533) for knowingly misappropriating clients' trust funds. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and Robert Agre represented the respondent.

YONG-WOOK KIM

Disbarred on a certified record on September 12, 2012 (212 *N.J.* 62) for knowingly misappropriating clients' funds. In one matter, respondent received a $63,000 real estate deposit and used it to make payments in unrelated matters without the knowledge or consent of the depositor. In another matter, respondent received a wire transfer of $393,785.59 and instead of paying off the sellers' mortgage, respondent converted the funds to his own personal use without the knowledge or consent of the third parties. In the third matter, respondent received a $60,500 real estate deposit and converted the funds to his own use without the knowledge or consent of the depositor. Respondent also failed to cooperate with disciplinary authorities regarding two overdrafts in his trust account and during the investigations and processing of these matters. Maureen G. Bauman appeared before the Supreme Court for the OAE and respondent failed to appear.

MICHAEL SCOTT KLEIN

Suspended for three years on January 11, 2012 (209 *N.J.* 234) as a result of respondent's guilty plea in the United States District Court for the Eastern District of Pennsylvania to income tax evasion, in violation of 18 U.S.C.A. § 7201, criminal conspiracy to defraud the United States, in violation of 18 U.S.C.A. § 371. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se.

ROBERT DOUGLAS KOBIN

Reprimanded on October 17, 2012 (212 *N.J.* 291) for lack of diligence, failure to keep the client reasonably informed about the status of their matter, failure to explain a matter to an extent necessary for a client to make informed decisions, improper withdrawal from representation, failure to protect a client's interests on termination of representation, failure to supervise a subordinate attorney and failure to cooperate with ethics authorities in a products liability case. Anita R. Hotchkiss appeared before the DRB for District XB and respondent appeared pro se.

MORRIS J. KURZROK

Admonished on July 20, 2012 (*Unreported*) for failing to keep proper records as required by R. 1:21-6 and cooperate with an ethics investigation. The DRB also required respondent to provide quarterly to the OAE monthly reconciliations of his attorney records, certified by an accountant approved by the OAE, for a period of two years. Michael J. Sweeney represented the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 1995. This matter was discovered solely as a result of the Random Audit Compliance Program.

JOSEPH C. LANE

Reprimanded on May 29, 2012 (210 *N.J.* 220) for failing to record the deed and mortgage for approximately one and one half years from a closing in which he acted as the settlement agent. Walton W. Kingsbery, III represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Admonished in 2007 and 2009.

ANTHONY J. LARUSSO

Censured on September 20, 2012 (212 *N.J.* 107) for gross negligence and conflict of interest in four loan arrangements between two clients resulting in a financial loss to one client of over $400,000. Melissa A. Czartoryski appeared

before the DRB for the OAE and respondent waived appearance. Respondent was previously disciplined: Censured in 2007.

EUGENE M. LAVERGNE

Disbarred on November 7, 2012 (212 *N.J.* 427) for his unethical conduct in multiple client matters, including violations of RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.5(a) (charging excessive fees), RPC 1.15(a) (knowing misappropriation of client trust funds), RPC 1.16(d) (failure to return client files on termination of representation, RPC 3.3(a)(1) (lack of candor towards a tribunal), RPC 4.4(a) (lack of respect for the rights of third persons), RPC 5.5(a) (practicing law while suspended), RPC 7.1(a)(1)(1) (making false or misleading communications concerning a lawyer's services), RPC 8.1(a) (knowingly making false statements to disciplinary authorities, RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), RPC 8.4(d) (conduct prejudicial to the administration of justice) and for violating the principles of In re Wilson, 81 N.J. 451 (1979) and In re Hollendonner, 102 N.J. 21 (1985). Janice L. Richter appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent has a significant disciplinary history: Reprimanded in 2001; suspended in 2001; reprimanded in 2006; censured and temporarily suspended in 2011.

JEFFREY S. LENDER

Admonished on January 30, 2012 (*Unreported*) for failing to act diligently and promptly in correcting an over-disbursement paid by respondent to another entity during a real estate transaction in which respondent represented the title company and the buyer and seller were pro se. Lee A. Gronikowski represented the OAE before the DRB and Michael P. Ambrosio represented respondent.

ERIC S. LENTZ

Reprimanded on a certified record on July 19, 2012 (211 *N.J.* 3) for failing to communicate with his client in a personal injury matter, failing to represent him diligently and failing to withdraw from representation when respondent's health problems materially impaired his ability to properly represent the client. Cynthia T. McCoy represented District VB. Respondent was previously disciplined: Temporarily suspended in 2010.

JOSEPH J. LOWENSTEIN

Suspended for three months effective January 24, 2010 (212 *N.J.* 294) for conflict of interest, failure to keep a client reasonably informed about the status of the matter and failure to explain the matter to the extent reasonably necessary to permit the client to make informed decisions about the representation. Respondent represented both the driver and passenger for injuries sustained in a motor vehicle accident. When respondent realized that the dual representation created a potential conflict of interest, he filed a complaint on behalf of the driver and drafted and filed a "pro se" complaint on behalf of the passenger, naming his client as a defendant. Respondent signed the passenger's name on the complaint without her knowledge or consent and continued representation of the passenger until the conflict of interest became apparent at which time respondent ceased to prosecute the case on behalf of the passenger. Maureen G. Bauman appeared before the DRB for the OAE and David H. Dugan, III appeared for the respondent. The respondent was previously disciplined: Admonished in 2006; reprimanded in 2007; censured in 2008 and suspended for three months in 2009.

ANTHONY M. MAHONEY

Disbarred on January 12, 2012 (208 *N.J.* 490) for knowingly misappropriating clients' trust funds by using them for purposes unrelated to the clients' matter and without their knowledge or permission. Lee A. Gronikowski appeared before the Supreme Court for the OAE and Joel A. Kobert represented the respondent.

KEVIN H. MAIN

Suspended for two years on June 8, 2012 on certified records in six matters (210 *N.J.* 256) for multiple violations of RPC 1.1(a) (gross neglect); RPC 1.1(b) (pattern of neglect); RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to keep client reasonably informed); RPC 1.16(d) (failure to protect client's interests on termination of representation); RPC 8.1(b) (failure to cooperate with disciplinary authorities); and RPC 8.4(c) (conduct involving dishonesty, deceit or misrepresentation). Kimberly M. Wilson, Jennifer W. Millner, Jennifer D. Zoschak, Randie Lynn Ehrlich and Sudha V. Raja represented District VII. Respondent was previously disciplined: Admonished in 2010 and two consecutive three-month suspensions in 2011.

PETER E. MANOLAKIS

Suspended for three months (212 *N.J.* 468) effective January 13, 2009 for recordkeeping violations and failure to cooperate with disciplinary authorities. Christina Blunda Kennedy appeared before the DRB for the OAE and the respondent failed to appear. The respondent was previously disciplined: Censured and temporarily suspended in 2009.

NICHOLAS R. MANZI

Disbarred on a certified record on March 16, 2012 (209 *N.J.* 425) for knowingly misappropriating clients' funds by using them for purposes unrelated to the clients' matter and without their knowledge or permission. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent failed to appear.

WILLIAM E. MCMANUS, II

Admonished on February 27, 2012 (*Unreported*) for failing to provide his client with contact information, failing to maintain a bona fide law office and failing to keep his client reasonably informed while matrimonial matter was pending. Candace R. Scott represented District XA before the DRB and respondent was pro se.

PAUL R. MELLETZ

Admonished on November 16, 2012 (*Unreported*) for fee-sharing with a non-lawyer paralegal in immigration matters. Melissa A. Czartoryski represented the OAE and respondent was pro se on a motion for discipline by consent granted by the DRB.

ATHAN M. MERGUS

Reprimanded on May 30, 2012 *(*210 *N.J.* 222*)* for accepting a personal injury settlement on behalf of a client who had died without obtaining the consent of the executrix of the estate. When respondent sought the executrix' signature on a release, he failed to disclose that he had already accepted and deposited the settlement check into his trust account. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Random Audit Compliance Program.

CHARLES M. NASELSKY

Disbarred by consent on December 31, 2012 following his conviction in the United States District Court, Eastern District of Pennsylvania (Philadelphia), to two counts of tax evasion, two counts of filing false tax returns, three counts of wire fraud and two counts of obstruction of justice. Michael J. Sweeney represented the OAE and Robert E. Welsh, Jr. represented the respondent.

RAYMOND OLIVER

Admonished on November 27, 2012 (*Unreported*) for failing to respond to a lawful demand for information from a disciplinary authority. Ralph Bruce Crelin represented District XII before the DRB and respondent was pro se. The respondent was previously disciplined: Admonished in 2010.

JEFFREY P. OSMOND

Disbarred by consent on October 4, 2012 (212 *N.J.* 191) as a result of respondent's criminal conviction in the Tioga County Court of Common Pleas, Commonwealth of Pennsylvania, of theft by failure to make required disposition of funds received, in violation of 18 Pa. C.S. § 3927(a). Michael J. Sweeney represented the OAE before the Supreme Court and Patrick J. Barrett, III, appeared for respondent.

BEN W. PAYTON

Suspended for three months on October 17, 2012 (212 *N.J.* 292) for grossly neglecting two client matters and failing to respond to a formal complaint in a third case. John P. Dolin and Karen E. Bezner appeared before the DRB for District XII and Queen E. Payton appeared on behalf of respondent. Michael J. Sweeney represented the OAE in the default matter but the matter was decided on the submissions received and no oral argument was held. The respondent was previously disciplined: Reprimanded and suspended for three months in 2001; suspended for three months in 2002; admonished in 2007; and censured and temporarily suspended in 2011, which suspension remains in effect.

PATRICK N. PERONE

Censured on a certified record on March 9, 2012 (209 *N.J.* 422) for failing to act diligently in representing a client in an expungement matter by filing a deficient petition, which resulted in a dismissal of the matter, and for failing to communicate with the client. Scott William Kenneally represented District IIIA. The respondent was previously disciplined: Admonished in 2006.

LORA M. PRIVETERA

Admonished on February 21, 2012 (*Unreported*) for failing to cooperate with an ethics investigation. Robert A. Greitz represented District IIIA before the DRB and Catherine Mary Brown represented respondent.

TIMOTHY J. PROVOST

Disbarred on a certified record on March 2, 2012 (209 *N.J.* 331) for knowingly misappropriating client and escrow funds in two separate matters and for failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Timothy J. McNamara appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2011.

VICTOR K. RABBAT

Admonished on March 22, 2012 (*Unreported*) for gross negligence and lack of diligence in a commercial tenant matter where client had especially retained respondent after another attorney neglected the case. Judith E. Accardi represented District XI before the DRB and respondent was pro se.

DAVID LEONARD ROEBER

Admonished on April 24, 2012 (*Unreported*) for failing to keep the beneficiary of an estate reasonably informed about the status of the matter and to comply with reasonable

requests for information. Respondent also failed to respond to the OAE's lawful demand for information. Terry F. Brady represented District IIIA before the DRB and respondent was pro se.

PETER ROSEN

Reprimanded on January 26, 2012 (209 *N.J.* 157) for assisting his real estate developer client in illegally shifting the obligation to pay realty transfer fees from the seller to the buyers. Walton W. Kingsbery, III, appeared before the Supreme Court for the OAE and Barry Shinberg appeared for the respondent.

SCOT D. ROSENTHAL

Suspended for one year on a certified record effective February 6, 2012 (208 *N.J.* 485) for misconduct in seven client matters including gross neglect, pattern of neglect, lack of diligence, failing to keep clients reasonably informed about the status of their matters, failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, charging unreasonable fees, failing to set forth in writing the rate or basis of his fee, failing to expedite litigation, engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, engaging in conduct prejudicial to the administration of justice and failing to cooperate with disciplinary authorities during the investigation and processing of these matters. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and Robert Ramsey appeared for the respondent.

PAUL E. RUSEN

Admonished on March 15, 2012 (*Unreported*) for failure to safeguard escrow funds by disregarding a $10,000 cap that had been imposed on respondent's authority to pay taxes on real estate out of a buyer's $50,000 escrow deposit. Carl Joseph DiPiazza represented District XA before the DRB and respondent was pro se.

THOMAS M. RUSSO

Suspended for three months effective November 2, 2012 (212 *N.J.* 191) for fabricating two false court orders which he then provided to his clients as evidence that he had obtained a favorable result for them which in fact he had not. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent appeared pro se.

ELAINE T. SAINT-CYR

Censured on a certified record on June 7, 2012 (210 *N.J.* 254) for failing to comply with R. 1:20-20, which requires a suspended attorney to file an affidavit with the Director of the Office of Attorney Ethics specifying steps taken to comply with each of the provisions of the rule. Melissa A. Czartoryski represented the OAE. The respondent was previously disciplined: Suspended in 2010.

ELAINE T. SAINT-CYR

Suspended for two years on three certified records on July 19, 2012 (210 *N.J.* 615) for gross neglect, lack of diligence, failure to communicate with the client and failure to cooperate with disciplinary authorities in two matters and practicing law while suspended in a third. Lee A. Gronikowski represented the OAE, Jerome Ballarotto represented District VII and Khaled J. Klele represented District XB. Respondent was previously disciplined: Temporarily suspended in 2010, which suspension remains in effect, and censured in 2012.

GERALD M. SALUTI

Admonished on January 20, 2012 (*Unreported*) for failing to communicate his rate in writing to client before or within a reasonable time after commencing representation. John M. Deitch represented District V-A before the DRB and Thomas P. Scrivo represented respondent. The respondent was previously disciplined: Admonished in 2007.

BRIEN P. SANTARLAS

Disbarred by consent on May 2, 2012 (210 *N.J.* 126) following his guilty plea in the United States District Court, Southern District of New York, to Count One and Count Two of an Information which charged him with conspiring with others to commit securities fraud, in violation of 18 U.S.C. §371, and with securities fraud, in violation of 15 U.S.C. §78j(b) and 78ff, 17 C.F.R., §240.10b-5 and §240.10b5-2, and 18 U.S.C. §2. Michael J. Sweeney represented the OAE and Robert J. Stahl represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2010.

TERRY L. SHAPIRO

Suspended for three years effective June 4, 2012 (209 *N.J.* 590) for failing to safeguard client funds and allowing a negligent misappropriation of trust account funds in at least thirteen matters. The respondent had a significant number of open client ledger balances and failed to promptly deliver funds to his clients. Further, he had recordkeeping violations and was found to have charged excessive contingency fees. His lack of civility and disrespectful conduct enhanced his discipline. Walton W. Kingsbery, III, appeared before the DRB for the OAE and Robert E. Ramsey represented the respondent. The respondent was previously disciplined: Suspended in 1994 and 2001.

CLIFFORD B. SINGER

Censured on June 28, 2012 (210 *N.J.* 554) for gross neglect, lack of diligence and failure to communicate with clients in four separate matters in addition to negligent misappropriation and recordkeeping violations. Lee A.

Gronikowski appeared before the DRB for the OAE and Kevin C. Corriston appeared for District IIA. Scott B. Piekarsky appeared on behalf of respondent. The respondent was previously disciplined: Reprimanded in 2009.

MICHAEL D. SINKO

Suspended for three-years effective May 9, 2012 (210 *N.J.* 150) as a result of respondent's conviction in the United States District Court for the Eastern District of Pennsylvania for money laundering in violation of 18 U.S.C. § 1956 (a) (3) (B) and conspiracy to commit money laundering in violation of 18 U.S.C. § 1956 (h). Maureen G. Bauman appeared before the Supreme Court for the OAE and Steven R. Cohen represented the respondent.

KENNETH PAUL SIRKIN

Disbarred on September 12, 2012 (212 *N.J.* 63) based on discipline imposed in Florida for unethical conduct in at least 13 matters, including conversion of client funds. Missy Urban appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for three months in 2009 and censured in 2011.

SEAN ALDEN SMITH

Admonished on December 19, 2012 (212 *N.J.* 486) for his subordinate role in an agreement in which a restriction on the lawyer's right to practice was part of the settlement of a controversy between the parties. Charles Centinaro appeared before the Supreme Court for the OAE and Michael R. Griffinger appeared for the respondent.

ARTHUR E. SWIDLER

Suspended for three months on a certified record on July 18, 2012 (210 *N.J.* 612) for failing to comply with the requirements set forth in R. 1:20-20 for suspended attorneys, following two suspensions in 2010. Janice L. Richter represented the OAE. Respondent was previously disciplined: Reprimanded in 2007; suspended for three months in 2010; and suspended for six months in 2011.

JOHN G. TAKACS

Disbarred on September 12, 2012 (212 *N.J.* 107) for knowingly misappropriating client and escrow funds. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and Mark S. Kancher appeared for respondent. Respondent was previously suspended for three years in 1995 based upon his criminal conviction for mail fraud. This case was discovered as a result of the Trust Overdraft Notification Program.

LAWRENCE M. TINGHINO

Reprimanded on June 6, 2012 (210 *N.J.* 250) for misrepresenting the status of a case to a client for an extended period of time after it had been dismissed. The respondent attempted to make restitution to the client on his own and self-reported his conduct to disciplinary authorities. David M. Repetto appeared before the DRB for District IIA and Edward W. Cillick appeared for the respondent.

JOHN A. TUNNEY

Disbarred on March 16, 2012 (209 *N.J.* 427) for forging his partner's signature on a Motion for Default filed with the DRB, failing to cooperate with disciplinary authorities, failure to promptly deliver funds to two clients, recordkeeping deficiencies, negligent misappropriation of trust funds, failure to adequately communicate in several client matters, gross neglect, pattern of neglect and lack of diligence in two client matters and failure to protect a client's interests after termination of representation. The respondent defaulted in most of these matters. The respondent's disciplinary history and the default postures of the cases were significant factors in the disbarment decision: Reprimanded in 2003 for mishandling four client matters; six-month suspension in 2004 for unethical conduct in six client matters; six-month suspension in 2005 for mishandling three client matters; and temporarily suspended in 2011. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and respondent failed to appear.

DAVID A. TYKULSKER

Admonished on April 24, 2012 (*Unreported*) for failing to keep his client reasonably informed about the status of a workers' compensation matter and for failing to promptly comply with reasonable requests for information. Daniel J. Zirrith represented District V-C before the DRB and respondent was pro se.

ERIC W. URBANO

Disbarred by consent on October 5, 2012 (212 *N.J.* 195) following his arrest for third degree theft by deception, third degree receipt of stolen property, third degree forgery and third degree wrongful impersonation, following his signing and accepting receipt of a package he believed contained $20,000.00 of collectible coins that had been ordered with a stolen credit card. Janice L. Richter represented the OAE and Kevin S. McArdle represented the respondent.

EJIKE NGOZI UZOR

Admonished on May 29, 2012 (*Unreported*) for permitting non-lawyer entity to direct or control lawyer's professional judgment and sharing legal fees with a non-lawyer in conjunction with his employment and office space sharing arrangement with a loan-modification entity. Janice L. Richter represented the OAE and Robert M. Donchez represented the

respondent on a motion for discipline by consent granted by the DRB.

ANDREW P. VECCHIONE

Disbarred by consent on September 24, 2012 (212 *N.J.* 112) for knowingly misappropriating client trust funds. Michael J. Sweeney represented the OAE before the Supreme Court and Peter W. Kenny represented the respondent. The respondent was previously disciplined: Suspended for six months in 1999. This matter was discovered solely as a result of the Random Audit Program.

VANESSA VERDUGA

Admonished on January 25, 2012 (*Unreported*) for engaging in conduct involving dishonesty, fraud, deceit or misrepresentation in relation to a purchase of real property in which the calculations on the RESPA statement were inaccurate and respondent indicated that she provided $26,260.01 in cash at closing when, in fact, she provided no cash. The RESPA additionally listed a second mortgage in the summary of Seller's Transaction but not in the summary of Buyer's Transaction where it belonged. HoeChin Kim appeared before the DRB for the OAE and Richard D. DeVita appeared for respondent.

DAMON ANTHONY VESPI

Admonished on October 2, 2012 (*Unreported*) for failing to advise his client in writing of the advisability of obtaining independent legal advice prior to entering into a contract with the client and obtaining a security interest in property (a liquor license) that was the subject of the representation. Respondent also failed to obtain the client's written consent to the terms of the contract and to respondent's role(s) in the agreement. Linda Couso Puccio represented District XI before the DRB and Michael P. Ambrosio represented respondent.

RONALD L. WASHINGTON

Admonished on July 27, 2012 (*Unreported*) for failing to keep a personal injury client reasonably informed about the status of her case and explain aspects of the case to the extent reasonably necessary to permit her to make an informed decision regarding the representation. Respondent also failed to cooperate with an ethics investigation. Carol N. Goloff represented District I before the DRB and respondent was pro se.

JOHN L. WEICHSEL

Reprimanded on November 5, 2012 (212 *N.J.* 436) for failing to follow through on the filing of a lis pendens and an order to show cause in an unfair competition matter, for which he had received a $6,000 retainer. Rebecca K. Spar appeared before the DRB for District IIB and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2010.

KEVIN P. WIGENTON

Censured on April 3, 2012 (210 *N.J.* 95) for failing to safeguard and negligently misappropriating escrow and client trust funds, violation of recordkeeping rules, and conflict of interest by representing the seller while serving as a real estate broker in the same real estate transaction. Maureen G. Bauman appeared before the Supreme Court for the OAE and Shalom D. Stone represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

MARK G. YATES

Suspended for three months on September 26, 2012 (212 *N.J.* 188) for misrepresenting the status of a case to a client. Respondent missed the statute of limitations on his client's claim, but lied to his client that litigation was ongoing. He then told his client he obtained a $600,000 settlement, even drafting a settlement agreement and having his client sign the same. Such conduct was in violation of RPC 1.1(a), RPC 1.3, RPC 1.4(b), and RPC 8.4(c). HoeChin Kim appeared before the Supreme Court and respondent appeared pro se.

MARA YOELSON

Reprimanded on September 6, 2012 (212 *N.J.* 457) for forging a New Jersey court order to permit her son's use of her maiden name as his surname when registering him for elementary school. Lee A. Gronikowski appeared before the DRB for the OAE and David H. Dugan, III appeared for the respondent.

LEONARD B. ZUCKER

Admonished on April 23, 2012 (*Unreported*) for failure to make a reasonable effort to expedite litigation and to treat all persons involved in the legal process with courtesy and consideration. Respondent failed to file a stipulation of dismissal arising out of an improperly filed foreclosure complaint until a motion for summary judgment and a grievance had been filed against respondent. He also failed to properly supervise non-lawyer staff. Susan B. McCrea represented District XII before the DRB and James A. Paone II represented respondent.

2011

JEFFREY ABRAMOWITZ

Disbarred on a certified record on March 1, 2011 *(205*

N.J. 83) for knowingly misappropriating clients' funds. In one matter, respondent received in excess of $200,000 to fund the purchase of two businesses for his client, but deposited the funds into his personal account and used the money for his own benefit. In another matter, respondent received settlement funds totaling more than $186,000, which he deposited into his trust account. He then issued checks to his clients, forged their signatures on the checks, deposited the funds in his personal account, and used them for his own benefit. In another matter, respondent received settlement proceeds in the amount of $25,500, which he deposited into his personal account and then spent. In a fourth matter, respondent fabricated letterhead and documents and forged an attorney's signature in order to induce an insurance company to pay a non-existent settlement. Respondent also failed to cooperate with disciplinary authorities during the investigations and processing of these matters. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was temporarily suspended in 2009.

WILLIAM ENRIQUE AGRAIT

Censured on July 15, 2011 *(207 N.J. 33)* for engaging in a conflict of interest by representing both the buyer and seller in a real estate transaction without making full disclosure and obtaining waivers, and for subsequently representing the seller in litigation instituted against the seller by the buyer. Sheila A. Woolson appeared before the DRB for District VA and respondent appeared pro se. The respondent was previously disciplined: Admonished in 1995; reprimanded in 2002.

ROBERT C. ARMSTRONG

Admonished on November 30, 2011 (*Unreported*) for failing to safeguard client funds and allowing a negligent misappropriation of trust account funds. The respondent had written a check from his trust account on behalf of a client. The bank had charged normal maintenance fees but there were insufficient funds in the trust account to cover the fees. The bank fee invaded the trust funds and the check was returned for insufficient funds. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

ELIO A. ARRECHEA

Reprimanded on a certified record on December 9, 2011 *(208 N.J. 430)* for negligently misappropriating client funds, commingling personal and client funds, and running afoul of the recordkeeping rules. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent failed to appear. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

DENNIS J. BARRETT

Reprimanded on July 15, 2011 *(207 N.J. 34)* for misrepresenting that a RESPA he signed was a complete and accurate account of the funds he received and disbursed as part of a real estate transaction. Specifically, respondent falsely certified on the RESPA that the sellers received much more money than they actually received and that the buyer brought money to the closing when he did not. Nitza I. Blasini appeared before the DRB for the OAE and Brian Boyle appeared for the respondent.

GERALD J. BATT

Admonished on December 22, 2011 (*Unreported*) for engaging in a conflict of interest by handling the estate of a deceased partner where the firm's interests were in competition with those of the widow. The widow was not advised to seek independent counsel in the course of resolving the distribution of the proceeds of a life insurance policy, in violation of RPC 1.8(a). Walton W. Kingsbery, III represented the OAE and respondent appeared pro se.

DONALD W. BEDELL, JR.

Reprimanded on January 14, 2011 *(204 N.J. 596)* for settling two clients' personal injury claims with the insurer without clients' knowledge or authority, preparing releases and forging his clients' signatures on the releases, signing his own name as a witness, and fixing his jurat to them. Respondent also failed to inform his clients that he had settled their claims. Walton W. Kingsbery, III appeared before the DRB for the OAE and Joseph J. Garvey appeared for the respondent.

JEFFREY ALAN BENNETT

Disbarred by consent on November 30, 2011 *(208 N.J. 405)* as a result of respondent's criminal convictions in the United States District Court for the Eastern District of Pennsylvania for conspiracy to commit mail and wire fraud, mail fraud, wire fraud, and conspiracy to launder money. Michael J. Sweeney represented the OAE and Jeffrey W. Ogren represented the respondent.

SAUL A. BERKMAN

Suspended for three months on a certified record on March 8, 2011 *(205 N.J. 313)* for willfully violating a Supreme Court Order of suspension by failing to notify clients and adversaries of his suspension and failing to return files to his clients. Lee A. Gronikowski appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended in 2008.

MARVIN BLAKELY

Admonished on January 28, 2011 (*Unreported*) for failing to cooperate with disciplinary authorities during the investigation and processing of a disciplinary grievance that had been filed against him. Anthony Romano II appeared before the DRB for District VA and respondent appeared pro se.

ANDREW J. BREKUS

Suspended for two years on a certified record on October 5, 2011 *(208 N.J. 341)* for failing to comply with a New Jersey Supreme Court Order of Suspension requiring him to file an affidavit of compliance for suspended or disbarred attorneys, in accordance with Rule 1:20-20. Nitza I. Blasini appeared before the DRB for the OAE and respondent failed to appear. The respondent has a serious disciplinary history: Admonished in 2000; reprimanded in 2006; suspended in 2009; censured in 2009; and suspended again in 2010.

CHRISTOPHER J. CARKHUFF

Admonished on May 20, 2011 (*Unreported*) for keeping inactive client balances in his attorney trust account for extended periods of time, in violation of Rule 1:21-6(d). Christina Blunda Kennedy represented the OAE and respondent appeared pro se.

JOHN FRANCIS COFFEY, II

Reprimanded on June 15, 2011 *(206 N.J. 324)* for misconduct in three client matters including gross neglect, lack of diligence, and failure to communicate with clients. Susanne Lavelle appeared before the DRB for District VI and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2005.

STEVEN ELLIOT COHEN

Disbarred by consent on May 26, 2011 *(206 N.J. 92)* for knowingly misappropriating client funds by diverting settlement funds that belonged to a client who had recently passed away. Christina Blunda Kennedy represented the OAE and Gerard Hanlon represented the respondent.

JAMES P. CONROY

Disbarred by consent on May 24, 2011 *(206 N.J. 61)* for knowingly misappropriating client funds. Lee A. Gronikowski represented the OAE before the Supreme Court and Edward F. Broderick, Jr. represented the respondent.

RICHARD K. CREAMER

Disbarred by consent on May 24, 2011 *(206 N.J. 63)* as a result of respondent's criminal conviction in the U.S. District Court for the Eastern District of Pennsylvania for conspiracy to manufacture 1000 or more marijuana plants in violation of 21 U.S.C. §846 and maintaining a structure for the manufacture of a controlled substance in violation of 21 U.S.C. §856(a)(2). Michael J. Sweeney represented the OAE and A. Charles Peruto, Jr. represented the respondent.

FRANCIS S. CUTRUZZULA

Disbarred by consent on September 21, 2011 *(208 N.J. 204)* for knowingly misappropriating client trust funds and engaging in other unethical conduct. Walton W. Kingsbery, III represented the OAE and Jeffrey G. Garrigan represented the respondent. The respondent was previously disciplined: Reprimanded in 1998.

MARC D'ARIENZO

Censured on July 15, 2011 *(207 N.J. 31)* for engaging in conduct prejudicial to the administration of justice by failing to appear in a Bergen County Municipal Court for a scheduled criminal trial and, thereafter, not appearing at an order to show cause stemming from his failure to appear at the trial. Michael Margello appeared before the DRB for District XII and respondent appeared pro se. The respondent was previously disciplined: Suspended in 1999; admonished in 2001; admonished again in 2004.

PATRICE MERRITT DAVIS

Suspended for one year effective July 29, 2011 (*206 N.J. 557*) for submitting a false Certificate of Release of Federal Tax Lien to a mortgage corporation in connection with an application for a personal loan in violation of Title 18, United States Code Annotated, Sections 495 and 2. Furthermore, respondent filed the false release with the Essex County Register, misrepresented to U.S. Treasury agents that someone else had provided her with the false certification, and created a false power of attorney. Walton W. Kingsbery, III appeared before the DRB for the OAE and Raymond M. Brown appeared for the respondent.

DORCA IRIS DELGADO-SHAFER

Suspended for one year on a certified record on November 17, 2011 *(208 N.J. 376)* for grossly neglecting a client's child custody matter and failing to act diligently by failing to file a custody motion on client's behalf, failing to oppose a motion at her client's direction, failing to file a motion that complied with simple procedural requirements, and filing a procedurally defective motion. Respondent also pressured her client to pay her bill for very recently rendered services and then threatened her client that the court would reject his motion for reconsideration in the bill were not paid. Moreover, respondent failed to abide by a fee arbitration award and failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Melissa

Czartoryski appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended in 2009.

DOUGLAS JOSEPH DEL TUFO

Admonished on October 28, 2011 (*Unreported*) for failing to act diligently in representing a client in a divorce matter by not filing the complaint in a timely manner and failing to communicate with the client. Respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Thomas C. Jardim appeared before the DRB for District XB and respondent appeared pro se.

BLAISE J. DEMASI

Disbarred by consent on July 11, 2011 (*206 N.J. 560*) for knowingly misappropriating client funds in excess of $50,000 over the course of several years, primarily from real estate transactions. Janice L. Richter represented the OAE and Catherine M. Brown represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

KENNETH M. DENTI

Disbarred on January 11, 2011 *(204 N.J. 566)* for submitting falsified entries on the time-keeping systems of the law firms for whom he was employed in an effort to mislead them into believing he was working and, therefore, to ensure the continuation of his agreed compensation. In addition, respondent engaged in a conflict of interest by entering into a sexual relationship with a divorce client. Finally, respondent submitted vouchers for meals with individuals who he alleged were either potential clients or potential sources of client referrals, but who were, in actuality, women he was dating. Walton Kingsbery, III appeared before the Supreme Court for the OAE and respondent appeared pro se.

THOMAS DESENO

Reprimanded on March 8, 2011 *(205 N.J. 91)* for misrepresenting to a hearing panel chair that he had filed a complaint on behalf of a client on August 1, 2008, when in fact, he did not file it until the end of the month. Respondent also failed to cooperate with disciplinary authorities during the investigation of this matter. Jennifer Stone Hall appeared before the DRB for District IX and Peter Chamas appeared for respondent. The respondent was previously disciplined: Reprimanded in 2009.

ALEXANDER R. DESEVO

Admonished on September 16, 2011 (*Unreported*) for grossly neglecting three personal injury matters and failing to act diligently. As a result of the respondent's misconduct, all three matters were dismissed without prejudice. Dawn M. Ritter appeared before the DRB for District IIIA and respondent appeared pro se.

JAMES M. DOCHERTY

Admonished on April 29, 2011 (*Unreported*) for grossly neglecting a client's matters by accepting a retainer but not performing any work on behalf of the client. Respondent also failed to communicate with his client and failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Jeffrey Michael Wachtlar appeared before the DRB for District VC and respondent appeared pro se.

DAN A. DRUZ

Admonished on March 3, 2011 (*Unreported*) for commingling personal and client funds in his attorney trust account and for recordkeeping violations. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Random Audit Compliance Program.

NEIL GEORGE DUFFY, III

Reprimanded on December 9, 2011 (*208 N.J. 431*) for misconduct in five client matters including gross neglect, pattern of neglect, lack of diligence, failure to communicate with clients, and failure to return unearned fees. Louis H. Miron appeared before the DRB for District XII and Edward J. Kologi appeared for the respondent. The respondent was previously disciplined: Admonished in 2010.

MELVIN DUKE

Censured on July 14, 2011 *(207 N.J. 37)* for deliberately failing to disclose to the Board of Immigration Appeals that he had been disbarred in New York; depositing his fee in his personal bank account, rather than in his business or trust account; and failing to communicate with his client by not providing the client with copies of his submissions to the Board of Immigration Appeals and not returning his client's numerous phone calls. Louis Balk appeared before the DRB for District VB and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 2002.

DANIEL ELLIS

Disbarred on October 14, 2011 *(208 N.J. 350)* as a result of respondent's guilty plea in the United States District Court for the District of New Jersey to one count of bank fraud, in violation of 18 U.S.C.A. Section 1344, and one count of conspiracy to commit bank fraud, in violation of 18 U.S.C.A. Section 371. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1999 and again in 2000; suspended in 2005.

MICHAEL S. ETKIN

Suspended for three months effective January 4, 2012 *(208 N.J. 431)* for failure to safeguard law firm funds. Respondent represented a client during his employment at two separate firms. At the conclusion of the case, he received a check directly from the client in the amount of $217,639.50. The initial firm was entitled to $148,935.00 and the second $68,704.50. A few weeks after receiving the check respondent deposited the check into his personal bank account. He did not notify either law firm of his receipt of the check. About one month after he received the check, he gave the second firm its full share of the fee, $68,704.50. He transferred $110,000.00 of the remaining funds from his personal bank account to his personal money market account. Respondent made personal disbursements from the money market account causing the balance to dip below $110,000 on twenty-three occasions. Almost a year after respondent had received the initial check, a partner from respondent's firm sent a letter to the initial firm indicating that the matter had been resolved but they were still waiting for payment in full to disburse the initial firm's funds. Respondent was asked to review the letter and he never disclosed that full payment had already been received. Respondent admitted that he knew the letter had misrepresentations. Approximately 17 months after the check was received, respondent sent the initial firm a check for $110,905.00. There was an ongoing dispute and respondent withheld $35,000 he believed he was entitled to as prior salary. Respondent failed to safeguard the firms' funds. He did not remit the funds promptly, and inappropriately used them for himself. Further, he failed to promptly notify both firms of his receipt of these funds. Melissa A. Czartoryski appeared before the DRB for the OAE and Justin P. Walder appeared for the respondent.

JOSEPH JEROME FELL

Admonished on January 25, 2011 (*Unreported*) for disbursing escrow funds given to him by the purchasers of his client's interest in a car wash to his client and other individuals associated with his client without ensuring that the contracts and operating agreements had been signed by the purchasers and approved by their attorney. Robert L. Alexander appeared before the DRB for District XIII and respondent appeared pro se.

TINA FELLOWS

Disbarred on January 31, 2011 *(206 N.J. 331)* as a result of her disbarment in the State of New York based on respondent's guilty plea to two counts of second-degree grand larceny and one count of first-degree engaging in a scheme to defraud, in violation of New York's penal law. HoeChin Kim appeared before the Supreme Court for the OAE and respondent failed to appear.

GEORGE MAY CARMEL FIGARO

Disbarred by consent on November 4, 2011 *(208 N.J. 363)* for knowingly misappropriating $90,000 in client trust funds. Melissa A. Czartoryski represented the OAE before the Supreme Court and Michael P. Ambrosio represented the respondent.

JOSEPH A. FOGLIA

Suspended for two years retroactive to December 10, 2007 *(207 N.J. 62)* as a result of respondent's guilty plea in the United States District Court for the District of New Jersey to attempted income tax evasion, in violation of 26 U.S.C. Section 7201, and false statements to a federal agency, in violation of 18 U.S.C. Sections 1001 and 1002. Specifically, respondent claimed approximately $267,355 in falsified and fictitious business expenses on his 1999 federal income tax return in order to reduce his reported income and thus the amount of income tax due. Subsequently, during an audit of his 1999 income tax return by the Internal Revenue Service, respondent caused to be presented to the Revenue Agent handling the audit, a general ledger which falsely characterized some $99,635 in personal expenses as legitimate business expenses in an attempt to conceal the extent of his deliberate misrepresentations on his original 1999 tax return. Charles Centinaro appeared before the DRB for the OAE and Raymond F. Flood appeared for the respondent.

MARK W. FORD

Censured on November 3, 2011 *(208 N.J. 360)* for issuing trust account checks against uncollected funds, negligently misappropriating client trust funds, and for recordkeeping violations. HoeChin Kim appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 1998; admonished in 2002; and reprimanded again in 2009.

BRIAN F. FOWLER

Admonished on November 30, 2011 (*Unreported*) for failing to act diligently in representing a client in an employment matter by not providing certain discovery. The client's case was ultimately dismissed. Joseph Cicala appeared before the DRB for District VI and John F. Darcy appeared for the respondent.

JOHN B. FROHLING

Censured on January 31, 2011 *(205 N.J. 6)*. Respondent represented parties in three real estate "flip" transactions. On each transaction, respondent created a concurrent conflict of interest when he represented the buyer in the original purchase of the property and then represented the buyer in the second transaction that occurred on the same day for the same property. Further, he used funds from the second

purchase to satisfy obligations of the first purchase without the knowledge and consent of the lenders. Respondent also engaged in misconduct when he failed to verify the contents of the settlement statements. Further, there were several misrepresentations related to these transactions. First, he misrepresented that deposits were collected from the first sale buyers, when, the first sale buyers never had the necessary funds to close. Second, he certified that all funds had been disbursed when there were no disbursements in the first phase. Third, he certified on the settlement statement in one transaction that the buyer received a significantly greater amount than actually received. Overall, there were significant discrepancies between what was certified to on the settlement sheet and what actually occurred. He also failed to adequately supervise his paralegal in her handling of these transactions. John McGill, III, appeared before the DRB for the OAE and S.M. Chris Franzblau appeared for the respondent. The respondent was previously disciplined: Reprimanded in 1998.

JOHN B. FROHLING

Disbarred by consent on February 1, 2011 *(205 N.J. 9)* for knowingly misappropriating client trust funds. John McGill, III represented the OAE and S. M. Chris Franzblau represented the respondent. The respondent was previously disciplined: Reprimanded in 1998 and censured in 2011.

KATHLEEN F. GAHLES

Censured on a certified record on April 5, 2011 *(205 N.J. 471)* for willfully violating a Supreme Court Order of Suspension by failing to notify clients and adversaries of the suspension and filing an affidavit of compliance with the Office of Attorney Ethics. John McGill, III appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1999; admonished in 2005; and temporarily suspended in 2008 for failure to pay a fee arbitration award and sanction.

WILLIAM E. GAHWYLER

Censured on October 20, 2011 *(208 N.J. 353)* for preparing and certifying a HUD-1 that misrepresented key terms of the real estate transaction. The respondent also engaged in a conflict of interest by representing both the buyer and the sellers, and failed to set forth in writing the basis or rate of his fee. Walton W. Kingsbery, III appeared before the DRB for the OAE and Kevin L. Bremer appeared for the respondent.

DORA R. GARCIA

Suspended for three months on a certified record effective February 25, 2009 *(205 N.J. 314)* for failing to file the affidavit required of all suspended attorneys certifying that the respondent has notified all clients and adversaries of her suspension and has provided clients with their files. Nitza I. Blasini appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended in 2008.

CARL D. GENSIB

Censured on June 3, 2011 *(206 N.J. 140)* for engaging in dishonest conduct by failing to advise his real estate clients that he was inflating the cost of their title insurance by $300 to cover possible later charges from the title insurance company. Lee A. Gronikowski appeared before the DRB for the OAE and Robert Zullo appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2005.

MARK GERTNER

Reprimanded on April 5, 2011 *(205 N.J. 468)* for engaging in a conflict of interest by entering into a business relationship with a client without advising the client of the desirability of seeking independent counsel, transmitting in writing the terms of the transactions to the client, and obtaining the client's informed written consent to the essential terms of the transactions. Respondent also drew checks on his trust account against uncollected funds and negligently misappropriated client trust funds on four occasions. Nitza I. Blasini appeared before the DRB for the OAE and David H. Dugan appeared for the respondent.

THOMAS A. GIAMANCO

Suspended for three years retroactive to January 27, 2009 *(205 N.J. 84)* for grossly neglecting and failing to act diligently by not taking any action on the client's behalf, failing to keep the client reasonably informed about the status of the matter, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent has a significant disciplinary history: Reprimanded in 1999, censured in 2005, suspended in 2006, 2008 and 2009.

MICHAEL ROBERT GIDRO

Disbarred on October 19, 2011 *(208 N.J. 352)* for knowingly misappropriating a $24,000 real estate deposit by using it to satisfy a personal tax obligation to the State of New Jersey without the knowledge or consent of the depositor. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and Gerard E. Hanlon appeared for the respondent.

WILLIAM MICHAEL GILSON

Admonished on December 22, 2011 (*Unreported*) for engaging in a conflict of interest by representing the executrix and primary beneficiary of an estate when respondent and his law firm had adverse interests to the executrix. Respondent never advised the executrix of the existence of competing interests and did not obtain her consent to the representation. Further, respondent entered into a business transaction with that client without complying with the requirements of Rule 1.8(a).

Walton W. Kingsbery appeared before the DRB for the OAE and respondent appeared pro se.

MARTIN ALBERT GLEASON

Reprimanded on June 3, 2011 *(206 N.J. 139)* for negligently misappropriating clients' funds by disbursing more than he had collected for his real estate clients. The excess disbursements were the result of respondent's failure to maintain receipts and disbursements journals, to perform monthly reconciliations of his trust account, and to maintain a running balance on his trust account check stubs. Nitza I. Blasini appeared before the DRB for the OAE and respondent waived appearance.

AVROM J. GOLD

Disbarred by consent on January 6, 2011 *(204 N.J. 318)* for knowingly misappropriating client trust funds. Michael J. Sweeney represented the OAE and Roy W. Breslow represented the respondent.

ARLEEN CABALLERO GONZALEZ

Suspended for three months on December 9, 2011 *(208 N.J. 434)* for failing to provide at least five clients with retainer agreements, lacking diligence in at least three matters and engaging in a pattern of neglect. Willis F. Flower appeared before the DRB for District I and respondent failed to appear for oral argument. The respondent was previously disciplined: Censured in 2010.

LAYNE S. GORDON

Disbarred by consent on September 6, 2011 *(207 N.J. 606)* as a result of respondent's criminal conviction in the Superior Court of New Jersey, Law Division, Burlington County for second degree theft by deception, in violation of N.J.S.A. 2C:20-4(a). Michael J. Sweeney represented the OAE and Carl Poplar represented the respondent.

RICHARD C. GORDON

Admonished on June 30, 2011 (*Unreported*) for failing to notify prior counsel, who had an interest in a legal fee that respondent would recover when he settled a client's case, of the settlement of the case and receipt of settlement funds. Richard Galex appeared before the DRB for District VIII and respondent appeared pro se.

NEIL LAWRENCE GROSS

Censured on a certified record on September 9, 2011 *(210 N.J. 115*) for grossly neglecting real estate matters by failing to maintain copies of the closing documents, failing to act diligently by failing to timely and correctly record a deed, failing to pursue a real estate transaction, failing to safeguard a check, and failing to communicate with his clients. In addition, respondent failed to cooperate with disciplinary authorities during the investigation and processing of these matters.

ROOSEVELT HAIRSTON, JR.

Disbarred by consent on October 13, 2011 *(206 N.J. 348)* when he admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of client trust funds while he was employed as General Counsel for The Children's Hospital of Pennsylvania. Melissa A. Czartoryski represented the OAE and Tracey Salmon-Smith represented the respondent.

MICHAEL D. HALBFISH

Censured on March 8, 2011 *(205 N.J. 105)* for misconduct in three client matters, including gross neglect, lack of diligence, failure to communicate with clients, and misrepresentation to a client. Peter J. Hendricks appeared before the DRB for District VIII and respondent appeared pro se. The respondent was previously disciplined: Censured in 2010.

LAURENCE HECKER

Suspended for one year effective April 8, 2011 *(205 N.J. 263)* for assisting a collection agency in the unauthorized practice of law by allowing his name to be used by the collection agency to lend clout to its collection efforts and permitting judgments in collection matters to be exercised by the collection agency's employees and managers instead of exercising those judgments himself. In so doing, the respondent also engaged in conduct involving dishonesty, fraud, deceit and misrepresentation. Melissa A. Czartoryski appeared before the DRB for the OAE and Donald S. Maurice, Jr. appeared for the respondent. The respondent was previously disciplined: Suspended in 1988 and again in 2001.

DANIEL D. HEDIGER

Censured on May 10, 2011 *(206 N.J. 67)* for negligently misappropriating client funds and failing to maintain adequate trust account records. Lee A. Gronikowski appeared before the DRB for the OAE and Joseph P. Castiglia appeared for the respondent. The respondent has a significant disciplinary history: Reprimanded in 2004; censured twice in 2007; reprimanded again in 2008; and censured a third time in 2010.

STEPHEN M. HILTEBRAND

Disbarred by consent on June 17, 2011 *(206 N.J. 325)* for knowingly misappropriating $125,000 in funds he received on behalf of his clients. Walton W. Kingsbery, III represented the OAE and I. Dominic Simeone represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

THOMAS E HOOD

Censured on May 10, 2011 *(206 N.J. 12)* for engaging in conduct prejudicial to the administration of justice by twice touching a female client's breasts, taking a picture of her partially naked in exchange for money, and having her masturbate him. Janice L. Richter appeared before the Supreme Court for the OAE and Richard Lehrich appeared for the respondent.

PETER H. JACOBY

Suspended for one year effective June 7, 2011 *(206 N.J. 105)* as a result of respondent's guilty plea and conviction in the Circuit Court of the City of Alexandria, Virginia, to unlawful wounding, a Class 3 felony, in violation of *Va. Code Ann., Sec. 18.2-51*. Lee A. Gronikowski appeared before the Supreme Court for the OAE and Alan L. Zegas appeared for the respondent. The respondent was previously disciplined: Censured in 2006.

BEN KATZ

Disbarred on March 14, 2011 *(205 N.J. 131)* based on respondent's five-year suspension in the State of New York for knowingly misappropriating client funds in four matters. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and respondent appeared pro se.

RAFFI TOROS KHOROZIAN

Censured on January 25, 2011 *(205 N.J. 5)* for making misrepresentations in the settlement statements for a real estate transaction. Specifically, respondent falsely certified that the buyer had brought cash to the closing when in fact he had brought none. Donald F. Miller appeared before the DRB for District IIB and David H. Dugan, III appeared for the respondent.

LEONARD W. KINGSLEY

Censured on January 4, 2011 *(204 N.J. 315)* based upon discipline in the State of Delaware for engaging in the unlawful practice of law by drafting estate planning documents for a public accountant's Delaware clients, many of whom he had never met, even though he was not licensed to practice law in Delaware. Respondent also assisted the public accountant in the unauthorized practice of law by preparing estate planning documents based solely on the accountant's notes and by failing to ensure that the compiled documents complied with the clients' wishes. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and respondent appeared pro se.

KIMBERLY ANN KOPP

Suspended for three years effective October 11, 2007 *(206 N.J. 106)* as a result of respondent's criminal convictions in the Superior Court of New Jersey, Law Division, Bergen County for identity theft, credit card theft, theft by deception and burglary. HoeChin Kim represented the OAE and Andrew Cevasco represented the respondent. The respondent was temporarily suspended in 2007.

ITZCHAK E. KORNFELD

Suspended for two years effective June 24, 2009 *(207 N.J. 29)* as a result of respondent's two year suspension in the Commonwealth of Pennsylvania. The respondent was suspended for lack of diligence for failure to file a timely appeal; altering a certificate of mailing from the post office to make it appear as if the appeal had been filed in a timely fashion; backdating a letter to a tribunal stating that he intended to file an appeal; faxing the altered certificate of mailing and backdated letter to the tribunal; altering the certificate of mailing again; backdating another letter stating that the notice of appeal had been timely filed; and offering false testimony at a hearing regarding the steps he had taken to file the appeal. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent appeared pro se.

JENNIFER L. KOVACH

Admonished on January 28, 2011 (*Unreported*) for failing to communicate with her clients for over six months about the status of their real estate matter. Devanshu L. Modi appeared before the DRB for District XA and respondent appeared pro se.

JOHN E. KURTS

Reprimanded on July 1, 2011 (*206 N.J. 558)* for misconduct in two client matters including gross neglect, lack of diligence, failure to communicate with clients, failure to provide a written fee agreement, and failure to cooperate with disciplinary authorities during the investigation and processing of these matters. Roger Lai appeared before the DRB for District IIIB and George R. Saponaro appeared for the respondent.

JONATHAN R. LAUTMAN

Admonished on July 26, 2011 (*Unreported*) for failing to act diligently in his client's personal injury case by allowing a settlement, which his client accepted on the record but subsequently refused, to remain pending for three years. Respondent should have promptly filed a motion for enforcement of settlement, deposit of funds with the court, and distribution of the funds. Morton Bunis appeared before the DRB for District VB and respondent appeared pro se.

EUGENE M. LAVERGNE

Censured on July 14, 2011 *(207 N.J. 28)* for failing to turn over his clients' files after termination of representation,

and failing to comply with a lawful demand for information from a disciplinary investigator. Janice L. Richter appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent has a significant disciplinary history: Reprimanded in 2001; suspended in 2001; reprimanded in 2006; and temporarily suspended in 2011.

HERBERT F. LAWRENCE

Censured on June 9, 2011 *(206 N.J. 190)* for negligently misappropriating client trust funds, failing to safeguard client funds, and committing recordkeeping violations. Michael J. Sweeney appeared before the Supreme Court for the OAE and David H. Dugan III appeared for the respondent. The respondent was previously disciplined: Privately reprimanded in 1985; suspended in 2005.

JEAN S. LIDON

Admonished on October 27, 2011 (*Unreported*) for producing a letter in a post-judgment matrimonial litigation between the respondent and her husband without disclosing that a portion of the letter had been redacted. John E. Lanza appeared before the DRB for District XIII and respondent appeared pro se.

JORDAN B. LUBER

Suspended for three years effective June 9, 2008 *(205 N.J. 8)* as a result of respondent's guilty plea in the United States District Court for the Eastern District of Pennsylvania to mail fraud and health care fraud, in violation of *18 U.S.C.A. 1341* and *18 U.S.C.A. 1347*. Specifically, respondent negotiated a personal injury settlement with an insurance company knowing that the claim was based on fake medical records. Respondent was also suspended for three years in the Commonwealth of Pennsylvania as a result of this same conduct. Nitza I Blasini appeared before the Supreme Court for the OAE and Robert S. Tintner appeared for the respondent.

JAMES H. MACDONALD

Disbarred by consent on August 25, 2011 *(206 N.J. 10)* for knowingly misappropriating client funds in a real estate matter. Maureen G. Bauman represented the OAE and Roy E. Kurnos represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

KEVIN H. MAIN

Suspended for three months on a certified record effective June 11, 2011 *(206 N.J. 66)* for misconduct in four client matters including gross neglect, pattern of neglect, lack of diligence, failure to communicate with clients, misrepresentation, failure to deliver funds to a client, and failure to cooperate with disciplinary authorities. Robert Panzer appeared before the DRB for District VII and respondent failed to appear. The respondent was previously disciplined: Admonished in 2010.

KEVIN H. MAIN

Suspended for three months on a certified record effective September 12, 2011 *(208 N.J. 331)* for grossly neglecting a client's personal injury matter and failing to act diligently by failing to pursue the case and permitting the statute of limitations to run. The respondent also engaged in a pattern of neglect, failed to adequately communicate with his client and reply to his telephone calls, failed to turn over the client's file, and failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Nielsen V. Lewis appeared before the DRB for District VII and respondent failed to appear. The respondent was previously disciplined: Admonished in 2010 and suspended in 2011.

NICHOLAS R. MANZI

Suspended for three months on a certified record effective October 5, 2011 *(208 N.J. 342)* for misconduct in two client matters. In one matter, respondent grossly neglected and lacked diligence in handling a defense to a collection action. Respondent did nothing beyond filing an answer to the complaint. Also, respondent failed to keep his client informed about the status of the litigation, failed to comply with the client's requests to meet with him, and misrepresented to the client that he was diligently working on the case. In the second matter, respondent lacked diligence in the handling of his client's personal injury case. Specifically, respondent failed to comply with discovery requests, which led to the dismissal of the complaint, and he failed to inform the client of the dismissal. In both matters, respondent failed to cooperate with disciplinary authorities during the investigation and processing of these matters. Norberto H. Yacono appeared before the DRB for District XI and respondent failed to appear. The respondent was previously disciplined: Censured in 2010.

STANLEY MARCUS

Reprimanded on September 12, 2011 *(208 N.J. 178)* for failing to act diligently in representing a client and her son in a Title 59 claim and for failing to keep the client reasonably informed about the status of the case. HoeChin Kim appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Reprimanded in 1991 and again in 1995.

MARTIN E. MARKS

Disbarred by consent on November 7, 2011 *(208 N.J. 373)* as a result of the respondent's disbarment in the State of New York for the misappropriation and conversion of escrow funds. Michael J. Sweeney represented the OAE and Catherine A. Sheridan represented the respondent.

THOMAS G. MASCIOCCHI

Reprimanded on December 2, 2011 *(208 N.J. 406)* for grossly neglecting four client matters, engaging in a pattern of neglect, and failing to communicate with clients. Respondent also misrepresented to the OAE that he had arranged for attorney coverage in one of the matters. And in two of these matters, the respondent sent letters to the clients misrepresenting the relative exclusivity of his representation. Further, in a fifth matter, respondent failed to set forth in writing, the rate or basis of his fee and to return the unearned portion of the fee. Christina Blunda Kennedy represented the OAE before the DRB and the respondent represented himself.

CHRISTOPHER J. MCCARTHY

Reprimanded on a certified record on April 5, 2011 *(205 N.J. 470)* for failing to reply to his clients' reasonable requests for information about their real estate matter, failing to turn over escrow funds to his clients, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Thomas C. Jardim appeared before the DRB for District XB and respondent failed to appear.

MYRON D. MILCH

Admonished on July 27, 2011 (*Unreported*) for lack of diligence, failure to keep client reasonably informed about the status of a matter, failure to set forth in writing the basis or rate of his fee, and failure to return client's file after being discharged. Lisbeth W. Cload appeared before the DRB for District IIB and respondent appeared pro se.

VINCENT J. MILITA, II

Reprimanded on February 8, 2011 *(205 N.J. 72)* for engaging in gross neglect and lack of diligence by failing to take any action to sell his client's real property after being retained to do so; to obtain jail credit for time his client served in North Carolina while awaiting extradition to New Jersey; and to pay tax bills for the real estate. In addition, respondent failed to confirm his understanding that his client would personally handle the sale of the real estate upon his release from prison and he failed to reply to his client's letters requesting information about the status of the North Carolina jail credits. Lastly, respondent failed to provide his client with a writing setting forth the basis or rate of his fee. Andrew D. Catanese appeared before the DRB for District I and Vincent J. Pancari appeared for the respondent. The respondent has an extensive disciplinary history: Suspended in 1985; reprimanded in 2003; and suspended again in 2004.

JOHN A. MISCI, JR.

Suspended for three months on a certified record on March 8, 2011 *(205 N.J. 90)* for gross neglect, lack of diligence, failure to communicate with his client, charging an unreasonable fee, failure to reduce the basis or rate of his fee to writing, and failure to cooperate with disciplinary authorities during the investigation and processing of this matter. Andrew S. Zeldin appeared before the DRB for District IV and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2010.

JOHN A. MISCI, JR.

Suspended for one year on a certified record effective May 10, 2011 *(206 N.J. 11)* for abandoning a client in a family law matter and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Additionally, respondent failed to memorialize the basis or rate of his fee. The respondent was previously disciplined: Reprimanded in 2010; temporarily suspended in 2010; and suspended in 2011.

JAMES W. MISKOWSKI

Reprimanded on March 8, 2011 *(205 N.J. 265)* for negligently misappropriating client funds as a result of poor recordkeeping practices. John McGill, III appeared before the DRB for the OAE and respondent waived appearance. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

KEITH O. D. MOSES

Reprimanded on November 3, 2011 *(208 N.J. 361)* for failing to act diligently by failing to take any action to preserve or prosecute his client's personal injury claim, failing to communicate with his client, and unilaterally deciding not to pursue his client's claim without discussing the issue with his client. Karen Bezner appeared before the DRB for District XII and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2002.

WILLIAM H. MULDER

Reprimanded on February 8, 2011 *(205 N.J. 71)* for preparing and signing a RESPA statement listing a wrong purchase price, a non-existent deposit and a non-existent second mortgage. Lee A. Gronikowski appeared before the DRB for the OAE and Raymond F. Flood appeared for the respondent.

ANDREW KEVIN MURRAY

Admonished on July 25, 2011 (*Unreported*) for negligently misappropriating client trust funds as a result of failing to record a wire transfer out of a client's sub-account, thereby causing respondent to believe he was holding more in the sub-account than he actually had, and issuing a trust account check in an amount in excess of the amount in the sub-account. Respondent did not discover his error for over three years due to his failure to reconcile his trust account on a

monthly basis. HoeChin Kim appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

WALTER D. NEALY

Censured on March 29, 2011 *(205 N.J. 264)* for assaulting a federal officer by pushing the officer against a wall and striking the officer with his hands and arms. Nitza Blasini appeared before the Supreme Court for the OAE and Gerald A. Miller appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2001; reprimanded again in 2004; and suspended in 2008.

LEONARD S. NEEDLE

Disbarred on September 13, 2011 *(208 N.J. 180)* for knowingly misappropriating trust funds by issuing twelve checks from his trust account to his law firm, and one check to pay his own property taxes, without having personal funds in the trust account to cover the checks. Respondent also voided five checks to various title insurance companies and issuing checks to himself in the exact amount of three of those voided checks. Michael J. Sweeney appeared before the Supreme Court for the OAE and Charles J. Uliano appeared for the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

JOHN K. PARK

Admonished on February 1, 2011 (*Unreported*) for failing to maintain appropriate trust account records in connection with his clients' purchase of real estate and for not depositing the funds for the purchase in a New Jersey trust account. Ira Clark Kaplan appeared before the DRB for District IIA and Howard B. Mankoff appeared for the respondent.

BEN W. PAYTON

Censured on July 14, 2011 (___ *N.J.* ___) for practicing law while knowing that he was ineligible to do so for failure to pay the annual attorney registration fee. Lee A. Gronikowski appeared before the DRB for the OAE and respondent waived appearance. The respondent has a significant ethics history: Admonished in 1997; reprimanded in 2001; suspended in 2001; suspended again in 2003; and temporarily suspended in 2011. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

QUEEN E. PAYTON

Reprimanded on July 14, 2011 *(207 N.J. 31)* for practicing law while ineligible to do so for failure to pay the 2010 annual attorney assessment to the New Jersey Lawyers' Fund for Client Protection. Lee A. Gronikowski appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Admonished in 2005. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

DUANE T. PHILLIPS

Censured on a certified record on September 21, 2011 *(208 N.J. 205)* for failing to act diligently in representing clients in a consumer fraud action by failing to file a lawsuit on behalf of the clients, failing to return clients' telephone calls and emails, misrepresenting to the clients that their case was progressing when he had not filed a complaint and had not taken any action to further their claims, and failing to cooperate with disciplinary authorities during the investigation and processing of these matters. Gina M. Merritt appeared before the DRB for District I and respondent failed to appear. The respondent was previously disciplined: Admonished in 2010.

ANTHONY N. PICILLO

Suspended for three months effective April 29, 2011 *(205 N.J. 234)* for negligently misappropriating client funds due to poor recordkeeping practices. In addition, respondent engaged in a conflict of interest when he borrowed $17,000 from a client without reducing the loan agreement to writing, advising the client in writing to seek independent counsel, or obtaining the clients' written consent to his role in the transaction as to its terms. Also, during the course of the investigation of this matter, the respondent lied to the OAE about the cause of an overdisbursement of funds in an attempt to mislead the OAE about the condition of his books and records. HoeChin Kim appeared before the DRB for the OAE and Anthony P. Ambrosio appeared for the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

STEVEN J. PLOFSKY

Admonished on March 7, 2011 (*Unreported*) for failing to adequately communicate with clients and failing to cooperate with disciplinary authorities during the investigation and processing of these matters. James M. Cundari appeared before the DRB for District VB and Michael Noriega appeared for the respondent.

ALAN S. PORWICH

Censured on a certified record on March 22, 2011 *(205 N.J. 230)* for failing to communicate with a client, failing to turn over the client's file, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Robert Verdibello appeared before the DRB for District VI and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1999.

WAYNE POWELL

Suspended for three months effective July 29, 2011

(206 N.J. 555) for failing to act diligently in a client's personal injury matter by not prosecuting the complaint, thereby allowing the complaint to be dismissed, and not taking any action to reinstate the complaint. In addition, respondent failed to adequately communicate with his client for seven years, and he failed to adequately supervise his staff. Christine O'Hearn appeared before the DRB for District IV and Carl D. Poplar appeared for the respondent. The respondent was previously disciplined: Reprimanded in 1995, 1997 and again in 2010.

PHILIP C. PROTHRO

Censured on October 5, 2011 *(208 N.J. 340)* for engaging in dishonesty and deceit by twice submitting false self-prepared law school transcripts to his first employer, and submitting a falsified copy of his law school transcript to his second employer. In addition, respondent misrepresented to the disciplinary investigator that he did not supply an altered transcript to his first employer. Bill R. Fenstemaker appeared before the DRB for District XII and respondent appeared pro se.

SAMUEL RAK

Suspended for three months on a certified record effective April 8, 2011 *(205 N.J. 261)* for misconduct in two client matters, including gross neglect, pattern of neglect, lack of diligence, failing to comply with clients' reasonable requests for information, and failing to cooperate with disciplinary authorities during the investigation and processing of these matters. Arlene R. Cohn appeared before the DRB for District IIB and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2010.

HAMDI M. RIFAI

Suspended for three months on a certified record effective March 9, 2011 *(205 N.J. 88)* for calling the prosecutor in a municipal court case an idiot and forcefully bumping into the investigating police officer, employing tactics to delay the trial, and filing to cooperate with disciplinary authorities during the investigation and processing of this matter. Douglas V. Sanchez appeared before the DRB for District IIA and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2002 and again in 2007.

HAMDI M. RIFAI

Suspended for three months effective June 10, 2011 *(206 N.J. 553)* for misconduct in two client matters including gross neglect, pattern of neglect, lack of diligence, failure to communicate with his client, and misrepresentation. In addition, in one of these matters, respondent failed to expedite litigation and failed to protect his client's interests upon termination of the representation by not releasing the file. Kurt Hartmann appeared before the DRB for District IIA and respondent waived appearance. The respondent was previously disciplined: Reprimanded in 2002; reprimanded again in 2007; and suspended in 2011.

DONALD S. ROSANELLI

Suspended for six months on a certified record on November 3, 2011 *(208 N.J. 359)* for failing to comply with the provisions of Rule 1:20-20, which requires a suspended attorney to file an affidavit with the Director of the Office of Attorney Ethics specifying how the disciplined attorney has complied with the provisions of the rule, including notifying all clients and pending adversaries of the suspension. Walton W. Kingsbery, III represented the OAE and the respondent failed to appear. The respondent was previously disciplined: Suspended in 2003; temporarily suspended in 2009; and suspended again in 2010.

ROBERT G. ROSENBERG

Disbarred by consent on September 22, 2011 *(208 N.J. 206)* for knowingly misappropriating client trust funds in the amount of $30,000.00. Janice L. Richter represented the OAE and Salvatore T. Alfano represented the respondent. The respondent was previously disciplined: Reprimanded in 2002. This matter was discovered solely as a result of the Random Audit Compliance Program.

RICHARD RUSSO

Admonished on June 21, 2011 (*Unreported*) for engaging in a conflict of interest by counseling one of the beneficiaries to an estate he was representing to disclaim a bequest that was clearly against the interest of the beneficiary and that inured to the benefit of the estate. The respondent also prepared the disclaimer for the beneficiary's signature. Haekyoung Suh appeared before the DRB for District VIII and respondent appeared pro se.

ELIANE RUSSOTTI

Censured on January 19, 2011 *(204 N.J. 595)* for misrepresenting in an answer to an interrogatory that she had never been named a defendant in a lawsuit, failing to comply with the recordkeeping rules set forth in Rule 1:21-6, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Lee A. Gronikowski appeared before the DRB for the OAE and Andrew J. Cevasco appeared for the respondent.

JAMES E. SACKS-WILNER

Disbarred by consent on January 6, 2011 *(204 N.J. 319)* for knowingly misappropriating client trust funds. Lee A. Gronikowski represented the OAE and Robert Ramsey represented the respondent. The respondent was previously disciplined: Censured in 2008. This matter was discovered solely as a result of the Random Audit Compliance Program.

JOSE LUIS DEL CASTILLO SALAMANCA

Suspended for two years effective October 2, 2008 *(204 N.J. 590)* and until the further Order of the Supreme Court as a result of respondent's guilty plea and criminal conviction in the United States District Court for the District of Connecticut for document fraud, in violation of 18 U.S.C. Section 2 and Section 1546(a). Specifically, in his capacity as attorney for a restaurant he owned and operated, respondent filed false applications to obtain employment-related visas for alien employees of the restaurant. Nitza I. Blasini represented the OAE and David A. Abrams represented the respondent.

DANIEL N. SHAPIRO

Censured on a certified record on March 8, 2011 *(205 N.J. 106)* for grossly neglecting a client's claim for visitation with his son, failing to act diligently, failing to communicate with his client, and failing to set forth in writing the rate or basis of his fee. N. Ari Weisbrot appeared before the DRB for District IIB and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2002 and again in 2010.

DANIEL K. SIMMONS

Admonished on November 3, 2011 (*Unreported*) for negligently misappropriating client funds due to his failure to reconcile his trust account. Lee Gronikowski appeared before the DRB for the OAE and Robert Ramsey appeared for the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MICHELE M. SIMMSPARRIS

Disbarred on a certified record on October 13, 2011 *(208 N.J. 349)* for knowingly misappropriating client and escrow funds in connection with three real estate matters. In one real estate matter, respondent made a series of unauthorized disbursements to herself totaling $160,450. In a second real estate matter, respondent failed to turn over $20,976.28 due to her clients and failed to keep their funds intact. In a third real estate matter, respondent failed to maintain inviolate the funds required to be held in trust for the client. Respondent also borrowed $55,000 from her aunt by falsely stating that the purpose of the loan was to obtain a $500,000 business loan and that she would not use the borrowed funds. Respondent subsequently failed to safeguard the $55,000 by converting them for her own use. In addition, respondent filed an order to show cause on behalf of a party who had not retained her, filed a brief in a related matter that falsely represented that she was the party's attorney and agent, and violated a court order by refusing to appear before the court. And respondent failed to cooperate with disciplinary authorities, made misrepresentations, and engaged in gross neglect and lack of diligence. Janice L. Richter appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent was previously disciplined: Temporarily suspended in 2010.

RICHARD J. SIMON

Reprimanded on June 9, 2011 *(206 N.J. 306)* for engaging in a conflict of interest by suing an existing client for the payment of his legal fees. Walton W. Kingsbery, III appeared before the DRB for the OAE and Joseph J. Benedict appeared for the respondent.

DARRYL W. SIMPKINS

Admonished on October 31, 2011 (*Unreported*) for failing to act diligently in representing a client in a personal injury matter by never filing a complaint on the client's behalf and for failing to communicate with the client. John E. Lanza appeared before the DRB for District XIII and respondent appeared pro se.

RITU SINGH

Disbarred by consent on March 8, 2011 *(205 N.J. 87)* for knowingly misappropriating client trust funds. Walton W. Kingsbery, III represented the OAE and Robert N. Agre represented the respondent.

KENNETH PAUL SIRKIN

Censured on a certified record on December 9, 2011 *(208 N.J. 432)* for failing to comply with Rule 1:20-20, which requires a suspended attorney to file an affidavit with the Director of the Office of Attorney Ethics specifying the steps taken to comply with each of the provisions of the rule, including notifying clients and adversary counsel of his suspension and returning client files. Lee A. Gronikowski appeared before the DRB for the OAE and the respondent failed to appear. The respondent was previously disciplined: Suspended in 2009.

MATTHEW D. SKELLEY

Disbarred by consent on April 5, 2011 *(205 N.J. 466)* for knowingly misappropriating $50,000.00 from an estate by depositing the money into a non-attorney trust account and using the money for personal expenses without the knowledge, authority or consent of the beneficiaries of the estate. Lee A. Gronikowski represented the OAE and Brian J. Neary represented the respondent.

STEPHEN H. SKOLLER

Censured on September 13, 2011 *(208 N.J. 201)* for failing to communicate with his client by failing to reply to his client's many requests for information pertaining to the time spent on his case and the fees incurred during the course of the representation. Respondent also failed to comply with the recordkeeping rules by not preparing or maintaining any

records of statements or disbursements of funds and by not retaining a copy of his client's file. Denice Gilchrist appeared before the DRB for District VB and respondent waived appearance. The respondent was previously disciplined: Suspended in 2006.

KEITH T. SMITH

Censured on June 3, 2011 *(206 N.J. 137)* for misconduct in two client matters including gross neglect, patterned neglect, lack of diligence, failure to expedite litigation, and failure to cooperate with disciplinary authorities during the investigation and processing of these matters. In addition, respondent practiced law while ineligible to do so for failure to pay the annual attorney assessment. Jose W. Hernandez appeared before the DRB for District I, Michael J. Sweeney appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Admonished in 2010. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

WILLIAM J. SORIANO

Censured on June 3, 2011 *(206 N.J. 138)* for misrepresenting on a HUD-1 settlement statement that the buyer had brought cash to the transaction and that the sellers had received more than they actually had. In addition, respondent failed to set forth in writing the basis or rate of his fee, engaged in a conflict of interest by representing both the buyer and sellers in a real estate transaction, and failed to deliver funds to his clients. Alix Rubin appeared before the DRR for District VC and Lewis Markowitz appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2004.

GARY T. STEELE

Admonished on March 29, 2011 (*Unreported*) for directing the payment of $49,500 to himself from the proceeds of a real estate transaction in satisfaction of legal fees earned in unrelated matters knowing that the client had not authorized the disbursement. Respondent also failed to promptly turn over to his client the balance of the funds from the real estate closing. Edward A. Sturchio, Jr. appeared before the DRB for District XB and respondent appeared pro se.

A. BRET STEIG

Admonished on October 6, 2011 *(208 N.J. 343)* for failing to safeguard funds. Specifically, respondent's failure to comply with the recordkeeping provisions of Rule 1:21-6, including the requirement to perform monthly three-way reconciliations, allowed the theft of more than $9,000 from his trust account over a three year period to go undetected. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent waived appearance.

KENNETH C. STRAIT, JR.

Reprimanded on April 5, 2011 *(205 N.J. 469)* for engaging in a conflict of interest by borrowing the credit card of an elderly woman whom he had previously represented without informing her, in writing, about the terms of their agreement for his use of the credit card and without recommending that she seek independent counsel to review their arrangement. Respondent subsequently drafted a will for this client naming him as the executor of the estate, but did not disclose to her that at the time of the execution of the will he was carrying a balance of more than $18,000 in principal and interest on the credit card. The following year, respondent drafted a power of attorney for the client in which he was named the agent/attorney-in-fact. By that time, respondent owed more than $41,000 on the credit card, which he did not disclose to the client. The client did not learn of the debt respondent had accumulated on her credit card until she received a collection call from the credit card company. Respondent promised to make the account current, but failed to do so. He also did not return the client's phone calls, forcing her to hire another attorney to help resolve the credit card issue. Peter A. Gaudioso appeared before the DRB for District VC and Gerard E. Hanlon represented the respondent.

ARTHUR E. SWIDLER

Suspended for six months on a certified record effective November 14, 2010 *(205 N.J. 260)* for multiple acts of misconduct in a real estate matter, including engaging in a conflict of interest by representing both the buyer and seller without obtaining their informed written consent; grossly neglecting the matter by failing to file the seller's mortgage; committing a recordkeeping violation by depositing the seller's check for the realty transfer fee into his business account instead of his trust account; perpetrating a fraud by subsequently representing the buyer in the sale of the same property to the buyer's father and failing to disclose to the father's title insurance company that there was an open mortgage on the property; and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Azzmeiah R. Vazquez appeared before the DRB for District VII and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2007 and suspended in 2010.

HERBERT JONI TAN

Censured on November 3, 2011 *(208 N.J. 362)* for grossly neglecting a client's workers' compensation claim and failing to act diligently by taking no action in the matter other than to file a petition. Further, respondent failed to communicate with his client, failed to keep her apprised of the status of her matter, failed to explain the consequences of withdrawal or dismissal to allow her to make an informed decision about the representation, failed to abide by his client's decision concerning the scope and objectives of the representation, and engaged in misrepresentation by failing to

inform his client that her case had been dismissed. Susan S. Singer appeared before the DRB for District VA and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 2006 and again in 2010.

RONALD B. THOMPSON

Censured on March 8, 2011 *(205 N.J. 107)* for misconduct in two client matters, including gross neglect, lack of diligence, and failure to communicate with clients. John O. Poindexter, III appeared before the DRB for District IIIB and Mark J. Molz appeared for the respondent.

MATTHEW M. TURLIK

Disbarred by consent on May 12, 2011 *(206 N.J. 13)* for knowingly misappropriating client trust funds by forging clients' signatures on trust account checks and retaining those funds for his personal use. Lee A. Gronikowski represented the OAE and Michael B. Campagna represented the respondent. Respondent was temporarily suspended in 2010.

KIMBERLY S. TYLER

Reprimanded on January 18, 2011 *(204 N.J. 629)* for exhibiting gross neglect and engaging in a pattern of neglect is six bankruptcy matters and failing to act diligently. Respondent also failed to communicate with clients and communicated with a client whom the respondent knew or should have known had retained new counsel. Elizabeth A. Weiler appeared before the DRB for District XII and respondent appeared pro se.

ANTHONY L. VELASQUEZ

Reprimanded on February 8, 2011 *(205 N.J. 73)* as a result of respondent's guilty plea to tampering with public records, in violation of N.J.S.A. 2C:28-7(a)(2). Specifically, respondent attempted to obtain a New Jersey driver's license using another person's identification documents. HoeChin Kim appeared before the DRB for the OAE and respondent appeared pro se.

GORDON A. WASHINGTON

Censured on a certified record on March 22, 2011 *(205 N.J. 232)* for failing to comply with a client's reasonable request for information and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Lizbeth W. Cload appeared before the DRB for District IIB and respondent failed to appear. The respondent was previously disciplined: Admonished in 2006.

HOWARD W. WEBER

Censured on April 5, 2011 *(205 N.J. 467)* for commingling client funds, business funds, and personal funds for the purpose of circumventing an IRS levy and for committing recordkeeping violations. Michael J. Sweeney appeared before the DRB for the OAE and respondent waived appearance for oral argument. This matter was discovered solely as a result of the Random Audit Compliance Program.

ROGER J. WEIL

Reprimanded on September 12, 2011 *(208 N.J. 179)* for preparing a will for a client that named his wife as a contingent beneficiary and for failing to refuse to represent the client in the preparation of the will. Timothy J. Little appeared before the DRB for District VIII and David H. Dugan, III represented the respondent.

JOEL R. WEINER

Suspended for two years retroactive to January 28, 2009 *(204 N.J. 589)* as a result of respondent's guilty plea in the United States District Court for the District of New Jersey to two counts of willfully preparing and presenting to the Internal Revenue Service a false and fraudulent tax return on behalf of a taxpayer, in violation of *26 U.S.C.A. Sec. 7206(2).* Nitza I. Blasini represented the OAE and Robert J. Alter represented the respondent.

ALAN E. WELCH

Reprimanded on November 18, 2011 *(208 N.J. 377)* for releasing the proceeds from a check to one of two payees, without the endorsement or permission of the other payee. Respondent also engaged in conduct prejudicial to the administration of justice by attempting to prevent the other payee from pursuing an ethics grievance against him. John Lanza appeared before the DRB for District XIII and Gerard Hanlon appeared for the respondent.

DAVID J. WITHERSPOON

Suspended for three months effective August 24, 2010 *(205 N.J. 92)* for failing to act diligently in a client's bankruptcy matter by not stopping a wage execution and failing to obtain funds that had been improperly garnished. Kevin J. O'Connor appeared before the DRB for District VA and Bernard K. Freamon appeared for the respondent. The respondent has a significant disciplinary history: Admonished in 2002; reprimanded in 2003; admonished again in 2003; censured in 2008; and suspended for one year in 2010.

GARY D. WODLINGER

Admonished by consent on December 22, 2011 (*Unreported*) for engaging in a conflict of interest by handling the estate of a deceased partner where the firm's interests were in competition with those of the widow. The widow was not advised to seek independent counsel in the course of resolving

the distribution of the proceeds, in violation of RPC 1.8(a). Walton W. Kingsbery, III represented the OAE and Randolph C. Lafferty represented the respondent.

ALAN ZARK

Reprimanded on March 22, 2011 *(205 N.J. 231)* for failing to provide his clients with itemized statements, as required by his retainer agreement with the clients, failing to comply with the client's reasonable requests for information, and failing to promptly deliver funds to his clients. Jeffrey Jablonski appeared before the DRB for District VI and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2002; admonished again in 2005; and reprimanded on 2005.

2010

PAUL L. ABRAMO

Admonished on December 14, 2010 (*Unreported*) for terminating his representation of a client without taking the appropriate steps to protect his client's interests and for holding his client's file "hostage" pending receipt of his fee. Leslie Ann Lajewski represented District X and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2008.

DIANE S. AVERY

Disbarred by consent on August 31, 2010 *(203 N.J. 373*) as a result of respondent's criminal conviction in the Superior Court of New Jersey, Law Division, of theft by failure to make required disposition, in violation of N.J.S.A. 2C:20-9. Nitza I. Blasini represented the OAE and Kurt M. Resch represented the respondent.

RICHARD W. BANAS

Disbarred on a certified record on January 6, 2010 *(200 N.J. 578)* for misconduct in two client matters, including gross neglect, pattern of neglect, lack of diligence, failure to communicate, misrepresentation, and failure to cooperate with disciplinary authorities during the investigation and processing of this matter. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent has a serious disciplinary history: Reprimanded in 1996; suspended in 1999; censured in 2008; and suspended again in 2008.

LAWRENCE BARISONEK

Admonished on May 5, 2010 (*Unreported*) for negligently misappropriating client trust funds as a result of mistakenly crediting $66,000 to a client estate, thereby overstating the funds available for disbursement by that amount, which he disbursed to the beneficiaries of the estate. The negligent misappropriation went undetected for five years due to the respondent's failure to prepare the three-way reconciliations required by R. 1:21-6. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent appeared pro se.

CHARLES STEPHEN BARTOLETT

Suspended for three months effective March 29, 2010 *(202 N.J. 7)* for depositing a settlement check issued to a personal injury client who was receiving welfare into the respondent's business account without obtaining the endorsement of all the payees, misrepresenting to the Board of Social Services that he had escrowed a portion of the money for the purpose of satisfying its lien against the settlement proceeds, and then negligently misappropriating the funds. Nitza I. Blasini appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Suspended twice in 2003.

S. MICHAEL BENDER

Suspended for three years effective March 22, 2010 *(201 N.J. 416)* as a result of respondent's exclusion from practice by the United States Patent and Trademark Office (PTO), which is the equivalent to disbarment. The respondent was excluded for neglecting numerous clients by continuing to prosecute their patent applications, which had been filed by a previous attorney, without determining whether the design patent applications were the correct course of action for the clients and by not advising some clients of the final rejections of their applications until the period for responding to the rejections had passed, thereby denying the clients additional time in which to determine how to proceed in their cases and potentially causing them late filing charges. In addition, respondent accepted compensation from someone other than the clients, without full disclosure to the client, which affected his judgment on behalf of his clients. Finally, respondent engaged in conduct prejudicial to the administration of justice by providing evasive replies to requests for information made by the PTO. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent appeared pro se.

RAVINDER SINGH BHALLA

Admonished on December 6, 2010 (*Unreported*) for disbursing uncollected funds and for recordkeeping violations. Lee A. Gronikowski appeared before the DRB for the OAE and the respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

ROBERT B. BLACKMAN

Admonished on June 18, 2010 (*Unreported*) for practicing law while ineligible to do so for failure to file the annual IOLTA registration statement for three years. HoeChin Kim appeared before the DRB for the OAE and the respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 1991. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MICHAEL L. BLOCK

Suspended for six months effective February 9, 2010 *(201 N.J. 159)* for misconduct in three client matters including failure to set forth in writing the basis or rate of his fee, failure to comply with a Supreme Court order requiring him to file an affidavit in compliance with R. 1:20-20 following his one-year suspension from the practice of law, failure to turn over a client's file for one year following the termination of his representation, and engaging in lack of diligence, gross neglect, and conduct prejudicial to the administration of justice by failing to comply with a court directive to the detriment of his client. Melissa A. Czartoryski appeared before the DRB for the OAE and the respondent waived appearance. The respondent was previously disciplined: Reprimanded in 2004 and suspended in 2007.

JOHN LOUIS BLUNT

Reprimanded on February 9, 2010 *(201 N.J. 117)* for misconduct in two client matters, including gross neglect, lack of diligence, failure to communicate with client, failure to withdraw from representation due to material impairment, and failure to set forth in writing the rate or basis of his legal fee. Ari N. Weisbrot appeared before the DRB for District IIB and Robert E. Rochford appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2002 and 2006.

JACK H. BOYAJIAN

Reprimanded on July 15, 2010 *(202 N.J. 333)*. Respondent, as a principal and non-attorney administrator of a law firm engaged in the business of collecting debts, was disciplined for failing to properly supervise the law firm's attorneys and employees and permitting the law firm to operate in violation of the Fair Debt Collections Practices Act. Respondent, a California attorney not admitted to practice law in the State of New Jersey, was disciplined pursuant to RPC 8.5(a), which provides that a lawyer not admitted to practice in this State is nevertheless subject to its disciplinary authority if the lawyer provides or offers to provide any legal services in this State. Christina Blunda Kennedy appeared before the DRB for the OAE and Robert E. Margulies appeared for the respondent.

DAVID W. BOYER

Suspended for three months effective March 2, 2010 *(Unreported)* for engaging in a conflict of interest by renting real estate belonging to an estate he was representing to former clients in a bankruptcy matter without disclosing to either client the nature of the dual representation and without seeking the clients' waiver of the conflict. Additionally, respondent engaged in a business transaction with a client without fully explaining the terms of the transaction to the client, without advising the client that he had acquired a pecuniary interest in the transaction, without advising the client about the propriety of seeking independent counsel, and without obtaining client's consent to waive the conflict. Respondent also misrepresented in the RESPA statement for the sale of the real estate the nature and extent of work performed by a contractor on the property, lied to ethics investigators that he had not received funds exceeding the initial loan to the purchaser of the real estate, when he had received interest on the loan, and failed to reveal to the Office of Attorney Ethics his pecuniary interest in the transaction. Janice L. Richter appeared before the Supreme Court for the OAE and Robert Ramsey represented the respondent. The respondent was previously disciplined: Admonished in 2007 and suspended in 2008.

CHRISTOPHER D. BOYMAN

Censured on a certified record on March 2, 2010 *(201 N.J. 203)* for misconduct in two client matters. In one matter, respondent grossly neglected a client's trademark case and failed to act diligently by not following through on the trademark application. During the pendency of the application, respondent rarely communicated with his client. In the other client matter, respondent grossly neglected and failed to act diligently in connection with two collection cases he was handling. Respondent filed a complaint in one of the matters, but failed to take steps necessary to obtain a default judgment, after defendant failed to file an answer, which then resulted in a dismissal of the complaint. In the second collection case, respondent failed to take any steps to pursue the matter. Respondent also borrowed $15,000 from this second client without providing the client with a writing memorializing the transaction or advising his client to seek the advice of another attorney, and without obtaining client's consent to the transaction in writing. Respondent also failed to cooperate with disciplinary authorities during the investigation and processing of these matters. James J. Byrnes appeared before the DRB for District XII and respondent failed to appear.

ELTON JOHN BOZANIAN

Admonished on March 10, 2010 (*Unreported*) for misconduct in two client matters. In one matter, respondent lacked diligence by failing to file virtually completed pleadings given to him by prior counsel. Respondent also ignored sixteen telephone calls from client requesting information about the cases. In the second matter, respondent failed to keep his client informed about important aspects of the case and to send the

client two court orders dismissing the complaint. Michael I. Lubin appeared before the DRB for District IIB and Norman S. Karpf appeared for the respondent.

ANDREW J. BREKUS

Suspended for one year on a certified record on July 15, 2010 *(199 N.J. 511)* for grossly neglecting a client's workers' compensation and personal injury claims, engaging in a pattern of neglect, failing to act diligently, failing to communicate with the client, failing to turn over the client's file, making misrepresentations to client, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Ann Madden Tufano appeared before the DRB for District IV and respondent failed to appear. The respondent was previously disciplined: Admonished in 2000; reprimanded in 2006; suspended for one year in 2009 and censured in 2009.

LARRY A. BRONSON

Suspended for five years effective January 23, 2008 *(204 N.J. 173)* as a result of respondent's guilty plea to illegally structuring monetary transactions to avoid reporting requirements while knowing that, at the time of the transactions, the funds were the product of unlawful activity. Nitza I. Blasini appeared before the DRB for the OAE and Lawrence Lustberg appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2008; reprimanded in 2008; and reprimanded again in 2009.

LARRY BRONSON

Reprimanded on November 16, 2010 *(204 N.J. 76)* for failing to safeguard funds by maintaining a New York trust account, when he is licensed only to practice law in New Jersey, and by depositing non-client funds in that trust account. Respondent also failed to cooperate with disciplinary authorities by delaying his response to the OAE's request for information and by repeatedly adjourning a demand audit. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent waived appearance.

JAMES EDWARD BURDEN

Admonished on July 28, 2010 (*Unreported*) for grossly neglecting a personal injury matter and failing to act diligently by failing to record a judgment he had obtained against the defendant who subsequently filed for chapter 13 bankruptcy protection. Also, respondent did not inform the clients that the judgment had not been recorded and that no proof of claim had been filed on the client's behalf. Ernest Louis Alvino, Jr. appeared before the DRB for District IV and respondent appeared pro se.

MARTIN BURGER

Reprimanded on February 9, 2010 *(201 N.J. 119)* for paying a paralegal employee fifty percent of the legal fees generated by immigration cases the paralegal referred to the respondent. Michael J. Sweeney appeared before the DRB for the OAE and Aaron E. Albert appeared for the respondent.

JOSEPH A. CARMEN

Reprimanded on January 26, 2010 *(201 N.J. 141)* for failing to act diligently in representing clients in a civil matter by never filing a lawsuit on clients' behalf and failing to keep the clients reasonably informed about the status of the matter. John A. Zohlman, III appeared before the DRB for District IIIB and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1985.

THOMAS ANTHONY CATTANI

Was found guilty of engaging in a conflict of interest *(Unreported)* by borrowing money from a client without advising the client to seek the advice of independent counsel and without obtaining client's written consent to the transaction. However, inasmuch as this conduct occurred during the same time frame as other unethical for which the respondent was suspended, no additional discipline was imposed. Susan A. Semler appeared before the DRB for District IIA and respondent appeared pro se. As mentioned previously, respondent was previously disciplined: Suspended in 2006.

PETER R. CELLINO

Censured on a certified record on September 14, 2010 *(203 N.J. 375)* for grossly neglecting a matter, failing to communicate with the client, misrepresenting the status of the case to the client, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Nitza I. Blasini appeared before the Supreme Court for the OAE and respondent failed to appear.

JOHN E. CERZA

Admonished on July 15, 2010 (*Unreported*) for failing to act diligently in two real estate matters by delaying the satisfaction of tax liens, even though he had escrowed funds for that purpose. Respondent also ignored almost all of one client's attempts to communicate with him about the unpaid liens and engaged in recordkeeping violations. Melissa A. Czartoryski appeared before the DRB for the OAE and Salvatore T. Alfano represented the respondent.

CHARLES W. CLEMENS

Reprimanded on June 29, 2010 *(202 N.J. 139)* for negligently misappropriating client funds and engaging in

numerous recordkeeping violations. HoeChin Kim appeared before the DRB for the OAE and respondent waived appearance. This matter was discovered solely as a result of the Random Audit Compliance Program.

CASSANDRA A. CORBETT

Censured on July 30, 2010 *(202 N.J. 463)* for negligently misappropriating client funds, transferring funds from the business account into a trust account and then issuing checks from that trust account to pay business expenses, and misrepresenting to the OAE that she had repaid the entire amount negligently misappropriated when, in fact, replenishment was not completed until two months later. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2001; reprimanded in 2007. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

EDWARD J. CRISONINO

Reprimanded on March 22, 2010 *(201 N.J. 415)* for allowing the appeal of his client's criminal conviction to be dismissed due to his failure to timely file an appellate brief, failing to take corrective measures to reinstate the appeal, failing to keep his client informed about the status of the case, and leading his client to believe, for two years, that the appeal was progressing normally, although it had been dismissed two years earlier. John S. Eory appeared before the DRB for District VII and Justin T. Loughry appeared for the respondent.

MARVIN S. DAVIDSON

Suspended for six months, effective September 6, 2010 (*202 N.J. 530*) for misconduct in two real estate matters, a personal injury case, and a collection matter. In one real estate matter, respondent failed to satisfy two tax liens after the closing. Instead, respondent released the escrow funds reserved to pay the liens to his client. In the second real estate matter, respondent refused to release deposit funds to the buyer after the cancellation of the real estate contract, thereby causing a default judgment and wage execution to be entered against his client. In the personal injury matter, respondent failed to honor a chiropractor's lien, failed to notify the chiropractor of his receipt of the client's settlement funds, misrepresented to the chiropractor that he had not yet received the settlement funds, and failed to turn over documents requested by the DEC investigator. Also, respondent grossly neglected a collection matter and failed to act diligently by allowing the complaint to be dismissed, failing to have the complaint reinstated, and failing to communicate with the client. Finally, respondent failed to correct recordkeeping improprieties. Christina Blunda-Kennedy appeared before the DRB for the OAE, Nicholas S. Brindisi appeared before the DRB for District VB, and Ronald M. Gutwirth appeared on behalf of the respondent. The respondent was previously disciplined: Suspended in 1995, reprimanded in 2005, and temporarily suspended in 2009.

MARVIN S. DAVIDSON

Suspended for six months on a certified record effective March 7, 2011 *(204 N.J. 175)* for grossly neglecting a personal injury matter and failing to act diligently by permitting the complaint to be dismissed twice for failure to provide answers to interrogatories and failure to provide discovery and for not seeking to have the case reinstated in a timely manner. Respondent also failed to keep his client informed about the status of the case, and failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Nicholas S. Brindisi appeared before the DRB for District VB and respondent failed to appear. The respondent has an extensive disciplinary history: Suspended in 1995; reprimanded in 2005; temporarily suspended in 2009; and suspended in 2009.

THOMAS A. DECLEMENTE

Suspended for three months effective February 18, 2010 *(201 N.J. 4*) for misconduct in two client matters, including engaging in a conflict of interest, engaging in a prohibited business transaction with clients, making multiple misrepresentations to clients, and failing to disclose to opposing counsel his financial relationship with a judge, thereby engaging in conduct prejudicial to the administration of justice. Walton W. Kingsbery, III appeared before the DRB for the OAE and Michael Perle appeared on behalf of respondent.

GERARD L. DEL TUFO

Admonished on June 25, 2010 (*Unreported*) for engaging in conduct prejudicial to the administration of justice and intended to disrupt a tribunal by accusing a municipal court judge of being in collusion and "in bed" with the prosecutor after the judge granted the prosecutor an adjournment but denied the respondent's similar adjournment request. Frederick R. Wiedeke appeared before the DRB for District IIIA and respondent appeared pro se.

MARIA M. DIAS

Reprimanded on January 26, 2010 *(201 N.J. 8)* for negligently misappropriating client funds, engaging in numerous recordkeeping violations, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously admonished in 2008.

ROBERT C. DIORIO

Censured on February 9, 2010 *(201 N.J. 121)* for improperly depositing personal injury protection checks made payable to third party medical providers into his attorney trust account and failing to promptly deliver those funds to the medical providers in nineteen personal injury matters. Lee A. Gronikowski appeared before the DRB for the OAE and

Gregory J. Lawrence appeared for the respondent.

JOSEPH J. DOCHNEY

Reprimanded on January 19, 2010 *(201 N.J. 1)* for failing to file a wrongful termination lawsuit on his client's behalf and misrepresenting to the client that the matter was proceeding properly, even though he had not conducted an investigation in the matter and permitted the statute of limitations on client's claim to run. Respondent also failed to provide client with any type of writing setting forth the basis or rate of his fee. Christine Lim Matus appeared before the DRB for District IIIA and respondent failed to appear. The matter proceeded by way of default.

JOSEPH J. DOCHNEY

Reprimanded on January 19, 2010 *(201 N.J. 3)* for using information relating to his firm's prior representation of a client in a municipal court matter to the client's disadvantage and detriment in an unrelated custody matter, thereby preventing the former client from having unfettered contact with her nephew, who was also the client of respondent's stepson. Scott W. Kenneally appeared before the DRB for District IIIA and respondent appeared pro se.

NEIL GEORGE DUFFY, III

Admonished on March 10, 2010 (*Unreported*) for orally advising his client that he would no longer represent client, but not taking sufficient steps, such as a written letter, to dispel client's misunderstanding that he was still representing the client. Louis H. Miron appeared before the DRB for District XII and respondent appeared pro se.

JEFFREY S. FEINERMAN

Reprimanded on May 17, 2010 *(202 N.J. 48)* for negligently misappropriating client funds and committing recordkeeping violations, making misrepresentations on real estate closing documents, and practicing law while ineligible. Melissa Czartoryski appeared before the DRB for the OAE and Elliott Abrutyn appeared for the respondent.

DEBORAH T. FELDSTEIN

Reprimanded on October 26, 2010 *(Unreported)* for engaging in a conflict of interest by representing a client in the purchase of tax lien certificates from other individuals and entities from whom respondent and her law firm prosecuted tax lien foreclosures. Respondent also failed to set forth the rate or basis of her legal fee. Bruce Ackerman represented the District XB Ethics Committee and Gerard E. Hanlon represented the respondent on a motion for discipline by consent granted by the DRB.

ROBERT L. FILAURO

Reprimanded on a certified record on April 26, 2010 *(202 N.J. 9)* for failing to reply to two grievances filed by his clients with disciplinary authorities. Michele C. Verno appeared before the DRB for District I and respondent failed to appear.

ROBERT L. FILAURO

Disbarred on a certified record on April 26, 2010 *(202 N.J. 9)* for knowingly misappropriating $25,000 in escrow funds by depositing the money into a personal savings account and then periodically transferring the money to his business account and spending it. John McGill, III appeared before the Supreme Court for the OAE and respondent failed to appear. This matter was discovered solely as a result of the Random Audit Program.

TERRY J. FINKELSTEIN

Censured on March 2, 2010 *(Unreported)* for grossly neglecting an estate matter and failing to act diligently by not timely filing the required New Jersey inheritance tax return, not obtaining the necessary tax waiver, permitting a certificate of debt to be filed against the estate and its beneficiaries, not determining the proper beneficiaries for certain bequests, and not distributing certain bequests. Respondent also failed to communicate with his client, failed to safeguard funds by not posting a trust account check on the estate's ledger card, thereby causing a negligent misappropriation of estate's funds, and failed to maintain proper records. Lee A. Gronikowski appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Admonished and reprimanded in 2004.

MITCHELL E. FISHMAN

Disbarred by consent on March 11, 2010 *(201 N.J. 203)* as a result of respondent's criminal conviction in the U.S. District Court for the District of New Jersey for conspiracy to commit wire fraud in violation of 18 U.S.C., Sec. 371. Specifically, respondent conspired with others to fraudulently obtain money and property from lenders and others by making materially false and misleading representations and omissions in loan documents and other supporting information. Nitza I. Blasini represented the OAE and Gregory Lawrence represented the respondent. The respondent was previously disciplined: Privately reprimanded in 1990.

JEFFREY A. FOUSHEE

Disbarred on a certified record on February 22, 2010 *(201 N.J. 149)* for failing to file a timely appeal of the New Jersey Merit System Board's determination regarding his client, taking no steps to cure his inaction, and failing to keep his client adequately informed about the events in her case. The respondent's neglect of this matter, when combined with his

gross neglect in two prior disciplinary matters, constituted a pattern of neglect. This misconduct, together with his failure to cooperate with disciplinary authorities during the investigation and processing of this matter, warranted disbarment. HoeChin Kim appeared before the Supreme Court on behalf of the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended in 1997 and 2000.

JAMES A. FOX

Reprimanded on June 22, 2010 *(202 N.J. 136)* for negligently misappropriating client funds due to poor recordkeeping practices including failure to maintain a receipts and disbursements journal and proper ledger cards, use of improper designations on business account checks and bank statements, and failure to reconcile his trust account. In addition, respondent commingled earned fees and other personal funds with client and escrow funds held in the trust account. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Random Audit Program.

RALPH V. FURINO, JR.

Reprimanded on September 21, 2010 *(203 N.J. 425*) for grossly neglecting a personal injury matter and failing to act diligently by permitting the complaint to be dismissed for lack of prosecution and not discovering the dismissal for over four years, and for failing to keep the client reasonably informed about the status of the case. Respondent also engaged in two conflicts of interest by representing the client while respondent concurrently possessed an interest in a potential or pending malpractice claim against him by the client, and by providing financial assistance of $3,000 to the client. Maureen S. Binetti appeared before the DRB for District VIII and respondent appeared pro se.

ALFRED V. GELLENE

Reprimanded on September 8, 2010 *(203 N.J. 443)* for gross neglect, pattern of neglect, and lack of diligence by failing to timely file three appellate briefs. Respondent also failed to communicate with his client in two of the matters and he failed to appear on the return date of an order to show cause and failed to notify the court that he would not appear. Michael C. Gaus appeared before the DRB for District VB and Edward J. Gilhooly appeared for the respondent. The respondent was previously disciplined: Privately reprimanded in 1990 and again in 1991; admonished in 2009.

PASQUALE F. GIANNETTA

Admonished on June 25, 2010 (*Unreported*) for negligently misappropriating client funds by inadvertently transferring $5000 from his trust account, instead of his business account, to a personal bank account, delaying the delivery of two checks to third party medical providers, and committing several recordkeeping violations. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent appeared pro se.

MARK E. GOLD

Disbarred on a certified record on March 9, 2010 *(201 N.J. 414)* for knowingly misappropriating client and escrow funds and for failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended in 2007 and temporarily suspended in 2009. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JEFF H. GOLDSMITH

Censured on a certified record on February 9, 2010 *(201 N.J. 161)* for failure to timely complete post-closing steps in a real estate transaction by not properly filing a deed until two years after the closing. Michael I. Lubin appeared before the DRB for District IIB and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1994; admonished in 2002, and censured in 2007.

ANDRYS SOFIA GOMEZ

Reprimanded on February 9, 2010 *(201 N.J. 117)* for improperly certifying as accurate a HUD-1 Statement knowing that it misrepresented that the buyer had brought funds to the closing, that money had been escrowed for taxes, and that the seller had received funds from the sale. Additionally, respondent notarized a deed which was not signed in her presence. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Admonished in 2003.

ARLEEN CABALLERO GONZALEZ

Censured on a certified record on June 1, 2010 *(202 N.J. 29)* for misconduct in two client matters. In one matter, respondent engaged in the unauthorized practice of law by appearing in a Philadelphia court while on inactive status in Pennsylvania. In both matters, respondent lacked diligence and failed to communicate with clients. Willis F. Flower appeared before the DRB for District I and respondent failed to appear.

GABRIEL F. GONZALEZ

Suspended for three months on a certified record effective November 16, 2010 *(204 N.J. 75)* based on a criminal conviction for leaving obscene and threatening messages on a former client's answering machine, and shattering the former client's living room window by throwing a hammer through it. Susan Singer appeared before the DRB for District VA and respondent failed to appear.

RAYMOND GOODWIN

Reprimanded on October 19, 2010 *(203 N.J. 583)* for commingling personal and trust funds when he deposited the proceeds from the refinance of his personal residence into his trust account, failing to comply with the recordkeeping rules by failing to maintain any type of recordkeeping system, and practicing law while ineligible to do so. Nitza I. Blasini appeared before the DRB for the OAE and respondent waived appearance.

DAVID R. GROSS

Suspended for three months effective June 2, 2010 *(202 N.J. 39*) for dishonesty, failing to disclose to his law firm his receipt of $100,000 from a client and failing to disburse these funds to the firm in violation of a law firm policy that all gains received from the practice of law belonged to the firm. Janice L. Richter appeared before the Supreme Court for the OAE and Justin Walder appeared for the respondent.

MICHAEL R. HALBFISH

Censured on April 20, 2010 *(Unreported)* for misconduct in two client matters. In one matter, respondent negligently misappropriated trust funds, commingled funds, and committed recordkeeping violations. In the other matter, respondent undertook the representation of a client but did not file a complaint in a timely manner, and did not serve the complaint for almost seven months after it was filed, thereby resulting in its dismissal for lack of prosecution. Moreover, respondent did not advise the client of the status of his case and failed to withdraw from representation when it became clear he could not adequately represent the client because of office difficulties. John McGill, III appeared before the DRB for the OAE and John A. Tunney represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

STEPHANIE A. HAND

Admonished on September 29, 2010 (*Unreported*) for failing to act diligently in her capacity as attorney for the purchaser of real estate from a buyer in bankruptcy by not ascertaining whether the bankruptcy court had approved the sale and by not turning over the proceeds of the sale to the bankruptcy trustee. Christina Blunda Kennedy appeared before the DRB for the OAE and Thomas Ashley appeared for the respondent.

DOUGLAS B. HANNA

Admonished on September 28, 2010 (*Unreported*) for failing to properly supervise his bookkeeper and to assure that his accounting practices were sufficient to prevent the misappropriation of trust funds. Respondent also permitted a non-lawyer to sign trust account checks and failed to maintain appropriate client ledger books and checkbooks with running balances. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent appeared pro se.

THOMAS A. HARLEY

Reprimanded on February 9, 2010 *(201 N.J. 121)* for practicing law while he was on the Supreme Court's list of ineligible attorneys for failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection. Mitchell Goldstein appeared before the DRB for District VA and Michael D'Alessio represented the respondent. The respondent was previously disciplined: Private reprimand in 1994; admonition in 1995.

JERRAMIAH T. HEALY

Admonished on June 15, 2010 (*Unreported*) as a result of his convictions of the disorderly persons offenses of obstructing the administration of justice and resisting arrest. Specifically, respondent interrupted a police officer who was investigating a disturbance, refused to leave when repeatedly asked to do so by the police, and resisted when the police tried to place him under arrest. Nitza I. Blasini appeared before the DRB for the OAE and Michael Murphy appeared for the respondent.

DANIEL DAVID HEDIGER

Censured on July 15, 2010 *(202 N.J. 337)* for failing to act diligently by not properly recording a deed until almost fifteen months following the closing. David Edelberg appeared before the DRB for District IIB and Joseph Castiglia appeared for the respondent. The respondent has an extensive ethics history: Reprimanded in 2004; censured twice in 2007; and reprimand again in 2008.

BRUCE D. HERSH

Disbarred by consent on December 10, 2010 *(204 N.J. 284)* for knowingly misappropriating client funds totaling $172,278.90. John McGill, III represented the OAE and Robert J. DeGroot represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification System.

CHRISTOPHER P. HUMMEL

Censured on a certified record on November 1, 2010 *(204 N.J. 32)* for grossly neglecting and failing to act diligently in a client matter by not filing an answer to a complaint and permitting a default judgment to be entered against the client. In addition, respondent failed to promptly reply to the client's request for information about the matter. Moreover, respondent misrepresented in a certification in support of a motion to vacate the default judgment that his client had a meritorious defense for setting aside the judgment. Lisbeth W. Cload appeared before the DRB for District IIB and respondent failed to appear.

FERNANDO IAMURRI

Admonished on February 4, 2010 (*Unreported*) as a result of respondent's negligent misappropriation of client's funds due to poor accounting practices involving the inadvertent deposit of funds into his business account instead of his trust account, complicated by significant personal problems. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se.

DAWN L. JACKSON

Disbarred on a certified record on February 1, 2010 *(201 N.J. 100)* for various acts of misconduct. Specifically, respondent knowingly misappropriated client and escrow funds in excess of $50,000 and used those funds for her own purposes. Respondent also forged a client's name on a loan agreement, misrepresented to the lender that the client had signed it, fraudulently obtained $25,000 from the lender, and then used the funds for her own purposes. Moreover, respondent entered into retainer agreements with six clients, received fees from them, and then abandoned them. Finally, respondent failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Janice L. Richter appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was temporarily suspended on March 10, 2009.

GARY T. JODHA

Censured on November 29, 2010 *(204 N.J. 177)* for lack of diligence in immigration matters by failing to ensure that his records of his clients' addresses were correct, failing to obtain a client's travel authorization or permanent resident status, failing to take appropriate steps to notify clients about an adjustment of status interview, and failing to attend the adjustment of status interview. Azzmeiah R. Vazquez appeared before the DRB for District VII and David H. Dugan appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2002.

MICHAEL S. KIMM

Admonished on January 28, 2010 (*Unreported*) for improperly calculating his contingent fee in a personal injury matter based on the gross recovery, rather than on the net recovery, and for improperly advancing more than $17,000 to his client, prior to the conclusion of the personal injury matter. Joseph R. Donahue appeared before the DRB for District IIB and respondent appeared pro se. The respondent was previously disciplined: Censured in 2007.

MATTHEW J. KIRNAN

Disbarred by consent on September 17, 2010 *(203 N.J. 375)* for knowingly misappropriating clients' trust funds. Christina Blunda Kennedy represented the OAE before the Supreme Court and Glenn R. Reiser represented the respondent. The respondent was previously disciplined: Suspended in 2003.

ALISON ELLEN KOSBERG

Reprimanded on June 29, 2010 *(202 N.J. 141)* for engaging in poor recordkeeping practices thereby enabling his bookkeeper to steal over $66,000 in client trust funds which resulted in repeated negligent misappropriations of client trust funds. Michael J. Sweeney appeared before the DRB for the OAE and the respondent appeared pro se. This matter was discovered solely as a result of the Random Audit Compliance Program.

CHRISTOS P. KOTSOGIANNIS

Disbarred by consent on May 19, 2010 *(202 N.J. 27)* for knowingly misappropriating client escrow funds. Walton W. Kingsbery, III represented the OAE before the Supreme Court and Amelio P. Marino, Esq. of New York, New York represented the respondent.

MICHAEL D. LANDIS

Admonished on March 19, 2010 (*Unreported*) for unilaterally disbursing real estate escrow funds to his client during an active dispute between the client and the sellers over entitlement to the funds. Marie A. Accardi appeared before the DRB for the District IX and respondent appeared pro se.

JARED LANS

Censured on March 22, 2010 *(202 N.J. 2)* for assisting his client in the commission of fraud by representing the client in the assignment of client's rights in a judgment to a third party knowing that the client no longer had any rights to the judgment as a result of having already assigned the judgment to another party, and never disclosing this fact to the third party. The respondent then deposited into his trust account a $69,000 payment made by the third party pursuant to the assignment agreement and disbursed that money to his client knowing that the client was not entitled to it. Respondent also represented the client in an agreement for the satisfaction of the judgment in installments without disclosing to counsel for the person against whom the judgment had been obtained that the client no longer had any right to the judgment. Then, when respondent received a $37,000 payment in partial satisfaction of the judgment, he released those funds to his client instead of to the parties to whom the client had assigned the judgment. Melissa A. Czartoryski represented the OAE before the DRB and Scott Piekarsky represented the respondent.

JEFFREY D. LAVENHAR

Disbarred on February 23, 2010 *(201 N.J. 148)* based on respondent's disbarment in the State of Colorado for

knowingly misappropriating funds which were mistakenly sent to him. Michael J. Sweeney appeared before the Supreme Court for the OAE and respondent failed to appear.

WILFRED LEBLANC, JR.

Suspended for six months on a certified record on July 8, 2010 *(202 N.J. 129)* for failing to comply with the provisions of R. 1:20-20 dealing with suspended attorneys. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Censured in 2006; reprimanded in 2007; and suspended in 2008.

PHIL E. LEONE

Disbarred on June 1, 2010 *(202 N.J. 127)* for knowingly misappropriating client funds in two matters and escrow funds in a third matter. Janice L. Richter appeared before the Supreme Court for the OAE and Martin J. Arbus appeared for the respondent.

WALTER A. LESNEVICH

Admonished on July 28, 2010 (*Unreported*) for engaging in a conflict of interest by representing a husband in a divorce matter after the respondent had represented the husband and wife in a personal injury matter. Patricia Ann Kieck appeared before the DRB for District IIB and Madeline Marzano-Lesnevich appeared for the respondent.

GARY PETER LEVIN

Disbarred by consent on October 12, 2010 *(203 N.J. 577*) for knowingly misappropriating estate trust funds. Melissa A. Czartoryski represented the OAE and Frederick J. Dennehy represented the respondent.

GARY S. LEWIS

Admonished on February 1, 2010 (*Unreported*) for applying settlement proceeds in one client matter to respondent's earned fee in another matter being handled for the same client. Jonathan R. Mehl appeared before the DRB for District VC and respondent appeared pro se.

LOUIS MACCHIAVERNA

Reprimanded on October 19, 2010 *(203 N.J. 584)* for negligently misappropriating client funds as a result of poor recordkeeping practices. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent waived appearance. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

EDWARD A. MACDUFFIE, JR.

Reprimanded on June 29, 2010 *(202 N.J. 138)* for negligently misappropriating client funds due to poor bookkeeping practices including failure to reconcile his trust account on a monthly basis for an extended period of time. HoeChin Kim appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 2008. This matter was discovered solely as a result of the Random Audit Compliance Program.

KEVIN H. MAIN

Admonished on April 30, 2010 (*Unreported*) for failing to cooperate with disciplinary authorities during the investigation and processing of a grievance alleging gross neglect. Julie Cavanagh appeared before the DRB for District VII and respondent appeared pro se.

NICHOLAS R. MANZI

Censured on a certified record on July 15, 2010 *(202 N.J. 339)* for failing to act diligently in a personal injury matter by permitting the complaint to be dismissed and failing to take steps to have it reinstated, and for failing to inform the client of the dismissal, the ramifications of the dismissal and the options available to him. In addition, the respondent engaged in the unauthorized practice of law by continuing to practice law after being placed on the IOLTA ineligible list as a result of his failure to comply with the requirements of R. 1:28A-2. Norberto Yacono appeared before the DRB for District XI and respondent failed to appear.

THERESA A. MARKHAM

Censured on July 14, 2010 *(202 N.J. 568)* for directing her secretary to engage in unethical conduct by instructing her to threaten a divorce client that respondent might withdraw from representation if the client did not pay respondent's bill prior to the scheduled divorce hearing. Respondent then attempted to engage in a conflict of interest by threatening the client that her divorce would not go forward if client did not sign a consent lien on all of her assets to secure the respondent's fee. Respondent also engaged in conduct involving dishonesty by failing to turn over the original lien documents to the disciplinary investigator despite several requests to do so, and producing a consent lien that did not contain all of the provisions present in the original document. Eric S. Solotoff appeared before the DRB for District XB and respondent appeared pro se.

IAN W. MARRERO

Disbarred on a certified record on October 26, 2010 *(204 N.J. 30)* for knowingly misappropriating $75,000 in escrow funds. Janice L. Richter appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was temporarily suspended in 2009.

TYRONE M. MCDONNELL

Suspended for three months effective July 30, 2010 *(202 N.J. 142)* for failing to safeguard client funds. Specifically, respondent permitted two clients to deposit funds into his attorney trust account and to disburse funds from that account. Respondent failed to keep an accurate accounting of the client's deposits and disbursements which resulted in one of the clients disbursing funds in excess of his deposits, thereby resulting in the invasion of funds belonging to respondent's clients. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

BERNARD MEITERMAN

Disbarred on June 1, 2010 *(202 N.J. 31)* as a result of respondent's criminal conviction in the United States District Court, District of New Jersey, for using the United States mail to promote and facilitate a racketeering enterprise, in violation of *18 U.S.C.A. Sec. 1952(a)(3)* and *(2)*. Specifically, respondent bribed a public official to expedite sewer connection approvals for land developments and coached an individual to lie to law enforcement authorities and/or a federal grand jury. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent was temporarily suspended following his guilty plea to the federal crime.

JEFFREY E. MICHELSON

Disbarred by consent on March 19, 2010 *(202 N.J. 1*) as a result of respondent's guilty plea to a one-count Information charging him with bank fraud, in violation of 18 U.S.C. Sec. 1344 and Sec. 2. Specifically, respondent, in his capacity as CEO of a company that distributed tobacco, candy and other sundries, altered checks he received from companies doing business with him, resulting in fraudulent deposits in excess of $537,000 to accounts controlled by him. Respondent also presented worthless checks totaling approximately 3.5 million dollars to create temporary credit for his company's operating accounts, and submitted fictitious documents in order to inflate his company's asset balance. Nitza I. Blasini represented the OAE and Jeffrey M. Advokat represented the respondent.

JOHN A. MIELE, III

Disbarred by consent on October 8, 2010 *(203 N.J. 535)* for knowingly misappropriating clients' trust funds. Michael J. Sweeney represented the OAE before the Supreme Court and Stanley F. Werse represented the respondent. This matter was discovered solely by the Random Audit Compliance Program.

MORTON S. MINSLEY

Admonished on February 25, 2010 (*Unreported*) for grossly neglecting a client's civil matter by not filing a complaint until after the expiration of the statute of limitations, thereby resulting in a dismissal of the case. Respondent thereafter negotiated a settlement of his client's claim against him and had the client sign a release without advising the client to seek independent legal advice. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se.

JOHN A. MISCI, JR.

Reprimanded on October 5, 2010 *(203 N.J. 429)* for not reducing to writing the rate or basis of the fee charged to a client in a municipal court matter and for not filing an answer to the complaint charging unethical conduct. Nitza I. Blasini appeared before the DRB for the OAE and respondent failed to appear.

THOMAS P. MONAHAN

Censured on January 19, 2010 *(201 N.J. 2)* for submitting two certifications to a federal district court, in support of a motion to extend the time within which to file an appeal, in which he misrepresented that when the appeal was due to be filed, he was seriously ill and confined to his home on bed rest and, therefore, either unable to work or unable to prepare and file the appeal. Respondent also practiced law while ineligible to do so for failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection. George P. Barbatsuly appeared before the DRB for District VA and Edward W. Cillick appeared on behalf of the respondent.

JOHN P. MORRIS

Censured on May 17, 2010 *(202 N.J. 47)* for lacking diligence in preparing an appellate brief and appendix on behalf of a criminal defendant client, failing to expedite litigation by taking an inordinate amount of time to analyze the issues on appeal and to prepare the brief, failing to keep his client informed about the status of the matter, and misrepresenting to his client and client's mother the completion and filing dates for the brief and appendix. Dean J. Buono appeared before the DRB for District IIIB and Vincent J. Pancari appeared for the respondent. The respondent was previously disciplined: Admonished in 1996; reprimanded in 1998, and admonished again in 2008.

ANTHONY F. NATALE

Disbarred by consent on March 16, 2010 *(201 N.J. 205)* as a result of respondent's guilty plea to a one-count Information charging him with conspiracy to commit wire fraud, in violation of 18 U.S.C. Sec. 371. Specifically, respondent conspired with others to fraudulently obtain money and property from lenders and others by making materially

false and misleading representations and omissions in loan documents and other supporting information. Nitza I. Blasini represented the OAE and Frank P. Arleo represented the respondent.

H. ALTON NEFF

Admonished on June 1, 2010 *(202 N.J. 35)* for engaging in a conflict of interest by simultaneously representing the buyers and the seller in a real estate transaction and by failing to explain the matter to the extent reasonably necessary for his clients to make informed decisions about the representation. Stacey Kerr appeared before the DRB for District IIIA and Carl D. Poplar appeared for the respondent. The respondent was previously disciplined: Privately reprimanded in 1987, censured in 2005.

FELIX NIHAMIN

Admonished on June 14, 2010 (*Unreported*) for negligently misappropriating client escrow funds and failure to safeguard funds due to deficient recordkeeping practices. Respondent also commingled personal funds in his trust account. Christina Blunda-Kennedy appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

RAYMOND A. OLIVER

Admonished on May 24, 2010 (*Unreported*) for listing on his letterhead three attorneys with whom he had no professional relationship, including two sitting judges, as being of counsel to his firm. Respondent also included the caption "lawyers litigators land developers" under the firm's name, thereby improperly creating the impression that his firm was in some way involved in the business of land development. Patrick J. Monahan, Jr. appeared before the DRB for the Committee on Attorney Advertising and respondent appeared pro se.

WILLIAM H. OLIVER

Censured on September 8, 2010 *(203 N.J. 382)* for grossly neglecting a real estate transaction that was subject to a bankruptcy petition by failing to properly review the HUD statement which contained obvious errors, including an incorrect purchase price and a questionable fee, failing to adequately communicate with his clients, and failing to comply with the bankruptcy trustee's several demands for the return of the real estate fee he collected without first obtaining the permission of the bankruptcy court. Maureen G. Bauman appeared before the DRB for the OAE and Paul E. Newell appeared for the respondent. The respondent was previously disciplined: Admonished in 1999 and again in 2004.

RICHARD S. PANITCH

Censured on February 9, 2010 *(Unreported)* for grossly neglecting a client's wrongful termination case by failing to comply with discovery requests and by confirming a deposition scheduled by the defendants without advising his client who, as a result, was not aware of the deposition and did not attend. Respondent's failures and actions resulted in the filing of several motions seeking to compel discover, dismiss the complaint, and fees and expenses associated with the deposition client did not attend. Respondent did not inform the client of the pendency of two of the motions or of the resulting court orders awarding the defendants attorneys fees incurred in obtaining the court orders as well as attorneys fees and expenses associated with the missed deposition. The orders provided that client and respondent were jointly and severally liable for all amounts owed to the defendants. The respondent then engaged in deceit and misrepresentation by advising the client that she alone was responsible for counsel fees and costs awarded by the court because she had missed the deposition. Peter James Hendricks appeared before the DRB for District VIII and Arthur H. Miller appeared for the respondent.

HAROLD J. PARETI

Admonished on February 4, 2010 (*Unreported*) for failing to act diligently in two real estate matters involving the same client. In one matter, respondent did not properly file a deed or pay various fees until three months after the closing. In the other matter, respondent did not pay fees from the proceeds of the sale until four months after the closing and only after the threat of a lien. Additionally, the client was unable to locate the respondent. Terence M. Scott appeared before the DRB for District XI and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2009.

MICHAEL G. PELLEGRINO

Reprimanded on October 26, 2010 *(Unreported)* for engaging in a conflict of interest by representing a client in the purchase of tax lien certificates from other individuals and entities from whom respondent and his law firm prosecuted tax lien foreclosures. Respondent also failed to set forth the rate or basis of his legal fee. Bruce Ackerman represented the District XB Ethics Committee and Gerard E. Hanlon represented the respondent on a motion for discipline by consent granted by the DRB.

ERIC S. PENNINGTON

Admonished on August 3, 2010 (*Unreported*) for failing to timely set forth in writing the rate or basis of his fee. Lori E. Grifa appeared before the DRB for District VA and Michael Critchley appeared for the respondent.

DUANE T. PHILLIPS

Admonished on February 26, 2010 (*Unreported*) for

engaging in the unauthorized practice of law by representing a client in divorce proceeding in Nevada, a state where the respondent was not licensed to practice law. Gina M. Merritt appeared before the DRB for District I and respondent appeared pro se.

WAYNE POWELL

Reprimanded on September 8, 2010 *(203 N.J. 441)* for misconduct in two personal injury matters, including engaging in a conflict of interest by representing the passengers and driver of a vehicle involved in an accident, failing to provide clients with written contingent fee agreements, and failing to turn over clients' files to their new attorney. Christine Cockerill appeared before the DRB for District IV and Carl D. Poplar appeared for the respondent. The respondent was previously disciplined: Reprimanded in 1995 and again in 1997.

DEIRDRE A. PRZYGODA

Disbarred by consent on December 6, 2010 *(203 N.J. 283)* for knowingly misappropriating client funds in excess of $250,000. John McGill, III represented the OAE and Peter W. Kenny represented the respondent. The respondent was previously disciplined: Temporarily suspended on October 12, 2010.

SAMUEL RAK

Reprimanded on a certified record on September 8, 2010 *(203 N.J. 381)* for grossly neglecting and failing to act diligently in a bankruptcy matter, failing to keep the client reasonably informed about the status of the case, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Arlene R. Cohn appeared before the DRB for District IIB and respondent failed to appear.

JAMES K. RECORD

Suspended for three years on September 27, 2010 *(203 N.J. 426)* for failing to safeguard in trust his client's trust funds, recklessly misappropriating the client's funds, and engaging in deception through a cover-up of his misdeeds. Respondent also manufactured a false driver's license bearing his brother's information and presented it to a police officer in an effort to avoid detection that he was driving while on the suspended list. Janice L. Richter appeared before the DRB for the OAE and respondent waived appearance.

EMIL T. RESTAINO

Suspended for six months effective July 1, 2010 *(202 N.J. 33)* for misconduct in two client matters, including lack of diligence, failure to communicate with client, failure to set forth, in writing, the rate or basis of his fee, and misrepresentation. Nancy S. Feinberg appeared before the DRB for District VC and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1991; suspended in 1992 and 1996.

LOREN K. ROBINSON

Disbarred on a certified record on January 6, 2010 *(200 N.J. 577)* for knowingly misappropriating client trust funds by transferring them to her personal checking account without the knowledge or permission of the clients and then using those funds for her personal expenses. Janice L. Richter appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was temporarily suspended from the practice of law on February 3, 2009.

DAVID S. ROCHMAN

Reprimanded on June 15, 2010 *(202 N.J. 133)* for lack of diligence, failure to communicate with a client, and failure to return fees to a client. Christine P. O'Hearn appeared before the DRB for District IV and respondent appeared pro se.

DONALD S. ROSANELLI

Suspended for three months on a certified record on September 21, 2010 *(203 N.J. 378)* for grossly neglecting a criminal matter, failing to act diligently, failing to communicate with the client, failing to return an unearned retainer, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Walton W. Kingsbery III appeared before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Suspended for 6 months in 2003 and temporarily suspended in 2009 for failure to satisfy a fee arbitration determination resulting from the representation that gave rise to the current ethics charges.

THOMAS C. ROSELLI

Reprimanded on November 15, 2010 *(204 N.J. 72)* for grossly neglecting a personal injury matter and failing to act diligently by permitting the complaint to be dismissed for lack of prosecution. In addition, respondent failed to reply to his client's reasonable requests for information about the case for more than two years and, during this time, he made misrepresentations to his client about the status of the case. Tara N. Auciello appeared before the DRB for District VIII and respondent appeared pro se.

FELICIA B. RUSSELL

Reprimanded on March 17, 2010 *(201 N.J. 410)* for notorizing a signature on a mortgage that she did not witness. Christina Blunda Kennedy represented the OAE before the DRB and David H. Dugan, III represented the respondent. The respondent was previously disciplined: Admonished in 2009.

RODRIGO H. SANCHEZ

Censured on November 16, 2010 *(204 N.J. 73)* as a result of respondent's guilty plea in the Supreme Court of New York, County of New York, to one count of attempted grand larceny in the fourth degree, a class A misdemeanor. HoeChin Kim appeared before the DRB for the OAE and Thomas Ashley appeared for the respondent.

RICHARD P. SAUNDERS

Censured on April 30, 2010 *(202 N.J. 11)* for grossly neglecting the post-closing aspects of a real estate transaction by not paying the realty transfer tax and not recording the deed for a period of two years; misrepresenting to the OAE that he had recorded the deed, knowing that he had not yet done so; and negligently misappropriating the funds he held for the realty transfer tax by removing from those funds a legal fee earned in connection with an unrelated matter he handled for the client. Also, respondent negligently misappropriated other client funds as a result of his failure to reconcile his trust account records. Michael J. Sweeney represented the OAE and Raymond F. Flood represented the respondent. This matter was discovered solely by the Random Audit Compliance Program.

RHONDI L. SCHWARTZ

Admonished on June 16, 2010 (*Unreported*) for using pre-signed signature pages for certifications submitted to the bankruptcy court with applications for stay relief. Melissa A. Czartoryski appeared before the DRB for the OAE and Kevin H. Marino appeared for the respondent.

HAL J. SHAFFER

Disbarred on May 4, 2010 (*202 N.J. 46*) for the knowing misappropriation of trust funds in four client matters. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and the respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

DANIEL N. SHAPIRO

Reprimanded on February 25, 2010 *(201 N.J. 201)* for misconduct in two client matters. In one matter, respondent engaged in gross neglect and lack of diligence by failing to probate the decedent's will, to settle the estate, and to re-file pleadings that had been rejected by the court. In the second matter, respondent failed to set forth in writing the basis or rate of his fee and lacked diligence by failing to forward his client's discovery responses to defense counsel and by failing to oppose the defendant's motions to dismiss the complaint, which were granted. Additionally, in both matters, respondent failed to communicate with his clients. N. Ari Weisbrot appeared before the DRB for District IIB and respondent appeared pro se. Respondent was previously disciplined: Reprimanded in 2002.

NEAL SHARMA

Suspended for six months on a certified record on October 5, 2010 *(203 N.J. 430)* for failing to comply with New Jersey Court Rule 1:20-20, which requires a suspended attorney to, among other things, notify all clients in pending matters of the attorney's suspension, and to file with the Director of the Office of Attorney Ethics a detailed affidavit specifying how the suspended attorney has complied with the provisions of the rule. Janice L. Richter appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded and censured in 2006; suspended in 2008.

DAN SOLOMON SMITH

Admonished on March 31, 2010 (*Unreported*) for misconduct in two client matters including gross neglect, lack of diligence and failure to communicate with clients. Francis X. Dee appeared before the DRB for District VB and respondent appeared pro se.

NATHAN SNYDER

On June 1, 2010, respondent was ordered to perform three-way reconciliations of his attorney trust account on a monthly basis and submit proof thereof to the Office of Attorney Ethics for a period of six months (*202 N.J. 28*). This Order was entered as a result of respondent failing to supervise his secretary and failing to perform monthly reconciliations of his trust account, thereby enabling his secretary's theft of over $11,000 of trust funds to go undetected for more than one year. Nitza I. Blasini appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

GREGORY J. SPADEA

Admonished on June 30, 2010 (*Unreported*) for affixing his jurat to several living will documents that had been signed outside of his presence. David Andrew Haworth appeared before the DRB for District IV and David John Khawam appeared for the respondent.

JEFFREY SQUITIERI

Censured on November 16, 2010 *(204 N.J. 219)* for misconduct in five matters, including gross neglect, lack of diligence and failure to communicate with clients in four personal injury matters, and failure to promptly deliver funds to a third party in a fifth matter. David Catuogno appeared before the DRB for District IIA, Lee A. Gronikowski appeared for the OAE and Gregory J. Irwin appeared for the respondent.

GEOFFREY L. STEIERT

Reprimanded on February 9, 2010 *(201 N.J. 119)* for

practicing law while ineligible to do so due to his request to be placed on the New Jersey Lawyers' Fund for Client Protection list of retired attorneys. Respondent also misrepresented to a third party that he had his client's authorization to present an offer of settlement and that his client intended to settle the matter for a certain amount. Jean Sharon Chetney appeared before the DRB for District IV and respondent appeared pro se.

ARTHUR E. SWIDLER

Suspended for three months on a certified record effective August 13, 2010 *(202 N.J. 334)* for negligently misappropriating client trust funds, committing numerous recordkeeping deficiencies, failing to collect funds required in two real estate transactions, failing to make payments after one of the real estate transactions, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Michael J. Sweeney appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2007 and temporarily suspended for failure to comply with a fee arbitration determination directing him to refund $700 to another client. This matter was discovered solely by the Random Audit Compliance Program.

ROBERT W. TAYLOR

Admonished on February 4, 2010 (*Unreported*) for engaging in a conflict of interest by representing a client in a will contest against a former client. Michael L. Dermody appeared before the DRB for District VI and the respondent appeared pro se.

HERBERT J. TAN

Reprimanded on March 22, 2010 *(202 N.J. 3)* for failing to act diligently in ensuring that his client, who had a language barrier, fully understood the ramifications of her decisions regarding the representation and for failing to cooperate with disciplinary authorities by ignoring the investigator's letters requesting client files and dates when he would be available for interviews. Irvin Freilich appeared before the DRB for District VA and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 2006.

A. DENNIS TERRELL

Admonished on October 5, 2010 (*Unreported*) for committing assault by auto, driving while intoxicated, and leaving the scene of an accident. Nitza I. Blasini appeared before the DRB for the OAE and the respondent appeared pro se.

GARY R. THOMPSON

Disbarred on June 15, 2010 *(202 N.J. 132)* for knowingly misappropriating settlement funds in two personal injury cases by forging the clients' names on the releases and settlement checks, depositing the checks into his personal bank account, and then spending the funds. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and Gerald Hanlon appeared for the respondent. The respondent was previously disciplined: Privately reprimanded in 1990.

RONALD M. THOMPSON

Admonished on June 23, 2010 (*Unreported*) for grossly neglecting a personal injury matter and failing to act diligently by allowing a complaint filed on behalf of a minor to be dismissed for failure to serve the defendant and then waiting for more than one year to file a motion to restore the complaint, which was denied. Respondent also failed to file a new lawsuit after the minor turned eighteen and allowed the statute of limitations to run. Moreover, respondent failed to keep the minor and her parents apprised of the status to the case and did not advise them that the case was dismissed, that the motion to restore was denied, or that the minor had two years after reaching the age of eighteen to file a complaint in her name alone. David Della-Badia appeared before the DRB for District VB and respondent appeared pro se.

TERRANCE N. TONER

Disbarred on February 22, 2010 *(Unreported)* for knowingly misappropriating client funds which he improperly placed in his attorney business account. In addition, respondent grossly neglected a collection matter and failed to act diligently by allegedly negotiating a reduced settlement with the creditor's attorney and then failing to turn over any funds to the creditor's attorney and by failing to attend to the creditor's attorney's subpoena and subsequent motion, causing a warrant to be issued for the client's arrest. Michael J. Sweeney appeared before the Supreme Court for the OAE and James P. Nolan, Jr. appeared for the respondent. The respondent was previously disciplined: Admonished in 2003 and temporarily suspended on April 1, 2009.

NOLA TRUSTAN

Suspended for three months effective April 22, 2010 *(202 N.J. 4)* for multiple acts of misconduct including entering into a business transaction with a client, and providing financial assistance to the client by purchasing a home in respondent's name for the benefit of the client, who was defending against a motion for change of custody based on a claim that client was unable to provide her children with a suitable home. Respondent also submitted to the court a Case Information Statement that respondent knew contained a false statement by the client that she owned the home which respondent had purchased for her, and a reply certification which falsely represented that client had paid the deposit and all closing costs related to the home. Then, after the termination of respondent's representation of her client, respondent suggested in an email to her former client's ex-husband, who was the grievant in this matter, that, if he dismissed the grievance, she would give him

information showing that his ex-wife was not providing appropriate care and housing for their children, in order to assist him in gaining custody. Michael Nolan appeared before the DRB for District IIIA and David H. Dugan, III appeared for the respondent.

STEPHEN TSAI

Disbarred on October 19, 2010 *(203 N.J. 581)* for knowingly misappropriating escrow funds by using them to pay for personal expenses without the permission of the individuals to whom the funds belonged. Respondent also failed to timely forward payments for title insurance in four transactions, and he was guilty of commingling personal and client funds and recordkeeping deficiencies. Janice L. Richter appeared before the Supreme Court for the OAE and Jeffrey M. Advokat appeared for the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

ROBERT A. UNGVARY

Admonished on March 31, 2010 (*Unreported*) for lacking diligence in the representation of two clients and failing to promptly deliver portions of their file to their new counsel. Linda Couso Puccio appeared before the DRB for District XI and respondent appeared pro se.

HENRY A. WALSH, JR.

Disbarred on a certified record on June 15, 2010 *(202 N.J. 134)* for practicing law while suspended, gross neglect, lack of diligence, failure to communicate with a client, and failure to cooperate with disciplinary authorities during the investigation and processing of these matters. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent has an extensive disciplinary history: Reprimanded in 2006; censured in 2007, and suspended twice in 2008.

ELWOOD J. WALZER

Censured on October 19, 2010 *(203 N.J. 581)* for shoplifting merchandise from a blind vendor on at least fourteen occasions over the course of more than one month. Michael J. Sweeney appeared before the DRB for the OAE and the respondent waived appearance for oral argument.

JOHN L. WEICHSEL

Admonished on April 23, 2010 (*Unreported*) for failing to communicate with a client in connection with a post conviction relief motion. Christopher E. Torkelson appeared before the DRB for District VII and respondent appeared pro se.

JAMES S. WEISS

Disbarred by consent on April 29, 2010 *(202 N.J. 36)* for knowingly misappropriating client trust and escrow funds. Lee A. Gronikowski represented the OAE before the Supreme Court and Justin T. Loughry represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

KARIN R. WHITE-MORGEN

Suspended for three years effective July 1, 2010 *(202 N.J. 29)* as a result of her disbarment in the State of Florida. The Florida disbarment was based on respondent's unauthorized use of her deceased mother-in-law's department store credit card to purchase items for herself and her then husband. Respondent also converted substantial amounts of her incapacitated father-in-law's funds. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and Gerard E. Hanlon appeared for the respondent.

AVIS COLE WILLIAMS

Disbarred by consent on September 23, 2010 *(203 N.J. 495)* as a result of respondent's criminal conviction in the Superior Court of New Jersey, Law Division, Atlantic County, for second degree distribution of a controlled dangerous substance, in violation of N.J.S.A. 2C:35-5, and for fourth degree issuing a bad check, in violation of N.J.S.A. 2C:21-5. Nitza I. Blasini represented the OAE and James J. Leonard, Jr. represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2008.

DAVID J. WITHERSPOON

Suspended for one year effective August 24, 2010 *(203 N.J. 343)* for offering discounted legal services or fee reductions to three female clients and the daughter of another client in exchange for sexual favors, practicing law while ineligible to do so for failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection, and failing to maintain the books and records required of attorneys. John McGill, III appeared before the Supreme Court for the OAE and Bernard K Freamon appeared for the respondent. The respondent has a significant prior disciplinary history: Admonished in 2002; reprimanded on 2003; admonished again in 2003; and censured in 2008.

2009

ARNOLD M. ABRAMOWITZ

Suspended on a certified record for three months effective March 13, 2009 *(197 N.J. 505)* for grossly neglecting a real estate transaction and preparing a RESPA statement containing false information. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent failed to appear. Respondent was previously disciplined: Admonition in 1995, 1996 and 1997; reprimanded in 2008.

OUSMANE DHU'L-NUN AL-MISRI

Censured on February 10, 2009 *(197 N.J. 503)* for grossly neglecting a real estate matter, commingling personal and trust funds, committing recordkeeping violations, and practicing law while ineligible to do so due to failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection. Walton W. Kingsbery, III appeared before the DRB for the OAE and David Dugan appeared for respondent. Respondent was previously disciplined: Admonition in 1996 and again in 2002.

ELISA AMBROSIO

Reprimanded on November 17, 2009 *(200 N.J. 434)* for failing to safeguard clients' funds, committing recordkeeping violations, and making disbursements against uncollected funds. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Random Audit Compliance Program.

JOHN SCOTT ANGELUCCI

Suspended for three years on a certified record effective May 9, 2009 *(197 N.J. 469)* for failing to comply with a prior Supreme Court order that he comply with Rule 1:20-20 regarding activities of suspended attorneys and file an affidavit of compliance therefor. Walton Kingsbery, III appeared before the DRB for the OAE and respondent failed to appear. Respondent was previously disciplined: Reprimanded in 2005; temporarily suspended in 2007; and suspended twice in 2008.

CHARLES E. AUSTIN

Reprimanded on May 5, 2009 *(198 N.J. 599)* for practicing law while ineligible to do so for failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection, committing recordkeeping violations, and making false statements on the annual attorney registration statement about the existence of New Jersey attorney bank accounts. Kathleen Goger appeared before the DRB for District VB and respondent waived appearance.

MARK A. BAILEY

Suspended for six months effective November 6, 2009 *(200 N.J. 277)* for committing arson by setting his motor vehicle on fire and then filing a false claim with his automobile insurance company with the intent to defraud the company. Christina Blunda Kennedy appeared before the DRB for the OAE and Robert J. DeGroot appeared on behalf of the respondent.

WILLIAM J. BEGLEY

Admonished on December 1, 2009 (*Unreported*) for notorizing signatures on a real estate deed and affidavit of consideration that he did not witness. John McGill, III appeared before the DRB for the OAE and respondent appeared pro se.

BARRY J. BERAN

Admonished on November 25, 2009 (*Unreported*) for failing to advise client, for whom he was unable to successfully negotiate credit card pay-off amounts, of the possible avenues available to the client and the consequences that could result from whatever action she was inclined to take. Andrew Karcich appeared before the DRB for District IV and respondent appeared pro se.

JOSE VICTOR BERNARDINO A/K/A JOSEPH BERNARDINO

Suspended for three years effective February 28, 2009 *(198 N.J. 377*) based on discipline imposed in the Commonwealth of Pennsylvania for failing to disclose in his application to practice law before the United States Patent and Trademark Office that he was under criminal and disciplinary investigation, actively misleading the Patent and Trademark Office about the status of the disciplinary investigation, and failing to provide complete information and documentation with respect to an outstanding tax liability to the federal government. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Suspended in 2008.

LAURIE JILL BESDEN

Suspended for three years retroactive to December 1, 2005 *(200 N.J. 269)* based upon her suspension for three years in Pennsylvania following her criminal convictions for DUI in that Commonwealth and drug-related offenses in both Pennsylvania and New Jersey. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent appeared pro se.

JOHN WILLIAM BJORKLUND, JR.

Admonished on a certified record on October 6, 2009 *(Unreported)* for engaging in a conflict of interest by simultaneously representing two criminal defendants whose interests were directly adverse. Melissa A. Czartoryski

appeared before the DRB for the OAE and respondent failed to appear.

KEVIN M. BOSWORTH

Disbarred by consent on November 19, 2009 *(200 N.J. 433)* for preparing false and fraudulent HUD-1 Settlement Statements in connection with three real estate closings and then knowingly misappropriating mortgage proceeds on deposit in his attorney trust account by wrongfully distributing those funds to himself and others with no connection to or interest in the transactions. Walton W. Kingsbery, III represented the OAE and Frances A. Hartman represented the respondent. The respondent was temporarily suspended on March 18, 2008.

JAMES D. BRADY

Censured on a certified record on February 10, 2009 *(198 N.J. 5*) for committing numerous recordkeeping violations, commingling personal and trust funds, and for failing to reply to a disciplinary authority's request for information. Michael J. Sweeney appeared before the DRB for the OAE and respondent failed to appear. Respondent was previously disciplined: Admonished for conduct in two client matters in 2003. This matter was discovered solely as a result of the Random Audit Compliance Program.

DAVID S. BRANTLEY

Censured on April 28, 2009 *(198 N.J. 451)* for holding client's cash deposit for real estate in respondent's office safe instead of depositing same in his trust account. John McGill, III appeared before the DRB for the OAE and respondent appeared pro se. The respondent has an extensive prior disciplinary history: Privately reprimanded in 1982, twice in 1988 and again in 1997; suspended in 1991, 1995 and twice in 2002.

ANDREW J. BREKUS

Censured on June 30, 2009 *(199 N.J. 510*) for neglecting a client's personal injury case and allowing it to be dismissed for lack of prosecution. In addition, respondent did not communicate with client. Nitza I. Blasini appeared before the DRB for the OAE and respondent failed to appeared. The respondent was previously disciplined: Admonished in 2000 and reprimanded in 2006.

ANDREW J. BREKUS

Suspended for one year effective September 1, 2008 *(199 N.J. 511*) as a result of his suspension for one year and one day in the Commonwealth of Pennsylvania. That suspension was based on respondent's misconduct in two client matters, including failure to communicate with client, failure to timely return client's file, failure to safeguard funds given in payment of fees and costs, failure to withdraw from representation of a client if the representation would result in violation of the Rules of Professional Conduct, making misrepresentations to a client and on respondent's Pennsylvania registration statement, and practicing law while inactive in Pennsylvania and ineligible in New Jersey. Nitza I. Blasini appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2000 and reprimanded in 2006.

KEVIN J. CARLIN

Suspended for three months effective March 12, 2009 *(197 N.J. 501*) for failing to promptly refund the unearned portion of a retainer upon termination of representation and then disbursing it to the wrong recipient. Robert Rothenberg appeared before the DRB for District VII and Robert Ramsey represented the respondent. Respondent was previously disciplined: Reprimanded in 2003; censured in 2006.

DEBBIE ANN CARLITZ

Reprimanded on February 10, 2009 *(198 N.J. 3*) based on respondent's suspension in the Commonwealth of Pennsylvania for practicing law while ineligible to do so for failure to comply with continuing education requirements. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent failed to appear.

V. JAMES CASTIGLIA

Reprimanded on January 27, 2009 (*197 N.J. 465*) for failing to adequately advise a real estate client of all of her rights under the contract for sale of real estate, engaging in a conflict of interest, and failing to act diligently in the real estate matter by not obtaining a certificate of occupancy from the seller or contractor before the closing. John McGill, III appeared before the DRB for the OAE and Pamela Lynn Brause represented the respondent. The respondent was previously disciplined: Admonished in 1997 and reprimanded in 1999.

WILLIAM N. CHANGO
AKA WILLIAM N. CHANGO, JR.

Disbarred by consent on March 12, 2009 *(198 N.J. 481)* for knowingly misappropriating client's trust funds. Christina Blunda Kennedy represented the OAE and Allen J. Underwood, II represented the respondent.

ROSALYN C. CHARLES

Admonished on February 11, 2009 (*Unreported)* for failing to reply to a client's attempts to communicate with respondent about the status of client's divorce case and for permitting the divorce complaint to be dismissed for failure to prosecute it. Betsy W. Bresnick appeared before the DRB for District VB and respondent appeared pro se.

MATTHEW GEORGE CONNOLLY

Admonished on March 31, 2009 *(Unreported)* for practicing law while ineligible to do so for failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection. Antonio Coppola appeared before the DRB for District VI and respondent appeared pro se.

MATTHEW GEORGE CONNOLLY

Disbarred by consent on May 14, 2009 *(198 N.J. 639)* for knowingly misappropriating approximately $500,000 from his attorney trust account without the knowledge or permission of his clients. Michael J. Sweeney represented the OAE and Thomas J. Cammarata represented the respondent. The respondent was temporarily suspended from the practice of law on February 10, 2009. This matter was discovered solely as a result of the Random Audit Compliance Program.

MARCIA L. CZAPELSKI

Admonished on June 25, 2009 *(Unreported)* for failing to ensure that trust funds were properly safeguarded thereby allowing respondent's partner to knowingly misappropriate trust funds received by respondent's law firm in connection with a real estate transaction. John McGill, III appeared before the DRB for the OAE and respondent appeared pro se.

PIETER J. DEJONG

Disbarred on a certified record on September 29, 2009 *(200 N.J. 275)* for knowingly misappropriating $264,551 in escrow funds he was obligated to hold for the benefit of a real estate client. Respondent was also guilty of failing to maintain appropriate trust accounting records as required by *Rule 1:21-6*, including failure to reconcile the trust account, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and respondent failed to appear.

ROBERT J. DE MERS, JR.

Reprimanded on February 24, 2009 *(198 N.J. 377)* for failing, as attorney for a Zoning Board of Adjustment, to prepare memorialization resolutions as required by statute even when ordered to do so by two judges and by at least two Board chairs. Bruce Atkins appeared before the DRB for District IIB and respondent appeared pro se.

THOMAS DESENO

Reprimanded on July 9, 2009 *(200 N.J. 201*) for failing to take or return client's telephone calls and failing to keep client updated on the status of the case. Respondent also failed to cooperate with disciplinary authorities by ignoring several telephone calls from the disciplinary investigator and never replying to the grievance. Jennifer Stone Hall appeared before the DRB for District IX and respondent appeared pro se.

MARC F. DESIDERIO

Disbarred on January 6, 2009 *(197 N.J. 419)* as a result of his criminal conviction in the United States District Court for the Southern District of Florida of conspiracy to commit money laundering, in violation of 18 U.S.C.A. §371 and §1956(h). Specifically, the respondent was involved with individuals operating a substantial marijuana distribution organization. He assisted the criminal enterprise over a series of years (since 1994) by leasing or purchasing property in New Jersey and Florida, enabling the crime's principals to launder funds and to conceal their criminal activities from law enforcement authorities. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2007.

JOHN LOUIS D'INTINO, JR.

Disbarred by consent on August 10, 2009 *(200 N.J. 199)* for knowingly misappropriating client funds in twenty-three (23) client matters. Walton W. Kingsbery, III represented the OAE and Brian E. Quinn represented the respondent.

WALTER RYAN DOGAN

Suspended for six months effective April 10, 2009 *(198 N.J. 479)* as a result of discipline imposed in the State of Georgia after it was discovered that respondent altered his pay stubs in connection with child support proceedings instituted against him in an effort to convince the court that his earnings were substantially less than they were. Janice L. Richter appeared before the Supreme Court for the OAE and Eduardo Cruz-Lopez appeared for the respondent.

DONALD N. ELSAS

Reprimanded on February 27, 2009 *(198 N.J. 379)* for failing to act diligently in his handling of an estate, negligently misappropriating $12,000 of the estate's funds, and failing to comply with requests for information about the administration of the estate. Janice L. Richter represented the OAE and David H. Dugan represented the respondent.

NEDUM C. EJIOGU

Suspended for one year effective July 20, 2000 *(197 N.J. 425)* for failing to safeguard trust funds in three real estate transactions by turning the funds over to a third party whom he believed would properly disburse them, but did not. He also certified the truth of the HUD settlement statement, which, in fact, was inaccurate. John McGill, III represented the OAE before the DRB and Dominic Toto represented the respondent. The respondent was previously disciplined: Admonished in

1999; admonished in 2002 and temporarily suspended in 2000.

JAMES C. EZEILO

Suspended for three months on September 14, 2009 *(200 N.J. 219)* for grossly neglecting a client's personal injury matter and failing to act diligently by allowing the case to be dismissed for lack of prosecution. Respondent also closed his law office and moved out of state without notifying his client that he was doing so and without withdrawing from the representation. Respondent did not return client's file and did not advise the court that he was withdrawing from the matter. John Michael Falzone, III appeared before the Supreme Court for District VA and respondent appeared pro se.

JAMES C. EZEILO

Reprimanded on September 14, 2009 *(200 N.J. 218*) for negligently misappropriating client's escrow funds due to his failure to perform regular reconciliations of his trust account records. Respondent was also guilty of recordkeeping violations. Janice L. Richter appeared before the Supreme Court for the OAE and the respondent appeared pro se.

EDWARD D. FAGAN

Disbarred on June 18, 2009 *(199 N.J. 317)* for knowingly misappropriating client and escrow funds. John McGill, III appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 2002 and admonished in 2003.

NINO F. FALCONE

Censured on December 9, 2009 *(201 N.J. 12)* for failing to safeguard funds by losing a $12,000 deposit check given to him by the purchaser of real estate in his capacity as attorney for the seller, allowing his client to sign a RESPA statement containing an entry that the $12,000 deposit was being held in escrow when he knew that the deposit check had been lost, and creating a concurrent conflict of interest by representing the seller in the sale of a house to another client respondent was representing in the purchase of another property. Nitza I. Blasini appeared before the DRB for the OAE and Joseph Castiglia represented the respondent. The respondent was previously disciplined: Reprimanded in 2001.

JEFFERY BRIAN FEINMAN

Disbarred by consent on April 8, 2009 *(198 N.J. 528)* for knowingly misappropriating clients' trust funds in the Commonwealth of Pennsylvania, for which he was suspended for two years in that Commonwealth. Walton W. Kingsbery, III represented the OAE before the Supreme Court and Dana Pirone Garrity represented the respondent.

EDWARD M. FINK

Disbarred by consent on May 8, 2009 *(198 N.J. 618)* for engaging in the knowing misappropriation of trust funds. Melissa A. Czartoryski represented the OAE and Robert S. Raymar represented the respondent. The respondent was previously suspended in 1995. This case was discovered solely as a result of the Trust Overdraft Notification Program.

THOMAS F. FLYNN

Admonished on February 20, 2009 (*Unreported*) for several recordkeeping violations including failure to properly reconcile trust account records, failure to zero-out trust account balance, withholding in excess of $100,000 in trust to satisfy liens and not making attempts to pay off or compromise the amount of the liens, and failure to diligently ascertain the identity of owners of funds held in trust. Melissa Czartoryski appeared before the DRB for the OAE and Carl Poplar represented the respondent.

MARK W. FORD

Reprimanded on September 9, 2009 *(200 N.J. 262)* for filing an answer to a civil complaint filed against respondent and his client at a time when his interests were directly adverse to his client, for failing to advise client that client may have a claim against him for legal malpractice, for failing to advise client in writing to seek the advice of independent counsel, and for trying to negotiate separate settlement agreements of the claim against him, to the client's detriment. Nitza Blasini appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 1998 and admonished in 2002.

JONATHAN FRIEDMAN

Disbarred on May 5, 2009 *(198 N.J. 598)* for knowing misappropriation of trust funds by lending funds from one client to another client without obtaining the consent of the lending client. Maureen G. Bauman appeared before the Supreme Court for the OAE and respondent appeared pro se.

ANTHONY J. FUSCO, JR.

Reprimanded on January 20, 2009 *(197 N.J. 428)* for knowingly making a false statement of material fact in connection with a disciplinary matter and for conduct involving dishonesty, fraud, deceit or misrepresentation. Thomas P. DeVita appeared before the DRB for District XI and Justin P. Walder represented the respondent. The respondent was previously disciplined: Reprimanded in 1995.

ANTHONY J. FUSCO, JR.

Suspended for three months effective February 20, 2009 *(197 N.J. 428)* for failing to adopt and maintain

reasonable efforts to ensure that the conduct of a nonlawyer employee was compatible with the lawyer's professional obligations, sharing legal fees with the nonlawyer, and engaging in conduct involving dishonesty, fraud, deceit or misrepresentation. Michael J. Sweeney appeared before the Supreme Court for the OAE and Justin P. Walder represented the respondent. The respondent was previously disciplined: Reprimanded in 1995. This matter was discovered solely as a result of the Random Audit Compliance Program.

MARC A. FUTTERWEIT

Admonished on March 20, 2009 (*Unreported*) for failing to keep client informed about the status of his case and failing to reply to client's reasonable requests for information about the matter. Robin Christen Brogan appeared before the DRB for District X and Gerard Hanlon represented the respondent.

ALFRED V. GELLENE

Admonished on June 9, 2009 *(Unreported)* for failing to provide client with a writing setting forth the basis or rate of respondent's fee for handling client's criminal appeal and failing to take steps required to have client's case transferred from the Public Defender's Office who had represented client at trial. Daniel B. Carroll appeared before the DRB for District X and Edward J. Gilhooly appeared for the respondent.

THOMAS A. GIAMANCO

Suspended for one year effective November 8, 2009 on a certified record *(197 N.J. 494)* for failing to comply with a prior Supreme Court order that he comply with Rule 1:20-20 regarding activities of suspended attorneys and file an affidavit of compliance therefor. Janice L. Richter appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1999; censured in 2005; suspended for three months in 2006; suspended for one year plus an additional six months in 2008.

ANTHONY J. GIAMPAPA

Censured on December 9, 2009 *(200 N.J. 478)* for not promptly disbursing from his trust account funds that either a client or a third party was entitled to receive and for failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Janice L. Richter appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Privately reprimanded twice in 1988; admonished in 2007; and censured in 2008.

DOREEN M. GOLDBRONN

Censured on January 13, 2009 *(197 N.J. 424)* based on respondent's 60-day suspension in the State of Florida for violating a number of rules including conflict of interest, entering into a business transaction with a client without following the disclosures required by ethics rules, knowingly making a false statement of material fact or law to a tribunal, and conduct prejudicial to the administration of justice. Lee A. Gronikowski appeared before the DRB for the OAE and respondent appeared pro se.

ELLIOT H. GOURVITZ

Reprimanded on September 9, 2009 *(200 N.J. 261)* for misconduct in three client matters. In two of these matters, respondent had matrimonial clients sign a retainer agreement containing a clause requiring the payment of a "non-refundable fee," contrary to New Jersey Court Rule 5:3-5(b), which prohibits non-refundable retainers in matrimonial matters. In the third matter, respondent failed to return an unearned retainer until several months after the termination of the representation by the client. Robert J. Logan appeared before the DRB for District XII and respondent waived appearance. The respondent was previously disciplined: Reprimanded in 2005.

HORATIUS A. GREENE II

Disbarred on September 14, 2009 *(200 N.J. 221)* for knowingly misappropriating client and escrow funds from his trust account. Respondent admittedly used the funds for purposes unrelated to the clients' matter, such as his cousin's mortgage reinstatement and for business expenses to keep his law firm afloat. Michael J. Sweeney represented the OAE before the Supreme Court and respondent waived appearance. This matter was discovered solely as a result of the Random Audit Compliance Program.

STEVEN H. GRIFFITHS

Censured on November 2, 2009 *(200 N.J. 431)* as a result of his suspension for one year and one day in the Commonwealth of Pennsylvania for continuing the legal representation of clients after being transferred to inactive status for failure to fulfill his Continuing Legal Education credits and for misrepresenting the reason for his transfer to inactive status. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent waived appearance.

RAYMOND L. HAMLIN

Admonished on June 11, 2009 *(Unreported)* for attempting to collect a $50,000 fee from a client in a personal injury matter that respondent agreed to handle on a contingency fee basis despite the fact that the complaint against the defendant was dismissed on a motion for summary judgment. Also, respondent failed to reduce to writing the terms of the fee agreement with the client. Albert E. Fershing appeared before the DRB for District VC and respondent appeared pro se.

CHRISTOPHER K. HARRIOTT

Admonished on July 17, 2009 *(Unreported)* for practicing law while ineligible to do so for failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se.

JACQUELINE R. HARRIS

Censured on November 2, 2009 *(200 N.J. 430)* for failing to notify a third party of the receipt of settlement proceeds in which the third party had an interest, failing to deliver the proceeds of the settlement to the third party to satisfy its lien, and disbursing funds to client and respondent prior to satisfying the third party's lien. Respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. James H. Forte appeared before the DRB for District VB and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2001.

STANLEY J. HAUSMAN

Disbarred on May 5, 2009 *(198 N.J. 600)* for knowingly misappropriating more than $90,000 in client funds to another client without authorization. John McGill, III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for five years in 2003.

RICHARD C. HEUBEL

Admonished on September 24, 2009 (*Unreported*) for notarizing a signature on a deed that respondent did not witness. John A. Young, Jr. appeared before the DRB for District VI and respondent appeared pro se.

PAUL J. HIRSH

Disbarred by consent on September 8, 2009 *(200 N.J. 215)* as a result of respondent's guilty plea in the Superior Court of New Jersey to two counts of forgery, two counts of misapplication of entrusted funds, and one count of contempt of a Surrogate Court Order. John McGill, III represented the OAE before the Supreme Court and John C. Whipple represented the respondent.

SEAN T. HOGAN

Admonished on December 2, 2009 (*Unreported*) for giving legal advice to a client of an attorney for whom he worked as a paralegal at a time when he was not a member of the New Jersey bar. Respondent also displayed in the lobby of the office building a business card that did not state he was not admitted to the New Jersey bar. Nestor Guzman, Jr. appeared before the DRB for District XI and respondent appeared pro se.

ROBERT P. HOOPES

Admonished on March 27, 2009 (*Unreported*) for engaging in conflicts of interest by filing a complaint against his own client while still representing client in a personal injury matter, obtaining a judgment against client and executing on it; sponsoring client's race car and advertising his law practice on the car at a time when he was representing client; and purchasing client's interest in a race car that was jointly owned with client while representing him in pending litigation. Christopher R. Stockton appeared before the DRB for District IIIB and respondent appeared pro se.

PHILIP BRENT HOVER

Disbarred by consent on August 31, 2009 *(200 N.J. 213)* for knowingly misappropriating client trust funds by taking fees respondent had not yet earned. Christina Blunda Kennedy represented the OAE before the Supreme Court and Albert Burstein represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

THOMAS JOEL IZSO

Disbarred on a certified record on May 6, 2009 *(198 N.J. 596)* for knowingly misappropriating more than $61,000 in client funds in three matters. Respondent also made misrepresentations to the OAE about the cause of his trust account shortfalls and he failed to cooperate with disciplinary authorities by refusing to participate in an interview with OAE investigators. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent failed to appear. The respondent was temporarily suspended from the practice of law on October 30, 2007. This case was discovered solely as a result of the Trust Overdraft Notification Program.

EDWARD GLEN JOHNSON

Admonished on August 4, 2009 (*Unreported*) for failure to safeguard funds. Specifically, respondent allowed one of two clients he represented in the sale of a house they owned together to invest all of the closing proceeds without the knowledge or consent of the other. Linda Couso Puccio appeared before the DRB for District XI and Scott Piekarsky appeared for the respondent.

ANTHONY CLYDE JONES

Suspended for three months on January 27, 2009 on a certified record *(197 N.J. 467)* for failing to file an affidavit of compliance in accordance with Rule 1:20-20 following a temporary suspension imposed due to his failure to satisfy the award of a district fee arbitration committee and for failing to cooperate with disciplinary authorities. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously censured in 2008.

EDWARD S. KAHN

Admonished on February 26, 2009 (*Unreported*) for failure to promptly pay medical bills after clients' cases were settled, failure to promptly disburse funds belonging to clients, and commingling client and personal funds by not promptly removing earned legal fees from trust account. Janice L. Richter appeared before the DRB for the OAE and Daniel Cantor represented the respondent.

ANDREW M. KIMMEL

Censured on March 24, 2009 *(198 N.J. 505)* for misconduct in two client matters, including failing to turn over a client file to subsequent counsel, practicing law while ineligible to do so for failure to pay the annual assessment to the Lawyers' Fund for Client Protection, and failing to cooperate with disciplinary authorities during the investigation and processing of these matters. George D. Schonwald appeared before the Supreme Court for District X and respondent appeared pro se.

ANDREW M. KIMMEL

Reprimanded on March 24, 2009 *(198 N.J. 506)* for agreeing to file an appeal in a family court matter, but failing to do so, and for failing to reply to client's reasonable requests for information about his case. Robert W. McAndrew appeared before the Supreme Court for District X and respondent appeared pro se.

ANDREW M. KIMMEL

Suspended for three years on March 24, 2009 *(198 N.J. 503)* for borrowing $30,000 from an estate for which respondent served as executor and trustee without the knowledge or consent of the beneficiary, grossly neglecting the estate, charging excessive fees, failing to make a specific bequest contained in the will, misrepresenting to the New Jersey Supreme Court that he was emotionally, psychologically and medically unable to handle a court proceeding or cooperate with disciplinary authorities, violating a restraining order prohibiting him from contacting his ex-girlfriend, and failing to comply with the provisions of *Rule 1:20-20* dealing with suspended attorneys. Lee Gronikowski appeared before the Supreme Court for the OAE and respondent appeared pro se.

ANDREW M. KIMMEL

Disbarred by consent on September 17, 2009 *(200 N.J. 225)* as a result of respondent's conviction in the Superior Court of New Jersey, Law Division, Morris County for engaging in the unauthorized practice of law in violation of N.J.S.A. 2C:21-22b(1) and N.J.S.A. 2C:21-22b(2). Lee A. Gronikowski represented the OAE before the Supreme Court and Brian D. Kenney represented the respondent. The respondent was previously disciplined: Reprimanded, censured and suspended all in 2009.

EDWARD J. KING

Reprimanded on February 10, 2009 *(197 N.J. 499)* based on respondent's consent to a one-year suspension in the Commonwealth of Pennsylvania for falsely checking "no" to questions in a law school application and in applications to the Pennsylvania and New Jersey Bars regarding whether he had ever been arrested for or charged with violations of any law. Nitza I. Blasini appeared before the DRB and respondent appeared pro se.

S. DORELL KING

Censured on April 28, 2009 *(198 N.J. 448*) for failing to take possession of a cash deposit for real estate being held by client's previous attorney in his office safe and failing to deposit same in respondent's trust account. John McGill, III appeared before the DRB for the OAE and respondent appeared pro se. The respondent has an extensive prior disciplinary history: Reprimanded in 1998; suspended in 1999, 2002 and 2004.

RUSSELL T. KIVLER

Disbarred on January 5, 2009 *(197 N.J. 255)* for failing to keep his clients reasonably informed, failing to surrender papers to a client upon termination of the representation, failing to comply with the rules of a tribunal, failing to cooperate with disciplinary authorities, engaging in gross neglect and conduct prejudicial to the administration of justice, exhibiting a pattern of neglect of several client matters and failing to comply with Rule 1:20-20 which governs the conduct of suspended attorneys. Janice L. Richter appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2005; reprimanded in 2006; temporarily suspended in 2006; suspended for three months in 2007; and suspended for three years in 2008.

GEORGE R. KORPITA

Suspended for three months on February 2, 2009 *(200 N.J. 183)* as a result of a Motion for Final Discipline based upon respondent's guilty plea in the Superior Court of New Jersey, Law Division, Morris County, to the third degree crime of threat to a public servant (N.J.S.A. 2C:27-3(a)(3)) and driving while intoxicated (N.J.S.A. 39:4-50). Michael J. Sweeney appeared before the DRB for the OAE and Frederick Dennehy appeared for the respondent.

JEFFREY L. KRAIN

Suspended for one year retroactive to November 18, 2008 *(___ N.J. ___)* as a result of his suspension for four years in the Commonwealth of Pennsylvania. That suspension was based upon respondent's improper practice of law in that state for a period of more than seven years while on inactive status and his guilty plea to sixteen counts of state tax law violations

with respect to a Philadelphia restaurant that he owned. Walton W. Kingsbery, III appeared before the DRB for the OAE and Katherine D. Hartman appeared for the respondent.

RICHARD H. KRESS

Disbarred on July 16, 2009 *(199 N.J. 601)* for knowingly misappropriating clients' trust and escrow funds, making misrepresentations, fabricating documents and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Janice L. Richter appeared before the Supreme Court for the OAE and Robyn M. Hill appeared for the respondent. The respondent has an extensive prior disciplinary history: Suspended in 1992; reprimanded in 1996; suspended in 2003 and in 2006.

STEPHEN D. LANDFIELD

Suspended for six months retroactive to July 27, 2006 *(197 N.J. 505)* for misconduct in nine client matters including gross neglect, pattern of neglect, failure to communicate with clients, record keeping violations, negligent misappropriation of client funds, failure to cooperate with disciplinary authorities, and failure to comply with *Rule 1:20-20* after he was temporarily suspended. John McGill, III appeared before the DRB for the OAE and Mitchell H. Cobert represented the respondent. Respondent was previously disciplined: Admonition in 2003; suspended on three separate occasions in 2006.

JOSEPH C. LANE

Admonished on October 21, 2009 (*Unreported*) for grossly neglecting two real estate matters by not recording the deeds until over one year after the closing, thereby resulting in an IRS lien being improperly placed on the property. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent appeared pro se.

GARRETT A. LARDIERE

Censured on September 22, 2009 *(200 N.J. 267)* for improperly sharing fees with a company that retrieves surplus funds from sheriff's sales of foreclosed properties. Respondent was also guilty of recordkeeping violations and failure to cooperate with disciplinary authorities during the investigation and processing of this matter. Walton W. Kingsbery, III appeared before the DRB for the OAE and Robyn Hill appeared for the respondent.

DANIEL G. LARKINS

Admonished on October 8, 2009 (*Unreported*) for grossly neglecting a personal injury matter and failing to act diligently by permitting the complaint to be dismissed. Respondent also failed to communicate with his client and failed to turn over the client's file upon termination of the representation. Peter M. Weiner appeared before the DRB for District VI and respondent appeared pro se.

ROBERT W. LAVESON

Admonished on March 27, 2009 (*Unreported*) for failing to cooperate with disciplinary authorities during an investigation into whether respondent had practiced law while on the ineligible list for failure to pay the annual attorney assessment to the New Jersey Lawyers' Fund for Client Protection. Joseph E. Ruth appeared before the DRB for District I and respondent appeared pro se.

GARY J. LESSER

Disbarred on September 15, 2009 *(200 N.J. 222)* as a result of respondent's criminal conviction in the United States District Court for the Eastern District of Pennsylvania for wire fraud, money laundering, and aiding and abetting. Additionally, respondent engaged in a conflict of interest, devised and executed a fraudulent transaction, made false statements of material fact to his clients and to a financial institution, engaged in the unauthorized practice of law, and practiced while suspended. Janice L. Richter represented the OAE before the Supreme Court and George T. Daggett represented the respondent. The respondent was previously disciplined: Privately reprimanded in 1989; suspended twice in 1995; suspended again in 1996.

KURT G. LIGOS

Disbarred by consent on October 15, 2009 *(200 N.J. 280)* for engaging in the knowing misappropriation of client trust funds/escrow funds/fiduciary funds. Melissa A. Czartoryski represented the OAE before the Supreme Court and Gerard E. Hanlon represented the respondent.

JOSEPH J. LOWENSTEIN

Suspended for three months effective October 23, 2009 *(200 N.J. 227)* for misconduct in four client matters, including neglect, lack of diligence and failure to communicate with clients. John Pogorelec, Jr. appeared before the DRB for District XI and Miles Feinstein appeared on behalf of the respondent. The respondent was previously disciplined: Admonished in 2006; reprimanded in 2007; and censured in 2008.

JOHN G. LYNCH, JR.

Disbarred by consent on March 6, 2009 *(___ N.J. ___)* for knowingly misappropriating $45,207 of trust funds to pay his own personal expenses. The respondent also, in separate matters, knowingly misappropriated $8,663.01 in funds he was holding for other clients, without their knowledge or consent, to pay his personal mortgage. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and Richard Kahn represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

ROY R. MACALUSO

Censured on January 20, 2009 *(197 N.J. 427)* for failing to adopt and maintain reasonable efforts to ensure that the conduct of a nonlawyer employee was compatible with the lawyer's professional obligations, sharing legal fees with the nonlawyer, and failing to inform disciplinary authorities of another lawyer's violation of the Rules of Professional Conduct. Michael J. Sweeney appeared before the DRB for the OAE and Justin P. Walder represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

PETER E. MANOLAKIS

Censured on January 27, 2009 *(197 N.J. 467)* for practicing law while ineligible to do so due to his failure to pay the annual attorney assessment to the New Jersey Lawyers' Fund for Client Protection and for failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent failed to appear.

RICHARD A. MARCUS

Suspended for nine months, effective December 30, 2007 *(197 N.J. 422)* as a result of respondent's suspension for three years by the State of California in which respondent helped plan and arrange a sham marriage to emancipate a 16-year old girl in order to circumvent a valid custody order. Walton W. Kingsbery, III represented the OAE before the DRB and respondent appeared pro se.

STEVEN H. MARKS

Reprimanded on December 7, 2009 *(___ N.J. ___)* for grossly neglecting a client's matter and failing to act diligently by permitting the complaint to be dismissed for failure to answer interrogatories and by not taking steps to reinstate the complaint prior to the expiration of the statute of limitations. Moreover, the respondent failed to disclose to his client that the complaint had been dismissed and ignored his client's multiple attempts to communicate with him. Finally, on those occasions when the client was successful in contacting him, respondent stated to him that he "[hadn't] heard anything yet" and that he would let the client know the status of the case when respondent learned of it. James J. Byrnes appeared before the DRB for District XII and respondent appeared pro se.

SAM S. MATTHEWS

Disbarred by consent on May 7, 2009 *(198 N.J. 617)* for the knowing misappropriation of trust funds when he wrote $35,500 in checks to himself against funds which he was holding in escrow. The respondent also, in a second matter, knowingly misappropriated almost $100,000 of another client's funds. Michael J. Sweeney represented the OAE and Robert E. Margulies represented the respondent. This case was discovered solely as a result of the Trust Overdraft Notification Program.

ROBERT M. MAYEROVIC

Admonished on June 9, 2009 (*Unreported*) for multiple recordkeeping deficiencies. Michael J. Sweeney appeared before the DRB for the OAE and William Z. Shulman appeared on behalf of the respondent. This matter was discovered solely by the Random Audit Compliance Program.

KENNETH S. MEYERS

Censured on December 9, 2009 *(200 N.J. 480)* for agreeing to file a complaint on behalf of a real estate client and then failing to take action in this regard for five months. Respondent also failed to keep his client adequately informed about important aspects of the case. Michael Rogers appeared before the DRB for District XIII and respondent appeared pro se. The respondent was previously disciplined: Suspended in 1992 and reprimanded in 2008.

MATTHEW M. MILLICHAP

Suspended on a certified record for three months effective April 10, 2009 *(198 N.J. 478*) for misrepresenting to a client that his office operated as a professional corporation and that he maintained liability insurance, failing to comply with a series of court orders issued in a legal malpractice action against the respondent, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Thomas M. Moore appeared before the DRB for District VC and respondent failed to appear.

G. JEFFREY MOELLER

Suspended for three months effective December 9, 2009 *(201 N.J. 11)* for failing to provide his client with a writing setting forth the basis or rate of his fee, borrowing $3,000 from his client without advising the client of his right to consult with counsel, and failing to communicate with his client when he left his former law firm. Andrew Epstein appeared before the DRB for District VC and Michael S. Weinstein appeared for the respondent. The respondent was previously disciplined: Suspended in 2003 and reprimanded in 2006.

JOHN J. MONTEFUSCO

Disbarred by consent on June 4, 2009 *(199 N.J. 138)* as a result of respondent's guilty plea in the United States District Court for the District of New Jersey to honest services mail fraud in violation of 18 U.S.C.A. 1341, 1346 and 2. Michael J. Sweeney represented the OAE and Michael P. Ambrosio represent the respondent. Respondent was temporarily suspended on February 28, 2008.

ROBERT MOON

Admonished on July 7, 2009 *(Unreported)* for not advising his adversary in a summary dispossess action, prior to entering into a settlement agreement providing that respondent's client would pay two months' past due rent, that client had placed a stop-payment on the two rent checks. Patricia Ann Kieck appeared before the DRB for District IIB and Glenn R. Reiser appeared for the respondent.

THOMAS W. MOORE III

Admonished on March 4, 2009 (*Unreported*) for withdrawing legal fees from escrow funds that were the subject of an active dispute among several secured creditors without the creditors' authorization or knowledge. David W. Field appeared before the DRB for District VC and Brian John Fruehling represented the respondent.

BRIAN MUHLBAIER

Admonished on March 27, 2009 (*Unreported*) for failure to keep clients reasonably informed about the status of a matter including the fact that the clients' complaint was dismissed and subsequently reinstated. Epiphany J. McGuigan appeared before the DRB for District I and Philip B. Seaton represented the respondent.

MICHELLE JOY MUNSAT

Admonished on July 29, 2009 *(Unreported)* for filing a notice of appeal of client's criminal conviction, but failing to file a brief and appendix, thereby resulting in a dismissal of the appeal. Mark J. Ingber appeared before the DRB for District VB and respondent appeared pro se.

MICHAEL P. MURPHY, JR.

Suspended for six months retroactive to September 22, 2008 *(200 N.J. 427)* as a result of his suspension for six months in the Commonwealth of Pennsylvania. That suspension was based upon respondent's conviction of aggravated assault by vehicle while driving under the influence, reckless endangerment of another person, and driving under the influence of alcohol or controlled substance. Respondent's suspension was suspended. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and respondent appeared pro se.

PEGGY O'DOWD

Admonished on June 3, 2009 *(Unreported)* for misconduct in three client matters including failure to adequately communicate with clients, lack of diligence and gross neglect. William O. Crutchlow and Vijayant Pawar appeared before the DRB for District X and respondent appeared pro se. The respondent was privately reprimanded in 1990.

RICHARD M. ONOREVOLE

Admonished on March 31, 2009 *(Unreported)* for resuming the practice of law following a six-month suspension without first filing a petition for reinstatement as required by New Jersey Court Rule 1:20-21. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Admonished in 1993; reprimanded in 1994 and 1999; suspended in 2004.

MARC M. ORLOW

Suspended for three months effective March 13, 2009 *(197 N.J. 507)* for assisting a client in the client's attempts to conceal assets from creditors. Walton W. Kingsbery, III represented the OAE before the DRB and Robert N. Agre represented the respondent.

MICHAEL P. OTTO

Admonished on February 26, 2009 (*Unreported*) for failing to oversee the law firm trust account, thereby unwittingly enabling respondent's partner to repeatedly misappropriate trust account funds, and for failing to comply with the recordkeeping requirements of *Rule 1:21-6*. Melissa A. Czartoryski appeared before the DRB for the OAE and Michael E. Quiat represented the respondent.

NANCY I. OXFELD

Censured on a certified record on October 6, 2009 *(200 N.J. 269)* for grossly neglecting a client's matter and failing to act diligently by not filing suit on client's behalf and allowing the statute of limitations to expire. Respondent also did not communicate with client and did not reply to client's requests for information about the case. Philip B. Vinick appeared before the DRB for District VB and respondent failed to appear. The respondent was previously disciplined: Admonished in 1995 and in 2001; reprimanded in 2005.

HAROLD J. PARETI

Admonished on June 25, 2009 *(Unreported)* for holding himself out as an attorney licensed to practice law in the State of New Jersey and performing numerous real estate closings while under the mistaken belief that he had passed the bar exam. Terence M. Scott appeared before the DRB for District XI and respondent appeared pro se.

MARIA A. PEDRAZA

Admonished on April 21, 2009 *(Unreported)* for practicing law while ineligible to do so due to her failure to pay the annual attorney assessment to the New Jersey Lawyers' Fund for Client Protection. Howard Sims appeared before the

DRB for District VIII and respondent appeared pro se.

NEAL M. POMPER

Censured on February 10, 2009 *(197 N.J. 501*) for assisting his paralegal in the unauthorized practice of law by directing the paralegal to attend a paternity hearing with a client where the paralegal identified herself as an attorney and acted as advocate for the client. Marc Bressler appeared before the DRB for District VIII and respondent appeared pro se. Respondent was previously disciplined: Privately reprimanded in 1986; admonished in 2004.

RICHARD L. PRESS

Reprimanded on October 6, 2009 *(200 N.J. 437)* for committing the fourth degree crime of criminal mischief, in violation of N.J.S.A. 2C:17-3, by purposely or knowingly damaging seven motor vehicles. Nitza I. Blasini appeared before the DRB for the OAE and Michael A. Fusco, II appeared on behalf of respondent. The respondent was previously disciplined: Privately reprimanded in 1988.

ROGER RADOL

Admonished on February 25, 2009 (*Unreported*) for misrepresenting in divorce pleadings his client's interest in marital real property. Patricia Petro appeared before the DRB for District XI and respondent appeared pro se.

GLENN RANDALL

Suspended for one year on February 4, 2009 *(197 N.J. 498)* based on respondent's suspension in the Commonwealth of Pennsylvania for falsely stating in a letter to a Pennsylvania district attorney that he was holding escrow funds for a client who was being investigated for the alleged theft of those funds. Walton W. Kingsbery, III appeared before the DRB for the OAE and the respondent waived appearance.

RICHARD M. ROBERTS

Censured on June 16, 2009 *(199 N.J. 307*) for misconduct in four client matters, including failure to file a petition for post-conviction relief, failure to assist client in obtaining a restraining order, engaging in a conflict of interest by representing the wife of a client in a divorce proceeding against the client, and failure to timely file a brief in the appeal of a client's criminal conviction and prison sentence. Bruce Bergen appeared before the DRB for District XII and JoAnn J. Giger and Arthur S. Horn appeared before the DRB for District VB. Respondent appeared pro se. Respondent was previously disciplined: Reprimand in 1993; admonished in 2002.

RICHARD M. ROBERTS

Censured on September 22, 2009 *(200 N.J. 226)* for failing to set forth in writing the rate or basis of his fee, failing to act with diligence in securing a bail reduction for a criminal defendant client, and failing to communicate with the client. JoAnne Juliano Giger appeared before the DRB on behalf of District VC and Thomas R. Ashley appeared on behalf of the respondent. Respondent was previously disciplined: Privately reprimanded in 1993; admonished in 2002; and censured in 2009.

EDANIA C. RONDON

Admonished on June 9, 2009 *(Unreported)* for negligently misappropriating client trust funds and failing to maintain financial records in accordance with the recordkeeping rules. Nitza I. Blasini appeared before the DRB on behalf of the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

STEVEN T. RONDOS

Disbarred by consent on January 5, 2009 *(197 N.J. 254)* when he admitted that he could not successfully defend pending charges alleging the knowing misappropriation of client trust funds. Walton W. Kingsbery, III represented the OAE and Daniel A. D'Alessandro represented the respondent.

GERARD V. ROSS

Suspended for two years effective January 11, 2002 on a certified record *(197 N.J. 493)* for neglecting a workers' compensation matter, failing to expedite litigation, and failing to keep client reasonably informed. The respondent was previously disciplined: Suspended for three months on January 9, 2001; suspended for six months on April 11, 2001; and suspended for three months on October 11, 2001.

ELLEN C. ROTH

Suspended for three years effective February 27, 2007 *(199 N.J. 572)* as a result of respondent's guilty plea to making false statements to the Federal Bureau of Investigation and mail and wire fraud. Janice L. Richter appeared before the DRB for the OAE and Stephen H. Roth represented the respondent.

KAREN E. RUCHALSKI

Reprimanded on a certified record on December 9, 2009 *(200 N.J. 479)* for failure to cooperate with disciplinary authorities during the investigation and processing of a grievance. Edgar Joseph Navarrete appeared before the DRB for District VI and respondent failed to appear. The respondent was previously disciplined: Admonished in 2008.

FELICIA B. RUSSELL

Admonished on June 30, 2009 *(Unreported)* for

failing to file an answer to a divorce complaint filed against client, failing to explain the matter to client to the extent necessary to allow client to make an informed decision about the representation, and failing to take any action on the case thereby resulting in a default judgment being entered against client. Christine N. Rossi appeared before the DRB for District IIIA and David Dugan represented the respondent.

LAWRENCE B. SACHS

Reprimanded on September 22, 2009 *(200 N.J. 265)* for commingling earned legal fees with client and escrow funds held in his attorney trust account, failing to promptly deliver funds to which clients were entitled, and failing to comply with recordkeeping rules. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely by the Random Audit Compliance Program.

DOMINICK SANCHEZ

Suspended for three years effective December 1, 2009 *(200 N.J. 442)* as a result of discipline imposed in the State of Florida. The respondent was disciplined for negligently misappropriating client or escrow funds, committing recordkeeping violations, and failing to cooperate with disciplinary authorities. Janice L. Richter appeared before the Supreme Court for the OAE and respondent waived appearance.

FRANCIS H. SCALESSA

Censured on October 6, 2009 *(200 N.J. 271)* for using letterhead identifying himself as an attorney during a time when the respondent was suspended from the practice of law and for preparing an instrument intended to settle civil litigation that also purported to limit the plaintiff's ability to file an ethics grievance against the respondent. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Suspended in 1991; reprimanded in 1994; and suspended in 1996.

LAURA P. SCOTT A/K/A LAURA A. SCOTT

Disbarred on a certified record on September 15, 2009 *(200 N.J. 224)* for knowingly misappropriating escrow funds. Specifically, respondent represented clients in the sale of their home but, after the closing, did not satisfy the clients' delinquent mortgage or record a new deed. Instead, respondent made improper disbursements to herself, her ex-husband, the clients and another individual unrelated to the transaction. Melissa A. Czartoryski represented the OAE before the Supreme Court and the respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1987; admonished in 1996; censured in 2007; and temporarily suspended in 2007.

LOEL H. SEITEL

Disbarred on January 6, 2009 *(197 N.J. 420)* based upon his conviction in the United States District Court for the Southern District of Florida of making a false statement, in violation of 18 U.S.C.A. §371 and §1001. More specifically, the respondent was guilty of conspiracy to make a false statement in the course of the investigation of a money laundering scheme. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2007.

IRWIN B. SELIGSOHN

Disbarred on December 1, 2009 *(200 N.J. 441)* based on his conviction of second-degree conspiracy to commit health care fraud in violation of N.J.S.A. 2C:5-2, third-degree criminal use of runners in violation of N.J.S.A. 2C:21-22.1 and 2C:2-6, and third-degree tax fraud in violation of N.J.S.A. 54-52-10 and 2C: 2-6. Nitza I. Blasini appeared before the Supreme Court for the OAE and respondent waived appearance. The respondent was temporarily suspended from the practice of law on August 13, 2007.

JOEL C. SELTZER

Admonished on June 11, 2009 *(Unreported)* for misconduct in two client matters including failure to notify a personal injury client's doctor of the receipt of settlement funds and failure to pay the doctor's bill despite several requests to do so, and failure to memorialize the rate or basis of his fee. Steven F. Wukovits appeared before the DRB for District XII and respondent appeared pro se.

EDWARD S. SERADZKY

Reprimanded on September 22, 2009 *(200 N.J. 230)* for negligently misappropriating $50,000 of clients' funds by twice paying settlement charges in the same real estate matter. Respondent also engaged in various recordkeeping violations. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1994. This matter was discovered solely as a result of the Random Audit Compliance Program.

RICHARD S. SERBIN

Suspended for six months on June 1, 2009 *(199 N.J. 122)* for collecting over $170,000 in disability insurance benefits over nearly two years while gainfully employed. John J. McGill, III appeared before the DRB for the OAE and respondent waived appearance.

VINCENT N. SIMONE

Censured on December 9, 2009 *(201 N.J. 10)* for possessing a controlled dangerous substance, specifically, crack cocaine. Nitza I. Blasini appeared before the DRB for the OAE and Michael L. Testa appeared for the respondent.

CLIFFORD B. SINGER

Reprimanded on September 9, 2009 *(200 N.J. 263)* for not pursuing client's personal injury case with the required diligence and grossly neglecting its handling by filing a complaint but never serving it, thereby resulting in the dismissal of the complaint, for not properly communicating with his client by failing to advise her of the dismissal of the complaint, and for misrepresenting to his client that he was working on the case when he was not in fact doing so. Frank LaRocca appeared before the DRB for District IIA and Scott Piekarsky appeared for the respondent.

KENNETH P. SIRKIN

Suspended for three months on a certified record effective October 6, 2009 *(200 N.J. 271)* for taking no action to obtain on behalf of his client funds deposited into court following a settlement of client's personal injury action, failing to return client's phone calls regarding the progress and status of the case, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Kevin Patrick Kelly represented District IIA before the DRB and respondent failed to appear.

KEITH T. SMITH

On December 14, 2009 *(___ N.J. ___)*, respondent was found guilty of misconduct in four client matters. In one matter, respondent grossly neglected a personal injury matter by allowing client's complaint to be dismissed for failure to provide discovery and then failing to take action to reinstate the complaint. Respondent also failed to communicate with his client about the dismissal and entered into a fee-sharing agreement with another attorney without the client's knowledge or consent. In the other three matters, respondent failed to explain the matters in sufficient detail to allow the clients to make informed decisions about the representation and also entered into improper fee-sharing agreements with another attorney. However, since this misconduct occurred during the same time frame and was of the same type as misconduct for which respondent was previously admonished, the Supreme Court ordered that no additional discipline be imposed. Jeffrey L. Gold appeared before the DRB on behalf of District I and respondent waived appearance.

FRANKLIN G. SOTO

Reprimanded on September 9, 2009 *(200 N.J. 216)* for grossly neglecting a client's personal injury matter, lacking diligence, failing to communicate with the client, failing to obtain a written contingent fee agreement, and engaging in a conflict of interest. George Wolfe appeared before the DRB for District IIA and Albert Buglione represented the respondent.

WILLIAM N. STAHL

Suspended for one year on March 24, 2009 (*198 N.J. 507*) for failing to notify the attorney for whom he was performing per diem services of his receipt of funds in satisfaction of a judgment respondent obtained while working for the attorney and delivering those funds to the client instead of to the attorney, testifying falsely before the trial judge in a suit by the attorney against respondent for the collection of fees due to the attorney, and presenting the false testimony of a witness in the trial. Lindsey H. Taylor appeared before the DRB for District VC and Thomas A. Battaglia represented the respondent. Respondent was previously admonished in 2004.

ARTURO S. SUAREZ-SILVERIO

Admonished on November 10, 2009 (*Unreported*) for agreeing to represent a client in an asylum case before the Board of Immigration Appeals at a time he knew he was not qualified to represent the client. The respondent then prepared a draft complaint but failed to make any changes proposed by the client and failed to file a motion on client's behalf. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se.

WARD S. TAGGART

Disbarred by consent on June 23, 2009 *(199 N.J. 319)* as a result of respondent's criminal conviction in the Superior Court of New Jersey, Law Division, Mercer County for second degree theft by unlawful taking in violation of N.J.S.A. 2C:20-3(a) Walton W. Kingsbery, III represented the OAE and Franklin L. Flacks represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2008.

JOHN D. TALBOT A/K/A JOHN TALBOT

Reprimanded on September 22, 2009 *(200 N.J. 264)* as a result of his suspension for six months in the Commonwealth of Pennsylvania for practicing law in that state while on inactive status for failure to comply with Pennsylvania's continuing legal education requirements. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent waived appearance.

STEPHEN W. THOMPSON

Disbarred on January 27, 2009 *(197 N.J. 464)* based on his conviction in the United States District Court for the District of New Jersey for the sexual exploitation of a minor in violation of 18 U.S.C.A. §2251A(a) and (2). Nitza I. Blasini appeared before the Supreme Court for the OAE and Leonard S. Baker appeared for the respondent. The respondent was temporarily suspended from the practice of law on November

9, 2005.

GARY S. TRACHTMAN

Reprimanded on December 9, 2009 *(201 N.J. 13)* for misconduct in 120 personal injury matters. Specifically, respondent transferred all of these matters to other attorneys without obtaining his clients' consent to the transfer. Respondent further entered into fee-sharing agreements with the other attorneys, also without obtaining his clients' authorizations prior to transferring the files. Respondent also initially failed to cooperate with ethics authorities during the investigations of these matters. Jeffrey L Gold and Alfred J. Verderose appeared before the DRB for District I and respondent waived appearance.

GALE M. TRENTALANGE

Admonished on March 31, 2009 *(Unreported)* for representing a client in a traffic matter in municipal court at a time when respondent was ineligible to practice law for failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection. John A. Young, Jr. appeared before the DRB for District VI and respondent appeared pro se.

DAVID G. UFFELMAN

Reprimanded on September 9, 2009 *(200 N.J. 260)* for grossly neglecting defense client's case by failing to provide discovery, which resulted in the suppression of client's answer and the entry of a default judgment. Respondent also lacked diligence by failing to meet discovery deadlines and failing to affirmatively protect client's interest, and he failed to keep client advised about the status of the underlying litigation. Karen Moriarty appeared before the DRB for District X and respondent appeared pro se.

JOHN F. VARLEY

Admonished on October 6, 2009 (*Unreported*) for conducting two real estate closings during two periods of ineligibility due to failure to pay the annual attorney assessment and for recordkeeping violations. Nitza I. Blasini appeared before the DRB for the OAE and respondent appeared pro se.

WILLIAM WACKOWSKI

Admonished on November 25, 2009 (*Unreported*). After learning that client's complaint was administratively dismissed in error, respondent failed to act diligently in documenting that the dismissal notice had been generated in error and to take steps to ensure that the court's records were adjusted accordingly. Respondent also failed to promptly inform client of the dismissal. Scott William Kenneally appeared before the DRB for District IIIA and respondent appeared pro se.

ROBERT P. WEINBERG

Reprimanded on March 4, 2009 *(198 N.J. 380)* for negligent misappropriation of trust funds due to his failure to maintain a running checkbook balance, prepare three-way reconciliations, and maintain receipts and disbursements ledgers. Janice L. Richter represented the OAE and Leon B. Piechta represented the respondent.

ROBERT P. WEINBERG

Censured on November 17, 2009 *(200 N.J. 431)* for failing to memorialize the basis or rate of his fee, making loans to a client and to an investor/employee of one of two businesses he represented without advising them to seek independent legal counsel and reducing the transactions to writing, and placing in his trust account personal monies designed to fund the loans. Janice L. Richter appeared before the DRB for the OAE and Leon B. Piechta and Joseph R. Press appeared on behalf of the respondent. The respondent was previously disciplined: Reprimanded in 2009.

SHELLEY A. WEINBERG

Admonished on June 25, 2009 *(Unreported)* for failing to advise a social security disability client about important aspects of the case and failing to notify client that respondent had terminated his representation of client. Sheila Raftery Wiggins appeared before the DRB for District VA and Richard A. Greifinger appeared for the respondent.

MICHAEL E. WILBERT

Admonished on February 11, 2009 *(Unreported)* for attempting to transport hollow-point bullets from New Jersey to Florida via commercial airliner. Maureen G. Bauman appeared before the DRB for the OAE and Robert J. DeGroot appeared for respondent.

DEBORAH A. WINSTON

Admonished on March 4, 2009 (*Unreported*) for electronically filing a client's motion to voluntarily dismiss a bankruptcy petition without obtaining client's signature on the document, thereby misrepresenting to the court that client had signed the original of the document. Christopher Keith Williams appeared before the DRB for District VB and Cassandra T. Savoy represented the respondent.

JAMES H. WOLFE, III

Reprimanded on June 3, 2009 *(199 N.J. 137)* for filing a civil complaint on behalf of a client, but failing to oppose the defendants' motion to dismiss, resulting in its dismissal. Respondent also failed to communicate with the client. Louis D. Balk appeared before the DRB for District VB and respondent appeared pro se. Respondent was previously

disciplined: Admonished in 1998 and 2002; reprimanded twice in 2001; suspended in 2001.

RICHARD S. YUSEM

Censured on September 22, 2009 *(200 N.J. 227)* for failing to set forth in writing the rate or basis of his fee. Respondent also failed to cooperate with disciplinary authorities by failing to cooperate with a fee arbitration committee and with the district ethics committee during its investigation of this matter. JoAnne Byrnes appeared before the DRB for District XIII and respondent waived appearance. The respondent was previously disciplined: Privately reprimanded in 1993; and reprimanded in 1998.

JOEL S. ZIEGLER

Reprimanded on June 1, 2009 *(199 N.J. 123)* for telling the wife of a client in a domestic relations matter that she should be "cut up into little pieces . . . put in a box and sent back to India." Respondent also wrote a letter to his adversary accusing his adversary's client of being an "unmitigated liar" and threatening to file ethics charges against his adversary. Marsha A. Papanek appeared before the DRB for District VB and respondent appeared pro se.

2008

PAUL L. ABRAMO

Admonished on October 20, 2008 (*Unreported)* for failing to remove his former partner's name on letterhead after the association had terminated. Carl A. Mazzie appeared before the DRB for District XI and respondent appeared pro se.

ARNOLD M. ABRAMOWITZ

Reprimanded on February 13, 2008 on a certified record *(193 N.J. 490)* for representing two clients in separate matters and failing to act with diligence, failing to keep the clients reasonably informed and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Melissa A. Czartoryski represented the OAE before the DRB and respondent failed to appear. The respondent was previously disciplined: Admonished in 1995, 1996 and 1997.

DANIEL E. ABRAMS

Suspended on May 2, 2008 for two concurrent periods of one year each *(194 N.J. 498)* as a result of respondent's discipline in the State of Florida in two immigration matters for improperly practicing with a professional corporation owned by a non-lawyer, allowing the non-lawyer to direct and regulate his professional judgment, assisting the non-lawyer in the unauthorized practice of law, gross neglect, failure to communicate with clients and failure to supervise non-lawyer employees. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance. Respondent was previously disciplined: Reprimanded in 1997.

JEFFREY M. ADAMS

Suspended for one year effective May 10, 2007 *(195 N.J. 423)* based upon the respondent's one-year suspension in the State of New York, effective May 10, 2007, for acting recklessly with his trust account responsibilities by commingling his own funds with trust funds, negligently misappropriating clients' trust funds and failing to maintain proper trust books and records and for improperly sharing fees with his father, a suspended attorney. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

EDWARD N. ADOURIAN, JR.

Reprimanded on July 23, 2008 *(196 N.J. 352)* for his role as a partner in the former Tomar Law Firm's longstanding practice of paying referral fees to non-lawyer employees and for his failure to report this improper practice to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and George C. Greatrex, Jr. appeared for the respondent.

THOMAS D. ALLEN, JR.

Suspended indefinitely on December 10, 2008 on a certified record *(197 N.J. 034)* for knowingly disobeying an order of the Supreme Court conditionally admitting the respondent to practice (subject to abstinence from intoxicants and not practicing as a sole practitioner, except under a supervising attorney and certifying quarterly compliance with these conditions), and engaging in the practice of law while ineligible for failure to pay the annual attorney registration statement. The respondent also made misrepresentations to the Court in certifications that he did file. Nitza I. Blasini represented the OAE before the DRB and respondent failed to appear.

RHONDA M. ANDERSON

Suspended for three years effective September 8, 2004 *(195 N.J. 474)* based upon the respondent's guilty plea in the United States District Court for the Eastern District of Pennsylvania to honest services mail fraud, in violation of *18 U.S.C.A. §1341 and 1346.* The count to which respondent pleaded charged that respondent and one Corey Kemp, the City Treasurer for the Treasurer's Office for the City of Philadelphia, engaged in honest services mail fraud in the redemption of city bonds. Richard J. Engelhardt appeared before the DRB for the OAE and James Grimes appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2004.

JOHN S. ANGELUCCI

Suspended for six months on May 6, 2008 on a certified record *(194 N.J. 512)* for grossly neglecting a bankruptcy matter, failing to communicate with the client, failing to state the basis of the fee in writing, failing to return an unearned fee, failing to comply with a court's order and to appear at an order to show cause. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent failed to appear. Respondent was previously disciplined: Reprimanded in 2005 and temporarily suspended in 2007.

JOHN S. ANGELUCCI

Suspended for six months effective November 8, 2008 on a certified record *(196 N.J. 528)* for abandoning a client in an adoption matter and for having two bench warrants issued for his arrest: One for his failure to appear at a hearing and the other for his failure to pay child support. In addition, respondent failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Ernest S. Alvino, Jr. appeared before the DRB for District IV and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2005; temporarily suspended in 2007; and suspended for six months in 2008.

GREGORY P. ARMOTRADING

Suspended for six months on February 4, 2008 *(193 N.J. 479)* based upon discipline in the State of Florida, which included the improper release of escrow funds, negligent misappropriation and commingling, failing to abide by Florida's recordkeeping rule and failing to cooperate with disciplinary authorities in that state. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

DIANE S. AVERY

Censured on March 18, 2008 *(194 N.J. 180)* where respondent, acting as inter vivos trustee, neglected the trust, failed to adequately communicate with the client, failed to cooperate with disciplinary authorities during the investigation and processing of the matter, and following respondent's temporary suspension from the practice of law in 2003, failed to file the required affidavit of compliance in accordance with R.1:20-20. Lee A. Gronikowski appeared before the DRB for the OAE and respondent failed to appear.

DIANE S. AVERY

Suspended for three months on March 18, 2008 on a certified record *(194 N.J. 183)* as a result of grossly neglecting four estate matters, failing to produce a court-ordered accounting after being removed as executrix of the estate, which estate was charged over $160,000 in penalties and interest due to her inaction. Lee A. Gronikowski appeared before the DRB for the OAE and respondent failed to appear.

BRUCE E. BALDINGER

Reprimanded on June 10, 2008 *(195 N.J. 179)* for entering into a business agreement with his clients without complying with the safeguards required by RPC 1.8(a), including advising the clients that they should consult with another attorney and securing the clients' consent. The respondent also engaged in a conflict of interest by representing the grievants after differences arose between them and the respondent. Nancy McDonald appeared before the DRB for District XIII and David H. Dugan, III appeared for the respondent.

RICHARD W. BANAS

Censured on May 2, 2008 on a certified record (*194 N.J. 504)* for lack of diligence and failing to communicate the status of the matter with the client in two related actions against the client. Peter K. Barber appeared before the DRB for District X and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1996 and suspended for three months in 1999.

RICHARD W. BANAS

Suspended for three years on a certified record on September 22, 2008 *(196 N.J. 447)* as a result of his grossly neglecting an appeal of a murder conviction, failing to communicate with the client and then lying to the client about the status of the appeal. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter and other prior disciplinary matters. The respondent failed to appear on the return date of the Order to Show Cause, resulting in enhanced discipline under *In re Kivler, 193 NJ 332 (2008).* Marc Zitomer appeared before the DRB for District X and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1996; suspended for three months in 1999; and censured in 2008.

FRANKLIN H. BARNES, IV

Suspended for three months on a certified record effective July 11, 2008 *(196 N.J. 159)* for grossly neglecting five real estate transactions by failing to pay fees to a title company and, in three matters, failing to promptly record mortgages. John McGill, III appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2006 and temporarily suspended in 2006.

FRANKLIN H. BARNES, IV

Suspended for three months on a certified record effective October 11, 2008 *(___ N.J. ___)* for failing to comply with Rule 1:20-20, by not filing his affidavit of compliance after being temporarily suspended by the Supreme Court on June 21, 2006. John McGill, III appeared before the DRB for

the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2006 and temporarily suspended in 2006.

RONALD D. BARRETT

Admonished on October 7, 2008 (*Unreported)* for failing to communicate with his client, failing to properly deliver property to his client and failing to maintain proper trust and business account records in accordance with R.1:21-6. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent waived appearance.

PAUL S. BEATTY

Suspended for three months effective August 13, 2008 *(196 N.J. 153)* based upon the respondent's conviction in the Superior Court of New Jersey, Monmouth County, Law Division, to fourth-degree stalking, in violation of N.J.S.A. 2C:12-10(b). The substance of the violation involved respondent's stalking a horse trainer at a New Jersey racetrack and following her to her South Carolina home, where he engaged in harassing conduct. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1993.

HEYWOOD E. BECKER

Disbarred on February 20, 2008 on a certified record *(193 N.J. 592)* for knowingly misappropriating client funds from his trust account to make cash withdrawals and to pay bills for the benefit of his wife's property management business. The respondent also pled guilty on October 26, 2005 to a two count Information in the United States District Court for the Eastern District of Pennsylvania charging him with making a false oath in a bankruptcy proceeding, in violation of *18 U.S.C.A. § 152(2)*, and filing a false tax return, in violation of *26 U.S.C.A. § 7206*. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1998 and temporarily suspended in 2006.

SAUL A. BERKMAN

Suspended for nine months effective July 14, 2008 *(195 N.J. 190)* based upon reciprocal discipline imposed in the State of New York involving gross neglect and misrepresentations to his client that their personal injury was proceeding apace, when it was dismissed. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

JOSE VICTOR (A/K/A JOSEPH) BERNARDINO

Suspended for one year on February 26, 2008 *(193 N.J. 596)* for making misrepresentations to a law firm in order to induce them to employ him. Respondent concealed the existence of previous clients whose cases he wished to continue after joining the firm. Essentially, respondent cheated the law firm by expending firm time and resources on these clients and retaining all of the fees. Respondent previously received the identical suspension in the Commonwealth of Pennsylvania. Richard J. Engelhardt appeared before the DRB for the OAE and David H. Dugan, III, appeared for the respondent.

MARVIN BRANDON

Reprimanded on May 13, 2008 *(194 N.J. 561)*. Respondent was the supervising attorney employed by a California attorney, Jack H. Boyajian, to operate Boyajian's New Jersey law firm, JBC and Associates, P.C. and, later, JBC Legal Group, P.C. This was a high-volume debt collection firm in which the respondent stipulated that, in 11 matters, he (a) allowed non-lawyer employees to treat recipients of demand letters in an "abusive, unprofessional and discourteous manner;" (b) permitted those employees to operate in violation of the Fair Debt Collection Practices Act; (c) failed to provide recipients of demand letters with copies of documents underlying their debts; (d) allowed the employees "to threaten and/or harass" debtors; (e) in six of the matters, failed to investigate the legitimacy of the debt obligations; and (f) allowed a "culture to exist," within which the unethical conduct was not discovered or corrected. Christina Blunda Kennedy represented the OAE and Alan L. Zegas represented the respondent.

CYNTHIA ANN BRASSINGTON

Reprimanded on July 23, 2008 *(196 N.J. 352)* for backdating referral letters and assisting the former Tomar Law Firm in paying improper fee shares to her husband – a non-lawyer who was the firm's former Personal Injury Claims Manager. Michael J. Sweeney appeared before the Supreme Court for the OAE and Mark Biel appeared for the respondent.

DARREN J. BRENT

Suspended for two years on September 16, 2008 *(196 N.J. 445)* based upon respondent's disbarment in the State of Florida for numerous violations including gross neglect, failure to communicate with clients, charging an unreasonable fee, knowingly disobeying an order of a court, unauthorized practice of law, conduct prejudicial to the administration of justice and failing to cooperate with disciplinary authorities. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

DAVID W. BOYER

Suspended for three months effective April 1, 2008 *(194 N.J. 003)* for engaging in a conflict of interest in connection with representing an estate in the sale of property for which he provided the funding. The respondent also made misrepresentations that a jurat had been properly taken when he knew that it had not. Janice L. Richter appeared before the

DRB for the OAE and Robert E. Ramsey appeared for the respondent. The respondent was previously disciplined: Admonished in 2007.

MARVIN BRANDON

Reprimanded on May 13, 2008 *(194 N.J. 561).* Respondent was the supervising attorney employed by a California attorney, Jack H. Boyajian, to operate Boyajian's New Jersey law firm, JBC and Associates, P.C. and, later, JBC Legal Group, P.C. This was a high-volume debt collection firm in which the respondent stipulated that, in 11 matters, he (a) allowed non-lawyer employees to treat recipients of demand letters in an "abusive, unprofessional and discourteous manner;" (b) permitted those employees to operate in violation of the Fair Debt Collection Practices Act; (c) failed to provide recipients of demand letters with copies of documents underlying their debts; (d) allowed the employees "to threaten and/or harass" debtors; (e) in six of the matters, failed to investigate the legitimacy of the debt obligations; and (f) allowed a "culture to exist," within which the unethical conduct was not discovered or corrected. Christina Blunda Kennedy represented the OAE and Alan L. Zegas represented the respondent.

LARRY BRONSON

Reprimanded on November 21, 2008 *(197 N.J. 017)* for improperly practicing law in the State of New York, a state to which he was not admitted, failing to prepare a writing setting forth the basis or rate of the fee in a criminal matter and failing to disclose to a New York court that he was not licensed there. James M. McCreedy appeared before the DRB for District X and Ricardo Solano, Jr. appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2008.

BRIAN P. CAMPBELL

Censured on February 4, 2008 *(193 N.J. 481)* for negligently misappropriating client trust funds and failing to comply with attorney trust account recordkeeping requirements. Janice L. Richter represented the OAE before the DRB and Barry D. Epstein represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

RICARDO A. (A/K/A RICHARD) CANTON

Disbarred on January 8, 2008 *(193 N.J. 331)* following his conviction in the United States District Court for the Southern District of New York on narcotics charges relating to a plan to provide weapons to a Colombian paramilitary organization in exchange for cocaine. Specifically, the respondent pled guilty to violating *21 U.S.C.A. §§ 812, 841(a)(1),* and *841(b)(1)(A,),* as well as *21 U.S.C.A. §§ 952, 960(a)(1),* and *960(b)(1)(B).* Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2007.

ROBERT M. CAPUANO

Reprimanded on July 23, 2008 *(196 N.J. 352)* for his role as a partner in the former Tomar Law Firm's longstanding practice of paying referral fees to non-lawyer employees and for his failure to report this improper practice to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and the respondent appeared pro se.

EUGENE N. CAVALLO

Disbarred by consent on April 29, 2008 *(194 N.J. 447)* when, after the filing of a formal complaint charging the knowing misappropriation of trust funds, he admitted that he could not successfully defend those charges. Lee A. Gronikowski represented the OAE and Gerald P. Tyne represented the respondent.

RUSSELL G. CHEEK

Disbarred by consent on May 15, 2008 *(194 N.J. 561)* as a result of his admission, following the filing of a formal complaint, that he knowingly misappropriated clients' trust funds. Melissa A. Czartoryski represented the OAE and Douglas T. Mundy consulted with respondent to assure the voluntariness of his consent. The respondent was previously disciplined: Admonished in 1996; reprimanded in 1999; suspended for three months in 2003 and 2006 and temporarily suspended from practice in 2007.

DENNIS A. CIPRIANO

Reprimanded on June 11, 2008 *(195 N.J. 188)* for improperly borrowing money from clients without following the safeguards required by RPC 1.8(a), negligently misappropriating clients' trust funds, commingling personal funds in his trust account and failing to maintain trust records, as required by R.1:21-6. Walton W. Kingsbery, III represented the OAE before the DRB and Richard J. Sapinski represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program. The respondent was previously disciplined: Reprimanded in 1975 and 2006.

MAXWELL X. COLBY

Reprimanded on February 5, 2008 *(193 N.J. 484)* for failing to maintain proper trust and business account records as required by R.1:21-6. John J. Janasie appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Random Audit Compliance Program. The respondent was previously disciplined: Reprimanded in 2002.

C. BRIAN DALY

Suspended for eighteen months effective February 23, 2005 *(195 N.J. 012)* as a result of his guilty plea in the United States District Court for the District of New Jersey to an information charging him with conspiracy to submit false statements, a violation of *18 U.S.C.A. §371*. The misconduct arose out of his actions as a closing attorney in a mortgage fraud scheme, the object of the conspiracy being to buy and sell residential property by, among other means, submitting settlement statements containing materially false information designed to influence the lender to fund the purchase. Richard J. Engelhardt appeared before the DRB for the OAE and the respondent appeared pro se. The respondent was previously disciplined: Temporarily suspended in 2005.

C. BRIAN DALY

Reprimanded on May 28, 2008 *(195 N.J.12)* as a result of his failure to represent an incarcerated criminal client with diligence, as well as disregarding communications from that client. Diane Stolbach appeared before the DRB for District XII and respondent appeared pro se. The respondent was previously disciplined: Temporarily suspended in 2005.

CHRISTOPHER L. DAUL

Reprimanded on October 16, 2008 *(196 N.J. 533)* as a result of his guilty plea in the Flemington City Municipal Court to lewdness, a disorderly persons offense, in violation of *N.J.S.A. 2C:14-4a*. Richard J. Engelhardt appeared before the DRB for the OAE and Charles A. Gruen appeared for the respondent.

JOHN M. DELAURENTIS

Censured on September 3, 2008 on a certified record *(___ N.J. ___)* for failing to cooperate with the District IV Ethics Committee during its investigation and prosecution of this matter. Richard Goldstein represented District IV before the DRB and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2002; suspended for one year in 2002 and suspended for one year in 2004.

DORCA I. DELGADO-SHAFER

Suspended for two years effective January 2, 2009 *(197 N.J. 018)* for engaging in dishonesty, fraud, deceit and misrepresentation by advising a financial institution that she was holding $41,000 for her clients in a real estate transaction when she was not and for attaching an altered bank statement in support of the letter; for commingling personal funds in her trust account and committing recordkeeping violations; and for engaging in a conflict of interest by representing her brother in a foreclosure involving a residence used by the respondent, which foreclosure was caused by the respondent's failure to timely remit monthly mortgage payments on the property which was owned by her brother. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and David H. Dugan, III represented the respondent.

WILLIAM P. DENI, SR.

Admonished on January 23, 2008 (*Unreported)* for routinely commingling more than $1,000,000 of earned legal fees and personal funds with client trust funds in his Attorney Trust Account. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely by the Random Audit Compliance Program.

FRANK D. DEVITO

Disbarred by consent on June 10, 2008 *(195 N.J. 178)* as a result of his admission that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of client trust funds arising out of a personal injury settlement. Lee A. Gronikowski represented the OAE and Richard M. Keil represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program. The respondent was previously disciplined: Admonished in 2006.

MARIA M. DIAS

Admonished on July 29, 2008 (*Unreported)* for practicing law via numerous appearances in court for other attorneys after she had been declared ineligible to practice law by the Supreme Court for non-payment of the annual attorney registration fee. Christina B. Kennedy appeared before the DRB for the OAE and the respondent appeared pro se.

HENRY D. EDLEY A/K/A H. DEREK EDLEY

Suspended for three months effective October 16, 2008 *(196 N.J. 443)* as a result of respondent's guilty plea in the Superior Court of New Jersey, Hudson County, Law Division, Criminal Part, to third degree criminal restraint, in violation of N.J.S.A. 2C:13-2(a), arising out of a romantic relationship. At the time, respondent was assistant corporation counsel for the City of Jersey City. Richard J. Engelhardt appeared before the DRB for the OAE and John F. Hamill, Jr. appeared for the respondent.

JILL R. EPSTEIN

Reprimanded on June 10, 2008 *(195 N.J. 186)* for her continuing failure to address trust account problems disclosed in a prior disciplinary matter, including her failure to promptly remit funds to clients. She also failed to cooperate with the Office of Attorney Ethics during its investigation and processing of this matter. Melissa A. Czartoryski appeared before the DRB for the OAE and Kim D. Ringler appeared for the respondent. The respondent was previously disciplined: Censured in 2006.

DAVID A. FEINERMAN

Disbarred by consent on February 8, 2008 *(193 N.J. 486)* as a result of his resignation in the State of New York. The respondent admitted that he could not successfully defend pending charges alleging the knowing misappropriation of client trust funds. John McGill, III represented the OAE and Richard E. Mischel represented the respondent.

ROBERT S. FISHER

Suspended for two years effective September 19, 2006 *(195 N.J. 7)* as a result of the respondent's disbarment in the Commonwealth of Pennsylvania for his gross neglect, lack of diligence, failure to communicate with clients, failure to turn over client files and misrepresentations to clients about the status of their matters in 12 personal injury cases. Respondent also failed to cooperate with Pennsylvania disciplinary authorities. Richard J. Engelhardt appeared before the DRB for the OAE and Robert N. Agre appeared for the respondent. The respondent was previously disciplined: Suspended for three months in 2004 and suspended for one year in 2005.

MARY N. FLANAGAN

Disbarred by consent on July 16, 2008 *(196 N.J. 158)* admitting that she could not successfully defend pending disciplinary charges involving the knowing misappropriation of clients' trust funds. Walton W. Kingsbery, III represented the OAE and Douglas S. Brierley represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2006.

KEVIN J. FLYNN

Suspended for one year on March 5, 2008 *(194 N.J. 28)* for mishandling eight client matters, including gross neglect, settling a case without the client's authority, lack of diligence, failure to keep a client reasonably informed about the status of the matter and conduct involving dishonesty, fraud, deceit or misrepresentation. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined in the State of New York by a one year suspension.

HARRY E. FRANKS, JR.

Disbarred on February 5, 2008 on a certified record *(193 N.J. 481)* for numerous misconduct, including grossly neglecting three separate client matters, failing to keep clients reasonably informed about their matters, failing to protect a client's interests upon termination of services, misrepresentation and failing to cooperate with disciplinary authorities. Nitza I. Blasini represented the OAE before the Supreme Court and respondent failed to appear.

DORA R. GARCIA

Suspended for fifteen months effective November 24, 2007 *(___ N.J. ___)* as a result of reciprocal discipline imposed in the Commonwealth of Pennsylvania for aiding and abetting her husband in the practice of law after he was suspended, practicing under a false and misleading firm name, lacking candor to a tribunal, filing several frivolous lawsuits and making numerous false and reckless allegations about the qualifications of judges. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

SHANNON L. GARRAHAN

Censured on May 2, 2008 *(194 N.J. 506)* as a result of respondent's guilty plea to a four-count Information in the Preble County Court of Common Pleas, Ohio, charging her with two counts of attempt, pursuant to Ohio Rev. Code 2923.02(a), as it relates to aggravated possession of drugs, fourth degree felonies, two counts of possession of drugs, third degree misdemeanors, and possession of drug paraphernalia, a fourth degree misdemeanor. More specifically, the drugs involved included 104 40 mg. Oxycontin tablets, 144 Percocets, 89 Diazapam (Valium) tablets, an unspecified quantity of Fioricet (a barbiturate), marijuana (4 grams) and hashish (1 gram). Richard J. Engelhardt represented the OAE before the DRB and Salvatore Alfano represented the respondent.

PAUL GAUER

Admonished on December 5, 2008 *(Unreported)* for ceasing communications with his clients after he lost their file and leaving them uninformed about the status of their case at a critical point in the representation. Joanne M. Sarubbi appeared before the DRB for District VC and respondent appeared pro se.

GORDON N. GEMMA

Admonished on May 28, 2008 *(Unreported)* for negligently misappropriating client trust funds in seven real estate matters and for failing to maintain trust and business account records as required by R.1:21-6. Lee A. Gronikowski represented the OAE before the DRB and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

THOMAS A. GIAMANCO

Suspended for one year on May 2, 2008 *(194 N.J. 505)* as a result of his grossly neglecting a real estate matter and also a separate domestic relations matter. David S. Lafferty appeared before the DRB for District IIA and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1999; censured in 2005; and suspended for three months in 2006.

THOMAS A. GIAMANCO

Suspended for six months effective May 7, 2009 *(194 N.J. 555)* for grossly neglecting a real estate matter involving the conversion of an office building into an office condominium, failing to communicate with the clients, failing to protect the clients' interests on termination of the representation and failing to cooperate with disciplinary authorities during the investigation of this matter. David S. Lafferty appeared before the DRB for District IIA and the respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 1999; censured in 2005; suspended for three months in 2006 and suspended for one year in 2008.

ANTHONY J. GIAMPAPA

Censured on May 28, 2008 *(195 N.J. 010)* for grossly neglecting a client's matter, failing to act with diligence and failing to keep the client reasonably informed about the status of the matter. John Pogorelec appeared before the DRB for District XI and respondent waived appearance. The respondent was previously disciplined: Twice privately reprimanded in 1988; and admonished in 2007.

EDMUND P. GLASNER

Suspended for one year on May 28, 2008 on a certified record *(195 N.J. 013)* arising out of his abandonment of eight clients, misrepresentations, failing to withdraw from representation, failing to communicate with clients and failing to cooperate with disciplinary authorities. Christina B. Kennedy appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Transferred to disability inactive status in 2006 and temporarily suspended in 2008.

RONALD A. GRAZIANO

One-year suspended suspension on July 23, 2008 *(196 N.J. 352)* imposed on respondent, the managing partner of the former Tomar Law Firm, for his "major protracted role" in the firm's longstanding practice of paying referral fees to non-lawyer employees. From 1992 through 1999, the firm paid over one-million dollars in improper fee shares to non-lawyer employees. Respondent's conduct reflected a "disturbing lack of candor" including his misleading testimony at a Wage and Hour hearing. He also failed to report the unethical conduct of his partners to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and Kevin H. Marino appeared for the respondent.

THOMAS J. HAGGERTY

Admonished on July 24, 2008 (*Unreported)* for grossly neglecting a client's personal injury matter, failing to communicate with the client and failing to cooperate with disciplinary authorities. Elizabeth A. Weiler appeared before the DRB for District XII and the respondent appeared pro se.

CARY B. HALL

Suspended for eighteen months effective January 13, 2007 *(195 N.J. 187)* based upon reciprocal discipline imposed in the Commonwealth of Pennsylvania as a result of respondent's filing a back-dated appeal to cover up his failure to timely file it and lying to a tribunal about the timeliness of the appeal. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

ROLAND G. HARDY, JR.

Reprimanded on June 10, 2008 *(195 N.J. 183)* for improperly engaging in business transactions with clients without complying with the safeguards required by RPC 1.8(a), negligent misappropriation of clients' trust funds and failing to maintain proper trust account records as required by R.1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Random Audit Compliance Program.

GREGORY G. HAWN

Suspended for three months on February 13, 2008 *(193 N.J. 588)* for misconduct for which he was originally disciplined in the District of Columbia, including falsifying his resumé and altering his law school transcripts in order to obtain legal employment in the State of California. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

DANIEL D. HEDIGER

Reprimanded on December 10, 2008 *(197 N.J. 021)* for practicing law while ineligible and failing to communicate with his client. David Edelberg appeared before the DRB for District IIB and Joseph Castiglia represented the respondent. The respondent was previously disciplined: Reprimanded in 2004; censured twice in 2007.

ANTOINETTE R. HOLLAND

Suspended for three months effective April 11, 2008 *(194 N.J. 165)* for possessing .32 grams of cocaine. Michael J. Sweeney appeared before the Supreme Court for the OAE and Michael P. Ambrosio appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2000.

WARREN W. HOMAN

Censured on June 10, 2008 *(195 N.J. 185)* after he was found guilty of fabricating a promissory note, forging a witness's signature, engaging in deceitful conduct toward the OAE and refusing to admit his misconduct. Nitza I. Blasini appeared before the DRB for the OAE and William B. McGuire

represented the respondent.

AMIN KHALIL HUSSAIN-EL

Disbarred by consent on February 29, 2008 *(194 N.J. 003)* for knowingly misappropriating escrow and client trust funds for which the respondent had been suspended in the State of New York for a period of five years in 2005. Nitza I. Blasini represented the OAE and Jerry M. Mims (admitted to the New York bar only) represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2006.

CHRISTOPHER W. HYDE

Admonished on July 24, 2008 (*Unreported)* for practicing law for nine months after being declared ineligible to practice by Order of the Supreme Court for non-payment of the annual attorney registration fee. Catherine M. Brown appeared before the DRB for District X and the respondent appeared pro se.

DAVID T. JACOBY

Reprimanded on July 23, 2008 *(196 N.J. 352)* for his role as a partner in the former Tomar Law Firm's longstanding practice of paying referral fees to non-lawyer employees and for his failure to report this improper practice to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and Katherine D. Hartman appeared for the respondent.

ANTHONY C. JONES

Censured on June 24, 2008 on a certified record *(195 N.J. 429)* for practicing law while ineligible from 2002 through 2006, during which period he represented 18 clients in state and municipal courts, as well as representing clients in real estate transactions and wills, commingling personal and client funds and failing to properly maintain attorney trust and business account records as required by R.1:21-6. Christina Blunda Kennedy represented the OAE before the DRB and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2006.

MICHAEL A. KAPLAN

One-year suspended suspension on July 23, 2008 *(196 N.J. 352)* imposed on respondent, the head of the former Tomar Law Firm's personal injury department, for his role in the firm's longstanding practice of paying referral fees to non-lawyer employees. Respondent directly supervised the firm's personal injury claims manager, who was paid over $800,000 in improper fee shares over a seven-year period. The claims manager received an additional $588,000 in payments made by the firm through his wife – Cynthia Brassington – who was reprimanded for her role in this subterfuge. Respondent was also found to have failed to report the unethical conduct of his partners to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and John A. Avery appeared for the respondent.

JUDITH A. KARR

Disbarred by consent on December 1, 2008 *(197 N.J. 029)* as a result of her guilty plea in the Superior Court of New Jersey, Salem County, to two separate accusations charging her with third-degree theft by deception (N.J.S.A. 2C:20-4), arising out of theft of over $250,000 from two estates. Michael J. Sweeney represented the OAE and David H. Dugan, III, represented the respondent.

MARCIA S. KASDAN

Censured on June 10, 2008 *(195 N.J. 181)* as a result of negligently misappropriating client trust funds in one matter, improperly issuing trust account checks payable to cash and committing a number of recordkeeping violations of her trust account. John J. Janasie appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Suspended for three months in 1989 and suspended for three years in 1993.

NABIL NADIM KASSEM

Censured on March 18, 2008 *(194 N.J. 182)* for admitting to the possession of a controlled dangerous substance for which he was indicted and then successfully completed a pretrial intervention program. Melissa A. Czartoryski appeared before the DRB for the OAE and Kevin H. Michels appeared for the respondent.

ROBERT J. KELLEY, JR.

Disbarred by consent on September 12, 2008 *(196 N.J. 442)* for the knowing misappropriation of client trust funds in a negligence matter. At the time of the consent, this matter was pending oral argument before the Supreme Court, based upon a recommendation from the DRB that the respondent be disbarred. Walton W. Kingsbery, III represented the OAE before the Supreme Court and Mark S. Kancher represented the respondent. The respondent was previously disciplined: Temporarily suspended from the practice of law on May 3, 2007.

STEPHEN D. KINNARD

Admonished on April 17, 2008 *(Unreported)* for practicing law while ineligible to do so for failing to complete his annual attorney registration information and pay the annual fee. Janice L. Richter appeared before the DRB for the OAE and the respondent appeared pro se.

JANE KISSLING A/K/A JANE GREENBERG A/K/A JANE KIRKPATRICK

Disbarred on a certified record on September 22, 2008 *(196 N.J. 448)* for knowingly misappropriating over $88,000 from an 83-year old widow in 1993. Lee A. Gronikowski represented the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 1994.

RUSSELL T. KIVLER

Suspended for three years on January 18, 2008 on a certified record *(193 N.J. 332)* for grossly neglecting a personal injury suit filed for an elderly client over the course of four years, allowing the statute of limitations to expire. Respondent also misrepresented to the client that the suit was proceeding apace when the statute of limitations had long since expired. Janice L. Richter appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2005; reprimanded in 2006; temporarily suspended in 2006; and suspended for three months in 2007.

CONSTANCE L. KOSUDA

Censured on September 16, 2008 *(196 N.J. 445)* for knowingly making a false statement of material fact to a tribunal by eliciting false statements from her clients to mislead a workers compensation judge that eleven clients had been examined by a doctor and that, therefore, they had valid claims. Janice L. Richter appeared before the DRB for the OAE and respondent failed to appear.

SHELDON H. KRONEGOLD

Suspended for six months effective October 10, 2008 *(197 N.J. 022)* for conduct for which he was disbarred in the State of New York involving aiding a disbarred lawyer in the unauthorized practice of law. Christina Blunda Kennedy appeared before the DRB for the OAE and Richard E. Mischel appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2000.

SHELDON H. KRONEGOLD

Suspended for six months effective April 11, 2009 *(197 N.J. 022)* for conduct resulting from respondent's suspension for two years in the State of New York, including paying a non-lawyer to solicit a personal injury client and representing at least 20 personal injury clients, without filing with the New York Office of Court Administration the retainer and closing statements required there by law. Christina Blunda Kennedy appeared before the DRB for the OAE and Richard E. Mischel appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2000.

GEORGE J. KUNDRAT, JR.

Suspended for three years effective September 30, 2005 *(195 N.J. 004)* as a result of the respondent's guilty plea in the United States District Court for the District of Connecticut to a one-count information charging him with conspiracy to commit securities fraud, mail fraud and wire fraud, in violation of *18 U.S.C. 371*. These charges stemmed from respondent's participation in a scheme under which he, as well as the main conspirator, Robert Ross, and others, illegally obtained shares in the initial stock offering of a new bank, NewAlliance Bankshares, Inc. Richard J. Engelhardt appeared before the DRB for the OAE and Robert T. Norton appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2005.

ANTHONY J. LAGASI

Disbarred by consent on March 5, 2008 *(194 N.J.027)* for admitting that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. Michael J. Sweeney represented the OAE and Stephen Schnitzer represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program. The respondent was previously disciplined: Temporarily suspended in 2007.

BERNARD LAMBERT

Disbarred by consent on February 26, 2008 *(193 N.J. 595)* after admitting that he could not successfully defend disciplinary charges alleging the knowing misappropriation of clients' trust funds. Christina Blunda Kennedy represented the OAE and Gregory R. Reilly represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

STEVEN J. LANZA

Disbarred by consent on October 29, 2008 *(196 N.J. 529)* admitting that he could not successfully defend pending disciplinary charges involving the knowing misappropriation of clients' trust funds. Lee A. Gronikowski represented the OAE and Carolyn R. Kristal represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2008.

WILFRED LEBLANC, JR.

Suspended for three months on February 4, 2008 on a certified record *(193 N.J. 478)* for negligent misappropriation of client trust funds, failing to properly deliver funds to a third party, lack of diligence and failure to cooperate with disciplinary authorities. Walton W. Kingsbery, III represented the OAE before the DRB and the respondent failed to appear. The respondent was previously disciplined: Censured in 2006 and reprimanded in 2007.

VINCENZA LEONELLI-SPINA

Disbarred on September 23, 2008 *(196 N.J. 455)* as a result of the knowing misappropriation of clients' trust funds in a real estate matter. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and Gerald E. Hanlon appeared for the respondent. The respondent was previously disciplined: Admonished in 2003.

HARRY J. LEVIN

Admonished on January 15, 2008 (*Unreported)* for conduct prejudicial to the administration of justice as a result of his contacting the grievant's son and convincing him to obtain his mother's withdrawal of her grievance. Respondent also wrote a letter to the grievant containing threats of lawsuits and of court-ordered psychiatric examinations, which threats frightened the grievant into withdrawing her allegations. Jeff J. Horn appeared before the DRB for District IIIA and Frederick J. Dennehy represented the respondent.

ROGER A. LEVY

Suspended for three years on May 13, 2008 *(194 N.J. 560)* as a result of respondent's three year suspension in the State of New York, due to his reckless conduct in connection with the handling of escrow funds. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for three months in 2000.

JAMES R. LISA

Censured on September 9, 2008 *(197 N.J. 025)* for negligently misappropriating clients' trust funds and for engaging in a practice of estimating real estate recording costs for mortgages and deeds without informing the parties that they were estimates. During 2005, the respondent processed 323 closings through his trust accounts and overcharged a total of $29,405 for recording fees. After the initiation of this investigation, the respondent repaid those fees. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and Anthony Ambrosio appeared for the respondent. The respondent was previously disciplined: Admonished in 1995; suspended for three months in 1998; suspended for one year in 1999; and suspended for six months in 2001.

JOSEPH J. LOWENSTEIN

Censured on June 10, 2008 *(195 N.J. 180)* for grossly neglecting and failing to communicate with clients in six separate matters. John D. Pogorelec, Jr. represented the District XI Ethics Committee before the DRB and Miles Feinstein represented the respondent. The respondent was previously disciplined: Admonished and also reprimanded in 2006.

JEFFREY LUTZ

Suspended for three months on June 24, 2008 on a certified record *(195 N.J. 439)* for settling a matter on which he knew there was an insurance company's lien and then improperly disbursing the settlement funds to himself and his client, rather than to the insurer. Respondent also engaged in misrepresentations by informing the insurer that he had a settlement offer and requesting that the company compromise its lien. At that time, respondent had already settled the matter. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Christina Blunda Kennedy argued the matter for the OAE before the DRB and respondent failed to appear.

GERALD M. LYNCH

Disbarred on a certified record on January 8, 2008 *(193 N.J. 329)* for grossly neglecting a family law matter, resulting in his client's arrest for failure to pay alimony, as well as the respondent's failure to cooperate with disciplinary authorities. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Admonished in 1999; temporarily suspended in 2003; reprimanded in 2005; censured in 2006; and suspended for six months in 2007.

EDWARD A. MACDUFFIE, JR.

Reprimanded on October 16, 2008 *(196 N.J. 531)* for engaging in a conflict of interest by continuing to represent a husband and wife in a personal injury litigation after one filed for divorce and for improperly disbursing a portion of the settlement to the husband even though the wife objected.

ALAN J. MARICONDA

Admonished on May 28, 2008 *(Unreported)* for abdicating his authority to oversee his brother, a non-lawyer bookkeeper in the firm. The brother stole client trust funds from respondent's trust account in an amount exceeding $272,000 over a five-year period. Respondent also failed to maintain appropriate trust accounting records as required by R.1:21-6. Lee A. Gronikowski appeared before the DRB for the OAE and Robert J. Galluccio appeared for the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

THERESA A. MARKHAM

Admonished on May 30, 2008 (*Unreported)* for failing to communicate with a divorce client and to provide that client with itemized weekly legal bills, as agreed upon. She also failed to refund the unused portion of her retainer after her services were terminated. Michael R. O'Donnell appeared before the DRB for District X and respondent appeared pro se.

RACHEL Y. MARSHALL

Suspended for one year effective November 3, 2008 *(196 N.J. 524)* arising out of respondent's defrauding two mortgage companies in a real estate transaction and failing to deliver clear title to the buyer in one matter, and for false representations to an insurance company on an application on her own behalf for disability insurance. Janice L. Richter appeared before the DRB for the OAE and Robyn M. Hill appeared for the respondent.

JULIE A. MARZANO

Reprimanded on May 28, 2008 *(195 N.J. 009)* as a result of the respondent's nine-month suspension in the Commonwealth of Pennsylvania for engaging in the practice of law in that state while she was on inactive status. Richard J. Engelhardt represented the OAE before the DRB and Vincent J. Giusini represented the respondent.

GARY L. MASON

Censured on November 12, 2008 *(197 N.J. 001)* for engaging in a conflict of interest by improperly using information gained while representing a former client during his subsequent employment by another corporate client. Respondent also prejudiced the administration of justice by violating a court order directing that he not perform any legal work for the corporation. Ronald Grayzel appeared before the DRB for District VIII and Glenn Reisner represented the respondent.

EUGENE D. MASSON

Disbarred by consent on March 12, 2008 *(194 N.J. 163)* as a result of his guilty plea in the United States District Court for the District of New Jersey to an Information charging him with wire fraud, in violation of *18 U.S.C.A. 1343 and 2*. Richard J. Engelhardt represented the OAE and Walter F. Timpone represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2008.

JASON C. MATEY

Suspended for three months effective September 2, 2008 *(196 N.J. 362)* for possession of cocaine, in violation of N.J.S.A. 2C:35-10(a)(1) in Union County while serving as an assistant prosecutor at the Union County Prosecutor's Office. John McGill, III represented the OAE before the DRB and Raymond A. Londa represented the respondent.

VERA MCCOY

Reprimanded on February 4, 2008 *(193 N.J. 477)* for failure to act diligently and to keep a client reasonably informed and failing to explain the matter to the client to the extent reasonably necessary to permit informed decisions. Willis F. Flower represented District I before the DRB and Roderick Baltimore represented the respondent. The respondent was previously disciplined: Admonished in 2007.

KENNETH S. MEYERS

Reprimanded on July 16, 2008 *(196 N.J. 157)* for grossly neglecting a real estate transaction, including failing to pay taxes at closing, failing to disburse over $1,200 in condominium fees and failing to reimburse his client for a period of five years after the closing. Respondent also failed to properly record two mortgages on the property and failed to maintain trust and business accounting records as required by Supreme Court rule. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Suspended for three years in 1992.

PATRICK J. MOORE

Suspended for one year on a certified record on March 11, 2008 *(194 N.J. 161)* for grossly neglecting a client matter by not filing a complaint within the statute of limitations and misrepresenting the status of the matter to the client. John J. Janasie appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for one year in 2003 and reprimanded in 2004.

JOHN P. MORRIS

Admonished on October 16, 2008 (*Unreported)* for engaging in a conflict of interest and failing to withdraw from representing a criminal client after he became aware that the client and respondent's wife were engaged in a romantic relationship. Willis F. Flower appeared before the DRB for District I and Vincent J. Pancari represented the respondent. The respondent was previously disciplined: Admonished in 1996 and reprimanded in 1998.

BRIAN J. MUHLBAIER

Admonished on October 1, 2008 *(Unreported)* for failing to promptly turn over the file to subsequent counsel in a collection matter, so that the client could pursue their matter. Jeffrey L. Gold appeared before the DRB for District I and Philip B. Seaton represented the respondent.

MICHAEL K. MULLEN

Reprimanded on May 2, 2008 *(194 N.J. 508)* for failing to act diligently in two collection cases, failing to communicate with his clients and failing to promptly return clients' files upon termination of representation. A. William Sala, Jr. appeared before the DRB for District XI and Robyn M. Hill appeared for the respondent. The respondent was previously disciplined: Admonished in 1999.

CHRISTOPHER L. MUSMANNO

Censured on December 3, 2008 *(197 N.J. 019)* for misrepresenting to a police officer during a traffic stop that he was employed by the Union County Prosecutor's Office and for, thereafter, misrepresenting to the Office of Attorney Ethics that the criminal charges filed against him in municipal court had been dismissed, when in fact they were downgraded to a disorderly persons offense. Janice L. Richter represented the OAE before the DRB and respondent appeared pro se.

WALTER D. NEALY

Suspended for three months effective August 11, 2008 *(196 N.J. 152)* for grossly neglecting two client matters. In one, a criminal appeal, the respondent failed to file an appellate brief resulting in the dismissal of the appeal. Thereafter, he was guilty of misrepresentation by failing to inform his clients of the dismissal. In another matter, the respondent grossly neglected a bankruptcy matter after agreeing to reopen his client's case. He also failed to communicate with the client about the matter. David Edelberg appeared before the DRB for District IIB and Eric A. Summerville represented the respondent. The respondent was previously disciplined: Privately reprimanded in 1990; reprimanded in 2001 and reprimanded in 2004.

JAMES D. NICHOLS

Reprimanded on January 15, 2008 *(193 N.J. 345)* for practicing law for a period of six months after he had been declared ineligible to practice by reason of non-payment of the 2007 annual registration and billing. Lee A. Gronikowski appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 1984 and reprimanded in 2005.

ROBERT F. O'BRIEN

Reprimanded on July 23, 2008 *(196 N.J. 352)* for his role as a partner in the former Tomar Law Firm's longstanding practice of paying referral fees to non-lawyer employees and for his failure to report this improper practice to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and Katherine D. Hartman appeared for the respondent.

JOHN D. ORTH

Reprimanded on May 13, 2008 on a certified record *(195 N.J. 3)* for failing to promptly deliver funds to a third party, commingling personal and client funds in a trust account, failing to update required attorney registration information, paying personal expenses with trust account checks and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Lee A. Gronikowski represented the OAE before the DRB and respondent failed to appear.

SANFORD R. OXFELD

Admonished on March 28, 2008 *(Unreported)* for failing to adequately communicate with his client in a termination of employment case for a period of six months during which the client repeatedly attempted to obtain a progress report. Arla Dawn Cahill appeared before the DRB for District VB and Arnold S. Cohen represented the respondent.

MICHAEL J. PALMER

Admonished on March 6, 2008 *(Unreported)* for negligently misappropriating client and escrow funds arising out of a real estate transaction. Michael J. Sweeney representing the OAE before the DRB and respondent appeared pro se. This matter was discovered solely as a result of the Random Audit Compliance Program.

FRED M. PARKER, JR.

Admonished on March 17, 2008 *(Unreported)* for failing to act diligently in representing a client in a foreclosure matter and failing to provide the client with reasonable communication and information during the course of that case. Anthony A. Swan appeared before the DRB for District I and respondent appeared pro se.

DAVID M. PAYNE

Disbarred by consent on April 28, 2008 *(194 N.J. 448)* as a result of his guilty plea in the Superior Court of New Jersey, Bergen County, Law Division, to an accusation charging him with theft by failure to make required disposition of property received, in violation of *N.J.S.A. 2C:20-9*. Richard J. Engelhardt represented the OAE and John M. Carbone represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2008.

DAVID J. PERCELY

Admonished on June 9, 2008 (*Unreported)* for failure to remit the balance of settlement funds to his clients for a period of over three years. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Lee A. Gronikowski represented the OAE before the DRB and Dennis J. Drasco represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2002.

ABAD A. PEREZ

Suspended for three months effective March 4, 2008 *(193 N.J. 483)* as a result of respondent's guilty plea in the Superior Court of New Jersey, Law Division, Hudson County, to fourth degree false swearing, in violation of *N.J.S.A. 2C:28-2(a)*. The respondent's plea admitted that he gave a false

statement under oath to a judge. Richard J. Engelhardt appeared before the DRB for the OAE and Samuel R. DeLuca represented the respondent.

NINA E. PERRIS

Disbarred by consent on March 26, 2008 *(194 N.J. 275)* as a result of a guilty plea in the Superior Court of New Jersey, Law Division, Camden County, to an Accusation charging her with fourth degree forgery, in violation of N.J.S.A. 2C:21-1(a)(1). Richard J. Engelhardt represented the OAE and respondent was represented by George E. Pallas (admitted in Pennsylvania only). The respondent was previously disciplined: Temporarily suspended in 2008.

STEPHEN R. PHILPITT

Reprimanded on February 26, 2008 *(193 N.J. 597)* for negligently misappropriating client trust funds and failing to maintain trust account records required by R.1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Random Audit Compliance Program.

ANDREW K. POLEY

Censured on July 11, 2008 *(196 N.J. 156)* following respondent's guilty plea in the Superior Court of New Jersey, Law Division, Bergen County, to fourth- degree false swearing, in violation of *N.J.S.A. 2C:28-2(a)*. The respondent was subsequently admitted to the pretrial intervention program. The guilty plea resulted when respondent admitted that he lied about his wife's conduct in an aggravated assault case, both to police officers and to the municipal court judge, by stating that his wife stabbed him with scissors, when the wounds were self-inflicted. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

CARLOS A. RENDO

Admonished on May 19, 2008 (*Unreported)* for using a misleading letterhead which failed to indicate the jurisdictional limitations on those attorneys not licensed to practice law in this state. Lisa D. Love appeared before the DRB for District VA and Gerald D. Miller represented the respondent.

JULIO A. RICHARDS

Disbarred on December 3, 2008 on a certified record *(197 N.J. 030)* for knowingly misappropriating medical escrow funds from a negligence matter. Christina Blunda Kennedy represented the OAE before the DRB and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2007.

CHARLES H. RILEY

Six-month suspended suspension on July 23, 2008 *(196 N.J. 352)* imposed on respondent, who was determined to be a "key player" in the former Tomar Law Firm's longstanding practice of paying referral fees to non-lawyer employees. He also failed to report the unethical conduct of his partners to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and Philip B. Seaton appeared for the respondent.

PATRICIA W. RIVERA

Admonished on May 2, 2008 *(194 NJ 511)* for negligently misappropriating clients' trust funds, charging excessive fees in 18 personal injury matters and failing to maintain trust and business account records as required by Rule 1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and respondent waived appearance. This matter was discovered solely as a result of the Random Audit Compliance Program.

JAMES O. ROBERSON, JR.

Suspended for three years effective November 25, 2006 *(194 N.J. 557)* for conducting a real estate closing during which he was required to satisfy a lien of $269,000, but instead paid monies to his client, as well as over $80,000 to himself, in satisfaction of loans that he had made to the sellers. To accomplish this, respondent made misrepresentations on the RESPA statement that the lien had been satisfied, thus defrauding the new lender. In related litigation, the respondent was also guilty of misleading the court. He also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Lee A. Gronikowski appeared before the DRB for the OAE and Emil Cuccio appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2002 and suspended for six months in 2006.

LEONARD N. ROSS

Disbarred on May 6, 2008 *(194 N.J. 513)* based upon respondent's disbarment in the Commonwealth of Pennsylvania, following his guilty plea to an Information filed in the United States District Court for the Eastern District of Pennsylvania. That Information charged him with one count of Honest Services Wire Fraud, *18 U.S.C. §§ 1343* and *1346*; two counts of Honest Services Mail Fraud, *18 U.S.C. §§ 1341* and *1346*; and one count of conspiracy to commit extortion, *18 U.S.C. § 1951(a)*. The underlying events related to respondent's activity as a member of the Penns Landing Corporation, a non-profit organization of the City of Philadelphia. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2007.

KAREN E. RUCHALSKI

Admonished on March 28, 2008 *(Unreported)* for practicing law while on the Ineligible to Practice List for failing to register and pay the annual attorney assessment, failing to adequately communicate with a client in a post-judgment matrimonial motion and failing to cooperate with disciplinary authorities during the investigation of the matter. Antonio Coppola appeared before the DRB for District VI and the respondent appeared pro se.

MICHAEL P. RUMORE

Disbarred by consent on September 11, 2008 *(197 N.J. 027)* for the knowing misappropriation of client trust funds. John McGill, III represented the OAE and Anthony T. Alfano represented the respondent.

JAMES E. SACKS-WILNER

Censured on June 10, 2008 *(195 N.J. 184)* for sending debtors an unethical letter threatening criminal action in three collection matters and, in three other cases, engaging in a pattern of neglect and failure to communicate with clients. Jerry S. D'Anniello appeared before the DRB for District XIII and Edward Hunter appeared for the respondent. The respondent was previously disciplined: Privately reprimanded in 1991.

JONATHAN SAINT-PREUX

Disbarred on September 9, 2008 *(197 N.J. 026)* as a result of respondent's guilty plea in the United States District Court for the District of New Jersey to immigration fraud, a violation of *18 U.S.C.A. §1546(a)* and *(2)*. Specifically, respondent knowingly filed hundreds of forms with the Office of Immigration Services, falsely stating that certain illegal aliens had lived unlawfully in the United States during a certain time period. This was done for the purpose of qualifying the individuals for legal residency under an amnesty immigration program. As a result, respondent collected hundreds of thousands of dollars from illegal aliens. Christina Blunda Kennedy represented the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Admonished in 2004; reprimanded in 2004 and temporarily suspended in 2007.

RAMON SARMIENTO

Suspended for three months effective December 1, 2006 *(___ N.J. ___)* as a result of a 30 day suspension from the practice of law in the State of Florida after his arrest for possession of Ecstasy, a controlled dangerous substance. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

TODD E. SCHOENWETTER

Admonished on February 1, 2008 *(Unreported)* for failing to reasonably communicate facts to his clients in settling a negligence matter, and for failing to cooperate with the district ethics committee during the investigation of the case. Stanley O. King appeared before the DRB for District IV and respondent appeared pro se.

JOHN H. SCHUNKE, JR.

Disbarred by consent on December 9, 2008 *(197 N.J. 030)* as a result of his admission that he could not successfully defend a formal complaint that had been filed against him alleging the knowing misappropriation of clients' trust funds. Michael J. Sweeney represented the OAE and Robert J. Galluccio represented the respondent.

JEFFREY D. SERVIN

Reprimanded on February 26, 2008 *(193 N.J. 598)* for failing to act diligently in representing a group of investors trying to recoup losses on loans and stock investments. Richard L. Goldstein appeared before the DRB for District IV and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1990; reprimanded in 2000; and suspended for three months in 2003.

NORMAN J. SHABEL

Admonished on February 1, 2008 (*Unreported)* for failing to adequately communicate with his client the extent of legal fees that had accumulated over a two-year period in workers compensation and personal injury actions. Christina Blunda Kennedy appeared before the DRB for the OAE and Joel B. Korin appeared for the respondent.

FRANK J. SHAMY

Admonished on April 15, 2008 *(Unreported)* for signing a client's name to a release and having the attorney's secretary notarize the signature and for making small, interest-free loans to three clients, without first advising them to consult with independent counsel. Lee A. Gronikowski represented the OAE before the DRB and Frederick J. Dennehy represented the respondent.

NEAL SHARMA

Suspended for three months on February 26, 2008 *(193 N.J. 599)* for practicing law after being declared ineligible by the Supreme Court, failing to maintain a bona fide office, failing to handle a bankruptcy matter with diligence, failing to keep the client reasonably informed and failing to explain the matter to the extent reasonably necessary to permit the client to make informed decisions. Karen Confoy and Charles Casale appeared before the DRB for District VII and respondent

waived appearance. The respondent was previously disciplined: Censured and reprimanded, both in 2006.

HOWARD S. SIMONOFF

Reprimanded on July 23, 2008 *(196 N.J. 352)* for his role as a partner in the former Tomar Law Firm's longstanding practice of paying referral fees to non-lawyer employees and for his failure to report this improper practice to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and George C. Greatrex, Jr. appeared for the respondent.

ALAN H. SKLARSKY

Reprimanded on July 23, 2008 *(196 N.J. 352)* for his role as a partner in the former Tomar Law Firm's longstanding practice of paying referral fees to non-lawyer employees and for his failure to report this improper practice to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and Robyn M. Hill appeared for the respondent.

KEITH T. SMITH

Admonished on October 1, 2008 *(Unreported)* for grossly neglecting a personal injury matter and failing to keep the client reasonably informed of the status of the matter. Alfred J. Verderose appeared before the DRB for District I and respondent appeared pro se.

MICHAEL B. SOSNOWSKI

Disbarred on September 9, 2008 *(197 N.J. 023)* based upon his guilty plea in the United States District Court for the District of New Hampshire to a one count information charging him with possession of child pornography, in violation of *18 U.S.C.A. §2252A(a)(5)(B).* Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2007.

ROBERT F. SPENCER

Admonished on May 30, 2008 (*Unreported)* for preparing a will for a client in which respondent was named as a residuary beneficiary, in violation of RPC 1.8(c). Elizabeth A. Weiler appeared before the DRB for District XII and Raymond S. Londa appeared for the respondent.

MICHAEL A. SZEGDA

Disbarred on February 20, 2008 *(193 N.J. 549)* following respondent's disbarment in New York based on a guilty plea to second degree grand larceny, a class C felony. The charge and the plea were based on respondent's theft of his client's escrowed real estate down payment funds. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent waived appearance. The respondent was previously disciplined: Temporarily suspended in 2007.

ANTHONY N. THOMAS

Suspended for one year on January 15, 2008 *(193 N.J. 345)* as a result of reciprocal discipline in the Commonwealth of Pennsylvania involving gross neglect, failure to communicate with his clients, failure to account for unearned fees and commingling client and personal funds. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

NICHOLAS J. TURCO

Censured on July 11, 2008 *(196 N.J. 154)* for grossly neglecting a client matter and engaging in a conflict of interest by simultaneously representing an individual client and a corporate client in a loan transaction. John McGill, III appeared before the DRB for the OAE and Robert J. DeGroot appeared for the respondent. The respondent was previously disciplined: Privately reprimanded in 1988.

CLIFFORD L. VAN SYOC

Reprimanded on September 3, 2008 *(___ N.J. ___)* for grossly neglecting two client employment discrimination matters, failing to act diligently and failing to communicate with the client as required by ethical rules. Ernest L. Alvino, Jr. appeared before the DRB for District IV and Steven K. Kudatzky appeared for the respondent. The respondent was previously disciplined: Admonished in 2003.

ALFRED P. VITARELLI

Reprimanded on July 23, 2008 *(196 N.J. 352)* for his role as a partner in the former Tomar Law Firm's longstanding practice of paying referral fees to non-lawyer employees and for his failure to report this improper practice to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and Robert J. Borbe appeared for the respondent.

ERIC D. WACHTEL

Suspended for six months effective June 2, 2008 *(194 N.J. 509)* based upon respondent's criminal conviction in the Superior Court of New Jersey, Morris County, for two counts of stalking, in violation of N.J.S.A. 2C:12-1(b), a fourth degree crime. Those incidents of threatening involved (1) several threatening telephone messages on the answering machine of the respondent's wife's divorce attorney and (2) respondent's leaving obscene voicemail messages threatening a court-appointed mediator with bodily injury. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

JAMES A. WALDRON

Suspended for six months on February 15, 2008 *(193 N.J. 589)* as a result of his guilty plea in the United State District Court for the District of New Jersey to one count of knowing and willful failure to file an income tax return for the year 1994 with the Internal Revenue Service, in violation of *26 U.S.C. § 7203*. Richard J. Engelhardt appeared before the DRB for the OAE and Andrew R. Jacobs appeared for the respondent.

HENRY A. WALSH, JR.

Suspended for six months effective August 21, 2008 on a certified record *(196 N.J. 161)* for failing to communicate with his client in a custody hearing matter and for failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Joseph Grisanti appeared before the DRB for District IIIA and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2006 and censured in 2007.

HENRY A. WALSH, JR.

Suspended for three months effective February 21, 2009 on a certified record *(196 N.J. 161)* for practicing law after he had been declared ineligible to do so for non-payment of the annual attorney registration fee from September 30, 2002 to June 27, 2005. John J. Janasie appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2006 and censured in 2007.

KENNETH S. WARD

Suspended for one year on April 8, 2008 *(194 N.J. 363)* as a result of reciprocal discipline in the State of Maryland, including lack of diligence and gross neglect in three cases, failing to communicate with clients, attempting to collect an unreasonable fee from two clients, allowing a default judgment to be entered against a client, misrepresenting to a client the status of the civil case, improperly directing his secretary to notarize a document and misrepresenting to a court that there were no pending disciplinary matters against him. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

KATHLEEN D. WARGO

Suspended for one year on March 11, 2008 *(194 N.J. 166)* for failing to release escrow funds, failing to communicate with her client, grossly neglecting a client matter, making misrepresentations to the client and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. John J. Janasie appeared before the Supreme Court for the OAE and Kathleen D. Wargo appeared pro se. The respondent was previously disciplined: Censured and temporarily suspended in 2007.

KATHLEEN D. WARGO

Suspended for one year effective March 15, 2009 on a certified record *(196 N.J. 542)* for failing to cooperate with disciplinary authorities during the investigation and processing of the matter and for failing to comply with the Supreme Court's order requiring respondent's filing of an Affidavit of Compliance with R.1:20-20. Walton W. Kingsbery, III represented the OAE before the DRB and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2007; censured in 2007; and suspended for one year in 2008.

JAMES E. WHITE

Reprimanded on September 3, 2008 *(___ N.J. ___)* for practicing law from January 11, 2003 through September 6, 2005 while employed by the New Jersey Office of the Public Defender. During this period, respondent was on the Ineligible to Practice Law list of the Supreme Court by reason of his non-payment of the annual attorney registration and billing. Lee A. Gronikowski appeared before the DRB for the OAE and respondent appeared pro se.

LEWIS N. WHITE, III

Admonished on January 23, 2008 *(Unreported)* for engaging in the practice of law after being declared ineligible to do so due to his non-filing and non-payment of the annual attorney registration statement and fee. Christina Blunda Kennedy appeared before the DRB for the OAE and respondent appeared pro se.

AVIS COLE WILLIAMS

Censured on February 13, 2008 on a certified record *(193 N.J. 589)* as a result of her failure to cooperate with disciplinary authorities during the investigation and processing of a grievance from a defendant in a criminal proceeding. Joseph W. Pinto appeared before the DRB for District IIIB and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2005 and reprimanded in 2006.

W. RAY WILLIAMS

Reprimanded on October 2, 2008 *(196 N.J. 525)* for overdrafting his trust account, commingling personal and trust funds in the trust account, failing to maintain proper trust and business account records, failing to cooperate with ethics authorities during the investigation of the matter and failing to comply with the requirements of R.1:20-20 to file an affidavit of compliance after his temporary suspension of March 13, 2007. Melissa A. Czartoryski represented the OAE before the DRB and the respondent appeared pro se.

CHARLES L. WINNE

Reprimanded on July 23, 2008 *(196 N.J. 352)* for his role as a partner in the former Tomar Law Firm's longstanding practice of paying referral fees to non-lawyer employees and for his failure to report this improper practice to disciplinary authorities. Michael J. Sweeney appeared before the Supreme Court for the OAE and Robert N. Agre appeared for the respondent.

JOHN F. WISE

Reprimanded on June 10, 2008 *(195 N.J. 181)* for negligently misappropriating clients' trust funds and failing to maintain trust records, as required by R.1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and Lewis B. Cohn appeared for the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program. The respondent was previously disciplined: Reprimanded in 1995; admonished in 1996; and reprimanded in 2005.

DAVID J. WITHERSPOON

Censured on February 13, 2008 *(193 N.J. 489)* as a result of his gross neglect and failure to communicate with clients in three separate matters. Lisa D. Love appeared before the DRB for District VA and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2002 and reprimanded and admonished in 2003.

JACK L. WOLFF

Reprimanded on March 18, 2008 *(194 N.J. 185)* for negligently misappropriating clients' trust funds, failing to promptly deliver funds to third parties, failing to maintain proper trust and business account records and making improper disbursements on uncollected funds. Michael J. Sweeney appeared before the DRB for the OAE and David H. Dugan, III appeared for the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

NANCY R. WOOD

Censured on February 13, 2008 on a certified record *(193 N.J. 491).* Respondent's husband, Scott J. Wood, was suspended from practice. He failed to file his compliance affidavit as required by R.1:20-20, whereupon it became respondent's obligation, which she did not fulfill. She also failed to remove the firm's sign, "Wood & Wood, LLC," in accordance with that rule. Finally, respondent improperly engaged in the practice of law for over a year while she was on the Ineligible List for failure to file her annual registration and pay her annual billing. Melissa A. Czartoryski represented the OAE before the DRB and respondent failed to appear.

SCOTT J. WOOD

Suspended for one year on February 13, 2008 on a certified record *(193 N.J. 487).* The respondent failed to file the required compliance affidavit under R.1:20-20 following his three-month suspension effective August 15, 2005. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Melissa A. Czartoryski represented the OAE before the DRB and respondent failed to appear. The respondent was previously disciplined: Admonished in 1999; reprimanded in 2000; censured in 2003; and suspended for three months in 2005.

KATRINA F. WRIGHT

Reprimanded on May 2, 2008 on a certified record (*194 N.J. 503)* for grossly neglecting a divorce matter and failing to cooperate with disciplinary authorities during the investigation and processing of the case. John O. Poindexter represented District IIIB before the DRB and respondent failed to appear.

WILLIAM KEVIN WRIGHT

Disbarred by consent on April 15, 2008 (*194 N.J. 498)* for admitting that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of client trust funds. John McGill, III represented the OAE and James A. Plaisted represented the respondent. The respondent was previously disciplined: Admonished in 2007.

JIWEI ZHAO

Disbarred by consent on August 21, 2008 (*196 N.J. 363)* having admitted that he knowingly misappropriated client trust funds. Christina Blunda Kennedy represented the OAE and Steven D. Altman represented the respondent.

2007

BINCY Y. ABRAHAM

Suspended for three months effective January 4, 2008 *(193 N.J. 299)* for improperly engaging in dual representation of seller and buyer in a real estate transaction and because of her ongoing relationship with the corporate seller and for improperly allowing the seller to direct and regulate respondent's professional judgment. Additionally, the respondent represented to the buyers that their deposit monies would be safeguarded in her attorney trust account, although she immediately released those monies to her other client, the sellers. Janice L. Richter represented the OAE before the DRB and David Dugan represented the respondent.

PATRICIA ADELLE

Suspended for six months effective January 15, 2005 *(191 N.J. 471)* for misconduct in five client matters, including negligent misappropriation of trust funds, lack of diligence, failure to communicate with clients, failure to turn over a file, recordkeeping violations and failure to cooperate with disciplinary authorities during the investigation and processing of this matter. Janice L. Richter appeared before the DRB for the OAE and respondent waived appearance. Respondent was previously disciplined: Reprimanded in 2002; suspended for three months in 2002 and suspended for three months in 2004.

SCOTT R. BARON

Disbarred by consent on December 6, 2007 *(193 N.J. 304)* when he admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of more than $400,000 in client trust funds when he was employed as in-house counsel with a corporation for which he conducted two real estate closings. Walton W. Kingsbery, III represented the OAE and Hugo R. Harmatz represented the respondent.

GARY D. BARTON

Reprimanded on October 2, 2007 (193 *N.J. 21)* for engaging in a conflict of interest by filing a civil complaint in which he represented both the driver and passenger in a motor vehicle accident. The respondent also grossly neglected the case and failed to keep the clients reasonably informed about the status of the matter. David Marcus appeared before the DRB for District IIB and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1980.

BASIL D. BECK, JR.

Disbarred on a certified record on October 10, 2007 *(2007 N.J. Lexis 1239)* for settling a client's personal injury matter without the client's consent and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Nitza I. Blasini appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent has an extensive prior disciplinary history: Privately reprimanded in 1988; publicly reprimanded in 1990; temporarily suspended in 1991; suspended for three months in 1992; suspended for three years in 1995; and temporarily suspended in 2007.

CHAIM BERGLAS

Suspended for one year on May 9, 2007 *(190 N.J. 357)* as a result of discipline imposed in the State of New York arising out of the use of runners who made referrals in over 200 cases and for encouraging clients to file immigration affidavits containing false addresses in nine separate matters. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent waived appearance.

AZAMA A. BILQIYS A/K/A YVETTE H. WORTH

Disbarred on June 19, 2007 *(191 N.J. 554)* for knowingly misappropriating over $5,000 of clients' trust funds, knowingly offering false evidence in the form of altered bank statements to disciplinary authorities, knowingly making false statements of material fact to disciplinary authorities and making misrepresentations to disciplinary authorities. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and Anthony J. Randazzo appeared for the respondent. The respondent was previously disciplined: Privately reprimanded in 1990 and temporarily suspended in 2005.

RICHARD G. BIRCHALL

Disbarred on July 3, 2007 (*192 N.J. 042)* for the knowing misappropriation of trust funds when he wrote $235,000 in checks to himself, his family members and an unspecified number of his personal creditors against funds which had been deposited for the benefit of one client. The respondent also, in a second matter, knowingly misappropriated $145,000 of another client's funds. This matter was based upon reciprocal disbarment proceedings for the same conduct that occurred in the State of Massachusetts. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Publicly reprimanded in 1988.

MICHAEL L. BLOCK

Suspended for one year effective March 21, 2007 (*189 N.J. 432)* for lack of diligence in 14 matters including failing to keep a client reasonably informed about the status of a matter, failing to promptly deliver funds to a client, failing to provide a written retainer agreement, providing financial assistance to a client in connection with pending litigation, failing to maintain a trust account; failing to protect a client's interest on termination of the representation by not promptly returning property belonging to the client, failing to withdraw as counsel if the lawyer's mental condition impairs the lawyer's ability to represent the client and failing to cooperate with disciplinary authorities during the investigation of 13 of these matters. Melissa A. Czartoryski appeared before the DRB for the OAE and Robert Agre appeared on behalf of the respondent. The respondent was previously disciplined: Reprimanded in 2004 and temporarily suspended three times (2004 and 2005).

DAVID W. BOYER

Admonished on March 28, 2007 (*Unreported)* for failing to have a written fee agreement with an estate client. Rachel J. Lehr appeared before the DRB for District VII and Robert E. Ramsey represented the respondent.

STEPHEN M. BRETT

Suspended for one year effective December 5, 2006 *(193 N.J. 296)* as a result of respondent's public reprimands in the State of Maine and his suspension for one year in the Commonwealth of Massachusetts. In Maine, the respondent was disciplined for eavesdropping on an opposing party and on a judge during the mediation of a case, offering a fee to a police officer to solicit clients and allowing his client to submit false testimony without rectifying the fraud on the tribunal. In Massachusetts, respondent was disciplined for assisting a client to violate the condition of his release in a criminal case, requesting and receiving money from a client he was appointed to represent, failing to appear and notify a client of his arraignment, misrepresenting to Maine disciplinary authorities that the court failed to give him notice of the arraignment, communicating with an opposing party without the consent of counsel and pursuing a frivolous appeal. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

MICHAEL J. BUONOPANE

Disbarred on January 30, 2007 (*Unreported)* as a result of respondent's guilty plea in the Superior Court of New Jersey to count two of an indictment charging him and one of his non-legal businesses, Mr. Good Lube, Inc., with misapplication of entrusted property, a second-degree offense (*N.J.S.A. 2C:21-15*); count eleven, charging him and Mr. Good Lube 10 Minute Oil Change, Inc. with failure to file corporate business tax returns, a third-degree offense (*N.J.S.A. 54:52-8*); and count twenty-five, charging him and many of his businesses with misapplication of entrusted property, a second-degree offense (*N.J.S.A. 2C:21-15*). In essence, over a period of four to five years, respondent intentionally misused over $2.7 million dollars in entrusted funds by willfully failing to remit to federal and state authorities taxes withheld from employees and by failing to turn over New Jersey sales and use taxes paid by customers of his numerous businesses. He willfully failed to file corporate tax returns for four calendar years, with the intent to evade the payment of taxes. Richard J. Engelhardt appeared before the Supreme Court of New Jersey for the OAE and Maureen Ruane represented the respondent. The respondent was previously disciplined: Privately reprimanded in 1992 and temporarily suspended in 2005.

JOSE M. CAMERON

Admonished on September 5, 2007 (*Unreported)* for grossly neglecting a personal injury matter and failing to act diligently by permitting the complaint to be dismissed twice, but only once taking steps to have it reinstated, three years after the dismissal. Moreover, the respondent failed to disclose to his client that the complaint had been dismissed twice. Howard Duff appeared before the DRB for District VIII and Richard Simon represented the respondent.

LOUIS A. CAPAZZI, JR.

Suspended for one year effective December 13, 2005 *(191 N.J. 473)* for committing the third degree crime of altering evidence, in violation of *N.J.S.A. 2C:5-1* and *N.J.S.A. 2C:28-6.* Specifically, respondent, who owned and operated Atlantic Bail Bondsman, coerced a bounty hunter to fabricate an inflated receipt for expenses incurred in the apprehension of a fugitive, who had "jumped" bail. By his actions, respondent sought to defraud the fugitive out of additional unwarranted expenses that she would be required to pay to Atlantic. Christina Blunda Kennedy represented the OAE before the DRB and Raymond Flood represented the respondent.

DANIEL S. CHILEWICH

Suspended for one year effective February 17, 2005 (*192 N.J. 221)* as a result of respondent's guilty plea in the Supreme Court of New York, County of New York, to the first degree offense of offering a false instrument for filing, a class E felony, in violation of §175.35 of the Penal Law of the State of New York. The basis for the plea was that the respondent caused a retainer statement to be filed with the New York Office of Court Administration which he knew to be false. The falsity arose out of respondent's payment of a runner for referral fees in personal injury actions. Richard J. Engelhardt appeared before the DRB for the OAE and Kim D. Ringler appeared for the respondent. Respondent was previously disciplined: Temporarily suspended in 2005.

LOUIS A. COLAGUORI

Disbarred by consent on August 15, 2007 (*192 N.J. 298)* for knowingly misappropriating clients' trust funds in an amount exceeding $500,000. Walton W. Kingsbery, III represented the OAE before the Supreme Court and David H. Dugan, III represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

JOHN K. CONNER

Reprimanded on October 30, 2007 (*193 N.J. 025)* as a result of respondent's negligent misappropriation of clients' trust funds in two matters due to his poor accounting practices involving the inadvertent deposit of client funds into his business account instead of his trust account. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

CASSANDRA A. CORBETT

Reprimanded on March 19, 2007 *(Unreported)* for grossly neglecting a client's wrongful arrest and termination of employment litigation and failing to communicate with the client about the matter. Michael Margello appeared before the DRB for District XII and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2001.

STEVEN C. CUNNINGHAM

Disbarred on March 27, 2007 *(192 N.J. 219)* for pleading guilty in the Superior Court of New Jersey, Law Division to a one count accusation charging him with third-degree attempted endangering the welfare of a child, in violation of *N.J.S.A. 2C:5-1* and *N.J.S.A. 2C:24-4a.* Factually, on three separate occasions, respondent engaged an individual, whom he believed to be a 12-year old boy, in lewd Internet "chat" sexual conversations. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent waived appearance.

NATHANIEL M. DAVIS

Reprimanded on September 11, 2007 (*194 N.J. 555)* as a result of his suspension for one year and one day in the Commonwealth of Pennsylvania. That suspension was based upon respondent's improper practice in that state for a period of three years while on inactive status. The respondent engaged in misrepresentations to the court, opposing counsel and the continuing legal education board. Richard J. Engelhardt appeared before the DRB for the OAE and Robyn M. Hill appeared for respondent.

DAVID J. DARROW

Disbarred on a certified record on June 5, 2007 (*191 N.J. 319)* for knowingly misappropriating almost $30,000 of clients' trust funds by writing out more than 70 trust account checks payable to himself over a sixteen-month period. Michael J. Sweeney represented the OAE before the Supreme Court and the respondent failed to appear. The respondent was temporarily suspended from practicing law on May 1, 2006. This case was discovered solely as a result of the Trust Overdraft Notification Program.

DAVID W. DENENBERG

Reprimanded on May 22, 2007 (*191 N.J. 085)* based upon discipline in the State of New York for his conviction of the misdemeanor offense of making a false affidavit, in his capacity as a subscribing witness, on an election petition, in violation of New York Election Law §17-122(7). Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

NICOLE DEVANEY

Disbarred by consent on July 30, 2007 (*192 N.J. 079)* as a result of the knowing misappropriation of clients' trust funds in an amount exceeding $10,000. Michael J. Sweeney represented the OAE before the Supreme Court and Mitchell J. Ansell represented the respondent. The respondent was temporarily suspended from the practice of law on July 16, 2007. This matter was discovered solely as a result of the Random Audit Compliance Program.

LESLY R.H. DEVEREAUX

Disbarred by consent on December 20, 2007 *(193 N.J. 307)* as a result of respondent's criminal conviction in the Superior Court of New Jersey, Law Division, Mercer County for second degree official misconduct [N.J.S.A. 2C:30-2] and third degree misapplication of entrusted property [N.J.S.A. 2C:21-15]. Respondent also pleaded guilty to fourth degree falsifying or tampering with records [N.J.S.A. 2C:21-4(a)] and third degree theft by deception [N.J.S.A. 2C:20-4]. Richard J. Engelhardt represented the OAE and John S. Furlong represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2007.

JAMES C. DEZAO, III

Admonished on January 26, 2007 (*Unreported)* for failing to maintain proper trust accounting records as required by R.1:21-6 including a failure to reconcile the trust account. Michael J. Sweeney represented the OAE before the DRB and Michael P. Ambrosio represented the respondent. The respondent was previously disciplined: Reprimanded in 2001. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

RICHARD S. DIAMOND

Admonished on November 15, 2007 (*Unreported)* for making a false statement of material fact to a court by filing certifications making numerous references to psychological/medical records which were, in fact, not attached. Elizabeth Kronisch appeared before the DRB for District VB and Kim D. Ringler represented the respondent.

RICHARD S. DIAMOND

Admonished on November 15, 2007 (*Unreported)* as a result of representing a client-wife in a post-judgment cross motion for her husband's contribution toward their children's college expenses. A trust created by the client's parents for the children's benefit became at issue and respondent failed to identify in writing to either the husband or to the trustee the specific trust documents that respondent required to support the relief requested in the cross motion. Elizabeth Kronisch appeared before the DRB for District VB and Kim D. Ringler represented the respondent.

ALLAN DZWILEWSKI

Reprimanded on June 19, 2007 (*191 N.J. 556)* for assisting a client in illegal conduct by acting as an intermediary to facilitate a fee arrangement that was prohibited by *N.J.S.A. 45:15-1.* Robert E. Dunn appeared before the DRB for District X and Frederic Knapp appeared for the respondent.

CHRISTOPHER J. FAUCI

Suspended for eighteen months effective February 19, 2007 (*189 N.J. 201)* as a result of an eighteen month suspension in the State of New York involving giving false testimony concerning his brother's bar application, neglect of a client matter and notarization of medical authorizations signed outside his presence. Additionally, the respondent made misrepresentations to the New York disciplinary agency during the course of the proceedings. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

DONALD P. FEDDERLY

Reprimanded on January 10, 2007 *(189 N.J. 127)* as a result of a guilty plea in the Superior Court of New Jersey, Law Division, Morris County, to third degree assault by auto (*N.J.S.A.* 2C:12-1C(2)) and driving while intoxicated (*N.J.S.A.* 39:4-50). Richard J. Engelhardt appeared before the DRB for the OAE and Gerald Hanlon represented the respondent.

STUART D. FELSEN

Suspended for three months effective February 24, 2007 (*189 N.J. 199)* as a result of a criminal conviction in the Superior Court of New Jersey for third degree attempt to possess CDS (Percocet) by fraud, in violation of *N.J.S.A.* 2C:5-1 and *N.J.S.A.* 2C:35-13, and third degree forgery, in violation of *N.J.S.A.* 2C:21-1a(2). Richard J. Engelhardt appeared before the DRB on behalf of the OAE and Robert W. Gluck appeared on behalf of respondent. The respondent was previously disciplined: Reprimanded in 2002.

ANTHONY G. FILOMENO

Censured on May 9, 2007 (*190 N.J. 579)* for admitting that he conspired to possess and did possess cocaine, as well as other drug paraphernalia. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and Michael P. Ambrosio represented the respondent.

MICHAEL J.A. FIURE

Admonished on November 15, 2007 (*Unreported)* for grossly neglecting a client bankruptcy matter and, in another matter, failing to set forth in writing the rate or basis of his fee. In both cases, the respondent failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Christina Blunda Kennedy appeared before the DRB for the OAE and Frank A. Louis represented the respondent.

BRIAN F. FOWLER

Admonished on December 10, 2007 (*Unreported)* for recordkeeping violations in his attorney trust account and for failing to record mortgages on behalf of two clients. This matter was discovered solely as a result of the Random Audit Compliance Program. Michael J. Sweeney appeared before the DRB for the OAE and John F. Darcy represented the respondent.

HARRY E. FRANKS, JR.

Suspended for three months on a certified record on January 23, 2007 (*189 N.J. 198)* for failing to act diligently in representing a matrimonial client, failing to cooperate with disciplinary authorities during the investigation and processing of the matter and lying to the client about a mediation and a court date, which, in fact, were never scheduled. Ingrid Lynn French appeared before the DRB for District I and respondent failed to appear. The respondent was previously disciplined: Admonished in 2001 and censured in 2006.

THOMAS G. FREY

Reprimanded on September 18, 2007 (*192 N.J. 445)* who, while representing a purchaser, made a knowing misrepresentation to a real estate agent that he had received an additional down payment deposit of $31,900 when, in fact, he had not. Thereafter, when respondent received from his client an $11,000 installment towards the deposit, respondent later released those funds back to his client despite his fiduciary obligation to hold them and to remit them to the realtor. Melissa A. Czartoryski appeared before the DRB for the OAE and Glenn Reiser represented the respondent.

LYNNE M. GALE

Reprimanded on November 16, 2007 (*195 N.J. 001)* for engaging in a pattern of gross neglect and misrepresentation in a series of five real estate matters. As an associate for a law firm, the respondent knowingly inserted information on RESPAs that was inaccurate and that was supplied to her by a non-client on whom she improperly relied. Lee A. Gronikowski appeared before the DRB for the OAE and Alan Zegas represented the respondent.

PATRICK W. GEARY

Suspended for two years effective February 7, 2007 *(189 N.J. 194)* for engaging in a repetitive and sustained course of misconduct involving misrepresenting to his law firm and his clients over a period of two years that he had completed work that he had not. Respondent compounded the situation by creating false documents and correspondence that attempted to reassure clients and the law firm that cases were progressing when they were not. In reliance, several clients commenced business when, in fact, they were in violation of law. Robert Harbeson appeared before the DRB for District IV and John M. Mills, III represented the respondent.

SAMUEL GEN

Indefinitely suspended on April 5, 2007 (*190 N.J. 012)* as a result of respondent's guilty plea in the State of New York to a fourth degree class A misdemeanor of attempted grand larceny. Richard J. Engelhardt appeared before the DRB for the OAE and Kim D. Ringler and Frederick J. Dennehy appeared for the respondent.

PHILIP G. GENTILE

Disbarred by consent on February 26, 2007 (*189 N.J. 435)* for engaging in the knowing misappropriation of trust funds. Janice L. Richter represented the OAE and James W. Broscious represented the respondent.

ANTHONY GIAMPAPA

Admonished on November 15, 2007 (*Unreported)* for improperly failing to withdraw from representation when the client secured a new attorney. The respondent also failed to communicate with the client and the attorney and to turn over the balance of trust funds from a refinancing of real estate. Ralph M. Fava, Jr. appeared before the DRB for District XI and Anthony P. Ambrosio represented the respondent.

ARTHUR GLATMAN

Reprimanded on May 22, 2007 *(191 N.J. 084)* for negligently misappropriating clients' trust funds, failing to disburse funds promptly, failing to maintain appropriate trust and business account records as required by R.1:21-6 and failing to cooperate with disciplinary authorities during the investigation of this matter. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JEROME E. GOLDMAN

Disbarred by consent on December 18, 2007 (*193 N.J. 307)* as a result of the respondent's disbarment in the State of New York for the knowing misappropriation of clients' trust funds in the State of Florida. Richard J. Engelhardt represented the Office of Attorney Ethics and Susan Brotman (of the New York bar) represented the respondent.

JEFF H. GOLDSMITH

Censured on April 10, 2007 (*190 N.J. 196)* for grossly neglecting an uncomplicated estate for almost two years and making no distribution to beneficiaries, despite almost $500,000 in available funds for disbursement. Respondent was removed as executor of the estate and a $400,000 judgment was entered against the respondent. Lee A. Gronikowski appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1994 and admonished in 2002.

MARIA INES GONZALEZ

Suspended for three months effective February 24, 2007 (*189 N.J. 203)* for failing to supervise a non-lawyer assistant, sharing legal fees with the non-lawyer and assisting him in the unauthorized practice of law. Melissa A. Czartoryski appeared before the DRB for the OAE and Tomas Espinosa appeared for the respondent.

GLENN R. GRONLUND

Disbarred on a certified record on March 20, 2007 *(190 N.J. 059)* for knowingly misappropriating over $3,700 of escrow funds being held for a client. Nitza I. Blasini appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1991; reprimanded in 2002; transferred to disability inactive status in 2006.

ALVIN GROSS

Suspended four month suspension on March 27, 2007 *(190 N.J. 194)* for paying a runner to solicit workers compensation cases between 1997 and 1998. Nitza I. Blasini appeared before the DRB for the OAE and John T. Kelly appeared for the respondent.

R. ERIC HALL AKA ROBERT ERIC HALL

Disbarred by consent on March 13, 2007 (*190 N.J. 056)* as a result of his guilty plea in the Court of Common Pleas of Lehigh County, Pennsylvania, to charges including homicide by vehicle while under the influence, in violation of 75 Pa.CS §3735(a), a felony of the second degree under Pennsylvania law, and homicide by vehicle, a felony in the third degree, in violation of 75 Pa.CS §3732. Richard J. Engelhardt represented the OAE and John Rogers Carroll of Pennsylvania represented the respondent.

JOHN F. HAMILL, JR.

Reprimanded on a certified record on May 9, 2007 (*190 N.J. 333)* for improperly failing to turn over clients' files after the representation was terminated and for failing to reply to a disciplinary authority's request for information. Christopher J. Dalton appeared before the DRB for District VA and the respondent failed to appear.

KEVIN W. HANLY

Admonished on January 31, 2007 (*Unreported)* for engaging in a conflict of interest while employed as outside general counsel to a State-operated school district. David Hoffman appeared before the DRB for District IIA and Richard F. Regan appeared for the respondent.

STEVEN B. HAYHURST

Admonished on December 3, 2007 (*Unreported)* for passively commingling over $200,000 in earned legal fees in the attorney trust account for a two year period. Michael J. Sweeney appeared before the DRB for the OAE and David F. Dugan III represented the respondent.

DANIEL D. HEDIGER

Censured on July 12, 2007 (*192 N.J. 105)* for unethical conduct including negligent misappropriation of clients' trust funds and failure to maintain proper trust and business account records in accordance with R.1:21-6, improper use of a firm name and failure to cooperate with disciplinary authorities. Lee A. Gronikowski appeared before the DRB for the OAE, Anna Navatta appeared for District IIA and Joseph Castiglia appeared for the respondent. The respondent was previously disciplined: Diverted in 1999 and reprimanded in 2004.

DANIEL D. HEDIGER

Censured on July 12, 2007 *(192 N.J. 108)* for gross neglect and failure to promptly disburse trust funds in connection with sixteen real estate matters, failure to maintain proper trust and business account records and failure to cooperate with disciplinary authorities during the investigation of the matter. Lee A. Gronikowski appeared before the DRB for the OAE and Joseph Castiglia appeared for the respondent. The respondent was previously disciplined: Diverted in 1999, reprimanded in 2004 and censured separately for other matters in 2007.

LORI A. KANIPER

Reprimanded on July 3, 2007 (*192 N.J. 040)* for practicing law as an assistant county prosecutor during a period when she knew she was ineligible to practice law. The respondent secured the payment of her annual registration fee from the prosecutor but failed to use that money to pay the fee and prevent the Supreme Court from declaring her ineligible to practice. Michael J. Sweeney represented the OAE before the DRB and respondent appeared pro se.

RONALD I. KAPLAN

Disbarred on December 4, 2007 *(193 N.J. 301)* for knowingly misappropriating clients' trust and escrow funds in the Commonwealth of Pennsylvania, for which he was suspended for one year and one day in that Commonwealth. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent appeared pro se.

DREW K. KAPUR

Censured on January 10, 2007 (*189 N.J. 193)* as a result of a guilty plea to the disorderly persons offense of volunteering false information to a law enforcement officer for the purpose of hindering the apprehension, prosecution, conviction or punishment of another for an offense, a violation of *N.J.S.A.* 2C:29-3a(7). The factual basis for the plea involved respondent's admission that his son was involved in a one-car accident and that respondent switched places with his son at the scene and misrepresented to the police that it was he, not the son, who had been driving the car. Richard J. Engelhardt appeared before the DRB for the OAE and Joel B. Korin represented the respondent.

ALEX KATZ

Suspended for two years effective October 8, 2007 (___ *N.J.* ___*)* based upon respondent's two year suspension in the Commonwealth of Pennsylvania for continuing to practice law after he had been transferred to inactive status, failing to comply with Pennsylvania continuing legal education requirements, grossly neglecting a client matter, making misrepresentations, using misleading letterhead and failing to safeguard clients' trust funds. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear.

MICHAEL C. KAZER

Reprimanded on February 6, 2007 (*189 N.J. 299)* for unethically loaning over $29,000 to 11 personal injury clients between 1992 and 2001, thus violating RPC 1.8(e). John McGill, III represented the OAE before the DRB and Melvin Bergstein represented the respondent.

JAMES A. KEY, JR.

Reprimanded on February 6, 2007 (*189 N.J. 302)* for negligently misappropriating over $18,000 of clients' funds and failing to maintain accounting records as required by R.1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and Clinton D. Hall appeared for the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program. The respondent was previously disciplined: Admonished on two occasions in 1996.

CHONG S. KIM

Admonished on June 14, 2007 *(Unreported)* for failing to maintain appropriate trust and business account records as required by R.1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and Ian Stuart appeared for respondent. This case was discovered solely by the Trust Overdraft Notification Program.

MICHAEL S. KIMM

Censured on June 19, 2007 (*191 N.J. 552)* based upon respondent filing a Law Division complaint as a tactic intended solely to coerce his adversary into essentially withdrawing her

Chancery Division action. The respondent's purpose was to try to pressure his adversary to withdraw her lawsuit with a "contrived" treble damage RICO and "Consumer Fraud" lawsuit, which was, in fact, frivolous. Paul Kreisinger appeared before the DRB for District X and Gerald Miller represented the respondent.

RUSSELL T. KIVLER

Suspended for three months on a certified record effective February 5, 2007 *(189 N.J. 192)* for grossly neglecting a divorce matter and failing to return a $2,500 retainer to the client on termination of the representation. Respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Edith S. Brower appeared before the DRB for District VII and respondent failed to appear. Respondent was previously disciplined: Reprimanded in 2005, temporarily suspended in 2006 and reprimanded in 2006.

THEODORE F. KOZLOWSKI

Suspended for two years on September 10, 2007 on a certified record (*192 N.J. 438)* for failing to comply with a prior Supreme Court order that he comply with Rule 1:20-20 regarding activities of suspended attorneys and file an affidavit of compliance therefor. John McGill, III appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1992; admonished in 1998; reprimanded in 2003; reprimanded in 2004; suspended for three months in 2004; reprimanded in 2004 and suspended for one year in 2005.

THEODORE F. KOZLOWSKI

Suspended for one year effective September 13, 2009 on a certified record (*192 N.J. 439)* for failing to represent a bankruptcy client diligently, failing to expedite litigation, failing to adequately advise his client so the client could make informed decisions and failing to refund a retainer as ordered by the bankruptcy court. John McGill, III appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1992; admonished in 1998; reprimanded in 2003; reprimanded in 2004; suspended for three months in 2004; reprimanded in 2004 and suspended for one year in 2005.

JOSEPH C. LANE

Admonished on November 21, 2007 (*Unreported)* for failing to act diligently by not timely replying to an auditor for the New Jersey Division of Taxation in an estate matter and failing to ensure that the auditor timely received information. The respondent also, acting as attorney to the executor, failed to reasonably communicate with the executor and to honor his request that estate funds and the file be forwarded to a new attorney. Daniel J. O'Hern, Jr. appealed before the DRB for District IX and the respondent appeared pro se.

ANTHONY J. LARUSSO

Censured on May 9, 2007 (*190 N.J. 335)* for engaging in conflicts of interest by representing approximately 45 clients with directly adverse interests to another client and for failing to comply with the disclosure requirements of RPC 1.7(b)(1). Melissa A. Czartoryski appeared before the DRB for the OAE and respondent appeared pro se.

WALTER A. LAUFENBERG

Admonished on March 26, 2007 (*Unreported)* for grossly neglecting a real estate matter and failing to promptly deliver funds to a third person. Ellen J. Gold appeared before the DRB for District XI and respondent appeared pro se.

KENNETH L. LAW A/K/A KENNETH D. LAW

Censured on November 27, 2007 *(193 N.J. 294)* as a result of discipline in the State of New York involving gross neglect of a personal injury action, failure to communicate with a client and failure to maintain proper trust account records. Richard J. Engelhardt appeared before the DRB for the OAE and Philip Touitou represented the respondent.

WILFRED LEBLANC, JR.

Reprimanded on July 12, 2007 on a certified record (*192 N.J. 107)* for failing to cooperate with disciplinary authorities during the investigation and processing of a grievance. Linda S. Ershow-Levenberg appeared before the DRB for District XII and respondent failed to appear. The respondent was previously disciplined: Censured in 2006.

RICHARD LEDINGHAM

Suspended for three months effective March 5, 2007 (*189 N.J. 299)* for charging an exorbitant and excessive fee, followed by threats of criminal prosecution, in an effort to collect that fee and thereby gain an unfair advantage over his client. Jeffrey L. Clutterbuck appeared before the DRB for District IIA and respondent appeared pro se.

JOSEPH J. LOWENSTEIN

Reprimanded on March 20, 2007 *(190 N.J. 058)* for failing to disclose a material fact to a third person when disclosure was necessary to avoid assisting a fraudulent act by a client. Patrick J. Kelly appeared before the DRB for District IIA and Miles R. Feinstein appeared for the respondent.

GERALD M. LYNCH

Suspended for six months on a certified record effective February 7, 2007 (*189 N.J. 196)* for failing to maintain attorney trust account records as required by R.1:21-6 and failing to cooperate with disciplinary authorities during the

investigation and processing of this matter. Christina Blunda Kennedy appeared before the DRB for the OAE and the respondent failed to appear. The respondent was previously disciplined: Admonished in 1999; temporarily suspended in 2003 and reprimanded on two occasions in 2005.

JOHN A. LYNCH, JR.

Disbarred by consent on January 16, 2007 *(189 N.J. 106)* as a result of a guilty plea in the United States District Court for the District of New Jersey involving a two-count Information charging respondent with mail fraud, in violation of 18 *U.S.C.A.* §1341 and 2 and tax evasion, in violation of 26 *U.S.C.A.* §7201. Richard J. Engelhardt represented the OAE and Jack Arsenault represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2006.

SAMUEL A. MALAT

Disbarred on June 5, 2007 on a certified record *(191 N.J. 320)* for the knowing misappropriation of trust monies collected on behalf of a landlord, gross neglect, failure to communicate the basis of a legal fee with a client, failure to cooperate with disciplinary authorities and failure to supervise his office manager, a convicted felon, whom he gave full access to his trust and business accounts. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2002; suspended for three months in 2003; suspended for three months again in 2003; admonished in 2006 and suspended for one year in 2006.

JOSEPH F. MARIN

Reprimanded on January 23, 2007 (*189 N.J. 207)* for failing to supervise his non-attorney brother who served as his office manager and who engaged in acts of mortgage fraud while so employed, conflict of interest, gross neglect of two client matters and misrepresentation. Michael J. Sweeney appeared before the DRB for the OAE and Robert J. DeGroot appeared for the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

VERA MCCOY

Admonished on November 13, 2007 (*Unreported)* for failing to maintain proper trust account records in compliance with Rule 1:21-6, which failure resulted in negligent misappropriations of client trust funds. Nitza I. Blasini appeared before the DRB for the OAE and respondent appeared pro se.

ANDRE MCGUIRE

Disbarred on September 25, 2007 (*186 N.J. 077)* as a result of the respondent's guilty plea in the State of Connecticut to four counts of sexual assault in the third degree, in violation of Connecticut General Statutes §53(a)-72(a)(2). Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for six months in 1994 and temporarily suspended in 2006.

CIRO A. MEDEROS

Suspended for eighteen months effective October 30, 2002 (*191 N.J. 085)* as a result of respondent's guilty plea in the United States District Court for the District of New Jersey to a federal information charging him with conspiracy to commit mail fraud, in violation of *18 U.S.C.A. §371*. Specifically, the respondent admitted that he had entered into an illegal agreement with others to defraud lending institutions by causing the submission of false loan documents, particularly HUD-1 statements containing materially false information about the financial status of the borrowers. Richard J. Engelhardt appeared before the DRB for the OAE and William Shulman represented the respondent. The respondent was temporarily suspended from practicing law in New Jersey on October 30, 2002.

EDWARD F. MITCHELL

Disbarred on a certified record on January 4, 2007 *(189 N.J. 099)* for abandoning nine clients and taking legal fees from them while performing virtually no work. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2005.

JEFFRY F. NIELSEN

Suspended for six months on September 5, 2007 *(192 N.J. 395)* for exhibiting gross neglect in a total of 13 individual client matters. Respondent also committed the following unethical conduct: Six instances of failure to communicate with clients, three instances of failure to provide a written retainer agreement, and two instances of failure to cooperate with disciplinary authorities. Kathleen Campi appeared before the DRB for District VC and Gerald Miller appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2001 and reprimanded in 2004.

FRANK G. OLIVO

Reprimanded on January 10, 2007 *(189 N.J. 304)* for engaging in a conflict of interest by representing one party in a business transaction and subsequently representing the opposite party in a lawsuit arising from the same transaction. Bonnie L. Laube appeared before the DRB for District I and David M. DeClement represented the respondent.

FREDERICK R. PALUMBO

Disbarred on July 12, 2007 (*192 N.J. 077)* based on respondent's disbarment in the State of California for the knowing misappropriation of clients' trust funds. Richard J.

Engelhardt appeared before the Supreme Court for the OAE and Michael Kingman appeared for the respondent.

JEFFREY G. PASTER

Disbarred by consent on March 27, 2007 (*190 N.J. 193)* for knowingly misappropriating client trust funds. Lee A. Gronikowski represented the OAE and Lawrence D. Minasian represented the respondent.

DEBORAH A. PIERCE

Suspended for one year on December 4, 2007 *(193 N.J. 298)* for abandoning a client matter involving a will contest. Respondent also failed to properly withdraw from representation and failed to cooperate with disciplinary authorities during the investigation and processing of the matter. Kenneth Rotter appeared before the DRB for District XII and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2003; reprimanded in 2004 and temporarily suspended in 2006.

AVERY C. PILGRIM

Disbarred on September 11, 2007 *(186 N.J. 260)* for knowingly misappropriating $9,000 in escrow funds, which she was to hold as a deposit on the purchase of real estate. Janice L. Richter represented the OAE before the Supreme Court and Robert E. Margulies represented the respondent.

LAWRENCE I. POLEY

Disbarred by consent on January 17, 2007 (*189 N.J. 107)* for admitting that he could not successfully defend allegations that he knowingly misappropriated more than $50,000 from one real estate closing and approximately $68,000 from a second real estate escrow. Walton W. Kingsbery, III represented the OAE before the Supreme Court and Justin P. Walder represented the respondent.

ROBERT W. RHOADES

Disbarred by consent on October 9, 2007 *(193 N.J. 022)* for knowingly misappropriating in excess of $10,000 of clients' trust funds. John McGill, III represented the OAE and Richard D. Shapiro represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOHN F. RHODY

Reprimanded on May 22, 2007 (*191 N.J. 087)* as a result of respondent's guilty plea to a one count indictment for fourth degree tampering with records, in violation of *N.J.S.A. 2C:21-4(a)*. Specifically, the respondent misrepresented facts and falsified records to obtain long-term disability benefits from an insurance company. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

HAMDI M. RIFAI

Reprimanded on January 23, 2007 (*189 N.J. 205)* for negligently misappropriating client trust funds and failing to comply with R.1:21-6 Recordkeeping Rule. This matter was discovered solely as a result of the Random Audit Compliance Program. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 2002.

DONALD V. ROMANIELLO

Censured on July 19, 2007 on a certified record (*2007 N.J. Lexis 927)* for conduct in two cases involving gross neglect, failure to communicate, failure to maintain a bona fide office, failure to promptly disburse property belonging to a third party and failure to cooperate with disciplinary authorities. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent failed to appear.

KENNETH A. ROSEN

Reprimanded on July 12, 2007 (*192 N.J. 081)* for securing a check payable to his former law firm (since dissolved) and delivering the check to a bank knowing the check would be applied to reduce the balance on a loan that respondent and other members of the firm had personally guaranteed. In so doing, respondent violated RPC 1.15(b). Melissa A. Czartoryski appeared before the DRB for the OAE and Joseph P. LaSala appeared for the respondent.

RICHARD L. ROSENTHAL

Suspended for one year on October 30, 2007 (*193 N.J. 030)* for grossly neglecting a client's automobile accident matter, including failing to keep the client apprised of the status of the matter for almost five years and failing to take reasonable steps to protect the client's interests after termination of his employment. Peter Petrou appeared before the DRB for District X and Robert B. Cherry appeared for the respondent. The respondent was previously disciplined: Publicly reprimanded in 1982, suspended for one year in 1990, suspended for six months in 2003 and suspended for three months in 2004.

BARBARA E. ROSS

Disbarred by consent on March 9, 2007 (*2007 N.J. Lexis 216)* for the knowing misappropriation of clients' trust funds. Michael J. Sweeney represented the OAE and John J. Flynn represented the respondent. This matter was discovered solely as a result of the Random Audit Program.

VINAYA SAIJWANI

Admonished on November 13, 2007 (*Unreported)* for improperly failing to withdraw as counsel for a client when the client's new attorney wrote the respondent stating he had been retained and requesting that the client's file be forwarded to him. Julie Cavanagh appeared before the DRB for District VII and Frederick J. Dennehy represented the respondent.

GERALD M. SALUTI

Admonished on June 22, 2007 (*Unreported)* for failing to communicate with a client in connection with an appeal of a criminal conviction. Eileen Oakes Muskett appeared before the DRB for District I and Brooke M. Barnett appeared for the respondent.

DAVID F. SALVAGGIO

Admonished on November 15, 2007 (*Unreported)* for failing to act diligently and failing to reasonably communicate with clients when they requested a copy of a RESPA statement for the sale of their house for tax purposes. Robin C. Bogan appeared before the DRB for District X and Gerard E. Hanlon represented the respondent.

FRANK A. SANTORO

Disbarred by consent on July 31, 2007 *(192 N.J. 285)* for knowingly misappropriating over $33,000 in real estate and estate funds. Michael J. Sweeney represented the OAE before the Supreme Court and Michael Blacker represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

LAURA P. SCOTT

Censured on September 18, 2007 (*192 N.J. 441)* as a result of reckless misconduct in representing the purchaser in a real estate transaction. Her violations included: permitting the closing to proceed without ever seeing the contract of sale; allowing the closing to proceed without obtaining written assurances that the title was clear; and making misrepresentations on the RESPA statement as to the amount due to the seller, the existence of a deposit, the receipt of cash from the buyer and the amount of her fee, the last of which was disguised as a disbursement to the title company. Gale Weinberg appeared before the DRB for District IIB and respondent waived appearance. The respondent was previously disciplined: Publicly reprimanded in 1987 and admonished in 1996.

LINDA M. SERRANO

Suspended for eighteen months effective April 6, 2006 (*194 N.J. 504)* as a result of respondent's guilty plea to a federal information charging her with making a false statement to a federal agency, in violation of 18 *U.S.C.A.* §1001 and 2. Essentially, respondent profited from a scheme to fraudulently induce FHA to insure certain mortgage loans where she acted as closing agent. Respondent prepared fraudulent HUD-1 settlement statements to qualify unqualified buyers knowing that HUD would rely on the forms. Respondent was involved in approximately 25 closings, five of which ended in foreclosure. She profited from legal fees in the range of $20,000-$40,000. Richard J. Engelhardt appeared before the DRB for the OAE and Jeffrey D. Smith appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2006.

STEPHEN J. SHEINBAUM

Disbarred by consent on December 18, 2007 (*193 N.J. 306)* as a result of a guilty plea in the United States District Court for the Eastern District of New York to the crime of conspiracy to commit wire fraud, in violation of *18 U.S.C.A. §371*. At his plea, the respondent admitted that during 2001 he conspired with others to defraud (1) his employer of commissions of almost $80,000 and (2) the Bangladesh ministry of money and property by making materially false and fraudulent representations and promises and, in doing so, transmitting wire communications in interstate and foreign commerce. Richard J. Engelhardt represented the Office of Attorney Ethics and Catherine M. Foti (of the New York bar) represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2007.

SILLS CUMMIS ZUCKERMAN RADIN TISCHMAN EPSTEIN & GROSS

Reprimanded on July 19, 2007 (*192 N.J. 222)* for failing to supervise employees by not ensuring that an attorney employed by the firm, but not admitted in New Jersey, took the bar examination before engaging in the practice of law in this state. John J. Janasie represented the OAE before the DRB and Thomas F. Campion represented the respondents.

OLGA SORKIN

Suspended for one year effective November 14, 2005 (*192 N.J. 076)* as a result of respondent's guilty plea in the Supreme Court of New York, County of New York, to the first degree offense of offering a false instrument for filing, a class E felony, in violation of §175.35 of the Penal Law of the State of New York. The basis for the plea was that the respondent caused a retainer statement to be filed with the New York Office of Court Administration which she knew to be false. The falsity arose out of respondent's payment of a runner for referral fees in personal injury actions. Richard J. Engelhardt appeared before the DRB for the OAE and Kim D. Ringler appeared for the respondent. Respondent was previously disciplined: Temporarily suspended in 2005.

MORTON STRUHL

Disbarred on March 7, 2007 (*189 N.J. 524)* for pleading guilty in the Superior Court of California to two counts of a felony complaint, which charged him with solicitation, acceptance or referral of fraudulent insurance claims, in violation of California Penal Code §549, and willfully making or signing false tax returns, in violation of California Revenue and Tax Code §197005(a)(1). Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2005.

CLAUDE N. STUART

Suspended for three months effective October 26, 2005 (*192 N.J. 441)* as a result of respondent's discipline in the State of New York (a three-year suspension) for giving false information to a judge during a homicide trial, while prosecuting a case on behalf of the Queens County District Attorney's Office. Specifically, respondent knowingly failed to disclose material information to the court – his knowledge of the whereabouts of a witness whose testimony could have been critical to the outcome of the case. The respondent's lie to the court necessitated the retrial of the criminal action involving a major felony. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

JOSEPH O. SULLIVAN

Disbarred on July 3, 2007 (*192 N.J. 044)* for knowingly misappropriating $9,000 in clients' funds in order to avoid entry of a judgment against respondent for non-payment of a loan. Thereafter, respondent again invaded clients' trust funds and took $6,000 to use as a down payment on a car for his wife. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent appeared pro se.

WILLIAM F. SWEENEY

Suspended suspension on March 27, 2007 (*190 N.J. 059)* for improperly handling his mother's financial affairs. Richard J. Engelhardt appeared before the DRB for the OAE and John H. Rosenberger represented the respondent.

ARTHUR E. SWIDLER

Reprimanded on July 12, 2007 on a certified record (*192 N.J. 080)* for grossly neglecting a client matter and failing to cooperate with disciplinary authorities during the investigation and processing of the matter. Edith S. Brower represented District VII before the DRB and respondent failed to appear.

WILLIAM A. THOMPSON, III

Admonished on July 24, 2007 *(Unreported)* for failing to properly withdraw from representation and refusing to turn over his file to substituted counsel. William S. Donio appeared before the DRB for District I and respondent appeared pro se.

KRISTEN K. TOLAND

Suspended for one year on September 10, 2007 (*2007 N.J. Lexis 1064)* based upon respondent's suspension in the Commonwealth of Pennsylvania for a period of one year and one day. Respondent pled guilty in the Superior Court of New Jersey, Mercer County to an accusation charging her with the crime of assault by auto, in violation of *N.J.S.A. 2C:12-1c(3),*a third degree crime, as a result of driving while intoxicated and causing serious bodily injury to three other individuals. Additionally, respondent engaged in gross neglect, lack of diligence, failure to communicate with a client, and conduct prejudicial to the administration of justice in Pennsylvania. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

TERRENCE P. TORMEY

Suspended for two years effective June 11, 2007 (*190 N.J. 578)* for unethically representing a 79-year old native of Portugal who had difficulty in speaking and understanding the English language in the sale of his home to another of respondent's clients (a sophisticated businessman). The result of this transaction was that respondent's conflict, coupled with his gross negligence and failure to communicate with the seller, caused the seller to essentially give his house away. The respondent represented both parties from negotiation through closing. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and Robert A. Weir, Jr. appeared for the respondent.

HENRY A. WALSH, JR.

Censured on September 18, 2007 on a certified record (*192 N.J. 445)* as a result of his failure to cooperate with disciplinary authorities during the investigation and processing of the matter, including failure to appear before the Disciplinary Review Board. Debra M. Himber appeared before the DRB for District IIIA and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2006.

GEORGE K. WALTON

Reprimanded on a certified record on May 9, 2007 (*190 N.J. 334)* for failing to act diligently and failing to communicate with a client in connection with a real estate closing. James W. Courtney appeared before the DRB for District XIII and respondent failed to appear.

KATHLEEN D. WARGO

Censured on July 3, 2007 on a certified record (*192 N.J. 41)* for accepting a $2,000 retainer to file a lawsuit in the Special Civil Part and then grossly neglecting the matter and

misrepresenting to the client on numerous occasions that the lawsuit had been filed when it had not. Laurie L. Newmark represented District X before the DRB and respondent failed to appear.

SEYMOUR M. WASSERSTRUM

Reprimanded on September 5, 2007 (*192 N.J. 397)* for failing to memorialize fee agreements in writing in two cases and failing to allocate responsibility for cases transferred to another lawyer and failing to obtain a client's consent to the reduced scope of representation. Carmine J. Taglialatella appeared before the DRB for District I and Alexander E. Wazeter appeared for the respondent. The respondent was previously disciplined: Admonished on two separate occasions in 1998.

RANDI M. WEINER

Suspended for three months effective March 20, 2007 (*189 N.J. 431)* for possession of cocaine and drug paraphernalia. Melissa A. Czartoryski appeared before the DRB on behalf of the OAE and Mitchell Ansell represented the respondent.

ANGELA Y. WHITE

Suspended for one year effective July 10, 2007 (*191 N.J. 553)* as a result of forging another woman's signature on a $54,000 student loan application for respondent's own benefit while she attended law school. The respondent was charged in a Bergen County accusation with uttering a loan application purporting to be the act of another, without her authority and with purpose to defraud, a violation of *N.J.S.A. 2C:21-1(a)(3).* The respondent was placed in a six-month pretrial intervention program, which she completed and the criminal charge was dismissed. Lee A. Gronikowki appeared before the DRB for the OAE and John Cocoziello appeared for the respondent.

JAMES E. WHITE

Suspended for six months on September 18, 2007 (*192 N.J. 443)* for negligently misappropriating client trust funds while practicing in the State of New York, commingling personal and trust funds and authoring 27 ATM withdrawals from the trust account. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

SCOTT L. WILLIAMS

Censured on November 27, 2007 on a certified record *(193 N.J. 295)* for failing to cooperate with disciplinary authorities during the investigation and processing of a grievance. Christina Blunda Kennedy represented the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2006.

W. KEVIN WRIGHT

Admonished on August 1, 2007 *(Unreported)* for failing to cooperate with disciplinary authorities during the investigation and processing of the matter. Bruce H. Bergen appeared before the DRB for District XII and James A. Plaisted represented the respondent.

BEN J. ZANDER

Disbarred on September 11, 2007 *(2007 N.J. Lexis 1074)* as a result of respondent's criminal conviction in the United States District Court for the District of New Jersey arising out of activities as in-house counsel for Meridian Benefit, Inc., a third-party health plan administrator. The respondent's conviction arose out of his involvement in a health plan administration company's scheme to defraud 2,017 victims out of over $24,500,000. Respondent acted as an accessory after the fact to mail fraud, in violation of *18 U.S.C.A. §3*. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent waived appearance. The respondent was previously disciplined: Admonished in 2004 and temporarily suspended from practice in 2005.

JEFFREY N. ZISSELMAN

Disbarred by consent on January 25, 2007 (*189 N.J. 205)* as a result of a guilty plea to both counts of a federal Information filed in the United States District Court for the Southern District of New York, charging him with one count of conspiracy to commit extortion, in violation of *18 U.S.C.A. 1952(a)(3) and 371,* and one count of extortion, in violation of *18 U.S.C.A. 1952(a)(3).* Richard J. Engelhardt represented the OAE and Michael S. Ross of New York represented the respondent.

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ANDREW C. ABRAMS

Suspended for three years effective October 31, 2005 *(186 N.J. 589)* as a result of respondent's criminal conviction in the United States District Court for the Eastern District of Pennsylvania of two counts of wire fraud, violations of 18 U.S.C.A. §1343. These charges arose from respondent's participation in a scheme to defraud Thermadyne Holdings Corporation in connection with its purchase of Woodland Cryogenics, Inc., of which respondent was a part owner and general counsel. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear. Respondent was previously disciplined: Temporarily suspended in 2005.

EVANS C. AGRAPIDIS

Reprimanded on September 6, 2006 *(188 N.J. 248)* for unethically paying 12 referral fees totalling $20,000 to his non-lawyer employees for referring cases to his law firm. The amount of the referral fee was based on a percentage of the legal fee ultimately received by the firm. Lee A. Gronikowski appeared before the DRB for the OAE and Alan Zegas waived appearance for the respondent.

ATHENA D. ALSOBROOK

Censured on February 7, 2006 *(186 N.J. 065)* for engaging in reckless conduct in connection with a real estate transaction by disbursing closing proceeds without securing a signed deed, paying off the sellers' mortgage on the property with a loan unsecured by a new mortgage on the property (since the buyers did not have title), and disbursing the remainder of the closing funds to the sellers, who were in the middle of divorce proceedings, and then to only one of them. Ricki Anne Sokol appeared before the DRB for District VB and Vera Elaine Carpenter represented the respondent.

ALCIDES T. ANDRIL

Censured on October 17, 2006 *(188 N.J. 385)* for failing to supervise secretaries who overcharged clients for title costs so that the law firm would not have to absorb the costs associated with the secretaries' late payment of mortgage payoffs. Respondent also knowingly made a false statement to an OAE auditor during the course of the investigation of the matter. Lee A. Gronikowski appeared before the DRB for the OAE and Donald A. DiGioia appeared for the respondent. This matter was discovered solely as a result of a random compliance audit.

CAROLYN E. ARCH

Suspended for three years effective May 5, 2004 on a certified record *(186 N.J. 002)* for practicing law during a period in which she was previously suspended for a period of three months. During this time, respondent appeared in the Superior Court of New Jersey on behalf of a defendant in a civil matter and argued the cause. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of the matter. Walton W. Kingsbery III appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1991; admonished on two occasions in 2002; suspended for three months on two occasions in 2004.

FRANK L. ARMOUR

Suspended for six months on December 5, 2006 *(192 N.J. 218)* for pleading guilty in the Superior Court of New Jersey, Law Division, Essex County to the fourth degree crime of endangering the welfare of children, in violation of N.J.S.A. 2C:24-4(b)(5)(b). The charges involved respondent's viewing of more than 50 images of child pornography on the Internet of his government-owned computer while working as the General Counsel for the Newark Housing Authority. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

FRANKLIN H. BARNES, IV

Reprimanded on March 28, 2006 on a certified record *(186 N.J. 265)* for failing to act diligently in a real estate transaction and failing to cooperate with disciplinary authorities during the investigation and processing of the matter. Mark A. Blount appeared before the DRB for District X and respondent failed to appear.

AVROHOM BECKER

Suspended for three months effective November 10, 2005 *(187 N.J. 066)* as a result of his suspension for three months in the State of New York for numerous instances of misrepresentation in a single matter, including his altering of settlement documents by omitting his client's first name, allowing his client's son to sign the altered documents, submitting the documents to the City of New York without disclosing that his client had died and endorsing and depositing the settlement check in the case. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

MATTHEW B. BERNHARD

Disbarred by consent on August 9, 2006 *(188 N.J. 117)* as a result of knowingly misappropriating clients' trust funds in the amount of approximately $495,000. Walton W. Kingsbery III represented the OAE and Brian J. Neary represented respondent.

MICHAEL B. BLACKER

Admonished on January 24, 2006 (*Unreported*) for failing to act diligently and making misrepresentations to a client in connection with a matrimonial matter.

JOHN L. BLUNT

Reprimanded on June 9, 2006 *(187 N.J. 071)* as a result of his negligent misappropriation of client trust funds, various attorney trust recordkeeping violations and failure to cooperate with disciplinary authorities during the investigation of this matter. Michael J. Sweeney appeared before the Supreme Court for the OAE and Robert E. Rochford appeared for the respondent. This matter was discovered solely by the Random Audit Program. The respondent was previously disciplined: Reprimanded in 2002.

GEORGE A. BODE

Suspended for three years on May 23, 2006 *(186 N.J. 585)* based upon respondent's three year suspension in the State of Colorado resulting from respondent's misconduct, including backdating a certificate of mailing in connection with matters pending before the United States Patent and Trademark Office; failing to keep clients informed about the status of their patent applications, which resulted in the abandonment of eight patent and trademark applications; neglecting legal matters, failing to carry out professional contracts of employment; and failing to reply to requests for information from the United States P.T.O. disciplinary authorities. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

ERIC H. BORNSTEIN

Suspended for six months on a certified record on June 21, 2006 *(187 N.J. 087)* as a result of respondent's criminal conduct in assaulting an individual in the State of Massachusetts. Walton W. Kingsbery III represented the OAE before the DRB and respondent failed to appear.

E. EDWARD BOWMAN

Suspended for one year on June 21, 2006 *(187 N.J. 084)* for engaging in the practice of law while already suspended for prior violations. The respondent maintained a law office where he met with clients and also acted as the Lawrence Township Planning Board solicitor and the Stow Creek Planning Board solicitor. Additionally, the respondent failed to file the appropriate affidavit of compliance as required of all suspended attorneys. He also failed to cooperate with the Office of Attorney Ethics and did not cease practicing law during the period of his suspension, necessitating the OAE's filing a motion to hold him in contempt, which motion was ultimately consented to by the respondent when a hearing was scheduled in the Superior Court of New Jersey. Walton W. Kingsbery III appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Suspended for three months in 2004.

ANDREW J. BREKUS

Reprimanded on April 28, 2006 *(186 N.J. 409)* for failing to cooperate with disciplinary authorities during the investigation and processing of a matter and failing to live up to his representation in an earlier disciplinary matter to honor a verbal agreement to settle his client's potential malpractice claim against him by paying $8,000 plus reasonable medical expenses. Anne S. Cantwell appeared before the DRB for District IV and John T. Kelley appeared for the respondent. The respondent was previously disciplined: Admonished in 2000.

RONALD D. BROWN

Disbarred on March 14, 2006 *(186 N.J. 160)* for pleading guilty to an Information filed in the United States District Court for the District of New Jersey charging him with three counts of False Statements to a Federal Agency or Department, a violation of *18 U.S.C. §1001(a)(2*). The factual basis for the plea was that the respondent worked for the Department of the Army, Picatinny Arsenal, New Jersey, representing the United States in approximately 1,627 traffic and misdemeanor matters. In order to do so, respondent signed false certifications in 2000, 2002 and 2003 that he was currently licensed and eligible to practice law in New Jersey, knowing that his license to practice had been suspended in 1991 and that it had not been reinstated. Richard J. Engelhardt appeared before the Supreme Court for the OAE and William A. Krais represented the respondent. The respondent was previously disciplined: Suspended for six months in 1991 and suspended for three years in 1995.

WILLIAM C. BRUMMELL

Admonished on March 28, 2006 (*Unreported*) for practicing law while on the Ineligible List for over one year. John J. Peirano appeared before the DRB for District VB and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 2002.

JAMES P. BYRNE

Reprimanded on September 6, 2006 *(188 N.J. 249)* for engaging in conflicts of interest, representing both the driver and the passenger in filing claims against each other, failing to have written contingent fee agreements in nine personal injury matters and improperly allowing his staff to sign settlement checks on behalf of clients in personal injury matters. Nitza I. Blasini appeared before the DRB for the OAE and Louis Santore appeared for the respondent.

MARC A. CALELLO

Suspended for 3 months effective June 5, 2006 *(186 N.J. 463)* for representing multiple personal injury clients without obtaining proper retainer agreements, including unlimited powers of attorney in a number of retainer agreements that were obtained, failing to maintain proper trust accounts records, passively commingling earned legal fees in his attorney trust account and unethically representing drivers and passengers in motor vehicle accident cases. Janice L. Richter appeared before the DRB for the OAE and John McDonald represented the respondent.

LAWRENCE CALLEGARI

Amonished on January 26, 2006 (*Unreported*) for negligently misappropriating clients' trust funds due to a failure to prepare monthly trust reconciliations as required by rule. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se.

KEVIN J. CARLIN

Censured on September 6, 2006 *(188 N.J. 250)* when, as fiduciary of an estate, respondent failed to act diligently, failed to communicate with a client, failed to terminate the trust and distribute all funds due, made misrepresentations and failed to maintain proper accounting records of the funds entrusted to him. Janice L. Richter appeared before the DRB for the OAE and Carl D. Poplar appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2003.

THOMAS A. CATTANI

Suspended for one year effective April 24, 2006 *(186 N.J. 267)* for failing to file federal income tax returns for the years 1992 through 1999. The respondent also negligently misappropriated client trust funds, failed to maintain proper trust accounting records and entered into a prohibited business transaction with a client without complying with Rule of Professional Conduct 1.8(a). Nitza I. Blasini appeared before the DRB for the OAE and respondent waived appearance. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

RUSSELL G. CHEEK

Suspended for three months effective July 5, 2006 *(187 N.J. 069)* for failing to resolve outstanding financial payments to an estate as he agreed to do in a previous disciplinary matter where he had neglected an estate and caused penalties from his failure to timely file a New Jersey inheritance tax return. Melissa Czartoryski appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent was previously disciplined: Admonished in 1996; reprimanded in 1999 and suspended for three months in 2003.

DENNIS A. CIPRIANO

Reprimanded on July 6, 2006 *(187 N.J. 196)* for making misrepresentations to clients in a litigated matter, failing to communicate with the client, and failing to explain a matter to the extent reasonably necessary for the client to make an informed decision. Raymond Hamlin appeared before the DRB for District VB and Richard Sapinski appeared for the respondent. The respondent was previously disciplined: Reprimanded in 1975.

ERIC J. CLAYMAN

Censured on February 21, 2006 *(186 N.J. 073)* for knowingly misrepresenting the financial condition of a bankruptcy client in filings with the Bankruptcy Court in order to conceal information detrimental to his client's Chapter 13 bankruptcy petition. Nitza I. Blasini appeared before the DRB for the OAE and Robert Agre appeared for the respondent.

ARTHUR P. CONDON

Disbarred by consent on June 1, 2006 *(187 N.J. 049)* for knowingly misappropriating $50,000 in client trust funds in a real estate matter. Walton W. Kingsbery III represented the OAE and Bartholomew A. Sheehan, Jr. represented the respondent.

FRANK J. COZZARELLI

Suspended for thirteen months effective January 24, 2005 *(186 N.J. 156)* as a result of his guilty plea to one count of tax evasion (U.S.C.A. §7201) for the year 1996. Richard J. Engelhardt appeared before the Supreme Court for the OAE and Franklin Sachs appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2005.

LESTER W. CZAPELSKI

Disbarred by consent on November 2, 2006 *(177 N.J. 500)* as a result of a criminal conviction in the Superior Court of New Jersey, Union County, to three indictments involving the theft of over $278,000 from various clients. John J. Janasie represented the OAE and Mary Frances Palisano represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2003.

JOSEPH R. D'ANDREA

Suspended for eighteen months effective May 7, 2004 *(186 N.J. 586)* as a result of his guilty plea in the United States District Court for the Eastern District of Pennsylvania to one count of willfully subscribing a false 1995 federal income tax return, in violation of 26 U.S.C.A. §7206(1). Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

SUSAN R. DARGAY

Admonished on September 19, 2006 (*Unreported*) for engaging in gross neglect, lack of diligence and failure to communicate with a client arising out of representation in a matrimonial matter. Bonnie L. Laube appeared before the DRB for District I and Katherine D. Hartman represented the respondent. The respondent was previously disciplined: Admonished in 2002.

JON M. DEMASI

Reprimanded on March 28, 2006 *(186 N.J. 267)* for engaging in gross neglect and a pattern of neglect in three matters, failure to communicate with clients, failure to have a written retainer agreement and failure to cooperate with disciplinary authorities during the investigation and processing of the matter. Shereen Chen appeared before the DRB for District IV and Teri Lodge appeared for respondent. The

respondent was previously disciplined: Reprimanded in 2003.

FRANK D. DEVITO

Admonished on July 21, 2006 (*Unreported*) for practicing law while ineligible, failing to maintain proper business and trust account records in accordance with R.1:21-6 and failing to cooperate with the Office of Attorney Ethics during the investigation and processing of this matter. Lee A. Gronikowski represented the OAE before the DRB and respondent represented himself.

GARY L. EDELSON

Disbarred by consent on September 27, 2006 *(188 N.J. 282)* for his knowing misappropriation of over $10,000 of clients' trust funds. Michael J. Sweeney represented the OAE and Mary Beth Schroeder represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2005.

JAMIE M. EPSTEIN

Admonished on September 28, 2006 (*Unreported)* for trial misconduct before an Administrative Law Judge when respondent persisted in arguing evidentiary points after the judge had already made his rulings and despite his warnings that respondent's conduct could be met with sanctions. Several days later, the respondent appeared again and, again, disrupted the proceedings. Christine P. O'Hearn appeared before the DRB for District IV and Mark J. Molz represented the respondent.

JILL R. EPSTEIN

Censured on a certified record on September 19, 2006 (*188 N.J. 272*) for failing to represent a real estate client with diligence, failing to communicate with a client, failing to properly deliver escrow funds to the client, failing to maintain required records until R.1:21-6, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent failed to appear.

ROBERT A. FELMEISTER

Suspended for eighteen months effective March 15, 2005 *(186 N.J. 001)* as a result of a guilty plea to a one-count Information filed in the United States District Court for the District of New Jersey, charging misprision of felony, a violation of 18 U.S.C.A. § 4. Respondent represented the purchasers of a business and assisted their scheme to defraud the Small Business Administration and the lender by preparing and submitting a false HUD-1 form, falsely stating that his clients had made the required $700,000 capital contribution, when he knew this was not true. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Temporarily suspended on March 14, 2005.

THOMAS J. FORKIN

Disbarred on February 21, 2006 *(186 N.J. 070)* for the knowing misappropriation of over $7,000 which he held in escrow and which he was to distribute to his client's former wife pursuant to the terms of a Final Judgment of Divorce. Lee A. Gronikowski appeared before the Supreme Court for the OAE and David Dugan, III appeared for the respondent. The respondent was previously disciplined: Suspended for one year in 2001 and suspended for three months in 2001.

HARRY E. FRANKS, JR.

Censured on October 17, 2006 on a certified record *(188 N.J. 386)* for misrepresenting to his clients that he had filed a lawsuit on their behalf when, in fact, he had not, failing to act with diligence and failing to cooperate with disciplinary authorities in the investigation and processing of this matter. Ingrid Lynn French appeared before the DRB for District I and respondent failed to appear. The respondent was previously disciplined: Admonished in 2001.

JAMES J. GALLO

Suspended for six months effective April 21, 2006 on a certified record *(186 N.J. 247)* for failing to represent a workers compensation client diligently, failing to communicate with a client, failing to return the client's file when terminated and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Lawrence E. Sindoni represented District VI before the DRB and respondent appeared pro se. The respondent was previously disciplined: Suspended for three months in 1990.

JAMES J. GALLO

Disbarred on October 31, 2006 on a certified record *(188 N.J. 478)* for grossly neglecting an appeal, a divorce matter and a case involving the reduction of child support payments and failing to cooperate with disciplinary authorities during the investigation and processing of these matters. Nitza I. Blasini represented the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Suspended for three months in 1990 and suspended for six months in 2006.

RICK A. GARCIA

Disbarred by consent on November 29, 2006 *(188 N.J. 054)* as a result of respondent's admission that he could not successfully defend pending charges alleging the knowing misappropriation of escrow and client trust funds. Nitza I. Blasini represented the OAE and Robert S. Damiano represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2005.

CATHY R. GARRETT-DAVIS

Disbarred on a certified record on September 26, 2006 *(188 N.J. 280)* for knowingly misappropriating over $4,700 in client trust funds over a period of months to pay personal bills. Walton W. Kingsbery III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2006. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

THOMAS A. GIAMANCO

Suspended for three months on November 17, 2006 on a certified record *(188 N.J. 494)* for negligently misappropriating clients' trust funds as a result of failing to maintain proper trust account records and failing to prepare routine reconciliations of that account. Janice L. Richter appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1999 and censured in 2005.

ROBERT A. GIEGERICH

Disbarred by consent on June 6, 2006 *(187 N.J. 063)* for the knowing misappropriation of some $85,000 in client trust funds. Walton W. Kingsbery III represented the OAE and Joseph W. Spagnoli represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2005.

VIJAY M. GOKHALE

Suspended for one year effective September 18, 2003 *(186 N.J. 459)* for violations including failure to file state and federal income tax returns for the years 1999-2001. Additionally, in connection with a real estate matter, the respondent engaged in gross neglect, failure to promptly pay funds to third parties, trust account recordkeeping violations, failure to withdraw from representation and failure to cooperate with disciplinary authorities during the investigation and processing of this matter. John McGill, III appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 2001 and temporarily suspended in 2003.

HOWARD A. GROSS

Suspended three-month suspension on March 7, 2006 *(186 N.J. 157)* for paying a runner who solicited over 50 personal injury cases between 1998 to 2000. Nitza I. Blasini appeared before the Supreme Court and Joel B. Korin represented the respondent. The respondent was previously disciplined: Suspended for three months in 2004.

JOSEPH P. GUARRASI

Disbarred by consent on February 15, 2006 *(186 N.J. 068)* as a result of a guilty plea in the Court of Common Pleas of Bucks County, Pennsylvania, to charges of criminal attempt to commit criminal homicide, in violation of 18 Pa. C.S. §901(a) and 18 Pa. C.S. §2502(a)(1), criminal attempt to commit aggravated assault, in violation of 18 Pa. C.S. §2702(a)(1), kidnapping, in violation of 18 Pa. C.S. §2901(a)(1), (a)(3), unlawful restraint, in violation of 18 Pa. C.S. §2902(a)(1), (a)(2), false imprisonment, in violation of 18 Pa. C.S. §2903(a), and burglary, in violation of 18 Pa. C.S. §3502(a). Richard J. Engelhardt represented the OAE and John Rogers Carroll (admitted in Pennsylvania) represented the respondent.

WILLIAM A. HANSEN

Disbarred by consent on May 17, 2006 *(186 N.J. 509)* for knowing misappropriation of clients' trust funds. Michael J. Sweeney represented the OAE and Michael P. Ambrosio represented the respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

SONIA D. HARRIS

Disbarred on February 15, 2006 *(186 N.J. 044)* as a result of her criminal convictions in the Superior Court of New Jersey for first-degree conspiracy to commit financial facilitation (money laundering), in violation of N.J.S.A. 2C:5-2 and N.J.S.A. 2C:21-25(c); first-degree money laundering, in violation of N.J.S.A. 2C:21-25(b)(1) and N.J.S.A. 2C:20-6; second-degree conspiracy to commit theft by deception, in violation of N.J.S.A. 2C:20-4 and N.J.S.A. 2C:5-2; second-degree theft by deception, in violation of N.J.S.A. 2C:20-4 and N.J.S.A. 2C:2-6; and second-degree misapplication of entrusted property, in violation of N.J.S.A. 2C:21-15 and N.J.S.A. 2C:2-6. The respondent's convictions stemmed from her involvement in real estate closings in which she represented a real estate developer who engaged in the practice of "flipping" properties. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent did not appear.

BRUCE C. HASBROUCK

Suspended for three months effective March 20, 2006 *(186 N.J.0 72)* for an attorney who, while representing the husband in a matrimonial matter, deliberately breached the provisions of a Final Judgment of Divorce when he released the amount of $600,000, the most significant assets subject to equitable distribution, to his client and failed to advise the court that he had done so. Nitza I. Blasini appeared before the DRB for the OAE and Angelo Falciani represented the respondent.

ALWIN M. HAYWOOD

Disbarred by consent on September 13, 2006 *(188 N.J. 256)* for engaging in the knowing misappropriation of clients'

trust funds. Janice L. Richter represented the OAE and W. Richard Veitch represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2002.

JAMES P. HENRY

Suspended for 3 months effective January 19, 2006 *(187 N.J. 252)* for engaging in the practice of law while already suspended and without first applying to the Disciplinary Review Board for reinstatement and being reinstated by order of the Supreme Court. The respondent also failed to file the affidavit of compliance required of all suspended attorneys and failed to cooperate with disciplinary authorities. Janice L. Richter appeared before the DRB for the OAE and John Dell'Italia appeared for the respondent. The respondent was previously disciplined: Suspended for three months effective March 22, 2004.

IAN J. HIRSCH

Censured on September 6, 2006 *(188 N.J. 255)* for failing to abide by a court order requiring him, as trustee, to make timely alimony payments to his client's ex-wife, during which period the respondent made improper payments to the husband, his client.

BARRY W. HOROWITZ

Suspended for one year on a certified record on May 23, 2006 *(186 N.J. 584)* for grossly neglecting a client's personal injury matter and failing to advise the client that the case was dismissed. Craig M. Terkowitz appeared before the DRB for District VIII and respondent failed to appear. The respondent was previously disciplined: Suspended for three months in 2004.

BARRY W. HOROWITZ

Disbarred on September 25, 2006 on a certified record *(188 N.J. 283)* as a result of respondent's disbarment in the State of New York for misconduct involving gross neglect, failure to communicate and failure to cooperate with disciplinary authorities and a separate New Jersey complaint arising out of the respondent's failure to comply with R.1:20-20 requiring the notification of clients, courts and adversaries in connection with an earlier New Jersey suspension. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for three months in 2004 and suspended for one year in 2006.

PETER H. JACOBY

Censured on October 16, 2006 *(188 N.J. 384)* as a result of a guilty plea in the Superior Court of New Jersey, Law Division, to simple assault (N.J.S.A. 2C:12-1(a)) arising out of an altercation between respondent and his wife at their home in Somerset County, which resulted in the dislocation of her shoulder. Richard J. Engelhardt appeared before the Supreme Court for the OAE and Alan Zegas appeared for the respondent.

FERNANDO J. JIMENEZ

Suspended for eighteen months effective September 7, 2004 *(187 N.J. 086)* as a result of respondent's conviction in the United States District Court for the District of New Jersey for conspiracy to commit mail fraud (18 U.S.C.A. § 371) and mail fraud (18 U.S.C.A. §1341) based upon his participation in a falsification scheme to submit fraudulent documents to a bank concerning the financial status of prospective borrowers with the intention of causing the banks to extend loans to homebuyers who would otherwise not qualify for the loans. Richard J. Engelhardt appeared before the DRB for the OAE. David Fassett appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2004.

MARK E. JOHNSTON

Suspended for three years effective May 13, 2005 *(188 N.J. 387)* as a result of criminal convictions or pleas entered in the Commonwealth of Pennsylvania to one count of knowing or intentional possession of a controlled substance, three separate driving under the influence offenses over a three-year period from 1997-2000, filing false alarms to public agencies in 1997, driving under a suspended operator's license in 1999 and 2000, defiant trespass in 1997, disorderly conduct in 1997 and 2002, and harassment in 2002. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

EDWIN R. JONAS, III

Suspended for six months effective September 2, 2005 *(185 N.J. 599)* for continuously and flagrantly violating several orders entered in his own personal matrimonial matter, including removing his children to the Cayman Islands in violation of court order, and for placing a $130,000 mortgage on his home and depositing those funds in a bank account in the Cayman Islands, also in violation of court order. John McGill III appeared before the DRB for the OAE and Walter J. Ray represented the respondent.

DEMETRIOS J. KATSIOS

Suspended for two years effective January 30, 2006 *(185 N.J. 424)* for improperly releasing escrow funds in a real estate transaction to the seller, his uncle, in violation of the escrow agreement and for dishonest conduct in submitting altered bank statements and false reconciliations to the OAE during the course of its investigation. Nitza I. Blasini appeared before the Supreme Court for the OAE and Ralph E. Faasse represented the respondent.

APRIL L. KATZ

Admonished on October 5, 2006 (*Unreported*) for improperly soliciting and receiving a $1,500 loan from a client

while respondent was representing the client in a matrimonial matter. The respondent received the loan without first advising the client of the desirability of seeking counsel, giving him a reasonable opportunity to seek the advice of counsel and obtaining his consent in writing, in violation of RPC 1.8(a). Anna P. Navatta appeared before the DRB for District IIA and Roger A. Serruto represented the respondent.

STEVEN T. KEARNS

Suspended for three months on January 24, 2006 *(185 N.J. 603)* for possession of heroin. The respondent had been the subject of a criminal complaint in Bergen County and was admitted to Pre-Trial Intervention. Thomas D. Carver, Jr. appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Temporarily suspended in 2003.

STEVEN T. KEARNS

Suspended for six months on a certified record on July 6, 2006 *(187 N.J. 250)* for grossly neglecting a real estate matter after being paid a retainer by failing to perform any legal services, failing to keep the client informed of the status of the matter, failing to comply with a district fee arbitration award by returning the balance of the unearned retainer and by failing to cooperate with the district ethics committee during the investigation and processing of this matter. James X. Sattely appeared before the DRB for District IIB and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2003; reprimanded in 2004; suspended for three months in 2006.

RUSSELL T. KIVLER

Reprimanded on a certified record on December 5, 2006 *(188 N.J. 586)* for failing to return a divorce client's $1,750 retainer when his services were terminated five days after representation began. Respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Edith S. Brower appeared before the DRB for District VII and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2005 and temporarily suspended in 2006.

RICHARD E. KRESS

Suspended for six months effective April 10, 2006 *(186 N.J. 159)* for engaging in ethical misconduct in three matters including gross neglect, lack of communication, failure to have a written fee agreement, misrepresentation to a client and fraudulent conduct in arranging to pay respondent's legal fee by using the client's American Express card to charge a cruise for himself and his daughter, knowing that the client was unable to pay the credit card bill. Mark Watson represented District XII before the DRB and respondent appeared pro se. The respondent was previously disciplined: Suspended for three months in 1992, reprimanded in 1996 and suspended for one year in 2003.

STEPHEN D. LANDFIELD

Suspended for three months on January 24, 2006 on a certified record *(185 N.J. 605)* for failing to promptly notify and deliver property to a third person, misrepresentation and failure to cooperate with disciplinary authorities. J. Michael Riordan appeared before the DRB for District X and respondent failed to appear. The respondent was previously disciplined: Admonished in 2003 and temporarily suspended in 2004.

STEPHEN D. LANDFIELD

Suspended for six months on January 24, 2006 on a certified record *(185 N.J. 609)* for gross neglect bordering on abandonment in three client matters, failing to communicate with clients and failing to cooperate with disciplinary authorities. Connie A. Matteo appeared before the DRB for District X and respondent failed to appear. The respondent was previously disciplined: Admonished in 2003 and temporarily suspended in 2004.

STEPHEN D. LANDFIELD

Suspended for six months on January 24, 2006 on a certified record *(185 N.J. 607)* for, in two client matters, engaging in gross neglect, lack of diligence, failure to communicate with his client and failing to set forth in writing the basis or rate of the fee. J. Michael Riordan appeared before the DRB for District X and respondent failed to appear. The respondent was previously disciplined: Admonished in 2003 and temporarily suspended in 2004.

STEPHEN D. LANDFIELD

Suspended for three months on March 28, 2006 *(186 N.J. 269)* for accepting a $500 retainer to complete an adoption and then grossly neglecting the matter and failing to communicate with the client. J. Michael Riordan appeared before the DRB for District X and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2003; temporarily suspended in 2004; suspended for three months in 2006; suspended for six months on two separate occasions in 2006.

SALVATORE LARUSSA, JR.

Reprimanded on September 6, 2006 *(188 N.J. 253)* for improperly allowing a wife to sign a husband's name to a release in a personal injury action and then affixing his jurat to the document. Efrain Nieves appeared before the DRB for District IV and Carl D. Poplar appeared for the respondent.

EUGENE M. LAVERGNE

Reprimanded on February 21, 2006 *(186 N.J. 74)* for

failing to turn over a file to his client after his legal representation was terminated and for improperly cashing checks for legal services, instead of depositing them to his business account as required by court rules. David Epstein appeared before the DRB for District IX and respondent appeared pro se. The respondent was previously disciplined: Suspended for six months and also reprimanded in 2001.

ROBERT W. LAVESON

Reprimanded on September 6, 2006 *(188 N.J. 251)* for engaging in an incurable conflict of interest whereby he drafted 12 contracts of sale for purchasers of real estate, which contracts stipulated that the buyers would purchase title insurance from a title company by which he was employed. The respondent also engaged in the practice of law after he had been declared ineligible to practice by the Supreme Court by reason of non-payment of the annual attorney registration fee. Walton W. Kingsbery III appeared before the DRB for the OAE and Carl D. Poplar appeared for the respondent.

WILFRID LEBLANC, JR.

Censured on October 31, 2006 *(188 N.J. 480)* for engaging in multiple instances of unethical conduct in three separate client matters, including gross neglect, failing to communicate, charging a non-refundable retainer in a family law matter, failing to promptly remit funds to a third party and failing to cooperate with disciplinary authorities during the investigation of this matter. Christina Blunda Kennedy appeared before the Supreme Court for the OAE and respondent appeared pro se.

CHAK Y. LEE

Disbarred on September 26, 2006 *(188 N.J. 279)* as a result of his disbarment in the State of New York resulting from a guilty plea to one count of second degree grand larceny, in violation of Penal Law §155.40. There, respondent admitted that in 2004 he knowingly misappropriated more than $50,000 from a client. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2005.

JAY M. LONDON

Suspended for three months on April 26, 2006 on a certified record (*186 N.J. 412)* for misrepresenting to clients in two separate matters that he had filed lawsuits against the proper parties when he had not. The respondent also fabricated a letter from another attorney, purportedly to show that he was doing work on the cases. Elizabeth Coleman Chierici appeared before the DRB for District IIIB and respondent failed to appear.

JOSEPH J. LOWENSTEIN

Admonished on February 23, 2006 (*Unreported*) for engaging in gross neglect, pattern of neglect, lack of diligence and failure to communicate with clients in three separate matters. John D. Pogorelec, Jr. appeared before the DRB for District XI and Miles R. Feinstein represented the respondent.

JEFFREY W. LUTZ

Reprimanded on October 3, 2006 on a certified record *(188 N.J. 336)* for grossly neglecting a workers compensation matter, failing to communicate with the client and then misrepresenting to the client that the case was proceeding when, in fact, it had been dismissed. Jonathan S. Fabricant appeared before the DRB for District IIIA and respondent failed to appear.

GERALD M. LYNCH

Censured on March 20, 2006 *(186 N.J. 246)* for practicing law while ineligible. Lee A. Gronikowski appeared before the Supreme Court for the OAE and Deborah D. Factor appeared for respondent. The respondent was previously disciplined: Admonished in 1999.

SAMUEL A. MALAT

Admonished on March 17, 2006 (*Unreported*) as a result of being assessed Rule 11 sanctions by a federal court judge for filing a frivolous claim in a matter when the attorney had already been sanctioned in a similar case for the same reason. Steven M. Janove appeared before the DRB for District IV and respondent appeared pro se. Respondent was previously disciplined: Reprimanded in 2002 and two separate three-month suspensions in 2003.

SAMUEL A. MALAT

Suspended for one year on a certified record on June 21, 2006 *(187 N.J. 116)* involving charges in four client matters, including gross neglect, failure to keep a client reasonably informed, failure to communicate the basis or rate of the fee to a client and misrepresentation of the status of the clients' lawsuits to them, in addition to failing to cooperate with disciplinary authorities. Walton W. Kingsbery III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2002, suspended for three months on two separate occasions in 2003 and admonished in 2006.

BERNARD J. MCBRIDE, JR.

Reprimanded on October 17, 2006 *(188 N.J. 389)* for misconduct in five separate client matters, including gross neglect, failure to keep clients reasonably informed, failure to safeguard clients' and third parties' funds and failure to

cooperate with disciplinary authorities, given evidence of significant medical and personal mitigating circumstances. Michael J. Sweeney appeared before the DRB for the OAE and Teri S. Lodge appeared for respondent. The respondent was previously disciplined: Reprimanded in 2004 and transferred to disability-inactive status in 2005.

NICHOLAS W. MCCLEAR

Disbarred on May 2, 2006 on a certified record *(186 N.J. 462)* for knowingly misappropriating over $44,000 in clients' trust funds. Nitza I. Blasini argued the cause before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2003.

G. JEFFREY MOELLER

Reprimanded on October 3, 2006 *(188 N.J. 338)* for improperly withdrawing from a litigated matter without taking reasonable steps to protect the client's interest. Walton W. Kingsbery III appeared before the DRB for the OAE and Michael S. Weinstein appeared for the respondent. The respondent was previously disciplined: Suspended for one year in 2003.

FRANCIS R. MONAHAN, JR.

Disbarred on February 14, 2006 *(186 N.J. 069)* as a result of his guilty plea to third-degree theft by deception, in violation of N.J.S.A. 2C:20-4 and third-degree theft, in violation of N.J.S.A. 2C:20-3. The respondent's plea arose out of a scheme to defraud one of his elderly, vulnerable clients by conspiring with others to facilitate the sale of the client's house, after which the respondent withdrew a series of checks totaling more than $235,000 from his trust account and using it for his own purposes. Additionally, respondent also pleaded guilty to theft of approximately $36,000 by the unauthorized use of a credit card. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent did not appear. The respondent was previously disciplined: Admonished in 2003 and temporarily suspended in 2004.

PHILIP J. MORAN

Suspended for one year on November 6, 2006 *(188 N.J. 483)* as a result of misconduct in 11 matters that was serious and widespread, primarily involving gross neglect, lack of communication and failure to properly withdraw from representation when physically or mentally impaired. During the period of misconduct, respondent was diagnosed with severe depression, from which he has now largely recovered. Respondent was placed on disability inactive status by order of the Court from September 8, 2003 through February 25, 2004, for which he was given credit, leaving a remaining actual suspension of seven months. David W. Trombadore appeared before the DRB for District XIII and Bernard Campbell appeared for respondent. The respondent was previously disciplined: Admonished in 2002.

JOEL A. MOTT, III

Reprimanded on April 11, 2006 *(186 N.J. 367)* for engaging in a conflict of interest by representing client-purchasers who obtained title insurance from the respondent's title insurance company. Walton W. Kingsbery, III appeared before the DRB for the OAE and Joseph H. Kenney represented the respondent.

VINCENT J. MURPHY, JR.

Reprimanded on December 5, 2006 *(188 N.J. 584)* for using his brother's driver's license to misidentify himself in order to avoid prosecution when stopped by police on two separate occasions for driving while under the influence of alcohol. Respondent also failed to cooperate with the OAE during the investigation of this matter. John J. Janasie appeared before the DRB for the OAE and respondent waived appearance.

VICTOR M. MUSTO

Disbarred on March 7, 2006 on a certified record *(186 N.J. 154)* for knowingly misappropriating clients' trust funds in three separate matters. Walton W. Kingsbery III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for three years in 1995 and temporarily suspended in 2004.

WILLIAM L. NASH, II

Disbarred on May 23, 2006 *(187 N.J. 001)* for knowingly misappropriating client and third party escrow funds in three separate client matters, engaging in dishonesty and misrepresentation and, in one case, fabricating and altering certain documents submitted to the Office of Attorney Ethics and failing to maintain proper trust and business account records as required by court rules. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent failed to appear. This matter was discovered solely as a result of the Random Audit Compliance Program. The respondent was previously disciplined: Temporarily suspended in 2003.

HARRY B. NORETSKY

Disbarred by consent on June 20, 2006 *(187 N.J. 115)* for knowingly misappropriating client trust funds in an amount exceeding $100,000. Walton W. Kingsbery III represented the OAE and Kim D. Ringler represented the respondent.

EDWARD G. O'BYRNE

Admonished on October 27, 2006 *(Unreported)* for failing to communicate important information regarding a

litigated matter to his clients, which resulted in the other party filing a motion to hold respondent's clients in contempt. Patrick J. Caserta appeared before the DRB for District XI and Richard F. Regan appeared for the respondent.

PATRICK N. PERONE

Admonished on September 6, 2006 *(Unreported)* for representing a client in a consumer fraud action and then failing to act diligently, failing to keep the client reasonably informed about the matter, and then misrepresenting to the client that he would find an expert witness when he did not. Sheryl M. Schwartz appeared before the DRB for District XIII and respondent appeared pro se.

LUCIO A. PETROCELLI

Disbarred on March 14, 2006 *(186 N.J. 223)* for grossly neglecting two matters, engaging in criminal conduct in five matters, acting dishonestly and making misrepresentations in six matters, practicing law while suspended in two matters, lying in an affidavit to ethics authorities, failing to comply with the notice and affidavit provisions of R.1:20-20 regarding suspended attorneys and failing to cooperate with the Office of Attorney Ethics in the investigation of this matter. Janice L. Richter represented the OAE before the Supreme Court and respondent appeared pro se. The respondent was previously disciplined: Temporarily suspended in 2003. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JEFFREY R. POCARO

Censured on July 17, 2006 *(187 N.J. 411)* for grossly neglecting a client's civil rights action, failing to act diligently, failing to communicate with the client and failing to expedite litigation. Judith A. Babinski appeared before the DRB for District XIII and respondent appeared pro se. The respondent was previously disciplined: Suspended for one year in 1995.

FERNANDO J. REGOJO

Censured on February 7, 2006 *(186 N.J. 065)* for grossly neglecting a litigated matter by failing to obtain discovery, failing to ensure that his expert submitted a timely report, failing to submit answers to interrogatories, failing to appear at the trial call and failing to reply to the court's efforts to contact him. Salvatore Giampiccolo appeared before the DRB for District IIB and Joseph Castiglia appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2001; reprimanded in 2004 and reprimanded in 2005.

JAMES C. RICHARDSON

Admonished on February 23, 2006 (*Unreported*) for failing to act diligently in concluding an estate for more than two years after probate and for failing to reply to a number of the beneficiaries' request for information about the estate during this period. Mary R. Mott appeared before the DRB for District XIII and respondent appeared pro se.

JAMES O. ROBERSON, JR.

Suspended for six months on May 23, 2006 *(187 N.J. 002)* for grossly neglecting a real estate transaction and improperly taking the jurat on a mortgage. Additionally, the respondent essentially abandoned his clients by sending only the mortgage banker, who had a conflict of interest, to complete the transaction. Salvatore Giampiccolo appeared before the DRB for District IIB and Emil Cuccio appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2002.

NUSSHY I. SARAYA

Disbarred on May 9, 2006 *(186 N.J. 470)* as a result of respondent's conviction in the Superior Court of New Jersey of third degree theft by deception (N.J.S.A. 2C:20-4) and one count of third degree forgery (N.J.S.A. 2C:21-1a(2)). Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear.

MICHAEL C. SCOON

Disbarred by consent on January 27, 2006 *(185 N.J. 610)* for settling two client cases totalling $40,000 without the client's knowledge, forging the client's endorsements, depositing the checks into his trust account and disbursing most of the money to himself. Walton W. Kingsbery III represented the OAE and Alan L. Zegas represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2004 and suspended for three months in 2005.

NEAL SHARMA

Censured on April 28, 2006 on a certified record *(186 N.J. 411)* for grossly neglecting a personal injury matter, thus allowing the statute of limitations to expire and making misrepresentations to the client that he had filed the complaint when he had not. David P. Schroth appeared before the DRB for District VII and the respondent failed to appear.

NEAL SHARMA

Reprimanded on April 28, 2006 on a certified record *(Unreported)* for failing to cooperate with disciplinary authorities during the investigation and processing of a grievance. Rachel J. Lehr appeared before the DRB for District VII and the respondent failed to appear. The respondent was previously disciplined: Censured in 2006.

ANTHONY J. SIMMONS

Suspended for 3 years effective March 21, 2003 *(186*

N.J. 466) for his reckless handling of clients' trust funds and his gross neglect, lack of diligence and failure to promptly turn over client property in one matter. Walton W. Kingsbery III appeared before the Supreme Court for the OAE and Michael P. Ambrosio represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2003 and admonished in 2005.

PHILLIP J. SIMMS

Censured on January 24, 2006 *(185 N.J. 602)* for negligently misappropriating over $5,000 in clients' funds. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. This case was discovered solely as a result of the Random Audit Program. The respondent was previously disciplined: Reprimanded in 2001.

STEPHEN H. SKOLLER

Suspended for two years on March 21, 2006 *(186 N.J. 261)* for submitting an affidavit of title based upon false information and misrepresenting to his adversary before and during the real estate closing that a judgment was either a mistake or had been vacated, when it had not. Frederick E. Gerson appeared before the DRB for District VB and respondent waived appearance.

JAFFA F. STEIN

Disbarred by consent on August 31, 2006 *(188 N.J. 245)* for knowingly misappropriating over $36,000 in clients' trust funds. Michael J. Sweeney represented the OAE and Mark S. Kancher represented the respondent. The respondent was previously disciplined: Temporary license restriction in 2005 and temporary suspension in 2006. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MARGARET S. SULLIVAN

Admonished on July 26, 2006 (*Unreported*) for failing to act diligently and to communicate with beneficiaries of an estate in which respondent was the executrix. Jeffrey A. Lester appeared before the DRB for District IIA and respondent appeared pro se.

HERBERT J. TAN

Reprimanded on October 17, 2006 *(188 N.J. 389)* for falsely representing to the New Jersey Board of Bar Examiners that he had earned his bachelor's degree at New York University when, in fact, he did not receive a degree because he failed to successfully complete one course. Nitza I. Blasini appeared before the DRB for the OAE and Alan Zegas appeared for the respondent.

RICHARD R. THOMAS, II

Disbarred on a certified record on November 28, 2006 *(188 N.J. 580)* for knowingly misappropriating $10,000 from two real estate transactions and, in another matter, failing to properly represent a client, communicate with her and have a written agreement concerning the basis of the legal fee. Walton W. Kingsbery III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Admonished in 2001; suspended for one year in 2004; suspended for three years in 2005.

IRVING TOBIN

Censured on February 7, 2006 *(186 N.J. 067)* for drafting a client's will and unethically leaving the entire residuary estate to the respondent, in violation of RPC 1.8(c). Thomas D. Carver, Jr. appeared before the DRB for the OAE and Stephen Ritz appeared for respondent. The respondent was previously disciplined: Reprimanded in 2001.

DAVID H. VAN DAM

Reprimanded on June 9, 2006 *(187 N.J. 067)* for drafting a will for his client in which the attorney named himself as a contingent beneficiary under the will, in violation of RPC 1.8(c). Thomas M. Kaczka appeared before the DRB for District XI and respondent waived appearance. The respondent was previously disciplined: Suspended for three years in 1995.

LEO R. VARTAN

Disbarred by consent on November 8, 2006 *(188 N.J. 482)* for knowingly misappropriating approximately $25,000 in clients' funds. Nitza I. Blasini represented the OAE and Lawrence S. Lustberg represented the respondent. This matter was discovered solely as a result of the Random Audit Compliance Program.

HENRY A. WALSH, JR.

Reprimanded on a certified record on September 19, 2006 (*188 N.J. 276*) for failing to act with diligence and failing to communicate with a client he represented in a disputed insurance claim. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Joseph D. Grisanti appeared before the DRB for District IIIA and respondent failed to appear.

GORDON ALLEN WASHINGTON

Admonished on January 26, 2006 (*Unreported*) for failure to promptly deliver escrow funds to a third party who was entitled to receive them and failing to act with diligence in a real estate matter. Nitza I. Blasini appeared before the DRB for the OAE and Donald Miller represented the respondent.

A. KENNETH WEINER

Suspended for two years on May 9, 2006 on a certified record *(186 N.J. 468)* for unethical conduct in two client matters involving gross neglect, lack of diligence, failing to keep the client reasonably informed, charging an unreasonable fee, failing to turn over the client's file on withdrawal, misrepresentation to the client and failure to cooperate with disciplinary authorities. Allan Marain appeared before the DRB for District VIII and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1988; reprimanded in 1995; temporarily suspended in 2004; and suspended for six months in 2005.

A. KENNETH WEINER

Disbarred on October 10, 2006 on a certified record *(188 N.J. 341)* as a result of extensive misconduct involving the gross neglect and then abandonment of 20 clients after having dishonestly taken monies as retainers and failing to do almost any work on the cases. Melissa A. Czartoryski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1988; reprimanded in 1995; temporarily suspended in 2004; suspended for six months in 2005 and suspended for two years in 2006.

AVIS COLE WILLIAMS

Reprimanded on a certified record on June 21, 2006 *(187 N.J. 118)* for grossly neglecting a client matter by failing to file an answer to a civil complaint, resulting in the entry of a default judgment. The respondent also failed to take steps to vacate the judgment. Respondent also failed to properly communicate with the client and improperly withdrew from representation. Michael J. Fitzgerald appeared before the DRB for District I and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2005.

SCOTT L. WILLIAMS

Reprimanded on a certified record on September 6, 2006 *(188 N.J. 254)* for accepting a fee from a client to handle two civil matters and then grossly neglecting the matters, failing to explain the matters to the client, improperly terminating the representation and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Christine P. O'Hearn represented District IV and respondent failed to appear.

THOMAS D. WILLIAMSON

Reprimanded on March 14, 2006 *(186 N.J. 157)* for engaging in conduct prejudicial to the administration of justice by threatening to seek enhanced damages in a civil proceeding in order to persuade potential expert witnesses to recant a report in which they had concluded that respondent's client had assaulted a severely disabled child. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se.

MAURY R. WINKLER

Reprimanded on March 21, 2006 *(186 N.J. 263)* for negligently misappropriating client trust funds as a result of his abysmal recordkeeping practices. Michael J. Sweeney appeared before the DRB for the OAE and Bernard K. Freamon appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2003.

BARBARA J. WYSKOWSKI

Suspended for 3 months on a certified record, effective on the termination of respondent's temporary suspension, *(186 N.J. 471)* for failing to cooperate with disciplinary authorities during the investigation and processing of a grievance and for failing to comply with the requirements of R.1:20-20 after her temporary suspension from practice. John McGill III represented the OAE before the DRB and respondent failed to appear.

WILLIAM T. YADLON

Admonished on September 19, 2006 (*Unreported*) for negligently misappropriating client trust funds from his trust account due to respondent's failure to perform quarterly reconciliations of his accounts. The respondent also had numerous recordkeeping violations, contrary to R.1:21-6. Melissa A. Czartoryski appeared before the DRB for the OAE and Anthony P. Ambrosio appeared for the respondent.

ERIC YIM A/K/A ERIC CHONG YIM

Disbarred on September 11, 2006 *(188 N.J. 257)* as a result of a reciprocal disciplinary action taken in Virginia revoking respondent's license to practice law based upon his guilty plea in the United States District Court for the District of Virginia to a charge of collection of extensions of credit by extortionate means, a violation of 18 U.S.C.A. §894(a)(1) and (2). Specifically, respondent discussed with an individual whether or not he could arrange for a debtor to be either seriously injured or killed in an apparent accident. Richard J. Engelhardt appeared before the Supreme Court for the OAE and David H. Dugan, III appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2006.

2005

ANDE R. ABRAHA

Disbarred on September 12, 2005 on a certified record *(185 N.J. 128)* for knowingly misappropriating over $6,000 of

client trust funds given to him in connection with a real estate transaction. The respondent commingled trust funds in his personal checking account and then invaded them by issuing personal checks, debit card purchases and ATM withdrawals for his own private purposes. Thomas D. Carver, Jr. appeared before the DRB for the OAE and respondent failed to appear.

JOHN CHARLES ALLEN

Admonished on May 23, 2005 (*Unreported*) for grossly neglecting a real estate foreclosure matter, resulting in dismissal of the case. Richard Galex appeared before the DRB for District VIII and respondent appeared pro se.

RALPH P. ALLOCCA

Censured on December 14, 2005 *(185 N.J. 404)* for failing to advise the sellers' attorney that his clients did not bring sufficient funds to closing to allow him to pay off the mortgage as required. As a result of respondent's misconduct, a foreclosure action that had been stayed was reinstituted. Respondent also made a material misrepresentation to a disciplinary investigator during the course of this matter. George D. Schonwald appeared before the DRB for District X and respondent appeared pro se.

JOHN S. ANGELUCCI

Reprimanded on June 7, 2005 (*183 N.J. 472)* for being convicted of obstructing the administration of law or other governmental function, in violation of N.J.S.A. 2C:29-1(a), a disorderly persons offense, which essentially involved respondent's resisting arrest. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

HENRY J. ARATOW

Censured on a certified record on November 15, 2005 *(185 N.J. 319)* for grossly neglecting a client matter, misrepresenting to the client that a complaint had been served and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Kurt W. Krauss appeared before the DRB for District X and respondent failed to appear.

ANTHONY R. ATWELL

Admonished on February 22, 2005 (*Unreported*) for failing to communicate with an estate client by repeatedly canceling scheduled appointments because the respondent had lost the estate file. He also delayed for 2 ½ years reconstructing the file, thus engaging in a lack of diligent conduct. Thomas P. Scrivo appeared before the DRB for District VB and Peter Ventrice represented the respondent.

JOSEPH M. BARRY

Disbarred by consent on June 14, 2005 (*183 N.J. 553)* as a result of a guilty plea in the United States District Court for the District of New Jersey to four counts of making cash payments to reward a government official, in violation of 18 U.S.C.A. § 666(a)(2) and 2. Richard J. Engelhardt represented the OAE before the DRB and James Plaisted represented the respondent. The respondent was previously disciplined: Temporarily suspended on September 7, 2004.

EDWARD T. BASAMAN

Reprimanded on February 24, 2005 (*182 N.J. 460*) for failing to act diligently in connection with two client matters and failing to cooperate with the district ethics committee. Suzanne M. Jorgensen appeared before the DRB for District IIIA and respondent failed to appear. The respondent was previously disciplined: Suspended for three months in 2003.

MUHAMMAD BASHIR

Admonished on May 25, 2005 (*Unreported*) for failing to comply with court deadlines in five separate criminal representations, resulting in orders of sanction against the respondent, which sanctions he failed to timely pay. Christopher M. Farella appeared before the DRB for District VA and Alan Dexter Bowman represented the respondent. The respondent was previously disciplined: Reprimanded in 1996.

PHILIP J. BATTAGLIA

Suspended for three months effective December 18, 2003 *(182 N.J. 590)* for failing to file a compliance affidavit showing that he notified courts, clients and adversaries of a previous suspension. Nitza I. Blasini appeared before the DRB for the OAE and Frederick J. Dennehy represented the respondent. The respondent was previously disciplined: Suspended for three months in 1995; temporarily suspended in 2002; and suspended for three months in 2004.

CARL C. BELGRAVE

Admonished on November 9, 2005 (*Unreported*) for failing to state in writing the basis of his legal fee in a real estate matter and failing to maintain proper cash receipts and cash disbursement journals as required by recordkeeping rule 1:21-6. Walton W. Kingsbery III appeared before the DRB for the OAE and respondent appeared pro se.

ANTOINETTE M. J. BENTIVEGNA

Suspended for two years effective August 14, 2004 *(185 N.J. 244)* as a result of her suspension for a like period in the Commonwealth of Pennsylvania. Respondent's conduct also included charging excessive fees, making a false statement of material fact or law to a tribunal and conduct involving

dishonesty, fraud, deceit or mispresentation and conduct prejudicial to the administration of justice. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

SCOTT M. BERGER

Suspended for one year effective June 29, 2001 *(185 N.J. 269)* as a result of a three-year suspension in the State of New York for hiring and paying runners over $42,000 and then filing 350 false and misleading retainer statements with the Office of Court Administration in the State of New York in order to conceal his misconduct in using runners. The New Jersey Court made the one-year suspension retroactive to the date of respondent's suspension in the State of New York. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

VINCENT E. BEVACQUA

Suspended for 3 years effective December 15, 2004 *(185 N.J. 161)* for using a stolen credit card to attempt to purchase merchandise at a K-Mart store under an assumed name. At the time of his arrest, the respondent also possessed an additional five fraudulent credit cards and a wallet with a phony driver's license bearing his picture. Walton W. Kingsbery III appeared before the Supreme Court for the OAE and Thomas R. Ashley represented the respondent. The respondent was previously disciplined: Reprimanded in 2002 and suspended for six months in 2004.

VOLF ZEV BIRMAN

Suspended for one year effective May 12, 2004 *(185 N.J. 342)* based upon respondent's suspension in the State of New York for a period of one year after he pled guilty in the New York Supreme Court, Queens County, to a misdemeanor charge of violating New York Judiciary Law §482. Respondent admitted that he employed an individual for the purpose of soliciting cases, but denied that he compensated that person for doing so. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

GARY E. BOTCHMAN

Disbarred by consent on March 14, 2005 (*182 N.J. 593)* for pleading guilty in the United States District Court for the Eastern District of New York to a one-count Information charging conspiracy to commit bank fraud in violation of 18 U.S.C.A. § 371.

ANTHONY J. BRIGUGLIO

Disbarred on November 29, 2005 *(185 N.J. 335)* based upon his disbarment in the State of New York after pleading guilty in the Supreme Court of New York, County of Westchester, to an Information charging him with engaging in a scheme to defraud in the first degree, a violation of *New York Penal Law §190.65.* In the respondent's plea he admitted that, over a three year period after his disbarment in New York, he continued to solicit new business, collected legal fees, and made court appearances on behalf of clients in 35 different legal matters. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear.

H. NEIL BRODER

Reprimanded on May 23, 2005 (*184 N.J. 295*) for negligently misappropriating client trust funds at a real estate closing by drawing on a regular business account check given him by his clients' business. Respondent also failed to maintain appropriate trust and business account records as required by R.1:21-6. John J. Janasie appeared before the DRB for the OAE and Kevin H. Michels represented the respondent. This case was discovered solely by the Trust Overdraft Notification Program.

KATHLEEN SCOTT CHASAR

Suspended for three months effective March 23, 2005 (*182 N.J 459*) for filing a false certification with the court in her own personal divorce case in an attempt to mislead the court. Samuel M. Gaylord appeared before the DRB for District VII and respondent appeared pro se.

STEPHEN CHUKUMBA

Disbarred by consent on December 14, 2005 *(185 N.J. 403)* when he admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. Walton W. Kingsbery III represented the OAE before the Supreme Court and Leon Grauer represented the respondent.

ROY R. CLAPS

Admonished on May 23, 2005 (*Unreported*) for negligently misappropriating clients' trust funds over a period of years that was initially caused by a bank error. The law firm's failure to properly reconcile delayed the detection of this problem. Nitza I. Blasini represented the OAE before the DRB and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOHN F. COFFEY, II

Admonished on January 21, 2005 (*Unreported*) for lack of diligence and failure to communicate with a client in a bankruptcy matter. Lawrence E. Sindoni appeared before the DRB for District VI. Respondent appeared pro se.

RICHARD J. COHAN

Admonished on April 25, 2005 (*Unreported*) for negligently misappropriating clients' trust funds and failing to

maintain proper trust account records in accordance with R.1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and Raymond S. Londa represented the respondent. This case was discovered solely by the Trust Overdraft Notification Program.

THOMAS J. COLEMAN, III

Reprimanded on November 30, 2005 *(185 N.J. 280)* as a result of his suspension in the Commonwealth of Pennsylvania for, among other things, signing hundreds of pleadings as an attorney of record when he was not licensed to do so and receiving more than $7,000 for these services. The respondent was ineligible to practice law in Pennsylvania for a period of nine years. Richard J. Engelhardt appeared before the Supreme Court for the OAE and John D. Borbi represented the respondent.

JAMES C. CONLON

Reprimanded on November 7, 2005 *(185 N.J. 283)* for preparing a will for an elderly and infirm client with little family in which the respondent and his wife received all but $45,000 of a $410,000 estate. Bill R. Fenstemaker appeared before the DRB for District XII and James J. Byrnes represented the respondent.

JOHN S. CONROY, IV

Reprimanded on November 1, 2005 *(185 N.J. 277)* for negligently misappropriating $2,800 from his trust account caused by his failing to maintain trust account records in accordance with R.1:21-6. Melissa A. Czartoryski appeared before the DRB for the OAE and respondent waived appearance. This matter was discovered solely as a result of the Random Audit Compliance Program.

GEORGE J. COTZ

Suspended for six months effective April 22, 2005 (*185 N.J. 330*) for negligently misappropriating clients' trust funds, borrowing funds from several clients without complying with the requirements of RPC 1.8(a) and failing to maintain proper trust and business account records. Lee A. Gronikowski appeared before the DRB for the OAE and Kim D. Ringler represented the respondent. This case was discovered solely by the Trust Overdraft Notification Program.

ALAN M. DARNELL

Disbarred by consent on September 14, 2005 (*185 N.J. 129)* based upon the knowing misappropriation of client and law firm funds by charging certain personal expenses to the law firm. Michael J. Sweeney represented the OAE and Robert A. Weir, Jr. represented the respondent.

MARVIN S. DAVIDSON

Reprimanded on March 8, 2005 *(182 N.J. 587)* for negligently misappropriating client trust funds totaling more than $28,000 and failing to reconcile his attorney trust account, as required by R.1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. This case was discovered solely by the Random Audit Program.

KAYKAY E. DAVIS-DANIELS

Admonished on September 22, 2005 (*Unreported*) for conduct prejudicial to the administration of justice when, as personal representative in an estate matter in South Carolina, she failed to respond to many deadlines set by the court for filing an inventory and failed to appear or explain her non-appearance to the court in a scheduled hearing to explain why she had not performed her duties. Julia D. Drescher appeared before the DRB for District IX and Kevin E. Daniels represented the respondent.

MICHAEL A. DEMIRO

Suspended for 18 months effective June 2, 2003 *(182 N.J. 248)* for pleading guilty in the United States District Court for the District of New Jersey to a one-count Information charging conspiracy to obstruct justice, in violation of 18 U.S.C.A. § 371. He was temporarily suspended on June 2, 2003 (176 N.J. 417). Richard J. Engelhardt appeared before the DRB for the OAE and Robert L. Galantucci appeared for respondent.

HOWARD S. DIAMOND

Suspended for one year effective November 1, 2005 *(185 N.J. 171)* for closing his office and failing to notify one client that he had done so, essentially abandoning the client; he also failed to advise the client that her lawsuit had been dismissed with prejudice. In a second case, respondent failed to act diligently and never resolved a client's automobile accident. He also failed to cooperate with disciplinary authorities during the investigation and processing of the matter. Sheldon Simon appeared before the DRB for District X and Albert B. Jeffers, Jr. represented the respondent. The respondent was previously disciplined: Admonished and reprimanded, both in 2002.

PATRICK DIMARTINI

Admonished on February 22, 2005 (*Unreported*) for failing to insure that an $8,500 check given to him by his clients as down payment on real estate was promptly deposited in his trust account soon after its delivery. The check was then taken from respondent's office and illegally cashed by a third person. Respondent's actions constituted a failure to safeguard clients' funds. Margaret M. Marley appeared before the DRB for District VI and Jorge L. Aviles represented the respondent. The respondent was previously disciplined: Suspended for

three months in 1999.

HOWARD M. DORIAN

Suspended for three months on a certified record effective April 25, 2005 (*183 N.J. 33*) for grossly neglecting a personal injury action, failing to communicate with his client and failing to cooperate with disciplinary authorities. Richard G. Potter appeared before the DRB for District IIB and respondent failed to appear. The respondent was previously disciplined: Admonition in 1995; two reprimands in 2001 and 2003.

HOWARD M. DORIAN

Suspended for six months on September 7, 2005 on a certified record (*185 N.J. 236)* for grossly neglecting defense of a lawsuit, allowing entry of a default, failing to vacate the default, and failing to file a counterclaim advancing the client's affirmative claim for damages. The respondent also settled the litigation from his own funds without informing the client or obtaining the client's consent, which constituted a misrepresentation. Richard G. Potter represented District IIB before the DRB and respondent failed to appear. The respondent was previously disciplined: Admonished in 1995; reprimanded in 2001 and 2003; and suspended for three months in 2005.

HANIT DORWANI

Disbarred by consent on July 13, 2005 (*185 N.J. 236)* for pleading guilty in the Superior Court of New Jersey, Middlesex County, to Indictment No. 04-01-00119, each count charging second degree official misconduct, in violation of N.J.S.A. 2C:30-2. Richard J. Engelhardt represented the OAE and Thomas J. Buck represented the respondent. The respondent was previously disciplined: Temporarily suspended on March 31, 2005.

JOHN P. DOYLE

Reprimanded on May 11, 2005 (*183 N.J. 233*) for engaging in a conflict of interest by representing ARC Properties, Inc. before the Lakewood Township Committee, while ARC had matters pending in Brick Township, where respondent was the attorney for the planning board. Michael J. Sweeney appeared before the Disciplinary Review Board for the OAE and Kevin H. Michels appeared for the respondent. The respondent was previously disciplined: Privately reprimanded in 1985 and suspended for six months in 1996.

ALEXANDER B. DRANOV

Suspended for three months effective November 22, 2004 (*183 N.J. 232*) for commingling personal and client funds, negligent misappropriation of client funds and failure to maintain appropriate trust account records, including failing to perform quarterly reconciliations. Janice L. Richter appeared before the Disciplinary Review Board for the OAE and Robert E. Margulies appeared for the respondent. The respondent was previously disciplined: Suspended for six months in 2004.

BARBARA G. DUPRÉ

Suspended for five years effective March 4, 2003 on a certified record (*183 N.J. 2*) for practicing law while previously suspended from practice, failing to comply with the notification requirements of R.1:20-20 applicable to suspended attorneys, grossly neglecting an appeal of a child support order, making misrepresentations to her client and allowing the appeal to be dismissed. Walton W. Kingsbery III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2003; suspended for three months in 2004.

DANIEL ELLIS

Suspended for three months on a certified record on May 11, 2005 (*183 N.J. 227*) for failing to act diligently in a real estate transaction by not discharging the seller's mortgage of record for one year after the closing, failing to communicate with the client, and failing to cooperate with disciplinary authorities. Harrison J. Gordon appeared before the Disciplinary Review Board for District VC and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1999; reprimanded in 2000; temporary suspension in 2003.

ROBERT S. FISHER

Suspended for one year effective July 29, 2004, the effective date of his one year and one day Pennsylvania suspension from practice, *(185 N.J. 238)* for his criminal conviction in the Commonwealth of Pennsylvania of one count of insurance fraud, a violation of 18 Pa.C.S.A. §4117, one count of forgery, a violation of 18 Pa.C.S.A. §4101, and one count of criminal conspiracy, a violation of 18 Pa.C.S.A. §903, all third-degree felonies. The basis for respondent's conviction involved submitting a phony receipt to an insurance company for the purpose of obtaining insurance proceeds for his girlfriend, whose computer had been stolen. He then filed a complaint against the insurance company based on the same claim. The criminal proceedings leading to conviction and post-conviction appeals consumed nearly ten years. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended three months in 2004.

FREDERICK FITCHETT III

Suspended for three months effective August 22, 2005 (*184 N.J. 289)* for engaging in a conflict of interest by continuing to represent a public entity after switching law firms and becoming associated with another party in the same litigation. Melissa Czartoryski appeared before the Supreme Court for the OAE and respondent appeared pro se.

Respondent was previously disciplined: Reprimanded in 1999.

COLIN J. FLYNN

Disbarred on a certified record on May 23, 2005 (*184 N.J. 295*) for knowingly misappropriating clients' trust funds in a series of five client matters. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2003.

FRANK FUSCO

Admonished on February 22, 2005 (*Unreported*) for engaging in a conflict of interest by representing both the buyer and seller in a real estate transaction without obtaining their consent. The respondent also threatened to file a civil suit against one of the clients who threatened to report him to disciplinary authorities. Jeffrey L. Clutterbuck appeared before the DRB for District IIA and respondent appeared pro se.

KATHLEEN F. GAHLES

Admonished on January 26, 2005 (*Unreported*) for failing to treat with courtesy and consideration all persons involved in the legal process when, during oral argument in a matrimonial motion, she made degrading statements about an opposing party – her client's wife – with no substantial purpose other than to embarrass the wife. The respondent was previously reprimanded in 1999. Lawrence M. Maron appeared before the DRB for District XI and respondent appeared pro se.

GLADYS J.M. GARBIN

Reprimanded on February 4, 2005 *(182 N.J. 432)* for grossly neglecting a motion to enforce litigant's rights in a divorce action, resulting in harm to the client, failing to communicate and failing to promptly return the file to the client. Maria J. LaSala appeared before the DRB for District XI and respondent appeared pro se. The respondent was previously disciplined by admonition in 2004.

CARL D. GENSIB

Reprimanded on December 6, 2005 *(185 N.J. 345)* for improperly acknowledging the signatures of his clients on several documents in connection with a real estate closing when, in fact, they did not appear before him. Additionally, the respondent was aware that the husband had signed the wife's name to the documents. William G. Brigiani appeared before the DRB for District VIII and Robert Zullo, Jr. appeared for the respondent.

THOMAS A. GIAMANCO

Censured on October 5, 2005 *(185 N.J. 174)* for failing to file a bankruptcy petition until 15 months after he had been retained, failing to withdraw from representation after he was discharged by the client and, when sued by the client, engaging in threats and intimidation in order to have the client discontinue the lawsuit. Ellen K. Bromsen appeared before the DRB for District IIA and Catherine M. Elston represented the respondent. The respondent was previously disciplined: Reprimanded in 1999.

ROBERT T. GIBSON

Suspended for one year effective August 16, 2002, the date of his temporary suspension, (*185 N.J. 235)* for his conviction in the Commonwealth of Pennsylvania of aggravated assault, simple assault and aggravated harassment of a police officer, as well as the summary offenses of disorderly conduct and public drunkenness. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

CORY J. GILMAN

Admonished on May 23, 2005 *(184 N.J. 298)* for engaging in a conflict of interest when, as an associate, respondent prepared real estate contracts for the buyers in ten real estate transactions which included a provision that the buyers agreed to use a title company in which a partner of respondent's law firm had an interest. Walton W. Kingsbery III appeared before the DRB for the OAE and Katherine Hartman represented the respondent.

LEE D. GOTTESMAN

Censured on November 15, 2005 on a certified record *(185 N.J. 318)* for failing to act diligently and to communicate with a client, misrepresentations to the client and failing to cooperate with disciplinary authorities during the investigation and processing of the matter. Joseph D. Grisanti appeared before the DRB for District IIIA and respondent failed to appear.

ELLIOT H. GOURVITZ

Reprimanded on October 18, 2005 *(185 N.J. 243)* for engaging in conduct prejudicial to the administration of justice by repeatedly disregarding several court orders requiring him to satisfy his financial obligations to his former secretary, an elderly cancer survivor, who sued him successfully for employment discrimination when he refused to allow her to return to work after she had recovered from cancer surgery that disfigured her face. Robert J. Logan appeared before the DRB for District XII and respondent appeared pro se.

JOSEPH J. HALDUSIEWICZ

Suspended for six months effective December 1, 2005 *(185 N.J. 278)* as a result of a guilty plea in the Superior Court of New Jersey, Essex County, to a one-count accusation

charging him with the fourth degree crime of endangering the welfare of a child (possession of child pornography), in violation of N.J.S.A. 2C:24-4(b)(5)(b). The respondent's actions occurred while he was serving as a deputy attorney general in the Department of Law and Public Safety. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent appeared pro se.

ROBERT J. HANDFUSS

Suspended for one year on a certified record on January 26, 2005 *(182 N.J. 309*) for failing to return escrow funds to the sellers of real estate after they paid the bill and submitted proof to him. Respondent also failed to cooperate with the disciplinary system during the investigation and processing of the matter. Regina D. Aifer represented District IX before the DRB and respondent failed to appear.

ROBERT J. HANDFUSS

Disbarred on May 3, 2005 (*183 N.J. 221*) for grossly neglecting 17 separate client real estate transactions, failing to pay for title insurance in three cases and, in accordance with *In re Kantor, 180 N.J. 226 (2004)*, exhibiting disrespect for the disciplinary system in failing to cooperate during the investigation and processing of this matter. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2000; suspended for three months in 2001; reprimanded in 2002 and suspended for one year in 2005.

FREDERICK W. HARDT

Reprimanded on April 5, 2005 *(183 N.J. 132*) for engaging in a conflict of interest by simultaneously representing a private client before both the zoning board and the planning board in Pemberton Township, while at the same time representing the township itself as special counsel in connection with condemnation litigation. Carl N. Tripician appeared before the DRB for District I and Jeffrey I. Baron appeared for the respondent. The respondent was previously disciplined: Reprimanded in 1977.

E. LORRAINE HARRIS

Disbarred on March 16, 2005 *(182 N.J. 594*) for being a "persistent violator" and committing ethical violations in 11 separate matters, including lack of diligence, dishonest conduct, conduct prejudicial to the administration of justice, knowingly disobeying the rules of a tribunal, using a misleading professional designation, failing to comply with R.1:20-20 as a suspended attorney, failing to safekeep property and instituting frivolous litigation. Walton W. Kingsbery III appeared before the Supreme Court for the OAE and Angelo J. Falciani represented the respondent. The respondent was previously disciplined: Temporary suspension in 1999; temporary suspension and admonition in 2000; suspension for six months and suspension for three months in 2001.

BARRY A. HOFFBERG

Reprimanded on September 19, 2005 (*185 N.J. 131)* for negligently misappropriating clients' trust funds, grossly neglecting a client matter and practicing law while ineligible for failure to pay the annual attorney registration assessment. Lee A. Gronikowski appeared before the DRB for the OAE and respondent appeared pro se.

KIERAN P. HUGHES

Reprimanded on June 7, 2005 *(183 N.J. 473)* for, in three matters, exhibiting a lack of diligence, failing to communicate with clients and failing to protect clients' interests on termination of the representation. Additionally, in one case, the respondent abandoned his client. Kenneth B. Rotter appeared before the DRB for District XII and respondent failed to appear.

PATRICIA L. JOHNSON

Suspended for six months on a certified record on May 3, 2005 *(183 N.J .222*) for grossly neglecting a criminal matter, failing to communicate with the clients, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. Walton W. Kingsbery III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2004.

THOMAS M. KEELEY-CAIN

Admonished on May 26, 2005 (*Unreported*) for grossly neglecting a litigated matter by allowing a pleading to be dismissed without advising the client that its answer was subject to dismissal and by failing to file an answer on behalf of a co-defendant, which resulted in the entry of a default. Pamela Adriano Moy appeared before the DRB for District IIIB and Teri S. Lodge represented the respondent.

GEORGE E. KERSEY

Reprimanded on September 19, 2005 (*185 N.J. 130)* following his disbarment in the State of New Hampshire for having violated RPC 3.4(c) by disobeying an obligation under the rules of a tribunal and practicing law while suspended in that state. The New Jersey Supreme Court held that a reprimand was the appropriate discipline in New Jersey. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Reprimanded in 2002.

DAVID L. KERVICK

Suspended for three months effective May 19, 2005

(185 N.J. 343) as a result of a guilty plea in the Superior Court of New Jersey to the disorderly persons offense of loitering with intent to obtain a controlled dangerous substance, in violation of N.J.S.A. 2C:33-2.1. Richard J. Engelhardt appeared before the DRB for the OAE and Richard S. Lehrich appeared for the respondent. The respondent had been previously disciplined: Suspended for three months in 2002.

RUSSELL T. KIVLER

Reprimanded on April 29, 2005 (*183 N.J. 220*) for grossly neglecting two of three matters entrusted to him by his clients, failing to communicate with the clients and failing to supervise a junior attorney who was assigned to the matters. Bruce Willard Clark appeared before the DRB for District XIII and respondent appeared pro se.

JAY R. KOLMAR

Disbarred on November 1, 2005 *(185 N.J. 273)* based upon his disbarment in the State of New York for knowingly misappropriating a total of over $161,000 from his law firm's petty cash account and then misrepresenting that the funds would be used for real estate transactions. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent waived appearance.

THEODORE F. KOZLOWSKI

Suspended for one year on a certified record effective January 1, 2005 *(183 N.J. 224*) for failing to act diligently in a bankruptcy matter by taking no action at all for over a year and then misrepresenting to the clients the status of the matter. Respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. John McGill III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1992; admonished in 1998; reprimanded in 2003; reprimanded in 2004 and suspended for three months in 2004.

WARREN R. KRAFT

Disbarred on December 6, 2005 *(185 N.J. 341)* for knowingly misappropriating clients' trust funds. John McGill, III appeared before the Supreme Court for the OAE and Michael P. Ambrosio represented the respondent. The respondent was previously disciplined: Temporarily suspended in 1999; admonished in 2001, reprimanded in 2001 and again admonished in 2001.

CHARLES B. KUSHNER

Disbarred by consent on March 31, 2005 (*183 N.J. 130.)* for pleading guilty in the United States District Court for the District of New Jersey to 16 counts of assisting in the preparation of fraudulent partnership returns, in violation of 26 U.S.C.A. §7206(2), one count of witness retaliation, in violation of 18 U.S.C.A. §1513(e) and (2) and one count of making false statements to the Federal Election Commission, in violation of 18 U.S.C.A. §1001 and 2. Richard J. Engelhardt represented the OAE and Murray J. Laulicht represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2004.

MERRI R. LANE

Suspended for three months on April 5, 2005 on a certified record *(183 N.J. 209)* for grossly neglecting a client's matter, failing to communicate with the client, misrepresenting the status of the case to the client, improperly using a signature stamp on a trust account check and failing to cooperate with disciplinary authorities during the investigation of the matter. Walton W. Kingsbery III appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1996.

JOSEPH J. LAROSA

Reprimanded on November 1, 2005 *(185 N.J. 275)* for charging excessive fees in nine personal injury matters. Michael S. Rothmel, Michael Taylor and Michael A. Bonamassa appeared before the DRB for District IIIB and Joel B. Korin represented the respondent. The respondent was previously disciplined: Admonished in 2003.

JEAN D. LAROSILIERE

Disbarred on November 1, 2005 on a certified record *(185 N.J. 279)* for knowingly misappropriating clients' trust funds and abandoning his law practice. John McGill III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2002 and admonished in 2003.

HERBERT F. LAWRENCE

Suspended for six months effective December 1, 2005 *(185 N.J. 272)* for, in his own bankruptcy and matrimonial proceeding, engaged in numerous instances of fraud, misrepresentation and conduct prejudicial to the administration of justice by concealing assets from his wife and from the courts. John McGill III appeared before the DRB for the OAE and John T. Mullaney, Jr. represented the respondent. The respondent was previously disciplined: Privately reprimanded in 1985.

TANYA E. LAWRENCE

Disbarred on November 1, 2005 *(185 N.J. 282)* for knowingly misappropriating over $5,000 in personal injury settlements from clients. Janice L. Richter appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent was previously disciplined: Suspended for three months in 2002 and admonished in 2003.

MARVIN LEHMAN

Reprimanded on March 8, 2005 *(182 N.J. 589)* for negligently misappropriating client trust funds, failing to maintain records required by R.1:21-6 and commingling personal and client funds in his trust account and paying business and personal expenses from that same account. John McGill III appeared before the DRB for the OAE and Raymond S. Londa represented the respondent. This case was discovered solely by the Trust Overdraft Notification Program.

ROBERT H. LEINER

Reprimanded on October 18, 2005 *(185 N.J. 246)* for grossly neglecting a matrimonial matter and making numerous misrepresentations to the client that the matter was "scheduled for court" when, in fact, it was not, and for delivering to the client a $68,000 trust account check, ultimately confessing to her that the case did not settle and, in fact, he had never filed any application with the court on her behalf. Michael J. Sweeney appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Temporarily suspended in 2005.

JEFFREY P. LICHTENSTEIN

Disbarred on March 29, 2005 (*183 N.J. 206*) for his guilty plea in the Superior Court of New Jersey, Middlesex County, to theft by deception (N.J.S.A. 2C:20-4) and his admission that he knowingly misappropriated clients' trust funds in the amount of approximately $27,000. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2004.

VINCENT A. LLOYD

Suspended for three years effective February 12, 2003 *(183 N.J. 228*) based upon respondent's plea of nolo contendere in the State of Florida to two counts of purchasing cocaine, Fla. Stat. §893.13(2)(a), a second degree felony; one count of use or possession of drug paraphernalia, Fla. Stat. §893.147(1), a first degree misdemeanor; four counts of contributing to the delinquency or dependency of a child, Fla. Stat. §827.04(1), a first degree misdemeanor; and one count of driving under the influence ("DUI"), Fla. Stat. §316.193(1), a misdemeanor. The Court further ruled that respondent would not be eligible for reinstatement in New Jersey until reinstated in Florida, where he also received a three-year suspension. Richard J. Engelhardt appeared before the Supreme Court for the OAE and Kim D. Ringler represented respondent.

WAYNE D. LONSTEIN

Admonished on June 17, 2005 (*Unreported)* for failing to maintain a bona fide law office in the State of New Jersey as of May 2003. Timothy J. Little appeared before the DRB for District VIII and Michael Boldt represented the respondent.

GERALD M. LYNCH

Reprimanded on a certified record on April 29, 2005 (*183 N.J. 260*) for failing to cooperate with disciplinary authorities during the investigation and processing of a grievance. Richard Galex appeared before the DRB for District VIII and respondent failed to appear. The respondent was previously disciplined: Admonished in 1999; temporarily suspended in 2003.

ALLEN C. MARRA

Suspended for three years on April 29, 2005 *(183 N.J. 260)* for unethically engaging in the practice of law on three occasions after he was previously suspended from the practice of law. Additionally, the respondent filed an affidavit with the Supreme Court falsely stating that, during this prior period, he had refrained from the practice of law in any form. John McGill III appeared before the Supreme Court for the OAE and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1992; suspended for three months in 1997; suspended for six months in 2002; suspended for three months in 2002 and suspended for one year in 2002.

LARRY J. MCCLURE

Suspended for one year on a certified record on January 26, 2005 *(182 N.J. 312*) for failing to comply with R.1:20-20 requiring, among other things, notice to clients, courts and adversaries of his prior suspension from practice and for failing to cooperate with disciplinary authorities. Respondent was previously disciplined: Admonition in 1999; Six-Month Suspension in 2003; and Six-Month Suspension in 2004. Michael J. Sweeney represented the OAE before the DRB and respondent failed to appear.

LARRY J. MCCLURE

Disbarred on September 28, 2005 on a certified record *(185 N.J. 167)* for knowingly misappropriating clients' trust funds, practicing law while suspended, making false statements of material fact to a disciplinary authority, failing to cooperate with a disciplinary authority and committing a criminal act. Michael J. Sweeney appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Admonished in 1999; suspended for six months in 2003; suspended for six months in 2004; suspended for one year in 2005.

JOHN H. MCKEON, JR.

Suspended for three months on October 18, 2005 *(185 N.J. 247)* as a result of respondent's guilty plea to the third-degree offense of possession of cocaine, a violation of N.J.S.A. 2C:35-10a(1). Richard J. Engelhardt appeared before the DRB

for the OAE and Katherine D. Hartman represented the respondent.

ALLEN J. MEYER

Disbarred by consent on January 10, 2005 *(182 N.J. 209)* after pleading guilty to an Information filed in the United States District Court for the District of New Jersey charging him with conspiracy to make false statements, in violation of 18 U.S.C.A. § 371. He was temporarily suspended on December 23, 2003 (178 N.J. 256). Richard J. Engelhardt represented the OAE and John J. Flynn consulted with the respondent.

SPIRO T. MICHALS

Admonished on September 7, 2005 *(185 N.J. 126)* for negligently misappropriating client trust funds, commingling personal and client funds and failing to maintain records as required by R.1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and respondent appeared pro se. This case was discovered solely by the Trust Overdraft Notification Program.

HUGO L. MORAS

Reprimanded on July 7, 2005 (*184 N.J. 232)* for failing to communicate with a client in a real estate matter and, also, failing to set forth the basis or rate of the legal fee to be charged as required by court rules. Denise M. Carter appeared before the DRB for District VB and respondent appeared pro se. The respondent was previously disciplined: Suspended for six months in 1993, temporarily suspended in 1996 and again in 1997, and reprimanded in 1997.

PHILIP M. MORELL

Disbarred on July 19, 2005 (*184 N.J. 299*) for an "elaborate scheme of deception"in a medical malpractice action by misrepresenting to a client that a complaint had been filed and that the matter was settled for $1.1 million dollars when, in fact, such was not the case. Moreover, the respondent failed to cooperate with the district ethics committee, failed to file a verified answer to a formal complaint or to offer any evidence in mitigation, failed to appear before the Disciplinary Review Board and failed to appear before the Supreme Court, despite prior notice. Thus, under the Court's *Kantor* decision, the Court concluded that disbarment was the appropriate sanction. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for one year in 2004.

STEVEN T. MULLER

Reprimanded on May 23, 2005 (*184 N.J. 293*) for grossly neglecting a client's matter, failing to communicate with a client and failing to set forth in writing the basis or rate of the fee as required by ethics rules. Lorraine Teleky-Petrella appeared before the DRB for District IIA and Michael P. Ambrosio represented the respondent. The respondent was previously disciplined: Privately reprimanded in 1989 and reprimanded in 1999.

NICHOLAS H. MUNDY

Disbarred by Consent on July 22, 2005 (*184 N.J. 388)* for pleading guilty in the Superior Court of New Jersey, Middlesex County, to one count of an indictment charging him with securities fraud in the third degree, in violation of N.J.S.A. 49:3-52(b), N.J.S.A. 49:3-70 and N.J.S.A. 2C:2-6. John J. Janasie represented the OAE and Steven D. Altman represented respondent.

DIANE K. MURRAY

Reprimanded on November 29, 2005 *(185 N.J. 340)* for negligent misappropriation, trust account recordkeeping violations and failing to supervise employees that resulted in the unexplained misuse of client trust funds. Nitza I. Blasini appeared before the DRB for the OAE and Edward DePascale represented the respondent. Respondent was previously disciplined: Admonished in 1997 and again in 2000.

H. ALTON NEFF

Censured on October 18, 2005 *(185 N.J. 241)* for engaging in "abominable" conduct at a disputed real estate closing by unilaterally aborting the transaction; without authority, seizing his adversary's entire file; extracting documents from it and refusing to identify those items and to return them to the buyer's attorney. Respondent also threatened the attorney with criminal prosecution if he and his clients failed to leave the office building without the records. Jeff J. Horn appeared before the DRB for District IIIA and John F. Russo, Sr. represented the respondent. The respondent was previously disciplined: Privately reprimanded in 1987.

WENDY E. NEGGERS

Suspended for three months on December 6, 2005 *(185 N.J. 397)* for conduct arising out of a two-count Accusation charging her with unlawfully and knowingly or purposely possessing a controlled dangerous substance, heroin, Schedule I, N.J.S.A. 2C:35-10a(1); and unlawfully and knowingly or purposely possessing a controlled dangerous substance, heroin, Schedule I, in a quantity of less than ½ ounce, with the intent to distribute same, N.J.S.A. 2C:35-5b(3). Respondent was subsequently accepted into pretrial intervention and admitted her offense in this disciplinary proceeding. Lee A. Gronikowski appeared before the DRB for the OAE and respondent appeared pro se.

JAMES D. NICHOLS

Reprimanded on February 8, 2005 *(182 N.J. 433)* for grossly neglecting two immigration matters, failing to communicate with a client and failing to return an unearned fee.

Richard A. Deutchman appeared before the DRB for District VIII and respondent appeared pro se. The respondent was previously reprimanded in 1984.

ANTHONY C. NWAKA

Disbarred on March 29, 2005 *(183 N.J. 207)* for forging clients' endorsements on checks and knowingly misappropriating in excess of $35,000 in clients' trust funds. Lee A. Gronikowski represented the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Suspended for three months in 2003 and three-month suspension in 2004.

NKEM E. ODINKEMERE, A/K/A E. NKEM ODINKEMERE

Disbarred on January 19, 2005 *(182 N.J. 274)* for knowingly misappropriating client trust funds, issuing trust checks to himself to which he was not entitled, abdicating his office to his staff, who handled matters independently, assisting in the unauthorized practice of law and engaging in improper fee sharing with non-attorneys. Janice L. Richter appeared before the Supreme Court for the OAE and Saul J. Steinberg appeared for the respondent. This case was discovered solely by the Trust Overdraft Notification Program. The respondent was temporarily suspended on September 14, 2000 for non-cooperation.

RICHARD M. ONOREVOLE

Suspended for six months effective November 1, 2005 on a certified record *(185 N.J. 169)* for grossly neglecting an estate matter, failing to timely file the estate tax returns, failing to communicate with a client and failing to cooperate with disciplinary authorities in processing the matter. Janet L. Pisansky appeared before the DRB for District X and respondent failed to appear. The respondent was previously disciplined: Admonished in 1994; reprimanded in 1996 and reprimanded in 2001.

GEORGE OSEI

Censured on October 18, 2005 *(185 N.J. 249)* as a result of a guilty plea to the third-degree crime of criminal mischief, in violation of N.J.S.A. 2C:17-3a(2). The respondent admitted intentionally causing $72,000 worth of damage to a house that he had lost through foreclosure seven days prior to the date he was to be evicted. Richard J. Engelhardt appeared before the DRB for the OAE and Dominick J. Aprile appeared for respondent.

NANCY I. OXFELD

Reprimanded on July 26, 2005 (*??? N.J. ???)* for failing to act with diligence and failing to communicate with the client while representing her in connection with a pension plan matter. Christopher J. Dalton appeared before the DRB for District VA and respondent appeared pro se. Respondent was previously disciplined: Admonished in 1995 and 2001.

CRAIG E. PARLES

Disbarred by consent on June 21, 2005 *(184 N.J. 69)* for knowingly misappropriating clients' trust funds in an amount exceeding $24,000. Michael J. Sweeney represented the OAE and Joseph P. Castiglia represented respondent. This case was discovered solely by the Random Audit Program.

STEVEN A. PASTERNAK

Disbarred on February 24, 2005 *(182 N.J. 531*) for knowingly misappropriating trust funds in two client matters. John McGill III appeared before the DRB for the OAE and Rachel A. Akohonae represented respondent. The respondent was previously disciplined: Temporarily suspended in 2001.

C. AARON PATEL

Reprimanded on March 8, 2005 *(182 N.J. 587)* for negligently misappropriating client trust funds and failing to maintain proper trust and business accounting records under R.1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and respondent waived appearance. This case was discovered solely by the Trust Overdraft Notification Program.

QUEEN ESTHER PAYTON

Admonished by discipline by consent on November 3, 2005 (*Unreported*) for practicing law while ineligible between September 2003 and August 2004 and also failing to cooperate with disciplinary authorities during the investigation of this matter. Jane M. Coviello appeared before the DRB for District XII and respondent appeared pro se.

LARISSA A. PELC

Admonished on July 28, 2005 (*Unreported*) for failing to refund a portion of a fee that had not been earned after her services were terminated. Matthew J. Jeon appeared before the DRB for District IIB and respondent appeared pro se.

DAVID C. PENNELLA

Admonished on May 23, 2005 (*Unreported*) for negligently misappropriating clients' trust funds over a period of years that was initially caused by a bank error. The law firm's failure to properly reconcile delayed the detection of this problem. Nitza I. Blasini represented the OAE before the DRB and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

BARRY A. PERLOW

Disbarred by consent on October 17, 2005 *(185 N.J. 240)* for knowingly misappropriating clients' trust funds. Walton W. Kingsbery III represented the OAE and Jay H. Greenblatt represented the respondent. This case was discovered solely by the Trust Overdraft Notification Program.

STEVEN V. PODOLSKY

Admonished on September 19, 2005 (*Unreported*) for filing a civil complaint during a seven- month period when he was ineligible to practice law for non-payment of the annual registration assessment. Richard A. Deutchman represented District VIII before the DRB and James D. Nichols represented the respondent.

RAYMOND L. POLING

Reprimanded on May 23, 2005 (*184 N.J. 297*) for representing buyers in real estate transactions where the clients used a title company in which the attorney had a financial interest and stood to earn a fee, all without obtaining required written waivers from the clients. Walton W. Kingsbery III appeared before the DRB for the OAE and Katherine Hartman represented the respondent. The respondent was previously disciplined: Temporarily suspended in 1989 and suspended for fourteen months in 1990.

JOSEPH E. POVEROMO

Disbarred on January 4, 2005 *(182 N.J. 206)* for grossly neglecting a divorce matter, failing to communicate with a client, failing to refund an unearned portion of a $1,000 fee, and failing to cooperate with disciplinary authorities. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent had a significant ethics history: Two reprimands in 2002; one reprimand in 2003; and two three-month suspensions in 2003.

RAFAEL A. PRADO

Transferred to disability inactive status on a certified record on January 26, 2005 *(182 N.J. 313)* due to evidence that he lacks the capacity to practice law and is incapable of assisting counsel or representing himself. Lawrence E. Sindoni represented District VI before the DRB, which recommended a three-month suspension. Nitza I. Blasini appeared for the OAE before the Supreme Court.

FERNANDO REGOJO

Reprimanded on December 6, 2005 (*185 N.J. 395*) for negligently misappropriating clients' trust funds, commingling personal and clients' funds and failing to promptly deliver client funds. Michael J. Sweeney appeared before the DRB for the OAE and Joseph P. Castiglia appeared for the respondent. The respondent has been previously disciplined: Reprimanded in 2001 and reprimanded in 2004.

MARY H. RICHARDSON

Suspended for six months effective August 10, 2005 (*184 N.J. 288)* for misconduct as house counsel in family-owned companies, including misrepresentation and deceit in court proceedings, involving lying and engaging in a recurring pattern of "conscious misstatements under oath." John J. Janasie appeared before the DRB for the OAE and Peter A. Ouda represented the respondent.

DONALD M. ROHAN

Suspended for three months effective August 10, 2005 on a certified record (*184 N.J. 287)* for grossly neglecting three client matters while working as an associate in a large law firm. In one case, respondent made misrepresentations to the court and to his adversary when he purportedly settled the case in which he had no authority to do so; in another matter he knowingly misrepresented to his supervisor that he had filed a complaint on behalf of the client; and, in a third matter, he appeared at the call and settled the case even though he had no authority to do so. Walton W. Kingsbery III represented District VA before the DRB and respondent failed to appear.

HARVEY H. ROTHMAN

Reprimanded on December 6, 2005 *(185 N.J. 396)* for exhibiting gross neglect, negligent misappropriation of client trust funds, failing to maintain proper trust and business account records, engaging in an improper business transaction with a client and failing to properly supervise a non-lawyer. Janice L. Richter appeared before the DRB for the OAE and respondent appeared pro se. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

FAYTH A. RUFFIN

Admonished on February 22, 2005 (*Unreported*) for failing to file an answer for her client to a counterclaim in connection with litigation, thereby causing a default judgment in the amount of $12,000 to be entered against her client. James A. Mella appeared before the DRB for District VB and Charles E. Austin represented the respondent.

MICHAEL F. SASSANO

Disbarred by consent on May 10, 2005 (*184 N.J. 001*) for knowingly misappropriating over $250,000 of clients' trust funds. Michael J. Sweeney represented the OAE and Barry D. Epstein represented the respondent. This case was discovered solely by the Random Audit Program. The respondent was previously disciplined: Temporarily suspended in 2003.

STUART P. SCHLEM

Suspended for three months on October 5, 2005 *(185 N.J. 173)* for grossly neglecting a client matter, misrepresenting the status of the case as pending when it had been dismissed and failing to return an overpayment to his client. R. Diane Aifer appeared before the DRB for District IX and Emil S. Cuccio represented the respondent. The respondent was previously disciplined: Privately reprimanded in 1994; reprimanded in 2000 and suspended for three months in 2003.

MICHAEL C. SCOON

Suspended for three months effective April 23, 2004 (*183 N.J. 475)* for engaging in a conflict of interest in a real estate matter and failing to cooperate with the Office of Attorney Ethics during the investigation of the underlying case. Walton W. Kingsbery III appeared before the DRB for the OAE and Daniel E. Zemsky represented the respondent. The respondent was previously disciplined: Temporarily suspended in 2004.

DAVID S. SILVERMAN

Suspended for one year effective October 21, 2005 (*185 N.J. 133)* for unethically compensating a chiropractor for referring clients to him during a period that spanned from 1997 through 2001. Lee A. Gronikowski appeared before the Supreme Court for the OAE and Robert E. Margulies represented respondent.

ANTHONY J. SIMMONS

Admonished on February 23, 2005 (*Unreported*) for failing to return $7,000 out of a $7,500 retainer paid by clients to represent them in a criminal matter. The $7,000 refund was ordered by a district fee arbitration committee. In a second matter, the respondent unilaterally withdrew from representing clients in connection with state and federal criminal charges in order that respondent could seek medical treatment in Minnesota. Although he notified the judges in both proceedings, he failed to notify his clients that he was withdrawing from their representation. The DRB also ordered that, prior to resuming practice in this state, respondent provide proof of fitness to practice law as attested by a psychiatrist approved by the OAE. Elizabeth A. Kenny appeared before the DRB for District VA and respondent appeared pro se.

RONALD M. SIMS

Censured on November 1, 2005 *(185 N.J. 276)* based upon respondent's conviction in municipal court of the petty disorderly persons offense of harassment, in violation of N.J.S.A. 2C:33-4(b), which involved inappropriately touching his secretary. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared pro se.

MITCHELL L. SINGER

Disbarred on September 28, 2005 *(185 N.J. 163)* based upon his disbarment in the State of New York, arising out of his guilty plea to charges of grand larceny in the third degree, in violation of New York Penal Law §155.35. Factually, the respondent failed to maintain a real estate escrow in the amount of $85,000, which was to be used for his clients' rental payments. Richard J. Engelhardt appeared before the Supreme Court for the OAE and Michael S. Richmond appeared for the respondent. The respondent was previously disciplined: Temporarily suspended in 2004.

RONALD W. SPEVACK

Admonished on February 22, 2005 (*Unreported*) for exhibiting a lack of diligence and failing to pursue a client's appeal of a decision by the Social Security Administration. Craig M. Terkowitz appeared before the DRB for District VIII and respondent appeared pro se.

RONALD W. SPEVACK

Admonished on May 23, 2005 (*Unreported*) for failing to explain a matter to his client to the extent reasonably necessary to enable the client to make an informed decision about the representation. Craig M. Terkowitz appeared before the DRB for District VIII and Pamela L. Brause represented the respondent. The respondent was previously disciplined: Reprimanded in 1997 and admonished in February 2005.

CHARLES C. STAROPOLI

Disbarred on December 6, 2005 *(185 N.J. 401)* based upon a one-year suspension in the Commonwealth of Pennsylvania. The Supreme Court found that the respondent knowingly misappropriated law firm fees which he received as an associate. The respondent knew that those fees were to be divided between the firm and the associates, but nevertheless, placed the $9,000 check into a personal bank account and then disbursed 2/3 to the client and 1/3 as a legal fee, which he retained. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear.

DAVID T. STOLLER

Reprimanded on March 22, 2005 (*183 N.J. 024*) for grossly neglecting a real estate closing and failing to record any of the documents for more than 4 ½ years; also, failing to maintain required records of the transaction for 7 years. Shereen C. Chen appeared before the DRB for District IV and respondent appeared pro se. The respondent was previously disciplined: Privately reprimanded in 1986.

ANTHONY M. SUPINO

Suspended for three months effective March 23, 2005

(*182 N.J. 530*) for engaging in a pattern of rude and intimidating behavior towards judges, the court administrator and law enforcement authorities in his own personal divorce matter, and by either presenting or threatening to present criminal charges against his ex-wife, the court administrator and police officers in order to obtain an improper advantage in the custody and visitation matters. Anne Marie Kelly appeared before the DRB for District VA and respondent waived appearance.

CHARLES R. THOMAS

Censured on December 6, 2005 *(185 N.J. 394)* for conduct prejudicial to the administration of justice. While serving as the Clerk of the Passaic County Board of Chosen Freeholders and County Treasurer, respondent lent a motor pool vehicle to a Passaic County Juvenile Detention Center maintenance worker to commute to work, an improper use of the vehicle. Respondent further knew that the worker did not possess a valid driver's license. After the worker was involved in an accident, respondent counseled the worker and his supervisor to lie to public officials and the respondent did the same. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

RICHARD R. THOMAS, II

Suspended for three years effective October 29, 2004 *(183 N.J. 230*) for engaging in a fraudulent real estate transaction in which the buyer contributed virtually no funds towards the purchase, the seller received no consideration for the sale of her house and a "mortgage broker/realtor", and possibly respondent, received all of the sale proceeds. Walton W. Kingsbery III appeared before the Supreme Court for the OAE and Thomas R. Ashley represented the respondent. The respondent was previously disciplined: Admonished in 2001; suspended for one year in 2004.

PHILIP V. TORONTO

Reprimanded on December 6, 2005 *(185 N.J. 399)* for negligently misappropriating $59,000 in clients' trust funds and failing to maintain proper trust and business account records as required by R.1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and respondent waived appearance. This matter was discovered solely as a result of the Trust Overdraft Notification Program. The respondent was previously disciplined: Reprimanded in 1997.

JEFFREY W. TRUITT

Suspended for one year on March 8, 2005 *(183 N.J. 001)* for failing to safeguard clients' funds, preparing a false RESPA statement, submitting false information to the OAE during its audit, negligently invading client funds, commingling personal and client funds and failing to maintain proper attorney trust account records. John J. Janasie appeared before the DRB for the OAE and respondent failed to appear.

JOHN A. TUNNEY

Suspended for six months effective October 29, 2004 *(185 N.J. 398)* for grossly neglecting two clients matters, failing to communicate with clients and failing to withdraw from representation. The Disciplinary Review Board took into consideration in mitigation the fact that the respondent suffered a crippling mental illness. Heidi Ann Lepp appeared before the DRB for District VIII and Pamela L. Brause represented the respondent. The respondent had been previously disciplined: Reprimanded in 2003 and suspended for six months in 2004.

JOHN A. TUNNEY

Suspended for six months effective October 29, 2004 *(185 N.J. 398)* for grossly neglecting three clients matters and failing to communicate with his clients. Peter J. Hendricks appeared before the DRB for District VIII and Pamela L. Brause represented the respondent. The respondent had been previously disciplined: Reprimanded in 2003 and suspended for six months in 2004.

ANA L. VENTURA

Admonished on a certified record on April 29, 2005 (*Unreported*) for failing to cooperate with disciplinary authorities during the investigation of an ethics grievance that was ultimately dismissed. Susan E. Champion appeared before the DRB for District XI and respondent failed to appear.

A. KENNETH WEINER

Suspended for six months on a certified record on April 29, 2005 *(183 N.J. 262)* for grossly neglecting a litigation matter arising out of an estate, failing to supervise subordinate lawyers and misleading the clients for over a year that their matter was proceeding properly. Scott A. Krasny appeared before the DRB for District VII and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1988; publicly reprimanded in 1995; and temporarily suspended from practice in 2004.

JOHN F. WISE

Reprimanded on October 5, 2005 *(185 N.J. 167)* for grossly neglecting a bankruptcy matter by failing to take action to release funds unnecessarily held in escrow by a title company. Joel D. Fierstien appeared before the DRB for District VB and Lewis B. Cohn represented the respondent.

DAVID E. WOLFSON

Suspended for one year effective March 23, 2005 and until reinstated in New York *(182 N.J. 479*) by reason of his disbarment in the State of New York for neglect of more than a dozen collection cases, failure to account for funds entrusted to him as a fiduciary and failure to promptly return funds to a

client. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

LOUANN K. WONSKI

Reprimanded on a certified record on May 11, 2005 (*184 N.J. 002*) for failing to cooperate with disciplinary authorities during the investigation and processing of the matter. Janice L. Richter appeared before the Supreme Court for the OAE and Zulima Farber appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2003 and temporarily suspended in 2004.

LOUANN K. WONSKI

Suspended for three months on a certified record effective January 27, 2004 *(184 N.J. 002*) for grossly neglecting a litigation matter, failing to communicate with the client and failing to respond to requests for information from a district ethics committee. Janice L. Richter appeared before the Supreme Court for the OAE and Zulima Farber appeared for the respondent. The respondent was previously disciplined: Reprimanded in 2003, temporarily suspended in 2004 and reprimanded in 2005.

SCOTT J. WOOD

Suspended for three months effective August 15, 2005 (*184 N.J. 387)* for failing to act diligently and failing to communicate with clients in two separate matters. Respondent also failed to cooperate with disciplinary authorities. Warren S. Wolf appeared before the DRB for District IIIB and Robin E. Ecchevarria represented the respondent. The respondent was previously disciplined: Admonished in 1999, reprimanded in 2000 and censured in 2003.

VINCENT M. YACAVINO

Suspended for six months effective August 15, 2005 *(184 N.J. 389)* for engaging in unethical conduct in connection with his own personal divorce matter by engaging in a pattern of filing pleadings after the identical claims had been dismissed, threatening to file criminal charges and ethics grievances in an effort to remove a judge and defense counsel from the litigation and engaging in a pattern of conduct showing disrespect, abuse and contempt toward judges and adversaries. G. Glennon Troublefield appeared before the DRB for District VC and respondent appeared pro se.

ALAN ZARK

Admonished on February 18, 2005 (*Unreported*) for failing to communicate with his clients and failing to reply to requests for information from them. Nitza I. Blasini appeared before the DRB for the OAE and respondent appeared pro se.

ALAN ZARK

Reprimanded on June 7, 2005 (*183 N.J. 475)* for improperly refusing to disburse fees to a mortgage broker after closing of title in a real estate matter until 19 months after the closing. In a second matter, respondent failed to safeguard funds and misrepresented, on closing documents, the disbursements made in connection with that transaction. Nitza I. Blasini appeared before the DRB for the OAE and respondent appeared pro se. The respondent was previously disciplined: Admonished in 2005.

RICHARD J. ZEITLER

Disbarred on February 10, 2005 *(182 N.J. 389)* for a 30-year egregious disciplinary history, culminating in unethical conduct in three client matters, including the virtual abandonment of the clients and his misrepresentations to them and to courts, in one case using his wife's multiple schlerosis as an excuse for his laxness, when he falsely advised a trial court that he could not appear because he had to take her to a New York hospital for treatment. The Court stated that: "Despite having received numerous opportunities to reform himself, respondent has continued to display his disregard, indeed contempt, for our disciplinary rules and our ethics system." Respondent was previously disciplined: Suspended for one year in 1976; suspended for two years in 1980; admonished in 1995; reprimanded in 1999; reprimanded twice in 2000. Brian D. Gillet appeared before the Supreme Court for the OAE and Douglas R. Kleinfeld appeared for respondent.

MICHAEL A. ZINDLER

Admonished on February 24, 2005 (*Unreported*) for improperly procuring releases from his clients for malpractice claims that they may have had against him, without complying with the provisions of RPC 1.8(h)(2). George Singley appeared before the DRB for District IIIB and Kevin H. Michels represented the respondent.

2004

PATRICIA N. ADELLE

Suspended for three months on October 13, 2004 (*181 N.J. 322*) for improperly representing clients in the purchase of real estate, failing to communicate with them, failing to turn over money allegedly due them as a refund and failing to cooperate with disciplinary authorities. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared *pro se*. The respondent was previously disciplined: Suspended for three months in 2001; reprimanded in 2002.

ARTHUR S. ALEXION

Suspended for six months on September 21, 2004 (*181 N.J. 322*). Respondent was disbarred by consent in the Commonwealth of Pennsylvania acknowledging his inability to defend against allegations of gross neglect, lack of diligence, failure to communicate with a client, failure to account for a retainer or to return an unearned portion of a retainer, failure to set aside a fee for an expert witness from settlement proceeds, failure to promptly deliver funds to a third party, misrepresentation, trust account overdrafts and practicing law while ineligible to do so in Pennsylvania. The Supreme Court further ruled that respondent not be reinstated in New Jersey unless and until he is reinstated to the practice of law in Pennsylvania. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent appeared *pro se*.

JOHN J. ANASTASIO

Suspended for three months effective February 27, 2004 (*178 N.J. 325*). Respondent was suspended in the State of Florida for misconduct, including gross neglect, recordkeeping violations and conduct prejudicial to the administration of justice. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Two public reprimands and an admonition in Florida, and two reprimands in New Jersey, in 1988 and 1990.

DAVID C. ANTON

Suspended for one year effective December 29, 2004 (*182 N.J. 62)*. Respondent was suspended by the Supreme Court of California for fabricating evidence and submitting it to a court in opposition to a motion for summary judgment. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

CAROLYN E. ARCH

Suspended for three months effective February 5, 2004 (*178 N.J. 263*) for exhibiting a lack of diligence in failing to properly complete a real estate closing, failing to maintain attorney trust account records as required by R. 1:21-6, negligently misappropriating clients' trust funds and making multiple representations to investigators from the OAE. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1991; admonished twice in 2002.

CAROLYN E. ARCH

Suspended for three months effective February 5, 2004 (*181 N.J. 325*) for negligently misappropriating clients' trust funds, failing to communicate with a client, and failing to comply with recordkeeping rules concerning the maintenance of attorney trust and business account funds. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent appeared *pro se.* The respondent was previously disciplined: Privately reprimanded in 1991; admonished twice in 2002; suspended three months in 2004.

NICHOLAS BARONE

Reprimanded on July 19, 2004 (*180 N.J. 518)* for engaging in conflicts of interest on two occasions by simultaneously representing the driver and passenger in automobile negligence matters. Moreover, after filing the complaints, the respondent allowed them to be dismissed and took no further steps to have them reinstated, thereby engaging in gross neglect, lack of diligence and failure to communicate with clients. Kenneth F. D'Amato appeared before the DRB for District XI and David B. Rubin appeared for respondent.

ROBERT E. BARTH, JR.

Reprimanded on October 19, 2004 (*181 N.J. 536*) for grossly neglecting a bankruptcy matter, failing to communicate with the client and misrepresenting the status of the matter to his client. John P. Jehl appeared before the DRB for District IV and Mark J. Molz appeared for respondent.

PHILIP J. BATTAGLIA

Suspended for three months effective June 19, 2002 on a certified record (*179 N.J. 419*) for representing the buyers in a real estate transaction and, although receiving sufficient monies to pay off the sellers' two mortgages, failing to do so promptly. The delay caused the sellers to incur additional interest charges of over $1,600. When contacted by the sellers' attorney, the respondent misrepresented that the payoff checks had been transmitted the day after the closing. Finally, the respondent failed to cooperate with the OAE. Nitza I. Blasini appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended in 2002.

RICHARD B. BECKER

Reprimanded on September 8, 2004 (*181 N.J. 297*). Respondent owned rental property in the City of Hoboken with another attorney, Michael R. Scinto. These respondents engaged in an ongoing pattern of deceit to circumvent rent control procedures on an apartment in their property by attempting to collect a rental payment higher than that to which they were legally entitled, and failing to file the required documentation to secure approval by the Hoboken Rent Control Office for an increase in rents. John McGill III appeared before the DRB for the OAE and Michael B. Himmel appeared for the respondent.

GARY S. BENINSON

Disbarred by Consent on June 28, 2004 (*180 N.J. 283*). Respondent could not successfully defend pending

disciplinary charges alleging the knowing misappropriation of clients' trust funds. The respondent had been indicted and pled guilty to second degree theft by failing to make required disposition of property received, in violation of N.J.S.A. 2C:20-9. John J. Janasie represented the OAE and Christopher S. Porrino appeared for respondent. The respondent was previously disciplined: Temporarily suspended since May 14, 2003.

BARRY J. BERAN

Reprimanded on October 19, 2004 (*181 N.J. 535)* for negligently misappropriating client trust funds, failing to maintain records as required by R.1:21-6, and improperly advancing loans to clients while representing them in personal injury matters. This case was discovered solely by the Trust Overdraft Notification Program. Michael J. Sweeney appeared before the DRB for the OAE and respondent waived appearance.

VINCENT E. BEVACQUA

Suspended for six months effective June 15, 2004 (*180 N.J. 21*) for invading client funds as a result of recklessness arising out of his "atrocious accounting procedures." Respondent also made false statements of material fact to the OAE. In a separate matter, the respondent improperly filed a complaint on behalf of the driver of a car and then sued his client, the driver, on behalf of the passenger, thus violating conflict of interest rules. Walton W. Kingsbery, III appeared before the DRB for the OAE and Thomas R. Ashley appeared for respondent. The respondent was previously disciplined: Reprimanded in 2002.

MICHAEL R. BLOCK

Reprimanded on September 8, 2004 on a certified record (*181 N.J. 297*) for grossly neglecting an immigration matter and failing to communicate with his client. The respondent had been temporarily suspended from the practice of law since April 19, 2004 for failing to comply with the determination of the District IIIB Fee Arbitration Committee. Paul A. Snyder appeared before the DRB for District IIIB and respondent failed to appear.

HOLLISTYNE C. BLUITT

Reprimanded on September 8, 2004 (*181 N.J. 302*) for, in an estate matter, engaging in gross neglect, lack of diligence, failing to keep her client reasonably informed about the status, conflict of interest, failing to safeguard funds, recordkeeping violations and failing to cooperate with disciplinary authorities. Lee A. Gronikowski appeared before the DRB for the OAE and Lorry B. Bonds appeared for respondent. The respondent was previously disciplined: Privately reprimanded in 1992.

BOLDEN & COKER LAW FIRM

Reprimanded on January 27, 2004 (*178 N.J. 324*). Respondent, a Pennsylvania law firm, opened a New Jersey satellite office, which in fact was nothing more than a mail drop. Consequently, the law firm violated R.1:21-1(a) requiring the maintenance of a bona fide office. James R. Thompson appeared before the DRB for District IV and respondent failed to appear.

SUSAN BELL BOLNO

Suspended for two years effective April 6, 2003 (*179 N.J. 315*), the date she was suspended in the Commonwealth of Pennsylvania for, in four separate matters, engaging in gross neglect, lack of diligence, failing to communicate with clients, failing to properly deliver funds to a client or third persons, making misrepresentations of the status of cases to her clients and creating documents to perpetuate the misrepresentation. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended since April 12, 1999.

E. EDWARD BOWMAN

Suspended for three months effective May 18, 2004 (*179 N.J. 367*) for, in six separate matters, engaging in gross neglect, misrepresentation to clients, settling one matter without a client's authorization and forging a client's signature. The Court also took into consideration that, during the applicable time, respondent was an alcoholic and was materially impaired in his ability to represent clients. Robert A. Porter appeared before the DRB for District IV and Carl D. Poplar appeared for respondent.

MARK L. BRECKER

Suspended for three months on June 29, 2004 (*180 N.J. 298*). Respondent was suspended for a period of two years in New York for conduct based upon a finding of contempt in one matter for not permitting a deposition to be recorded by a court stenographer and, in another matter, for making harassing telephone calls to a client's employer. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

ROBERT J. BURNS

Suspended for three years effective September 18, 2002 on a certified record (*181 N.J. 315*) for, in a series of seven client matters, engaging in gross neglect and a pattern of neglect, abandoning his clients, and failing to cooperate with disciplinary authorities. Janice L. Richter appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended since September 18, 2002.

ROBERT S. BURRICK

Disbarred on October 6, 2004 (*181 N.J. 347*). Respondent, while acting as treasurer of the Millburn Soccer Club, embezzled almost $23,000 of that non-profit organization's funds and then tried to cover it up. The respondent was also found guilty of misappropriating approximately $2,250 in legal fees due to the law firm of Pitney, Hardin, Kipp and Szuch when, as an associate of the law firm, he received checks from two clients for legal fees and deposited them in his personal account, rather than remitting them to the law firm. In addition, the respondent pled guilty in the United States District Court for the District of New Jersey to one count of mail fraud, in violation of 18 U.S.C.A. §1341 and 2, and one count of interstate transportation of stolen securities and money obtained by fraud, in violation of 18 U.S.C.A. § 2314 and 2. John McGill, III appeared before the Supreme Court for the OAE and Allison M. Berger appeared for respondent. The respondent was previously disciplined: Temporarily suspended since January 14, 2003, the date of his guilty plea.

THOMAS S. CAPRON

Admonished on October 25, 2004 (*Unreported*) for grossly neglecting a mortgage refinancing by taking no action to have a prior mortgage cancelled of record so that the refinancing could be accomplished. David M. Epstein appeared before the DRB for District IX and Dennis J. Barrett appeared for respondent.

RUSSELL J. CARBONE

Disbarred on January 24, 2004 (*178 N.J. 322)*. Respondent was convicted in the United States District Court for the Southern District of Florida of conspiracy to obstruct justice and commit perjury, in violation of 18 U.S.C.A. § 371, subornation of perjury, in violation of 18 U.S.C.A. § 1622, obstruction of justice, in violation of 18 U.S.C.A. §1503, and perjury, in violation of 18 U.S.C.A. § 1623. More specifically, while representing a client in a criminal matter, the respondent fabricated a defense, coached a witness to testify falsely at his client's trial, and elicited the testimony from the witness at trial. Then, after his client admitted to a probation officer that the witness's testimony had been untrue, respondent offered her a bribe to recant her admission and to testify falsely to the district court, which she did. Richard J. Engelhardt appeared before the Supreme Court for the OAE and James E. Hely appeared for respondent. The respondent was previously disciplined: Temporarily suspended since 1999 pending the final resolution of this matter.

MICHAEL S. CARO

Disbarred by Consent on March 19, 2004 (*179 N.J. 317*). Respondent admitted that he could not successfully defend pending disciplinary charges alleging the misappropriation of over $186,000 of client trust funds. John J. Janasie represented the OAE and Kim D. Ringler represented the respondent.

RICHARD J. COHEN

Admonished on July 16, 2004 (*Unreported*) for practicing law in the State of New Jersey for a period of nineteen months after being declared ineligible to practice law by the Supreme Court, by reason of non-payment of the annual attorney registration fee. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent appeared *pro se*.

MARK D. CUBBERLEY

Suspended for six months effective December 9, 2003 (*178 N.J. 413*) for failing to act diligently in representing the purchaser in a real estate transaction, failing to communicate with the client, and then failing to cooperate with disciplinary authorities. Catherine Fitzpatrick appeared before the DRB for District VII and Robert Ramsey appeared for respondent. The respondent was previously discipline: Admonished; reprimanded twice; suspended four times; temporarily suspended. Respondent is currently suspended for a period of three years beginning December 9, 2003.

CORNELIUS W. DANIEL, III

Reprimanded on June 2, 2004 (*180 N.J. 156*) for grossly neglecting a litigated matter, failing to act diligently, failing to communicate with the client and making representations during the course of the litigation. Frank Gaudio appeared before the DRB for District IX and Michael D. Schottland appeared for respondent. The respondent was previously disciplined: Privately reprimanded twice in 1988; reprimanded in 1996; admonished in 1997.

PAUL W. DARE

Disbarred by Consent on April 19, 2004 (*180 N.J. 114*). Respondent admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of over $75,000 in trust money from an estate. This case was discovered solely by the Random Audit Program. Michael J. Sweeney represented the OAE and David H. Dugan, III appeared for respondent.

MARC D'ARIENZO

Admonished on December 10, 2004 (*Unreported*) for criminal possession of marijuana, less than 50 grams (N.J.S.A. 2C:35-10(a)(4)), and possession of drug paraphernalia, a water bong (N.J.S.A. 2C:36-2), for which he was granted a conditional discharge with a one-year term. Brian D. Gillet appeared before the DRB for the OAE and respondent appeared *pro se*.

EARL S. DAVID

Suspended for fifteen months effective October 20, 2004 (*181 N.J. 326*). Respondent was suspended for the same period in a disciplinary proceeding in the State of New York , arising out of the respondent's testimony as a prosecution witness in a racketeering and securities fraud trial. After receiving immunity from prosecution, the respondent admitted his involvement in acts of security fraud and money laundering. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

ANTONIO M. DE LA CARRERA

Suspended for three months on September 8, 2004 (*181 N.J. 296*). Respondent, in two real estate matters, disbursed funds prior to receiving wire transfers, resulting in the negligent invasions of other clients' trust funds and, in another real estate matter, failed to disclose to the lender or on the RESPA statement, that the sellers in the transaction took back a secondary mortgage from the buyers, a practice prohibited by the lender. This case was discovered solely by the Trust Overdraft Notification Program. Nitza I. Blasini appeared before the DRB for the OAE and respondent failed to appear.

EDWARD C. DELANEY

Reprimanded on July 22, 2004 (*180 N.J. 524*) for engaging in a conflict of interest and failing to withdraw from the representation after a problem arose regarding the party's respective interests in the real estate. Respondent also unethically notarized a deed signed by the sellers, not by his clients, after the deed had been returned by the County Clerk due to a lack of acknowledgment of the sellers' signatures. Timothy J. Little appeared before the DRB for District VIII and Pamela L. Brause appeared for respondent.

JOHN M. DE LAURENTIS

Suspended for one year on November 22, 2004 (*182 N.J. 39*) for conviction of 35 counts of animal cruelty, in violation of N.J.S.A. 4:22-17(c), as well as accumulating garbage and failing to license a dog, in violation of municipal ordinances for the City of Cherry Hill, and, engaging in a number of other improprieties, including lack of diligence, failing to communicate with a client, failing to notify a third person of the receipt of funds, failing to properly deliver funds to a third person, failing to supervise an employee and conflict of interest. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded and suspended for one year in 2002.

NICOLE DEVANEY

Reprimanded on September 8, 2004 (*181 N.J. 296*) for pleading guilty to two counts of an Accusation filed in the Superior Court of New Jersey, Law Division, Monmouth County, charging respondent with the third degree crime of theft of movable property, a violation of N.J.S.A. 2C:20-3(a), and the third degree crime of obtaining a controlled dangerous substance by fraud, a violation of N.J.S.A. 2C:35-13. Respondent admitted taking prescription pads from two doctors, without their authorization, and using them to lawfully obtain prescription pain medication, to wit, Percocet. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

DONALD B. DEVIN

Disbarred on September 28, 2004 (*181 N.J. 344*) in accordance with the Court's recent opinion in the matter of *In re Kantor, 180 N.J. 226*. Respondent had an extensive disciplinary record and also failed to cooperate with disciplinary authorities. John McGill, III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for three months in 1994; reprimanded twice, in 1996 and 2002; temporarily suspended in 2002; suspended for three months in 2003.

ALEXANDER B. DRANOV

Suspended for six months effective May 22, 2004 (*179 N.J. 420*) for overreaching his client in charging a legal fee, failing to segregate settlement funds in his trust account pending a resolution of the fee dispute, improperly depositing the check without obtaining the client's endorsement and not promptly remitting the settlement funds to the client. The respondent also engaged in an impermissible conflict of interest by representing one client against a former client without consent. Janice L. Richter appeared before the DRB for the OAE and Robert E. Margulies appeared for respondent.

PAUL A. DYKSTRA

Suspended for three months effective November 1, 2004 (*181 N.J. 345*) for engaging in a pattern of misrepresentations in a real estate transaction including altering a check to avoid a malpractice lawsuit against him. Glenn R. Reiser appeared before the DRB for District IIB and respondent waived appearance. The respondent was previously disciplined: Suspended for three months in 1999; admonished in 2000.

BARBARA H. DUPRE

Suspended for three months on April 22, 2004 on a certified record (*179 N.J. 424*). Respondent was hired to file a petition for expungement for her client and was paid a legal fee, but did nothing, failed to reply to the client's inquiries and misrepresented that she had filed the expungement petition. Additionally, respondent failed to cooperate with disciplinary authorities. Jonathan Scott Fabricant appeared before the DRB District IIIA and respondent failed to appear. The respondent

was previously disciplined: Temporarily suspended.

CHARLES S. EPSTEIN

Disbarred on September 13, 2004 (*181 N.J. 305*). Respondent, while employed as an associate in a law firm, knowingly misappropriated $6,800 in checks that respondent had received from six clients of the law firm. Nitza I. Blasini appeared before the Supreme Court for the OAE and Dominic J. Aprile appeared for respondent.

JOHN A. EVANS

Suspended for three months on October 4, 2004 (*181 N.J. 334*). Respondent, while general counsel for Holt Cargo Systems, a defendant in a lawsuit about spoilage brought by Ocean Spray Cranberries, knowingly withheld critical information from Ocean Spray and from Holt Cargo's outside counsel with regard to a prior cover-up and fabrication of records by Holt in order to avoid liability in the lawsuit. Nitza I. Blasini appeared before the DRB for the OAE and Richard S. Hyland appeared for respondent.

L. GILBERT FARR

Disbarred on February 25, 2004 on a certified record (*178 N.J. 458*) for engaging in serious misconduct in nine separate matters, including gross neglect, failing to communicate, charging an unreasonable fee, negligent misappropriation of clients' trust funds, failing to maintain required attorney trust and business account records, pleading guilty to a charge of possession of a controlled dangerous substance (cocaine) in a motor vehicle, contrary to N.J.S.A. 2C:39-4-49.1, abandoning a client and making misrepresentations. This case was discovered solely by the Trust Overdraft Notification Program. Lee A. Gronikowski appeared before the DRB for the OAE and Francis J. Hartman waived his appearance for respondent. The respondent was previously disciplined: Suspended for six months in 1989.

KENNETH E. FINK

Suspension for three years effective June 3, 2003 (*181 N.J. 350*). Respondent had been disbarred in the State of Delaware based upon his criminal conviction of 15 counts of felony possession of child pornography, in violation of 11 Del. C.§ 1111 and 15 counts of unlawful dealing in material depicting a child engaging in a prohibited sexual act, in violation of 11 Del. C. § 1109(4). Richard J. Engelhardt appeared before the DRB for the OAE and Teri S. Lodge appeared for respondent. The respondent was previously disciplined: Temporarily suspended since July 18, 2002. The Supreme Court also conditioned eligibility for eventual reinstatement in New Jersey on reinstatement in Delaware.

TERRY J. FINKELSTEIN

Admonished on February 6, 2004 (*Unreported*) for grossly neglecting a personal injury matter and improperly paying an amount in settlement to the client. Patrick William Foley appeared before the DRB for District VIII and respondent appeared *pro se*.

TERRY J. FINKELSTEIN

Reprimanded on July 22, 2004 (*180 N.J. 526*) for engaging in a conflict of interest by representing first the sellers and then, after representing them in litigation regarding problems with the house, subsequently representing prospective purchasers. The respondent also grossly neglected the litigation and failed to communicate with his clients. Patrick W. Foley appeared before the DRB for District VIII and respondent appeared *pro se*.

ROBERT S. FISHER

Suspended for three months effective August 2, 2004 on a certified record (*180 N.J. 333*) for exhibiting a lack of diligence, failing to communicate with a client and engaging in conflicts of interest, including representing both the driver and passenger. Respondent also failed to maintain a bona fide law office and failed to cooperate with disciplinary authorities. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent failed to appear.

SAMUEL FISHMAN

Admonished on June 22, 2004 (*Unreported*) for practicing law in New Jersey while on the Supreme Court's Ineligible List by reason of his failure to pay the annual attorney assessment. Additionally, respondent failed to maintain an attorney trust and business account in the State of New Jersey as required by R. 1:21-6. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent appeared *pro se*.

CAROLYN FLEMING SAWYERR

Admonished on March 23, 2004 (*Unreported*) for grossly neglecting one matter by not recording the deed to real estate until one year after the closing, and in another matter, failing to maintain trust and business account records for a period of seven years and engaging in a conflict of interest by collecting a real estate commission when she sold the client's house. Walton W. Kingsbery, III appeared before the DRB for the OAE and Edward F. Broderick, Jr. appeared for respondent.

STEPHEN K. FLETCHER

Admonished on April 16, 2004 (*Unreported*) for failing to adequately communicate with his client and grossly neglecting her real estate matter. Janet L. Pisansky appeared before the DRB for District X and Peter N. Gilbreth appeared for respondent.

BRIAN C. FREEMAN

Admonished on September 24, 2004 (*Unreported*) for failing to supervise an employee, as a result of which the employee negotiated a $1,000 settlement check in one matter and a $2,700 settlement check in another and retained the proceeds for herself. James A. Mella appeared before the DRB for District VB and Thomas R. Ashley appeared for respondent.

AARON S. FRIEDMANN

Suspended for six months effective October 21, 2004 (*181 N.J. 320*) for mishandling a medical malpractice litigation and then making misrepresentations to clients, his adversaries and the courts in an effort to cover up the misdeeds. In particular, the respondent lied to a tribunal, failed to inform a tribunal of the relevant facts and made false statements to third parties. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and Carl D. Poplar appeared for respondent.

STEPHEN A. GALLO

Disbarred by Consent on September 8, 2004 (*181 N.J. 304*). While this matter was pending before the Supreme Court for oral argument, the respondent tendered his disbarment by consent. The basis for this action was the respondent's guilty plea in the Superior Court of New Jersey, Bergen County, Law Division, to a one-count Accusation and three counts of indictment number S-0089-01, charging four separate acts of the fourth degree crime of criminal sexual contact, in violation of N.J.S.A. 2C:14-3(b). Richard J. Engelhardt represented the OAE and Justin P. Walder appeared for respondent.

GLADYS J.M. GARBIN

Admonished on February 17, 2004 (*Unreported*) for failing to properly supervise an employee in one real estate matter and, then in another real estate matter, failing to memorialize her client's consent to the release of escrow funds. The respondent had agreed to diversion, but then failed to fulfill the agreed conditions. Jo-Ann Geremia Durr appeared before the DRB for District XI and Adolf J. Galluccio appeared for respondent.

FRANCIS X. GAVIN

Disbarred on September 28, 2004 (*181 N.J. 342*) in accordance with the Court's recent opinion in the matter of *In re Kantor, 180 N.J. 226*. Respondent has an extensive disciplinary record and failed to turn over funds entrusted to his care to clients in an estate matter. Respondent also failed to cooperate with disciplinary authorities. Janice L. Richter appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1998 and 2001; suspended in 2002, six months and three months consecutive; suspended three months retroactive in 2003.

JOHN N. GIORGI

Suspended for three months effective August 18, 2004 (*180 N.J. 525*) for charging an excessive contingent fee, making misrepresentations to his adversary and to the court, counseling his client to make misrepresentations to the court, making loans to his client without complying with the required safeguards of RPC 1.8(a), engaging in a conflict of interest by arranging for one client to lend money to another client, making misrepresentations to the OAE and violating recordkeeping rules required of all attorneys under R. 1:21-6. Michael J. Sweeney appeared before the DRB for the OAE and Laurie Esteves appeared for respondent.

RICHARD B. GIRDLER

Suspended for three months on March 29, 2004 on a certified record (*179 N.J. 227*). Respondent, after being suspended from the practice of law for a period of three months, failed to abide the Supreme Court's order directing him to comply with R.1:20-20, which required, among other things, that he notify all clients, courts and adversaries that he had been suspended and take appropriate action to protect his clients' interests. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1991; reprimanded in 1994; suspended for three months in 2002 and 2003.

RICHARD B. GIRDLER

Suspended for one year effective June 3, 2004 on a certified record (*182 N.J. 040*) for representing a real estate purchaser, failing to act diligently, failing to communicate with the client and failing to cooperate with disciplinary authorities. John McGill, III appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1991; reprimanded in 1994; suspended for three months in 2002, 2003 and 2004.

KENNETH P. GLYNN

Suspended for six months effective July 12, 2004 (*180 N.J. 169)* for recklessly disbursing client trust funds, thus resulting in a negligent misappropriation of client funds, failing to maintain trust and business account records as required by R.1:21-6 and engaging in a conflict of interest by borrowing monies from clients without complying with RPC 1.8(a). Nitza I. Blasini appeared before the DRB for the OAE and respondent appeared *pro se*.

HOWARD A. GROSS

Admonished on May 5, 2004 (*Unreported*) for practicing law during 2002 while the Supreme Court declared him ineligible to do so for failure to pay the annual attorney assessment, and engaging in gross neglect, lack of diligence and failing to communicate in one client matter and lack of

diligence in a second matter. Michael P. Madden appeared before the DRB for District IV and Joel B. Korin appeared for respondent.

HOWARD A. GROSS

Suspended for three months effective June 1, 2004 (*179 N.J. 510*). Respondent pled guilty in the Superior Court of New Jersey, Burlington County, Law Division, to a charge of conspiracy to possess cocaine, in violation of N.J.S.A. 2C:5-2, a crime of the third degree. Richard J. Engelhardt appeared before the DRB for the OAE and Joel B. Korin appeared for respondent. The respondent was previously disciplined: Admonished in 2004.

JOHN P. GROSS

Disbarred on January 21, 2004 (*178 N.J. 377)*. Respondent pled guilty in the Superior Court of New Jersey, Law Division, Somerset County, to seven of eight counts of an indictment charging him with one count of second degree theft of movable property, in violation of N.J.S.A. 2C:20-3(b); one count of third degree tampering with public records, in violation of N.J.S.A. 2C:28-7(a)(1); two counts of second degree theft by failure to make required disposition of property received, in violation of N.J.S.A. 2C:20-9; and three counts of third degree theft by failure to make required disposition of property received, in violation of N.J.S.A. 2C:20-9. More specifically, while acting as the trustee of a testamentary trust, the respondent filed a deed transferring ownership of a house from him as trustee to him personally. He then obtained two loans for $46,000 and $92,000, secured by mortgages on the house and then used the loan proceeds for personal expenses. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear.

RUPERT A. HALL

Disbarred on September 28, 2004 (*181 N.J. 339*) for knowingly misappropriating clients' trust funds. This case was discovered solely by the Trust Overdraft Notification Program. John McGill, III appeared before the Supreme Court for the OAE and respondent appeared *pro se*.

DANIEL D. HEDIGER

Reprimanded on April 22, 2004 on a certified record (*179 N.J. 365*). Respondent was hired in connection with a complaint filed against the client by a past employer. The respondent represented to the client that the matter had been settled, only to find out three months later that a $1,200 judgment had been entered against her, representing the full amount of the employer's claim. Anna B. Navatta appeared before the DRB for the OAE and respondent failed to appear.

ELLAN A. HEIT

Admonished on May 24, 2004 (*Unreported*) for accepting a case that was referred by an out-of-state attorney without notifying the client that he was, in fact, the attorney who would be handling the case. Furthermore, the respondent violated RPC 1.5(e) when he shared the fee with the out-of-state attorney, who performed no work on the matter and did not assume joint responsibility for the representation. Rustine Tilton appeared before the DRB for District IIB and Robert L. Ritter appeared for respondent.

JAMES P. HENRY

Suspended for three months effective March 22, 2004 on a motion for discipline by consent (*178 N.J. 481*). Respondent, as administrator of an estate, failed to handle the administration of the estate diligently, failed to comply with recordkeeping rules governing the handling of trust funds, failed to comply with court orders to conclude the estate, failed to cooperate with the Office of Attorney Ethics and made misrepresentations to that office. Janice L. Richter appeared before the DRB for the OAE and John P. Dell'Italia appeared for respondent. The respondent was previously discipline: Privately reprimanded in 1971.

TERENCE P. HIGGINSON

Disbarred on September 13, 2004 (*181 N.J. 306*). Respondent was disbarred by consent in the State of New York for converting and misappropriating over $19,000 in escrow funds held in two real estate transactions. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear.

BARRY W. HOROWITZ

Suspended for three months on July 22, 2004 (*180 N.J. 520*) for unethically practicing law while declared ineligible by the Supreme Court for failing to pay the annual attorney registration assessment, and failing to act diligently by allowing summary judgment to be entered in a client's civil rights/employment matter and, thereafter, failing to notify the client of the dismissal. The respondent also failed to cooperate with the disciplinary system. Steven M. Tanenbaum appeared before the DRB for District VIII and respondent failed to appear.

SCOTT E. ITKIN

Disbarred by Consent on July 15, 2004 (*180 N.J. 476*). Respondent could not successfully defend pending disciplinary charges alleging that he was convicted in the State of Florida of third degree felony grand theft, in violation of Fla. Stat. Section 812.014 involving funds stolen from law clients. Richard J. Engelhardt represented the OAE and Sean L. Wilson of Coral Springs, Florida represented the respondent.

EDGAR E. JORDAN, III

Suspended for two years on September 8, 2004 (*181*

N.J. 300). Respondent was disbarred in New York for engaging in a pattern of conflict of interest and acting as a witness to a document falsely stating that there was no other financing involved in a real estate transaction when he knew that his clients had signed a statement omitting secondary financing. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared *pro se*.

HARRY J. KANE, JR.

Reprimanded on July 13, 2004 (*178 N.J. 258*) for grossly neglecting five client matters and lying to his attorney-supervisor about the problems when his failings in the first case were discovered. Jane L. McDonald appeared before the DRB for District IV and respondent appeared *pro se*. The respondent was previously disciplined: Reprimanded in 2002.

PHILIP L. KANTOR

Disbarred on June 24, 2004 (*180 N.J. 226*) for abandoning his clients without warning. The Court noted that the respondent demonstrated a complete disregard for the attorney disciplinary process by reason of his extensive past disciplinary record, his abandonment of clients, his failure to cooperate with disciplinary authorities, his failure to appear before the Disciplinary Review Board, as well as his non-appearance before the Supreme Court on an order to show cause why he should not be disbarred. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2000; suspended for three months in 2003.

PETER L. KATZ

Disbarred by Consent on October 7, 2004 (*181 N.J. 346*). Respondent could not successfully defend pending reciprocal disciplinary charges based upon his consensual disbarment in the State of New York in which he acknowledged that, in multiple cases, he engaged in conduct involving misrepresentation, non-cooperation with disciplinary authorities and a pattern of neglect. Richard J. Engelhardt represented the OAE and Kim D. Ringler consulted with respondent solely to ensure his consent was voluntary.

STEVEN T. KEARNS

Reprimanded on May 4, 2004 on a certified record (*179 N.J. 507*) for failing to represent real estate clients diligently, failing to reasonably communicate with them and failing to promptly pay off existing mortgages. The respondent also failed to maintain appropriate trust and business accounting records as required by R.1:21-6 and failed to cooperate with disciplinary authorities. Lee A. Gronikowski appeared before the DRB for the OAE and respondent failed to appear.

ADAM RONALD KIDAN

Disbarred on June 2, 2004 (*180 N.J. 155*). The respondent was disbarred in the State of New York for misappropriating client trust funds in the amount of approximately $100,000. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear.

SHERRY D. KING

Suspended for one year effective March 21, 2003 (*181 N.J. 349*). The respondent who, while previously under an order of suspension, failed to notify clients, courts and adversaries of her suspension, and to file an affidavit of compliance with the OAE as required by R.1:20-20. John McGill, III appeared before the Supreme Court for the OAE and respondent appeared *pro se*. The respondent was previously disciplined: Reprimanded in 1998; suspended for three months in 1999 and suspended for one year in 2002. Respondent remains under a temporary suspension order entered in 1998 for failure to return a $7,500 unused retainer to her client, as directed by the Court.

MATTHEW J. KIRNAN

Suspended for eighteen months effective June 3, 2003 (*181 N.J. 337*) for pleading guilty in the United States District Court for the District of New Jersey to an Information charging him with filing a false federal tax return, in violation of 26 U.S.C.A. § 7206(1). Richard J. Engelhardt appeared before the DRB for the OAE and Paul B. Brickfield appeared for respondent.

A. HAROLD KOKES

Admonished on April 16, 2004 (*Unreported*). While representing a criminal defendant, respondent failed to disclose to the court a material fact with knowledge that the court may tend to be misled by such failure. George J. Singley appeared before the DRB for District IIIB and respondent appeared *pro se*.

THEODORE F. KOZLOWSKI

Reprimanded on January 27, 2004 (*178 N.J. 326*) for failing to cooperate with disciplinary authorities. William Sandelands appeared before the DRB for District X and respondent appeared *pro se*. The respondent was previously disciplined: Privately reprimanded in 1992; admonished in 1998; reprimanded in 2003.

THEODORE F. KOZLOWSKI

Reprimanded on September 13, 2004 (*181 N.J. 309*) for failing to represent a client diligently in a bankruptcy matter. Margaret A. Kerr appeared before the Supreme Court

for District X and respondent failed to appear. The respondent was previously disciplined: Privately reprimanded in 1992; admonished in 1998; reprimanded in 2003 and 2004.

THEODORE F. KOZLOWSKI

Suspended for three months on a certified record effective October 13, 2004 (*181 N.J. 307*) in three matters for engaging in lack of diligence, failure to communicate, recordkeeping violations, failing to cooperate with disciplinary authorities and, in one matter, forging his clients' signatures on two bankruptcy petitions, in order to conceal his own failure to prosecute the matter. John McGill, III appeared for the OAE and respondent appeared *pro se*. Privately reprimanded in 1992; admonished in 1998; reprimanded in 2003, twice in 2004.

MARC S. LAWRENCE

Disbarred on June 2, 2004 (*180 N.J. 157*). Respondent was disbarred in the State of New York for, among other things, knowing misappropriation of escrow funds. Richard J. Engelhardt appeared before the Supreme Court for the OAE and respondent failed to appear.

KENNETH M. LEFF

Reprimanded on October 4, 2004 (*181 N.J. 333*) for failing to act diligently and failing to properly deliver funds to clients or third persons in connection with four separate real estate matters. Respondent also admitted that he exhibited a pattern of neglect and that he failed to properly maintain his trust and business account records, in violation of R.1:21-6. Brian D. Gillet appeared before the DRB for the OAE and Kim D. Ringler appeared for respondent.

MARK E. MAGEE

Reprimanded on June 29, 2004 (*180 N.J. 302*) for pleading guilty in Superior Court of New Jersey, Law Division, Monmouth County to eluding a police officer, in violation of N.J.S.A. 2C:29-2(b), driving while intoxicated, in violation of N.J.S.A. 39:4-50, and one count of third-degree resisting arrest, in violation of N.J.S.A. 2C:29-2(a). Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

ANTHONY M. MAGNOTTI

Disbarred on October 13, 2004 (*181 N.J. 389*) for pleading guilty to grand larceny in the second degree, in violation of New York Penal Law § 155.40-1, one count of practice of law by a disbarred or suspended attorney, in violation of New York Judiciary Law §486, and one count of first degree scheme to defraud, in violation of New York Penal Law § 190.65-1(a). Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Temporarily suspended since February 19, 2003.

SAMUEL MANDEL

Suspended for three months effective May 24, 2004 on a certified record (*179 N.J. 422*). Respondent was retained to represent a client in an insurance claim for a fire loss and then, during a period of four years, failed to take any action to protect the client's claim. Janice H. Rourke appeared before the DRB for District IIIB and respondent failed to appear. The respondent was previously disciplined: Reprimanded twice in 1999.

GEORGE J. MANDLE, JR.

Suspended for one year on June 2, 2004 on a certified record (*180 N.J. 158*). While under suspension, respondent failed to comply with the requirements of R.1:20-20, which mandated that he notify clients, courts, and adversaries of his suspension and file an affidavit with the Office of Attorney Ethics demonstrating compliance. Brian D. Gillet appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 1996, 1999 and 2001; temporarily suspended in 2000; suspended for three months in 2001 and 2002.

ISABELLA MAYZEL

Reprimanded on July 2, 2004 on a motion for discipline by consent (*180 N.J. 305*) for failing to represent a client diligently in an immigration matter and failing to explain that proceeding to the extent reasonably necessary to permit the client to make informed decisions about the representation. Jamie K. Von Ellen appeared before the DRB for District XII and respondent appeared *pro se*.

BERNARD J. MC BRIDE, JR.

Reprimanded on September 8, 2004 on a certified record (*181 N.J. 299*) for failing to adequately communicate with his client, failing to explain the matter to the extent necessary to permit the client to make an informed decision and failing to cooperate with disciplinary authorities. Hance C. Jaquett appeared before the DRB for District I and respondent failed to appear.

LARRY J. MC CLURE

Suspended for six months effective May 21, 2003 on a certified record (*180 N.J. 154*) for grossly neglecting a client custody case after receiving a substantial retainer to represent the client, and improperly obtaining the client's signature on a blank certification form, failing to communicate with his clients, and failing to give the clients a written retainer agreement as required by Court Rules. Rustine Tilton appeared before the DRB for District IIB and respondent failed to appear. The respondent was previously disciplined: Admonished in 1999; suspended for six months effective May 21, 2003.

MICHAEL A. MC LAUGHLIN, SR.

Reprimanded on March 9, 2004 (*179 N.J. 314*) for violating a Supreme Court order imposed at the time respondent was admitted to practice that required that he file quarterly reports for two years confirming that he had refrained from the use of alcohol or other intoxicating substances and had continued to attend Alcoholics Anonymous and Lawyers Concerned for Lawyers meetings. In June 2002, respondent had a one-evening relapse and was charged with driving while intoxicated. While the DWI matter was pending, respondent filed a quarterly certification with the Supreme Court's Character Committee attesting to his continued sobriety. This was a misrepresentation. Respondent subsequently reported the DWI arrest to the Character Committee. Richard J. Engelhardt appeared before the DRB for the OAE and Albert B. Jeffers appeared for respondent.

JOHN J. MC LOUGHLIN, JR.

Suspended for three months effective April 26, 2004 (*179 N.J. 226*) for stipulating that he purchased .1 gram of cocaine, as a result of which he was criminally charged and admitted into the Union County Pretrial Intervention program for a period 12 months. Marina S. Peck appeared before the DRB for the OAE and Peter N. Gilbreth appeared for respondent.

WILLIAM E. MC MANUS, II

Suspended for two years effective December 10, 2002 (*179 N.J. 415*) for pleading guilty in the United States District Court for the District of Connecticut to a Superseding Information charging him with one count of income tax evasion (26 U.S.C.A. § 7201) and one count of willful failure to file an income tax return (26 U.S.C.A. § 7203). Respondent evaded reporting income received in 1998 in the total amount of $510,000 and failed to file an income tax return for calendar year 1993 when he earned gross income in the amount of over $313,000. Richard J. Engelhardt appeared before the DRB for the OAE and Thomas R. Curtin appeared for respondent. The respondent was previously disciplined: Temporarily suspended in 2002.

ELIZABETH T. MC NAMARA

Reprimanded on April 8, 2004 on a motion for discipline by consent (*179 N.J. 342*) for representing the Kearny Planning Board at a time when she was ineligible to practice. She grossly neglected the matter, made a misrepresentation about the status to the Planning Board and failed to withdraw from representation when she knew that her physical or medical condition impaired her ability to represent the Board. Walton W. Kingsbery, III appeared before the DRB for the OAE and Vito Sciancalepore appeared for respondent.

MICHAEL A. MELE

Reprimanded on February 10, 2004 (*179 N.J. 364*) for neglecting two client matters, failing to act diligently in connection with those two and one other case, and failing to notify his client in one matter of his termination of the representation. Michael P. Kemezis appeared before the DRB for District IIB and Alan M. Liebowitz appeared for respondent. The respondent was previously disciplined: Temporarily suspended in 2002.

VINCENT J. MILITA, II

Suspended for three months effective June 15, 2004 (*180 N.J. 116*) for contacting his client's co-defendant in a criminal matter, although he knew that the co-defendant was represented by another attorney. Martin Pappaterra appeared before the DRB for District IIIB and respondent appeared *pro se*. The respondent was previously disciplined: Suspended for six months in 1985; reprimanded in 2003.

STEVEN F. MILLER

Disbarred by Consent on February 13, 2004 (*178 N.J. 456*). Respondent pled guilty in the Superior Court of New Jersey, Law Division, Essex County, to an accusation charging Securities Fraud (Third Degree), in violation of N.J.S.A. 49:3-52(b), N.J.S.A. 49:3-70, and N.J.S.A. 2C:2-6. At the time of his consent, the respondent was also the subject of a decision by the Disciplinary Review Board recommending to the Supreme Court that the respondent be disbarred for the knowing misappropriation of trust funds. Brian D. Gillet represented the OAE and Eugene M. Haring consulted with respondent solely to ensure consent was voluntary The respondent was previously disciplined: Temporarily suspended in 1992; suspended for three months in 1994.

PATRICK J. MOORE

Reprimanded on October 4, 2004 on a certified record (*181 N.J. 335*) for willfully violating a prior Supreme Court order of suspension and failing to take steps required of all suspended attorneys to notify clients, courts and adversaries of the suspension and to file an affidavit of compliance therewith. As a result, an attorney-trustee was appointed under R.1:20-19 to perform the functions that respondent should have performed. Walton W. Kingsbery, III appeared before the DRB for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for one year in 2003.

ELLIOTT D. MOORMAN

Disbarred on September 14, 2004 (*181 N.J. 314*). Despite having been disciplined on six prior occasions beginning in 1990, respondent nevertheless continued to grossly neglect another client matter. John J. Janasie appeared before the Supreme Court for the OAE and respondent

appeared *pro se*. The respondent was previously disciplined: Reprimanded in 1990 and 1999; suspended for three months in 1994 and twice in 2003; suspended for one year in 2003.

PHILIP M. MORELL

Suspended for one year effective August 8, 2003 (effective date of respondent's suspension in the State of New York) (*180 N.J. 153*) for making repeated misrepresentations to two clients. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

PHILIP E. MURPHY

Reprimanded on September 21, 2004 (*181 N.J. 319*) for grossly neglecting his obligations in holding an escrow in a real estate matter, failing to insure that the purpose of the escrow had been satisfied and failing to promptly disburse the escrow funds to his clients. The respondent also practiced law after he had been declared ineligible to practice by reason of his failure to pay the annual attorney registration fee. He also failed to maintain proper trust and business accounting records as required by R. 1:21-6 and failed to cooperate with the disciplinary authorities. Brian D. Gillet appeared before the DRB for the OAE and respondent appeared *pro se*.

THOMAS M. MURRAY, JR.

Suspended for three months on March 2, 2004 on a certified record (*178 N.J. 538*) for grossly neglecting two client matters, failing to communicate with the clients and, in one case, misrepresenting the status of the matter to a client. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Reprimanded in 2003.

WALTER D. NEALY

Reprimanded on July 22, 2004 (*180 N.J. 527*) for grossly neglecting a negligence case, allowing the complaint to be dismissed with prejudice. He failed to file either a motion for reconsideration or an appeal. After the client filed a grievance, the respondent misrepresented to him that the case was still pending. Thomas J. Herten appeared before the DRB for District IIB and Bernard K. Freamon appeared for respondent.

EMANUEL H. NEEDLE

Disbarred on June 29, 2004 (*180 N.J. 300*). Over a period of more than a decade, respondent settled personal injury claims for clients, took excessive fees and transferred the balance of monies being held to pay medical costs and welfare liens to a T. Rowe Price mutual fund account in respondent's sole name outside the State of New Jersey. The respondent did virtually nothing to see that the medical charges and welfare clients were paid. He also engaged in conduct involving dishonesty, fraud, deceit or misrepresentation in repeatedly lying to the Internal Revenue Service about the T. Rowe Price account, claiming that all the monies in the account were clients' trust funds, when, in fact, most of the monies belonged to respondent; thus, he failed to pay income tax on the substantial interest paid on this account. Furthermore, respondent engaged in dishonesty and deceit when he loaned his clients monies from a non-existent individual "Molly Glicken," when, in fact, the loans were from respondent. He failed to comply with the notice and authorization requirements of RPC 1.8(a) in connection with those loans. Lee A. Gronikowski appeared before the Supreme Court for the OAE and Frederick J. Dennehy appeared for the respondent.

RONALD J. NELSON

Reprimanded on September 21, 2004 (*181 N.J. 323*) for using deceitful acts to obtain certain law firm funds. Janice L. Richter appeared before the DRB for the OAE and Justin P. Walder appeared for respondent.

ROBERT J. NEMSHICK

Suspended for three months on June 29, 2004 on a certified record (*180 N.J. 323*) for engaging in gross neglect, lack of diligence, failing to communicate with a client and misrepresenting the status of the cases to clients, in three client matters. Craig M. Terkowitz appeared before the DRB for District VIII and respondent failed to appear.

JEFFRY F. NIELSEN

Reprimanded on June 29, 2004 (*180 N.J. 301*) Respondent, in a series of five client matters engaged in gross neglect (two cases), lack of diligence, failed to communicate with a client and failed to cooperate with disciplinary investigations in all matters. Eric Breslin appeared before the DRB for District VA and Michael Critchley appeared for respondent. The respondent was previously disciplined: Reprimanded in 2001.

PHILIP S. NOCE

Suspended for three years effective July 25, 2002 (*179 N.J. 531*) for pleading guilty in the United States District Court for the District of New Jersey to a one-count information charging him with participation in a mail fraud conspiracy in violation of 18 U.S.C.A. § 371. Richard J. Engelhardt appeared before the DRB for the OAE and Joseph T. Castiglia appeared for respondent. The respondent was previously disciplined: Temporarily suspended since July 24, 2002.

ANTHONY C. NWAKA

Suspended for three months on February 25, 2004 (*178 N.J. 483*). Respondent was disbarred in New York for abandoning a client in a personal injury matter, and failing to cooperate with disciplinary authorities. Richard J. Engelhardt appeared before the DRB for the OAE and respondent failed to

appear. The respondent was previously disciplined: Suspended for three months in 2003.

WILLIAM H. OLIVER

Admonished on July 16, 2004 (*Unreported*) for failing to take reasonable action to communicate with a client in a foreclosure proceeding involving her house. David P. Levine appeared before the DRB for District IX and Paul E. Newell appeared for respondent.

DOUGLAS F. ORTELERE

Admonished on February 11, 2004 (*Unreported)* for settling a personal injury automobile accident case, withholding monies to pay outstanding medical liens and then failing to reasonably communicate with the client regarding the status of those monies and the outstanding liens, despite numerous requests by the client. The respondent was also ineligible to practice law during a period of time when he was representing the client. Marina S. Peck appeared before the DRB for the OAE and Donald C. Mantel appeared for respondent.

PAUL J. PASKEY

Disbarred on September 14, 2004 (*181 N.J. 317*). Respondent, in six cases, committed gross neglect, lack of diligence, failed to communicate with clients, and failed to file the affidavit required of all attorneys on their suspension. In light of the principles announced by the Court in *In re Kantor, 180 N.J. 226 (2004)* and his previous disciplinary history he was disbarred. Nitza I. Blasini appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Admonished in 1998; temporarily suspended in 2002; suspended for three months (twice) in 2002; suspended for six months in 2003.

CHRISTIAN A. PEMBERTON

Reprimanded on October 27, 2004 (*181 N.J. 551*). Between 1995 and 2003, respondent failed to pay quarterly federal withholding taxes as required by law. Additionally, the respondent failed to segregate funds sufficient to pay employee withholding taxes during the period. Nevertheless, he misrepresented on the W-2 forms that he issued to his employees that such taxes had been paid. His conduct was unethical in that it constituted misrepresentation and also represented a failure to promptly deliver funds to a party (the government) that it was entitled to receive. Walton W. Kingsbery, III appeared before the DRB for the OAE and Roland G. Hardy, Jr. appeared for respondent.

NICHOLAS R. PERRELLA

Reprimanded on May 4, 2004 (*179 N.J. 499*). Respondent was suspended for three months in the Commonwealth of Pennsylvania for practicing law while on the inactive list for failure to complete continuing legal education requirements. Richard J. Engelhardt appeared before the DRB for the OAE and respondent appeared *pro se*.

DEBORAH A. PIERCE

Reprimanded on September 8, 2004 (*181 N.J. 294*) for failing to cooperate with a district ethics committee in the investigation and processing of an ethics grievance. Karen A. Gugliotta appeared before the DRB for District XIII and respondent waived appearance. The respondent was previously disciplined: Reprimanded in 2003.

RICHARD A. PIZZI

Disbarred by Consent on June 23, 2004 (*180 N.J. 260*). Respondent could not successfully defend pending disciplinary charges alleging the misappropriation of client funds in estate and real estate matters. Walton W. Kingsbery, III represented the OAE and Michael J. Mitzner represented the respondent.

NEAL M. POMPER

Admonished on September 28, 2004 (*Unreported*) for failing to have a written fee agreement with a client and failing to inform the client that he would be sharing a fee with another attorney. Barry A. Weisberg appeared before the DRB for District VIII and David B. Rubin appeared for respondent.

RICHARD W. RAINES

Suspended for three months on October 19, 2004 (*181 N.J. 537*). After being previously suspended from the practice of law, respondent failed to notify clients, courts and adversaries, and to file an affidavit of compliance with the Office of Attorney Ethics as required by R. 1:20-20. The respondent also failed to cooperate with disciplinary authorities. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance. The respondent was previously disciplined: Privately reprimanded in 1993; suspended for six months in 1995; temporarily suspended in 2002; suspended for three months in 2003.

MOSES V. RAMBARRAN

Suspended for three years on September 28, 2004 (*181 N.J. 329*). Respondent consented to disbarment in New York. While representing a client, respondent rendered financial assistance to the client for the purpose of violating her bail and fleeing to another jurisdiction. While a federal fugitive, the respondent made numerous telephone calls to his client, visited her in a Miami apartment and then, through his then-attorney, informed the United States Marshal's Service that he had no knowledge of her whereabouts. As a result, in 2002, respondent pleaded guilty in the United States District Court for the District of New York to the federal felony of harboring and concealing a federal fugitive, in violation of 18 U.S.C.A. § 1071. Richard J. Engelhardt appeared before the DRB for the

OAE and respondent appeared *pro se*.

LOUIS J. RECCHIONE

Disbarred on September 29, 2004 on a certified record (*181 N.J. 341*) for knowingly misappropriating between $30,000-$40,000 in client trust funds. Lee A. Gronikowski appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent had been temporarily suspended from the practice of law since May 2003.

FERNANDO REGOJO

Reprimanded on July 22, 2004 (*180 N.J. 523*). Respondent filed a personal injury lawsuit, but then failed to serve the defendants, resulting in dismissal of the matter. The respondent notified the client of the dismissal, but improperly negotiated a malpractice settlement with the client without notifying the client of the necessity for seeking independent counsel as required by the Rules of Professional Conduct. James P. Flynn appeared before the DRB for District VI and Joseph P. Castiglia appeared for respondent.

DONALD J. RICHMOND

Disbarred on September 29, 2004 (*181 N.J. 340*). Respondent was disbarred by consent in the Commonwealth of Pennsylvania in 2003. The respondent admitted the charges pending against him in Pennsylvania, which included the knowing misappropriation of over $440,000 from clients. Richard J. Engelhardt appeared before the Supreme Court and respondent failed to appear. The respondent had been temporarily suspended in this State since April 26, 2004 for failure to comply with a fee arbitration determination.

JEFFREY M. RIEDL

Reprimanded on May 4, 2004 (*179 N.J. 461*) for participating in a scheme to defraud through the use of false closing documents, which misrepresented the fact that a second mortgage was given, contrary to instructions from the lender. Jeffrey A. Lester appeared before the DRB for District IIA and respondent waived appearance. The respondent was previously disciplined: Reprimanded in 2002.

SPENCER B. ROBBINS

Admonished on November 19, 2004 (*Unreported*) for failing to timely comply with a district ethics committee investigator's requests for information about a grievance, failing to timely return a signed Agreement in Lieu of Discipline, and failing to timely file a verified answer to a formal ethics complaint, in violation of RPC 8.1(b). Julius L. Feinson appeared before the DRB for District VIII and respondent appeared *pro se*.

RICHARD L. ROSENTHAL

Suspended for three months effective May 15, 2004 (the expiration of a prior discipline) on discipline by consent (*181 N.J. 330*) for grossly neglecting a client's personal injury matter and also failing to communicate with the client. Vivian Demas appeared before the DRB for District X and Robert C. Cherry appeared for respondent. The respondent was previously disciplined: Reprimanded in 1982; suspended for one year in 1990; suspended for six months in 2003.

SCOTT F. SAIDEL

Suspended for six months effective March 1, 2001 (*180 N.J. 359*). Respondent was convicted in the State of Arizona of two counts of endangerment, a class 6 felony. Specifically, while under the influence of alcohol, respondent, who was traveling at least 30 miles an hour in excess of the speed limit, lost control of his vehicle, causing significant and serious injuries to both passengers in the respondent's car. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

JONATHAN SAINT-PREUX

Admonished on July 19, 2004 (*Unreported*). Respondent, in two immigration matters, engaged in unethical conduct including lack of diligence and failure to communicate with his client. Jill T. Sorger appeared before the DRB for District VC and respondent appeared *pro se*.

JONATHAN SAINT-PREUX

Reprimanded on October 4, 2004 (*181 N.J. 332*). In an immigration matter, respondent failed to act diligently and failed to communicate with his client. As a result, the court ordered the client's deportation, his bond was vacated and he was sent to jail. Linda Ballan appeared before the DRB for District VC and respondent appeared *pro se*. The respondent was previously disciplined: Admonished in 2004.

STUART K. SANTIAGO

Admonished on March 19, 2004 (*Unreported*) for handling multiple matters for members of a single family without preparing a written fee agreement in connection with several of them. Respondent also failed to properly reconcile his trust account, resulting in disbursements of excess of funds on deposit for an individual client. Robert J. Logan appeared before the DRB for District XII and respondent appeared *pro se*.

RICHARD P. SCHUBACH

Suspended for three months effective March 22, 2004 (*178 N.J. 485*) for grossly neglecting a client's matrimonial matter, including not filing an answer, and causing the entry of

a default against his client. He also failed to appear on the return date of a motion because his client had not provided him with the necessary information to prepare a response. In its unreported decision, the Disciplinary Review Board commented that respondent's attitude in the proceedings "was marked by a total lack of contrition and recognition of wrongdoing." They also noted that his gross neglect bordered on abandonment of his client's interests. John R. Lanza appeared before the DRB for District XIII and respondent appeared *pro se*. The respondent was previously disciplined: Suspended for three months in 1992; reprimanded in 1997.

ROLF C. SCHUETZ, JR.

Reprimanded on July 14, 2004 (*180 N.J. 477*) for grossly neglecting several real estate matters, failing to communicate with his clients, failing to promptly pay monies due to third parties, and failing to maintain proper trust account records as required by R.1:21-6. Janice L. Richter appeared before the DRB for the OAE and Stephen D. Williams appeared for respondent.

MICHAEL R. SCINTO

Reprimanded on September 8, 1994 (*181 N.J. 295*). Respondent owned rental property in the city of Hoboken with another attorney, Richard B. Becker. These respondents engaged in an ongoing pattern of deceit to circumvent rent control procedures on an apartment in their property by attempting to collect a rental payment higher than that to which they were legally entitled, and failing to file the required documentation to secure approval by the Hoboken Rent Control Office for an increase in rents. John McGill III appeared before the DRB for the OAE and Joseph A. Hayden appeared for respondent.

KEVIN R. SHANNON

Admonished on June 22, 2004 (*Unreported*) for failing to cooperate with a district ethics committee during the investigation of a grievance that was ultimately dismissed. Richard A. Deutchman appeared before the DRB for District VIII and respondent appeared *pro se*.

ROBERT M. SILVERMAN

Reprimanded on February 10, 2004 (*179 N.J. 364*). Respondent agreed to represent a client in a lemon law case without her paying his fee. When she later rejected settlement of the matter, which would have required her to pay a portion of the lawyer's fee, the lawyer sued her in the Commonwealth of Pennsylvania to collect his legal fees, alleging that she breached her contract with him when she initially accepted the settlement agreement and then repudiated it. The DRB and the Court found that respondent's action constituted frivolous litigation under RPC 3.1. Theresa C. Grabowski appeared before the DRB for District IV and David H. Dugan, III appeared for respondent.

JAMES V. SIMMONDS

Suspended for one year effective October 22, 2003 (*180 N.J. 303*). Respondent was suspended in the State of New York for one year for fraudulent conduct in authorizing a client to sign a false letter to a lender saying that respondent was holding an escrow in a real estate matter. When the lender inquired of respondent to verify the deposit, respondent again allowed the client to draft a second letter again falsely representing that respondent was holding approximately $67,000 when, in fact, he was not. That letter was then provided to the lender. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

BRIAN D. SOLOMON

Reprimanded on March 23, 2004 (*179 N.J. 224*) for failing to maintain a bona fide law office in New Jersey as required by R.1:21-1(a) during the time that he represented a client in a litigated matter in the New Jersey court system. James Herman appeared before the DRB for District IV and respondent appeared *pro se*.

WILLIAM J. SORIANO

Reprimanded on January 13, 2004 (*178 N.J. 260*) for totally abdicating his responsibilities as an escrow agent in the purchase of a business, permitting the buyers to steal the monies that he should have been safeguarding. The respondent's actions amounted to gross neglect and failure to safeguard funds. Janice L. Richter appeared before the DRB for the OAE and Stephen D. Williams appeared for respondent.

BRIAN D. SPECTOR

Reprimanded on January 13, 2004 (*178 N.J. 261*) for resorting to "self-help" in a dispute with his partners over fees and improperly and secretly billing his time for a one month period through his newly-created firm without the prior firm's knowledge or consent. He also requested that some of his clients at the former firm forward payments to him at the new firm because of disputes with his former partners. John McGill, III appeared before the DRB for the OAE and Richard F.X. Regan appeared for respondent.

WILLIAM N. STAHL

Admonished on June 22, 2004 (*Unreported*) for entering a court appearance on behalf of clients during a period when he had been ineligible to practice law by reason of non-payment of the annual attorney assessment. Respondent also failed to maintain an attorney trust and business account in New Jersey as required by court rules. Karen Meislik represented District VC and respondent appeared *pro se*.

JON J. STEIGER

Disbarred by Consent on December 6, 2004 (*182 N.J. 079*). Respondent admitted that he could not successfully defend numerous pending charges alleging the knowing misappropriation of clients' trust funds. Janice L. Richter represented the OAE and Charles J. Uliano represented the respondent.

JEFF E. THAKKER

Admonished on September 24, 2004 (*Unreported*) for practicing law in New Jersey without maintaining a trust account as required by R. 1:21-6(a)(1). J. Rebecca Goff represented District XIII and respondent appeared *pro se*.

RICHARD R. THOMAS, II

Suspended for 12 months effective October 29, 2004 (*181 N.J. 327*) for being involved in a conspiracy to defraud a mortgage lender, preparing a HUD-1 real estate form that contained numerous misrepresentations, including the amount of the mortgage loan and the fact that he was to receive over $16,000 from his client when, in fact, he did not. The respondent also knowingly made false statements of material fact in connection with the disciplinary matter, engaged in an improper conflict of interest and grossly neglected the case. Walton W. Kingsbery, III appeared before the DRB for the OAE and Thomas R. Ashley appeared for respondent.

JAMES W. TREFFINGER

Disbarred on October 13, 2004 (*181 N.J. 390*) for pleading guilty to two counts of an indictment charging him with conspiracy to obstruct justice, in violation of 18 U.S.C.A. § 371, and mail fraud, in violation of 18 U.S.C.A. § 1341, 1346 and 2. The factual basis for the indictments involved his action as County Executive of Essex County in placing two people on the Essex County payroll, even though they were not performing services for the county, but instead were working on the respondent's Senate campaign. Additionally, the respondent engaged in a conspiracy to obstruct a federal probe into his dealings with UGC, a sewer-repair firm that was awarded no-bid Essex County contracts. The respondent also coached aides to lie to federal investigators and to create spurious documents to conceal thousands of dollars in campaign contributions from UGC. Richard J. Engelhardt appeared before the Supreme Court for the OAE and Robert J. DeGroot appeared for respondent. The respondent had been temporarily suspended from the practice of law since June 4, 2003.

JOHN A. TUNNEY

Suspended for six months effective October 29, 2004 (*181 N.J. 386*). Respondent, in seven client matters, engaged in gross neglect, lack of diligence, failure to communicate, failure to promptly notify a client of receipt of funds and making numerous misrepresentations. Brian D. Gillet appeared before the Supreme Court for the OAE and Pamela L. Brause appeared for respondent.

MARY L. VAN DE CASTLE

Reprimanded on May 19, 2004 (*180 N.J. 117*) for grossly neglecting an estate matter by failing to take any action for a period of 2 1/2 years. She also failed to communicate with the client and failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Nancy L. McDonald appeared before the DRB for District XIII and respondent failed to appear.

STEPHEN J. VASAK

Reprimanded on September 21, 2004 (*181 N.J. 320*) for grossly neglecting a loan transaction when he agreed to facilitate the transaction without first obtaining a title search, mortgage, deed, or some other assurance that his client's loan was secured. Respondent also failed to maintain appropriate trust and business accounting records as required by R. 1:21-6. Jay Rubenstein appeared before the DRB for District IIB and respondent waived appearance.

KATHLEEN M. VELLA

Suspended for three months effective July 16, 2004 (*180 N.J. 170*) for aiding her client's fraudulent attempt to gain title to his father's house through the father's divorce proceedings. During the divorce, the client maintained that the deceased father was alive when, in fact, he had died. The respondent failed to advise the opposing attorney of the death, even though a proposed Final Judgment of Divorce by consent, including a Property Settlement Agreement, had not yet been signed by the other party. The respondent continued the pattern of concealment by failing to reveal the death to the judge who ultimately conducted the divorce hearing. Patricia Davis appeared before the DRB for District IIIB and Michael A. Gill appeared for respondent.

EDWARD A. WIEWIORKA

Reprimanded on March 23, 2004 (*179 N.J. 225*) for representing a client in a personal injury action and then grossly neglecting the matter, failing to keep the client reasonably informed of the status, and then misrepresenting that a complaint had been filed within the statute of limitations when, in fact, it had not. Bernard Schenkler appeared before the DRB for District VC and respondent failed to appear.

SCOTT L. WISS

Suspended for six months effective March 1, 2004 (*181 N.J. 298*). Respondent was suspended in New York for six months as a result of a guilty plea in the Supreme Court of New York, Queens County, to a charge of insurance fraud in the fifth degree, a class A misdemeanor, in violation of New

York Penal Law Section 176.10. In his New York disciplinary hearing, the respondent admitted that he falsely notarized documents for the purpose of advancing his own interests in a personal injury matter, failed to supervise his staff in connection with settlement negotiations with an insurance carrier, resulting in untruthful statements designed to improperly secure insurance payments, and had his office file a retainer statement with the New York Office of Court Administration, which knowingly contained inaccurate information. Richard J. Engelhardt appeared before the DRB for the OAE and respondent waived appearance.

WILLIAM S. WOLFSON

Suspended for six months effective March 20, 2004 (*178 N.J. 457*) for pleading guilty in the Superior Court of New Jersey, Law Division, Hunterdon County, to a one-count accusation charging him with fourth degree criminal sexual contact in violation of N.J.S.A. 2C:14-3(b). During the plea hearing, respondent admitted that, in August 2002, he touched the breast of a female employee at his doctor's office while receiving a medical test. Respondent further admitted in a statement to the prosecutor that, over a period of three to four years, he had touched six female employees at his doctor's office between 10 and 15 times. The respondent was admitted to the Pre-Trial Intervention Program. Richard J. Engelhardt appeared before the Supreme Court for the OAE and David H. Dugan, III appeared for respondent.

PETER A. WOOD

Suspended for one year on November 16, 2004 (*182 N.J. 33*) for failing to timely file an affidavit of compliance as required by R.1:20-20 following his two previous three-month suspensions. In addition, when respondent did file the affidavit, he misrepresented to the Office of Attorney Ethics that he had removed the sign identifying his law office. Furthermore, he failed to remove or cover the sign, after misrepresenting that he would do so. Walton W. Kingsbery, III appeared before the Supreme Court for the OAE and respondent failed to appear. The respondent was previously disciplined: Suspended for three months in 2002 and 2003.

ANDREW S. WULFMAN

Admonished on February 17, 2004 (*Unreported*) for practicing law while he was ineligible by reason of non-payment of the annual attorney registration assessment. Linda Ballan represented District VC and respondent appeared *pro se*.

GEORGE GUYER YOUNG, III

Disbarred by Consent on July 20, 2004 (*180 N.J. 519*). Respondent admitted that he could not successfully defend pending disciplinary charges resulting from his guilty plea in the United States District Court for the Eastern District of Pennsylvania to nine counts of mail fraud (18 U.S.C.A. §1341), nine counts of false statements (18 U.S.C.A. § 1001(a)(3)), and three counts of theft of government funds (18 U.S.C.A. § 641). Richard J. Engelhardt represented the OAE and James M. Becker represented the respondent. The respondent had been temporarily suspended from the practice of law since November 23, 2003.

BEN ZANDER

Admonished on May 24, 2004 (*Unreported*) for grossly neglecting a business trademark case and then failing to communicate the status of the matter to his client. Pamela A. Moy represented District IIIB and respondent appeared *pro se*.

BARRY F. ZOTKOW

Disbarred by Consent on October 26, 2004 (*181 N.J. 550*). Respondent admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of trust funds. This case was discovered solely by the Trust Overdraft Notification Program. Michael J. Sweeney represented the OAE and Robert E. Margulies consulted with respondent solely to ensure consent was voluntary. The respondent was previously disciplined: Privately reprimanded in 1992; suspended for three months in 1995 and 1996; publicly reprimanded in 2000.

2003

STEVEN A. ADLER

Admitted: 1973; New York City, New York
Suspension 1 Year - *177 N.J. 605 (2003)*
Decided: 10/14/2003 Effective: 3/6/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who was suspended in the State of New York for one year based upon a guilty plea in Monticello Village Court, Sullivan County, New York, to the Class A misdemeanor of offering a false instrument for filing in the second degree, in violation of New York penal law, section 175.30. The effective date of the New York suspension was March 6, 2003.

KEITH L. ANDERSON

Admitted: 1986; Bellingham, MA
Admonition - *Unreported (2003)*
Decided: 2/4/2003

REPRESENTATIONS BEFORE REVIEW BOARD
John P. Jehl for District IV
Respondent appeared pro se

The Disciplinary Review Board accepted a Motion for Discipline by Consent and held that an admonition was the appropriate discipline for an attorney who accepted $1,000 to represent a client in a guardianship application. The attorney obtained the necessary medical certifications, but never completed the guardianship matter and closed his New Jersey office without finalizing it. The attorney also failed to keep the client properly informed about the status of the matter.

LUBA ANNENKO

Admitted: 1983; Cherry Hill (Camden County)
Disbarment - *177 N.J. 567 (2003)*
Decided: 10/08/2003

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery III for Attorney Ethics
Luba Annenko failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who committed serious unethical conduct in three separate matters. In one, she enlisted a disbarred attorney to help "fleece" a client out of a retainer intended to obtain a bail hearing for a woman's incarcerated fiancé. The respondent abandoned the case and never visited the fiancé in jail, nor took any action to free him. Shortly after she was retained, respondent was suspended from the practice of law, but did not advise her client. In a second case, the respondent accepted a $200 retention for a bankruptcy matter just days before her suspension became effective. She accepted another $500 after she began serving the suspension and misrepresented to the client that she could not work on her case because of a broken toe. In the final matter, the respondent failed to appear at a bankruptcy court hearing, causing dismissal of the petition. Respondent then abandoned her client and also failed to obey the bankruptcy court order for a refund of the client's retainer. She also converted $1,000 in bankruptcy funds to her own use.

In its unreported decision, the Disciplinary Review Board concluded that "This respondent's conduct has demonstrated that her professional character and fitness have been permanently and irretrievably lost. We, therefore, unanimously recommend that she be disbarred."

The respondent had an extensive disciplinary history. In 1988, she was privately reprimanded for gross neglect in a contract matter, and failure to communicate with the client for approximately 18 months. In 1992, she received another private reprimand for failure to file an answer on her client's behalf, resulting in a default judgment against the client. In 1999, she was temporarily suspended for failure to comply with a fee arbitration award and to satisfy a monetary sanction. *In re Annenko, 158 N.J. 184.* The respondent was reinstated in July of 1999. The Supreme Court suspended respondent from the practice of law for a period of six months in 2000 as a result of gross neglect, pattern of neglect, lack of diligence, failure to communicate with the client, failure to return an unearned retainer, and failure to cooperate with disciplinary authorities. *In re Annenko, 165 N.J. 508.* In 2001, the respondent received a three-month consecutive suspension for gross neglect, lack of diligence, failure to communicate with the client and failure to cooperate with disciplinary authorities. *In re Annenko, 166 N.J 365.* Later in 2001, the respondent was the recipient of a six month suspension for gross neglect, lack of diligence, failure to communicate, failure to return an unearned retainer and failure to cooperate with disciplinary authorities. *In re Annenko, 167 N.J. 603.*

ARA R. AVRIGIAN

Admitted: 1998; Cherry Hill (Camden County)
Suspension 3 Months - *175 N.J. 452 (2003)*
Decided: 2/14/2003 Effective: 3/24/2003

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was charged in the Superior Court of New Jersey, Criminal Division, Cape May County, with possession of a controlled, dangerous substance, namely, cocaine, contrary to the provisions of *N.J.S.A. 2C:35-10(a)(1)*, a crime of the third degree. Respondent was admitted into the Pretrial Intervention Program.

CHARLES S. BARTOLETT

Admitted: 1983; Margate (Atlantic County)
Suspension 3 Months – *176 N.J. 511 (2003)*
Decided: 7/1/2003 Effective: 8/1/2003

APPEARANCES BEFORE REVIEW BOARD
Carl N. Tripician for District I
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected several matters for a client, engaged in a course of dual representation of a creditor and debtor, misrepresented the status of the client's matters to him, failed to turn over client files after he was discharged, and failed to maintain a bona fide office for the practice of law in the State of New Jersey. Additionally, respondent failed to cooperate with the disciplinary system during the investigation and prosecution of this matter.

CHARLES S. BARTOLETT

Admitted: 1983; Margate (Atlantic County)
Suspension 3 Months - *177 N.J. 504 (2003)*
Decided: 9/4/2003 Effective: 11/1/2003

APPEARANCES BEFORE REVIEW BOARD
Carl N. Tripician for District I
Charles S. Bartolett waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who improperly entered into a business relationship with a client, in violation of RPC 1.8(a), failed to adequately communicate with his client, failed to maintain a bona fide law office in accordance with R.1:21-1(a), and failed to cooperate with disciplinary authorities during the investigation of this matter.

The respondent was previously disciplined. He was suspended for three months, effective August 1, 2003, after he was found guilty of gross neglect, lack of diligence, failure to comply with a client's request for information, failure to explain a matter sufficiently to a client, conflict of interest, failure to turn over files to a client, failure to maintain a bona fide office, failure to cooperate with a disciplinary authority, misrepresentation to a client about the status of a matter, and conduct prejudicial to the administration of justice.

EDWARD T. BASAMAN

Admitted: 1991; West New York (Hudson County)
Suspension 3 Months – *176 N.J. 517 (2003)*
Decided: 7/1/2003, Effective: 8/1/2003

APPEARANCES BEFORE REVIEW BOARD
Claire Marie Calinda for District IIIA
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected two client matters, in which he also made misrepresentations to the clients as to the status of the matters, and failed to communicate with a third client. The Disciplinary Review Board cited as an aggravating factor the respondent's "refuse(al) to acknowledge any wrongdoing in these matters."

DAVID A. BOLSON

Admitted: 1979; South Orange (Essex County)
Admonition - *Unreported (2003)*
Decided: 3/27/2003

APPEARANCES BEFORE REVIEW BOARD
Edward A. Jerejian for District VB
Respondent appeared pro se

The Disciplinary Review Board granted a motion for admonition by consent in a case where an attorney engaged in the practice of law improperly for over four months after being declared ineligible to practice law due to his failure to file and pay the annual attorney registration assessment.

CARL C. BOWMAN

Admitted: 1962; Westville (Gloucester County)
Suspension 6 Months - *175 N.J. 108 (2003)*
Decided: 1/14/2003

APPEARANCES BEFORE REVIEW BOARD
Mary C. Brennan for District IV
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who abandoned several client matters, engaged in gross neglect, lack of diligence, failure to communicate, failure to have a written fee agreement and who made misrepresentations to the Office of Attorney Ethics during its investigation of the matter.

CARL C. BOWMAN

Admitted: 1962; Westville (Gloucester County)
Suspension 6 Months - *178 N.J. 24 (2003)*
Decided: 11/12/2003

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who abandoned a client in the middle of litigation with no warning, thus engaging in unethical conduct, including gross neglect, lack of diligence, failure to communicate, failure to protect his client's interests after terminating the representation, misrepresentation to his client and to the tribunal and failure to cooperate with disciplinary authorities. The respondent has a disciplinary history. In 1971, he was privately reprimanded for lack of diligence in a divorce matter. In 2002, he was temporarily suspended from practicing law following his abandonment of his law practice. In 2003, he was suspended for a period of six months for gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to provide a written fee agreement, failure to protect the clients' interests on termination of representation, making a false statement of fact in a disciplinary matter and misrepresentation, all arising out of his handling of three client matters.

CARL C. BOWMAN

Admitted: 1962; Westville (Gloucester County)

Suspension 1 Year - *178 N.J. 25 (2003)*
Decided: 11/12/2003 Effective: 05/14/2004

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who abandoned four clients and grossly neglected those clients in addition to two others. The respondent was also found to have misrepresented the status in one of those matters and, in all cases, respondent failed to cooperate with disciplinary authorities during the investigation and processing of the matter.

The respondent has a disciplinary history. In 1971, he was privately reprimanded for lack of diligence in a divorce matter. In 2002, he was temporarily suspended from practicing law following his abandonment of his law practice. In 2003, he was suspended for a period of six months for gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to provide a written fee agreement, failure to protect the clients' interests on termination of representation, making a false statement of fact in a disciplinary matter and misrepresentation, all arising out of his handling of three client matters. In November 2003, he received another six-month suspension for abandoning a client in the middle of litigation with no warning, gross neglect, lack of diligence, failure to communicate, failure to protect his client's interests after terminating the representation, misrepresentation to his client and to the tribunal and failure to cooperate with disciplinary authorities.

JAMES D. BRADY

Admitted: 1981; Merchantville (Camden County)
Admonition - *Unreported (2003)*
Decided: 9/26/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Robert A. Porter for District IV
Maryann E. Murphy for Respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who received proceeds of a personal injury settlement in December 1999 and failed to disburse them as late as September 11, 2003. The respondent also failed to comply with the trust account recordkeeping requirements of R.1:21-6. In a second matter, the respondent failed to act with diligence and failed to properly withdraw from representation after his services were terminated by the client.

SILVIA A. BRANDON-PEREZ

Admitted: 1976; North Bergen (Hudson County)

Suspension 3 Months – *177 N.J. 601 (2003)*
Decided: 9/30/2003 Effective: 10/27/2003

APPEARANCES BEFORE REVIEW BOARD
Rustine E. Tilton for District IIB
Gerald D. Miller for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a product liability lawsuit and a malpractice action and failed to communicate with her clients.

The respondent has a significant disciplinary history. In 1993, she was suspended from the practice of law for a period of three months for chronic trust account recordkeeping violations. In re Brandon-Perez, 131 N.J. 454. In 1997, the respondent was suspended for a period of six months for misrepresenting, in an affidavit of title in her own real estate financing, her intended use of the proceeds from the mortgage loan. In re Brandon-Perez, 149 N.J. 25. She was reinstated to the practice of law on April 3, 1998.

WILLIAM J. BRENNAN

Admitted: 1987; Merchantville (Camden County)
Admonition - *Unreported (2003)*
Decided: 5/23/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Thomas J. Josse for District IV
Carl D. Poplar for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who represented a client in a criminal matter without providing him with a written fee agreement, as required by RPC 1.5(b).

ANTHONY C. BRUNEIO

Admitted: 1991; Cherway, South Carolina
Suspension 5 Years – *177 N.J. 603 (2003)*
Decided: 9/30/2003

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that an attorney who was disbarred by consent in the Commonwealth of Pennsylvania should be suspended from the practice of law in New Jersey for a period of five years for misconduct in six client matters for gross neglect, lack of diligence, failure to communicate with clients, failure to appear at court hearings, engaging in a conflict of interest, entering into a custody stipulation without his client's knowledge or consent, issuing an improper subpoena, failing to protect his client's interests upon termination of the representation, failing to return

unearned legal fees, failing to return his client's files and, ultimately, abandoning his clients.

DAVID N. BUDA

Admitted: 1981; Fort Lee (Bergen County)
Disbarment by Consent - *Unreported (2003)*
Decided: December 23, 2003

REPRESENTATIONS
Michael J. Sweeney for Attorney Ethics
Gale B. Weinberg for Respondent

The Supreme Court of New Jersey accepted the disbarment by consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of trust funds. This matter was discovered solely as a result of the Random Audit Compliance Program.

JAMES E. BURDEN

Admitted: 1991; Trenton (Mercer County)
Admonition - *Unreported (2003)*
Decided: 4/24/2003

APPEARANCES BEFORE REVIEW BOARD
Richard B. Charny for District I
Steven K. Kudatzky for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to properly communicate to a client for a period of nine months that, although the clients had met with the law firm, the law firm had not yet accepted the case and had done no work on it.

JOEL D. CANEY

Admitted: 1980; Cherry Hill (Camden County)
Disbarment - *176 N.J. 270 (2003)*
Decided: 5/20/2003

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Joel D. Caney failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who had consented to disbarment in the Commonwealth of Pennsylvania after admitting that the material facts in two ethics complaints pending against him were true. Those complaints charged him with converting approximately $44,000 in funds from an estate. The respondent had been temporarily suspended from the practice of law since November 1, 2002. *In re Caney, 174 N.J. 406.*

PASQUALE J. CARDONE

Admitted: 1976; Northfield (Atlantic County)
Disbarment - *175 N.J. 155 (2003)*
Decided: 2/3/2003

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to an Information charging him with income tax evasion, in violation of *26 U.S.C.A. 7201*.

The respondent was previously disciplined. In 1999, he was suspended for three years for engaging in fraudulent conduct in three separate business transactions with a client. *In re Cardone, 157 N.J. 23 (1999)*.

SUSAN E. CARDULLO

Admitted: 1996; Lincoln Park (Morris County)
Reprimand - *175 N.J. 107 (2003)*
Decided: 1/14/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipine for an attorney who pled guilty to assault by auto, in violation of *N.J.S.A. 2C:12-1c(2)*, a crime of the fourth degree, as well as to the motor vehicle offenses of driving while intoxicated and leaving the scene of an accident. This was the respondent's third conviction for driving while intoxicated.

KEVIN J. CARLIN

Admitted: 1985; Princeton (Mercer County)
Reprimand - *176 N.J. 266 (2003)*
Decided: 5/20/2003

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Carl D. Poplar for Respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who exhibited gross neglect, as well as lack of diligence, and failed to communicate with one client; failed to properly deliver funds to a third person, failed to comply with two court orders, and engaged in conduct prejudicial to the administration of justice, and failed to comply with mandatory trust and business recordkeeping requirements in another client matter. Finally, in a third case, the respondent failed to promptly deliver funds to a third person.

PATRICK M. CASEY

Admitted: 1987; Ventnor (Atlantic County)
Suspension 3 Months - *176 N.J. 215 (2003)*
Decided: 5/6/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Christine T.J. Tucker for District I
Arthur J. Murray for Respondent

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who accepted a $2,000 retainer from a divorce client to file an action and then grossly neglected the matter, failed to communicate with his client and failed to have a written fee agreement as required by court rules.

The respondent was previously suspended from the practice of law for a period of three months in 2001 for gross neglect, pattern of neglect, failure to communicate with a client, failure to expedite litigation, and pattern of misrepresentation. *In re Casey, 170 N.J. 6.*

JAY J. CHATARPAUL

Admitted: 1996; Woodhaven, New York
Reprimand - *175 N.J. 102 (2003)*
Decided: 1/14/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who had been disciplined in the state of New York for improper conduct and failing to supervise employees concerning a fee dispute between the respondent and his client. In an effort to collect payment for the legal services rendered, letters were sent to the client implying that confidences and privileged information would be used against the client by the respondent unless payment was made.

RUSSELL G. CHEEK

Admitted: 1980; Toms River (Ocean County)
Suspension 3 Months – *178 N.J. 70 (2003)*
Decided: 11/21/2003 Effective: 12/29/2003

APPEARANCES BEFORE REVIEW BOARD
Carmine Villani for District IIIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in three client matters, engaged in conduct involving gross neglect, pattern of neglect, lack of diligence, failure to communicate with clients, failure to turn over client files, failure to reply to a lawful demand for information from a disciplinary authority, and misrepresentations. The respondent was previously disciplined. In 1996, he was admonished for recordkeeping violations and for failing to correct prior recordkeeping deficiencies discovered during a 1995 audit. He was reprimanded in 1999 for gross neglect, failure to communicate with a client, and recordkeeping violations. *In re Cheek, 162 N.J. 98.*

LOUIS W. CHILDRESS, JR.

Admitted: 1981; East Orange (Essex County)
Admonition - *Unreported (2003)*
Decided: 1/6/2003

APPEARANCES BEFORE REVIEW BOARD
Michael F. Quinn for District VA
Cassandra Savoy for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to provide a real estate client with a written fee agreement or to communicate the basis or rate of the fee in writing as required by *RPC 1.5 (b)*.

DOUGLAS R. CLARK

Admitted: 1968; Hamburg (Sussex County)
Suspension 6 Months - *175 N.J. 553 (2003)*
Decided: 3/11/2003

APPEARANCES BEFORE REVIEW BOARD
Stuart M. Lederman for District X
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension for a period of six months was the appropriate discipline for an attorney who grossly neglected a client matter, engaged in a conflict of interest, engaged in a prohibited business transaction with a client and failed to cooperate with disciplinary authorities during the investigation of the matter.

CHARLES D. CONWAY

Admitted: 1976; Toms River (Ocean County)
Disbarment by Consent - *Unreported (2003)*
Decided: 5/20/2003

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Bernard F. Boglioli for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of more than $600,000

from a charitable foundation for which the respondent was the principal trustee and the president, and included offshore bank accounts in the British Virgin Islands. The respondent had been temporarily suspended from the practice of law since April 30, 2001. This case was discovered solely as a result of the Random Audit Compliance Program.

MARIANO F.D. CRUZ

Admitted: 1993; Tamuning, Guam
Suspension 2 Years – *177 N.J. 518 (2003)*
Decided: 9/16/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Mariano Cruz appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who was suspended from the practice of law in the State of South Carolina for two years, arising out of his abandonment of his law practice there and his mishandling of five client matters.

MARK D. CUBBERLEY

Admitted: 1984; Trenton (Mercer County)
Suspension 6 Months - *178 N.J. 103 (2003)*
Decided: 11/21/2003 Effective: 12/09/2003

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Robert E. Ramsey for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who accepted a $2,000 retainer from a client and then failed to complete any work or to communicate with the client regarding the matter. The respondent has an extensive disciplinary history. In 1996, he received an admonition for failure to cooperate with a disciplinary investigation. In 2000, he was reprimanded for gross neglect in one case and lack of diligence and failure to communicate in two cases. *In re Cubberley, 164 N.J. 363.* Respondent was again reprimanded in 2000 for lack of diligence and failure to communicate in two matters and, in addition, a pattern of neglect. *In re Cubberley, 164 N.J. 532.* In 2001, respondent was temporarily suspended for failure to cooperate with the attorney designated to supervise his practice. Thereafter, he received a three-month suspension in 2002 for lack of diligence in one matter and failure to cooperate with an ethics investigation in a second case. *In re Cubberley, 171 N.J. 32.* Again in 2002, he received a six-month suspension for gross neglect in one matter, lack of diligence, failure to communicate with a client, failure to prepare written fee agreements in two matters, and a pattern of neglect.

MARK D. CUBBERLEY

Admitted: 1984; Trenton (Mercer County)
Suspension 3 Years – *178 N.J. 101 (2003)*
Decided: 11/21/2003 Effective: 12/09/2003

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Robert E. Ramsey for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who accepted a legal fee from a client while he was suspended from the practice of law and then falsely assured the client that his disciplinary problems would be resolved the following month. The respondent also failed to comply with R.1:20-20 after his suspension, which rule requires that he notify clients, courts and adversaries of his suspension. The respondent has an extensive disciplinary history. In 1996, he received an admonition for failure to cooperate with a disciplinary investigation. In 2000, he was reprimanded for gross neglect in one case and lack of diligence and failure to communicate in two cases. *In re Cubberley, 164 N.J. 363.* Respondent was again reprimanded in 2000 for lack of diligence and failure to communicate in two matters and, in addition, a pattern of neglect. *In re Cubberley, 164 N.J. 532.* In 2001, respondent was temporarily suspended for failure to cooperate with the attorney designated to supervise his practice. Thereafter, he received a three-month suspension in 2002 for lack of diligence in one matter and failure to cooperate with an ethics investigation in a second case. *In re Cubberley, 171 N.J. 32.* Again in 2002, he received a six-month suspension for gross neglect in one matter, lack of diligence, failure to communicate with a client, failure to prepare written fee agreements in two matters, and a pattern of neglect. In 2003, respondent was suspended for a period of six months for gross neglect, lack of diligence, failure to communicate and failure to cooperate with disciplinary authorities.

JAMES T. DAVIS, II

Admitted: 1984; Roseland (Essex County)
Disbarment - *175 N.J. 497 (2003)*
Decided: 2/24/2003

APPEARANCES BEFORE SUPREME COURT
John J. Janasie, First Assistant, for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that Disbarment was the appropriate discipline for an attorney who received a settlement check in the amount of $12,500, placed the check in his trust account and proceeded to knowingly misappropriate the funds by drawing a series of disbursements to himself and to "cash" and transferring funds to his business account to cover overdrafts. Respondent also

engaged in the practice of law after being declared ineligible to do so by the Supreme Court. The respondent had previously been transferred to disability inactive status by Order dated May 20, 1997. *In re Davis, 194 N.J. 345*. That status was continued by Supreme Court Order dated October 28, 1997.

JAMES S. DE BOSH

Admitted: 1992; Phillipsburg (Warren County)
Suspension 3 Months – *176 N.J. 418 (2003)*
Decided: 6/2/2003 Effective: 4/2/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Janice L. Richter for Attorney Ethics
James S. DeBosh, Pro Se

The Supreme Court of New Jersey, on review of a motion for discipline by consent, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in a real estate matter, failed to discharge prior mortgages encumbering the property, failed to communicate with his client and failed to prepare a written retainer agreement. Respondent has a disciplinary history, which includes two reprimands and a three-month suspension.

JAMES E. DEMARTINO

Admitted: 1979; Hillsborough (Somerset County)
Admonition – *Unreported (2003)*
Decided: 3/25/2003

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Advertising Committee
James E. DeMartino appeared pro se

The Disciplinary Review Board accepted a Motion for Discipline by Consent by the Committee on Attorney Advertising and held that an admonition was the appropriate discipline for an attorney who distributed brochures to potential clients who attended an estate planning seminar given by the respondent. The brochures contained false and misleading statements concerning the benefits of living trusts and the dangers of probate.

JON M. DEMASI

Admitted: 1991; Cherry Hill (Camden County)
Reprimand – *178 N.J. 72 (2003)*
Decided: 11/21/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who accepted a retainer fee to institute a name change proceeding and then took no action in the matter. He also failed to communicate with his client and with disciplinary authorities during the investigation and processing of the matter.

DONALD B. DEVIN

Admitted: 1969; Hackettstown (Warren County)
Suspension 3 Months - *176 N.J. 269 (2003)*
Decided: 5/20/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Alan J. Strelzik for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to make reasonable efforts to communicate with a client, and failed to cooperate with disciplinary authorities during the investigation of the matter. The Court further ordered that the respondent not be reinstated until he cooperates fully with the Office of Attorney Ethics in connection with the investigation of this matter.

The respondent has a disciplinary history. In 1994, he was suspended for three months for failing to keep a client reasonably informed, making a misrepresentation to the client, and lying to a police officer. *In re Devin, 138 N.J. 46.* In June 1996, he was reprimanded for gross neglect, lack of diligence, failure to communicate with a client, failure to provide a written retainer agreement, failure to expedite litigation, misrepresentation about the status of the case, and failure to cooperate with ethics authorities. *In re Devin, 144 N.J. 476.* In 2002, he was reprimanded for failure to cooperate with disciplinary authorities. *In re Devin, 172 N.J. 321.* On that same date, he was temporarily suspended from practice for failure to cooperate with an investigation by the Office of Attorney Ethics. *In re Devin, 172 N.J. 320.*

CHARLES A. DI FAZIO

Admitted: 1987; Philadelphia (Pennsylvania)
Suspension 5 Years - *177 N.J. 512 (2003)*
Decided: 9/4/2003 Effective: 8/21/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Charles A. DiFazio did not appear

The Supreme Court of New Jersey held that a suspension for a period of 5 years was the appropriate discipline for an attorney who was disbarred in the Commonwealth of Pennsylvania for abandoning his clients in a series of ten matters, filing a frivolous lawsuit, knowingly making a false misstatement to a tribunal, knowingly making a false statement of material fact to a third person, engaging in

conduct involving dishonesty, fraud, deceit, or misrepresentation, and engaged in conduct prejudicial to the administration of justice. The respondent was disbarred in the Commonwealth of Pennsylvania on August 21, 2002.

HOWARD M. DORIAN

Admitted: 1978; Cliffside Park (Essex County)
Reprimand - *176 N.J .124 (2003)*
Decided: 4/24/2003

APPEARANCES BEFORE REVIEW BOARD
James F. Keegan for District VB
Anthony P. Ambrosio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who represented a client in an automobile injury action. The attorney and the client both signed a document granting the client's treating chiropractor a $6,763 lien against the recovery. After settling the personal injury matter, the respondent disbursed the entire settlement to his client and himself, escrowing only $1,250 for medical liens. Despite several inquiries by the treating chiropractor, the respondent paid only part of the $6,763 due. The Court found that the respondent failed to promptly deliver funds to a third person and also that he failed to cooperate with disciplinary authorities during the investigation and processing of the matter.

The respondent was previously disciplined. In 1995, he was admonished for gross neglect, failure to communicate with a client, failure to withdraw as counsel, failure to promptly turn over his client's file to a new attorney, and failure to reply to requests for information from a disciplinary authority. In 2001, respondent was reprimanded for gross neglect, lack of diligence and failure to communicate with a client. *In re Dorian, 166 N.J. 558.*

JAY EDELSTEIN

Admitted: 1991; Marlton (Burlington County)
Admonition - *Unreported (2003)*
Decided: 5/22/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Leslie F. Gore for District IV
Robert M Agre for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who sent a letter to an individual soliciting professional employment without placing the word "advertisement" on the letter or observe the other requirements of RPC 7.3(b)(5).

EDWARD D. FAGAN

Admitted: 1980; Livingston (Essex County)
Admonition – *Unreported (2003)*
Decided: 10/22/2003

APPEARANCES BEFORE REVIEW BOARD
Beatrice E. Kandell for District VC
Kim Ringler for Respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to adequately communicate with his client in a personal injury matter. Previously, the respondent had entered into an agreement for diversion, but failed to complete the agreed conditions.

WILLIAM J. FARLEY, JR.

Admitted: 1978; Manasquan (Monmouth County)
Disbarment by Consent – *176 N.J. 513 (2003)*
Decided: 7/1/2003

REPRESENTATIONS
Michael J. Sweeney for Attorney Ethics
Peter H. Wegener for Respondent

The Supreme Court of New Jersey accepted the disbarment by consent from an attorney who admitted that he could not successfully defend pending charges alleging the knowing misappropriation of over $225,000 of client trust funds.

YALE M. FISHMAN

Admitted: 1991; Cranford (Union County)
Suspension 18 Months – *177 N.J. 600 (2003)*
Decided: 9/30/2003 Effective: 8/30/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Kim D. Ringler waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of eighteen months was the appropriate discipline for an attorney who pled guilty to a one-count Information filed in the United States District Court for the Southern District of New York, charging him with Misprision of Felony, in violation of 18 U.S.C.A. 4. More specifically, the respondent helped certain individuals set up charitable trusts in an offshore jurisdiction, later learning that these trusts contained proceeds of securities fraud. Nevertheless, the respondent failed to report the criminal activity and acted to conceal the facts surrounding it. The respondent had been temporarily suspended from the practice of law in this state since August 30, 2002.

STEVEN C. FORMAN

Admitted: 1985; Cherry Hill (Camden County)
Reprimand - *178 N.J .5 (2003)*
Decided: 10/27/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was suspended for one year in the Commonwealth of Pennsylvania for practicing law in that state while ineligible to practice by reason of his failure to pay his annual attorney registration from 1988 through 2000. Furthermore, respondent failed to comply with Pennsylvania's continuing legal education requirements.

MARIA P. FORNARO

Admitted: 1989; Morristown (Morris County)
Suspension 3 Years - *175 N.J. 450 (2003)*
Decided: 2/20/2003

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Stephen Weinstein for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who lied to several judges, engaged in an unethical sexual relationship with a divorce client, thereby jeopardizing her client's position as the custodial parent, violated *R. 1:20-20* in recommending another attorney to complete a matter being handled by the respondent before a prior suspension, and using the title "Esquire" after her prior suspension.

As the Disciplinary Review Board also stated in its unreported decision:

> "In addition, her behavior at the ethics hearing was abominable. She continually interrupted the presenter and other witnesses, accused her adversary of withholding discovery (despite four prehearing conferences in which discovery was either exchanged or discussed) and repeatedly referred to matters that were irrelevant to the ethics proceeding…
>
> ****
>
> Respondent's improper behavior and pattern of misrepresentation continued during her presentation to us. In her brief, although she did not file a motion to supplement the record, she repeatedly referred to matters outside of the record. At oral argument, she continued to refer to matters outside the record, even after she was instructed not to do so, in an effort to mislead us about the facts of the case."

The respondent has a disciplinary history. In 1998, she was suspended for three months, effective March 24, 1998, for various misconduct in four matters, including gross neglect, lack of diligence, failure to communicate with clients, failure to communicate the basis of the fee, failure to turn over the client's file upon termination of representation, false statement of material fact to a tribunal, failure to cooperate with disciplinary authorities, conduct involving dishonesty, fraud, deceit or misrepresentation, and false statements of material fact to disciplinary authorities. *In re Fornaro, 152 N.J. 449*. In 1999, she was reprimanded when, in one matter, she ignored her client's request for an accounting of services rendered and, in another matter, displayed lack of diligence. *In re Fornaro, 159 N.J. 525*. Again, in 1999, she was suspended for a period of two years, where, in two matters, she was guilty of gross neglect, lack of diligence, failure to communicate and failure to provide a fee agreement; in one of the matters, respondent also failed to protect the client's interests upon termination of the representation and exhibited a pattern of neglect; in the second matter, she also failed to cooperate with the ethics investigation. *In re Fornaro, 163 N. J. 88*.

JUAN A. FRANCO

Admitted: 1994; Roselle Park (Union County)
Disbarment by Consent - *175 N.J. 69 (2003)*
Decided: 1/9/2003

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Sergio R. Pastor for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of client trust funds at various real estate closings.

GARY S. FRIEDMANN

Admitted: 1987; Moorestown (Burlington County)
Suspension 3 Years - *175 N.J. 157 (2003)*
Decided: 2/3/2003 Effective: 3/1/2003

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who: 1) entered into an improper loan transaction with a client; 2) unilaterally changed the terms of the note, to the detriment of the client; 3) never gave the client a mortgage on the property securing the loan, as required by the note; 4) did not have his wife sign the note, even though she and the respondent owned the property jointly; 5) made misrepresentations concerning his fees and services in his communications to the client; 6) asserted a fraudulent counterclaim in the client's lawsuit for payment of the loan (the principal of which was $150,000); and, 7) made misrepresentations to the Office of Attorney Ethics during the

course of its investigation. This case was discovered solely as a result of the Random Audit Compliance Program.

FRANCIS X. GAVIN

Admitted: 1981; Hackettstown (Warren County)
Suspension 3 Months - *176 N.J. 267 (2003)*
Decided: 5/20/2003 Effective: 12/19/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Robert J. Foley for District XIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to act diligently in representing clients, and failed to cooperate with disciplinary authorities during the investigation and processing of the matter.

The respondent has an extensive disciplinary history. In 1998, he received a reprimand for gross neglect, failure to act with diligence, and failure to communicate with a client. *In re Gavin, 153 N.J. 356.* In 2002, respondent was again reprimanded for gross neglect, lack of diligence, failure to communicate with a client, failure to refund an unearned fee, and failure to comply with reasonable requests for information from a disciplinary authority. *In re Gavin, 167 N.J. 606.* In 2002, respondent received a six-month suspension for lack of diligence, failure to communicate with a client, failure to surrender a client file on termination of the representation, failure to cooperate with disciplinary authorities, and conduct prejudicial to the administration of justice. *In re Gavin, 170 N.J. 597.* Again, in 2002, respondent received an additional three-month suspension for gross neglect, pattern of neglect, lack of diligence, failure to deliver promptly to clients or third persons property to which they are entitled, failure to cooperate with disciplinary authorities, and conduct prejudicial to the administration of justice. *In re Gavin, 172 N.J. 347.*

LARRY S. GELLER

Admitted: 1980; Maplewood (Essex County)
Reprimand - *177 N.J. 505 (2003)*
Decided: 9/4/2003

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Larry S. Geller appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in numerous instances of unethical conduct, including discrimination arising out of his representation of himself in a divorce/custody litigation. The unreported Disciplinary Review Board decision concluded that the respondent violated ethics rules against discrimination and ethnic bias when, referring to one of the judge's rulings in the case, he remarked that "Monmouth County Irish have their own way of doing business." The respondent also engaged in bias and invective by alleging in various pleadings at the trial and appellate level that one of the judges handling his case favored his wife "because she was from Monmouth County and Catholic, while respondent was from Essex County and Jewish." He also referred to one of the judges as having "used this Jewish angle" and in motion papers rhetorically asked "What chance does a Jew from Essex County have in Monmouth County?" His allegations of bias against the judges were without factual foundation. The respondent also failed to treat others with courtesy and consideration during the litigation and made personal attacks against almost everyone involved in the matter, including two judges, his adversary and former girlfriend and her attorney, an unrelated litigant, and the court-appointed custody evaluator. The Disciplinary Review Board noted that the respondent's conduct during his deposition was "nothing short of appalling. His comments that (the) judges…were corrupt and that (one) judge … was anti-Semitic were unwarranted and inexcusable."

KENNETH H. GINSBERG

Admitted: 1974; Naples, Florida
Admonition - *Unreported (2003)*
Decided: 2/14/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Laura A. Kelly for District X
Respondent appeared pro se

The Disciplinary Review Board approved a motion for Discipline by Consent and held that an admonition was the appropriate sanction for an attorney who drafted a will for a client naming himself as the recipient of a bequest of $10,000, in violation of *RPC 1.8(c)*. The respondent was previously reprimanded in 2002 for backdating estate planning documents prepared for a client in order to allow the client to take advantage of the tax provisions that might not otherwise have been available to them because of the proposed legislation.

KENNETH N. GJURICH

Admitted: 1985; Marlton (Burlington County)
Reprimand - *177 N.J. 44 (2003)*
Decided: 7/10/2003

APPEARANCES BEFORE REVIEW BOARD
John McGill III for Attorney Ethics
Respondent waived his appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who admitted that he engaged in conduct involving dishonesty, when he collected unemployment benefits from the State of New Jersey while employed as an attorney in a Pennsylvania law firm. The respondent had been charged in a two-count indictment with third-degree theft by deception, in violation of

N.J.S.A. 2C:20-4 and fourth-degree unsworn falsification to authorities, in violation of N.J.S.A. 2C:28-3a. The respondent was admitted to the Mercer County Pre-Trial Intervention Program for a period of three years, on condition that he pay almost $11,000 in restitution to the Department of Labor and also pay a $7,500 criminal fine and perform 50 hours of community service.

ERIC J. GOLDRING

Admitted: 1984; Lincroft (Monmouth County)
Reprimand – *178 N.J. 26 (2003)*
Decided: 11/12/2003

APPEARANCES BEFORE REVIEW BOARD
Guy Ryan for District IIIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in an improper ex parte communication with a judge, as well as conduct intended to disrupt a tribunal.

ANDRYS S. GOMEZ

Admitted: 1992; West New York (Hudson County)
Admonition - *Unreported (2003)*
Decided: 9/23/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Michael H. Freeman for District VA
Steven Menaker for Respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who engaged in a conflict of interest when representing both the passengers and driver of a vehicle. Additionally, the respondent did little or no work on the matters and failed to communicate with his clients.

ILLENE GREENBERG

Admitted: 1986; Philadelphia, PA
Suspension 3 Months - *175 N.J. 103 (2003)*
Decided: 1/14/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in the practice of law in New Jersey while she was declared ineligible to practice by the Supreme Court of New Jersey for failing to pay her Annual Attorney Registration fee. The respondent also misrepresented to a judge in a litigated matter her ability to practice in New Jersey. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

JAY D. GREENGARTEN

Admitted: 1973; East Brunswick (Middlesex County)
Disbarment by Consent – *177 N.J. 362 (2003)*
Decided: 8/5/2003

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Dennis A. Estis for Respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of client trust funds.

RICHARD L. GRUBER

Admitted: 1977; Newark (Essex County)
Disbarment – *177 N.J. 523 (2003)*
Decided: 9/23/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for District VA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated at least $33,800 in escrow funds, which he used for his personal benefit. The respondent had been temporarily suspended from the practice of law in New Jersey since May 20, 2002. *In re Gruber, 172 N.J. 237.* On February 24, 1998, respondent received a reprimand for gross neglect, lack of diligence, failure to communicate with the client and failure to cooperate with disciplinary authorities. *In re Gruber, 152 N.J. 451.*

RUPERT A. HALL, JR.

Admitted: 1983; Moorestown (Burlington County)
Reprimand – *176 N.J. 515 (2003)*
Decided: 7/1/2003

APPEARANCES BEFORE REVIEW BOARD
Jeffrey Appell for District IIIB
Mark J. Molz for Respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a client matter, allowing the complaint to be dismissed and then committed a misrepresentation by not informing the client of the dismissal.

THOMAS Q. HARRIGAN

Admitted: 1983; Turnersville (Gloucester County)
Suspension 6 Months - *177 N.J.607 (2003)*
Decided: 10/14/2003 Effective: 12/25/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who had been suspended for a year and a day in the Commonwealth of Pennsylvania for practicing while on the Ineligible List for failure to pay his annual registration statement, making misrepresentations, conduct prejudicial to the administration of justice, and making false or misleading communications about himself or his services.

STANLEY J. HAUSMAN

Admitted: 1970; Caldwell (Essex County)
Suspension 5 Years – *177 N.J. 602 (2003)*
Decided: 9/30/2003 Effective: 2/10/1999

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
John P. Lacey for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of five years was the appropriate discipline for an attorney who pled guilty to four counts of a federal Information in the United States District Court for the District of New Jersey, charging him with structuring monetary transactions to avoid reporting requirements, in violation of 31 U.S.C. 5313(a), 31 U.S.C. 5322(b), 31 U.S.C. 5324(a)(3), and 18 U.S.C. 2. The respondent had been temporarily suspended from the practice of law in New Jersey since February 9, 1999, following his guilty plea. *In re Hausman, 157 N.J. 158.*

CHARLES T. HUTCHINS

Admitted: 1998; Farmingdale (Monmouth County)
Reprimand – *177 N.J. 520 (2003)*
Decided: 9/16/2003

APPEARANCES BEFORE REVIEW BOARD
Margaret M. Marley for District VI
Elizabeth H. Smith for Respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in speaking to a debtor on behalf of a creditor-client, advised her that he had no alternative but to recommend to his client that criminal and civil remedies be pursued.

CYNTHIA DENISE JACKSON

Admitted: 1987; Jersey City (Hudson County)
Reprimand - *176 N.J. 479 (2003)*
Decided: 6/20/2003

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Gerald D. Miller for Respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected two client matters and failed to communicate with those clients. The respondent also improperly contacted the adversary-client in a domestic violence matter when that client was represented by counsel.

KENNETH L. JOHNATHAN, JR.

Admitted: 1985; Neptune Township (Monmouth)
Reprimand – *178 N.J. 3 (2003)*
Decided: 10/27/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Ambar I. Abelar for District IX
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to represent a client diligently in an automobile accident case resulting in the dismissal of that matter and who failed to reasonably communicate with his client concerning the status of the matter.

THOMAS J. JONES

Admitted: 1975; South Orange (Essex County)
Disbarment by Consent - *177 N.J. 248 (2003)*
Decided: 7/24/2003

REPRESENTATIONS
John McGill III for Attorney Ethics
Thomas J. DeGroot for Respondent

The Supreme Court of New Jersey accepted the disbarment by consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of real estate settlement proceeds. The respondent had been temporarily suspended from the practice of law since April 10, 2003. *In re Jones, 176 N.J. 47.*

ARNOLD I. KALMAN

Admitted: Pro Hac Vice; Philadelphia (Pennsylvania)
Suspension 1 Year – *177 N.J. 608 (2003)*
Decided: 10/14/2003

APPEARANCES BEFORE REVIEW BOARD
John A. Jones for District IV
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the right to appear pro hac vice in New Jersey courts for a period of one year was the appropriate discipline for an attorney who engaged in business litigation for one client in Pennsylvania, while representing another client in related litigation in New Jersey. Both courts found that the respondent withheld certain documents from his adversary and the court. Additionally, the New Jersey court ruled that respondent's failure to correct his client's false pleadings was improper and both courts sanctioned the respondent. The respondent also engaged in a conflict of interest and accepted compensation for representing a client from one other than the client.

PHILIP L. KANTOR

Admitted: 1990; Williamstown (Gloucester County)
Suspension 3 Months – *178 N.J. 69 (2003)*
Decided: 11/21/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was retained to pursue an appeal in a personal injury matter. The respondent failed to file a brief, however, and the appeal was dismissed. The respondent also failed to communicate with the client and failed to communicate the basis or rate of the fee in writing, as required by court rules. Finally, respondent failed to cooperate with disciplinary authorities during the investigation and processing of this matter. The respondent has a disciplinary history. In 2000, he was reprimanded for making a false statement of material fact or law to a tribunal, offering evidence he knew to be false and misrepresentation. *In re Kantor, 165 N.J. 572.* In 2003, the respondent was temporarily suspended following his apparent abandonment of his law practice. *In re Kantor, 175 N.J. 555.*

IRA S. KARLSTEIN

Admitted: 1977; Manalapan (Monmouth County)
Admonition - *Unreported (2003)*
Decided: 5/23/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Samuel D. Conti for Committee on Attorney Advertising
Ira S. Karlstein, Pro Se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who held a "living trust" seminar and distributed printed materials to attendees that contained false and misleading statements concerning the benefits of living trusts and the dangers of probate.

JAMES W. KENNEDY

Admitted: 1983; Toms River (Ocean County)
Suspension 6 Months – *177 N.J. 517 (2003)*
Decided: 9/16/2003 Effective: 10/13/2003

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
David H. Dugan III for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, to one count of the fourth-degree crime of endangering the welfare of a child, in violation of N.J.S.A. 2C:24-4(b)(5)(b). The respondent's conviction involved his admission that he (1) had downloaded from the Internet images of children engaged in sexual acts; and (2) of the 20,000–30,000 pornographic images that he maintained on his computer, several hundred depicted children below the age of 16 engaged in sexual acts.

MICHAEL H. KESSLER

Admitted: 1969; Union (Union County)
Reprimand – *178 N.J. 71 (2003)*
Decided: 11/21/2003

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who commingled funds in the trust account by failing to promptly withdraw earned legal fees to his business account, failing to maintain proper records as required by R.1:21-6 and failing to cooperate with disciplinary authorities during the investigation of this matter. The respondent has a disciplinary history. In 1993, he was privately reprimanded for failure to prepare his client's will, failure to communicate with her, and failure to reply to disciplinary authorities' request for information about the matter. In 1999, he was publicly reprimanded for failure to communicate with a client, failure to safeguard client funds, recordkeeping violations and misrepresentation. *In re Kessler, 157 N.J. 73.* This matter was discovered solely as a result of the Trust Overdraft Notification Program.

KIM MICHELLE KLINE

Admitted: 1985; Margate (Atlantic County)
Admonition – *Unreported (2003)*
Decided: 9/10/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Carl N. Tripician for District I
Respondent acted pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who represented various clients without having a bona fide law office in the State of New Jersey. Additionally, she failed to reply to the ethics investigator's inquiries about the grievance.

THEODORE F. KOZLOWSKI

Admitted: 1978; Morristown (Morris County)
Reprimand – *178 N.J. 3 (2003)*
Decided: 10/27/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Margaret A. Kerr for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who engaged in the practice of law for a period of one year after he was declared ineligible to practice law by reason of his failure to pay the annual attorney registration assessment. The respondent was previously disciplined. In 1992, he was privately reprimanded for lack of diligence and lack of cooperation with disciplinary authorities. In 1998, respondent received an admonition for lack of diligence and failure to communicate with the client in two matters.

MARK KRASSNER

Admitted: 1985; Washington Township (Bergen County)
Admonition - *Unreported (2003)*
Decided: 11/25/2003

APPEARANCES BEFORE REVIEW BOARD
George L. Caceres for District VB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who grossly neglected a client's matrimonial matter and allowed a judgment of divorce to be entered against her. The respondent also failed to communicate with his client.

RICHARD H. KRESS

Admitted: 1979; Clark (Union County)
Suspension 1 Year - *177 N.J. 226 (2003)*
Decided:7/10/2003 Effective: 8/11/2003

APPEARANCES BEFORE REVIEW BOARD
Stephen F. Hehl for District XII
John P. McDonald for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who engaged in a conflict of interest by representing an accounting firm as well as the individual partners after an actual conflict developed between the parties' interests. The respondent also attempted to create a sham transaction to deceive a third party that a mortgage had been assigned for bona fide consideration, when it had not. Finally, the respondent made misrepresentations to parties to the transaction.

The respondent has a disciplinary history. In 1992, he was suspended for three months when, as municipal court prosecutor, he failed to disclose to the municipal court judge the circumstances surrounding the dismissal of a drunk-driving case. *In re Kress, 128 N.J. 520.* He was also reprimanded in 1996 for failure to timely file a reply to a motion for pendente lite support, and to timely file a motion for reconsideration, as well as failing to keep his clients informed of the status of the matter. *In re Kress, 143 N.J. 334.*

STEPHEN D. LANDFIELD

Admitted: 1984; Morris Plains (Morris County)
Admonition –*Unreported (2003)*
Decided: 7/3/2003

APPEARANCES BEFORE REVIEW BOARD
Vivian Demas for District X
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to properly withdraw from a divorce matter after being terminated by the client. Specifically, the attorney did not provide an accounting of services and return the unused portion of the client's retainer.

JOSEPH J. LAROSA

Admitted: 1993; Marlton (Burlington County)
Admonition - *Unreported (2003)*
Decided: 11/25/2003

APPEARANCES BEFORE REVIEW BOARD
Brian M. Guest for District IIIB
Joel B. Korin for Respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who improperly engaged in a brief discussion with jurors after the conclusion of a civil matter in which the attorney was involved. Such contact violated R.1:16-1 and RPC 3.5(b).

JEAN D. LAROSILIERE

Admitted: 1990; Newark (Essex County)
Admonition - *Unreported (2003)*
Decided: 3/20/2003

APPEARANCES BEFORE REVIEW BOARD
David H. Stein forDistrict VA Ethics Committee
Pamela C. Mandel for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act with diligence and failed to keep a client reasonably informed about the status of a medical malpractice matter. Furthermore, the respondent allowed the name of a non-attorney to appear on his letterhead indicating that he was a licensed lawyer, and also allowed a lawyer licensed in California to sign several letters on the firm's letterhead with his designation "Esq." after the attorney's name.

TANYA LAWRENCE

Admitted: 1998; Brooklyn, New York
Admonition - *Unreported (2003)*
Decided: 4/24/2003

APPEARANCES BEFORE REVIEW BOARD
Maryjane E. Brown for District VI
Kim D. Ringler for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who improperly engaged in the practice of law in New Jersey by filing a motion with a court seeking to restore a case dismissed for lack of prosecution. When the motion was filed, the respondent had been declared ineligible to practice law in this state by the Supreme Court by reason of her failure to pay the annual attorney registration fee.

RAYMOND T. LE BON

Admitted: 1979; Westmont (Camden County)
Disbarment - *177 N.J. 515 (2003)*
Decided: 9/9/2003

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Stephen B. Sacharow for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated almost $5,900 in legal fees due to the law firm with which he was associated.

VINCENZA LEONELLI-SPINA

Admitted: 1990; Totowa (Passaic County)
Admonition - *Unreported (2003)*
Decided: 2/14/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Diane M. Dewey for District XI
Respondent appeared pro se

The Disciplinary Review Board accepted a motion for Discipline by Consent and held that an admonition was the appropriate sanction for an attorney who was retained by a group of 11 police officers to pursue a lawsuit objecting to a promotional examination administered by a municipality. After the municipality was granted summary judgment, the respondent exhibited gross negligence by not filing an appellate brief on two separate occasions. Also, the respondent failed to reply to his client's telephone calls and correspondence.

EVAN M. LEVOW

Admitted: 1991; Cherry Hill (Camden County)
Admonition – *176 N.J. 505 (2003)*
Decided: 6/20/2003

APPEARANCES BEFORE REVIEW BOARD
John Morelli for District IV
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that an admonition was the appropriate discipline for an attorney who, in representing a client in a personal injury matter arising out of an assault, wrote a letter to the defendant seeking $3.5 million in settlement of the claim and stating that the issues in the case included, not only the tort matter, but also "criminal assault."

SCOTT A. LIEBLING

Admitted: 1989; Cherry Hill (Camden County)
Admonition - *Unreported (2003)*
Decided: 9/17/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain his trust account records as required by R.1:21-6, in that he failed to perform quarterly reconciliations, his client ledgers lacked detail, the account designation on trust account checks was incomplete and the attorney had inactive client balances in his trust account for extended periods of time.

JUAN A. LOPEZ, JR.

Admitted: 1985; Jersey City (Hudson County)
Admonition - *Unreported (2003)*
Decided: 12/01/2003

APPEARANCES BEFORE REVIEW BOARD
Cataldo F. Fazio for District VI
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who,

from September 2000 through June 2001 practiced law in New Jersey despite being declared ineligible to do so by the Supreme Court for failure to pay the annual attorney registration fee.

MELINDA LOWELL

Admitted: 1981; Hackensack (Bergen County)
Suspension 3 Years – *178 N.J. 111 (2003)*
Decided: 11/21/2003, Effective: 05/30/2002

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Robert J. Del Tufo for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years, in view of significant mitigating circumstances, was the appropriate discipline for an attorney who represented a client in a matrimonial matter and created fraudulent documents, counseled her client to lie on a certification and to disobey a court order, had an employee work on a client's case after the client had terminated the respondent's services, elicited false testimony from a witness during a trial, made misrepresentations to clients, the court and third parties, and failed to notify her adversary of the submission of an order and of an insertion made to a stipulation. The respondent had been temporarily suspended from the practice of law since May 30, 2002.

PHILIP A. MACHLIN

Admitted: 1989; Iselin (Middlesex County)
Admonition - *Unreported (2003)*
Decided: 8/5/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Cheryl M. Spilka for District VIII
David B. Rubin for Respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who represented a client in a claim for property damage to his condominium, but failed to reply to the client's reasonable requests for information about the status of his matter. Additionally, the respondent failed to cooperate with the District Ethics Committee during the investigation and hearing in this matter.

JOSEPH A. MAFFONGELLI

Admitted: 1969; Montclair (Essex County)
Suspension 1 Year – *176 N.J. 514 (2003)*
Decided: 7/1/2003 Effective: 8/1/2003

APPEARANCES BEFORE REVIEW BOARD
Sherilyn Pastor for District VA
John C. Whipple for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who engaged in gross neglect in ten separate client matters. Additionally, the respondent was guilty of unethical conduct in respect to his dealings with various courts. He displayed a pattern of inability, unwillingness and, at times, refusal to follow the court rules. Instead of preparing formal pleadings, he began to submit handwritten documents to the court, often scrawled, either on court-generated notices or on his adversary's moving papers. He also submitted answers to interrogatories in handwritten form. The respondent continued to send the same improper documents to the courts, even after receiving clear instructions not to do so. In addition, respondent failed, and sometimes refused, to appear at hearings where his presence was required. He displayed arrogance and defiance of both the court rules in general and judges' instructions that had been directed to him individually, showed a woeful lack of familiarity with court rules and practices, and refused to observe the dignity of court proceedings.

MICHAEL MAGNOLA

Admitted: 1976; Westfield (Union County)
Disbarment - *175 N.J. 534 (2003)*
Decided: 3/4/2003

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated in excess of $53,000 of estate funds from his attorney trust account. The respondent had been temporarily suspended from the practice of law since May 7, 2001 for failure to comply with a fee arbitration determination. *In re Magnola, 167 N.J. 68*.

SAMUEL A. MALAT

Admitted: 1989; Haddon Heights (Camden County)
Suspension 3 Months - *175 N.J. 554 (2003)*
Decided: 3/11/2003 Effective: 4/7/2003

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in misrepresentations and conduct prejudicial to the administration of justice by making written misrepresentations to a court, as well as failing to disclose to the court the existence of a pending motion before another judge.

The respondent was previously disciplined. In 2002, he was reprimanded for failing to act diligently, failing to communicate properly with a client and failing to turn over client files on termination of the representation. He also knowingly disobeyed an obligation owed to a court and failed to cooperate with disciplinary authorities during the processing of that matter.

SAMUEL A. MALAT

Admitted: 1989; Haddon Heights (Camden County)
Suspension 3 Months -*177 N.J. 506 (2003)*
Decided: 9/4/2003 Effective: 7/7/2003

APPEARANCES BEFORE REVIEW BOARD
James Herman for District IV
Alan Dexter Bowman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who received compensation from a living trust vendor and improperly shared fees, while assisting the vendor/non-lawyer in the unauthorized practice of law.

The respondent has a disciplinary history. He was reprimanded in 2002 for conduct in four matters, including disobeying court orders, being found in contempt, advising a client to file bankruptcy and then intentionally not filing the required schedules for the purpose of avoiding a levy, allowing a client's lawsuit to be dismissed twice, refusing to return the file to the client, and allowing a judgment to be entered against the client. In 2003, the respondent was suspended for three months for knowingly making a false statement of material fact or law to a tribunal, knowingly failing to disclose to a tribunal a material fact, conduct involving dishonesty, fraud, deceit, or misrepresentation, conduct prejudicial to the administration of justice, and failure to cooperate with disciplinary authorities.

ANDREW G. MALONEY

Admitted: 1988; White Plains, New York
Disbarment by Consent - *177 N.J. 522 (2003)*
Decided: 9/23/2003

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
William T. Martin for Respondent

The Supreme Court of New Jersey accepted the disbarment by consent of an attorney while the matter was pending oral argument before the Supreme Court. The basis for the action was the respondent's disbarment in the State of New York for knowing misappropriation of clients' trust funds in eighteen separate matters, in addition to other violations.

ARTHUR N. MARTIN, JR.

Admitted: 1973; Newark (Essex County)
Disbarment – *176 N.J. 518 (2003)*
Decided: 6/27/2003

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Alan Dexter Bowman for Respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was the subject of four separate recommendations for discipline recommending a one-year suspension, a three-year suspension, and two separate recommendations for disbarment. The Board's decision covered 19 separate findings of unethical conduct. The first Board decision was issued on September 30, 1997.

The misconduct included multiple violations of gross neglect, lack of diligence, failure to keep a client reasonably informed and failure to respond to reasonable requests for information, charging an unreasonable fee, failing to communicate the basis or rate of fee to a client, failure to cooperate with disciplinary authorities and conduct involving dishonesty, fraud, deceit or misrepresentation. The respondent had been temporarily suspended from the practice of law since July 1, 1998.

The respondent had an extensive disciplinary history. In 1990, he was suspended for six months for grossly neglecting seven cases, negotiating settlements without the clients' authorization, advancing money to clients for personal expenses and displaying a gun during meetings with clients. *In re Martin, 118 N.J. 239.* He was suspended for three months in 1991 for failure to return an unearned portion of a retainer after the case was dismissed, failure to pursue an appeal, failure to adequately communicate with clients in three matters, and failure to reply to requests for information by a district ethics committee investigator. That suspension was to run consecutively to the suspension imposed in 1990. *In re Martin, 122 N.J. 198.*

In 1993, the respondent was publicly reprimanded for unethical conduct in three matters, which involved violations of gross neglect, lack of diligence, lack of communication, and conduct involving misrepresentation. *In re Martin, 132 N.J. 261.* In 1998, the respondent consented to being temporarily suspended from the practice of law, pending the final determination of all grievances against him. As a result, the Disciplinary Review Board issued four separate recommendations for discipline, which were heard together before the Supreme Court in 2003. During the course of the Court's receipt of the Board's four decisions, the respondent filed a motion with the Supreme Court to supplement the record. In 1999, the Court directed that the matters, including the motion to supplement the record, be remanded to a special ethics master. After extensive hearings, the special master recommended to the Supreme Court that respondent be disbarred.

In its final recommendation for disbarment in 2000, the Disciplinary Review Board summed up respondent's transgressions in the four matters it considered since 1997 as follows:

Respondent has shown, in thirty-five separate cases, that he is unable—or unwilling--to competently represent clients. Furthermore, respondent has shown that he has little regard for the attorney disciplinary system. He has either completely ignored ethics complaints and allowed defaults to be entered against him, or he has attempted to file answers to the complaints after the defaults have already been transmitted to us—despite prior timely notice of the complaints.

LARRY J. MCCLURE

Admitted: 1971; Hackensack (Bergen County)
Suspension 6 Months - *176 N.J. 121 (2003)*
Decided: 4/24/2003 Effective: 5/21/2003

APPEARANCES BEFORE REVIEW BOARD
Glenn R. Reiser for District IIB
Raymond F. Flood for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in the case of a criminal client, accepted retainers and then grossly neglected the matter, failed to reasonably communicate with the client, failed to act diligently, failed to expedite litigation and failed to communicate, in writing, the basis or rate of the fee. In another civil matter, the respondent engaged in a lack of diligence, failed to communicate with a client, failed to keep the client reasonably informed about the status of the matter, failed to communicate, in writing, the basis or rate of the fee, and made a misrepresentation to the client by failing to tell him about the dismissal of his case.

In 1999, the respondent received an admonition for similar misconduct, absent misrepresentation.

WILLIAM P. MIKITA, JR.

Admitted: 1994; Woodbridge (Middlesex County)
Reprimand – *177 N.J. 563 (2003)*
Decided: 9/30/2003

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
James P. Nolan for Respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, while representing a personal injury client, utilized an improper power of attorney, failed to timely send a settlement disbursement sheet to his client, improperly notarized his client's signature and failed to ensure that his secretary's conduct was compatible with his professional obligations.

VINCENT J. MILITA, II

Admitted: 1980; Marmora (Cape May County)
Reprimand – *177 N.J. 1 (2003)*
Decided: 7/9/2003

APPEARANCES BEFORE SUPREME COURT
Janet Brownlee Miller for Attorney Ethics
Vincent J. Milita, II appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who represented a client who entered a guilty plea to criminal restraint. Prior to sentencing, respondent sent a letter to the complaining witness in the criminal matter that was snide, sarcastic, and demeaning and had no legitimate purpose other than to embarrass and to repeatedly insult the witness.

The respondent was previously disciplined. In 1985, he was suspended for six months for unethical conduct at a criminal pretrial negotiation and for conduct involving deceit and misrepresentation, in his attempt to obtain information to assist a client. *In re Milita, 99 N.J. 336.*

THOMAS F. MILITANO

Admitted: 1991; Newton (Sussex County)
Reprimand - *176 N.J. 265 (2003)*
Decided: 5/20/2003

APPEARANCES BEFORE REVIEW BOARD
James M. DeMarzo for District X
Thomas Militano waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to maintain a bona fide law office for the practice of law, as required by the Supreme Court, while representing a client in an appeal of a municipal court conviction. He also failed to cooperate with disciplinary authorities during the investigation of this matter.

The respondent was previously disciplined in 2001, when he received a reprimand for failing to advise a client that the assistance requested of him was not permitted by ethics rules, making a misrepresentation, and failing to cooperate with disciplinary authorities. In re Militano, 166 N.J. 367.

DONALD H. MINTZ

Admitted: 1954; East Orange (Essex County)
Admonition - *Unreported (2003)*
Decided: 5/16/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Jeffrey Campisi for District VC
Donald H. Mintz, Pro Se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who

failed to act diligently while representing a client trying to obtain guardianship of her disabled adult foster child.

STEVEN E. MIRSKY

Admitted: 1977; Rockville, Maryland
Reprimand – *176 N.J. 421 (2003)*
Decided: 6/3/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Steven E. Mirsky waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was suspended for a period of three months in the State of Maryland as a result of his lack of diligence, failure to communicate with a client, commingling of personal and trust funds, and negligent misappropriation of client trust funds, in addition to his failure to place unearned retainers in his attorney trust account.

G. JEFFREY MOELLER

Admitted: 1978; Newark (Essex County)
Suspension 1 Year - *177 N.J. 511 (2003)*
Decided: 9/4/2003 Effective: 10/4/2003

APPEARANCES BEFORE REVIEW BOARD
Christine D. Petruzzell for Committee on Attorney Advertising
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 1 year was the appropriate discipline for an attorney who rendered legal services to a corporation involved in providing living trusts to clients, thus assisting in the unauthorized practice of law, engaging in conflicts of interest, accepting compensation from one other than the client, failing to reasonably explain matters to his clients, compensating others for securing clients for him, making misrepresentations to the Committee on Attorney Advertising and for false and misleading advertising in connection with the living trusts.

MICHAEL G. MOLI

Admitted: 1980; Clark (Union County)
Disbarment by Consent – *Unreported (2003)*
Decided: 10/1/2003

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Julian Wilsey for Respondent

The Supreme Court of New Jersey accepted the disbarment by consent of an attorney who admitted that he could not successfully defend four pending investigations alleging the knowing misappropriation of clients' trust funds in the approximate amount of $500,000. The respondent had been temporarily suspended from the practice of law since August 16, 2002.

FRANCIS R. MONAHAN, JR.

Admitted: 1989; Jersey City (Hudson County)
Admonition -*Unreported (2003)*
Decided: 7/3/2003

APPEARANCES BEFORE REVIEW BOARD
Mark J. Keane for District VI
Frank Babcock for Respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was retained to represent a client in an immigration matter. During the course of that representation, the attorney did not adequately communicate with the client about the status of her case. In a second matter, a client hired the attorney to secure post-conviction relief in a criminal matter and failed to adequately communicate with him. During the course of the disciplinary case, it was determined that the respondent did not regularly answer clients' telephone calls.

PATRICK J. MOORE

Admitted: 1989; Runnemede (Camden County)
Suspension 12 Months - *175 N.J. 100 (2003)*
Decided: 1/14/2003

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who improperly released escrow funds to his client, a party to the escrow agreement. The respondent also misrepresented the status of the escrow to the other party to the agreement and to that party's counsel and to the Office of Attorney Ethics. Furthermore, the respondent failed to cooperate with the Office of Attorney Ethics during its investigation and processing of this matter.

ELLIOTT D. MOORMAN

Admitted: 1977; East Orange (Essex County)
Suspension 3 Months - *175 N.J. 154 (2003)*
Decided: 1/28/2003 Effective: 2/28/2003

APPEARANCES BEFORE REVIEW BOARD
Denzil R. Dunkley for District VB
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in conduct prejudicial to the administration of justice by filing a grievance with the Advisory Committee on Judicial Conduct and then abandoning the grievance and failing to cooperate with the committee during the investigation. The Board found that the opening of the grievance against a judge was a threat designed to obtain a desired result in violation of *RPC 8.4(d)*. In a second matter, respondent engaged in a conflict of interest by representing the seller of the property and then subsequently representing the purchaser in attempts to resolve title problems. Respondent also violated an escrow agreement by disbursing $500 to the seller without obtaining the purchaser's authorization and consent. He also failed to obtain the purchaser's authorization to the removal of his legal fee and failed to have a written fee agreement with his client.

The respondent has a history of discipline. In 1990, he was publicly reprimanded for failing to maintain proper time records and to preserve the identity of client funds. *In re Moorman, 118 N.J. 422*. In 1994, respondent was suspended for three months for gross neglect, lack of diligence, and failure to keep a client informed. *In re Moorman, 135 N.J. 1*. Finally, in 1999, he received another reprimand for lack of diligence, failure to provide a written agreement, failure to comply with bookkeeping requirements and failure to cooperate with disciplinary authorities. *In re Moorman, 159 N.J. 523*.

ELLIOTT D. MOORMAN

Admitted: 1977; East Orange (Essex County)
Suspension 3 Months – *176 N.J. 510 (2003)*
Decided: 6/20/2003 Effective: 5/28/2003

APPEARANCES BEFORE REVIEW BOARD
Denzil R. Dunkley for District VB
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who forged a client's endorsement on a settlement check and, in another matter, deceived an attorney to whom he had agreed to pay a partial fee for work performed before the case was referred to respondent. The proofs showed that respondent had no intention to do so and that he deposited the settlement check and disbursed the entire fee to himself, stalling the other attorney's inquiries for several years. Finally, respondent improperly calculated his fee on the gross, rather than the net, settlement amount, in violation of R.1:21-7(d).

The respondent has a history of discipline. In 1990, he was publicly reprimanded for failure to maintain proper time records and to preserve the identity of client funds. In re Moorman, 118 N.J. 422. In 1994, respondent was suspended from the practice of law for a period of three months for gross neglect, lack of diligence, failure to keep a client informed about the status of the matter, and failure to explain the matter to the extent reasonably necessary to permit the client to make informed decisions. In re Moorman, 135 N.J. 1. He received another reprimand in 1999 for lack of diligence, failure to provide a written retainer agreement, failure to comply with bookkeeping requirements, and failure to cooperate with disciplinary authorities. In re Moorman,159 N.J. 523. Earlier in 2003, the Supreme Court suspended respondent for three months for conduct prejudicial to the administration of justice, conflict of interest, release of escrow funds without the consent of the parties, withdrawal of fees without the client's consent, and failure to utilize a retainer agreement. In re Moorman, 175 N.J. 154.

ELLIOTT D. MOORMAN

Admitted: 1977; East Orange (Essex County)
Suspension 1 Year - *Unreported (2003)*
Decided: 11/21/2003 Effective: 08/28/2003

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who grossly neglected an immigration matter, including failing to appear at two deportation hearings. As a result, the client was ordered deported. Respondent has an extensive disciplinary history. In 1990, respondent was publicly reprimanded for failure to maintain proper time records and preserve the identity of client funds. *In re Moorman, 118 N.J. 422.* He was suspended from the practice of law for a period of three months in 1994 for gross neglect, lack of diligence, failure to keep a client informed about the status of the matter, and failure to explain the matter to his client. *In re Moorman, 135 N.J. 1.* In 1999, he received another reprimand for lack of diligence, failure to have a written fee agreement, failure to comply with recordkeeping requirements and failure to cooperate with disciplinary authorities. *In re Moorman, 159 N.J. 523.* In 2003, the Supreme Court suspended him for a period of three months, effective February 28, 2003, for filing a grievance against the judge in order to pressure the judge or the court clerk to take action on behalf of respondent's son/client, engaging in a conflict of interest situation, releasing escrow funds without the consent of the parties, withdrawing fees without the client's consent, and failing to utilize a retainer agreement. *In re Moorman, 175 N.J. 154.* Later in 2003, the respondent was suspended for a period of three months, effective May 28, 2003, for forging a client's name on a settlement check, deceiving the client's prior attorney about the attorney's portion of the fee, and improperly calculating his own fee in a tort action.

ELLIOTT D. MOORMAN

Admitted: 1977; East Orange (Essex County)
Suspension 1 Year – *178 N.J. 110 (2003)*
Decided: 11/21/2003 Effective: 08/28/2003

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year, said suspension to run concurrently with another one year suspension also imposed the same date, was the appropriate discipline for an attorney who accepted a retainer from a client to represent her in litigation and then failed to represent the client diligently, failed to communicate with the client, failed to utilize a retainer agreement, and failed to cooperate with disciplinary authorities during the investigation and processing of this matter. Respondent has an extensive disciplinary history. In 1990, respondent was publicly reprimanded for failure to maintain proper time records and preserve the identity of client funds. *In re Moorman, 118 N.J. 422.* He was suspended from the practice of law for a period of three months in 1994 for gross neglect, lack of diligence, failure to keep a client informed about the status of the matter, and failure to explain the matter to his client. *In re Moorman, 135 N.J. 1.* In 1999, he received another reprimand for lack of diligence, failure to have a written fee agreement, failure to comply with recordkeeping requirements and failure to cooperate with disciplinary authorities. *In re Moorman, 159 N.J. 523.* In 2003, the Supreme Court suspended him for a period of three months, effective February 28, 2003, for filing a grievance against the judge in order to pressure the judge or the court clerk to take action on behalf of respondent's son/client, engaging in a conflict of interest situation, releasing escrow funds without the consent of the parties, withdrawing fees without the client's consent, and failing to utilize a retainer agreement. *In re Moorman, 175 N.J. 154.* Later in 2003, the respondent was suspended for a period of three months, effective May 28, 2003, for forging a client's name on a settlement check, deceiving the client's prior attorney about the attorney's portion of the fee, and improperly calculating his own fee in a tort action. On November 21, 2003, Respondent received a separate one year suspension to run concurrently with this suspension for grossly neglecting an immigration matter, including failing to appear at two deportation hearings. As a result, the client was ordered deported.

ROBERT L. MULLIGAN

Admitted: 1968; Hackensack (Bergen County)
Admonition - *Unreported (2003)*
Decided: 6/3/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Howard A. Stern for District IIB
William F. McEnroe for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who engaged in a prohibited business transaction with a client without disclosing the attorney's personal interest in the matter and the fact that he did not intend to represent the client in the transaction.

THOMAS M. MURRAY, JR.

Admitted: 1971; Hackensack (Bergen County)
Reprimand - *177 N.J. 503 (2003)*
Decided: 9/4/2003

APPEARANCES BEFORE REVIEW BOARD
Steven Pontell for District IIB
Thomas M. Murray, Jr. appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected two separate client matters and, in one, misrepresented the status of the matter to the client, despite the fact that the complaint was dismissed for failure to prosecute.

CYNTHIA SHARP MYERS

Admitted: 1983; Haddon Heights (Camden County)
Censure – *178 N.J. 4 (2003)*
Decided: 10/27/2003

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Carl D. Poplar for Respondent

The Supreme Court of New Jersey held that a censure was the appropriate discipline for an attorney who made a misrepresentation to law enforcement officers when interviewed about a capital murder investigation involving State v. Fred Neulander. During the trial of that matter, the respondent later testified and admitted that she had lied to investigators during the earlier interview. The respondent was previously disciplined. In 1999, she received a reprimand after she had a flyer published and circulated in several newspapers regarding living trusts and estate practice, which contained a number of inaccurate misleading statements. *In re Sharp, 157 N.J. 27.*

CHRIS S. NELSON

Admitted: 1980; Woodbridge (Middlesex County)
Admonition -*Unreported (2003)*
Decided: 7/3/2003

APPEARANCES BEFORE REVIEW BOARD
Richard Galex for District VIII
John Peter Duggan for Respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to correct miscalculations at a real estate closing and failed to take proper action to reimburse the seller. During the committee's investigation of this matter, and another matter,

the respondent failed to cooperate with the disciplinary system as required by court rules.

ANTHONY C. NWAKA

Admitted: 1992; East Orange (Essex County)
Suspension 3 Months – *176 N.J. 516 (2003)*
Decided: 7/1/2003 Effective: 8/1/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Gary A. Carlson for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was retained by a client in connection with a personal injury action against his landlord. The attorney grossly neglected the matter, failed to keep his client informed about the status of the case and failed to notify the client, for more than a year, that the matter had been dismissed. Respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

NICHOLAS PANARELLA, JR.

Admitted: 1974; Marlton (Burlington County)
Suspension 3 Years – *177 N.J. 565 (2003)*
Decided: 9/30/2003 Effective: 4/3/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Richard L. Scheff, admitted pro hac vice, for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who pleaded guilty in the United States District Court for the Eastern District of Pennsylvania to a Superseding Indictment charging him with being an accessory after the fact in a wire fraud scheme to deprive the public of the honest services of an elected official (Pennsylvania State Senator F. Joseph Loeper, Jr.), in violation of 18 U.S.C.A. 3, 1343, and 1346. Specifically, from 1993 to 1997, either directly or indirectly, respondent caused a total of $330,000 to be paid to a Pennsylvania State Senator and assisted him in concealing their financial relationship. Furthermore, while concealing the relationship, the Senator took legislative actions that were favorable to respondent. The respondent had been temporarily suspended from the practice of law in the State of New Jersey since April 2, 2001. *In re Panarella, 167 N.J. 53.*

PAUL J. PASKEY

Admitted: 1983; Bayonne (Hudson County)
Suspension 6 Months - *175 N.J. 500 (2003)*
Decided: 2/26/2003 Effective: 6/18/2003

REPRESENTATIONS BEFORE REVIEW BOARD
James P. Flynn for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in four client matters, was guilty of gross neglect, pattern of neglect, lack of diligence, failure to communicate with clients and failure to cooperate with disciplinary authorities during the investigation and processing of the matters.

Respondent has a disciplinary history. In 1998, he received an admonition for gross neglect, lack of diligence and failure to communicate with a client. He was temporarily suspended in 2002 for serious irregularities in his record keeping practices. Thereafter, he received a three months suspension in 2002 in a default matter involving gross neglect, failure to communicate with a client, and failure to cooperate with disciplinary authorities. *In re Paskey, 174 N.J. 334*. Also in 2002, the respondent was suspended for an additional period of three months for grossly neglecting two separate client matters, failing to communicate with the clients and, in one case, misrepresentation to a client of the status of the matter.

JAMES I. PECK, IV

Admitted: 1974; West Orange (Essex County)
Suspension 21 Months – *177 N.J. 249 (2003)*
Decided: 7/23/2003 Effective: 10/25/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Dennis A. Cipriano for Respondent

The Supreme Court of New Jersey held that a 21 month time-served suspension retroactive to October 25, 2001, the effective date of respondent's automatic temporary suspension from practice, was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of possession of child pornography, in violation of 18 *U.S.C.A.* 2252(a)(4)(B). The respondent admitted that he knowingly possessed at least three magazines depicting minors engaged in sexually explicit conduct. The respondent had been temporarily suspended from the practice of law since October 25, 2001. *In re Peck, 170 N.J. 4.*

EDWARD F. PETIT-CLAIR

Admitted: 1970; Brick (Ocean County)
Admonition – *Unreported (2003)*
Decided: 12/4/2003

APPEARANCES BEFORE REVIEW BOARD
Guy P. Ryan for District IIIA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who had existing clients execute a mortgage on their residence in order to secure his legal fees, without complying with the provisions of RPC 1.8(a), including securing their informed consent to the transaction and advising them of the necessity to seek independent counsel prior to executing the mortgage.

DEBORAH A. PIERCE

Admitted: 1994; Vauxhall (Union County)
Reprimand - *177 N.J.502 (2003)*
Decided: 9/4/2003

APPEARANCES BEFORE REVIEW BOARD
Janice L. Richter for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a series of three cases, engaged in gross neglect, lack of diligence, failure to communicate with a client, failure to communicate in writing the basis or rate of the fee, and failure to cooperate with disciplinary authorities during the investigation of the matter.

JOSEPH E. POVEROMO

Admitted: 1988; Hackensack (Bergen County)
Reprimand - *176 N.J. 507 (2003)*
Decided: 6/20/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Joseph E. Poveromo, Pro Se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was convicted in the Superior Court of Passaic County of the fourth degree crime of contempt, in violation of N.J.S.A. 2C:29-9(b) involving the knowing violation of a provision of an order entered under the Prevention of Domestic Violence Act of 1990.

The respondent was reprimanded in 2002 for gross neglect, lack of diligence, failure to communicate with the client, and failure to cooperate with ethics authorities. In re Poveromo, 170 N.J. 625. In that same year, respondent was again reprimanded for failing to cooperate with disciplinary authorities. In re Poveromo, 170 N.J. 627.

JOSEPH E. POVEROMO

Admitted: 1988; Hackensack (Bergen County)
Suspension 3 Months – *176 N.J. 508 (2003)*
Decided: 6/20/2003

APPEARANCES BEFORE REVIEW BOARD
Brian D. Iton for District IIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected two client matters, failed to communicate with the clients and failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

The respondent was reprimanded in 2002 for gross neglect, lack of diligence, failure to communicate with the client, and failure to cooperate with ethics authorities. *In re Poveromo, 170 N.J. 625* In that same year, respondent was again reprimanded for failing to cooperate with disciplinary authorities. *In re Poveromo, 170 N.J. 627.*

JOSEPH E. POVEROMO

Admitted: 1988; Hackensack (Bergen County)
Suspension 3 Months – *Unreported (2003)*
Decided: 9/30/2003 Effective: 9/25/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Brian D. Iton for District IIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from practice for a period of three months was the appropriate discipline for an attorney who accepted a $1,200 fee as a retainer to file a divorce complaint and then grossly neglected the matter, failed to communicate with the client, failed to take steps reasonably to protect the client's interests on termination of representation, and failed to cooperate with disciplinary authorities during the investigation and processing of the matter.

The respondent has a disciplinary history. In 2002, he was reprimanded for gross neglect, lack of diligence, failure to communicate with a client, and failure to cooperate with disciplinary authorities. *In re Poveromo, 170 N.J. 625.* In that same year, he was again reprimanded for failure to cooperate with disciplinary authorities and for other ethics violations. *In re Poveromo, 170 N.J. 627.* In 2003, the Court imposed another reprimand for respondent's conviction for contempt, when he violated a restraining order in a domestic relations matter. *In re Poveromo, 176 N.J. 507.* Again in 2003, the Court imposed a three-month suspension against the respondent for misconduct in two cases, including gross neglect, pattern of neglect, lack of diligence, failure to communicate with clients, failure to reply to a reasonable request for information from a disciplinary authority, and other violations of the Rules of Professional Conduct. *In re Poveromo, 176 N.J. 508.*

KEVIN S. QUINLAN

Admitted: 1993, Tuckerton (Ocean County)
Admonition - *Unreported (2003)*
Decided: 10/22/2003

APPEARANCES BEFORE REVIEW BOARD
Robert F. Rupinski for District IIIB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who prematurely released a $1,000 real estate escrow for the completion of repairs to the seller, without first obtaining his client's authorization as the buyer.

RICHARD W. RAINES

Admitted: 1977; Newark, (Essex County)
Suspension 3 Months - *176 N.J. 424 (2003)*
Decided: 6/3/2003

APPEARANCES BEFORE REVIEW BOARD
Sheila H. Mylan for District VC
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in the practice of law during a period when he had been declared ineligible by the Supreme Court for failure to pay the annual attorney registration fee. Respondent also was found guilty of failing to diligently represent a client at an arbitration hearing arising from her dismissal as a school crossing guard and failing to communicate with a client and to cooperate with the district ethics committee during the investigation and processing of this matter.

BETH B. REISMAN-SHOLOM

Admitted: 1989; Freehold (Monmouth County)
Disbarment by Consent - *176 N.J. 161 (2003)*
Decided: 5/7/2003

APPEARANCES
Brian D. Gillet for Attorney Ethics
Michael Gross for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of an attorney who admitted that she could not successfully defend pending disciplinary allegations that she knowingly misappropriated client trust funds.

JOHN F. RICHARDSON

Admitted: 1968; Somerville (Somerset County)
Reprimand - *177 N.J. 227 (2003)*
Decided: 7/17/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
John P. McDonald for Respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to a one-count information charging him with a federal misdemeanor – knowing and willful failure to keep and maintain Internal Revenue Service form 8300, in violation of 26 U.S.C.A. 7203. The information showed that on 24 occasions, between August 24, 1988 and December 31, 1998, clients gave respondent cash amounts ranging from $1,000 to $10,000 for a total of $164,546 and that the respondent failed to file and maintain IRS form 8300 because he suspected that his clients were trying to hide income. The clients used the cash to buy real property with the respondent acting as the attorney.

JOHN F. RODGERS, JR.

Admitted: 1970; Lindenwold (Camden County)
Suspension 3 Months - *177 N.J. 501 (2003)*
Decided: 9/4/2003 Effective: 10/4/2003

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery III for Attorney Ethics
John F. Rodgers, Jr. appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, as administrator of an estate, engaged in gross neglect, lack of diligence, failure to communicate with a client, and failure to properly deliver funds or property to a client or third person. Respondent's unethical conduct resulted in the successor administrator obtaining a judgment against the respondent for $70,000 plus interest for his malfeasance.

DONALD S. ROSANELLI

Admitted: 1981; Newark (Essex County)
Suspension 6 Months - *176 N.J. 275 (2003)*
Decided: 5/20/2003 Effective: 6/22/2003

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Robert J. DeGroot for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who pled guilty to an accusation in the Superior Court of New Jersey, Law Division, Bergen County, charging him with endangering the welfare of a child, a crime of the fourth degree, in violation of N.J.S.A. 2C:24-4(b)(5)(b), as a result of his downloading 23 pictures of children engaged in various sexual acts.

RICHARD L. ROSENTHAL

Admitted: 1965; Morris Plains (Morris County)
Suspension 6 Months - *177 N.J. 606 (2003)*
Decided: 10/14/2003 Effective: 11/15/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Alan J. Strelzik for District X
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who represented a client in a personal injury action and, although he initially took steps to investigate the matter, failed to prosecute the claim and, for a period of 1½ years, failed to communicate with the client. When he did communicate with the client, the respondent misrepresented that the complaint had been filed on his behalf and also supplied the client with a false docket number to reinforce the fabrication.

In 1982, respondent was publicly reprimanded for prejudicing his client's interests, failing to advise the client that her suit was about to be dismissed and, later, that it was dismissed, and failing to represent her zealously. *In re Rosenthal, 90 N.J. 12.* In 1990, he was suspended for one year for gross neglect, pattern of neglect, failure to seek the lawful objectives of his clients, failure to carry out contracts of employment, failure to adequately communicate with his clients, misrepresentations to clients, failure to refund a retainer, and failure to cooperate with disciplinary authorities. *In re Rosenthal, 118 N.J. 454.*

DAVID S. RUDENSTEIN

Admitted: 1981; Merchantville (Camden County)
Admonition - *Unreported (2003)*
Decided: 2/4/2003

REPRESENTATIONS BEFORE REVIEW BOARD
John P. Jehl for District IV
Respondent appeared pro se

The Disciplinary Review Board accepted a Motion for Discipline by Consent and held that an admonition was the appropriate discipline for an attorney who, for a period of 11 months, practiced law while ineligible for failure to pay the calendar year 2000 annual attorney assessment.

JON CHRISTIAN SAJOUS

Admitted: 1986; Hempstead, New York
Disbarment - *175 N.J. 441 (2003)*
Decided: 2/20/2003

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that Disbarment was the appropriate discipline for an attorney who was reciprocally disbarred in the state of New York as a result of a conviction in the District Court of Nassau County for criminal solicitation in the fourth degree. The matter arose from respondent's attempt to prevent a witness, a 14 year old boy, from testifying against his client by engaging a third party to threaten the witness with physical injury.

DAVID F. SALVAGGIO

Admitted: 1977; Morristown (Morris County)
Reprimand – *178 N.J. 20 (2003)*
Decided: 11/12/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Deborah E. Nelson for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who accepted a retainer from a client to resolve a matter and then grossly neglected the case, failed to communicate with the client and made misrepresentations to the client about the status of the case.

WOLF A. SAMAY

Admitted: 1980; Passaic (Passaic County)
Suspension 3 Years - *175 N.J. 438 (2003)*
Decided: 2/11/2003 Effective: 3/12/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who had been removed by the Supreme Court of New Jersey as a Municipal Court Judge in the city of Passaic. *In re Samay, 166 N.J. 25 (2001)*. Specifically, the respondent, for vengeful reasons, abused his judicial power to further his own personal interests. In one case, respondent arranged for the arrest of the estranged wife of a councilman who had actively participated in his appointment to the Municipal Bench. He compounded the situation by refusing to recuse himself from the arraignment proceeding, despite the fact that he recused himself from several other matters involving the same parties in the past. In the second case, respondent orchestrated the arrest of another individual by falsely reporting to police that that individual had threatened to kill his son. Again, respondent presided over the arraignment of that defendant even in the face of a motion to recuse citing the fact that respondent was both the judge and the complainant

EMILIO SANTIAGO

Admitted: 1995; Clifton (Passaic County)
Suspension 3 Months - *175 N.J. 499 (2003)*
Decided: 2/26/2003 Effective: 3/28/2003

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Alan Silber for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who concocted a "misidentification" plan to represent a DWI client. As a result, the attorney had one other than the client appear in municipal court as the client. The municipal court prosecutor discovered the rouse and respondent was indicted in Monmouth County for conspiracy to commit perjury, in violation of *N.J.S.A. 2C:5-2 and N.J.S.A. 2C:28-1*, third degree crimes; making a false report to law enforcement authorities, in violation of *N.J.S.A. 2C:28-4(a)*, a fourth degree crime; and contempt of court in violation of *N.J.S.A. 2C:29-9*, a fourth degree crime. Thereafter, respondent was admitted into the Pretrial Intervention Program and the charges were later dismissed. The Court held that the respondent's conduct in this matter involved knowingly making a false statement of material fact or law to a tribunal, committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness, conduct involving dishonesty, fraud, deceit or misrepresentation and conduct prejudicial to the administration of justice.

GLEN L. SCHEMANSKI

Admitted: 1979; Cherry Hill (Camden County)
Reprimand - *175 N.J. 104 (2003)*
Decided: 1/14/2003

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated over $12,000 in client trust funds. He also commingled personal and trust funds and failed to maintain proper records, as required by *R. 1:21-6*.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

WILLIAM E. SCHETLICK

Admitted: 1990; Hackettstown (Warren County)
Reprimand – *176 N.J. 482 (2003)*
Decided: 6/20/2003

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
William E. Schetlick, Pro Se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, between 1998 and 1999, in three separate client matters, neglected a will contest, a post-judgment divorce matter, and an eviction proceeding, also failing to communicate with the clients during their representations. In addition, respondent failed to utilize retainer agreements, improperly cashed retainer checks instead of depositing them to either his trust or business account, and failed to maintain client ledger cards for some matters.

THOMAS J. SCHIAVO

Admitted: 1979; Ledgewood (Morris County)
Suspension 3 Years - *176 N.J. 149 (2003)*
Decided: 5/6/2003 Effective Date: 2/2/2001

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Peter N. Gilbreth for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who grossly neglected six client matters, failed to timely turn over third-party funds, negligently misappropriated client trust funds, failed to comply with his recordkeeping responsibilities, failed to cooperate with the Office of Attorney Ethics, made a misrepresentation to that office, and failed to comply with R.1:20-20 requiring him to notify clients, courts and adversaries of his initial temporary suspension from the practice of law. The Court also found that respondent's abandonment of clients occurred, not because of indifference to their wellbeing, but because of the respondent's alcoholism and other serious personal problems.

The respondent was temporarily suspended by the Supreme Court on October 26, 1999 for failure to cooperate with the Office of Attorney Ethics in its investigation of the above matter. *In re Schiavo, 162 N.J. 43.* In 2000, respondent was suspended from the practice of law for a period of three months, for lack of diligence, failure to communicate with a client, failure to promptly deliver third-party funds, failure to return an unearned retainer, knowingly disobeying an obligation under the rules of a tribunal and misrepresentation. *In re Schiavo, 165 N.J. 533.*

STUART P. SCHLEM

Admitted: 1983; Manalapan (Monmouth County)
Suspension 3 Months - *175 N.J. 437 (2003)*
Decided: 2/11/2003 Effective: 3/12/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Regina D. Aifer for District IX
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in connection with an appeal from a condemnation action, engaged in gross neglect, lack of diligence, failure to communicate with a client, misrepresentation and failure to cooperate with disciplinary authorities during the investigation and processing of the matter.

The respondent has a disciplinary history. In 1994, respondent was privately reprimanded for failure to communicate with a client. In 2000, he received a reprimand for record keeping deficiencies, in violation of *R. 1:21-6* and *RPC 1.15(d)*, and failure to cooperate with disciplinary authorities. *In re Schlem, 165 N.J. 536 (2000)*.

JEFFREY D. SERVIN

Admitted: 1977; Camden (Camden County)
Suspension 3 Months - *176 N.J. 504 (2003)*
Decided: 6/20/2003 Effective: 7/21/2003

APPEARANCES BEFORE REVIEW BOARD
Anne S. Cantwell for District IV
Michael D. Miller for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to maintain a bona fide office as required by R.1:21-1(a). Respondent has a disciplinary history. He was privately reprimanded in 1990 for commingling personal and client funds and failing to comply with trust and business account recordkeeping requirements. In 2000, he was reprimanded for failure to maintain a bona fide office. *In re Servin, 164 N.J. 366.*

BENJAMIN A. SILBER

Admitted: 1976; Carneys Point (Salem County)
Disbarment by Consent - *175 N.J. 552 (2003)*
Decided: 3/10/2003

REPRESENTATIONS
Michael J. Sweeney for Attorney Ethics
Angelo J. Falciani for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of trust funds in an estate matter.

This matter was discovered solely as a result of the Random Audit Compliance Program.

The respondent had been previously disciplined. In 1995, the respondent received a reprimand for improperly communicating with a party known to have been represented by counsel and for improperly drafting a release in an attempt to avoid a disciplinary action. *In re Silber, 139 N.J. 605*. In 2001, he received another reprimand for negligent misappropriation of client trust funds in four instances and for failure to maintain proper attorney records. *In re Silber, 167 N.J. 3*.

LESLIE A. SMALLWOOD

Admitted: 1981; Elkins Park (Pennsylvania)
Disbarment - *176 N.J. 506 (2003)*
Decided: 6/20/2003

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who was disbarred in the Commonwealth of Pennsylvania for knowingly misappropriating clients' trust funds in the amount of at least $139,500.

JOAN GERTSACOV SMITH

Admitted: 1974; Moorestown (Burlington County)
Suspension 3 Years – *178 N.J. 86 (2003)*
Decided: 11/21/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who grossly neglected an estate matter by allowing it to remain open and unresolved for a period of 17 years. Additionally, respondent delayed accountings and making timely distribution of the estate, despite repeated requests from the Division of Law of the Office of the Attorney General of the State of New Jersey and five court orders requiring her to do so. Moreover, the respondent charged an unreasonable fee, failed to safeguard property, and failed to cooperate with disciplinary authorities during the investigation and processing of this matter. The respondent has an extensive disciplinary history. In 1991, she received a private reprimand for lack of diligence, failure to communicate with the client, and failure to cooperate with disciplinary authorities, in connection with a matrimonial matter. She was suspended from the practice of law for a period of six months in 1997 for lack of diligence, failure to communicate with a client, failure to turn over a client's file, failure to return an unearned fee, and failure to cooperate with disciplinary authorities. *In re Smith, 151 N.J. 483.* In 2000, she was again suspended for an additional six month period, in a default matter, for failure to communicate the basis or rate of the fee in writing, failure to surrender the client's papers upon termination of representation, failure to cooperate with

disciplinary authorities, and failure to give notice of suspension as required by R.1:20-20. *In re Smith, 165 N.J. 541.*

STEVEN W. SMOGER

Admitted: 1969, Margate (Atlantic County)
Reprimand - *176 N.J. 160 (2003)*
Decided: 5/6/2003

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Carl D. Poplar for Respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who had been removed as a municipal court judge for numerous violations of the Code of Judicial Conduct. *In re Smoger, 173 N.J. 25 (2002).* With respect to his discipline as an attorney, the Supreme Court held that the respondent's refusal to accept the Supreme Court's decision that he should not serve as a referee in professional boxing matches while sitting as a municipal court judge, followed by a subsequent misrepresentation to the then-Administrative Director of the Courts and the Advisory Committee on Judicial Conduct, stating that he had stopped doing so when, in fact, that was untrue, reflected adversely on his fitness to practice law and warranted a reprimand.

JOHN W. SPOGANETZ

Admitted: 1978; Carteret (Middlesex County)
Admonition - *Unreported (2003)*
Decided: 6/26/2003

APPEARANCES BEFORE REVIEW BOARD
Hillary L. Brower for District VIII
James P. Nolan, Jr. for Respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was hired by a client to collect $250,000 from the client's nephew. The respondent filed a lis pendens representing that litigation was pending between the client and the debtor. Respondent knew that that information was inaccurate.

WALTER M. STENHACH

Admitted: 1981; Coudersport, Pennsylvania
Suspension 9 Months – *177 N.J. 559 (2003)*
Decided: 9/16/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of nine months was the appropriate discipline for an attorney who was suspended in the Commonwealth of Pennsylvania for a nine month period based upon his conviction in the Court of Common Pleas, Dauphin County, Pennsylvania, to two counts of willful failure to file and willful failure to remit Pennsylvania income taxes, in violation of 72 P.S. Section 7353(c), for the years 1996 and 1997. He had previously received a public censure (reprimand) in Pennsylvania for his conviction for the willful failure to file a federal income tax return for calendar year 1991.

RICHARD C. SWARBRICK

Admitted: 1958; Piscataway (Middlesex County)
Reprimand - *178 N.J. 20 (2003)*
Decided: 11/12/2003

APPEARANCES BEFORE REVIEW BOARD
Janice L. Richter for Attorney Ethics
Robert E. Margulies for Respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in three separate matters, engaged in conduct intended to disrupt a tribunal. Respondent's violations included numerous statements in front of the jury that the judge was unfair and prejudiced, announcing the time more than 130 times during a jury trial, which conduct was disruptive, and his failure to expedite litigation. As the Disciplinary Review Board noted in its unreported opinion:

> As an experienced practitioner, he knew better than to comport himself the way he did before these judges. As to respondent's claims that the judges were biased against his clients, the proper forum for that argument is the appellate tribunal or a judicial review board. Further, respondent's conduct was not an aberrational outburst, but a continued course of conduct throughout the proceedings.

The respondent previously received a private letter of reprimand in 1988 for his verbal assault on a municipal court judge during a court proceeding, for which he was cited three times for contempt and fined $450.

DOROTHY S. TAMBONI

Admitted: 1991; Middle Village (New York)
Suspension 3 Years – *176 N.J. 566 (2003)*
Decided: 7/1/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
John B. Sogliuzzo for Respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who was disbarred in the State of New York following her federal

conviction on one count of witness tampering, in violation of 18. U.S.C.A. Section 11512(b). She had been temporarily suspended from the practice of law since April 12, 2000. *In re Tamboni, 163 N.J. 293.*

THADEUS A. TANSKI

Admitted: 1997; Garfield (Bergen County)
Reprimand - *175 N.J. 153 (2003)*
Decided: 1/28/2003

APPEARANCES BEFORE REVIEW BOARD
Janice L. Richter for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey accepted a Motion for Discipline by Consent and held that a reprimand was the appropriate discipline for an attorney who engaged in gross neglect by failing to properly manage his client's property, which was ultimately listed for sheriff's sale. He also permitted two other clients to live in the property rent free, without fully disclosing this conflict of interest to the clients. Lastly, he failed to execute a substitution of attorney form in a matter and to turn over the client's file to the new attorney.

SANDRA R. TAYLOR

Admitted: 1990; South Orange (Essex County)
Reprimand - *176 N.J. 123 (2003)*
Decided: 4/24/2003

APPEARANCES BEFORE REVIEW BOARD
Herbert I. Waldman for District VB
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a series of five client matters, engaged in gross neglect, lack of diligence, failure to communicate with the clients, failure to take steps to protect the clients' interests on termination of representation and failure to provide clients with the proper notice on the sale of her law practice. In fashioning the discipline imposed in this case, the Court gave credence to respondent's mitigation that she had severe emotional problems during the time in question and that she did make attempts to close her practice down and distribute client files. The Disciplinary Review Board concluded that, although she did not follow proper procedures, her conduct was not motivated by indifference to her clients' interests. The Supreme Court also determined that the respondent should practice under the supervision of a practicing attorney approved by the Office of Attorney Ethics for a period of one year.

JEFF E. THAKKER

Admitted: 1995; East Brunswick (Middlesex County)
Reprimand - *177 N.J. 228 (2003)*
Decided: 7/17/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who pled guilty in the Spring Lake Municipal Court to harassment, in violation of N.J.S.A. 2C:33-4(a), a petty disorderly persons offense. The basis of the charge was that the respondent harassed a former client, telephoning her repeatedly, after she told him to stop. Additionally, respondent was abusive to the police officer who responded in the matter. Despite the police officer's warning, the respondent continued to call the former client and the police officer.

TERRANCE N. TONER

Admitted: 1988; Perth Amboy (Middlesex County)
Admonition - *Unreported (2003)*
Decided: 5/23/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Terrance N. Toner, Pro Se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain attorney trust and business account records in accordance with R.1:21-6 and who negligently misappropriated client trust funds. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

RAYMOND N. TORRES, JR.

Admitted: 1986, West Orange (Essex County)
Reprimand - *176 N.J. 153 (2003)*
Decided: 5/6/2003

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Anthony P. Ambrosio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a series of two client cases, neglected the matters, failed to communicate with the clients, failed to pay funds due to a client and to third parties, improperly lent funds to a client, and violated recordkeeping rules. Additionally, the Supreme Court determined that, for a period of one year, the respondent must practice law under the supervision of a proctor and must submit quarterly reconciliations of his attorney trust account to the Office of Attorney Ethics for a period of two years.

JOHN A. TUNNEY

Admitted: 1988; Woodbridge (Middlesex County)
Reprimand - *176 N.J. 273 (2003)*

Decided: 5/20/2003

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Pamela Lynn Brause for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected three matters for the same client and misrepresented their status to the client over a period of years. In those matters and in one other client's matter, respondent also failed to turn over the files to the clients or new counsel and failed to cooperate with the disciplinary system during the investigation and processing of the matter. In view of the fact that the respondent also suffered from depression, for which he has been under psychiatric care since 2000, the Court also ordered that the respondent must submit proof of his fitness to practice law by a mental health professional within thirty days after being disciplined.

VINCENT C. UCHENDU

Admitted: 1990; Washington, D.C.
Reprimand - *177 N.J. 509 (2003)*
Decided: 9/4/2003

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who had been disciplined by a 30-day suspension in the District of Columbia for improperly signing clients' names on at least sixteen documents, notarizing the documents, and then filing them with the Probate Division of the District of Columbia Superior Court. In mitigation, the respondent submitted that his conduct did not involve serious misrepresentations and he produced affidavits from the clients that they authorized the respondent to sign their names to the filings.

KENNETH VAN RYE

Admitted: 1979; Elmwood Park (Bergen County)
Disbarment - *176 N.J. 162 (2003)*
Decided: 5/6/2003

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, in the current matter, was retained to represent a client in a wrongful death lawsuit and failed to appear for trial, resulting in dismissal of the complaint. The respondent took no action thereafter to reinstate it and misrepresented the status of the matter to his clients. In addition to grossly neglecting the client's matter, respondent failed to cooperate with disciplinary authorities during the investigation and processing of the case. In light of respondent's extensive disciplinary record, including four suspensions in 12 years, the Supreme Court held that disbarment was appropriate. His prior disciplinary history included a suspension for three months in 1991 for recordkeeping violations, failure to submit a formal accounting to a client, failure to properly designate an account as an attorney trust account, and withdrawal of fees from a client account without first depositing them into his business account. *In re Van Rye, 124 N.J. 664.* In 1992, respondent was suspended for two years for entering into a business transaction with a client without advising him to obtain independent counsel, executing a jurat on a document signed outside his presence, improperly altering a deed, signing closing documents without a power of attorney, and disbursing mortgage proceeds without obtaining the requisite authorization. *In re Van Rye, 128 N.J. 108.* Respondent was suspended for three months in 2001 for exhibiting a lack of diligence and failing to cooperate with disciplinary authorities. *In re Van Rye, 167 N.J. 592.* In 2002, the respondent was suspended for six months for failure to communicate with a client, failure to communicate the rate or basis of the legal fee in writing, failing to cooperate with disciplinary authorities, and knowingly violating the Rules of Professional Conduct. *In re Van Rye, 170 N.J. 405.*

CLIFFORD VAN SYOC

Admitted: 1980; Cherry Hill (Camden County)
Admonition - *Unreported (2003)*
Decided: 4/24/2003

APPEARANCES BEFORE REVIEW BOARD
Richard B. Charny for District I
Steven K. Kudatzky for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, for a period of nine months, failed to advise clients with whom he had met that the firm had neither accepted nor declined their representation.

SHARON WADE-SPEARMAN

Admitted: 1980; Irvington (Essex County)
Reprimand - *176 N.J. 509 (2003)*
Decided: 6/20/2003

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Meldon D. Jenkins-Jones appeared for Respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who knowingly filed a false divorce complaint asserting that the client was a resident of Essex County both at the time the cause of action accrued and at the time of the filing of the complaint.

The respondent also served as a municipal court judge at the time of her misconduct.

CAROL WARD

Admitted: 1992; Carteret (Middlesex County)
Disbarment by Consent – *176 N.J. 521 (2003)*
Decided: 7/7/2003

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Darren M. Gelber for Respondent

The Supreme Court of New Jersey accepted the disbarment by consent of an attorney who admitted that she could not successfully defend pending disciplinary charges alleging the knowing misappropriation of client trust funds. The respondent had been temporarily suspended from the practice of law since December 3, 2002.

MAURY R. WINKLER

Admitted: 1990; Newark (Essex County)
Reprimand - *175 N.J. 438 (2003)*
Decided: 2/11/2003

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Bernard K. Freamon for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who commingled personal and trust funds in his trust account, negligently misappropriated trust funds and failed to maintain his attorney records in accordance with *R. 1:21-6*.

DAVID J. WITHERSPOON

Admitted: 1994; Newark (Essex County)
Reprimand - *176 N.J. 149 (2003)*
Decided: 5/6/2003

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery III for District VA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who represented a client in a tax appeal and then failed to communicate the status of the matter to the client, and also failed to cooperate with disciplinary authorities during the investigation and processing of the matter.

The respondent previously received an admonition in 2002 for numerous recordkeeping violations, failure to maintain a bona fide law office and the use of a misleading mail drop address on his letterhead.

DAVID J. WITHERSPOON

Admitted: 1994; Newark (Essex County)
Admonition - *Unreported (2003)*
Decided: 10/24/2003

APPEARANCES BEFORE REVIEW BOARD
Stephen H. Knee for District VA
Respondent argued the cause pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was retained by a client to pursue a municipal tax appeal. The respondent failed to communicate the status of the matter to his client or communicate with her so that she could make informed decisions about the representation.

The respondent previously received an admonition in 2002 for numerous recordkeeping violations, failure to maintain a bona fide law office and the use of a misleading mail drop address on his letterhead. Respondent received a reprimand in May 2003 for failing to communicate the status of a matter to a client, and failing to cooperate with disciplinary authorities during the investigation and processing of the matter. *In re Witherspoon, 176 N.J. 149.*

LOUANN K. WONSKI

Admitted: 1992; Sewaren (Middlesex County)
Reprimand - *177 N.J. 508 (2003)*
Decided: 9/4/2003

REPRESENTATIONS BEFORE REVIEW BOARD
Gregory J. Giordano for District VII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who was retained to file a claim for personal injuries and then failed to properly communicate with the client and failed to withdraw from representation after her services were terminated. The respondent also failed to return the client's file, even after the succeeding attorney obtained a court order compelling that result. The respondent also failed to cooperate with the district ethics committee during the investigation and processing of this matter.

CASSELL WOOD, JR.

Admitted: 1974; North Plainfield (Union County)
Reprimand - *175 N.J. 436 (2003)*
Decided: 2/11/2003

APPEARANCES BEFORE REVIEW BOARD
Jamie K. Von Ellen for District XII
Michael Blacker for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in representing a client in a contested probate matter, totally mishandled the matter from the outset. Respondent's only significant actions in the case were his attempt to file a procedurally defective accounting, which the Probate Court promptly rejected. The respondent had no reasonable explanation for his chronic failure to attend to the case. As a result, the Court found him guilty of gross neglect, lack of diligence, failure to communicate, failure to expedite litigation, failure to comply with discovery requests and conduct prejudicial to the administration of justice.

The respondent has a disciplinary history. In 1985, he received a private reprimand for record keeping violations. In 2002, he was suspended for three months for negligent misappropriation of client funds, record keeping violations, permitting or authorizing a disbarred attorney to perform services for him and failure to cooperate with disciplinary authorities. *In re Wood, 170 N.J. 628*.

LOIS ANNE WOOD

Admitted: 1983; Trenton (Mercer County)
Reprimand - *175 N.J. 586 (2003)*
Decided: 3/25/2003

APPEARANCES BEFORE REVIEW BOARD
Joan Josephson for District VII Ethics Committee
Lois Anne Wood waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with disciplinary authorities during the investigation of a matter.

In 1997, respondent received an admonition for also failing to cooperate with disciplinary authorities during an earlier investigation.

PETER A. WOOD

Admitted: 1993; Williamstown (Gloucester County)
Suspension 3 Months - *175 N.J. 551 (2003)*
Decided: 3/11/2003 Effective: 11/14/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in the practice of law after having been declared ineligible by the Supreme Court for failure to pay his annual attorney registration fee, represented a client in a collection matter without a written fee agreement, failed to remit the debtor's payments to his client and failed to cooperate during the investigation of the grievance with the disciplinary system.

The respondent was previously disciplined. On November 14, 2002, he was suspended for three months from the practice of law for gross neglect, failure to communicate, failure to cooperate with ethics authorities and misrepresentation. *In re Wood, 174 N.J. 507*. He was not reinstated thereafter.

SCOTT WOOD

Admitted: 1988; Mount Holly (Burlington County)
Censure – *177 N.J. 514 (2003)*
Decided: 9/9/2003

APPEARANCES BEFORE REVIEW BOARD
Melissa A. Czartoryski for District IIIB
Respondent waived appearance

The Supreme Court of New Jersey held that a censure was the appropriate discipline for an attorney who was retained to file an appeal, but then grossly neglected the matter, allowing it to be dismissed. The respondent took no steps to reinstate the appeal. He also failed to communicate with the client. The respondent was previously disciplined. In 1999, he received an admonition for failure to communicate with a client in a matrimonial matter. In 2000, he received a reprimand in a default matter for lack of diligence and failure to communicate with his client in two matters. *In re Wood, 165 N.J. 564.*

STANLEY M. YACKER

Admitted: 1963; Matawan (Monmouth County)
Disbarment by Consent – *176 N.J. 519 (2003)*
Decided: 7/7/2003

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Lawrence S. Lustberg for Respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who pled guilty to a superseding indictment, no. 01-47, in the United States District Court for the District of New Jersey to charges of conspiracy to commit wire fraud (18 U.S.C.A. 371), wire fraud (18 U.S.C.A. 1343), and a one-count Information charging conspiracy to commit wire fraud (18 U.S.C.A. 371). The respondent had been temporarily suspended from the practice of law since February 5, 2002.

ELAINE P. ZAMULA

Admitted: 1976; Lavellette (Ocean County)
Reprimand - *176 N.J. 152 (2003)*
Decided: 5/6/2003

APPEARANCES BEFORE REVIEW BOARD
Guy P. Ryan for District IIIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who was retained to represent a client in an estate matter and then failed to reasonably communicate with the client, failed to act diligently, and failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

KAREL L. ZARUBA

Admitted: 1977; Naples, Florida
Suspension 1 Year – *177 N.J. 564 (2003)*
Decided: 9/30/2003

APPEARANCES BEFORE REVIEW BOARD
Janice L. Richter for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for corporate counsel for Warner-Lambert, who essentially bribed two attorneys not to pursue future claims against the drug company in exchange for the payment of $225,000. Mr. Zaruba's offering of the agreement placed defense counsel in a conflict of interest situation with their own clients, because the agreement contained a confidentiality clause, that prohibited the attorneys from disclosing the full terms of the settlement to their clients. Those terms included an agreement not to sue or otherwise assert any claims on behalf of any parties against Warner-Lambert relating to the product in question and that the $225,000 payment was for reasonable fees and expenses for the litigation, with the clients receiving only a full, money-back guarantee for the defective product. The attorneys told their clients that they were abandoning claims against Warner-Lambert because they had not obtained a sufficient number of consumers willing to join the class action. The agreements here violated RPC 5.6(b) by making an agreement in which a restriction on a lawyer's right to practice is part of the settlement; and 8.4(a) by inducing or assisting others to violate the RPC's. In an unreported opinion, the Disciplinary Review Board advised the bar that:

> "We caution the bar that efforts to buy off plaintiffs' counsel by secret agreements of the kind present here will be viewed as extremely serious, warranting substantial suspensions."

JAMES C. ZIMMERMANN

Admitted: 1991; Vernon (Sussex County)
Reprimand – *178 N.J. 109 (2003)*
Decided: 11/21/2003

APPEARANCES BEFORE REVIEW BOARD
Carol White-Connor for District X
Donald A. Caminiti for Respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who represented a client charged with DWI and careless driving arising out of a motor vehicle accident. He was also retained to represent the client in a personal injury action, which he grossly neglected, and he failed to communicate the basis or the rate of his fee to the client in writing as required by court rules. The respondent was previously disciplined. In 1998, he was admonished for failing to properly research the applicable law in a matter, failing to take steps to file a complaint, and accepting a matter for which he had insufficient experience.

DANIEL B. ZONIES

Admitted: 1970; Cherry Hill (Camden County)
Reprimand - *175 N.J. 106 (2003)*
Decided: 1/14/2003

APPEARANCES BEFORE REVIEW BOARD
Robert J. Prihoda for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to safeguard client funds and commingled personal funds in his attorney trust account totaling over $180,000. Ultimately, the respondent properly paid out all but $46,000, which amounts remained unidentifed to any particular client files.

In addition to reprimanding respondent, the Supreme Court ordered that a trustee be appointed at respondent's expense to disburse all remaining client funds to those who can be located and whose funds can be identified.

This matter was discovered solely as a result of the Random Audit Compliance Program.

2002

PATRICIA N. ADELLE

Admitted: 1993; Pomptom Plains (Morris County)
Reprimand - *170 N.J. 601 (2002)*
Decided: 2/21/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Henry C. Walentowicz for District XI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to act diligently and failed to communicate adequately with her client in defense of a collection suit filed by the client's former landlord. As a result of the respondent's

inaction, a judgment was entered against the client in the amount of $1,800.

PATRICIA N. ADELLE

Admitted: 1993; Pompton Plains (Morris County)
Suspension 3 Months - *174 N.J. 348 (2002)*
Decided: 10/1/2002 Effective: 11/1/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Henry C. Walentowicz for District XI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who sent a copy of a fabricated notice of motion that contained inaccurate statements and that was never filed with the court to the defendant in a litigated matter. The purpose of the fabricated motion was to attempt to compel the defendant to execute a certification of parentage. Additionally, the respondent failed to cooperate with disciplinary authorities during the investigation and processing of the matter. The respondent was previously disciplined. In 2002, she was reprimanded in another default matter for lack of diligence, failure to communicate with clients and failure to reply to a lawful demand for information from a disciplinary authority. *In re Adelle, 170 N.J. 601*.

CHARLES S. ADUBATO

Admitted: 1980; Freehold (Monmouth County)
Suspension 1 Year - *173 N.J. 191 (2002)*
Decided: 7/12/2002 Effective: 11/26/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Monmouth County, to an indictment charging him with obtaining a controlled dangerous substance (Percocet) by fraud, in violation of *N.J.S.A. 2C:35-13*, a crime of the third degree. The respondent had been temporarily suspended from the practice of law since November 26, 2001. *In re Adubato, 170 N.J. 136*. The respondent has also been suspended from the practice of law for a period of six months in 1986, based upon a guilty plea to a violation of *N.J.S.A. 24:21-22(a)(13)*, attempting to obtain a controlled dangerous substance (Dilaudid) by fraud. He was reinstated to practice in March of 1989.

RICHARD W. AGEE

Admitted: 1976; East Orange (Essex County)
Disbarment - *171 N.J. 342 (2002)*
Decided: 4/1/2002

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients' trust funds and misrepresented facts to the Office of Attorney Ethics during the investigation by submitting purposely inaccurate reconciliations and by failing to produce critical client ledger cards to conceal his misappropriation of trust funds.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

WILLIAM E. AGRAIT

Admitted: 1984; Newark (Essex County)
Reprimand - *171 N.J. 1 (2002)*
Decided: 3/5/2002

APPEARANCES BEFORE REVIEW BOARD
Kathleen B. Browne for District VA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who breached his fiduciary duty when he failed to verify and collect a $16,000 deposit down payment shown on a RESPA statement in favor of his clients. He also failed to disclose the existence of a second mortgage that was prohibited by the lender in the matter, with the result that the RESPA statement contained a misrepresentation.

CARMINE R. ALAMPI

Admitted: 1977; Englewood Cliffs (Bergen County)
Suspension 3 Months - *171 N.J. 32 (2002)*
Decided: 4/25/2002 Effective: 5/25/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
John Seltzer for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to a federal information charging him with the federal misdemeanor of aiding and abetting illegal campaign contributions, in violation of *18 U.S.C.A. §2* and *2 U.S.C.A. §441f*. During the period of the offense, respondent was a member of the fund raising committee for the "Toricelli for U.S. Senate, Inc." The respondent was approached by his partner, Berek Don, in soliciting contributions to the Toricelli campaign in cash on behalf of David Chang. The respondent

then made a $1,000 contribution himself and asked an associate to write a check for $1,000 to the Toricelli campaign, reimbursing himself and the associate with cash Chang supplied to Don.

WILLIAM F. ARANGUREN

Admitted: 1981; Jersey City (Hudson County)
Reprimand - *172 N.J. 236 (2002)*
Decided: 5/20/2002

APPEARANCES BEFORE REVIEW BOARD
Renee Riverol for District VI
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who represented a client in a bankruptcy matter and then failed to communicate with the client, failed to handle the matter diligently and failed to provide the client with a written retainer agreement setting forth the basis or rate of the fee.

The respondent was previously disciplined. In 1997, he was admonished for lack of diligence and failure to communicate with a client in one matter, and failure to promptly turn over funds to a client in another case. In 2000, he was suspended for a period of six months for misconduct in several matters, including gross neglect, lack of diligence, failure to communicate with clients, failure to expedite litigation, pattern of neglect, misrepresentations, failure to return files to clients and failure to cooperate with ethics authorities. *In re Aranguren, 165 N.J. 664 (2000)*.

ROBERT M. ARCAINI

Admitted: 1994; Hialeah, Florida
Suspension 11 Months - *172 N.J. 36 (2002)*
Decided: 4/25/2002 Effective: 5/4/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 11 months, retroactive to May 14, 2000, the date of respondent's suspension in the state of Florida, was the appropriate discipline for a respondent who was suspended in the state of Florida as a result of misconduct involving gross neglect, lack of diligence, failure to communicate with clients in two matters and, in one of the matters, for failing to expedite litigation, and in a third matter, for taking financial advantage of a client with whom he had an intimate relationship, improperly obtaining title to her home.

CAROLYN E. ARCH

Admitted: 1965; Newark (Essex County)
Admonition - *173 N.J. 174 (2002)*
Decided: 7/29/2002

REPRESENTATIONS BEFORE REVIEW BOARD
John T. Wolak for District VA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who represented a client in a Workers' Compensation matter and then failed to keep the client reasonably informed about the status of her case. The attorney also failed to explain the matter to the extent necessary to permit her client to make informed decisions regarding the representation. Specifically, the respondent did not inform the client that the case had been dismissed and did not make clear to her that she did not have a viable discrimination or wrongful termination case. As a result, the client did not understand that the attorney was not going to pursue those additional claims on her behalf.

CAROLYN E. ARCH

Admitted: 1965; Newark (Essex County)
Admonition - *Unreported (2002)*
Decided: 7/29/2002

APPEARANCES BEFORE REVIEW BOARD
Frank E. Ferruggia for District VA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was retained to file a divorce complaint and a motion to dismiss a related support complaint and then failed to take any action for approximately three months. Additionally, the respondent failed to return her client's telephone calls or to inform him of the status of the matter.

MICHAEL P. BALINT

Admitted: 1976; Plainsboro (Middlesex County)
Reprimand - *172 N.J. 408 (2002)*
Decided: 6/18/2002

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Donald S. Driggers for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds and violated mandatory record keeping rules under *R. 1:21-6*. The respondent also engaged in gross neglect by failing to disburse clients' and third parties' funds that remained in his inactive trust account, failed to discharge a mortgage after his clients refinanced their home and, finally, in a separate litigation matter for the same clients, obtained a judgment in their favor but neglected to record it. The Supreme Court also required that, for a period of one year, respondent provide to the Office

of Attorney Ethics quarterly trust account reconciliations and prove that he is continuing to attend regular AA meetings or similar programs.

Respondent previously received a reprimand coupled with an indefinite proctorship in 2001 for gross neglect, pattern of neglect, lack of diligence, failure to expedite litigation and failure to communicate with clients in three matters. *In re Balint, 170 N.J. 198*. On the same day, the Supreme Court imposed a second reprimand for similar misconduct in three additional matters. *In re Balint, 170 N.J. 244*.

MERION BAR-NADAV

Admitted: 1997; Hackensack (Bergen County)
Suspension 3 Months - *174 N.J. 537 (2002)*
Decided: 11/25/2002 Effective: 11/28/2002

APPEARANCES BEFORE REVIEW BOARD
Richard C. McDonnell for District IIB
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to communicate with two separate clients and then, when ethics grievances were filed, he fraudulently created two letters in support of his defense and submitted them to a district ethics committee.

MITCHEL O. BECHET

Admitted: 1989; New York, New York
Suspension 3 Months - *172 N.J. 98 (2002)*
Decided: 5/9/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was disbarred in the state of New York based upon his gross neglect of a client matter and his total non-cooperation with New York disciplinary authorities. Specifically, the respondent was retained by a refugee couple from Yugoslavia seeking political asylum and American and Canadian work authorization papers. Respondent was paid over $5,750 in legal fees. However, he never obtained the necessary papers for his clients. In fact, he concealed from them the truth that two submissions of the asylum applications had been returned by the Immigration and Naturalization Service as incomplete. Additionally, the Canadian Consulate General had no record of ever receiving applications on their behalf.

GENE P. BELARDI

Admitted: 1976; Sterling, Virginia
Suspension 18 Months - *172 N.J. 73 (2002)*
Decided: 5/9/2002 Effective: 2/2/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 18 months, retroactive to respondent's temporary suspension in New Jersey, was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of Columbia to a three-count information charging him with knowingly making false statements to the Federal Communication Commission, in violation of *18 U.S.C.A. §1001*. The respondent had been temporarily suspended from the practice of law in New Jersey since February 2, 2001. *In re Belardi, 166 N.J. 365*.

DANIEL E. BERGER

Admitted: 1984; Toms River (Ocean County)
Suspension 3 Months - *173 N.J. 24 (2002)*
Decided: 7/2/2002 Effective: 7/29/2002

APPEARANCES BEFORE REVIEW BOARD
Arthur F. Leyden for District IIIA
Donald M. Lomurro for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in an improper sale/lease back transaction with his clients in order to avoid foreclosure. Under the plan, the clients', at respondent's direction, ceased paying on the mortgage and, instead, paid $10,800 in rent to the respondent. The Disciplinary Review Board, in an unreported decision, cited the respondent's failure to (1) disclose the terms of the transaction to the clients, (2) advise them to seek independent counsel and, (3) obtain their written consent to the representation, in violation of *RPC 1.8(a)*.

JACK D. BERSON

Admitted: 1980; Absecon (Atlantic County)
Suspension 3 Months - *172 N.J. 99 (2002)*
Decided: 5/9/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Michael L. Testa for District I
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of

three months was the appropriate discipline for an attorney who was retained in a simple bankruptcy matter and then grossly neglected the case by failing to file essential documents. After dismissal, respondent failed to inform his clients of the status of their case despite their numerous requests for information.

The respondent had been previously disciplined. In 1996, he received an admonition for failure to incorporate a non-profit corporation and failure to remit the retainer upon the client's demand. In1999, he was temporarily suspended from the practice of law for failure to pay a fee arbitration award, which suspension remains in effect to this date. Also, in 1999, respondent was suspended for a period of three months for gross neglect, lack of diligence, failure to communicate with a client, failure to return an unearned retainer and failure to cooperate with ethics authorities. *In re Berson, 157 N.J. 634*. Later, in 1999, respondent was again suspended for a period of three months in another default matter for gross neglect, lack of diligence, failure to communicate with a client, and failure to cooperate with ethics authorities. *In re Berson, 159 N.J. 508*.

VINCENT E. BEVACQUA

Admitted: 1990; South Orange (Essex County)
Reprimand - *174 N.J. 296 (2002)*
Decided: 9/5/2002

APPEARANCES BEFORE REVIEW BOARD
David Howard Stein for District VA.
Thomas Ashley for respondent.

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in misconduct in three matters, including gross neglect, lack of diligence, failure to communicate, failure to provide a written retainer agreement, failure to protect clients' interest on the termination of representation and assisting a New York attorney, not admitted to practice in this state, in the unauthorized practice of law at a deposition.

LEMUEL H. BLACKBURN, JR.

Admitted: 1965; Lawrenceville (Mercer County)
Disbarment by Consent - *174 N.J. 380 (2002)*
Decided: 10/30/2002

REPRESENTATIONS
Michael J. Sweeney for Attorney Ethics
Joshua Markowitz for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOHN L. BLUNT

Admitted: 1988; Fairview (Bergen County)
Reprimand - *174 N.J. 294 (2002)*
Decided: 9/5/2002

APPEARANCES BEFORE REVIEW BOARD
Dennis W. Blake for District IIB
Frank P. Lucianna for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who unethically counseled his client to enter into a sham contract of sale that was ultimately used as an exhibit to an affidavit that respondent contemplated submitting to a court in a litigated matter.

JOSEPH M. BOREK, JR.

Admitted: 1987; Pompton Lakes (Passaic County)
Disbarment by Consent - *170 N.J. 393 (2002)*
Decided: 1/28/2002

REPRESENTATIONS
Michael J. Sweeney for Attorney Ethics
Gerald D. Miller for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges that he knowingly misappropriated trust funds of almost $80,000 in the estate of Julius Lucatelli. The respondent had been temporarily suspended from the practice of law since December 4, 2001. *In re Borek, 170 N.J. 194*.

DAVID S. BRANTLEY

Admitted: 1970; East Orange (Essex County)
Suspension 2 Years - *171 N.J. 80 (2002)*
Decided: 3/19/2002; Effective: 4/15/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Mitchell E. Ostrer for District VB
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of two years was the appropriate discipline for a respondent who, jointly with his wife, S. Dorell King, accepted a divorce matter and then grossly neglected the case allowing it to be dismissed for failure to file a case information statement. The respondent also failed to return the unearned retainer fee of $3,580. He also failed to return the client's original papers and file on termination of the representation. Finally, the respondent failed to cooperate with disciplinary authorities in a most egregious manner. As related in the decision of the Disciplinary Review Board:

"One of the most troubling aspects of this case was respondents' failure to cooperate with disciplinary authorities.

*****

(T)hese respondents set about a scorched-earth strategy of intimidation, false accusations and intolerable disrespect for the hearing panel and its individual members and attempted to protract the proceedings, when it appeared that things were not going their way. Respondents are not newcomers to the disciplinary system. Each is well aware of the requirement of cooperation with ethics authorities in all phases of a disciplinary proceeding. Yet, from the inception of the DEC investigation, they ignored and/or misled the investigator, and later the panel, in a series of calculated maneuvers designed to thwart the investigation and to delay the hearing process.

*****

For all of the foregoing reasons, we had no difficulty finding that respondents deliberately set about to thwart the disciplinary process, in violation of RPC 8.1(b)."

The respondent has an extensive disciplinary history. In 1982, he was privately reprimanded for failure to represent a client zealously. In 1998, he was again privately reprimanded for driving with a suspended license and failing to pay the fines associated with the violations while also serving as municipal court judge. In 1988, the respondent received his third private reprimand for grossly neglecting a personal injury matter. Three years later, in 1991, he was suspended from the practice of law for a period of one year for misconduct in four matters, including gross neglect, pattern of neglect, lack of diligence, failure to communicate, misrepresentation of the status of the case to a client and failure to cooperate with disciplinary authorities. He was again suspended in 1995, this time for three months, for gross neglect in two matters and failure to cooperate with disciplinary authorities in three cases. In 1999, respondent was reprimanded for lack of diligence in the handling of an estate matter.

DAVID S. BRANTLEY

Admitted: 1970; East Orange (Essex County)
Suspension 2 Years - *171 N.J. 81 (2002)*
Decided: 3/19/2002 Effective: 4/15/2004

REPRESENTATIONS BEFORE REVIEW BOARD
Howard Stern for District IIB
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who, in a guardianship matter, misrepresented to the judge that a prior judge in a 1995 proceeding in the same matter had ruled in favor of his client. In fact, the prior judge had ruled against the respondent's client and thus his statement to the tribunal was knowingly false.

The respondent has an extensive disciplinary history. In 1982, he was privately reprimanded for failure to represent a client zealously. In 1998, he was again privately reprimanded for driving with a suspended license and failing to pay the fines associated with the violations while also serving as municipal court judge. In 1988, the respondent received his third private reprimand for grossly neglecting a personal injury matter. Three years later, in 1991, he was suspended from the practice of law for a period of one year for misconduct in four matters, including gross neglect, pattern of neglect, lack of diligence, failure to communicate, misrepresentation of the status of the case to a client and failure to cooperate with disciplinary authorities. He was again suspended in 1995, this time for three months, for gross neglect in two matters and failure to cooperate with disciplinary authorities in three cases. In 1999, respondent was reprimanded for lack of diligence in the handling of an estate matter.

ANDREW T. BRASNO, JR.

Admitted: 1972; South River (Middlesex County)
Disbarment - *171 N.J. 341 (2002)*
Decided: 4/1/2002

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Antonio J. Toto for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated in excess of $11,000 from an estate and knowingly misappropriated both client trust funds and escrow funds in seven separate real estate closings.

The respondent was previously disciplined. In 1997, he received an admonition for failure to turn over a client's file upon termination of representation and for failure to cooperate with disciplinary authorities during the investigation of that matter.

JAMES A. BRESLIN, JR.

Admitted: 1968; Lyndhurst (Bergen County)
Censure - *171 N.J. 235 (2002)*
Decided: 3/28/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Michael P. Ambrosio for respondent

The Supreme Court of New Jersey, by a 4-3 vote, held that a censure was the appropriate discipline for an attorney who was previously removed from his judgeship by the Supreme Court of New Jersey. In the attorney disciplinary

proceeding, the Supreme Court majority found that the respondent violated *RPC 1.2(e)* when his client gave him a manila envelope to pass on to the municipal police commissioner for the client's son. On inspection, the respondent discovered that not only did the envelope include the son's resume, but also two blank envelopes together containing $10,000 in cash. The respondent did not immediately communicate with any law enforcement authorities, but rather met with the municipal police commissioner and posed to him a hypothetical question, essentially asking what he would do if someone gave him money and asked for a favor. Sometime thereafter, the respondent and the municipal police commissioner decided to report the matter to the acting police chief. This was ultimately accomplished by the municipal police commissioner, and not by respondent. The Court majority held that there was not clear and convincing evidence that the respondent actually participated in a bribery scheme. Rather, the majority determined that the respondent violated *RPC 1.2(e)* by not advising the client, who expected legal assistance not permitted by the Rules of Professional Conduct or by law, of the relevant limitations on the lawyer's conduct.

JEFFREY I. BRONSON

Admitted: 1982; Morristown (Morris County)
Admonition - *170 N.J. 258 (2002)*
Decided: 1/8/2002

APPEARANCES BEFORE REVIEW BOARD
Mark Denbeaux for District VA
Michael P. Ambrosio for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for a respondent who, to avoid a conflict of interest on the part of an attorney with whom the respondent had a friendly relationship, allowed the attorney to sign the respondent's name to a motion to revoke a plea agreement. The respondent did not, however, prior to the filing of the motion, meet with the defendant to determine if the information contained in his certification was correct.

WILLIAM C. BRUMMELL

Admitted: 1970; East Orange (Essex County)
Reprimand - *174 N.J. 297 (2002)*
Decided: 9/5/2002

APPEARANCES BEFORE REVIEW BOARD
Maurice C. Donovan for District VB
Gerald Krovatin for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a client's personal injury matter and failed to adequately communicate with the client. The respondent had initially entered into a diversionary agreement, but failed to comply with the agreed conditions.

The respondent was privately reprimanded in 1999 for lack of diligence and failure to communicate with a client about the status of the matter.

ERIC J. BRUNING

Admitted: 1981; St. Port Lucie, Florida
Suspension 3 Years - *174 N.J. 550 (2002)*
Decided: 11/25/2002 Effective: 3/23/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who resigned his membership in the state bar of Florida, effective March 23, 2001, based on 16 separate disciplinary charges pending against him. Those charged involved allegations of gross neglect of client matters and pattern of neglect, failure to communicate with clients, failure to pay medical providers, failure to diligently represent his clients' interests, failure to properly maintain all records required for his trust account and failure to respond to inquiries by the Florida bar during the investigation of grievances.

LOUIS N. CAGGIANO, JR.

Admitted: 1981; Mt. Laurel (Burlington County)
Admonition - *Unreported (2002)*
Decided: 5/22/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Elizabeth Berenato for District IIB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who improperly deposited a personal injury settlement check to his trust account without first obtaining his client's endorsement or permission to do so.

LEROY CARMICHAEL

Admitted: 1971; Trenton (Mercer County)
Admonition - *Unreported (2002)*
Decided: 9/16/2002

APPEARANCES BEFORE REVIEW BOARD
Janice L. Richter for Attorney Ethics
Benjamin N. Cittadino for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who entered into an agreement with another attorney whereby he would forward her personal injury cases on which he had worked. She would then complete the work and apportion the

fees. Twenty-seven files were involved. In order to serve these clients, respondent set up a trust account in the name of himself and the other attorney. The respondent failed to exercise any oversight over the trust account, as a result of which the other attorney knowingly misappropriated $90,000 in clients' trust funds set up for the joint venture, thus violating *R. 1:21-6 and RPC 1.15(d)*.

RICHARD J. CARROLL

Admitted: 1970; Secaucus (Hudson County)
Suspension 6 Months - *171 N.J. 469 (2002)*
Decided: 4/25/2002 Effective: 12/7/2002

REPRESENTATIONS BEFORE REVIEW BOARD
John N. Ukegbu for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who grossly neglected a personal injury claim for more than seven years, failed to keep his client informed of the status of the matter and failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

The respondent has an extensive disciplinary history. In 1984, he was privately reprimanded for grossly neglecting a matter. Respondent received an admonition in 1995 for lack of diligence, failure to communicate, failure to turn over a client file to new counsel and failure to cooperate with disciplinary authorities. A second admonition was imposed in 1997 for respondent's lack of diligence and failure to communicate with a client. In 1999, the respondent received a three-month suspension in a default matter for gross neglect, lack of diligence and failure to cooperate with ethics authorities. *In re Carroll, 162 N.J. 97*. In 2000, respondent received a three-month suspension from practice for failure to correct record keeping deficiencies and failure to cooperate with the Office of Attorney Ethics in connection with the audit. *In re Carroll, 165 N.J. 566*. In 2001, the respondent was suspended from the practice of law for a period of one year on another default matter for not prosecuting a complaint, which ultimately resulted in its dismissal. Moreover, the respondent failed to disclose to the client that her complaint had been dismissed. *In re Carroll, 170 N.J.196*.

JOSEPH S. CARUSO

Admitted: 1990; Oaklyn (Camden County)
Suspension 3 Years - *172 N.J.350 (2002)*
Decided: 6/11/2002 Effective: 2/8/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Saul J. Steinberg for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of conspiracy to travel in interstate commerce to promote and facilitate bribery, in violation of *18 U.S.C.A. §371*. The factual basis for the plea was that respondent, while the municipal prosecutor for the city of Camden, traveled to Pennsylvania with the Mayor of Camden. During the trip, the Mayor told the respondent that he intended to reappoint the Camden Municipal Public Defender, contingent on the public defender's $5,000 contribution to a political committee. The respondent agreed to act as the Mayor's intermediary and then solicited and received the $5,000. The respondent had been temporarily suspended from the practice of law in New Jersey since February 8, 2000. *In re Caruso, 162 N.J. 344*. Additionally, the respondent was previously disciplined in 1996,when he received an admonition for record keeping violations that led to a negligent misappropriation of client trust funds.

THOMAS F. CERMACK, JR.

Admitted: 1980; Hawthorne (Passaic County)
Suspension 6 Months - *174 N.J. 560 (2002)*
Decided: 12/10/2002 Effective: 1/6/2003

APPEARANCES BEFORE REVIEW BOARD
Elizabeth Charters for District VA
Respondent appeared pro se

The Supreme Court of New Jersey accepted a Motion for Discipline by Consent and held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who entered into an agreement with a suspended attorney, Kevin Daly, to permit Daly to continue to represent his clients although respondent would appear as the attorney of record and handle court appearances. In some instances, respondent agreed to take over the cases during the period of Daly's suspension, with the understanding that he would return the cases to Daly, with clients' consent, when Daly was reinstated. Thus, the respondent aided a suspended lawyer in the unauthorized practice of law. Daly was subsequently disbarred.

MICHAEL F. CHIARELLA

Admitted: 1985; Long Branch (Monmouth County)
Disbarment by Consent - *172 N.J. 96 (2002)*
Decided: 5/9/2002

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
John J. Marinan for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he

could not defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JAMES D. COFFEE

Admitted: 1965; Gualala, California
Suspension 3 Months - *174 N.J. 292 (2002)*
Decided: 9/5/2002 Effective: 6/30/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for three months, based upon his 30-day suspension from the practice of law in the state of Arizona, was the appropriate discipline for an attorney who, in his own domestic relations proceeding, filed an Affidavit of Financial Information. When questioned at a hearing under oath about this affidavit, respondent falsely testified that there were no assets not disclosed in the affidavit. In fact, respondent had an out-of-state bank account worth approximately $50,000, which he did not disclose.

KEVIN J. COFFEY

Admitted: 1986; Marlton (Camden County)
Disbarment by Consent - *174 N.J. 289 (2002)*
Decided: 8/30/2002

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Mark W. Catanzaro for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Atlantic County, to one count of conspiracy to possess, with intent to distribute, marijuana, a crime of the third degree.

ANTHONY T. COLASANTI

Admitted: 1967; West Caldwell (Essex County)
Reprimand - *171 N.J. 77 (2002)*
Decided: 3/19/2002

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Dino D. Bliablias for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated over $180,000 from July 1996 through September 1998 as a result of improper record keeping not in accordance with R. 1:21-6.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MAXWELL X. COLBY

Admitted: 1975; Oakhurst (Monmouth County)
Reprimand - *172 N.J. 37 (2002)*
Decided: 4/25/2002

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Richard M. Keil for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated $3,500 of clients' trust funds due to improper trust and business accounting practices and the fact that a deposited item was returned due to insufficient funds. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

COLLEEN M. COMERFORD

Admitted: 1988; Radnor, Pennsylvania
Suspension 3 Years - *171 N.J. 28 (2002)*
Decided: 2/25/2002 Effective: 1/26/2001

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who was disbarred in the state of Pennsylvania when she admitted in her statement of resignation that she could not successfully defend herself against pending charges resulting from a conviction in the Court of Common Pleas, Philadelphia County, Criminal Division, of five counts of forgery, in violation of *18 Pa.C.S.A. 4101(a)(2)*, and five counts of tampering with records, in violation of *18 Pa. C.S.A. 41014(a).*

KEITH A. COSTILL

Admitted: 1990; Pennington (Mercer County)
Reprimand - *174 N.J. 563 (2002)*
Decided: 12/10/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who pleaded guilty to an accusation in the Superior Court of New Jersey, Law Division, Camden County, to the fourth degree crime of child abuse and neglect, in violation of *N.J.S.A. 9:6-1 and 9:6-3*. Specifically, the respondent left his two infant

children unattended and sleeping in a locked car for almost an hour, after dark, in the dead of winter, while he drank beer in a nearby bar. At the time of respondent's misconduct, he was a Deputy Attorney General in the Division of Law.

LAWRENCE S. COVEN

Admitted: 1991; Greenbrook (Somerset County)
Disbarment by Consent - *171 N.J. 143 (2002)*
Decided: 4/2/2002

REPRESENTATIONS
Janice L. Richter for Attorney Ethics
Peter B. Fallon for respondent

The Supreme Court of New Jersey accepted a Disbarment by Consent from a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

MARK D. CUBBERLEY

Admitted: 1984; Trenton (Mercer County)
Suspension 3 Months - *171 N.J. 32 (2002)*
Decided: 3/5/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Elaine D. Dietrich for District VII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to complete an informal accounting in an estate matter for more than eight months and failed to reply to numerous requests for documents by a beneficiary of the estate. In a second matter, respondent failed to cooperate with disciplinary authorities during the investigation and processing of a grievance.

The respondent has been previously disciplined. He was admonished in 1996 for failing to cooperate with disciplinary authorities, resulting in the issuance of a subpoena. In 2000, he was reprimanded twice on the same day for engaging in a pattern of neglect, gross neglect, lack of diligence and failure to communicate with clients. The Supreme Court also at that time ordered the respondent practice law under the supervision of a proctor for a period of one year and that he enroll in the next offering of the Legal Education Diversion Program. *In re Cubberley, 164 N.J. 532*. On March 30, 2001, respondent was temporarily suspended from the practice of law for failing to cooperate with his supervising proctor. *In re Cubberley, 167 N.J. 61*.

MARK D. CUBBERLEY

Admitted: 1984; Trenton (Mercer County)
Suspension 6 Months - *171 N.J. 32 (2002)*
Decided: 3/5/2002 Effective: 6/8/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Audrey L. Anderson for District VII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in one matter, accepted a $1,000 retainer from a client and failed to take any action on her behalf. In a second case, the respondent failed to communicate with his client, to return telephone calls and to explain the purpose and nature of the written retainer agreement, thus engaging in a lack of diligence and a lack of communication with the client. The respondent also failed to prepare and obtain an executed written retainer agreement in the motor vehicle accident case.

The respondent has been previously disciplined. He was admonished in 1996 for failing to cooperate with disciplinary authorities, resulting in the issuance of a subpoena. In 2000, he was reprimanded twice on the same day for engaging in a pattern of neglect, gross neglect, lack of diligence and failure to communicate with clients. The Supreme Court also at that time ordered the respondent practice law under the supervision of a proctor for a period of one year and that he enroll in the next offering of the Legal Education Diversion Program. *In re Cubberley, 164 N.J. 532*. On March 30, 2001, respondent was temporarily suspended from the practice of law for failing to cooperate with his supervising proctor. *In re Cubberley, 167 N.J. 61*.

ARTHUR G. D'ALESSANDRO

Admitted: 1962; Basking Ridge (Somerset County)
Admonition - *172 N.J. 299 (2002)*
Decided: 6/17/2002

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Donald R. Belsole for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, after a random audit of his attorney trust and business accounts, was found to have committed numerous record keeping deficiencies, in violation of *R. 1:21-6*.

This matter was discovered solely as a result of the Random Audit Program.

PAUL W. DARE

Admitted: 1975; Avalon (Cape May County)
Reprimand - *174 N.J. 369 (2002)*
Decided: 10/15/2002

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics

Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to diligently pursue three client matters, failed to communicate with his clients, failed to reply to his clients' requests for information, grossly neglected two of the three matters and failed to return a client's escrow funds.

SUSAN R. DARGAY

Admitted: 1987; Mount Holly (Burlington County)
Admonition - *Unreported (2002)*
Decided: 10/25/2002

APPEARANCES BEFORE REVIEW BOARD
Leslie F. Gore for District IIIB
Francis J. Hartman for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently by not promptly submitting to the court a final judgment of divorce for one client and, in a second matter, failed to keep his client informed about the status of the matter and to reply to her letters and numerous telephone calls.

THEODORE W. DAUNNO

Admitted: 1975; Clifton (Passaic County)
Disability-Inactive Status - *172 N.J. 233 (2002)*
Decided: 5/9/2002

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Joseph A. Hayden, Jr. for respondent

The Supreme Court of New Jersey held that a respondent should be transferred to Disability-Inactive Status due to significant medical problems. He had been charged with the knowing misappropriation of clients' trust funds. The matter was previously considered by the Disciplinary Review Board, which recommended Disbarment. In the Review Board's unreported decision, it stated that:

> "[I]t is undisputed that respondent invaded trust funds. On ten occasions between June 1995 and January 1996, respondent improperly withdrew funds from his trust account and deposited the funds in his business account. The withdrawals invaded clients' trust funds because respondent had no monies due him in the trust account when the withdrawals were made. Except for the first transfer, the subsequent transfers were accomplished by respondent's authorizing the transaction in a telephone call to the bank manager to cover overdrafts in his business account. The first transfer was accomplished by check and the funds went from respondent's business account to a personal account."

The Board found that respondent's alleged defenses that he believed that certain funds were in his trust account were not believable and the Board found him guilty of knowing misappropriation of clients' trust funds.

This matter was discovered solely as a result of the Random Audit Program.

DAVID OLANDAN DAVENPORT

Admitted: 1986; Washington, D.C.
Admonition - *174 N.J. 552 (2002)*
Decided: 11/25/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that an admonition was the appropriate discipline for an attorney who was suspended in the District of Columbia for a period of six months based upon findings of commingling of personal and trust funds and negligent misappropriations of client funds. Specifically, during 1997 and 1998, respondent commingled personal and trust funds by leaving retainers and fees in his trust account and by drawing checks against those funds to pay personal and business expenses. On one occasion, as a result of respondent's mistaken belief that he had deposited a retainer in his trust account, one of those checks caused a negligent misappropriation of clients' funds. This matter was discovered as a result of an overdraft in the respondent's attorney trust account.

JAMES S. DEBOSH

Admitted: 1992; Phillipsburg (Warren County)
Reprimand - *174 N.J. 336 (2002)*
Decided: 9/17/2002

APPEARANCES BEFORE REVIEW BOARD
Judith Babinski for District XIII
Thomas Curtin for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with disciplinary authorities during the investigation of a grievance filed against him.

JOHN M. DELAURENTIS

Admitted: 1980; Camden (Camden County)
Reprimand - *172 N.J. 35 (2002)*
Decided: 4/25/2002

APPEARANCES BEFORE REVIEW BOARD
Patricia B. Santelle for District IV
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, between approximately 1990 and 1999, engaged in a pattern of neglect in three personal injury matters, improperly solicited a client, practiced law while on the Supreme Court's Ineligible List for failure to pay the annual attorney assessment and failed to cooperate with disciplinary authorities during the investigation and processing of these matters. As observed in the Disciplinary Review Board's unreported decision:

> "Here, respondent neglected a total of three cases and displayed troubling refusal to acknowledge his basic responsibilities as a lawyer, putting the onus on clients to be informed and on adversaries to pay judgments as well as severely ignoring his duty to take appropriate steps to protect clients' interests."

JOHN M. DELAURENTIS

Admitted: 1980; Camden (Camden County)
Suspension 1 Year - *174 N.J. 299 (2002)*
Decided: 9/5/2002 Effective: 10/7/2002

APPEARANCES BEFORE REVIEW BOARD
Nancy D. Gold for District IV
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who engaged in fraudulent conduct in a series of matters, including failing to file a lawsuit in order to prevent the county welfare agency from discovering his client's personal injury claim, engaging in several conflicts of interest, rendering improper financial assistance to a client, and various record keeping violations. He also failed to disburse a portion of personal injury settlement proceeds to the welfare agency when he was notified of their lien and failed to inform that agency of the settlement for years, despite periodic letters from them. The respondent was previously reprimanded in 2002 for gross neglect, lack of diligence and failure to communicate in three matters, failure to expedite litigation in two of those matters, pattern of neglect, practicing law while ineligible and failing to cooperate with ethics authorities. *In re DeLaurentis, 172 N.J. 35*.

CARMINE DESANTIS

Admitted: 1988; Bergenfield (Bergen County)
Suspension 1 Year - *171 N.J. 142 (2002)*
Decided: 4/1/2002 Effective: 10/17/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who was criminally convicted in the United States District Court for the Southern District of New York of obstruction of justice, in violation of *18 U.S.C.A. §1505*. Specifically, the respondent gave false testimony and engaged in a cover up to obstruct an Securities and Exchange Commission investigation of insider trading in which he was involved. The respondent had been temporarily suspended from the practice of law in New Jersey since October 16, 2000. *In re DeSantis, 165 N.J. 508*.

DONALD B. DEVIN

Admitted: 1969; Rockaway (Morris County)
Reprimand - *172 N.J. 321 (2002)*
Decided: 6/4/2002

APPEARANCES BEFORE REVIEW BOARD
Caroline Record for District X
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with a district ethics committee during the investigation and processing of a grievance, which was ultimately dismissed on the merits.

The respondent has been previously disciplined. In 1994, he was suspended from the practice of law for a period of three months for failing to keep a client reasonably informed, making a misrepresentation to the client and lying to a police officer. *In re Devin, 138 N.J. 47*. In 1996, he was reprimanded for gross neglect, lack of diligence, failure to communicate with a client, failure to provide a written retainer agreement, failure to expedite litigation, misrepresentation about the status of the case, and failure to cooperate with ethics authorities. *In re Devin, 144 N.J. 476*.

HOWARD S. DIAMOND

Admitted: 1985; Randolph (Morris County)
Admonition - *Unreported (2002)*
Decided: 2/8/2002

APPEARANCES BEFORE REVIEW BOARD
Carol R. White-Connor for District X
Albert B. Jeffers, Jr. for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was retained to handle the administration of an estate and failed to reply to the executrix's inquiries and concerns about the matter.

HOWARD S. DIAMOND

Admitted: 1985; Randolph (Morris County)
Reprimand - *174 N.J. 346 (2002)*

Decided: 10/1/2002

APPEARANCES BEFORE REVIEW BOARD
Stuart M. Lederman for District X
Albert B. Jeffers, Jr. for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a litigated matter for his clients, resulting in default judgments against the clients and levies on their personal and business accounts. The respondent also failed to enter into a written fee agreement, as required by *RPC 1.5*.

STUART B. DONEGAN

Admitted: 1992; Cherry Hill (Camden County)
Disbarment - *172 N.J. 231 (2002)*
Decided: 5/9/2002

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated over $8,000 in clients' trust funds. In addition, the respondent made misrepresentations to a bankruptcy court about the funds he was holding in his trust account and created documents purporting to be bank documents, in order to cover up his misappropriation and mislead the Office of Attorney Ethics.

The respondent had been temporarily suspended from the practice of law since May 22, 2001 pending the disposition of allegations that he knowingly misappropriated clients' funds. *In re Donegan, 167 N.J. 591*.

MELVIN G. DUKE

Admitted: 1990; Brooklyn, New York
Reprimand - *174 N.J. 371 (2002)*
Decided: 10/15/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was disciplined in the state of New York for negligently misappropriating trust funds, commingling trust and personal funds in his trust account, improperly drawing an escrow check to cash, failing to maintain required bookkeeping records and failing to timely cooperate with disciplinary authorities in that state.

CLYDE E. EDMONDS

Admitted: 1972; Plainfield (Union County)
Disbarment by Consent - *170 N.J. 399 (2002)*
Decided: 2/5/2002

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Alan Dexter Bowman for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of conspiracy to commit bank fraud, *18 U.S.C.A. §371*, and two counts of bank fraud, *18 U.S.C.A. §1344 and 2*. The respondent had been temporarily suspended from the practice of law in New Jersey since June 29, 2000. *In re Edmonds, 164 N.J. 339*.

THOMAS H. EVERETT, III

Admitted: 1984; Caldwell (Essex County)
Disbarment by Consent - *171 N.J. 141 (2002)*
Decided: 3/27/2002

REPRESENTATIONS
Janice L. Richter for Attorney Ethics
Mark M. Tallmadge for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JACK S. EZON

Admitted: 1996; Deal (Monmouth County)
Reprimand - *172 N.J. 235 (2002)*
Decided: 5/20/2002

APPEARANCES BEFORE REVIEW BOARD
Ronald J. Troppoli for District XI
Anthony P. Ambrosio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who knowingly assisted his father, a disbarred New Jersey attorney, to present himself as an attorney for a common client in New Jersey litigation. In the process, the respondent misled a court and the other attorneys involved in the case that his father, in addition to respondent himself, represented the defendants.

EDWARD D. FAGAN

Admitted: 1980; Livingston (Essex County)
Reprimand - *172 N.J. 407 (2002)*
Decided: 6/18/2002

APPEARANCES BEFORE REVIEW BOARD

A. Lawrence Gaydos for District VC
Raymond Barto for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who made written misrepresentations to his client by stating that he had filed a motion on the client's behalf and had a court date, when, in fact, none of this was true.

STUART D. FELSEN

Admitted: 1993; Randolph (Morris County)
Reprimand - *172 N.J. 33 (2002)*
Decided: 4/25/2002

APPEARANCES BEFORE REVIEW BOARD
Israel Dubin for Committee on Attorney Advertising
Dominic J. Aprile for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who improperly practiced law under the trade name "Law Advisory Group." The name was used in an advertisement that also contained the following false and misleading statements: The attorneys maintained offices throughout Passaic County as well as New York and New Jersey; they had over 60 years experience; they were experts in the field; and they held membership in all of the associations listed in the ad. The respondent, alone, was responsible for placing the advertisement.

DONALD M. FERRAIOLO

Admitted: 1970; Hackensack (Bergen County)
Suspension 1 Year - *170 N.J. 600 (2002)*
Decided: 2/21/2002 Effective: 3/19/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Jeffrey B. Steinfeld for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Bergen County to a one-count accusation charging him with "attempted endangering [of] the welfare of a child," in violation of *N.J.S.A. 2C:5-1 and N.J.S.A. 2C:24-4*. The respondent's offense involved communicating on several occasions, via an Internet chat room, with "Jay," who respondent believed was a 14 year old boy. Respondent told Jay that he wanted to take him to respondent's home to engage in numerous sexual acts, some of which were explicitly stated. The respondent was arrested when he appeared for the meeting with Jay.

ROBERT B. FEUCHTBAUM

Admitted: 1974; North Haledon (Passaic County)
Reprimand - *174 N.J.370 (2002)*
Decided: 10/15/2002

APPEARANCES BEFORE REVIEW BOARD
Robert C. LaSalle for District XI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who was retained by a client to pursue a dental malpractice action and then, after filing the complaint, grossly neglected the matter and failed to comply with discovery requests resulting in dismissal. The respondent took no steps to have the case reinstated and failed to inform his clients of the dismissal. He also failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

SCOTT D. FINCKENAUER

Admitted: 1991; Fairview (Bergen County)
Suspension 3 Months - *172 N.J. 348 (2002)*
Decided: 6/11/2002 Effective: 7/9/2002

APPEARANCES BEFORE REVIEW BOARD
Yvonne Smith Segars for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was assigned by the Office of the Public Defender to represent a client on a charge of possession of illegal drugs with intent to distribute. The respondent subsequently was retained by that client to represent him in connection with a murder charge stemming from an unrelated case. Between March 1997 and March 1999, the client referred a number of inmates to the respondent, six of whom retained him. Respondent unethically paid his original client for these referrals by means of reducing his usual $1,500 fee to the original client in connection with a motion for change of sentence. Moreover, the respondent also was found responsible for improperly billing the Public Defender for work that was done for the original client's murder case and, also, for non-existent "jail visits."

GERALD F. FITZPATRICK

Admitted: 1971; Bayonne (Hudson County)
Disbarment by Consent - *171 N.J. 436 (2002)*
Decided: 4/17/2002

REPRESENTATIONS
Nitza I. Blasini for Attorney Ethics
Joseph P. Kelly for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he

could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds in an estate matter.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MARK W. FORD

Admitted: 1983; Gloucester City (Camden County)
Admonition - *Unreported (2002)*
Decided: 10/22/2002

APPEARANCES BEFORE REVIEW BOARD
Ralph R. Kramer for District IV
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was retained by a client in a Workers' Compensation matter. The respondent failed to request medical and employment records and did not file the claim petition, but rather told the client that her case would be ready to go to trial by summer. Despite this assurance to the client, respondent never filed any papers in the case and failed to reasonably communicate with the client about the status of her matter.

PAUL J. FORSMAN

Admitted: 1979; Toms River (Ocean County)
Reprimand - *174 N.J. 337 (2002)*
Decided: 9/17/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated over $2,500 in client funds as a result of improper record keeping in his trust account, including a failure to reconcile his trust account on a quarterly basis, as required by Court Rules. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JAMES P. FOX

Admitted: 1981; Newton (Sussex County)
Reprimand - *174 N.J. 534 (2002)*
Decided: 11/18/2002

REPRESENTATIONS BEFORE REVIEW BOARD
James E. Stewart for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who agreed to have a disciplinary matter diverted and then failed to fulfill the conditions of that agreement. Subsequently, a formal ethics complaint was filed and the attorney was disciplined for failing to communicate with a client in an automobile accident matter, failing to act diligently on the client's behalf, and failing to cooperate with disciplinary authorities during the investigation and prosecution of the matter.

WILLIAM W. FREIHOFER, JR.

Admitted: 1977; Longport (Atlantic County)
Disbarment by Consent - *172 N.J. 536 (2002)*
Decided: 6/14/2002

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Theodore H. Ritter consulted with respondent solely to assure the voluntariness of his consent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of trust and estate funds.

JACK N. FROST

Admitted: 1971; Plainfield (Union County)
Disbarment - *171 N.J. 308 (2002)*
Decided: 4/5/2002

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Frank P. Sahaj for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated escrow funds being held to pay off a Workers' Compensation lien. The respondent obtained his client's consent to borrow the escrow funds and then used the funds without obtaining the consent of the other party who had an ownership interest in them. Additionally, the respondent entered into a prohibited business transaction with his client in violation of *RPC 1.8(a)* and took advantage of an unsophisticated client whose trust he gained through the attorney-client relationship. The loan was patently unfair and unreasonable to the client, and the respondent further misrepresented the extent of his assets. Moreover, he never intended to provide any security to the client for the loan. The Supreme Court stated that disbarment would be warranted, even absent a finding of knowing misappropriation based upon "respondent's extensive ethics history" and his "profound lack of professionalism and good character and fitness."

JUAN GALIS-MENENDEZ

Admitted: 1986; Union City (Hudson County)
Disbarment - *172 N.J. 239 (2002)*
Decided: 3/19/2002

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that Disbarment was the appropriate discipline for an attorney who, in a series of 13 client matters extending over an eight-year period from 1990 to 1998, engaged in gross neglect, pattern of neglect, lack of diligence, failure to communicate with clients, misrepresentations, failure to return client files upon termination of representation, failure to return unearned retainers and abandonment of, not only these 13 client matters, but all of respondent's pending clients. According to the decision of the Disciplinary Review Board, the respondent's misconduct included:

> "[T]aking retainers from clients and doing either no work, little work, or substandard work; allowing matters to be dismissed without regard for the well-being of his clients; failing to restore matters once he was aware of dismissals; and not communicating the status of matters to his clients. More egregiously, respondent's clients, who trusted him implicitly because of his stature as an attorney, time after time described to the (district ethics committee) how respondent had invented trial dates and court hearings in matters that either had been dismissed or never initiated. The clients testified about their shock upon discovering that they had been deceived by their attorney, who had sent them to court for non-existent hearings and who had appeared at the hearings himself. Incredibly, respondent had one client follow him around for an entire day, while respondent attended to business that had no bearing on the client's matter, in order to deceive the client that he was properly managing the progress of the case. When the Office of Attorney Ethics sought to audit respondent's attorney accounts in early 1998, he simply abandoned his practice, rather than watch his eight-year sham unravel."

As a result of the respondent's abandonment of his clients, the Assignment Judge of Hudson County appointed an Attorney-Trustee, Lourdes Santiago, to protect respondent's clients in the aftermath of his abandonment. The Attorney-Trustee was forced to spend hundreds of hours and thousands of dollars in the process, all without respondent's assistance.

The respondent had been temporarily suspended from the practice of law in New Jersey since July 9, 1998.

HECTOR M. GARCIA

Admitted: 1975; Elizabeth (Union County)
Admonition - *Unreported (2002)*
Decided: 10/23/2002

APPEARANCES BEFORE REVIEW BOARD
Anabela Dacruz-Melo for District XII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, during the course of representing a plaintiff in a civil suit, failed to file an opposition to a motion for summary judgment filed by the defendant and, thereafter, failed to timely pursue an appeal with the Appellate Division, in violation of *RPC 1.3*.

FRANCIS X. GAVIN

Admitted: 1981; Hackettstown (Warren County)
Suspension 6 Months - *170 N.J. 597 (2002)*
Decided: 2/21/2002 Effective: 3/19/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Donald F. Scholl, Jr. for District XIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who grossly neglected a client's defense of a lawsuit, thereby causing a default judgment to be entered and execution of the judgment to ensue. The respondent also failed to communicate with the client, failed to turn over the client's file to new counsel despite two court orders and failed to cooperate with disciplinary authorities during the investigation processing of this matter.

The respondent has an ethical history. In 1998, he was reprimanded for gross neglect, lack of diligence and failure to adequately communicate with a client. *In re Gavin, 153 N.J. 356*. In 2001, he was again reprimanded for gross negligence in a personal injury matter, failure to communicate with a client, failure to refund an unearned fee and failure to cooperate with an ethics investigation. *In re Gavin, 167 N.J. 606*.

FRANCIS X. GAVIN

Admitted: 1981; Hackettstown (Warren County)
Suspension 3 Months - *172 N.J.347 (2002)*
Decided: 6/11/2002 Effective: 9/19/2002

REPRESENTATIONS BEFORE REVIEW BOARD
John R. Lanza for District XIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board,

held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected two matrimonial matters. In one, the respondent failed to act with reasonable diligence, repeatedly failing to take action on the client's behalf. That inaction resulted in a court order for the client's payment of counsel fees and exposed the client to possible incarceration. The respondent also failed to cooperate with disciplinary authorities. In a second matter, the respondent failed to pay the appropriate insurance policy, failed to timely pay for the client's orthodontist's bill and attorney fees, and failed to provide the client with an accounting of trust funds and to comply with court orders. Respondent also failed to cooperate with disciplinary authorities during the investigation and processing of the matter.

The respondent has a history of discipline. In 1998, he was reprimanded for gross neglect, lack of diligence, and failure to adequately communicate with a client. *In re Gavin, 153 N.J. 356.* In 2001, respondent was again reprimanded, this time for gross neglect in a personal injury matter, failure to communicate with a client, failure to refund an unearned fee and failure to cooperate with an ethics committee. *In re Gavin, 167 N.J. 606*. The respondent was suspended from the practice of law for a period of six months in 2002 for gross neglect, failure to communicate with a client, failure to turn over the client's file to a new counsel, and failure to reply to the grievance and cooperate with disciplinary authorities. *In re Gavin, 170 N.J. 597.*

JACKIE S. GEORGE

Admitted: 1994; Cliffside Park (Bergen County)
Reprimand - *174 N.J. 538 (2002)*
Decided: 11/25/2002

APPEARANCES BEFORE REVIEW BOARD
Nancy Lucianna for District IIB
Eduardo Cruz-Lopez for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in representing a client in a divorce matter, unethically attempted to intimidate her adversary with threats of filing an ethics grievance and who also tried to seek relief from one judge in the case without disclosing that she had signed a consent order submitted to another judge.

JOHN S. GIAVA

Admitted: 1948; Newark (Essex County)
Admonition - *Unreported (2002)*
Decided: 3/15/2002

APPEARANCES BEFORE REVIEW BOARD
John T. Wolak for District VA
Lewis B. Cohn for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was retained by clients in order to obtain a wage execution against another individual. Without first consulting with his clients, the respondent failed to apply for a wage execution and instead entered into an agreement with the individual for the payment of $200 per month. At the time, respondent's clients were experiencing financial difficulties. Additionally, when his clients learned of the agreement and objected to its execution, the respondent failed to timely reply to their request for information about the matter. Finally, the respondent failed to provide his clients with a contingent fee agreement in violation of *RPC 1.5(b)*.

JAMES J. GILLESPIE, JR.

Admitted: 1982; Haddonfield (Camden County)
Suspension 2 Years - *170 N.J. 253 (2002)*
Decided: 1/8/2002 Effective: 4/10/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who was disbarred by the Supreme Court of Pennsylvania on April 10, 2000. The basis for the Court's action was the respondent's forging of the name of a judge of the Court of Common Pleas of Montgomery County, Pennsylvania on an order and providing the fabricated order to a party in the case.

KENNETH H. GINSBERG

Admitted: 1974; Naples, Florida
Reprimand - *174 N.J. 349 (2002)*
Decided: 10/1/2002

APPEARANCES BEFORE REVIEW BOARD
William C. Sanderlands for District X
Thaddeus J. Hubert, III for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who backdated estate planning documents prepared for a client in order to allow the client to take advantage of tax provisions that might not otherwise have been available to them because of proposed legislation. As the Disciplinary Review Board noted, had the legislation been passed, respondent's conduct would have constituted tax fraud.

RICHARD B. GIRDLER

Admitted: 1972; Lincoln Park (Morris County)
Suspension 3 Months - *171 N.J. 146 (2002)*
Decided: 4/1/2002 Effective: 5/1/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was retained by a real estate agency to bring a lawsuit for commissions owed to the agency. Although the respondent filed a complaint against several defendants, he did not serve the defendants, resulting in the court's notice of dismissal. This constituted gross neglect. Moreover, instead of advising the clients of the dismissal, respondent made numerous misrepresentations to them about the status of the case. Furthermore, the respondent, in a certification filed with the court, knowingly made a false statement of material fact when he misrepresented to the court that some of the defendants had been served when, in fact, they had not.

The respondent has been previously disciplined. In 1991, he was privately reprimanded for violations of gross neglect, lack of diligence and failure to communicate in two matters. In 1994, he was publicly reprimanded for lack of diligence, failure to communicate and failure to obtain a signed contingent fee agreement as required by *RPC 1.5(c)*.

BEVERLY G. GISCOMBE

Admitted: 1979; East Orange (Essex County)
Suspension 3 Months - *173 N.J. 174 (2002)*
Decided: 7/12/2002 Effective: 8/12/2002

APPEARANCES BEFORE REVIEW BOARD
Stuart Leviss for District VB
Ernest Ianetti for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who represented a client in a personal injury slip and fall case. The respondent brought a court motion to file a late notice of claim against a municipality and then lied in the affidavit that her client had "recently contacted" her office concerning the accident, when, in fact, she had met with the clients some eight months earlier when she had begun to work on the case. In a second matter, the respondent represented a client in an uninsured motorist claim and then grossly neglected the matter, failed to communicate with the client and failed to maintain the confidentiality of the client's information.

The respondent was privately reprimanded in 1990 for gross neglect and conflict of interest, arising out of her representation of both a driver and a passenger in an automobile accident. In 1996, she received an admonition for failure to communicate with a client. In 1999, respondent was reprimanded for engaging in a conflict of interest situation. *In re Giscombe, 159 N.J. 517*.

ADAM H. GLICK

Admitted: 1984; Bogota (Bergen County)
Reprimand - *172 N.J.319 (2002)*
Decided: 6/4/2002

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Patrick T. Collins for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who took legal fees without the consent or knowledge of the law firm by which he was employed. At one point, respondent became disenchanted with the law firm and began to retain fees payable to him in the amount of $12,747, when, in fact, these fees were due to the law firm.

JUDITH E. GOLDENBERG

Admitted: 1983; Paterson (Passaic County)
Admonition - *Unreported (2002)*
Decided: 3/22/2002

APPEARANCES BEFORE REVIEW BOARD
Diane E. Dewey for District XI
Frederick Dennehy for respondent

The Disciplinary Review Board accepted a Motion for Discipline by Consent and held that an admonition was the appropriate discipline for an attorney who failed to act diligently after accepting a fee to file a motion to reduce a criminal sentence and then failing to do so. In a second matter, the respondent entered an appearance before the United States Immigration Court indicating that she was an attorney in good standing while, in fact, she was on the Ineligible List of New Jersey attorneys due to her failure to pay the annual attorney registration assessment.

JEFF H. GOLDSMITH

Admitted: 1984; Fort Lee (Bergen County)
Admonition - *Unreported (2002)*
Decided: 10/7/2002

APPEARANCES BEFORE REVIEW BOARD
Alfred C. Pescatore, Jr. for District IIB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who practiced law in New Jersey while ineligible to do so from September 1999 through April 2000. The respondent had failed to pay his annual attorney assessment and was declared ineligible by order of the Supreme Court. The attorney had previously agreed to fulfill terms of a diversionary agreement, but then failed to do so.

DAVID M. GORENBERG

Admitted: 1991; Cherry Hill (Camden County)
Reprimand - *172 N.J. 31 (2002)*
Decided: 4/25/2002

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who misrepresented to a court that he was holding $10,000 in his trust account when, in fact, he was not. In another matter, the attorney failed to act diligently in a matrimonial matter and failed to keep his client informed of the status of the matter and failed to file a complaint in her behalf, despite his representation to her that he had filed the complaint.

DAVID M. GORENBERG

Admitted: 1991; Moorestown (Burlington County)
Reprimand - *174 N.J. 506 (2002)*
Decided: 11/13/2002

APPEARANCES BEFORE REVIEW BOARD
Nancy D. Gold for District IV
Stephen B. Sackarow for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a client's medical malpractice action, failed to make reasonable communications with the client regarding the status of the matter and failed to properly withdraw from the case.

RUSSELL W. GRAYSON

Admitted: 1985; Newark (Essex County)
Disbarment by Consent - *170 N.J. 414 (2002)*
Decided: 2/13/2002

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Brian J. Neary for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of trust funds from a real estate transaction.

CRAIG N. GREENAWALT

Admitted: 1980; Westville (Union County)
Suspension 1 Year - *171 N.J. 472 (2002)*
Decided: 4/25/2002

REPRESENTATIONS BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who grossly neglected three client matters, abandoned his law practice, failed to notify clients of a prior suspension and failed to cooperate with the Office of Attorney Ethics during the investigation and processing of this matter. The respondent had been temporarily suspended from the practice of law since October 25, 1999, following his abandonment of his law practice and his failure to cooperate with the Office of Attorney Ethics during its investigation of this matter.

GLENN R. GRONLUND

Admitted: 1974; Absecon (Atlantic County)
Reprimand - *171 N.J. 30 (2002)*
Decided: 3/5/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Gilbert O. Gilbertson for District I
Respondent failed to appear

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who represented a client in order to submit a claim for a riparian grant from the state of New Jersey in connection with his clients' sale of real property. At the closing, $6,200 of the sale proceeds was placed in escrow, pending receipt of the riparian grant. The respondent failed to act diligently and failed to file the claim for a period of nine months. He also failed to keep his clients informed about the status of the matter and failed to communicate with them.

The respondent was previously disciplined in1992, when he received a private letter of reprimand for lack of diligence and failure to adequately communicate with a client.

STANLEY J. GULKIN

Admitted: 1969; Livingston (Essex County)
Disbarment by Consent - *171 N.J. 75 (2002)*
Decided: 3/20/2002

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Alan L. Zegas for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging that he pled guilty in the Superior Court of New Jersey, Law Division, Morris County, to an accusation charging him with one count of second degree theft by deception, in violation of *N.J.S.A. 2C:20-4 and N.J.S.A. 2C:2-6*, and one

count of second degree conspiracy to commit theft by deception, in violation of *N.J.S.A. 2C:5-2*. The respondent had been temporarily suspended from the practice of law since March 1, 2002.

SHARON HALL

Admitted: 1995; South Orange (Essex County)
Suspension 3 Years - *170 N.J. 400 (2002)*
Decided: 2/5/2002

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who engaged in a series of outrageous misconduct in four litigated matters that spanned more than one year. In its unreported decision, the Disciplinary Review Board characterized respondent's conduct thusly:

> "In sum, respondent displayed a pattern of disrupting trials; abusing and showing disrespect to judges, adversaries and court staff; accusing judges, without any factual basis, of fraud, dishonesty and conspiracy; accusing adversaries of fraud, deceit and misrepresentation; attempting to call her adversaries as witnesses, thereby having them disqualified as counsel; failing to file necessary documents, resulting in the dismissal of her clients' litigation or appeals; failing to follow orders issued by judges, resulting in her being held in contempt; failing to observe courtroom decorum and civility and failing to follow basic civil procedure rules. Respondent repeatedly demonstrated both ignorance of the professional standards and guidelines applicable to all attorneys and an inability or refusal to become familiar with those standards and guidelines. Also, she continually displayed questionable judgment (such as obtaining and issuing a federal subpoena in state litigation and seeking to litigate an excluded issue, thereby exposing her client to liability), inadequate pretrial skills (such as failing to engage in discovery and failing to file necessary pleadings) and deplorable courtroom behavior, all of which were not attributable to her lack of experience."

The Board also found a disturbing pattern of misrepresentations by the respondent to the judges before whom she appeared.

The respondent was temporarily suspended from the practice of law on June 24, 1999 pending proof of her fitness to practice law. *In re Hall, 158 N.J. 579*. Thereafter, in 2001, respondent was suspended from the practice of law for a period of three months for failure to file a required affidavit with the Office of Attorney Ethics after her temporary suspension, in violation of *R. 1:20-20(b)(14) and RPC 8.4(d)*; her continued maintenance of a law office after her temporary suspension; her contumacious conduct, as found by a Superior Court judge, in accusing her adversaries of lying, maligning the court, refusing to abide by the court's instructions, suggesting the existence of a conspiracy between the court and her adversaries and making baseless charges of racism against the court; and her failure to reply to ethics grievances. *In re Hall, 169 N.J. 347*.

STEVE HALLETT

Admitted: 1991; Trenton (Mercer County)
Reprimand - *174 N.J. 403(2002)*
Decided: 11/1/2002

APPEARANCES BEFORE REVIEW BOARD
Daniel E. Chase for District VII
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with a district ethics committee during the investigation of a grievance and, in a separate matter, demonstrated gross neglect and lack of diligence in handling a personal injury matter in that he failed to have the complaint served on the defendant, leading to its dismissal on two separate occasions. The Court also ordered that the respondent continue psychotherapy, continue to attend Narcotics Anonymous and Alcoholics Anonymous, and that he undergo random drug screening.

ROBERT J. HANDFUSS

Admitted: 1984; Matawan (Monmouth County)
Reprimand - *174 N.J. 404 (2002)*
Decided: 11/1/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Russell J. Malta for District IX
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who represented a client in a real estate transaction. Respondent closed the sale and was to pay $339.65 to Covered Bridge Condominium Association, Inc., which he failed to do. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

The respondent was previously disciplined. In 2000, he was reprimanded for gross neglect, lack of diligence and failure to communicate with a client. *In re Handfuss, 165 N.J. 569*. In 2001, the respondent was suspended from the practice

of law for a period of three months for gross neglect, lack of diligence, failure to communicate with a client, failure to promptly deliver property to a client, failure to turn over a file and provide an accounting, and failure to cooperate with disciplinary authorities and misrepresentation. *In re Handfuss, 169 N.J. 591*.

JAY G. HELT

Admitted:1983;MonmouthBeach(Monmouth County)
Disbarment by Consent - *171 N.J. 29 (2002)*
Decided: 3/4/2002

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Daniel R. Kraft for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of client trust funds. This matter was discovered solely as a result of the Random Audit Compliance Program.

PETER E. HESS

Admitted: 1988; Maywood (Bergen County)
Reprimand - *174 N.J. 346 (2002)*
Decided: 10/1/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Susan M. Hagerty for District VIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who practiced law in an admiralty case in the United States District Court for the District of New Jersey while ineligible to practice law in the state of New Jersey by reason of his failure to pay the 1997 annual assessment to the Lawyers' Fund for Client Protection.

On September 24, 1996, respondent received an admonition for failing to maintain a bona fide office in New Jersey and for failure to pay his 1995 annual assessment to the Lawyers' Fund.

STEPHEN M. HILTEBRAND

Admitted: 1978; Cherry Hill (Camden County)
Reprimand - *172 N.J. 584 (2002)*
Decided: 6/18/2002

APPEARANCES BEFORE REVIEW BOARD
Alan J. Cohen for District I
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a litigated matter leading to a default order. Thereafter, respondent met with his clients and misrepresented that the problems in the case were caused by a former associate. He also misrepresented the status of the case and asserted that he would file a summary judgment motion. Respondent then improperly had his clients sign their names to blank signature pages to be attached to affidavits yet to be prepared and to be submitted in support of his motion to reinstate the matter. Ultimately, a judgment of over $792,000 was entered against the respondent's clients, which facts he also failed to disclose to them.

KIMBERLY A. HINTZE

Admitted: 1991; Jersey City (Hudson County)
Suspension 3 Months - *171 N.J. 84 (2002)*
Decided: 4/1/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Eugene P. O'Connell for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in a series of two matters, grossly neglected the cases, failed to act with diligence, failed to communicate with the clients and, in one of those matters, failed to return to the client $900 she was holding in escrow in connection with the sale of the client's business.

The respondent was previously disciplined. In 2000, she was reprimanded for gross neglect, lack of diligence, failure to communicate with a client and failure to cooperate with disciplinary authorities. *In re Hintze-Wilce, 164 N.J. 548*. Pursuant to that order, the respondent was required to practice law under the supervision of a proctor. When she did not submit the name of a proposed proctor as required, she was temporarily suspended from practice on January 17, 2001 and remains suspended to the present time.

FREDERICK W. HOCK

Admitted: 1949; Verona (Essex County)
Reprimand - *172 N.J. 349 (2002)*
Decided: 6/11/2002

APPEARANCES BEFORE REVIEW BOARD
Burton L. Eichler for District VC
Peter M. Burke for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in violation of *RPC 1.8(c)*, drafted several wills for a client who left a large portion of her estate (worth $1.1 million) to himself and his wife.

ROBERT W. HOCK

Admitted: 1991; Marco Island, Florida
Suspension 1 Year - *174 N.J. 376 (2002)*
Decided: 10/23/2002 Effective: 6/16/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who had been suspended in the state of New York for two separate instances involving written misrepresentation in connection with court required disclosure statements. Specifically, respondent knowingly misrepresented that expert witnesses would testify favorably to his client when he knew that this was not the fact.

ROBERT A. HOLLIS

Admitted: 1971; Hackensack (Bergen County)
Disbarment by Consent - *170 N.J. 398 (2002)*
Decided: 2/5/2002

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Raymond F. Flood for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney, submitted after the Court had issued an Order to Show Cause why respondent should not be disbarred as the result of a decision by the Disciplinary Review Board recommending his disbarment. The basis for the matter was respondent's conviction in the United States District Court for the Northern District of Texas to one count of money laundering, in violation of *18 U.S.C.A. §1956 (a)(1)(B) and 2.* Specifically, respondent participated in the criminal laundering of between two and three and one-half million dollars over a period of two and one-half years, which monies represented the proceeds of illegal activities in prostitution and the promotion of prostitution.

The respondent has a history of discipline. In 1984, he was suspended for a period of three years, retroactive to the date of his temporary suspension, January 1982, for failure to prosecute matters in behalf of clients, failure to record a mortgage, failure to provide an inventory of pending cases to a proctor and failure to promptly pay a client's mortgage out of his trust account. *In re Hollis, 95 N.J. 253 (1984)*. Respondent was reinstated to the practice of law in March 1985. Thereafter, in October 1993, respondent was suspended for another three-year period for failure to expedite litigation, conduct involving dishonesty, fraud, deceit or misrepresentation, gross negligence, failure to act with reasonable diligence, failure to communicate with client and failure to withdraw from representation. *In re Hollis, 134 N.J. 124 (1993)*. In June 1998, respondent received an additional one-year suspension for failing to notify a client of his suspension, continuing to represent the client while suspended, recommending another attorney to the client while under suspension and failing to turn over client files. *In re Hollis, 154 N.J. 12 (1998)*.

ROBERT R. HYDE

Admitted: 1983; Raleigh, North Carolina
Disbarment - *172 N.J. 582 (2002)*
Decided: 6/18/2002

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred in the state of North Carolina for knowingly misappropriating clients' funds in three real estate matters totaling over $950.

ELISSA L. INSLER

Admitted: 1987; Jersey City (Hudson County)
Disbarment - *171 N.J. 138 (2002)*
Decided: 3/5/2002

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who resigned from the bar of the state of New York after admitting that, while serving as attorney and executrix of an estate, she stole funds from the estate and also charged it an excessive attorney's fee. The amount of the theft was $41,550.75.

JESSE JENKINS, III

Admitted: 1992; East Orange (Essex County)
Suspension 3 Years - *170 N.J. 296 (2002)*
Decided: 1/14/2002

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who, during his suspension for a prior ethical violation, continued to practice law by appearing in court on behalf of a plaintiff in a civil action, falsely advertised to the public that he was eligible to practice law and failed to cooperate with ethics authorities during the investigation and processing of this disciplinary matter.

The respondent has an extensive ethics history. In 1983, he was denied admission to the practice of law because he failed to disclose to the Character Committee a 1973 arrest for larceny of an automobile and possession of burglary tools, a 1976 arrest for embezzlement and four civil lawsuits to which he was a party. He also made misstatements about his employment history. *In re Jenkins, 94 N.J. 458*. After being admitted, in 1997, he was suspended from the practice of law for a period of six months for making untruthful statements to others, attempting to violate the Rules of Professional Conduct, conduct involving dishonesty, fraud, deceit and misrepresentation and conduct prejudicial to the administration of justice. *In re Jenkins, 151 N.J. 473*. In 1999, the respondent was again suspended, this time for a period of three months, for failing to obey a court and untruthfulness and statements to others. *In re Jenkins, 161 N.J. 162*.

GARY T. JODHA

Admitted: 1983; Princeton (Mercer County)
Reprimand - *174 N.J. 407 (2002)*
Decided:11/1/2002

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Kevin M. Hart for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who represented a purchaser of real estate and then failed to promptly complete post-closing procedures. Specifically, respondent did not record the deed, pay the title insurance premium, pay the real estate taxes or refund escrow funds to his client until nine to 20 months after the closing. In addition, the respondent failed to correct accounting deficiencies noted during a 1988 random audit.

IAN JAY JOSKOWITZ

Admitted: 2001; Bayonne (Hudson County)
Indefinite Suspension - *170 N.J. 320 (2002)*
Decided: 1/23/2002

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that an indefinite suspension from the practice of law was the appropriate discipline for an attorney who was admitted to practice law in New Jersey subject to conditions. The respondent failed to comply with those conditions, which required that he provide quarterly certifications of his employment.

HARRY J. KANE, JR.

Admitted: 1989; Denville (Morris County)
Reprimand - *170 N.J. 625 (2002)*
Decided: 2/21/2002

APPEARANCES BEFORE REVIEW BOARD
John O'Farrell for District X
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was retained by a client without giving the client a written retainer agreement. The retainer involved representation in connection with a lawsuit to recover damages from tenants. Without the client's knowledge or consent, the respondent settled the case, received a check, put it in his file, and did nothing further. Thereafter, he moved his practice to Philadelphia, Pennsylvania without informing the client that he had moved or without giving her his new address. The respondent also misrepresented the status of the case to the client.

LIONEL A. KAPLAN

Admitted: 1972; Trenton (Mercer County)
Admonition - *Unreported (2002)*
Decided: 11/18/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Marc J. Fliedner for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to supervise his law firm's bookkeeper, who failed to maintain accounting records required by *R. 1:21-6,* and then commingled personal and trust funds in the attorney trust account.

This matter was discovered solely as a result of the Random Audit Program.

S. R. KAPLAN

Admitted: 1977; Miami, Florida
Suspension 5 Years - *174 N.J. 551 (2002)*
Decided: 11/25/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of five years was the appropriate discipline for an attorney who resigned from the Florida Bar as a result of nine formal complaints filed against him alleging that he was hired by a client, neglected the matter, failed to communicate with the client, and, in some cases, lied to the client about the status of the case. After each ethics grievance was filed, respondent failed to cooperate with disciplinary authorities in that state.

BRIAN T. KENNEDY

Admitted: 1965
Spring Lake Heights (Monmouth County)
Reprimand - *174 N.J. 374 (2002)*
Decided: 10/15/2002

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who conducted a closing and did not tell the sellers or their attorneys that his client, the buyer, did not bring sufficient funds to the closing as required. Respondent disbursed funds to the extent of the partial funds in his possession. One of those checks was to his wife for a real estate commission. The Disciplinary Review Board found that the respondent's failure to notify the sellers' attorney of the fact that he had not received sufficient funds at closing from his client to conclude the matter and to pay off the sellers' mortgage was a misrepresentation. Furthermore, the Board found that respondent committed a conflict of interest by representing a party in a real estate transaction in which the attorney's spouse was the realtor involved.

GEORGE E. KERSEY

Admitted: 1963; Salem, New Hampshire
Reprimand - *170 N.J. 409 (2002)*
Decided: 2/5/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was suspended for a period of three months in the state of Massachusetts for failure to comply with court orders of the Vermont Family Court in his own divorce matter. During the course of the divorce and related proceedings, the respondent was held in contempt on three separate occasions for willful violations of court orders.

DAVID L. KERVICK

Admitted: 1975; Newark (Essex County)
Suspension 3 Months - *174 N.J. 377 (2002)*
Decided: 10/28/2002 Effective: 11/19/2002

APPEARANCES BEFORE REVIEW BOARD
Janice L. Richter for Attorney Ethics
Richard S. Lehrich for respondent

The Supreme Court of New Jersey accepted a motion for discipline by consent and determined that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, while employed by the Essex County Office of the Public Defender, took an overdose of cocaine while alone in his home. Thereafter, respondent was charged with possession of cocaine, in violation of *N.J.S.A. 2C:35-10a(1)*; using a controlled dangerous substance, in violation of *N.J.S.A. 2C:35-10b*; and in possession of drug paraphernalia, in violation of *N.J.S.A. 2C:36-2*. He was admitted to a Pretrial Intervention Program, which he successfully completed.

FREDERICK A. KIEGEL

Admitted: 1992; Cherry Hill (Camden County)
Admonition - *174 N.J. 299 (2002)*
Decided: 9/5/2002

APPEARANCES BEFORE REVIEW BOARD
Paul Felixon for District IV
Respondent waived appearance

The Supreme Court of New Jersey held that an admonition was the appropriate discipline for an attorney who, in his dealings with an estate planning service, improperly accepted fees from the service to draft legal documents for clients of the service without complying with *RPC 1.8(f)*, by failing to obtain the informed consent of the client prior to accepting fees from the third party and by failing to advise the client that, because of his lack of expertise in estate planning, he was unqualified to analyze the third party's estate plan to determine whether or not it was appropriate for the client.

S. DORELL KING

Admitted: 1980; East Orange (Essex County)
Suspension 1 Year - *171 N.J. 79 (2002)*
Decided: 3/19/2002 Effective: Future

REPRESENTATIONS BEFORE REVIEW BOARD
Mitchell E. Ostrer for District VB
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for a respondent who, jointly with her husband, David S. Brantley, accepted a divorce matter and then grossly neglected the case allowing it to be dismissed for failure to file a case information statement. The respondent also failed to return the unearned retainer fee of $3,580. She also failed to return the client's original papers and file on termination of the representation. Finally, the respondent failed to cooperate with disciplinary authorities in a most egregious manner. As related in the decision of the Disciplinary Review Board:

> "One of the most troubling aspects of this case was respondents' failure to cooperate with disciplinary authorities.

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> (T)hese respondents set about a scorched-earth strategy of intimidation, false accusations and intolerable disrespect for the hearing panel and its individual members and attempted to protract the proceedings, when it appeared that things were not going their way. Respondents are not newcomers to the disciplinary system. Each is well aware of the requirement of cooperation with ethics authorities in all phases of a disciplinary proceeding. Yet, from the inception of the DEC investigation, they ignored and/or misled the investigator, and later the panel, in a series of calculated maneuvers designed to thwart the investigation and to delay the hearing process.

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> For all of the foregoing reasons, we had no difficulty finding that respondents deliberately set about to thwart the disciplinary process, in violation of RPC 8.1(b)."

The Supreme Court ordered that, since the respondent is currently suspended, the one-year suspension imposed by this order will not commence until the expiration of her current suspension that was originally ordered on March 9, 1999. The Court stated that the1999 suspension of three months will not start running until respondent complies with the Court's order to return an earned retainer in another matter and until respondent's temporary suspension from practice is lifted.

The respondent has an extensive disciplinary history. In 1998, she was temporarily suspended for failure to comply with a Supreme Court Order directing her to return a $7,500 unearned retainer to a client. In that same year, the respondent was reprimanded for gross neglect, pattern of neglect, lack of diligence and failure to communicate with clients in three matters, failure to release the file to the client and failure to return an unearned fee in the amount of $7,500 in one of those matters. In 1999, she was again suspended, this time for three months, for gross neglect, pattern of neglect, lack of diligence, failure to communicate with the client, and failure to cooperate with disciplinary authorities. The temporary suspension from practice has never been lifted.

STEVEN M. KRAMER

Admitted: 1983; Beverly Hills, California
Disbarment - *162 N. J. 609 (2002)*
Decided: 6/18/2002

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Helen Davis Chaitman for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who unethically conducted a private investigation of a judge of the United States District Court for the District of New Jersey, displayed contempt of court by failing to comply with Supreme Court Rules governing suspended attorneys, practiced law while suspended and failed to cooperate with the Office of Attorney Ethics during the investigation and processing of this matter. Additionally, the respondent was disbarred in the state of New York, for, among other things, willful disobedience of discovery orders, as well as for making false statements in affidavits. In that proceeding, the New York court noted that, during the past 11 years, the respondent was sanctioned, criticized or disciplined 38 times in various courts across the country for professional misconduct involving numerous clients. Thirty-six of the 38 instances in which respondent was sanctioned, criticized or disciplined, were summarized by Judge William Bassler of the United States District Court, District of New Jersey, in *Kramer v. Tribe, 156 F.R.D. 96 (D.N.J. 1994)*, *Aff'd 52 F.3d 315 (3d Cir. 1995), Cert. Denied 516 U.S. 907 (1995)*.

With respect to the respondent's improper investigation of a federal judge, that matter was precipitated by the judge's overturning a jury award of $238 million in favor of respondent's client. Apparently, the respondent suspected that the judge had been improperly influenced in his actions and determined to conduct a private investigation of possible corruption. He hired a private investigator for this purpose. The agreement signed with the private investigator provided, among other things, that the investigator would receive a performance bonus of $250,000 "out of the net settlement proceeds upon settlement of the matter with the adversary, provided that (the investigator) obtains corroborating evidence prior to any such settlement...." During the course of that investigation, one of the investigator's associates illegally obtained the judge's personal American Express credit card records, in violation of *18 U.S.C.A. §1030(a)(2)(A)(2)*, and he provided those records to the respondent.

The Disciplinary Review Board in its unreported opinion came to the following conclusion:

> "Respondent has willfully and repeatedly disregarded court rules, court orders and rules of professional conduct. He has willfully and repeatedly displayed egregious disrespect for the courts, his adversaries, the judicial process and the disciplinary system.... He is obviously incapable of or unwilling to conform to the requirements of the legal profession."

The respondent was previously disciplined. In 1993, he was reprimanded for gross neglect, lack of diligence, failure to withdraw as counsel when discharged, failure to protect the client's interests after termination of the representation, and failure to cooperate with disciplinary authorities. *In re Kramer, 130 N.J. 536*. In 1997, respondent was suspended for a period of six months for failing to abide by a client's decisions about the objectives of the representation in obtaining a proprietary interest in the cause of action or subject matter of the litigation. *In re Kramer, 149 N.J. 19*.

JONATHAN H. KRANZLER

Admitted: 1992; Teaneck (Bergen County)
Disbarment by Consent - *173 N.J. 324 (2002)*
Decided: 7/24/2002

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Kim D. Ringler consulted with respondent in order to assure voluntariness of the Disbarment by Consent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who pled guilty to one count of an indictment filed in the United States District Court for the Southern District of Florida, charging him with interstate transportation of stolen property, in violation of *18 U.S.C.A.§ 2314*. The respondent had been temporarily suspended from the practice of law since November 14, 2001. *In re Kranzler, 170 N.J. 32*.

ALAN D. KRAUSS

Admitted: 1982; Montclair (Essex County)
Admonition - *Unreported (2002)*
Decided: 5/23/2002

APPEARANCES BEFORE REVIEW BOARD
A. L. Gaydos, Jr. for District VC
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who represented a client in a wrongful termination matter without first providing the client with a written retainer agreement, as required by *RPC 1.5(c)*. Thereafter, the attorney neglected the matter, resulting in its dismissal. The attorney advised the client of the dismissal one month thereafter and told her that he would file an appeal. However, he took no further action in the matter. In a second case, the respondent also failed to provide a personal injury client with a written retainer agreement, in violation of *RPC 1.5(c)* and then neglected the matter, leading to its dismissal for lack of prosecution.

KAREN ANN KUBULAK

Admitted: 1980; Perth Amboy (Middlesex County)
Suspension 3 Months - *170 N.J. 403 (2002)*
Decided: 2/5/2002

APPEARANCES BEFORE REVIEW BOARD
Caroline A. Levine for District VIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in a wrongful termination of employment matter, engaged in gross neglect by not filing a complaint, failed to communicate with her client despite numerous requests for information about the case and failed to cooperate with disciplinary authorities in investigating and processing this matter.

The respondent was previously disciplined. In 1999, she was suspended for a period of three months for gross neglect, failing to abide by the client's decisions concerning the objectives of representation, lack of diligence, failure to communicate with a client, failure to expedite litigation and failure to respond to a lawful demand for information from a disciplinary authority, as well as conduct involving dishonesty, fraud, deceit or misrepresentation, and conduct prejudicial to the administration of justice. *In re Kubulak, 157 N.J. 74*.

KAREN ANN KUBULAK

Admitted: 1980; Perth Amboy (Middlesex County)
Suspension 3 Months - *172 N.J. 318 (2002)*
Decided: 6/4/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Caroline A. Levine for District VIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who represented a client in the collection of a debt and then grossly neglected the matter, failed to communicate with the client and failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

The respondent has a disciplinary history. In 1999, she was suspended from the practice of law for a period of three months for gross neglect, failure to abide by the client's decisions concerning representation, lack of diligence, failure to communicate with the client, failure to expedite litigation, failure to cooperate with ethics authorities and conduct prejudicial to the administration of justice and misrepresentation. *In re Kubulak, 157 N.J. 74*. In 2002, the Supreme Court imposed a three-month suspension in another default matter for gross neglect, pattern of neglect, failure to communicate and failure to cooperate with ethics authorities in a separate collection matter. *In re Kubulak, 170 N.J. 403*.

ALAN E. KUDISCH

Admitted: 1979; Lake Grove, New York
Suspension 1 Year - *174 N.J. 550 (2002)*
Decided: 11/25/2002 Effective: 2/7/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year

was the appropriate discipline for an attorney who was suspended in the state of New York for accepting a $4700 retainer in a criminal matter when he was aware that the court had assigned counsel to represent the client. Thereafter, the respondent failed to take any action on the client's behalf and failed to refund any portion of the retainer to his client. In a second matter, the respondent represented clients in a breach of contract action and misrepresented to them, after many inquiries, that he had filed suit with the court when, in fact, he had not.

The respondent had been previously disciplined in the state of New York. In 1993, he received an admonition for neglecting a legal matter and refusing to perfect an appeal until the balance of his fee was paid. In 1995, he received a letter of caution for failing to use written retainer agreements and falsely promising a former client that he would pay him money that was owed.

The respondent was admonished in 1995 for failing to advance an appeal and/or failing to withdraw from the case in a proper manner, engaging in a conflict of interest, improperly converting an assigned legal matter into a private retainer and failing to notify the court of that change. In 1996, he was again admonished for neglecting a legal matter entrusted to him and misrepresenting the status of the case.

HARVEY L. LASKY

Admitted: 1968; Brookville, Florida
Suspension 6 Months - *174 N.J. 554 (2002)*
Decided: 11/25/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who signed a false deposit confirmation in a real estate matter, stating that he had received a $124,901 real estate deposit and thereafter signed a closing statement which he certified as correct, when it was not.

MARTIN C. LATINSKY

Admitted: 1983; Haworth (Bergen County)
Reprimand - *171 N.J. 403 (2002)*
Decided: 4/1/2002

APPEARANCES BEFORE REVIEW BOARD
Lois A. Myers for District IIA
William L. Gold for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who represented a client in a Chapter 11 bankruptcy matter and then failed to communicate with the client on the status of the matter, took earned legal fees without the client's or the bankruptcy court's prior approval, and failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

The respondent was previously disciplined. In 1999, he received an admonition for misconduct that included failure to properly terminate a client representation and failure to communicate with a client in the first of three client matters. In the second matter, respondent failed to keep the client reasonably informed about the status of the case and, in the third matter, exhibited lack of diligence and failed to communicate with the client.

MARTIN C. LATINSKY

Admitted: 1982; Haworth (Bergen County)
Suspension 3 Months - *171 N.J. 402 (2002)*
Decided: 4/1/2002 Effective: 5/1/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Lois A. Myers for District IIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in two client matters, engaged in gross neglect, lack of diligence, failure to communicate with the clients, failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions, charging an excessive fee, failure to provide in writing the basis for the fee, failure to expedite litigation, failure to cooperate with disciplinary authorities and conduct involving dishonesty, fraud, deceit or misrepresentation.

MARTIN C. LATINSKY

Admitted: 1982; Haworth (Bergen County)
Reprimand - *174 N.J. 408 (2002)*
Decided: 11/1/2002

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who improperly engaged in the practice of law in this state while the Supreme Court had declared him ineligible by reason of his nonpayment of the Annual Attorney Assessment. The respondent also failed to maintain proper accounting records, as required by *R. 1:21-6*.

The respondent has an extensive disciplinary history. In 1999, he was admonished for misconduct in three matters, involving failure to communicate with clients. In addition, in one of the matters, he failed to file a complaint because he determined unilaterally that the case was not meritorious. However, he never informed his client of that decision. In

another case, respondent did not inform his clients that his efforts to stay a sheriff's sale had been rejected and did not return the clients' telephone calls. In the third matter, the client's case was dismissed because of respondent's failure to attend an arbitration proceeding. In 2002, the respondent was reprimanded for taking a fee from a preference settlement without the prior approval of the bankruptcy court, failing to keep his client informed about his bankruptcy case and failing to cooperate with the district ethics committee's investigation of the grievance. *In re Latinsky, 171 N.J. 403*. Also in 2002, the Supreme Court determined to suspend the respondent for a period of three months for misconduct in two matters. In one, respondent demonstrated gross neglect, lack of diligence, failure to communicate the basis of his fee in writing, failure to expedite litigation and dishonesty. He also charged an unreasonable fee. In both matters, respondent failed to communicate with his clients and failed to cooperate with disciplinary authorities. *In re Latinsky, 171 N.J. 402*.

TANYA E. LAWRENCE

Admitted: 1998; Brooklyn, New York
Suspension 3 Months - *170 N.J. 598 (2002)*
Decided: 2/21/2002 Effective: 3/19/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, while ineligible to practice law in New Jersey and not admitted to practice law in the state of New York, accepted a retainer to handle a matter in New York. The respondent failed to keep her client reasonably informed about the status of the matter, exhibited a lack of diligence, charged an unreasonable fee, engaged in the unauthorized practice of law in New York, used misleading letterhead in New Jersey and failed to cooperate with disciplinary authorities in the investigation and processing of this matter.

KENNETH M. LEFF

Admitted: 1981; Woodbridge (Middlesex County)
Reprimand - *174 N.J. 508 (2002)*
Decided: 11/13/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Bruce J. Kaplan forDistrict VIII
Respondent failed to appear

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to reasonably communicate with a client in a real estate matter and failed to cooperate with disciplinary authorities during the investigation and processing of that case.

PAUL A. LEFF

Admitted: 1983; Staten Island, New York
Suspension 6 Months - *174 N.J. 553 (2002)*
Decided: 11/25/2002 Effective: 8/28/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months, retroactive to the date that he was disbarred in the state of New York, was the appropriate discipline for an attorney who engaged in an improper business transaction with a client, represented a client when he had a contrary interest and failed to withdraw from the representation. The respondent also engaged in the practice of law in New York while he was suspended from practicing in that state by using his attorney trust account, commingling personal and client funds in his trust account and filing a false and misleading affidavit of compliance with his suspension that falsely certified that he had fully complied with the suspension order in the state of New York.

JONATHAN H. LESNIK

Admitted: 1991; Union (Union County)
Admonition - *Unreported (2002)*
Decided: 5/22/2002

APPEARANCES BEFORE REVIEW BOARD
Kelly A. Waters for District XII
Kenneth S. Javerbaum for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in a divorce matter, failed to file an answer on behalf of his client, as a result of which the court entered a final judgment of divorce by default. The respondent's actions constituted gross neglect, lack of diligence and failure to communicate with his client.

ERIC M. LEVANDE

Admitted: 1987; Boca Raton, Florida
Suspension 1 Year - *172 N.J. 72 (2002)*
Decided: 5/9/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who had been suspended for one year and one day in the Commonwealth of Pennsylvania. The basis for the disciplinary action there

involved an extensive pattern of gross neglect, lack of diligence and failure to communicate by respondent during the time period 1996 and 1997. At this time, respondent ran a high volume, low cost legal practice consisting of bankruptcy, divorce and some criminal matters. He over-expanded with satellite offices and was unable to adequately handle his clientele. In fact, respondent gave each client a form that stated that his office would not answer legal questions over the telephone nor would it return telephone calls. Moreover, the respondent failed to maintain proper financial records and client trust accounts as a result of sloppy bookkeeping. Additionally, the respondent had been previously disciplined in Pennsylvania through two informal admonitions.

MARC R. LEVENTHAL

Admitted: 1976; Tel Aviv, Israel
Disbarment - *171 N.J. 140 (2002)*
Decided: 3/5/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was previously disbarred in the state of New York based on a conviction in Israel of the offense of stealing by agent in the amount of $35,000 as a result of his knowing misappropriation of client escrow funds.

DAVID L. LOCKARD

Admitted: Pro Hac 1991; Philadelphia, Pennsylvania
Suspension 3 Years - *174 N.J. 373 (2002)*
Decided: 10/15/2002

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Anthony J. LaRusso for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law pro hac vice in the state of New Jersey for a period of three years was the appropriate discipline for an attorney who failed to safeguard over $7,600 in trust funds pending instructions from his client. Those funds were needed to pay a lien against the clients. The respondent could not account for the disposition of those trust monies.

ROWLAND V. LUCID, JR.

Admitted: 1968; Morristown (Morris County)
Reprimand - *174 N.J. 367 (2002)*
Decided: 10/15/2002

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who practiced law in violation of a Supreme Court order declaring him ineligible to practice law for the year 1998, by reason of his failure to pay the annual attorney registration fee.

The respondent was previously disciplined. In 1990, he received a private reprimand for lack of diligence and failure to communicate with a client. In 1993, he was privately reprimanded once again for gross neglect, lack of diligence, conduct prejudicial to the administration of justice and failure to cooperate with disciplinary authorities. In 1995, he was reprimanded for lack of diligence, failure to communicate and failure to have a written fee agreement. *In re Lucid, 143 N.J. 2*.

GREGORY P. LUHN

Admitted: 1982; Morristown (Morris County)
Disbarment by Consent - *171 N.J. 35 (2002)*
Decided: 3/14/2002

REPRESENTATIONS
John McGill, III for Attorney Ethics
Raymond F. Flood for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of over $177,000 in clients' trust funds. The respondent was temporarily suspended from the practice of law in New Jersey since March 6, 1998. *In re Luhn, 152 N.J. 591*.

E. STEVEN LUSTIG

Admitted: 1982; Hackensack (Bergen County)
Admonition - *Unreported (2002)*
Decided: 4/19/2002

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Howard B. Leopold for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who held $4,800 in his attorney trust account to satisfy an outstanding hospital bill, but failed to disburse those funds for a period of three and one-half years. In addition, for a period of two and one-half years, the respondent practiced law while on the Supreme Court's Ineligible List for failure to pay his annual attorney registration fee. Finally, the respondent failed to maintain proper trust and business account records in accordance with *R. 1:21-6*.

ROBERT F. LYLE

Admitted: 1974; Moorestown (Burlington County)
Suspension 3 Months - *172 N.J. 563 (2002)*

Decided: 6/18/2002

APPEARANCES BEFORE REVIEW BOARD
Sudha T. Kantor for District IV
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in his own personal matrimonial matter, made misrepresentations in his divorce complaint that he and his wife had been separated for 18 months when, in fact, the parties had been living apart for only one month.

JOHN D. LYNCH

Admitted: 1981; Union City (Hudson County)
Reprimand - *174 N.J. 295 (2002)*
Decided: 9/5/2002

APPEARANCES BEFORE REVIEW BOARD
Kenneth J. Fost for District VC
Brian J. Neary for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected several client matters, failed to communicate with the clients and failed to cooperate with ethics authorities in the investigation of the matters.

JOHN R. MAGUIRE

Admitted: 1976; Flanders (Morris County)
Disbarment - *175 N.J. 58 (2002)*
Decided: 12/10/2002

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred in the state of New York following his conviction in the United States District Court for the Southern District of New York for the crimes of conspiracy to defraud the United States (*18 U.S.C.A. §371*), obstruction of justice (*18 U.S.C.A. §1603*) and tax fraud [*26 U.S.C.A. §7206(1)*]. The respondent, and others, created a company called National Abatement Contracting Corp., which was maintained and utilized as a pretense to fraudulently obtain federal contracts and earn millions of dollars for another company that had been barred from direct federal procurement contracts, without disclosing its connection to the former company. In furtherance of this scheme, respondent and others created and submitted false business records and documents to a grand jury in response to a subpoena. The respondent had been temporarily suspended from the practice of law since January 17, 1989.

SALVATORE J. MAIORINO

Admitted: 1998; Staten Island, New York
Reprimand - *170 N.J. 407 (2002)*
Decided: 2/5/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Michael J. Gentile for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who pleaded no contest to an information filed in the state of Connecticut, charging him with fourth degree sexual assault, in violation of *C.G.S.A. 53a-73a(a)(2)*, for improperly touching a minor.

SAMUEL A. MALAT

Admitted: 1989; Haddon Heights (Camden County)
Reprimand - *174 N.J. 564 (2002)*
Decided: 12/10/2002

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for District IV
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a series of four cases, failed to cooperate with disciplinary authorities, engaged in a lack of diligence, and failed to communicate with several clients. In one other matter, respondent counseled a client to file Chapter 13 Bankruptcy for the express purpose of avoiding a levy on the client's bank account, with the understanding that respondent would fail to conclude the matter so that it would guarantee a dismissal of the bankruptcy. Respondent's action constituted an improper use of the judicial system.

GEORGE J. MANDLE, JR.

Admitted: 1970; Linden (Union County)
Suspension 3 Months - *173 N.J. 176 (2002)*
Decided: 7/12/2002

APPEARANCES BEFORE REVIEW BOARD
Steven Brister for District XII
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a real estate transaction, failed to act with diligence, and failed to adequately communicate with his clients in this matter. The Court also ordered that, prior to reinstatement, respondent must provide proof of his fitness to practice law and that, on reinstatement, respondent shall

practice under a monitor approved by the Office of Attorney Ethics until further order of the Supreme Court.

The respondent has a significant disciplinary history. In 1996, he was reprimanded for misconduct in four matters, including pattern of neglect, gross neglect, failure to act with diligence and failure to cooperate with ethics authorities. *In re Mandle, 146 N.J. 520.* In 1999, he was again reprimanded for gross neglect, lack of diligence and failure to communicate with a client and was additionally ordered to return a $500 retainer to his client. *In re Mandle, 157 N.J. 68*. In the year 2000, he was temporarily suspended from the practice of law for failing to comply with the Court's prior order requiring that he practice under a proctor. *In re Mandle, 163 N.J. 438.* In 2001, he was again reprimanded for gross neglect, lack of diligence, and failure to properly deliver funds to a client in a real estate matter, as well as failing to cooperate with disciplinary authorities. *In re Mandle, 167 N.J. 609*. Finally, in late 2001, respondent was suspended for a period of three months for gross neglect, lack of diligence and failure to cooperate with ethics authorities. *In re Mandle, 170 N.J. 70.*

DAWN F. MANNING

Admitted: 1996; West Orange (Essex County)
Admonition - *Unreported (2002)*
Decided: 10/23/2002

APPEARANCES BEFORE REVIEW BOARD
Robert E. Brenner for District VB
Erika McDaniel for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who represented a purchaser at a real estate closing. The respondent failed to inform his client to bring the correct amount of funds to closing. On the day of closing, when it was discovered that the buyer had a $400 shortage, the respondent and the attorney for the seller decided to proceed with the closing and to withhold in escrow $400 from a broker's commission. The respondent's failure to collect from the buyer sufficient funds to complete the closing constituted a lack of diligence.

WILLIAM D. MANNS, JR.

Admitted: 1978; Newark (Essex County)
Reprimand - *171 N.J. 145 (2002)*
Decided: 4/1/2002

APPEARANCES BEFORE REVIEW BOARD
John T. Wolak for District VA
Thomas R. Ashley for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to act diligently in representing a client in a personal injury matter and failed to communicate with his client. Moreover, the respondent knowingly made a false statement of material fact to a tribunal when he improperly stated in a certification filed with the court that he did not learn of the dismissal of the client's case until November, when, in fact, the respondent was on notice by the court's July 21 letter that the case had been dismissed.

The respondent had been previously disciplined. In 1999, the respondent received a reprimand for a pattern of neglect, lack of diligence, and failure to communicate with his client. That order also required the respondent to practice under the supervision of a proctor for a period of six months. *In re Manns, 157 N.J. 532*.

MARTIN M. MARGOLIS

Admitted: 1961; Verona (Essex County)
Admonition - *Unreported (2002)*
Decided: 7/22/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
William B. McGuire for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who notarized his client's signature on certain loan documents even though she signed them outside of his presence.

MICHAEL A. MARK

Admitted: 1986; Hawthorne (Passaic County)
Admonition - *Unreported (2002)*
Decided: 2/13/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Robert J. Prihoda for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board accepted a Motion for Discipline by Consent and held that an admonition was the appropriate sanction for an attorney who negligently misappropriated client trust funds as a result of deficient attorney trust and business account records, including a failure to reconcile the attorney trust account on a quarterly basis.

ALAN H. MARLOWE

Admitted: 1971; Cliffside Park (Bergen County)
Disbarment - *170 N.J. 394 (2002)*
Decided: 1/23/2002

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who accepted $18,000 to appeal a federal criminal conviction and then misled the client that the appeal was proceeding, when, in fact, it had been dismissed. The respondent never accounted to

the client for the $18,000 fee. The respondent also practiced law while he was suspended in a prior disciplinary case. The Disciplinary Review Board noted:

> "Obviously, this respondent has shown contempt for disciplinary authorities, indifference to his client's well being, inability B indeed, refusal B to conform to the standards of the profession and, moreover, unwillingness to learn from his prior mistakes. He should not be allowed to practice law again."

The respondent had an extensive record of discipline. In 1990, he was reprimanded for misrepresenting to a trial judge that he had his adversary's consent to an adjournment. *In re Marlowe (unreported)*. Also, in 1990, Mr. Marlowe was suspended for a period of three months for misconduct in two matters, including lack of diligence, pattern of neglect, failure to communicate with a client and misrepresentation. *In re Marlowe, 121 N.J. 236*. A year later, in 1991, he was again reprimanded for failure to cooperate with disciplinary authorities and then suspended for 14 months, retroactively to September 1990, for inadequate record keeping practices, failure to correct the accounting deficiencies uncovered by the Office of Attorney Ethics' audit and failure to cooperate with the Office of Attorney Ethics in demonstrating compliance with the record keeping rules. *In re Marlowe, 126 N.J. 379*. The respondent was suspended for one year in 1997 for gross neglect, failure to abide by a client's decision, lack of diligence, failure to keep the client reasonably informed, failure to comply with attorney record keeping requirements, failure to cooperate with disciplinary authorities, and failure to notify existing clients of his suspension. *In re Marlowe, 152 N.J. 20*. Finally, in 2000, the respondent was suspended for six months for gross neglect, misrepresentation, failure to notify clients of his suspension and failure to cooperate with disciplinary authorities. *In re Marlowe, 165 N.J. 20*.

ALLEN C. MARRA

Admitted: 1967; Montclair (Essex County)
Suspension 6 Months - *170 N.J. 410 (2002)*
Decided: 2/5/2002 Effective: 3/22/2002

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who represented a client in a negligence action and then grossly neglected the matter, failed to reply to client's reasonable requests for information, failed to return the client's file upon termination of the representation and failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

The respondent has a disciplinary history. In 1992, he was privately reprimanded for lack of diligence and failure to communicate in a civil matter. A year later, he was publicly reprimanded for failing to communicate with a client, having an employee "notarize" false signatures, failing to deposit settlement proceeds into his trust account, and failing to cooperate with disciplinary authorities. *In re Marra, 134 N.J. 521*. In 1997, respondent was suspended for a period of three months for gross neglect, failure to abide by a client's decisions, lack of diligence, failure to communicate, failure to cooperate with disciplinary authorities, and conduct involving dishonesty, fraud, deceit or misrepresentation. *In re Marra, 149 N.J. 650*. He was restored to practice on October 6, 1998.

ALLEN C. MARRA

Admitted: 1967; Montclair (Essex County)
Suspension 1 Year - *170 N.J. 411(2002)*
Decided: 2/5/2002 Effective: 7/28/1997

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who unethically practiced law in two cases while already suspended by the Supreme Court and who, after an audit of his trust and business accounts, was found to have substantial record keeping violations, even though he had previously been the subject of a random audit.

The respondent has a disciplinary history. In 1992, he was privately reprimanded for lack of diligence and failure to communicate in a civil matter. A year later, he was publicly reprimanded for failing to communicate with a client, having an employee "notarize" false signatures, failing to deposit settlement proceeds into his trust account, and failing to cooperate with disciplinary authorities. *In re Marra, 134 N.J. 521*. In 1997, respondent was suspended for a period of three months for gross neglect, failure to abide by a client's decisions, lack of diligence, failure to communicate, failure to cooperate with disciplinary authorities, and conduct involving dishonesty, fraud, deceit or misrepresentation. *In re Marra, 149 N.J. 650*. He was restored to practice on October 6, 1998

ALLEN C. MARRA

Admitted: 1967; Montclair (Essex County)
Suspension 3 Months - *170 N.J. 412 (2002)*
Decided: 2/5/2002 Effective: 3/22/2002

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in one client matter, displayed a lack of diligence, failed to

communicate with the client, failed to promptly notify the client of his suspension, and failed to prepare a written fee agreement. In a second matter, the respondent exhibited lack of diligence, failed to communicate with the client and failed to maintain an attorney business account as required by *R. 1:21-6*.

The respondent has a disciplinary history. In 1992, he was privately reprimanded for lack of diligence and failure to communicate in a civil matter. A year later, he was publicly reprimanded for failing to communicate with a client, having an employee "notarize" false signatures, failing to deposit settlement proceeds into his trust account, and failing to cooperate with disciplinary authorities. *In re Marra, 134 N.J. 521*. In 1997, respondent was suspended for a period of three months for gross neglect, failure to abide by a client's decisions, lack of diligence, failure to communicate, failure to cooperate with disciplinary authorities, and conduct involving dishonesty, fraud, deceit or misrepresentation. *In re Marra, 149 N.J. 650*. He was restored to practice on October 6, 1998.

DENNIS A. MAYCHER

Admitted: 1973; Wallington (Bergen County)
Suspension 3 Months - *172 N.J. 317 (2002)*
Decided: 6/4/2002 Effective: 7/1/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Barry D. Epstein for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to a one-count information charging him with willfully failing to maintain the originals or copies of records of transactions regarding the establishment of letters of credit of more than $10,000 from a place outside the United States, in violation of *12 U.S.C.A. §1956*, a misdemeanor offense. In this case, his client gave him $90,000 in cash for a real estate closing. As noted by the Disciplinary Review Board in their unreported decision:

> "In order to avoid the filing of a currency transaction report ('CTR'), respondent had an employee go to various bank branches and make 19 separate deposits of $9,000 each, into his attorney trust account. Respondent deposited the remaining $4,000 into his attorney business account. According to respondent, he wanted to avoid the filing of a CTR because an inquiry by the Internal Revenue Service ('IRS') could have delayed the closing of the transaction, which would likely have caused the deal to collapse."

DENNIS S. MCALEVY

Admitted: 1965; Union City (Hudson County)
Admonition - *Unreported (2002)*
Decided: 10/25/2002

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Brian J. Neary for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was found guilty of contempt in the face of the court by a Superior Court judge. The Review Board found that, instead of acting courteously towards the judge, the respondent "sarcastically interfered with the judge's ability to conclude the hearing in an orderly fashion." As a result, his conduct was unethical, in violation of *RPC 3.5(c).*

BRIAN D. MCARDLE

Admitted: 1986; Succasunna (Morris County)
Reprimand - *171 N.J. 473 (2002)*
Decided: 4/25/2002

APPEARANCES BEFORE REVIEW BOARD
IsraelDubin for Committee on Attorney Advertising
Respondent appeared pro se

The Supreme Court of New Jersey, on a Motion for Discipline by Consent recommended by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who published newspaper flyers containing statements that were potentially misleading to the public.

CHARLES H. MCAULIFFE

Admitted: 1969; Chester (Morris County)
Reprimand - *171 N.J.85 (2002)*
Decided: 4/1/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Keith L. Flicker for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Morris County, to a one-count accusation charging him with third degree conspiracy to possess a controlled dangerous substance, Tylenol with Codeine, in violation of *N.J.S.A. 2C:5-2 and N.J.S.A. 2C:35-10a(1)*. Specifically, in 1997, the respondent obtained Tylenol and Codeine in amounts in excess of those authorized on the prescription. Although respondent had legitimate prescriptions for the medication, he arranged with a pharmacist he knew to obtain additional pills "as a matter of convenience" so that he did not have to visit his doctors or the pharmacy as often as he otherwise would.

WILLIAM J. MCDONNELL

Admitted: 1976; South Amboy (Middlesex County)
Admonition - *Unreported (2002)*
Decided: 6/21/2002

APPEARANCES BEFORE REVIEW BOARD
James E. Stahl for District VIII
William T. Harth, Jr. for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to have a written fee agreement, as required by *RPC 1.5(b)*, with a client whom he was representing in various matters over a two-year period. During this time, respondent withdrew money from his trust account as fees for representation without apprizing the client of the specifics of the representation and/or the fees associated with these matters. Respondent also failed to submit billing records to the client indicating the amount of fees charged for the various proceedings.

EUGENE F. MCENROE

Admitted: 1971; Matawan (Monmouth County)
Suspension 3 Months - *172 N.J. 324 (2002)*
Decided: 6/4/2002 Effective: 7/8/2002

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Charles J. Uliano for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who willfully failed to file federal and state income tax returns for the tax years 1988 through 1994, in violation of *26 U.S.C.A..§7203*. As the Disciplinary Review Board noted in its unreported decision:

> "(R)espondent admitted that his purpose in not filing the returns was to free up his 'cash flow' and to pay college tuition for the couple's daughter. There can be no doubt, thus, that his failure to file the tax returns was willful."

LAWRENCE J. MCGIVNEY

Admitted: 1990; Trenton (Mercer County)
Admonition - *171 N.J. 34 (2002)*
Decided: 3/18/2002

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Robert J. Gilson for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, while an Assistant Prosecutor, improperly signed the name of his superior to an affidavit in support of an emergent wiretap application, moments before its review by the court. The respondent knew at the time that the judge may have been misled by his action, which constituted a violation of *RPC 3.3(a)(5)*. The respondent did bring the matter to the attention of the court within one day of his misconduct and had his superior properly sign the affidavit.

KEITH A. MCKENNA

Admitted: 1989; Morristown (Morris County)
Reprimand - *172 N.J. 644 (2002)*
Decided: 6/27/2002

APPEARANCES BEFORE REVIEW BOARD
Denelle Waynick for District VA
James B. Ventantonio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to act diligently in representing a client in a wrongful termination of employment action. Further, the respondent settled the matter in direct contradiction to directions received from the client.

JOHN G. MENNIE

Admitted: 1986; Ocean (Monmouth County)
Reprimand - *174 N.J. 335 (2002)*
Decided: 9/17/2002

APPEARANCES BEFORE SUPREME COURT
Brian Gillet for Committee on Attorney Advertising
David B. Rubin for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate disciplinefor an attorney who published a misleading advertisement that he had obtained a $7 million verdict, without disclosing the fact that that verdict had been set aside as grossly disproportionate to the injuries sustained by the plaintiff.

ROBERT S. MILLER

Admitted: 1964; East Orange (Essex County)
Suspension 3 Months - *170 N.J. 259 (2002)*
Decided: 1/8/2002 Effective: 2/4/2002

APPEARANCES BEFORE REVIEW BOARD
Mark Denbeaux for District VA
Henry N. Luther, III for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who represented a criminal defendant without providing a written fee agreement, without providing the client sufficient

information to make an informed decision, and who engaged in a conflict of interest and made misleading statements to his clients and to the court.

The respondent has prior discipline. In 1985, he was publicly reprimanded for improperly entering into a business transaction with a client, failing to act with diligence in an estate matter and withdrawing legal fees from estate funds without the prior consent of his client. *In re Miller, 100 N.J. 537.* In 1995, he received an admonition for lack of diligence and failure to communicate in a domestic relations matter. On March 1, 1999, he was temporarily suspended for failing to pay administrative costs assessed in connection with the above admonition. He was restored to practice on April 6, 1999.

RAJANIKANT C. MODY

Admitted: 1975; Jersey City (Hudson County)
Suspension 3 Months - *170 N.J. 406 (2002)*
Decided: 2/5/2002 Effective: 3/11/2002

APPEARANCES BEFORE REVIEW BOARD
Wanda Molina for District VI
James F. Ryan for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who improperly engaged in a prohibited attorney-client business transaction by borrowing $15,000 from clients whom he had previously represented in the purchase of the property. The respondent then defaulted after paying less than $500. Additionally, the respondent's second mortgage loan was without notice to or consent from the first mortgagee, a practice referred to as "silent seconds" because they are prohibited by the first mortgagee. The respondent also failed to cooperate with disciplinary authorities during the investigation of this matter despite representations that he would do so.

The respondent has a disciplinary history. In 1988, he was privately reprimanded for representing both the buyer and seller of a business, thereby creating a conflict of interest. In 1989, he was again privately reprimanded for requesting an adjournment of a telephone conference with an administrative law judge, representing that he would be in another court in Middlesex County. When the judge tried to reach respondent at the telephone number that respondent had provided, he discovered that the telephone number was answered by a malfunctioning answering machine in Essex County.

PHILIP J. MORAN

Admitted: 1975; Skillman (Somerset County)
Admonition - *Unreported (2002)*
Decided: 2/11/2002

APPEARANCES BEFORE REVIEW BOARD
Brenda F. Engel for District VII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to timely pay his client's (the purchaser's) real estate taxes, sewer and water charges and home warranty premium until three months after the closing, while failing to reply to his client's numerous telephone calls for information. The respondent also failed to return to the clients $350 representing an overpayment made by them towards the closing proceeds. Furthermore, although the respondent did not represent the sellers, he collected a $15 Federal Express fee at closing for the purpose of overnighting the payoff check to the mortgagee. However, because the payoff check was not sent timely and was sent by regular mail, the mortgagee required that, pursuant to the sellers' mortgage document, an additional month's interest be assessed against the sellers. That amount of $819.51 was ultimately paid by the attorney from his own funds. However, after the closing, it was discovered that $1,059.50 was due back to the sellers. Instead of making the repayment, the respondent reimbursed himself $819.50 previously paid to the mortgagee and then failed to refund the balance of $239.99 that was not in dispute.

KEITH O. D. MOSES

Admitted: 1990; Jersey City (Hudson County)
Admonition - *Unreported (2002)*
Decided: 10/23/2002

APPEARANCES BEFORE REVIEW BOARD
Nesle A. Rodriguez for District VI
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to reply to several requests for information from a district ethics committee about two grievances filed against him.

RICHARD P. MULÉ

Admitted: 1982; Trenton (Mercer County)
Disbarment by Consent - *171 N.J. 144 (2002)*
Decided: 4/2/2002

REPRESENTATIONS
Janice L. Richter for Attorney Ethics
Lindsay L. Burbage for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of in excess of $104,000 in a real estate transaction. The respondent was temporarily suspended from the practice of law in New Jersey on February 25, 2002.

GERALD A. NUNAN

Admitted: 1983; Morristown (Morris County)

Suspension 3 Months - *174 N.J. 405 (2002)*
Decided: 11/1/2002 Effective: 12/2/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Jane E. Doran for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, while ineligible to practice law in New Jersey by reason of his nonpayment of the Annual Attorney Registration fee, failed to represent a matrimonial client diligently, failed to properly communicate with the client and advise him that his answer and defense had been stricken and that a warrant had been issued for his arrest. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter. In 1998, respondent was previously admonished for gross neglect, lack of diligence, failure to communicate and failure to cooperate with disciplinary authorities in that matter.

CRAIG V. O'CONNOR

Admitted: 1976; Morristown (Morris County)
Reprimand - *174 N.J. 298 (2002)*
Decided: 9/5/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Andrew J. Blair for District XI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who, while representing a client in connection with a fraud and breach-of-contract case, misrepresented to the client that he had filed a complaint, when such was not true. The respondent had previously entered into a diversionary agreement, which he failed to fulfill, thus leading to the instant proceedings.

DANIEL J. O'HARA, JR.

Admitted: 1971; Summit (Union County)
Disbarment by Consent - *172 N.J. 326 (2002)*
Decided: 6/11/2002

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Gleb Glinka, of Cabot, VT, consulted with respondent for the purpose of assuring the voluntariness of his consent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend allegations that he knowingly misappropriated in excess of $600,000 from estate funds. The respondent had been temporarily suspended from the practice of law in New Jersey since January 30, 2002. *In re O'Hara, 170 N.J. 397.*

STEVEN M. OLITSKY

Admitted: 1976; Caldwell (Essex County)
Disbarment - *174 N.J. 352 (2002)*
Decided: 10/1/2002

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who practiced law after he was suspended, pleaded guilty to stalking a paramour, pleaded guilty to three counts of the unauthorized practice of law, knowingly offered evidence he knew to be false and knowingly made a false statement of fact or law to a tribunal.

The respondent had an extensive history of discipline. In 1993, he was privately reprimanded for failure to communicate with a client and failure to prepare a written fee agreement. In 1996, he was admonished for failure to prepare a written fee agreement and failure to inform a client that he would not perform any legal work until his attorney fee was paid in full. He was suspended for three months, effective June 1, 1997, for banking and record keeping violations, failure to safeguard property and conduct involving dishonesty, fraud, deceit or misrepresentation, including commingling personal and client funds in his trust account to avoid an Internal Revenue Service levy on his personal funds. In June 1998, he was again suspended for three months, consecutive to his prior suspension, for misconduct in three matters, including gross neglect, lack of diligence, failure to explain a matter to the extent reasonably necessary to permit the client to make an informed decision about the representation, failure to communicate with a client and failure to provide clients with a written fee agreement. In 1999, he was suspended from the practice of law for a period of six months, retroactive to November 16, 1997, for gross neglect, pattern of neglect, failure to communicate with a client, failure to prepare a written fee agreement, continued representation of a client following termination of the representation and failure to surrender client property on termination of the representation. Finally, in 2000, respondent was suspended for an additional six months, effective May 16, 1998, for lack of diligence and failure to communicate with a client.

RAFAEL M. PANTOJA, JR.

Admitted: 1985; New York City, New York
Disbarment - *170 N.J. 319 (2002)*
Decided: 1/23/2002

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics

Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the Supreme Court of the State of New York, County of New York, to three counts of grand larceny in the second degree, two counts of attempted grand larceny in the second degree, and one count of grand larceny in the third degree, totaling approximately $250,000 in funds and property to which he was not entitled.

PAUL J. PASKEY

Admitted: 1983; Bayonne (Hudson County)
Suspension 3 Months - *174 N.J. 334 (2002)*
Decided: 9/17/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Thomas M. Venino, Jr. for District VI
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in two separate matters, demonstrated gross neglect, failure to communicate and failure to cooperate with disciplinary authorities. In 1998, he was admonished for gross neglect, lack of diligence and failure to communicate in a civil matter, including failure to advise his client that the complaint had been dismissed.

PAUL J. PASKEY

Admitted: 1983; Bayonne (Hudson County)
Suspension 3 Months - *174 N.J. 562 (2002)*
Decided: 12/10/2002 Effective: 12/18/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Richard N. Campisano for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected two separate client matters, failed to communicate with clients and, in one case, misrepresented the status of the case to a client.

The respondent was previously disciplined. In 1998, he received an admonition for gross neglect, lack of diligence and failure to communicate with the client. In May 2002, he was temporarily suspended from the practice of law after the discovery of serious irregularities in his record keeping practices. Later, in 2002, the Supreme Court suspended respondent for three months in a default matter for gross neglect, failure to communicate with the client, and failure to cooperate with disciplinary authorities. *In re Paskey, 174 N.J. 334*.

ARTHUR S. PATAKY

Admitted: 1959; Union City (Hudson County)
Suspension 3 Months - *170 N.J. 599 (2002)*
Decided: 2/21/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Owen P. Burzynski for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who agreed to represent clients in recovering $100,000 from their former accountant who had sold them fraudulent municipal bonds. The respondent, while ineligible to practice law in New Jersey due to his failure to pay the annual attorney registration fee for a period of five years, grossly neglected their matter and never filed a lawsuit against the accountant and never followed up on the matter, refusing to return the clients' files. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

MICHAEL G. PAUL

Admitted: 1989; Metuchen (Middlesex County)
Suspension 3 Months - *173 N.J. 23 (2002)*
Decided: 6/27/2002 Effective: 7/1/2002

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Steven D. Altman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was discovered in an undercover police operation to have received a bag of cocaine containing 1.83 grams. After being indicted in Middlesex County for possession of cocaine, contrary to the provisions of *N.J.S.A. 2C:35-10(a)(1)*, a third degree crime, respondent was enrolled in the Middlesex County Pretrial Intervention Program for a period of 12 months.

BEN W. PAYTON

Admitted: 1992; Colonia (Middlesex County)
Suspension 3 Months - *172 N.J. 34 (2002)*
Decided: 4/25/2002 Effective: 7/16/2001

APPEARANCES BEFORE REVIEW BOARD
Anne L. Cascone for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who represented a client in a wrongful termination of employment

lawsuit, but then failed to contact his client and ignored her repeated telephonic and written inquiries about the status of the case. The respondent also failed to provide his client with a written retainer agreement, as required under *RPC 1.5(b)*.

The respondent has a disciplinary history. In 1997, he received an admonition for gross neglect, lack of diligence and failure to communicate with a client. In 2001, a reprimand was issued to him for a lack of diligence, failure to communicate with a client, failure to communicate a fee in writing, failure to expedite litigation, and failure to cooperate with disciplinary authorities. *In re Payton, 167 N.J. 2*. Again, in 2001, respondent was suspended for a period of three months for gross neglect, lack of diligence, failure to communicate with clients, failure to provide the client with a written fee agreement and record keeping deficiencies in his trust and business accounts, in violation of *R. 1:21-6. In re Payton, 168 N.J. 109*.

JAMES F. PEARN, JR.

Admitted: 1983; Maple Glen, Pennsylvania
Suspension 3 Years - *172 N.J. 316 (2002)*
Decided: 6/4/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years, based upon respondent's three-year suspension in the Commonwealth of Pennsylvania, was the appropriate discipline for an attorney who charged excessive fees and engaged in a pattern of misrepresentations to clients and courts. Specifically, from July 1991 through September 1996, respondent billed numerous clients for approximately 340 hours of services not provided. As a result, his law firm returned between $30,000 and $40,000 to the relevant clients. The respondent did not disclose to the clients that he had not performed the services for which they had paid and that their cases had been or could be adversely affected.

THOMAS A. PENN

Admitted: 1977; Elizabeth (Union County)
Suspension 3 Years - *172 N.J. 38 (2002)*
Decided: 4/25/2002 Effective: 5/25/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Jules D. Zalon for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who represented a client as a defendant in a mortgage foreclosure action, failed to file or serve an answer and permitted a default to be entered against the client. Thereafter, he advised the client that the case had been successfully concluded and fabricated an order and signed the name of a judge to the order in order to placate the client. The respondent then lied to his adversary and ethics officials. Finally, the respondent practiced law at a time while he was declared ineligible by the Supreme Court for failure to pay his annual attorney registration fee.

THOMAS A. PENN

Admitted: 1977; Elizabeth (Union County)
Suspension 3 Months - *173 N.J. 190 (2002)*
Decided: 7/12/2002 Effective: 5/25/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Jules D. Zalon for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was retained by a client to represent her in a will contest for which he was paid $750. The respondent neither performed any services for the client nor contacted her thereafter. The respondent also failed to cooperate with disciplinary authorities during the processing of this matter.

The respondent was previously disciplined. In 1996, he was suspended from the practice of law for a period of three years after he fabricated and signed a court order, made misrepresentations (including in a certification) to his client, his adversary and the ethics investigator, failed to communicate with his client, failed to explain a matter to permit the client to make informed decisions regarding the representation and practiced law while ineligible. *In re Penn, 172 N.J. 38.*

ROGER C. PETERMAN

Admitted: 1993; Haworth (Passaic County)
Suspension 6 Months - *174 N.J. 341 (2002)*
Decided: 9/17/2002 Effective: 12/5/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Louis P. Sengstacke for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Passaic County, to one count of obtaining a controlled dangerous substance (Oxicontin) by fraud, in violation of *N.J.S.A. 2C:35-13*., a third degree crime.

The respondent had been temporarily suspended from the practice of law since September 5, 2001, following his guilty plea. Additionally, respondent was disbarred by the Supreme Court of Pennsylvania in 1995 following a conviction of two counts of failure to make required disposition of funds

received. When he committed the offense, in 1980, he was addicted to heroin. Thereafter, he applied for admission in New Jersey. The Supreme Court of New Jersey, in 1992, reviewed the Committee on Character recommendation and admitted the respondent, finding that it was not clear that "a knowing misuse of non-client funds in 1980 would have invariably warranted disbarment" (in New Jersey). *Application of Peterman, 139 N.J. 201, 209 (1993)*.

ALFRED A. PORRO, JR.

Admitted: 1959; Lyndhurst (Bergen County)
Disbarment - *174 N.J. 401 (2002)*
Decided: 10/30/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was convicted of three counts of mail fraud (*18 U.S.C.A.§341 and 2*), one count of conspiracy to obstruct justice (*18 U.S.C.A. §371*), nine counts of false statements to a financial institution (*18 U.S.C.A. §1014*) and three counts of false subscription on a tax return (*26 U.S.C.A. §7206(1)*). His wife was also convicted of a number of the same counts. In commenting on the character of these individuals, the Disciplinary Review Board found that:

> "Respondents committed numerous serious crimes, starting in 1987 and continuing until 1994, when they lied to federal agents investigating them, and fabricated documents in response to a grand jury subpoena. Furthermore, respondents used their positions as attorneys to commit and to conceal their crimes. Finally, their crimes were motivated by personal greed. Therefore, disbarment is the appropriate sanction."

JOAN A. PORRO

Admitted: 1980; Lyndhurst (Bergen County)
Disbarment - *174 N.J. 400 (2002)*
Decided: 10/30/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was convicted of three counts of mail fraud (*18 U.S.C.A.§341 and 2*), one count of conspiracy to obstruct justice (*18 U.S.C.A. §371*), one count of tax evasion (*26 U.S.C.A. §*7201) and four counts of false subscription on a tax return (*26 U.S.C.A. §7206(1)*). Her husband was also convicted of a number of the same counts. In commenting on the character of these individuals, the Disciplinary Review Board found that:

> "Respondents committed numerous serious crimes, starting in 1987 and continuing until 1994, when they lied to federal agents investigating them, and fabricated documents in response to a grand jury subpoena. Furthermore, respondents used their positions as attorneys to commit and to conceal their crimes. Finally, their crimes were motivated by personal greed. Therefore, disbarment is the appropriate sanction."

JOSEPH E. POVEROMO

Admitted: 1988; Hackensack (Bergen County)
Reprimand - *170 N.J. 625 (2002)*
Decided: 2/21/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Brian D. Iton for District IIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with disciplinary authorities during the investigation and processing of an ethics grievance.

JOSEPH E. POVEROMO

Admitted: 1988; Hackensack (Bergen County)
Reprimand - *170 N.J. 627 (2002)*
Decided: 2/21/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Charles J.Kahwaty for District IIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who agreed to represent a client in two personal injury actions and then failed to do any work. The respondent failed to keep the client informed of the status of her matters and failed to cooperate with disciplinary authorities during the investigation of this ethics grievance.

JOHN M. POWER

Admitted: 1992; Paramus (Bergen County)
Reprimand - *171 N.J. 470 (2002)*
Decided: 4/25/2002

APPEARANCES BEFORE REVIEW BOARD
Israel Dubin for Committee on Attorney Advertising
Michael P. Ambrosio for respondent

The Supreme Court of New Jersey accepted a Motion for Discipline by Consent recommended by the Disciplinary Review Board and reprimanded a respondent who caused a flyer to be distributed in the Bergen Record, the Star-Ledger and other newspapers providing information about living trusts, which contained statements that had the potential to mislead prospective clients. The Supreme Court also ordered that, for a period of two years, respondent shall submit for approval to the Committee on Attorney Advertising all proposed advertisements, solicitations, flyers and related communications for his practice.

ROBERT M. READ

Admitted: 1944; Westfield (Union County)
Reprimand - *170 N.J. 319 (2002)*
Decided: 1/23/2002

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Joseph L. Garrubbo for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an 85 year old attorney who charged excessive fees in two estate matters, failed to utilize retainer agreements and misrepresented the nature of his fees and/or commissions in both matters.

RONALD REICHSTEIN

Admitted: 1959; Bayonne (Hudson County)
Reprimand and Temporary Suspension
172 N.J. 647 (2002)
Decided: 7/2/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Ronald L. Washington for District VC
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand coupled with a temporary suspension from the practice of law was the appropriate discipline for an attorney who assisted his client in the transfer of the marital home in an attempt to prevent a judgment creditor from collecting on its judgment. Thereafter, respondent assisted in the improper sale of the house to innocent purchasers and also prepared and had his client sign a false affidavit of title in connection with the sale.

KIRK D. RHODES

Admitted: 1981; Scotch Plains (Union County)
Disbarment by Consent - *173 N.J. 327 (2002)*
Decided: 7/25/2002

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Edwin J. McCreedy for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Union County, to an accusation charging him with misapplication of entrusted property held for clients, the amount of which exceeded $75,000, a second degree crime. The respondent had been temporarily suspended from the practice of law since June 27, 2001. *In re Rhodes, 168 N.J. 412.* The respondent had also received an admonition in 1996 for negligently misappropriating $10,000 in clients' funds.

DANIEL D. RICHARDS

Admitted: 1963; Far Hills (Somerset County)
Disbarment - *172 N.J. 583 (2002)*
Decided: 6/18/2002

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to the first six counts of an 18 count federal superseding indictment charging him with embezzlement from an organization receiving federal benefits, in violation of *18 U.S.C.A. §666(a)(1)(A)*. Factually, the respondent was the general partner of several real estate limited partnerships that built and operated federally subsidized low income rural housing projects. Pursuant to loan agreements and mortgages, as well as federal regulations, each limited partnership was required to establish and maintain a reserve account. The respondent agreed with the Rural Renting Housing Program of the Farmers' Home Administration that no funds could be withdrawn from the projects' reserve accounts without that entities prior approval. Despite this restriction, respondent embezzled $64,000 by making unauthorized withdrawals from the reserve.

JEFFREY M. RIEDL

Admitted: 1973; Wyckoff (Bergen County)
Reprimand - *172 N.J. 646 (2002)*
Decided: 7/2/2002

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Frank J. Cuccio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a real estate matter by failing to secure a discharge of mortgage for approximately 18 months after the mortgage was satisfied, failed to supervise his paralegal, negligently executed closing documents in four separate

transactions and allowed his paralegal to sign trust account checks.

HAMDI M. RIFAI

Admitted: 1994; Newark (Essex County)
Reprimand - *171N.J. 435 (2002)*
Decided: 4/15/2002

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Dominic J. Aprile for respondent

The Supreme Court of New Jersey, on review of the Disciplinary Review Board's recommendation to accept a Motion for Discipline by Consent, held that a reprimand was the appropriate discipline for an attorney who agreed to handle a complex litigation matter on behalf of a client who had previously been represented by another law firm. During the transition between the two law firms, certain orders were entered but not served on the respondent that led to judgments against his clients for which writs of execution were obtained. Thereafter, the respondent took some action in the matter and was able to obtain an order vacating the default judgments. However, his conduct constituted gross neglect and lack of diligence as well as a failure to communicate with the client. Ultimately, the clients retained new counsel. The respondent, however, did not release the file to the new attorney as required under RPC 1.16(d), requiring the attorney to obtain an order directing the attorney to turn over the file.

ROBERT E. RIVA

Admitted: 1979; Short Hills (Essex County)
Disbarment - *172 N.J. 232 (2002)*
Decided: 5/9/2002

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients' trust funds. The respondent had deposited a $92,500 deposit for a real estate transaction into his trust account. Beginning five days after that deposit and for the next three months, respondent periodically issued to himself 33 trust account checks bearing the notation "fees" in their memo columns, although he did not identify a particular client matter. As a result, the shortage for the deposited monies reached over $24,000. The respondent failed to keep proper trust account records and, at the time he issued a trust account check, he did not know with any certainty whether he had sufficient funds to cover the disbursement. Although he alleged that he believed that he had $30,000 of his family's monies that were deposited in the trust account and therefore could not have knowingly misappropriated the funds, the Disciplinary Review Board found that there was no evidence to support this claim.

In 1999, the respondent was reprimanded for gross neglect, lack of diligence and misrepresentation to a client about the status of a matter. *In re Riva, 157 N.J.34*. Additionally, in 1999, the Supreme Court ordered that all checks drawn on respondent's trust account be co-signed by an individual approved by the Office of Attorney Ethics. *In re Riva, 157 N.J.34*.

RICHARD M. ROBERTS

Admitted: 1971; West Caldwell (Essex County)
Admonition - *Unreported (2002)*
Decided: 7/8/2002

APPEARANCES BEFORE REVIEW BOARD
Peter A. Greene for District VB
Michael J. D'Alessio for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to provide his client in a criminal matter with a written retainer agreement, in violation of *RPC 1.5(b)*.

STEPHEN H. ROSEN

Admitted: 1982; Glen Ridge (Essex County)
Suspension 3 Months - *170 N.J. 630 (2002)*
Decided: 2/21/2002 Effective: 3/25/2002

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
C. Robert Sarcone for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who displayed gross neglect, lack of diligence, charged an unreasonable fee, breached an escrow agreement and engaged in a pattern of neglect in three client matters, and, in a fourth client matter, also exhibited gross neglect, lack of diligence over a six-year period in settling an estate, failed to communicate with his clients and failed to protect their interests on termination of the representation.

The respondent was previously disciplined. In 1995, he received a reprimand for lack of diligence, failure to communicate with a client and conflict of interest violations. *In re Rosen, 139 N.J. 387*. In 1996, he was admonished for improperly affixing his jurat on closing documents and failing to cooperate with ethics authorities.

ROBERT G. ROSENBERG

Admitted: 1976; Paterson (Passaic County)
Reprimand - *170 N.J. 402 (2002)*
Decided: 2/5/2002

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Salvatore T. Alfano for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated client trust funds in amounts ranging from $400 to $12,000 between January 1, 1997 and June 30, 1998. The respondent also failed to maintain appropriate trust and business account records as required by *R. 1:21-6*. The Court also ordered that the respondent submit to the Office of Attorney Ethics quarterly reconciliations of his attorney trust and business accounts prepared by a certified public accountant approved by the Office of Attorney Ethics for the indefinite future. The Court further ordered that, for a period of two years, the respondent practice law under the supervision of a practicing attorney approved by the Office of Attorney Ethics. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

In 1992, the respondent was privately reprimanded for gross neglect and lack of diligence.

WESLEY S. ROWNIEWSKI

Admitted: 1991; Newark (Essex County)
Admonition - *Unreported (2002)*
Decided: 1/10/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Disciplinary Review Board, on a certified record from the District VA (Essex-Newark) Ethics Committee, held that an admonition was the appropriate discipline for an attorney who failed to cooperate with the Office of Attorney Ethics during its investigation and processing of a grievance, including failing to file a timely answer to a formal complaint.

JOEL B. RUBINSTEIN

Admitted: 1990; Marlton (Burlington County)
Suspension 3 Months - *171 N.J. 31 (2002)*
Decided: 3/5/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Susan L. Moreinis for District IV
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, while retained to pursue a collection action in New Jersey, failed to file the complaint until nearly one year after he was retained, pursued the matter with a lack of diligence, and also failed to maintain a bona fide office in New Jersey, as required by *R. 1:21-1(a)*.

SAMUEL L. SACHS

Admitted: 1982; East Windsor (Mercer County)
Admonition - *Unreported (2002)*
Decided: 2/14/2002

APPEARANCES BEFORE REVIEW BOARD
Eugene McCaffrey, Jr. for District IV
Hal K. Haveson for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to properly supervise his secretary, allowing the dismissal of three cases for various deficiencies and neglected a fourth matter resulting in the client's termination of the attorney's representation.

ALFRED SANDERSON

Admitted: 1955; Woodbury (Gloucester County)
Admonition - *Unreported (2002)*
Decided: 2/11/2002

APPEARANCES BEFORE REVIEW BOARD
Paul J. Felixon for District IV
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in a driving while intoxicated case, made discourteous and disrespectful communications to the municipal court judge and to the municipal court administrator.

WILLIAM E. SCHMELING

Admitted: 1981; Manasquan (Monmouth County)
Suspension 3 Years - *174 N.J. 539 (2002)*
Decided: 11/25/2002 Effective: 02/22/1999

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Edward A. Genz, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years, retroactive to the date of respondent's temporary suspension, was the appropriate discipline for an attorney who grossly neglected the administration of an estate by failing to safekeep the estate's funds and property, failing to comply with record keeping provisions, and failing to cooperate with disciplinary authorities during the investigation and processing of this matter. As a result, the respondent's reckless disregard of his fiduciary responsibilities cost the estate hundreds of thousands of dollars.

MARC M. SCOLA

Admitted: 1993; Allamuchy (Warren County)

Disbarment - *175 N.J. 58 (2002)*
Decided: 12/10/2002

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Warren County, to one count of third degree theft by deception, in violation of *N.J.S.A. 2C:20-4* and *N.J.S.A. 2C:2-6*, and one count of third degree witness tampering, in violation of N.J.S.A. 2C:28-5(a)(1). The respondent had been temporarily suspended from the practice of law since July 23, 2001. *In re Scola, 168 N.J. 636 (2001)*.

ADAM K. SHALOV

Admitted: 1988; Red Bank (Monmouth County)
Disbarment by Consent - *174 N.J. 290 (2002)*
Decided: 9/4/2002

REPRESENTATIONS
Janice L. Richter for Attorney Ethics
Peter W. Kenny for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending charges alleging the knowing misappropriation of $252,000 of mortgage proceeds he received in a real estate transaction. The respondent had been temporarily suspended from the practice of law since August 16, 2002.

DANIEL N. SHAPIRO

Admitted: 1984; Hackensack (Bergen County)
Reprimand - *174 N.J.368 (2002)*
Decided: 10/15/2002

APPEARANCES BEFORE REVIEW BOARD
Robyn M. Gnudi for District IIB
Michael L. Kingman for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in four client matters, engaged in gross neglect, lack of diligence, failure to communicate with clients and failure to cooperate with disciplinary authorities during the investigation of the matter.

K. KAY SHEARIN

Admitted: 1980; Elsmere, Delaware
Suspension 3 Years - *172 N.J. 560 (2002)*
Decided: 6/18/2002 Effective: 7/17/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who was suspended for a period of three years in the state of Delaware for knowingly disobeying the order of Delaware Chancery Court, demonstrating a reckless disregard for the truth by making statements characterizing the mental health of the vice-chancellor of that court and because she prosecuted a patently frivolous lawsuit and appeal over many months causing two federal courts, many judicial defendants and many other members of the legal system to waste time and resources on matters lacking in merit. The suspension was made retroactive to July 17, 2000. That was the date on which she was previously suspended for a period of one year for earlier misconduct in the same chancery court matter where she made false statements of material fact to the court, engaged in conduct intended to disrupt that tribunal, brought a non-meritorious claim, failed to disclose to a tribunal legal authority known to be directly adverse to the client's position and not disclosed by opposing counsel, and making a material false statement to a third party. *In re Shearin, 166 N.J. 558*.

AARON M. SMITH

Admitted: 1981; Camden (Camden County)
Disbarment by Consent - *170 N.J. 626 (2002)*
Decided: 2/26/2002

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
Wayne Powell for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging numerous violations including the distribution of cocaine, practicing law while ineligible, gross neglect, pattern of neglect, receiving an unreasonable fee and failure to cooperate with disciplinary authorities.

At the time of his Consent to Disbarment, two recommendations for discipline issued by the Disciplinary Review Board were pending with the Supreme Court. Both of these recommendations by the Board involved separate recommendations for three-month suspensions.

PAUL W. SONSTEIN

Admitted: 1973; Voorhees (Camden County)
Suspension 3 Months - *174 N.J. 293 (2002)*
Decided: 9/5/2002 Effective: 10/5/2002

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Philip B. Seaton for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who overreached his client by charging over $11,000 more in legal fees than he was entitled to under the contingency fee rule, signed his client's name to the personal injury settlement check without her consent, failed to advise the lienholder, who had an interest in the settlement funds, that the funds were in his possession, and, although he assured the lienholder that he would protect its lien, which he knew to be over $29,000, escrowed only $15,000 and then failed to pay the lienholder.

WILLIAM B. SPARKS

Admitted: 1983; Woodbury (Gloucester County)
Suspension 3 Months - *172 N.J. 91 (2002)*
Decided: 5/9/2002 Effective: 6/10/2002

APPEARANCES BEFORE REVIEW BOARD
Liane P. Levenson for District I
Thomas H. Ward for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a client's matter and failed to reapply for Medicaid benefits, for which the client would have been entitled, and ignored monthly invoices sent by the care facility to which his ward was confined. Additionally, respondent misled the facility about his actions and ultimately stopped communicating with his client. As a result, both he and his client were the subject of a lawsuit in which the respondent defaulted, resulting in a judgment against him personally in the amount of $58,923.

The respondent had been previously disciplined. In 1988, he received a private reprimand due to a nine-month delay in preparing mortgage documents. In 1991, he was privately reprimanded for failure to take action on a client's matter, resulting in the dismissal of the complaint; failure to reply to the client's inquiries about the status of the matter; and failure to reply to the district ethics committee investigator's request for information about the grievance. Six years later, in 1997, he was publicly reprimanded for gross neglect, lack of diligence and failure to communicate in three client matters. *In re Sparks, 151 N.J. 478*.

JEFFREY M. SPIEGEL

Admitted: 1992; Warwick, New York
Suspension 3 Years - *172 N.J. 74 (2002)*
Decided: 5/9/2002 Effective: 10/20/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who pled guilty in the Supreme Court of the State of New York to a violation of Section 352c(5) of the New York General Business Law, the "Martin Act", a Class E felony. The respondent's criminal conduct consisted of trading in securities of several companies after having received confidential non-public information about such companies as the result of insider trading, for which the respondent received trading profits of $66,281. Additionally, he passed the tip along to others, who reaped a total illegal trading profit of $917,925. The respondent had been temporarily suspended from the practice of law in New Jersey since October 22, 2000. *In re Spiegel, 165 N.J. 514*.

JON STEIGER

Admitted: 1975; Manasquan (Monmouth County)
Admonition - *Unreported (2002)*
Decided: 7/22/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Jeffrey S. Apell for District IIIB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to reply to numerous communications from a district ethics committee, thus failing to cooperate with the disciplinary system as required by court rule.

ROBERT S. SUSSER

Admitted: 1979; Red Bank (Monmouth County)
Suspension 2 Years - *Unreported (2002)*
Decided: 4/1/2002 Effective: 12/10/2000

APPEARANCES BEFORE REVIEW BOARD
Brian J. Molloy was special presenter
Theodore W. Geiser for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who engaged in a flagrant conflict of interest and then, after filing a substitution of counsel, continued to represent the clients "behind the scenes" by concealing his further involvement in the case. The respondent also made a material misstatement of fact to a bankruptcy court when he stated in his petition that he had set aside sufficient funds to pay his personal mortgage obligations when, in fact, this was untrue.

The respondent has a disciplinary history. In 1989, he received a private reprimand for engaging in a conflict of interest by representing a corporation that owed $47,000 to a matrimonial client and then became a stockholder and officer in a corporation that assumed the indebtedness to the matrimonial client. In 1997, he was suspended from the practice of law for a period of three years for prematurely releasing escrow funds

to a corporation in which he had an interest and for misrepresenting the status of the escrowed funds to the buyer's attorney. *In re Susser, 152 N.J. 37.*

JOSEPH TABOADA, JR.

Admitted: 1974; Newark (Essex County)
Admonition - *Unreported (2002)*
Decided: 3/15/2002

APPEARANCES BEFORE REVIEW BOARD
Michael H. Freeman for District VB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was retained to obtain permanent legal resident status for a client upon his marriage to a United States Citizen. Although the respondent had not regularly represented the client previously, he did not communicate to him, in writing, the basis or rate of the fee before or within a reasonable time after beginning the representation as required by *RPC 1.5(b)*.

FREDERICK M. TESTA

Admitted: 1973; West Caldwell (Essex County)
Admonition - *Unreported (2002)*
Decided: 3/12/2002

APPEARANCES BEFORE REVIEW BOARD
Rhonda L. Casson for District XI
Anthony Fiorello for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in representing the executrix of an estate, sold the decedent's house but failed to act diligently when he did not make final estate distribution until one year after the house was sold. Additionally, the respondent did not provide a detailed accounting of legal fees, as requested by the estate's subsequent attorneys. Further, the respondent failed to reply to the district ethics committee's investigator when she attempted to obtain information about the grievance.

TERRY G. TUCKER

Admitted: 1985; Bridgeton (Cumberland County)
Reprimand - *174 N.J. 347 (2002)*
Decided: 10/1/2002

APPEARANCES BEFORE REVIEW BOARD
Frederic L. Shenkman for District I
Joseph D. O'Neill for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who made unwanted, sexual advances to a bankruptcy client.

GARY H. UNTRACHT

Admitted: 1979; Basking Ridge (Somerset County)
Disbarment - *174 N.J. 344 (2002)*
Decided: 9/23/2002

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Lawrence S. Lustberg for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients' trust funds in various ways between January 1998 and March 2000. More particularly, in at least 14 client matters, the respondent drew checks for his fees and/or costs prior to depositing the corresponding settlement funds in his trust account, thereby invading the funds of other clients; issued to himself more than 140 trust account checks, totaling $137,545 for fees and costs, without attributing the disbursements to any client matter; in at least 27 matters, paid settlement funds to clients months after he had deposited the settlement proceeds and taken his fee, it being his practice to use the funds -- $85,641.88 -- to cover advanced and excessive fees he paid out to himself. Respondent admitted that he knew, at least by March 1999, that his practice of writing trust account checks, without assuring himself that the corresponding settlement funds had been received, was leading to the invasion of trust funds. Furthermore, he made a knowing decision not to rectify this practice.

This matter was discovered solely as a result of the Random Audit Compliance Program.

AUGUSTINE U. UZODIKE

Admitted: 1990; East Orange (Essex County)
Disbarment - *170 N.J. 395 (2002)*
Decided: 1/29/2002

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated over $41,000 in clients' trust funds. The respondent also failed to cooperate with the Office of Attorney Ethics' investigation of this matter, by reason of which he was temporarily suspended from the practice of law on August 18, 1998. He was then reinstated to practice on September 18, 1998 after he appeared for an audit. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

The respondent had been previously disciplined. In 1999, he was suspended from the practice of law for a period of six months for gross neglect, failure to communicate with a client, failure to safeguard property, record keeping deficiencies and giving false material information to disciplinary authorities. *In re Uzodike, 159 N.J. 510*. In 2000, Mr. Uzodike was again

suspended for a period of three months for failing to cooperate with disciplinary authorities and conduct involving dishonesty, fraud, deceit or misrepresentation. *In re Uzodike, 165 N.J. 478*.

DONALD C. VAILLANCOURT

Admitted: 1985; Fort Lee (Bergen County)
Disbarment by Consent - *173 N.J. 172 (2002)*
Decided: 7/11/2002

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Robert B. Reed for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who pled guilty in the United States District Court for the District of New Jersey to an information charging him with mail fraud, in violation of *18 U.S.C.A. §1341 and 2*. The information charged the respondent with mail fraud in connection with skimming $2.2 Million from the Grand Union Supermarket chain, where he was employed as a vice president. The respondent had been temporarily suspended from the practice of law since May 7, 2002. *In re Vaillancourt, 172 N.J. 39*.

KENNETH VAN RYE

Admitted: 1979; Elmwood Park (Bergen County)
Suspension 6 Months - *170 N.J. 405 (2002)*
Decided: 2/5/2002 Effective: 9/20/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Louis D'Arminio and Mark Lichtblau forDistrict IIA
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who failed to cooperate with disciplinary authorities during the investigation and processing of two ethics grievances. In addition, in one grievance, the respondent failed to prepare a written fee agreement, failed to reply to the client's reasonable request for information and failed to maintain attorney trust and business accounting records, as required by *R. 1:21-6*.

The respondent has a lengthy disciplinary history. In 1991, he was suspended for three months for failure to maintain attorney books and records in accordance with *R. 1:21-6*, failure to submit a written formal accounting to a client regarding receipts and disbursements, failure to properly designate an account as an "Attorney Trust Account" and withdrawal of fees from a client account without first depositing them into his Attorney Business Account. The respondent also improperly witnessed the false signature on a document and affixed his jurat. *In re Van Rye, 121 N.J. 664.* In 1992, the respondent was again suspended from the practice of law, this time for two years, for entering into a business transaction with a client without advising him to obtain independent counsel, executing a jurat on a document outside the presence of the signer, improperly altering a deed, signing closing documents without a power-of-attorney and disbursing mortgage proceeds without obtaining the requisite authorization. *In re Van Rye, 128 N.J. 108.* In 2001, he was again suspended from the practice of law for a period of three months for failing to act with diligence in representing his clients and for failing to properly communicate with them. The respondent also failed to cooperate with disciplinary authorities during the processing of this matter. *In re Van Rye, 167 N.J. 592.*

RAFAEL A. VARGAS

Admitted: 1989; New York City, New York
Suspension 3 Years - *170 N.J. 255 (2002)*
Decided: 1/8/2002 Effective: 3/3/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to a one-count information charging him with making false statements on immigration and naturalization documents, in violation of *18 U.S.C.A. §1001*. Factually, the respondent falsified INS notices of approval for prior clients by changing the names on the documents. Thereafter, he submitted the false documents to the INS to illegally obtain residency status for new clients. Moreover, respondent lied to investigators, claiming that a paralegal had falsified the documents.

The respondent had been temporarily suspended from the practice of law in New Jersey since March 3, 2000. *In re Vargas, 163 N.J. 1*.

DONNA J. VELLEKAMP

Admitted: 1984; Closter (Bergen County)
Reprimand - *171 N.J. 74 (2002)*
Decided: 3/19/2002

APPEARANCES BEFORE REVIEW BOARD
Samuel J. Samaro for District IIB
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who under pressure from her supervisor attorney, Melinda Lowell, made misrepresentations to matrimonial clients on the clients' bills and counseled and assisted a matrimonial client to cash a bearer bond to pay Vellekamp's supervisor's legal bill, in violation of a court order.

ANTHONY N. VERNI

Admitted: 1990; West Orange (Essex County)

Suspension 3 Months - *172 N.J. 315 (2002)*
Decided: 6/4/2002 Effective: 7/1/2002

APPEARANCES BEFORE REVIEW BOARD
Eric Tunis for District VC
Kalmen H. Geist for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who charged excessive fees in three matters and knowingly made false statements of material fact to disciplinary authorities during the processing of the ethics grievances. In one uncomplicated divorce matter, among other things, the respondent attempted to make the divorce case appear more complicated than it was in order to justify a higher fee. For example, he charged $550 for the preparation of a case information statement, when in fact he never prepared the document. In another matter involving litigation in the state of Florida regarding stolen funds and trade secrets, respondent accepted a $2,500 retainer from a client although respondent was not licensed to practice in the state of Florida.

In the third matter, the respondent represented a client who was sued by his television cable provider for theft of services. He accepted a $5,000 retainer and billed his client for over $8,700. A district fee arbitration committee determined that the respondent had overcharged the client and reduced the fee by almost half. Among respondent's excesses was a charge of 1.5 hours ($300) to prepare a form acknowledgment of service, and 1.0 hour ($200) to prepare a cover letter to the court clerk enclosing papers for filing. The fee arbitration panel determined that each of these items should have taken only minutes to prepare. Further, during the processing of this disciplinary case, the respondent lied to the district ethics committee when he stated that he had drafted interrogatories in one case on his own, without the use of All-State's forms. In fact, he had used these purchased forms.

The respondent was previously disciplined. In 2001, he was reprimanded for gross neglect and failure to comply with court directives and inquiries. *In re Verni, 167 N.J. 276*.

SCOTT E. WALTERSHIED

Admitted: 1992; Fairfield (Essex County)
Disbarment by Consent - *172 N.J. 97 (2002)*
Decided: 5/9/2002

REPRESENTATIONS
John McGill, III for Attorney Ethics
Richard Kahn consulted with respondent solely to assure the voluntariness of his consent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend a pending formal complaint alleging the knowing misappropriation of at least $1,900 of proceeds in a real estate matter.

SHIRLEY WATERS-CATO

Admitted: 1977; East Orange (Essex County)
Suspension 6 Months - *171 N.J. 72 (2002)*
Decided: 3/5/2002

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who was retained in 1995 to represent a client in a bus accident litigation. Thereafter, she took no action on the client's behalf and, after she was suspended from the practice of law in an unrelated matter in April 1995, simply shut down her office and ignored her responsibilities to communicate with the client and notify her of respondent's suspension in writing so that she could engage another attorney. The respondent also failed to cooperate with disciplinary authorities during the investigation of this matter.

The respondent has a significant disciplinary history. In 1991, she received a private reprimand for misconduct in three matters, which included failure to utilize a retainer agreement, conflict of interest, direct communication with a client represented by counsel, lack of diligence and gross neglect. In 1995, the respondent was suspended for a period of three months for record keeping violations and failure to cooperate with ethics authorities. *In re Waters-Cato, 139 N.J. 498*. Again, in 1995, the respondent was suspended from practice for one year, retroactive to April 4, 1995, for gross neglect, pattern of neglect, false statement and failure to disclose a material fact to a seller's attorney, misrepresentations of the status of client matters, conduct prejudicial to the administration of justice, and failure to cooperate with disciplinary authorities. *In re Waters-Cato, 142 N.J. 472*. In 1997, she received a three-year suspension from practice for gross neglect, pattern of neglect, lack of diligence, failure to communicate with clients, failure to return a client file upon termination of the representation, and failure to cooperate with disciplinary authorities. *In re Waters-Cato, 151 N.J. 492*. Finally, in 1999, the respondent was suspended from the practice of law for three months for gross neglect, lack of diligence, failure to communicate with her client, and failure to cooperate with disciplinary authorities.

BERNARD I. WEINSTEIN

Admitted: 1967; Howell (Monmouth County)
Admonition - *Unreported (2002)*
Decided: 7/22/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Tanis Deitch for District IX
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to reply to reasonable requests from his client as to the status of two personal injury cases and failed to return the client's file to his new attorney when requested.

MICHAEL J. WEINTRAUB

Admitted: 1971; Flemington (Hunterdon County)
Suspension 6 Months - *171 N.J. 78 (2002)*
Decided: 3/19/2002

APPEARANCES BEFORE REVIEW BOARD
William S. Wolfson for District XIII
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who engaged in an improper business transaction with a client prohibited by *RPC 1.8(a)* and engaged in a course of deceitful conduct by manipulating his client into paying respondent's bills. The respondent also misrepresented to the client in a personal injury matter that the insurance adjuster had agreed to a $300,000 settlement when such was not the case. That matter was ultimately settled by a new attorney for $70,000.

HELAYNE M. WEISS

Admitted: 1993; Woodridge (Bergen County)
Reprimand - *173 N.J. 323 (2002)*
Decided: 7/18/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Alfred C. Pescatore for District IIB
Frederic S. Kessler for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected an estate matter and failed to act diligently. The respondent failed to file a fiduciary income tax return for more than four years after she had been retained. Moreover, the respondent prepared no estate accounting, nor any refunding bonds and releases for the beneficiaries of the estate.

WILLIAM P. WELAJ

Admitted: 1973; Somerville (Somerset County)
Suspension 3 Months - *170 N.J. 408 (2002)*
Decided: 2/5/2002 Effective: 3/4/2002

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Michael B. Himmel for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in a conflict of interest which adversely affected the administration of justice in Somerset County. Specifically, the respondent represented in excess of 120 criminal defendants in Somerset County at a time when his former law partner, Nicholas Bissell, was the prosecutor of Somerset County. During this period of time, the respondent unethically engaged in several business ventures with the prosecutor, in spite of the fact that he knew that these business ventures created an impermissible conflict of interest. Additionally, respondent's conduct was not only unethical itself, but his participation also facilitated Prosecutor Bissell's violation of conflict of interest rules and decisions prohibiting a county prosecutor's former law associate from practicing criminal law in the same county while a business relationship existed.

JEROME T. WILLIAMS

Admitted: 1979; Passaic (Passaic County)
Reprimand - *172 N.J. 325 (2002)*
Decided: 6/4/2002

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who willfully failed to timely file federal and state income tax returns for the years 1995 through 1998 and failed to maintain required attorney trust and business account records in accordance with Rule 1:21-6.

The respondent was previously disciplined. In 1995, he received a reprimand for gross neglect and lack of diligence in a civil proceeding. *In re Williams, 139 N.J. 445*. Later, in 1995, respondent also was reprimanded for failure to collect sufficient funds to pay a title insurance fee and failure to reply to the title company's attempts to collect the fee. In addition, he commingled personal and client funds, failed to maintain trust and business account records and failed to cooperate with disciplinary authorities in the processing of that matter. *In re Williams, 142 N.J. 553*.

DAVID J. WITHERSPOON

Admitted: 1994; Newark (Essex County)
Admonition - *Unreported (2002)*
Decided: 3/18/2002

APPEARANCES BEFORE REVIEW BOARD
Stephen H. Knee for District VA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain proper trust and business account records as required by *R. 1:21-6*, commingled personal and trust funds in his trust account and issued trust account checks for personal and other non-client expenses. Additionally, the respondent's

letterhead was misleading by listing mail drop addresses in a locale in which he did not maintain a law office.

LEONARD J. WITMAN

Admitted: 1975; Florham Park (Morris County)
Admonition - *174 N.J. 338 (2002)*
Decided: 9/17/2002

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Jeffrey Speiser for respondent

The Supreme Court of New Jersey held that an admonition was the appropriate discipline for an attorney who, in connection with litigation involving the mental competency of a client to execute a will, filed an affidavit with the court expressing the opinion that the client was capable of signing the will and trust documents without revealing the fact that he executed a prior affidavit expressing the opinion that the client was incapable of signing these instruments. Additionally, the respondent gave inaccurate testimony at a deposition in the matter.

JAMES H. WOLFE, III

Admitted: 1979; Orange (Essex County)
Admonition - *Unreported (2002)*
Decided: 6/4/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Virginia A. Lazala for District VB
Respondent failed to appear

The Supreme Court of New Jersey held that an admonition was the appropriate discipline for an attorney who failed to cooperate with disciplinary authorities during the investigation of this matter. The substantive disciplinary charges against him were dismissed.

The respondent has an extensive disciplinary history. In 1998, he was admonished for failing to advise his clients of the status of their matters. In 2001, he was reprimanded for gross neglect, lack of diligence and lack of communication. *In re Wolfe, 167 N.J. 277*. He also received a three-month suspension in 2001 for gross neglect, lack of diligence, failure to keep a client reasonably informed and failure to cooperate with disciplinary authorities. *In re Wolfe, 167 N.J. 278*. Finally, the respondent was again reprimanded in 2001 for failure to communicate with a client. *In re Wolfe, 170 N.J. 71*.

CASSELL WOOD, JR.

Admitted: 1974; Plainfield (Union County)
Suspension 3 Months - *170 N.J. 628 (2002)*
Decided: 2/21/2002 Effective: 3/25/2002

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Michael B. Blacker for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds due to his failure to maintain appropriate required attorney trust account records, and who employed Leroy Gipson, a disbarred attorney, to perform services for him. In 1985, the respondent was privately reprimanded for similar record keeping violations.

PETER A. WOOD

Admitted: 1993; Williamstown (Gloucester County)
Suspension 3 Months - *174 N.J. 507 (2002)*
Decided: 11/13/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who represented a client in a products liability claim. The respondent filed suit and settled the case for $2,000, while misrepresenting to the client that the case was settled for $25,000. Moreover, he had the client sign a release that did not list the settlement figures. Thereafter, he ignored the client's repeated telephone calls inquiring when the monies would be available, and, due to his further inaction, caused the lawsuit to be dismissed with prejudice. Additionally, respondent failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

ALLEN ZARK

Admitted: 1976; Bayonne (Hudson County)
Admonition - *Unreported (2002)*
Decided: 2/8/2002

APPEARANCES BEFORE REVIEW BOARD
Kim R. Onsdorf for District VI
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who represented a client in a personal injury action and failed for a period of seven months to keep his client adequately informed about the status of the matter. Additionally, the respondent failed to cooperate with ethics authorities during the investigation of the matter.

2001

HARI G. AHRENS

Admitted: 1984; Watchung (Union County)
Suspension 3 Months - *167 N.J. 601 (2001)*
Decided: 3/23/2001 Effective: 6/23/2001

APPEARANCES BEFORE REVIEW BOARD
Tangerla M. Thomas for Attorney Ethics
James R. Wronko for respondent

The Supreme Court of New Jersey approved a motion for a discipline by consent and held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who admitted that she was in possession of cocaine, marijuana and narcotics paraphernalia.

GERALD M. ALSTON

Admitted: 1989; Atlantic City (Atlantic County)
Suspension 3 Months - *166 N.J. 597 (2001)*
Decided: 3/7/2001

APPEARANCES BEFORE REVIEW BOARD
Eugene McCaffrey, Jr. for District IIIB
Respondent, waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who improperly used his residence to attempt to satisfy the bona fide office requirements of *Rule 1:21-1(a)* and knowingly made false statements to the Office of Attorney Ethics during the course of the investigation.

The respondent was previously disciplined in 1998 by a reprimand for practicing law in New Jersey while ineligible because of his failure to pay the annual attorney assessment, failure to maintain a bona fide law office in New Jersey, and failure to cooperate with disciplinary authorities during the processing of that matter. *In re Alston, 154 N.J. 83.*

LUBA ANNENKO

Admitted: 1983; Cherry Hill (Camden County)
Suspension 3 Months - *166 N.J. 365 (2001)*
Decided: 2/6/2001 Effective: 5/13/2001

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III Attorney Ethics
Rrespondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to act diligently in representing a client in a post-judgment matrimonial proceeding to terminate the client's child support obligations. The respondent also failed to keep the client informed as to the status of the matter and failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

The respondent has an extensive disciplinary history. In 1988, she received a private reprimand for gross neglect and failure to communicate with a client for 18 months and allowing a complaint to be dismissed for lack of prosecution. In 1992, respondent received a second private reprimand for lack of diligence. The respondent there failed to file an answer on the client's behalf, resulting in the entry of a default judgment. Furthermore, the respondent failed to take action, as requested by the client, on a writ of execution on the judgment. The respondent was temporarily suspended from the practice of law in 1999 for failure to comply with a fee arbitration award. *In re Annenko, 158 N.J. 184 (1999).* She was restored to practice law by court order dated July 19, 1999. *In re Annenko, 159 N.J. 564.* In 2000, the respondent was suspended from the practice of law for a period of six months for abandoning two clients after they had paid her retainers, failing to cooperate with the Office of Attorney Ethics during its investigation of these matters, failing to maintain a bona fide law office and failing to maintain proper trust and business accounts in New Jersey banking institutions, as required by court rule. *In re Annenko, 165 N.J. 508.*

LUBA ANNENKO

Admitted: 1983; Cherry Hill (Camden County)
Suspension 6 Months - *167 N.J. 603 (2001)*
Decided: 6/5/2001 Effective: 7/5/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Rrespondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who accepted $630 from her client to file a motion to reopen a bankruptcy petition and then did no work whatsoever on the file. The respondent then failed to refund the unearned retainer and also failed to keep the grievant informed about the status of his case.

The respondent has a substantial disciplinary history. In 1988, she was privately reprimanded for neglecting a contract matter and for failing to communicate with the client for approximately 18 months. In 1992, she received another private reprimand for failure to file an answer on her client's behalf, resulting in a default judgment against the client. The respondent was temporarily suspended on May 6, 1999 for failure to comply with a fee arbitration award and to satisfy a sanction imposed by the Disciplinary Review Board. *In re Annenko, 158 N.J. 184 (1999).* She was reinstated on July 19, 1999. *In re Annenko, 159 N.J. 564 (1999).* In 2000, the respondent was suspended from the practice of law for a period of six months for abandoning two clients after they had paid her retainers, failing to cooperate with the Office of Attorney Ethics during its investigation of these matters, failing to

maintain a bona fide office and failing to maintain proper trust and business accounts in New Jersey. *In re Annenko, 165 N.J. 508.* In 2001, the respondent was suspended for a period of three months effective May 13,2001 for failing to act diligently in representing a client in a post-judgment matrimonial proceeding to terminate the client's child's support obligations. The respondent also failed to keep the client informed as to the status of the matter and failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

ROBERT D. ARENSTEIN

Admitted: 1979; Teaneck (Bergen County)
Reprimand - *170 N.J. 186 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE REVIEW BOARD
Dennis W. Blake for District IIA
Michael L. Kingman for respondent

The Supreme Court of New Jersey held that an attorney engaged in conduct prejudicial to the administration of justice when, during the conduct of a deposition in a matrimonial matter, he physically removed the court reporter's hands from her machine when she refused to accept his direction to cease reporting.

JAMES J. ARMSTRONG, JR.

Admitted: 1953; Lawrenceville (Mercer County)
Disbarment by Consent - *170 N.J. 245 (2001)*
Decided: 12/19/2001

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Michael T. Hartsough for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of estate and clients' funds.

DAVID ASSAD, JR.

Admitted: 1983; Cherry Hill (Camden County)
Disbarment by Consent - *167 N.J. 283 (2001)*
Decided: 5/11/2001

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
Samuel C. Stretton, admitted pro hac vice, for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

The respondent was previously disciplined in 2000 for engaging in the practice of law in New Jersey after being declared ineligible to do so by the Supreme Court for failure to pay his 1997 annual attorney registration fee and for failing to maintain a bona fide law office in accordance with R. 1:21-1(a). *In re Assad, 164 N.J. 615.*

ALAN L. AUGULIS

Admitted: 1987; Warren (Somerset County)
Reprimand - *166 N.J. 390 (2001)*
Decided: 2/21/2001

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Committee on Attorney Advertising
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who published and distributed a flyer with the Star Ledger, a newspaper of general circulation in New Jersey. The flyer provided general information about living trusts and invited the reader to attend a free public seminar. The advertisement in question had the potential to mislead prospective clients and also contained a statement that was inherently comparative and prohibited by ethics rules.

ANTHONY BAIAMONTE, III

Admitted: 1990; Toms River (Ocean County)
Reprimand - *170 N.J. 184 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE REVIEW BOARD
Valter H.Must for District IIIA
Dominic J. Aprile for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in two client matters, engaged in lack of diligence, failure to communicate, failure to expedite litigation and failure to turn over the client file.

MICHAEL P. BALINT

Admitted: 1976; Plainsboro (Middlesex County)
Reprimand - *170 N.J. 198 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE REVIEW BOARD
Andre W. Gruber for District VIII
Donald S. Driggers for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in misconduct in three client matters. In a litigated

matter, the respondent failed to properly serve the summons and complaint, failed to request an entry of default when no answer was filed, and, thereafter, allowed the matter to be dismissed and took no action to have it reinstated; in an estate matter, engaged in gross neglect by failing to have stock certificates transferred, failing to have a final accounting approved, and failing to adequately communicate with clients; and, in a divorce action, failed to take appropriate action to have a dismissal reinstated, failed to pursue wage execution proceedings, and failed to transfer the client's support order to her new county of residence.

The Court also ordered that the respondent practice law under the supervision of a practicing attorney approved by the Office of Attorney Ethics until further order of the Court.

MICHAEL P. BALINT

Admitted: 1976; Plainsboro (Middlesex County)
Reprimand - *170 N.J. 244 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE REVIEW BOARD
Andre W. Gruber for District VIII
Donald S. Driggers for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in the practice of law while he was ineligible for failure to pay his annual attorney registration fee and also committed misconduct in four client matters. In a real estate matter, the respondent failed to act with diligence and violated an escrow agreement; in a litigated matter, engaged in gross neglect by failing to file an answer on his client's behalf on two separate occasions; in an estate matter, failed to adequately communicate with a beneficiary; and, in another estate matter, failed to act with diligence. Additionally, the Supreme Court ordered that respondent practice law under the supervision of a practicing attorney approved by the Office of Attorney Ethics until further order of the Court and that his status with Lawyers Concerned for Lawyers and/or Alcoholics Anonymous be monitored for a period of one year.

ROBERT BAUMOL

Admitted: 1982; Teaneck (Bergen County)
Reprimand - *169 N.J. 471 (2001)*
Decided: 8/6/2001

APPEARANCES BEFORE REVIEW BOARD
Scott L. Weber for District VA
David M. Cohane for respondent

The Supreme Court of New Jersey held that a reprimand by consent was the appropriate discipline for an attorney who modified the date of a consent order vacating a default judgment against his client and placed his initials and that of his adversary next to the change. While the adversary had not consented to the entry of the order in the latter month, the respondent believed that he had the consent of his adversary.

GRAFTON E. BECKLES, II

Admitted: 1982; Brooklyn, New York
Admonition - *Unreported (2001)*
Decided: 12/21/2001

APPEARANCES BEFORE REVIEW BOARD
Mark Denbeux for District VA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to cooperate with disciplinary authorities, both during the investigation and hearing of a grievance.

ANGELA C. W. BELFON

Admitted: 1993; Elizabeth (Union County)
Admonition - *Unreported (2001)*
Decided: 1/11/2001

APPEARANCES BEFORE REVIEW BOARD
Luanne M. Peterpaul for District XII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who grossly neglected a client's interest in a litigated matter and then, after the case was settled, failed to turn over the $1,500 settlement funds to the client and also failed to keep the client informed of the status of the case.

ANGELA C. W. BELFON

Admitted: 1993; Elizabeth (Union County)
Disability Inactive Status - *167 N.J. 605 (2001)*
Decided: 6/5/2001

APPEARANCES BEFORE REVIEW BOARD
Louanne M. Peterpaul for District XII
Respondent appeared pro se

Subsequent to the issuance of a six-month and three-month suspension on January 26, 1999, the Board recommended, and the Supreme Court ordered, respondent's transfer to Disability Inactive Status.

GLENDON G. BELL

Admitted: 1978; Woodbury (Gloucester County)
Disbarment - *169 N.J. 481 (2001)*
Decided: 9/19/2001

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics

Christopher C. Cona for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated over $9,800 of funds received in settlement of a civil suit. The respondent had been temporarily suspended from the practice of law since September 21, 1999.

CONRAD J. BENEDETTO

Admitted: 1981; Marlton (Burlington County)
Reprimand - *167 N.J. 280 (2001)*
Decided: 5/8/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Vincent J. Giusini for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who pled guilty in the state of South Carolina to a violation of *S.C. Code Ann. '40-5-320*, a misdemeanor involving the unauthorized practice of law. Specifically, the respondent had personal injury matters referred to him from South Carolina, a state in which he was not admitted to practice law, and entered into contingency fee agreements with clients and represented them in that state.

The respondent was previously privately reprimanded in New Jersey in 1988 for failure to maintain a bona fide law office.

THOMAS BENITZ

Admitted: 1975; Middlesex (Middlesex County)
Disbarment - *169 N.J. 594 (2001)*
Decided: 10/17/2001

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated a portion of client funds received in connection with an automobile accident claim. The respondent had been previously disciplined. In1999, he received a reprimand for failure to act with diligence, failure to communicate with a client, gross neglect and failure to expedite litigation. *In re Benitz, 157 N.J. 637*. In December 1999, in connection with allegations of knowing misappropriation of trust funds, the Office of Attorney Ethics filed a motion for respondent's temporary suspension which was granted in January of 2000. *In re Benitz, 162 N.J. 188*. In December 2000, respondent was suspended for three months for gross neglect, failure to communicate with a client, misrepresentation and failure to cooperate with disciplinary authorities. *In re Benitz, 165 N.J. 666*.

THOMAS E. BOCCIERI

Admitted: 1986; Woodcliff Lake (Bergen County)
Suspension 3 Years - *170 N.J. 191 (2001)*
Decided: 12/4/2001 Effective: 6/23/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Kim D. Ringler for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to an information charging him with mail fraud, in violation of *18 U.S.C.A. '1341*. The nature of respondent's offense was that, after he was discharged by his client, Communication Corporation of America, and without revealing that fact to the company's stock transfer agent, he improperly caused the agent to issue 42,500 shares of the company's common stock in his name. The respondent allegedly had the stock transferred to him because he was owed $17,000 in legal fees by the client, which amount the client disputed. The Disciplinary Review Board noted that:

> "But for the fact that respondent had a colorable claim that he was owed fees by C.A., he would be facing disbarment."

The respondent had been temporarily suspended from the practice of law since June 22, 1999. *In re Boccieri, 158 N.J. 578*.

TRACY BRANDEIS

Admitted: 1990; Haddon Heights (Camden County)
Admonition - *Unreported (2001)*
Decided: 5/22/2001

APPEARANCES BEFORE REVIEW BOARD
Phillip S. Fuoco for District IV
Respondent appeared pro se

The Disciplinary Review Board accepted a motion for discipline by consent and held that an admonition was the appropriate discipline for an attorney who practiced law in three cases in New Jersey and appeared at hearings during 1999, a period when the respondent was declared ineligible to practice law for failure to pay the 1999 annual attorney registration fee.

HUGH J. BREYER

Admitted: 1983; Lawrenceville (Mercer County)
Disbarment by Consent - *166 N.J. 368 (2001)*
Decided: 2/9/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Robert N. Agre for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent submitted after the filing of a motion for final discipline with the Disciplinary Review Board. The respondent admitted that he could not successfully defend himself against pending disciplinary charges that, in 1987, his name was stricken from the roll of attorneys in the state of Illinois in the face of numerous charges that he filed false pauper's petitions in domestic relations matters, forged the notary signature on certain documents and kept the filing fees given him by the clients when the fees were returned by the Court.

The respondent had been suspended from the practice of law for a period of three years in 2000, based upon his guilty plea in the Superior Court of New Jersey, Law Division, Mercer County, to an Accusation charging him with one count of failure to make a required disposition of property received, in violation of *N.J.S.A. 2C:20-9.* There, respondent, while employed as a law librarian for the Administrative Office of the Courts, sold and traded AOC law books to several companies without the knowledge or approval of the AOC and kept the money ($16,145) from the sales and trades for himself. *In re Breyer, 163 N.J. 502.*

FREDERIC H. BROOKS

Admitted: 1982; East Orange (Essex County)
Reprimand - *169 N.J. 221 (2001)*
Decided: 7/5/2001

APPEARANCES BEFORE REVIEW BOARD
Tangerla Mitchell Thomas for Attorney Ethics
Ronald S. Sampson for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to maintain proper trust and business account records, negligently misappropriated clients' trust funds and commingled clients' funds with personal funds. The respondent was previously disciplined in 1999 when he received a reprimand for failure to cooperate with disciplinary authorities in eight matters. *In re Brooks, 157 N.J. 640 (1999).*

THOMAS M. BROWN

Admitted: 1993; Atlantic City (Atlantic County)
Suspension 1 Year - *167 N.J. 611 (2001)*
Decided: 6/5/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for District IIIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who, as an associate in a law firm, handled 20 to 30 client files in which he failed to conduct discovery, failed to file required pleadings and motions, failed to prepare or file necessary legal memoranda/briefs, and failed to prepare the matters for trial. The respondent also repeatedly misrepresented the status of cases to his supervisors and also misrepresented his whereabouts, when questioned by his supervisors, in order to conceal the status of the matters entrusted to him.

The respondent was previously reprimanded in 1999 for lack of diligence, failure to communicate and making misrepresentations. *In re Brown, 159 N.J. 530 (1999).*

THOMAS F. BULLOCK

Admitted: 1976; Milmay (Atlantic County)
Reprimand - *166 N.J. 5 (2001)*
Decided: 1/9/2001

APPEARANCES BEFORE REVIEW BOARD
Marc L. Hurvitz for District I
William B. Scatchard, Jr. for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a personal injury action and failed to file a brief in connection with the appeal of the matter or to seek an extension of time to file an appeal or to reopen the appeal. The respondent also failed to inform the client for a period of 19 months that the appeal had been dismissed and sent the client misleading letters.

RONALD E. BURGESS

Admitted: 1972; Sea Bright (Monmouth County)
Disbarment by Consent - *166 N.J. 318 (2001)*
Decided: 2/5/2001

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Daniel M. Waldman for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of estate funds. The respondent had been temporarily suspended from the practice of law since October 20, 2000. *In re Burgess, 165 N.J. 516.* The respondent received an admonition in 1998 for failing to handle an estate matter with diligence, failing to communicate with a client and failing to properly maintain an attorney business account.

GAIL D. BUTLER

Admitted: 1987; New York, New York
Disbarment - *169 N.J. 572 (2001)*
Decided: 10/2/2001

APPEARANCES BEFORE SUPREME COURT

Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who was disbarred in New York upon her failure to cooperate with disciplinary authorities and uncontested evidence that she knowingly misappropriated client escrow funds.

WILLARD E. BYER, JR.

Admitted: 1973; West Orange (Essex County)
Disbarment by Consent - *170 N.J. 250 (2001)*
Decided: 12/27/2001

REPRESENTATIONS
John J. Janasie Attorney Ethics
Kenneth F. Kunzman for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending allegations that he knowingly misappropriated client trust and/or estate funds.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

THOMAS J. CALLAHAN

Admitted: 1963; Tenafly (Bergen County)
Disbarment by Consent - *167 N.J. 310 (2001)*
Decided: 05/14/2001

REPRESENTATIONS
John J. Janasie for of Attorney Ethics
Dennis Calo for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

RICHARD J. CARROLL

Admitted: 1970; Secaucus (Hudson County)
Suspension 1 Year - *170 N.J. 196 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who allowed a client's complaint for damages arising out of an apartment fire to be dismissed for failure to prosecute and, in a second matter involving fire damage to another apartment, took no action whatsoever on the matter. Furthermore, the respondent misrepresented the status of the matter to the client by failing to disclose that her complaint had been dismissed. He also failed to cooperate with disciplinary authorities during the processing of this matter.

The respondent has an extensive disciplinary history. In 1984, he was privately reprimanded for grossly neglecting a matter. He received an admonition in 1995 for lack of diligence, failure to communicate, failure to turn over a client file to new counsel and failure to cooperate with disciplinary authorities. In 1997, the respondent received a second admonition for lack of diligence and failure to communicate with a client. Respondent was suspended for a period of three months in1999 for gross neglect, lack of diligence and failure to cooperate with ethics authorities. *In re Carroll, 162 N.J. 97.* He was suspended for another three-month period in 2000 for failure to correct record keeping deficiencies and failure to cooperate with the Office of Attorney Ethics in connection with an audit. *In re Carroll, 165 N.J. 566*.

PATRICK M. CASEY

Admitted: 1987; Linwood (Atlantic County)
Suspension 3 Months - *170 N.J. 6 (2001)*
Decided: 10/29/2001

APPEARANCES BEFORE REVIEW BOARD
Michael E. Benson for District I
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in four separate client matters, engaged in gross neglect, a failure to expedite litigation by not pursuing his clients' claims, failure to communicate the status of the matters to his clients, making misrepresentations to the clients about the progress of their cases and displaying a pattern of neglect.

OLIVER W. CATO

Admitted: 1977; Maplewood (Essex County)
Admonition - *170 N.J. 38 (2001)*
Decided: 11/21/2001

APPEARANCES BEFORE REVIEW BOARD
Walter Gigli for District VB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who grossly neglected a personal injury matter, failed to file a formal complaint, failed to communicate the status of the matter to clients and failed to maintain a bona fide office for the practice of law in New Jersey.

MICHAEL F. CHAZKEL

Admitted: 1972; East Brunswick (Middlesex County)
Reprimand - *170 N.J. 69 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Arnold C. Lakind for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who charged an unreasonable fee in a collection matter, failed to set aside from his own share of the collections sufficient funds to pay the referring attorney's legal fees and improperly took a contingent fee under *R. 1:21-7* on prejudgment interest.

PATIENCE R. CLEMMONS

Admitted: 1987; Newark (Essex County)
Suspension 3 Months - *169 N.J. 477 (2001)*
Decided: 9/6/2001 Effective: 05/22/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for District VA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from the decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a personal injury claim, failed to act with diligence, failed to communicate with his client and failed to cooperate with disciplinary authorities.

In 2000, the Supreme Court ordered a six month suspension for the respondent's conduct involving gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to return a client's funds and documents, and failure to cooperate with disciplinary authorities. *In re Clemmons, 165 N.J. 568*.

JAMES R. COLEY, JR.

Admitted: 1969; Toms River (Ocean County)
Reprimand - *170 N.J. 73 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Elizabeth D. Beranato for District IIIB
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who twice represented clients in a municipal court while ineligible to practice law for failure to pay his annual attorney registration fee.

SAMUEL V. CONVERY, JR.

Admitted: 1969; Metuchen (Middlesex County)
Suspension 6 Months - *166 N.J. 298 (2001)*
Decided: 2/2/2001 Effective: 2/23/2001

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
John D. Arseneault for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to promoting employment or other benefit as a consideration for any "political activity", in violation of *18 U.S.C.A.'600 (the Hatch Act)*. Specifically, the respondent improperly attempted to influence a zoning board's decision in favor of his client by promising an individual that he would assist him in obtaining permanent employment with the county of Middlesex in exchange for assistance in obtaining favorable votes from two zoning board members.

CASSANDRA CORBETT

Admitted: 1993; Elizabeth (Union County)
Admonition - *Unreported (2001)*
Decided: 1/12/2001

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who negligently misappropriated over $7,000 in client trust funds as a result of improper record keeping procedures. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MICHAEL PETER COUTURE

Admitted: 1973; Rochester, New York
Suspension 14 Months - *170 N.J.189 (2001)*
Decided: 12/4/2001 Effective: 2/3/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 14 months (retroactive to February 3, 1999, the date he was first temporarily suspended in New York) was the appropriate discipline for an attorney who was suspended for the same time period by the Supreme Court of the State of New York, Appellate Division, Fourth Judicial Department. The basis for respondent's suspension was a guilty plea in the state of

Colorado to a charge of first degree arson. The respondent set a fire in a botched attempt to self-immolate in a friend's bathroom.

AKIM E. CZMUS

Admitted: 1995; Merchantville (Camden County)
Revocation - *170 N.J. 195 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that an attorney's license to practice law in the state of New Jersey should be revoked. The respondent had been a medical doctor in the state of California and had surrendered his medical license in that state after disciplinary proceedings were instituted against him. He failed to disclose this information when he applied to Temple University Law School and, again, failed to disclose this information in response to specific questions on his New Jersey Bar application. In addition, he lied repeatedly throughout the attorney disciplinary process in New Jersey. In fact, the Disciplinary Review Board noted that:

> "(W)e find that, respondent engaged in a pattern of deceit and misrepresentation to the hospitals where he was seeking privileges (in California), to the attorney disciplinary authorities, to the psychologist and psychiatrist he had retained as experts, to his attorney, to his character witnesses and to the (district ethics committees), in violation of RPC 8.1(a) and RPC 8.4(c)."

JOHN B. D'ALESSANDRO

Admitted: 1992; Union (Union County)
Reprimand - *169 N.J. 470 (2001)*
Decided: 8/3/2001

APPEARANCES BEFORE REVIEW BOARD
Daniel J. O'Hern, Jr. District VA
Nancy McDonald for respondent

The Supreme Court of New Jersey held that a reprimand by consent was the appropriate discipline for an attorney who, in October 1998, witnessed and notarized an executed deed and notarized two affidavits of title, purportedly signed by four individuals, three of whom had not signed the documents in respondent's presence. Moreover, the signatures had been forged and the individuals who actually owned the property were unaware that their property was being sold.

KEVIN J. DALY

Admitted: 1980; Cranford (Union County)
Suspension 3 Months - *166 N.J. 24 (2001)*
Decided: 1/9/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to act diligently in representing a client in conjunction with a post-judgment motion to enforce litigant's rights and to increase trial support. The respondent also failed to reasonably communicate with his client.

The respondent has been previously disciplined. In 1999, he was suspended from the practice of law for a period of three months in another post-judgment matrimonial matter and for misrepresenting to the client that he had filed the appropriate motion to resolve the issues when he had, in fact, not done so. *In re Daly, 156 N.J. 541*.

KEVIN J. DALY

Admitted: 1980; Cranford (Union County)
Disbarment - *170 N.J. 200 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate remedy for an attorney who, in a series of six separate grievances, committed multiple instances of serious misconduct. He accepted retainers in matrimonial matters and then performed very little work. In most instances, he failed to tell his clients of his suspension. Even when he complied with Supreme Court rules to disclose his suspension, he nevertheless violated them by referring clients to another attorney. Further, the respondent flagrantly disregarded the prohibition against practicing law while suspended. He also made numerous misrepresentations to his clients to mislead them about the status of their matters, grossly neglected their cases, causing financial harm to several clients. Moreover, he knowingly misappropriated $2,000 in client trust funds.

Respondent has a history of discipline. In 1999, he was suspended for three months for gross neglect, lack of diligence, failure to communicate with a client, failure to notify a client of receipt of funds and to promptly deliver funds and conduct involving dishonesty, fraud, deceit and misrepresentation. *In re Daly, 156 N.J. 541*. In 2001, he was, again, suspended for an additional three months for lack of diligence and failure to communicate with a client. *In re Daly, 166 N.J. 24*.

STEPHEN DANASTORG

Admitted: 1994; Marlton (Burlington County)
Reprimand - *170 N.J. 72 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Arthur Penn for District IIIB
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in the practice of law in New Jersey without maintaining a bona fide law office. In this case, the law firm shared offices with an unrelated entity, had conference room privileges, together with 56 other offices on the same floor of their leased premises, and maintained no files or other documents at the New Jersey office.

MARC D'ARIENZO

Admitted: 1993; Summit (Union County)
Admonition - *Unreported (2001)*
Decided: 6/28/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Scott W. Geldhauser District IIIA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain trust and business account records as required by *Rule 1:21-6*.

DALWYN T. DEAN

Admitted: 1987; Newark (Essex County)
Disbarment - *169 N.J. 571 (2001)*
Decided: 10/2/2001

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Thomas R. Ashley for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who permitted a non-lawyer acquaintance, Gonzalo Camprubi-Soms (the director of an organization known as Solon Legal Foundation, which provided assistance to individuals being released from prison), unfettered access to her law office and to her clients' funds. Camprubi-Soms had pleaded guilty to real estate fraud and had been incarcerated, which facts were known to respondent. As a result, Camprubi-Soms stole approximately $66,000 from respondent's clients. Respondent's lack of supervision of Camprubi-Soms constituted willful blindness, particularly in the cases in which the thefts occurred after respondent had been warned about Camprubi-Soms. This amounted to knowing misappropriation. In addition, in one matter, the respondent, herself, knowingly misappropriated her clients' funds. The Disciplinary Review Board, in recommending disbarment to the Supreme Court, summarized the matter as follows:

> "The unfortunate picture that emerges from this record is one in which respondent totally deserted her clients. She turned her law practice over to Soms, a non-attorney and convicted felon. Respondent failed to protect her clients or their funds from Soms' greedy grasp. It is obvious from respondent's testimony that she did not even perform such perfunctory tasks as looking at her clients' files or returning their telephone calls. Her record keeping was virtually non-existent. Respondent was content to allow Soms to run her law office. He answered her telephone, opened and sorted her mail, met with her clients, prepared correspondence, reviewed her trust account records and essentially functioned as her associate/paralegal office manager. Respondent exercised no supervision over Soms and placed no controls over his activities. She did not establish any procedure to monitor his actions. Although she knew that Soms had pleaded guilty to a felony charge of real estate fraud, she allowed him unrestricted access to her attorney bank accounts, thereby allowing him to steal her clients' funds."

The respondent had been temporarily suspended from the practice of law since May 5, 1998. *In re Dean, 153 N.J. 355*.

JAMES S. DEBOSH

Admitted: 1992; Phillipsburg (Warren County)
Suspension 3 Months - *170 N.J. 185 (2001)*
Decided: 12/4/2001 Effective: 1/2/2002

REPRESENTATIONS BEFORE REVIEW BOARD
Phillip G. Gentile District XIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in representing two separate clients, engaged in conduct involving gross neglect, lack of diligence, failure to communicate, failure to safeguard property, failure to release client funds and failure to cooperate with disciplinary authorities during the investigation and processing of this matter.

The respondent was previously reprimanded in 2000 for gross neglect, failure to communicate with a client, failure to prepare a written fee agreement and failure to cooperate with disciplinary authorities. *In re DeBosh, 164 N.J. 618*.

LOUIS J. DECK

Admitted: 1974; Martinsville (Somerset County)
Disbarment by Consent - *167 N.J. 37 (2001)*
Decided: 3/27/2001

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Thomas O'Loughlin consulted with respondent for the sole purpose of executing the Disbarment by Consent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who was convicted in the United States District Court for the District of New Jersey of one count of conspiracy to commit bank fraud (*18 U.S.C.A. 371*) and three counts of bank fraud (*18 U.S.C.A. 1344 and 2*). The respondent had been temporarily suspended from the practice of law since June 29, 2000. *In re Deck, 164 N.J. 339.*

ALEXANDER A. DEFRANCIS

Admitted: 1987; Smithtown, New York
Suspension 3 Months - *170 N.J. 37 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who had been disciplined in the state of New York for gross neglect of three matters, failure to communicate with clients in those matters, and for failure to cooperate with disciplinary authorities.

SALVATORE DELELLO, JR.

Admitted: 1983; Piscataway (Middlesex County)
Suspension 36 Months - *167 N.J. 604 (2001)*
Decided: 6/5/2001 Effective: 8/31/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent, waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey to the third degree crime of commercial bribery and breach of duty to act disinterestedly, in violation of *N.J.S.A. 2C:21-10 (a)(2)*; the fourth degree crime of forgery, in violation of *N.J.S.A. 2C:21-1(a)(2)*; the fourth degree crime of falsifying records, in violation of *N.J.S.A. 2C:21-4(a)*; and the fourth degree crime of false swearing, in violation of *N.J.S.A. 2C:28-2(a)*.

The respondent had been temporarily suspended from the practice of law in New Jersey since August 31, 1999. *In re DeLello, 161 N.J. 137 (1999)*.

JAMES A. DEZAO

Admitted: 1985; Parsippany (Morris County)
Reprimand - *170 N.J. 199 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE REVIEW BOARD
Lewis M. Markowitz for District X
Albert B. Jeffers for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a series of three client matters, engaged in gross neglect, pattern of neglect, lack of diligence, failure to adequately communicate with a client, failure to explain a matter to the extent necessary to permit the client to make an informed decision and failure to supervise an associate attorney.

KENNETH S. DOBIS

Admitted: 1979; Forked River (Ocean County)
Reprimand - *170 N.J. 35 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to a one count complaint charging him with importing protected wildlife (rattlesnakes) without a permit, a misdemeanor, in violation of *16 U.S.C.A. 3372(a)(2)*.

BEREK PAUL DON

Admitted: 1974; Englewood Cliffs (Bergen County)
Disbarment by Consent - *167 N.J. 34 (2001)*
Decided: 3/27/2001

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Paul B. Brickfield for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent based upon his guilty plea to a federal information filed in the United States District Court for the District of New Jersey charging him with one count of mail fraud (*18 U.S.C.A. 1341*), one count of attempted income tax evasion (*26 U.S.C.A. 7201*), and one count of conspiracy to violate federal election laws (*18 U.S.C.A. 371*). The respondent had been temporarily suspended from the practice of law since June 3, 1999. *In re Don, 158 N.J. 489).*

HOWARD M. DORIAN

Admitted: 1978; Cliffside Park (Bergen County)
Reprimand - *166 N.J. 558 (2001)*
Decided: 3/7/2001

APPEARANCES BEFORE REVIEW BOARD
Bennett D. Zurofsky for District VB
Anthony Ambrosio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a slip and fall case, engaged in gross neglect, lack of diligence and failure to communicate with a client.

In 1995, the respondent was admonished for failure to take action when his client's personal injury matter was mistakenly dismissed as settled, failure to properly turn over the client's file to her new attorney, and failure to reply to the ethics authority's request for information about the grievance.

RAYMOND DOUGLAS

Admitted: 1976; Metuchen (Middlesex County)
Admonition - *Unreported (2001)*
Decided: 11/27/2001

APPEARANCES BEFORE REVIEW BOARD
Marc J. Bressler for District VIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who grossly neglected a matrimonial matter.

JOHN J. DUDAS, JR.

Admitted: 1968; Dumont (Bergen County)
Suspension 6 Months - *167 N.J. 4 (2001)*
Decided: 3/7/2001 Effective: 2/26/2000

APPEARANCES BEFORE REVIEW BOARD
Joseph L. Mecca, Jr. for District IIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who engaged in the practice of law during the period of December 1994 to September 1995, despite the fact that, during that period, he was declared ineligible to practice law because of his failure to pay the annual attorney registration fee.

The respondent has a history of discipline. In 1995, the respondent received an admonition for failure to return client telephone calls and failure to cooperate with disciplinary authorities. On January 12, 1999, Mr. Dudas was suspended from the practice of law for a period of three months for lack of diligence, failure to safeguard property, unauthorized practice of law and failure to cooperate with disciplinary authorities. *In re Dudas, 156 N.J. 541 (1999).* On December 10, 1999, the respondent was, again, suspended from the practice of law, this time for six months, for gross neglect, lack of diligence, failure to communicate, failure to cooperate with ethics authorities and conduct involving dishonesty, fraud, deceit or misrepresentation. *In re Dudas, 162 N.J. 101 (1999).*

HERBERT R. EZOR

Admitted: 1971; Clifton (Passaic County)
Reprimand - *167 N.J. 594 (2001)*
Decided: 5/22/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Andrew Venturelli District XI
Herman Osofsky for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds and failed to comply with clients' reasonable requests for information regarding their cases.

NINO F. FALCONE

Admitted: 1984; North Bergen (Hudson County)
Reprimand - *169 N.J. 570 (2001)*
Decided: 10/2/001

APPEARANCES BEFORE REVIEW BOARD
John Ukegbu for District VI
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected two client personal injury matters and misrepresented to the clients on several occasions that the matters were progressing when, in fact, he had actually lost the files and done nothing.

JULES FARKAS

Admitted: 1983; Cherry Hill (Camden County)
Reprimand and Disability Inactive Status
166 N.J. 296 (2001)
Decided: 1/26/2001

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, having brought the matter on for an Order to Show Cause on its own motion, and on receipt of a certified record from and decision by the Disciplinary Review Board in two separate matters, held that a reprimand and transfer to disability inactive status was the appropriate discipline for an attorney who violated *RPC 1.3*

(lack of diligence), *RPC 1.4(a)* (failure to communicate with his client), *RPC 1.5(b)* (failure to provide a written fee agreement), *RPC 1.16(d)* (failure to turn over the client's file on termination of representation), and who practiced law from September 5, 1997 through April 13, 1998 while he was declared ineligible to practice because of his failure to pay the annual attorney registration fee. The respondent was previously privately reprimanded in 1993 for lack of diligence and failure to adequately communicate with a client.

JULES FARKAS

Admitted: 1983; Cherry Hill (Camden County)
Reprimand and Disability Inactive Status
166 N.J. 220 (2001)
Decided: 1/26/2001

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, having brought the matter on for an Order to Show Cause on its own motion, and on receipt of a certified record from and decision by the Disciplinary Review Board in two separate matters, held that a reprimand and transfer to disability inactive status was the appropriate discipline for an attorney who violated *RPC 1.3* (lack of diligence), *RPC 1.4(a)* (failure to communicate with his client), *RPC 1.5(b)* (failure to provide a written fee agreement), *RPC 1.16(d)* (failure to turn over the client's file on termination of representation) and who practiced law from September 5, 1997 through April 13 1998 while he was declared ineligible to practice because of his failure to pay the annual attorney registration fee. The respondent had been privately reprimanded in 1993 for lack of diligence and failure to adequately communicate with a client.

JULES FARKAS

Admitted: 1983; Cherry Hill (Camden County)
Suspension 3 Months and Disability Inactive Status
169 N.J. 223 (2001)
Decided: 7/5/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months, followed by transfer to Disability Inactive Status, was the appropriate discipline for an attorney who grossly neglected a client matter, failed to keep the client informed of the status of the matter, failed to cooperate with disciplinary authorities during the investigation of the case, and also failed to provide the client with a written retainer agreement, as required.

In 1993, respondent was privately reprimanded for lack of diligence and for failure to adequately communicate with a client. The respondent was also publicly reprimanded in 2001, followed by transfer to disability inactive status, as a result of unethical conduct in two matters, including lack of diligence, failure to communicate with a client, failure to provide a written fee agreement, failure to turn over the client's file and properly terminate representation and practicing law while ineligible. *In re Farkas, 166 N.J. 220.*

PHILIP FEINTUCH

Admitted: 1964; Jersey City (Hudson County)
Reprimand - *167 N.J. 590 (2001)*
Decided: 5/22/2001

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini Attorney Ethics
Robert E. Margulies for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated over $25,000. The respondent also improperly commingled client and personal funds by leaving earned fees in his trust account and failed to maintain proper trust and business accounting records, as required by *R. 1:21-6*.

THOMAS J. FORKIN

Admitted: 1995; Northfield (Atlantic County)
Suspension 1 Year - *167 N.J. 154 (2001)*
Decided: 4/26/2001 Effective: 5/29/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Walter J. Ray for District I
Ann C. Pearl for District IV
Francis J. Hartman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who committed multiple violations. In a series of four matters, the respondent was retained to pursue two matrimonial matters and two civil matters. He failed to follow through and failed to adequately protect his clients' interest when he closed his law practice. Respondent also failed to return unearned fees to three of these clients and closed his law practice without notice to at least two. In yet another matter, the respondent made misrepresentations to a tribunal in connection with a lawsuit over a Mercedes Benz automobile. The respondent had also altered the purchase price of the car in the documents submitted with the title application in the state of Pennsylvania.

THOMAS J. FORKIN

Admitted: 1995; Northfield (Atlantic County)
Suspension 3 Months - *168 N.J. 167 (2001)*
Decided: 6/19/2001 Effective: 5/29/2001

APPEARANCES BEFORE REVIEW BOARD
Sharon A. Ferrucci District IV
Francis J. Hartman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to promptly deliver trust funds to his client and then misrepresented to the client that he had deposited the funds in his trust account. The respondent also failed to comply with attorney record keeping requirements and also made misrepresentations to the Office of Attorney Ethics during the course of this investigation.

The respondent was disciplined previously in 2001 where he was suspended from the practice of law for a period of one year for multiple ethical violations. *In re Forkin, 167 N.J. 154.*

LEONARD H. FRANCO

Admitted: 1980; Hoboken (Hudson County)
Disbarment by Consent - *169 N.J. 386 (2001)*
Decided: 8/15/2001

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Gerald D. Miller for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misuse of client trust funds.

This matter was discovered solely as a result of the Random Audit Compliance Program.

HARRY E. FRANKS, JR.

Admitted: 1989; Northfield (Atlantic County)
Admonition - *Unreported (2001)*
Decided: 11/1/2001

APPEARANCES BEFORE REVIEW BOARD
Gary D. Wodlinger for District IIIA
Michael A. Gill for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who improperly withdrew from representation of a matrimonial client without taking reasonable steps to protect the client's interest or without filing a motion to be relieved as counsel.

GILBERTO GARCIA

Admitted: 1987; Hackensack (Bergen County)
Reprimand - *167 N.J. 1 (2001)*
Decided: 3/7/2001

APPEARANCES BEFORE REVIEW BOARD
John D. Lynch for District VI
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, while representing one client in a divorce proceeding, proceeded to represent both that client and another client in a real estate matter, thus constituting a conflict of interest. Additionally, the respondent shared legal fees with a client.

WILLIAM C. GASPER, JR.

Admitted: 1979; Whiting (Ocean County)
Suspension 6 Months - *169 N.J. 420 (2001)*
Decided: 7/12/2001

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Bernard F. Boglioli for respondent

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds, carried a negative trust balance for over a year, engaged in gross neglect and failed to communicate with clients. The respondent had been temporarily suspended from the practice of law since March 14, 2001. Previously, he was disciplined by reprimand in 1997 for violations of gross neglect, pattern of neglect, lack of diligence, failure to communicate, and conduct involving dishonesty, fraud, deceit or misrepresentation. *In re Gasper, 149 N.J. 20 (1997).*

WILLIAM C. GASPER, JR.

Admitted: 1979; Whiting (Ocean County)
Disbarment - *169 N.J.576 (2001)*
Decided: 10/2/2001

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics.
Bernard F. Boglioli for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated over $290,000 of clients' trust funds. The respondent had been temporarily suspended from the practice of law since March 14, 2000. *In re Gasper, 163 N.J. 25*. In 1997, the respondent received a reprimand for creating a fictitious court order for the purpose of misleading his client about the status of a case, which matter he had grossly neglected. *In re Gasper, 149 N.J. 20*. In 2001, the respondent was suspended from the practice of law for a period of six months for negligently misappropriating clients' trust funds.

FRANCIS X. GAVIN

Admitted: 1981; Hackettstown (Warren County)
Reprimand - *167 N.J. 606 (2001)*
Decided: 6/5/2001

REPRESENTATIONS BEFORE REVIEW BOARD
William S. Wolfson for District XIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who grossly neglected his client's post-divorce proceeding to enforce an alimony order previously entered, failed to comply with clients' reasonable requests for information, and failed to cooperate with disciplinary authorities during the investigation of this matter.

The respondent was previously reprimanded in 1998 for grossly neglecting a personal injury matter resulting in the running of the statute of limitations. The respondent, there, also failed to communicate with his client.

JAMES T. GIBBONS

Admitted: 1975; Carteret (Middlesex County)
Admonition - *Unreported (2001)*
Decided: 4/4/2001

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain a bona fide law office, as required by *R. 1:21-1(a)*, and practiced law in 1997 while he was on the Ineligible List of attorneys who failed to pay their Annual Attorney Registration fee.

PETE GIOVETIS

Admitted: 1994; Marlton (Burlington County)
Suspension 3 Months - *167 N.J. 616 (2001)*
Decided: 6/5/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Read S. Howarth for District IIIB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who represented two clients during a two-year period in which the respondent was ineligible to practice law in the state of New Jersey by reason of his failure to pay the annual attorney registration fee.

VIJAY M. GOKHALE

Admitted: 1983; Livingston (Essex County)
Reprimand - *170 N.J. 3 (2001)*
Decided: 10/17/001

APPEARANCES BEFORE REVIEW BOARD
Sherilyn Pastor for District VA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who practiced law while on the Ineligible List during the years 1995 through 1997 and failed to maintain appropriate trust and business accounting records in accordance with *R. 1:21-6*.

JERROLD D. GOLDSTEIN

Admitted: 1967; North Plainfield (Somerset County)
Disbarment - *167 N.J. 279 (2001)*
Decided: 5/8/2001

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Pamela Brouse for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated clients' trust funds by knowing advancing fees to himself, taking excess fees, invading real estate escrows in order to cover overdrafts in his business account, and taking real estate escrow funds in order to pay personal loans. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

The respondent has a disciplinary history. In 1997, the respondent was reprimanded for negligent misappropriation of client funds and failure to comply with the record keeping requirements of Rule 1:21-6. *In re Goldstein, 147 N.J. 287.* Later, in 1997, the respondent was temporarily suspended pending a hearing on an order that he show cause why his temporary suspension should not continue until the final resolution of all ethics proceedings pending against him. *In re Goldstein, 148 N.J. 467.* Thereafter, the Court ordered that respondent be restored to the practice of law but practice under certain conditions including the supervision of a proctor and that all checks be co-signed by the proctor. *In re Goldstein, 149 N.J. 88.* On April 30, 2001, the respondent was temporarily suspended from the practice of law until further order of the Court.

ERIC J. GOODMAN

Admitted: 1973; Irvington (Essex County)
Admonition - *Unreported (2001)*
Decided: 7/20/2001

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics

Respondent appeared pro se

The Disciplinary Review Board held that an admonition by consent was the appropriate discipline for an attorney who, at a demand audit held by the Office of Attorney Ethics, demonstrated several attorney trust and business record keeping deficiencies in violation of *RPC 1.15(a)* and commingling of personal and trust funds. In addition, the respondent failed to promptly disburse the proceeds in an estate matter to the beneficiary after the bond was issued, thus engaging in a lack of diligence.

In 2000, the respondent was publicly reprimanded for grossly neglecting a slip and fall accident case for seven years by failing to file a complaint or to otherwise prosecute the claim. Respondent also failed to cooperate with disciplinary authorities during the investigation and prosecution of that matter. *In re Goodman, 165 N.J. 567.*

FRANK J. GRIFFIN

Admitted: 1982; Collingswood (Camden County)
Disbarment by Consent - *167 N.J. 82 (2001)*
Decided: 4/19/2001

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
Francis J. Hartman for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending formal disciplinary charges set forth in a complaint alleging the misappropriation of monthly rental payments which he was holding in escrow.

The respondent had been previously disciplined. In 1990, he was suspended for a period of 12 months for entering into a business transaction with a client whom he knew to be an alcoholic and with whom he was cohabitating. The client pledged her home as collateral for a $20,000 loan, three-fourths of which was paid to respondent. Full disclosure of the consequences of the transaction was not made and no independent counsel was secured to advise the client. Respondent later ceased repaying the loan as he had agreed, resulting in the client's being forced to sell the real estate in order to avoid foreclosure. *In re Griffin, 121 N.J. 245 (1990).*

THOMAS W. GRIFFIN

Admitted: 1990; Morris Plains (Morris County)
Suspension 1 Year - *170 N.J. 188 (2001)*
Decided: 12/4/2001 Effective: 8/11/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who was suspended for one year by the Supreme Court of New York, Appellate Division, Third Department, for grossly neglecting seven matters, failing to communicate with clients in four of those matters, and failing to cooperate with New York disciplinary authorities. The Court ordered that the one-year suspension be served retroactively beginning August 11, 1999, the same date that he was temporarily suspended by the state of New York for failure to cooperate with disciplinary authorities.

PAUL HABERMAN

Admitted: *Pro Hac*; New York City, New York
Suspension 1 Year - *170 N.J. 197 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE REVIEW BOARD
Keith E. Lynott for District VA
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand and a suspension for one year of the respondent's *pro hac vice* privileges was the appropriate discipline for an attorney who appeared in court in New Jersey, a state to which he was not admitted, on behalf of his New York/New Jersey law firm. The respondent was not candid with the Court in that he did not advise the court that he was not admitted to practice in New Jersey. The respondent also appeared as counsel at a deposition taken in connection with a Superior Court matter.

SHARON HALL

Admitted: 1995; South Orange (Essex County)
Suspension 3 Months - *169 N.J. 347 (2001)*
Decided: 7/12/2001 Effective: 6/23/1999

REPRESENTATIONS BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, after being temporarily suspended from the practice of law on June 23, 1999 (*In re Hall, 158 N.J. 579*), failed to file the required affidavit of compliance in accordance with *R. 1:20-20* concerning suspended attorneys, was found in contempt by a judge for accusing her adversaries of being liars, maligning the Court, refusing to abide by the Court's instructions, intimating that there was a conspiracy between the Court and defense counsel and making baseless charges of racism against the Court. Finally, the respondent failed to cooperate with the Office of Attorney Ethics during the investigation and processing of these charges.

STEVE HALLETT

Admitted: 1991; Trenton (Mercer County)

Reprimand - *167 N.J. 610 (2001)*
Decided: 6/5/2001

APPEARANCES BEFORE REVIEW BOARD
Maureen T. Slavin for District VIII
Vera A. Carpenter for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was retained by a client to pursue a municipal court appeal and then failed to communicate with the client, failed to explain the matter to the extent reasonably necessary to permit the client to make an informed decision, failed to have a written fee agreement and filed a frivolous notice of appeal.

ROBERT J. HANDFUSS

Admitted: 1984; Matawan (Monmouth County)
Suspension 3 Months - *169 N.J. 591 (2001)*
Decided: 10/2/2001 Effective: 11/2/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Russell J. Malta for District IX
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a real estate closing by failing to record the deed for more than three months and failed to make timely payments of the insurance premium, sewer charges and real estate tax which resulted in financial injury to the client. In addition, respondent misrepresented to the client that the deed had been filed and that the home warranty premium had been paid.

The respondent had been previously disciplined. In 2000, he was reprimanded for filing a complaint on behalf of a client in connection with a motor vehicle accident and then taking no further action in the matter. The respondent also failed to communicate with the client in any way resulting, ultimately, in the dismissal of the complaint. *In re Handfuss, 165 N.J. 569*.

E. LORRAINE HARRIS

Admitted: 1994; Gibbstown (Gloucester County)
Suspension 6 Months - *167 N.J. 284 (2001)*
Decided: 5/8/2001 Effective: 6/4/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Arthur Leyden, III for District IIIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who knowingly made false statements of material fact to a tribunal in two separate matters. In one case, the respondent's letters to the Court led it to believe that she was unavailable to appear for hearing due to a family medical situation, not because she was scheduled to appear before another judge on a separate matter. The letter suggested that the family situation was such that it would have been an extreme hardship to appear in Court on that day, which was clearly not the case. In a second matter, the respondent also misrepresented to the Court that an appeal was pending when, in fact, she had received a copy of the dismissal order. In yet a third case, the respondent was found guilty of fee overreaching. Finally, she failed to cooperate with disciplinary authorities during the processing of this matter.

The respondent has a disciplinary history. In 1999, she was temporarily suspended from the practice of law following the filing of allegations that she misappropriated escrow funds. She was reinstated one month later subject to restrictions. In 2000, the respondent was again temporarily suspended for failure to refund a fee in accordance with a fee arbitration determination on a schedule set forth in a Supreme Court Order. Thereafter, she made the necessary payments and was reinstated.

In the year 2000, the respondent was reprimanded for failure to have a written fee agreement in two cases and by taking a contingent fee award in a case where she failed to have a written contingency fee agreement. The respondent also failed to cooperate with disciplinary authorities during the processing of this matter. *In re Harris, 165 N.J. 471.* In the year 2000, the respondent also received an admonition for failure to have a written fee agreement with a client.

E. LORRAINE HARRIS

Admitted: 1994; Gibbstown (Gloucester County)
Suspension 3 Months - *Unreported (2001)*
Decided: 5/8/2001 Effective: 12/4/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Susan Lynn Moreinis for District IV
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who handled a speeding matter in less than a diligent manner by requesting repeated adjournments over a period of 11 months and then ultimately withdrawing as counsel on the date of trial. The respondent also made a misrepresentation to the Court that an adjournment had been granted for one court date, when no postponement had been granted, in fact.

The respondent has a disciplinary history. In 1999, she was temporarily suspended from the practice of law following the filing of allegations that she misappropriated escrow funds. She was reinstated one month later subject to restrictions. In 2000, the respondent was again temporarily suspended for failure to refund a fee in accordance with a fee arbitration determination on a schedule set forth in a Supreme

Court Order. Thereafter, she made the necessary payments and was reinstated.

In the year 2000, the respondent was reprimanded for failure to have a written fee agreement in two cases and by taking a contingent fee award in a case where she failed to have a written contingency fee agreement. The respondent also failed to cooperate with disciplinary authorities during the processing of this matter. *In re Harris, 165 N.J. 471.* In the year 2000, the respondent also received an admonition for failure to have a written fee agreement with a client.

JACQUELINE R. HARRIS

Admitted: 1990; Newark (Essex County)
Admonition - *Unreported (2001)*
Decided: 6/29/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Sherilyn Pastor District VA
Elliott H. Gourvitz for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, for over a year, engaged in the practice of law despite being declared ineligible to practice by reason of non-payment of her annual attorney registration fee.

SCOTT RINE HAZEL

Admitted: 1991; State College, Pennsylvania
Indefinite Suspension - *169 N.J. 475 (2001)*
Decided: 9/6/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that an indefinite suspension from the practice of law was the appropriate discipline for an attorney who was disciplined in the Commonwealth of Pennsylvania in 1997 after driving while under the influence. He was placed on probation subject to terms and conditions relating to his alcoholism. After the respondent twice failed to abide by the conditions imposed, the Pennsylvania Disciplinary Board ordered a one year and one day suspension on March 1, 2000. The indefinite suspension in New Jersey will continue until such time as respondent is first reinstated to the practice of law in the Commonwealth of Pennsylvania.

LAURENCE A. HECKER

Admitted: 1965; Toms River (Ocean County)
Suspension 3 Months - *167 N.J. 5 (2001)*
Decided: 3/7/2001 Effective: 4/2/2001

APPEARANCES BEFORE REVIEW BOARD
John McGill, III Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in gross neglect, lack of diligence, negligent misappropriation of trust funds, failure to safeguard client funds, record keeping violations and failure to supervise a non-lawyer assistant. The non-lawyer assistant had stolen monies from respondent previously. After his incarceration, the respondent rehired the assistant, who also had a history of addiction to drugs and alcohol. By his actions, respondent placed clients' funds at extreme risk and, in fact, the assistant, again, stole from an estate account for which the respondent was responsible.

JAY G. HELT

Admitted: 1983; Holmdel (Monmouth County)
Reprimand - *166 N.J. 597 (2001)*
Decided: 3/7/2001

APPEARANCES BEFORE REVIEW BOARD
William G. Brigiani for District VIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to deliver the client's file to the client or the new attorney after termination of the attorney-client relationship.

The respondent was previously disciplined. In 1986, he was privately reprimanded for unethical conduct in a matrimonial matter, which included failure to communicate with his client and failure to communicate his fees in writing. In 1997, in a default matter, the respondent was reprimanded for failing to turn over files and failing to cooperate with disciplinary authorities. *In re Helt, 147 N.J. 273.*

HOWARD J. HOFFMANN

Admitted: 1976; Little Ferry (Passaic County)
Suspension 1 Year - *169 N.J. 473 (2001)*
Decided: 9/6/2001 Effective: 6/8/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Donald A. Klein for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who failed to act with diligence and record a mortgage and a deed in a real estate transaction, misrepresented the status of the matter to his client and falsely assured the client that the matter would be resolved, when, in fact, the respondent did nothing. Additionally, the respondent failed to cooperate with the

District Ethics Committee during its investigation and processing of this matter.

The respondent has a substantial history of discipline. In 1998, he received a reprimand for lack of diligence, failure to communicate, conduct involving dishonesty, fraud, deceit or misrepresentation and failure to cooperate with ethics authorities. *In re Hoffmann, 154 N.J. 259.* In 1999, respondent received a three month suspension for misconduct involving similar misconduct. *In re Hoffmann, 156 N.J. 579.* Again, in the year 2000, the respondent was suspended from the practice of law for a period of three months for gross neglect, lack of diligence, failure to communicate and failure to protect a client's interests upon termination of the representation. *In re Hoffmann, 163 N.J. 4.*

MARK L. HOPKINS

Admitted: 1972; Long Valley (Morris County)
Reprimand - *170 N.J. 251 (2001)*
Decided: 12/27/2001

APPEARANCES BEFORE REVIEW BOARD
Joseph T. Delgado for District X
Respondent appeared pro se

The Supreme Court of New Jersey accepted a motion for discipline by consent and determined that a reprimand was the appropriate discipline for an attorney who improperly represented both spouses in a matrimonial matter, while attempting to act as a "conciliator." The respondent also failed to provide a written retainer agreement to one of the clients.

VICTOR J. HOROWITZ

Admitted: 1982; Piscataway (Middlesex County)
Admonition - *Unreported (2001)*
Decided: 6/29/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Jean Ramatowski for District VIII
Pamela Brause for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who engaged in a conflict of interest by filing a complaint for personal injury damages on behalf of the driver, as well as four passengers of a vehicle allegedly involved in an accident. At some point thereafter, the defendants were allowed to file an amended answer and a counterclaim against the driver of the vehicle, alleging contribution. Even though discovery revealed issues of liability against the driver, the respondent continued to represent all plaintiffs through the trial date, at which time the law firm was disqualified by the trial judge.

STEPHEN R. JAFFE

Admitted: 1987; Cherry Hill (Camden County)
Suspension 3 Months - *170 N.J. 187 (2001)*
Decided: 12/4/2001 Effective: 1/7/2002

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Camden County, to an accusation charging him with one count of third degree theft by deception, in violation of N.J.S.A. 2C:20-4. The underlying theft involved obtaining approximately $13,100 from Blue Cross/Blue Shield of New Jersey, Inc. by submitting false health insurance claims to that insurance company for specially prescribed baby formula.

RONALD S. KAPLAN

Admitted: 1982; West Orange (Essex County)
Admonition - *Unreported (2001)*
Decided: 5/22/2001

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III Attorney Ethics
Joseph J. Discenza for respondent

The Disciplinary Review Board accepted a motion for discipline by consent and determined that an admonition was the appropriate discipline for an attorney who, in representing a client, came into possession of settlement funds in which both the attorney's firm and the client's prior attorney claimed interest. Despite knowledge that the attorney's firm had entered into an agreement to pay the prior attorney one-third of the total attorney fee upon settlement of the case, the attorney failed to forward the fee to the prior attorney, thus failing to keep the funds separate until there was an accounting, in violation of *RPC 1.15(c).*

IRA KARASICK

Admitted: 1989; Montclair (Essex County)
Reprimand - *169 N.J. 570 (2001)*
Decided: 10/2/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Dennis J. Smith for District VC
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to communicate with his client for almost three years and failed to have a written fee agreement with the client, as required by *RPC 1.5(b)*. In addition, the respondent failed to file an answer to the formal complaint, which constituted a failure to cooperate with disciplinary authorities.

GARY A. KAY

Admitted: 1975; Clarksburg (Monmouth County)
Admonition - *Unreported (2001)*
Decided: 2/15/2001

APPEARANCES BEFORE REVIEW BOARD
David M. Epstein for District IX
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to reply to his client' s numerous requests for information and status of its collection matter and who also failed to turn over client files to a new attorney after being relieved by his client.

NICHOLAS KHOUDARY

Admitted: 1988; East Brunswick (Middlesex County)
Suspension 2 Years - *167 N.J. 593 (2001)*
Decided: 5/22/2001 Effective: 8/6/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt Attorney Ethics
Michael Gilberti for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who entered a guilty plea in the United States District Court for the District of New Jersey to structuring a monetary transaction to avoid reporting requirements in violation of *31 U.S.C.A. '5322(b), 5224(3) and 5324 (a)(3), 31 C.F.R. '103.53 and 18 U.S.C.A. '2*. The respondent had been temporarily suspended from the practice of law since August 5, 1999.

SHMUEL KLEIN

Admitted: 1987; Mahwah (Bergen County)
Reprimand - *170 N.J. 137 (2001)*
Decided: 11/27/2001

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was suspended for a period of five years in the state of New York in1997. The respondent engaged in unethical conduct in two matters. In1994, in a bankruptcy matter, the respondent was sanctioned by the bankruptcy court for, among other things, misrepresentations to the court and improperly filing a second bankruptcy petition after the first petition had been dismissed. In the second matter, the respondent represented himself in defending a legal malpractice action. In that case, the order of the New York Supreme Court sanctioned respondent in the amount of $1,000 for failing to obey various court orders.

W. RANDOLPH KRAFT

Admitted: 1989; Middletown (Monmouth County)
Admonition - *Unreported (2001)*
Decided: 5/22/2001

APPEARANCES BEFORE REVIEW BOARD
Ellen W. Smith for District IIB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to diligently prosecute a medical malpractice claim and failed to communicate with his client. The lack of communication included failure to notify the client that the complaint had been dismissed for lack of prosecution. The respondent took no steps to restore the case to the active trial calendar.

W. RANDOLPH KRAFT

Admitted: 1989; Middletown (Monmouth County)
Reprimand - *167 N.J. 615 (2001)*
Decided: 6/5/2001

APPEARANCES BEFORE REVIEW BOARD
Gary E. Linderoth for District XII
Frank R. Gioia for District VI
Frederick J. Dennehey for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to communicate with his clients in four separate matters, failed to explain a matter to the extent reasonably necessary to permit the client to make an informed decision about the representation in one case; failed to act with diligence in four matters; failed to communicate the basis or rate of the legal fee in writing in one matter and engaged in a conflict of interest in another matter.

The respondent was suspended by the Supreme Court on October 8, 1999, "pending the resolution of ethics proceedings against him." *In re Kraft, 162 N.J. 6.* In 2001, the respondent received an admonition for failing to prosecute a medical malpractice case diligently and failing to communicate with his client. The lack of communication included failure to notify the client that the complaint had been dismissed for lack of prosecution.

W. RANDOLPH KRAFT

Admitted: 1989; Middletown (Monmouth County)
Admonition - *Unreported (2001)*
Decided: 10/2/2001

APPEARANCES BEFORE REVIEW BOARD

Michael F. Brandman for District XII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to file a civil complaint on behalf of a client in a wrongful termination/employment discrimination matter for a period of several years. The respondent also failed to adequately communicate with the client concerning the status of her claim. The respondent also failed to provide the client with a written retainer agreement as required by *RPC 1.5*.

GERHARD KRAHN

Admitted: 1980; Maywood (Bergen County)
Disbarment by Consent - *167 N.J. 602 (2001)*
Decided: 6/4/2001

REPRESENTATIONS
John J. Janasie for Attorney Ethics
John E. Selser, III respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend himself against pending disciplinary charges of the knowing misappropriation of clients' trust funds.

EUGENE M. LAVERGNE

Admitted: 1990; Asbury Park (Monmouth County)
Suspension 6 Months - *168 N.J. 410 (2001)*
Decided: 6/19/2001 Effective: 7/16/2001

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Robert A. Weir, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who mishandled eight client matters. He exhibited a lack of diligence in six matters, failed to communicate in five, grossly neglected four, and failed to turn over the file upon termination of his representation in three cases. He also violated *RPC 1.15* and *R. 1:21-6* in connection with maintaining proper trust and business account records.

EUGENE M. LAVERGNE

Admitted: 1990; Asbury Park (Monmouth County)
Reprimand - *168 N.J. 409 (2001)*
Decided: 6/19/2001

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Robert A. Weir, Jr. for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was found guilty in municipal court of theft by failure to make required disposition of property received, a disorderly person offense, in violation of *N.J.S.A. 2C:20-9*. In this case, respondent entered into an agreement to purchase an automobile, never made payments, and instead took possession of the vehicle and allowed it to be registered to a new owner.

KARL R. LAWNICK

Admitted: 1988; Iselin (Middlesex County)
Suspension 3 Months - *168 N.J. 108 (2001)*
Decided: 6/5/2001

APPEARANCES BEFORE REVIEW BOARD
Richard Galex for District VIII
William T. Harth for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected three client matters, failed to act with diligence, failed to communicate with his clients, failed to explain a matter to the extent necessary to permit the client to make an informed decision, charged an unreasonable fee, failed to expedite litigation and failed to cooperate with disciplinary authorities during the investigation of this matter.

The respondent has been previously disciplined. On August 10, 1998, he was temporarily suspended from the practice of law for failure to explain overdrafts of his attorney trust account and failure to meet conditions of a prior diversionary matter involving trust overdrafts. *In re Lawnick, 155 N.J. 117.* In 1999, the Supreme Court suspended the respondent for one year for misconduct in six matters, including gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to return unearned retainers, failure to return files on termination of representation, failure to cooperate with ethics authorities and misrepresentation. *In re Lawnick, 162 N.J. 113.* Also in 1999, the Supreme Court suspended the respondent for three months for a lack of diligence, failure to communicate with a client, failure to surrender documents and failure to cooperate with disciplinary authorities in a client matter. *In re Lawnick, 162 N.J. 115*.

KARL R. LAWNICK

Admitted: 1988; Perth Amboy (Middlesex County)
Suspension 1 Year - *169 N.J. 574 (2001)*
Decided: 10/2/2001

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who failed to

maintain trust and business accounting records as required by *R. 1:21-6* and who practiced law in several cases after being earlier suspended for disciplinary reasons. The respondent also failed to communicate with clients and failed to comply with *R. 1:20-20* governing future activities of an attorney who has been suspended. This matter was discovered initially as the result of the Trust Overdraft Notification Program.

The respondent has a history of discipline. In 1998, the respondent was temporarily suspended from the practice of law for failure to comply with the Supreme Court's Order requiring him to provide certain information to the Office of Attorney Ethics in connection with its investigation of his financial records. *In re Lawnick, 155 N.J. 117.* The Court imposed a three month suspension in 1999 for respondent's failure to act diligently to represent a client in a negligence matter, failure to keep the client reasonably informed of the status and failure to turn over his file to new counsel when requested. The respondent also failed to cooperate with disciplinary authorities by refusing to file an answer to a formal ethics complaint. In1999, the respondent also received a one year suspension (consecutive to the three month suspension) when, in a series of six matters, he agreed to represent clients, but then did nothing. In five of the matters, he accepted retainers, ranging from $500 to $1500 and, thereafter, undertook no action on behalf of these clients. The respondent also refused to reply to any communications from his clients and, in every matter, refused to cooperate with the investigation conducted by the disciplinary system. *In re Lawnick, 162 N.J. 113*. Finally, in 2001, the respondent was suspended for a period of three months for grossly neglecting three client matters, failing to act with diligence, failing to communicate with his clients, failing to explain a matter to the extent necessary to permit the client to make an informed decision, charging an unreasonable fee, failing to expedite litigation, and failing to cooperate with disciplinary authorities during the investigation of these matters. *In re Lawnick, 168 N.J. 108*.

ALTHEAR A. LESTER

Admitted: 1969; Newark (Essex County)
Disbarment - *169 N.J. 592 (2001)*
Decided: 10/2/2001

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated funds from an estate.

The respondent has an extensive disciplinary history. In 1989, the respondent received a public reprimand for gross neglect in two matters, as well as for failure to carry out his contract of employment and failure to cooperate with disciplinary authorities. *In re Lester, 116 N.J. 774*. In 1992, the respondent was privately reprimanded for failing to communicate with a client. In 1996, he was again publicly reprimanded for failing to communicate, failing to release a file to a client and failure to supervise his office staff. *In re Lester, 143 N.J. 130*. The next year, in 1997, the respondent was suspended from the practice of law for a period of six months for grossly neglecting client files in a series of six matters. Additionally, in one matter, the respondent sent a letter to his adversary saying the adversary's secretary consented to an extension of time to file an answer, when that fact was knowingly false. Respondent also failed to cooperate in the investigation and processing of these disciplinary cases. *In re Lester, 148 N.J. 86*. In 2000, the respondent was suspended from the practice of law for a period of one year when he was retained by a client and then failed to attend to her matters for a period of eight years. In addition, the respondent failed to surrender the client's file to her new counsel when requested to do so and failed to reply to the Office of Attorney Ethics' requests for information. *In re Lester, 165 N.J. 510*.

WALTER D. LEVINE

Admitted: 1965; Florham Park (Morris County)
Reprimand - *167 N.J.608 (2001)*
Decided: 6/5/2001

APPEARANCES BEFORE REVIEW BOARD
John McGill, III Attorney Ethics
Samuel N. Reiken for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest in violation of *RPC 1.8(a)* when he borrowed money from his client without following the required safeguards; commingled personal and trust funds in violation of *RPC 1.15(a)*; and, failed to comply with record keeping requirements in violation of *RPC 1.15(d) and R. 1:21-6.*

JAMES R. LISA

Admitted: 1984; Jersey City (Hudson County)
Suspension 6 Months - *169 N.J. 419 (2001)*
Decided: 7/12/2001 Effective: 3/23/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Joseph S. Sherman for District VI
Samuel R. DeLuca for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who attempted to set up an unethical fee sharing situation with another individual.

The respondent has a history of discipline. In 1995, he was admonished for using his trust account as a business account and failing to correct record keeping deficiencies. In 1998, respondent was suspended from the practice of law for three months for admitting to being under the influence of a controlled, dangerous substance, cocaine, having unlawful

constructive possession of a controlled, dangerous substance, 0.73 grams of cocaine, and unlawful possession of drug paraphernalia. *In re Lisa, 152 N.J. 455.* In 1999, the respondent was suspended from the practice of law for one year for knowingly making a false statement of material fact to a court, practicing law while suspended and displaying dishonest conduct prejudicial to the administration of justice. *In re Lisa, 158 N.J. 5*.

JUAN A. LOPEZ, JR.

Admitted: 1985; Jersey City (Hudson County)
Admonition - *Unreported (2001)*
Decided: 1/11/2001

APPEARANCES BEFORE REVIEW BOARD
Sharon R. Mark District VI
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, while serving as an Assistant Municipal Prosecutor for the City of Jersey City, represented a client charged with possession of drugs who was prosecuted by the Hudson County Prosecutor's Office. This representation constituted a conflict of interest in violation of *R.1:15-3(b)* and *Advisory Opinion 239*, which prohibits a municipal prosecutor from representing an accused before the county court where the offense originated B or the accused resided B in the municipality for which the attorney is the prosecutor.

ROBIN K. LORD

Admitted: 1986; Trenton (Mercer County)
Admonition - *Unreported (2001)*
Decided: 9/24/2001

APPEARANCES BEFORE REVIEW BOARD
Sarah G. Crowley for District VII
Allen Dexter Bowman for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, knowing that her client used six aliases in a prior municipal court appearance, failed to be candid and disclose to the judge in a subsequent municipal court matter the client's true name, when the client was, in fact, utilizing one of his many aliases.

THOMAS P. LYNAUGH

Admitted: 1993; Tenafly (Bergen County)
Disbarment by Consent - *167 N.J. 51 (2001)*
Decided: 3/28/2001

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
John J. D'Anton for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of client trust funds. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

LAWRENCE MAGID

Admitted: 1969; Phoenix, Arizona
Reprimand - *167 N.J. 614 (2001)*
Decided: 6/5/2001

APPEARANCES BEFORE REVIEW BOARD
Thomas Gosse for District IV
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to take proper steps to protect the client's interest on withdrawal after the attorney closed his practice and left for Arizona. The respondent also failed to communicate in one matter and failed to act diligently in another.

The respondent had previously been disciplined. In 1995, following a conviction for simple assault, the respondent was reprimanded. *In re Magid, 139 N.J. 449 (1995)*.

JAMES J. MAGUIRE, JR.

Admitted: 1974; Trenton (Mercer County)
Disbarment - *166 N.J. 87 (2001)*
Decided: 1/19/2001

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Albert B. Jeffers, Jr. for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who engaged in egregious conflicts of interest when acting under a power of attorney from an elderly client whose funds he used as his own to fund business investments with sophisticated real estate developers and others. The Disciplinary Review Board described the respondent's representation of an elderly client as "appalling" and "disgraceful." The Board noted:

> "Respondent's exploitation of his elderly client was more venal than that displayed by some attorneys who have been disbarred for knowing misappropriation. For his egregious, exceedingly cavalier, reckless handling of his client's funds, he should suffer no less serious consequences."

GEORGE J. MANDLE, JR.

Admitted: 1970; Linden (Union County)
Reprimand - *167 N.J. 609 (2001)*
Decided: 6/5/2001

APPEARANCES BEFORE REVIEW BOARD
Gianfranco A. Pietrafesa for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, while practicing law under the supervision of a proctor based on a prior disciplinary case, failed to represent a client with diligence by not recording the deed and mortgage for five months after the closing and by not properly disbursing the closing funds and allowing them to remain stagnate in his attorney trust account. The respondent also failed to cooperate with the district ethics committee during its investigation of this matter.

The respondent was reprimanded in 1996 for misconduct in four matters, which included gross neglect, pattern of neglect, lack of diligence and failure to cooperate with the ethics authorities. *In re Mandle, 146 N.J. 520*. In 1999, the respondent was again reprimanded for gross neglect, lack of diligence and failure to communicate in an estate matter. *In re Mandle, 157 N.J. 68.*

GEORGE J. MANDLE, JR.

Admitted: 1970; Linden (Union County)
Suspension 3 Months - *170 N.J. 70 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Gianfranco A. Pietrafesa for District XII
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to properly and timely prepare the state tax returns, resulting in the assessment to the estate of over $7,000 in penalties and interest. Additionally, in that case, as well as another matter, the respondent failed to cooperate with disciplinary authorities.

The respondent has a disciplinary history. In 1996, he received a reprimand for misconduct in four matters, including pattern of neglect, gross neglect, failure to act with diligence and failure to cooperate with ethics authorities. *In re Mandle, 146 N.J. 520.* In 1999, he was reprimanded for gross neglect, lack of diligence and failure to communicate with a client. He was also ordered to return $500 of a retainer to his client. *In re Mandle, 157 N.J. 68*. In 2001, the respondent was again reprimanded for failing to act diligently and failing to cooperate with disciplinary authorities during the investigation of the matter, all while he was practicing law under the supervision of a proctor under a prior disciplinary order. *In re Mandle, 167 N.J. 609*.

FREDERIC L. MARCUS

Admitted: 1974; Newark (Essex County)
Admonition - *Unreported (2001)*
Decided: 5/7/2001

APPEARANCES BEFORE REVIEW BOARD
Mark Falk for District VA
Cynthia M. Craig for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who represented both the driver and passenger in a motor vehicle accident. In an effort to avoid a possible conflict of interest, the respondent obtained another attorney's signature on one client's complaint.

LIBERO MAROTTA

Admitted: 1955; Edgewater (Bergen County)
Suspension 2 Years - *167 N.J. 595 (2001)*
Decided: 5/22/2001 Effective: 9/2/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Richard L. Friedman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of obstruction of justice. The respondent was initially temporarily suspended from the practice of law upon entry of his plea on September 2, 1999.

LEONORA E. MARSHALL

Admitted: 1987; West Orange (Essex County)
Admonition - *Unreported (2001)*
Decided: 9/26/2001

APPEARANCES BEFORE REVIEW BOARD
Sherilyn Pastor for District VA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who filed a notice of appeal from a criminal conviction, but thereafter failed to file an appellate brief, thereby causing the dismissal of the appeal. The respondent's conduct constituted a lack of diligence and a failure to communicate with the client.

LEON MARTELLI

Admitted: 1983; Camden (Camden County)
Disbarment by Consent - *169 N.J. 503 (2001)*
Decided: 9/24/2001

REPRESENTATIONS
Walton W. Kingsbery, III Attorney Ethics
Charles H. Nugent, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds in an estate matter and in a civil suit settlement.

ISADORE H. MAY

Admitted: 1985; Ventnor (Atlantic County)
Suspension 1 Year - *170 N.J. 34 (2001)*
Decided: 11/14/2001 Effective: 12/14/2001

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Willis F. Flower for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who entered into an arrangement with his relative, attorney Norman I. Ross of Passaic County, to circumvent the ethical prohibition against representing both a driver and a passenger from the same accident in settlement of numerous personal injury claims. This arrangement continued over a four-year period and resulted in respondent permitting his brother-in-law, Ross, to forge May's signature on almost 70 personal injury complaints and to file them with the court in order to carry out the scheme. May derived a pecuniary benefit from the arrangement, receiving about $24,000 in 33 of the cases alone.

This matter was discovered solely as a result of the Random Audit Program.

DENNIS D. S. MCALEVY

Admitted: 1965; Union City (Hudson County)
Reprimand - *167 N.J. 607 (2001)*
Decided: 6/5/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was reprimanded by the United States District Court for the District of New Jersey based upon ineffective assistance of counsel. Specifically, the respondent never informed his criminal defendant client that he had a right to testify in his own defense and that ultimately the decision was his. Instead, the respondent simply prohibited the client from testifying at trial despite the client's repeated pleas to do so.

The respondent was previously disciplined. In 1976, he received a reprimand for a lack of civility, good manners and common courtesy before the court and officers of the court. *In re McAlevy, 69 N.J. 349*. In 1983, the respondent was suspended for a period of three months for conduct prejudicial to the administration of justice, undignified or discourteous conduct degrading to a tribunal, and the intentional violation of an established rule of procedure. *In re McAlevy, 94 N.J. 201.*

ROBERT MCANDREW, JR.

Admitted: 1993; Bethlehem, Pennsylvania
Disbarment by Consent - *167 N.J. 595 (2001)*
Decided: 5/24/2001

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Philip D. Lauer for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who had been disbarred by consent in the Commonwealth of Pennsylvania. The basis of the disbarment was respondent's admission that he engaged in inappropriate conduct toward juveniles whom he was appointed to represent.

THOMAS F. MILITANO

Admitted: 1991; Newton (Sussex County)
Reprimand - *166 N.J. 367 (2001)*
Decided: 2/6/2001

REPRESENTATIONS BEFORE REVIEW BOARD
John C. Whipple for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who, during the representation of a client in connection with a motor vehicle offense, participated in the preparation of a phony letter to mislead the client's mother that the client had used the $50 she had given him to apply for a municipal public defender, when the attorney knew that, in fact, this was untrue.

FELICE F. MISCHEL

Admitted: 1980; New York, New York
Suspension 2 Years - *166 N.J. 219 (2001)*
Decided: 1/23/2001 Effective: 3/11/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Neil Grossman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who pled guilty in the Supreme Court of the State of New York, County of New York, to a Superior Court information charging her with one count of offering a false instrument for filing, in violation of *'175.35 of the Penal Law of the State of New York*. The false instrument was a New York state tax return which she knew

contained false and fraudulent deductions. The respondent had been suspended from the practice of law in the state of New Jersey since March 11, 1999. *In re Mischel, 157 N.J. 533 (1999)*.

MORRISON, MAHONEY & MILLER

Paramus (Bergen County)
Admonition - *Unreported (2001)*
Decided: 12/5/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Richard C. McDonnell for District IIA
Respondents represented themselves

The Disciplinary Review Board accepted a motion for discipline by consent against a New York/New Jersey law firm and held that an admonition was the appropriate discipline for the firm which failed to maintain attorney trust and business accounts in a New Jersey financial institution, as required by *R. 1:21-6*, failed to designate one of their New Jersey associates as responsible for the firm's New Jersey office, as required by *RPC 7.5*, and failed to indicate the jurisdictional limitations of attorneys not admitted to the New Jersey Bar on its letterhead.

MYLES C. MORRISON, III

Admitted: 1976; Andover (Sussex County)
Disbarment by Consent - *169 N.J. 224 (2001)*
Decided: 7/17/2001

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Richard I. Clark consulted with respondent solely to insure voluntariness of his actions

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of client trust funds.

CHARLES MORRONE

Admitted: 1996; Marlton (Burlington County)
Reprimand - *170 N.J. 66 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Arthur Penn for District IIIB
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in the practice of law in New Jersey without maintaining a bona fide law office. In this case, the law firm shared offices with an unrelated entity, had conference room privileges, together with 56 other offices on the same floor of their leased premises, and maintained no files or other documents at the New Jersey office.

PETER MOUTIS

Admitted: 1985; Hackensack (Bergen County)
Admonition - *Unreported (2001)*
Decided: 10/5/2001

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Stephen E. Milazzo for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to properly safeguard a $14,000 escrow for a judgment creditor in connection with a real estate closing. In connection with a subsequent foreclosure proceeding, he disbursed the money to the mortgagee in order to have the foreclosure dismissed without obtaining consent of the judgment creditor.

WALTER D. NEALY

Admitted: 1984; Hackensack (Bergen County)
Reprimand - *170 N.J. 193 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Bernard K. Freamon for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated $4,000 in client trust funds and failed to maintain proper trust and business account records, as required by *R. 1:21-6.*

The respondent was previously privately reprimanded in 1990 for failing to pay real estate taxes and a homeowner's insurance bill in a real estate matter in a timely fashion, and failing to remit certain closing documents to the mortgagee, despite numerous requests by his client, the attorney for the mortgagee and the title company.

JOSEPH H. NEIMAN

Admitted: 1985; Hackensack (Bergen County)
Reprimand - *167 N.J. 616 (2001)*
Decided: 6/5/2001

APPEARANCES BEFORE REVIEW BOARD
Wendy F. Klein for District IIB
Joseph P. Rem for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in gross neglect of a client matter, failed to act with diligence, and failed to communicate with the client for several years.

JEFFRY F. NIELSEN

Admitted: 1990; Newark (Essex County)
Reprimand - *167 N.J. 54 (2001)*
Decided: 4/2/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Paula A. Garrick for District VC
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who grossly neglected two client matters, despite being paid in full on at least one of the cases. The respondent also failed to communicate with his clients to advise them of the status of these matters.

RICHARD M. ONOREVOLE

Admitted: 1983; Lake Hiawatha (Morris County)
Reprimand - *170 N.J. 64 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
John C. Whipple for District X
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a client in a lemon law matter, failed to act with diligence, failed to reasonably communicate with the client and made misrepresentations about the status of the matter.

The respondent has previously been disciplined. In 1994, he received an admonition for gross neglect, lack of diligence and failure to communicate with a client. In 1996, the respondent was reprimanded for gross neglect, lack of diligence, failure to communicate with a client, failure to cooperate with ethics authorities and conduct involving misrepresentations to his client. *In re Onorevole, 144 N.J. 477*.

NANCY I. OXFELD

Admitted: 1977; Newark (Essex County)
Admonition - *Unreported (2001)*
Decided: 7/3/2001

APPEARANCES BEFORE REVIEW BOARD
Russell S. Burnside for District VA
Stephen R. Cohen for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who testified in a hearing for her partner and then participated in settlement discussions notwithstanding the fact that she had represented an opposing individual in the litigation.

SANFORD OXFELD

Admitted: 1973; Newark (Essex County)
Admonition - *Unreported (2001)*
Decided: 7/3/2001

APPEARANCES BEFORE REVIEW BOARD
Russell S. Burnside for District VA
Stephen R. Cohen for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who engaged in a conflict of interest by having his law firm partner testify as a fact witness and also assist him in settlement discussions in a litigated matter.

RUSSELL E. PAUL

Admitted: 1966; Woodbury (Gloucester County)
Suspension 3 Months - *167 N.J. 6 (2001)*
Decided: 3/7/2001 Effective: 4/9/2001

APPEARANCES BEFORE REVIEW BOARD
Ahmed S. Corbit for District IV
Angelo J. Falciani for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who lied on an application for malpractice insurance by stating that he had never had a malpractice claim made against him before when, in fact, he knew that was false. The respondent also made oral misrepresentations to his adversary and written misrepresentations in a deposition and in several certifications to a court.

The respondent has a history of discipline. In 1974, he received a private reprimand for failing to advise a client that his appeal was dismissed, instead suggesting simply that the client obtain other counsel. In 1987, he received a second private reprimand for allowing the statute of limitations to run in a personal injury action and misrepresenting the status of the case to a client. In 1994, the Supreme Court imposed a reprimand on respondent for gross neglect, failure to communicate with a client and misrepresentation. *In re Paul, 137 N.J. 13 (1994)*.

BEN W. PAYTON

Admitted: 1992; Colonia (Middlesex County)
Reprimand - *167 N.J. 2 (2001)*
Decided: 3/7/2001

APPEARANCES BEFORE REVIEW BOARD
Michael Mitzner for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who

grossly neglected two matters, failed to communicate with his clients and failed to cooperate with ethics authorities during the investigation of the case.

BEN W. PAYTON

Admitted: 1992; Colonia (Middlesex County)
Suspension 3 Months - *168 N.J. 109 (2001)*
Decided: 6/19/2001 Effective: 7/16/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to timely file inheritance tax returns or to appeal to the Division of Taxation's assessment significantly delaying administration of his client's estate. Respondent's inaction resulted in a loss of $2,000 in interest penalties to the estate. The respondent also failed to have a fee agreement and failed to communicate with his clients after their repeated attempts to contact him.

In 1997, the respondent was admonished for failure to properly file a complaint, failure to prosecute the matter, and failure to communicate with his client. In 2000, he was publicly reprimanded for grossly neglecting two matters, failing to communicate with his clients and failing to cooperate with ethics authorities during the investigation of both matters.

CLARK PEASE

Admitted: 1984; Merchantville (Camden County)
Suspension 3 Months - *167 N.J. 597 (2001)*
Decided: 5/22/2001

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics.
Carl D. Poplar for respondent

The Supreme Court held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, from August through November 1989, paid a tow truck operator, whom he labeled "investigator," for the referral of personal injury cases to him and his law firm. The respondent benefitted from this unethical practice by earning more than $200,000 in legal fees from the cases solicited by the firm's runner.

JOHN JAY PERRONE

Admitted: 1984; Red Bank (Monmouth County)
Suspension 18 Months - *169 N.J. 226 (2001)*
Decided: 7/12/2001 Effective: 2/23/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt Attorney Ethics
Richard P. Zoller for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 18 months was the appropriate discipline for an attorney who was criminally convicted in the United States District Court for the District of New Jersey of mail fraud, in violation of *18 U.S.C.A. '1341 and '2.* The respondent had been temporarily suspended from the practice of law since February 22, 2000. *In re Perrone, 162 N.J. 544*.

HARRY J. PINTO, JR.

Admitted: 1965; Morristown (Morris County)
Reprimand - *168 N.J. 111 (2001)*
Decided: 6/19/2001

APPEARANCES BEFORE REVIEW BOARD
William J. McGovern, III for District X
Lee S. Trumbull for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who made discriminatory comments and took discriminatory actions towards his female client that were demeaning, crude and vulgar, including the inappropriate touching of the client's buttocks. The Court also ordered that the respondent complete 20 hours of sensitivity training to be approved by the Office of Attorney Ethics.

JACQUELINE JASSNER POQUETTE

Admitted: 1985; Denville (Morris County)
Disbarment by Consent - *170 N.J. 135 (2001)*
Decided: 11/21/2001

REPRESENTATIONS
John McGill, III for Attorney Ethics
Thomas C. Pluciennik for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent from the above attorney who admitted that she could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. The respondent had been temporarily suspended from the practice of law since August 11, 2000. *In re Poquette, 165 N.J. 203*.

STANLEY J. PURZYCKI

Admitted: 1963; Somerville (Somerset County)
Disbarment - *167 N.J. 281 (2001)*
Decided: 5/8/2001

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who defrauded at least four organizations and ten individuals out of more than a million dollars over a period of several years. The respondent had been temporarily suspended from the practice of law since January 3, 2000. *In re Purzycki, 164 N.J. 292.*

FERNANDO REGOJO

Admitted: 1981; Union City (Hudson County)
Reprimand - *170 N.J. 67 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Joseph P. Castiglia for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to properly maintain mandated trust account records, as required by R. 1:21-6, negligently misappropriated clients' trust funds, and failed to promptly pay funds from a real estate closing to various third parties, including fees for inheritance tax liens, property taxes, realty transfer tax, sewer bill, exterminator bill and surveyor bill.

MARK R. RENNIE

Admitted: 1988; Summit (Union County)
Disbarment by Consent - *169 N.J. 478 (2001)*
Decided: 9/11/2001

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Edward D. Sheehan consulted with respondent solely for the purpose of assuring the voluntariness of the Disbarment by Consent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. The respondent had been suspended temporarily from the practice of law since November 3, 1999. *In re Rennie, 162 N.J. 44.*

MICHAEL J. ROSENBLATT

Admitted: 1988; New York, New York
Suspension 6 Months - *170 N.J. 36 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who was suspended for six months in the state of New York for making false and misleading statements to the New York County District Attorney's Office regarding the respondent's threat to a business associate. That threat of physical violence occurred when the business associate defaulted in paying licensing fees to the copyright owner for a logo used by respondent's restaurant.

GERARD V. ROSS

Admitted: 1989; Glen Ridge (Essex County)
Suspension 3 Months - *166 N.J. 8 (2001)*
Decided: 1/9/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Ronald L. Washington for District VC
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected his defense of a client against whom a permanent restraining order for stalking and harassment had been issued, made false and misleading statements to the client with regard to his ability to have the permanent restraining order lifted at any time, and made repeated, false assurances to the client that the appeal was being processed despite the fact that the appeal was never filed. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

The respondent was temporarily suspended from the practice of law on June 15, 1999 for his failure to comply with a determination of a district fee arbitration committee to refund legal fees.

GERARD V. ROSS

Admitted: 1989; Glen Ridge (Essex County)
Suspension 6 Months - *166 N.J.5 (2001)*
Decided: 1/9/2001 Effective: 4/11/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Anne K. Franges for District VC
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who exhibited gross neglect, lack of diligence and made misrepresentations while representing clients in a commercial tenancy matter. The respondent failed to file a complaint as a result of which the clients were evicted. To compound matters, the respondent also failed to file an answer to the complaint for

past due rent, resulting in the entry of a $20,000 default judgment against the clients. The respondent also failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

GERARD V. ROSS

Admitted: 1989; Glen Ridge (Essex County)
Suspension 3 Months - *166 N.J. 7 (2001)*
Decided: 1/9/2001 Effective: 10/11/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Anne K. Franges for District VC
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected two client matters, failed to communicate with the clients and failed to cooperate with disciplinary authorities during the investigation and prosecution of these matters.

JERI L. SAYER

Admitted: 1985; Rahway (Union County)
Admonition - *165 N.J. 573 (2001)*
Decided: 1/11/2001

APPEARANCES BEFORE REVIEW BOARD
James J. Byrnes for District XII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who twice, through gross neglect, allowed a Workers' Compensation Petition to be dismissed. Notwithstanding the fact that the Workers' Compensation employer advised him that it was willing to settle the matter despite the dismissal, the attorney failed to pursue settlement negotiations.

STEPHEN SCHNITZER

Admitted: 1968; Livingston (Essex County)
Admonition - *Unreported (2001)*
Decided: 12/21/2001

APPEARANCES BEFORE REVIEW BOARD
A. Lawrence Gaydos, Jr. for District VC
Peter A. Ouda for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who had a client execute a second mortgage on her house to secure the payment of legal fees without providing the notice, explanation and writing required of all attorneys under *RPC 1.8(a)*.

LEWIS M. SEAGULL

Admitted: 1977; Westfield (Union County)
Disbarment by Consent - *166 N.J. 47 (2001)*
Decided: 1/12/2001

REPRESENTATIONS
John J. Janasie for Attorney Ethics
George W. Canellis for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

STEVEN T. SELTZER

Admitted: 1985; Briar Cliff Manor, New York
Disbarment - *169 N.J. 590 (2001)*
Decided: 10/2/2001

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Southern District of New York to one count of conspiracy to commit mail fraud in violation of *18 U.S.C.A. 371*, two counts of mail fraud in violation of *18 U.S.C.A. 1341*, and one count of conspiracy to defraud the Internal Revenue Service, in violation of *18 U.S.C.A. 371.* The factual basis for these charges involved respondent's participation in a scheme to defraud insurance companies over a period of time. The respondent had been temporarily suspended from the practice of law since October 16, 2000. *In re Seltzer, 165 N.J. 507.*

ALLAN J. SERRATELLI

Admitted: 1976; Newark (Essex County)
Admonition - *Unreported (2001)*
Decided: 11/27/2001

APPEARANCES BEFORE REVIEW BOARD
Mark Denbeaux for District VI
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who acted as a listing broker for the sale of real estate without being licensed to do so, in violation of *In re Roth, 120 N.J. 665 (1990)*.

JOEL F. SHAPIRO

Admitted: 1989; Edison (Middlesex County)

Reprimand - *168 N.J. 166 (2001)*
Decided: 6/19/2001

APPEARANCES BEFORE REVIEW BOARD
Mallary Steinfeld for District X
Raymond Barto for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, engaged in gross neglect and lack of diligence in one case, and also failed to communicate with his client. The respondent likewise failed to have a written retainer agreement as required by court rules.

The respondent was previously admonished for failure to return a client file or to recommend to his superiors that the file be turned over to the client in 1997.

TERRY L. SHAPIRO

Admitted: 1974; Newark (Essex County)
Suspension 3 Months - *169 N.J. 219 (2001)*
Decided: 7/5/2001 Effective: 8/1/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Lawrence S. Lustberg for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in connection with civil litigation, submitted a false certification of services to his adversary, an attorney representing an insurance company.

The respondent had been previously disciplined. In 1988, he received a private reprimand for breaching client confidentiality. In 1994,he was suspended from the practice of law for a period of six months for the negligent misappropriation of client trust funds and for conduct involving deceit and misrepresentation and conduct prejudicial to the administration of justice. *In re Shapiro, 138 N.J. 87.*

K. KAY SHEARIN

Admitted: 1980; Elsmere, Delaware
Suspension 1 Year - *166 N.J. 558 (2001)*
Decided: 3/7/2001 Effective: 7/17/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Patricia Slane Voorhees for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who was suspended for that period in the state of Delaware for multiple violations including preparing two deeds and submitting a false certification, making false statements to tribunals and submitting false evidence, submitting a false debtor's schedule in a federal bankruptcy court and submitting a false "certificate" to the Delaware Division of Corporations.

ROBERT J. SHERIDAN

Admitted: 1986; College Park, Maryland
Indefinite Suspension - *169 N.J. 221 (2001)*
Decided: 7/5/2001 Effective: 1/10/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Thaddeus P. Mikulski, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for an indefinite period, and until the respondent is first reinstated to the bar of the state of Maryland, was the appropriate discipline for an attorney who was indefinitely suspended from the bar of the state of Maryland for unauthorizedly taking fees from settlement funds, failing to keep clients' property separate from his own, failing to promptly deliver funds or other property to a client and conduct involving dishonesty, fraud, deceit or misrepresentation.

BENJAMIN A. SILBER

Admitted: 1976; Carney's Point (Salem County)
Reprimand - *167 N.J. 3 (2001)*
Decided: 3/7/2001

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds in four instances and failed to maintain proper trust and business accounting records, as required under *R. 1:21-6*.

The respondent was previously disciplined. In 1995, Mr. Silber was reprimanded for improperly communicating with a party known to be represented by counsel and for improperly drafting a release that attempted to insulate himself from disciplinary proceedings. *In re Silber, 139 N.J. 605 (1995)*.

PHILLIP J. SIMMS

Admitted: 1974; Whitehouse (Hunterdon County)
Reprimand - *170 N.J. 191 (2001)*
Decided: 12/4/2001

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who

negligently misappropriated some $73,000 in clients' trust funds and failed to maintain appropriate trust and business accounting records, as required by *R. 1:21-6*.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOEL M. SOLOW

Admitted: 1974; Newark (Essex County)
Reprimand - *167 N.J. 55 (2001)*
Decided: 4/2/2001

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III Attorney Ethics
Waldron Kraemer for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in intimidating and contemptuous conduct towards an Administrative Law Judge in social security matters. In particular, the respondent filed approximately 100 motions for recusal on the basis that the judge was blind and, therefore, unable to observe the claimant or review the documentary evidence. The motion papers repeatedly and inappropriately referred to the judge as "the blind judge."

In 1994, the respondent received a letter of admonition for possession of more than 50 grams of marijuana for personal use, in violation of *N.J.S.A. 2C:35-10a(3).*

ROBERT W. SPENCER

Admitted: 1996; Tarrytown, New York
Suspension 1 Year - *168 N.J. 169 (2001)*
Decided: 6/19/2001 Effective: 8/16/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 12 months was the appropriate discipline for an attorney who breached his fiduciary responsibility to safeguard the integrity of clients' funds due to carelessness resulting in negligent misappropriation.

ROBERT C. SPIESS

Admitted: 1981; Pompton Plains (Morris County)
Suspension 1 Year - *170 N.J. 65 (2001)*
Decided: 11/14/2001 Effective: 7/3/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Ann M. Edens for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who was engaged by clients to file a lawsuit, but failed to do so for more than two years while falsely assuring them that he had filed suit. The respondent also violated Rule 1:20-20, governing the conduct to be followed by suspended attorneys, by failing to inform his clients of an earlier suspension and by leaving a misleading outgoing message on his answering machine.

The respondent has previously been disciplined. In 2000, the respondent was twice suspended for periods of three months each. In the first case, he engaged in gross neglect, lack of diligence, failure to communicate with a client, failure to explain a matter to the extent necessary for a client to make an informed decision, failure to expedite litigation, the unauthorized practice of law and failure to cooperate with disciplinary authorities. *In re Spiess, 162 N.J. 121.* In the second matter, the respondent engaged in lack of diligence, failure to communicate with a client, failure to properly deliver funds to a client, the unauthorized practice of law and failure to cooperate with disciplinary authorities. *In re Spiess, 165 N.J. 473*.

MARILYN STERNSTEIN

Admitted: 1980; Sewell (Gloucester County)
Admonition - *Unreported (2001)*
Decided: 11/1/2001

APPEARANCES BEFORE REVIEW BOARD
Eugene McCaffrey, Jr. for District IV
Carl D. Poplar for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain a bona fide law office as required by *R. 1:21-1(a)*. The respondent was publicly reprimanded in 1996 for failing to act diligently, failing to communicate and failing to cooperate with district ethics authorities in connection with the investigation and processing of two client grievances. *In re Sternstein, 143 N.J. 128*.

STEVEN M. TANNENBAUM

Admitted: 1977; Voorhees (Camden County)
Suspension 68 Months - *167 N.J. 52 (2001)*
Decided: 4/2//2001 Effective: 7/21/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 68 months, retroactive to July 21, 1995, the date of respondent's initial temporary suspension, was the appropriate discipline for an attorney who received a three-year suspension from the practice of law by the Supreme Court of Pennsylvania. The respondent engaged in a pattern of unethical conduct including lack of

diligence, failure to communicate with his clients, failure to discontinue representation after being placed on the inactive list, misrepresentation to a court that the client had filed a pro se action, practicing law while on the inactive list in Pennsylvania and misrepresentations to his client about the status of the case.

RICHARD R. THOMAS, III

Admitted: 1996; Newark (Essex County)
Admonition - *Unreported (2001)*
Decided: 6/29/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Scott L. Weber for District VA
Respondent appeared pro se

The Disciplinary Review Board accepted a motion for discipline by consent and held that an admonition was the appropriate discipline for an attorney who failed to clearly communicate to his client that the representation was terminated and failed to protect her interests in accordance with R. 1:16(d). Additionally, in another case, the respondent unilaterally determined not to appeal a summary judgment decision and again improperly terminated the representation.

RICHARD M. THURING

Admitted: 1970; New Providence (Union County)
Disbarment by Consent - *169 N.J. 577 (2001)*
Decided: 10/9/2001

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Peter N. Gilbreth for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend a pending investigation into allegations that he knowingly misappropriated client trust funds.

PETER W. TILL

Admitted: 1974; Bloomfield (Essex County)
Reprimand - *167 N.J. 276 (2001)*
Decided: 5/8/2001

APPEARANCES BEFORE REVIEW BOARD
Robert E. Nies for District VC
Thomas R. Valen for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in gross neglect and misrepresentation in representing a client in a "minority shareholder oppression action." Specifically, the respondent failed to take action in representing his client and made numerous misrepresentations to her about the status of the case. For over a nine-month period, the respondent lied to the client that the complaint had been filed, that service had been made, that the defendant had failed to answer the complaint, that he was seeking default judgments and that he had filed motions to obtain the deposition of her ailing father.

IRVING TOBIN

Admitted: 1957; Elizabeth (Union County)
Reprimand - *170 N.J. 74 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Tangerla Mitchell Thomas for Attorney Ethics
Stephen L. Ritz for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated client trust funds, commingled funds belonging to investors and clients, failed to maintain proper trust account records, engaged in improper business transactions with clients, in violation of *RPC 1.8(a)*, and engaged in conflicts of interest by representing clients with potentially adverse interests, as they were variously borrowers and investors.

R. TYLER TOMLINSON

Admitted: 1995; Voorhees (Camden County)
Admonition - *Unreported (2001)*
Decided: 11/2/2001

APPEARANCES BEFORE REVIEW BOARD
Paul J. Felixon for District IV
John Fitzpatrick for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who unethically conditioned the resolution of a collection case on the dismissal of a grievance filed against the respondent by his client's parents.

JAMES P. TUTT

Admitted: 1985; Newark (Essex County)
Reprimand - *170 N.J. 63 (2001)*
Decided: 11/14/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who improperly lent his client $500 against future recovery from a pending lawsuit, thus violating the ethical

proscription against financial assistance to a client in connection with pending or contemplated litigation.

The respondent was reprimanded in 2000 for mishandling an estate matter over a six-year period, where he failed to make appropriate efforts to locate one of six beneficiaries and to respond to the inquiries of another beneficiary during the same time period. *In re Tutt, 163 N.J. 562*.

CARL J. VALORE

Admitted: 1960; Linwood (Atlantic County)
Suspension 6 Months - *169 N.J. 225 (2001)*
Decided: 7/12/2001

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who improperly borrowed money from clients and gave them promissory notes, but no security, for a portion of the escrow funds he collected for them in litigation.

CARL J. VALORE

Admitted: 1960; Linwood (Atlantic County)
Disbarment by Consent - *170 N.J. 249 (2001)*
Decided: 12/20/2001

REPRESENTATIONS
Nitza I. Blasini for Attorney Ethics
Steven K. Kudatzky for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misuse of clients' trust funds totaling approximately $3,000.

The respondent had been previously disciplined. On October 11, 2000, he was ordered to practice law under a temporary license restriction. *In re Valore, 165 N.J. 504*. In 2001, he was suspended from the practice of law for a period of six months for improperly borrowing money from clients and giving them promissory notes, but no security. The borrowed money constituted a portion of escrow funds that the respondent had collected for clients in connection with various litigated matters.

KENNETH VAN RYE

Admitted: 1979; Elmwood Park (Bergen County)
Suspension 3 Months - *167 N.J. 592 (2001)*
Decided: 5/22/2001 Effective: 6/20/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Dennis W. Blake for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to act with diligence in the representation of his clients and to properly communicate with them. The respondent also failed to cooperate with disciplinary authorities during the processing of this matter.

Respondent has a history of discipline. In 1991, he received a three-month suspension for failure to maintain trust and business account records and for failure to submit a written formal accounting to a client. He also improperly witnessed a signature on a document and affixed his jurat improperly thereon. *In re Van Rye, 124 N.J. 664.* In 1992, the respondent was suspended from the practice of law for a period of two years for entering into a business deal with a client without advising him to obtain independent counsel, executing a jurat on a document outside the presence of the signer, improperly altering a deed, signing closing documents without a power of attorney and disbursing mortgage proceeds without obtaining the requisite authorization. *In re Van Rye, 128 N.J. 108.*

ANTHONY N. VERNI

Admitted: 1990; West Orange (Essex County)
Reprimand - *167 N.J. 276 (2001)*
Decided: 5/8/2001

APPEARANCES BEFORE REVIEW BOARD
Eric Tunis for District VC
Kalmen Harris Geist for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who demonstrated gross neglect in two client matters, lack of diligence and failure to obey court orders and notices requiring his appearance, for which he was ordered to pay a $500 sanction and $500 in counsel fees resulting in the client's case being dismissed with prejudice.

JOHN H. C. WEST, III

Admitted: 1989; Ventnor (Atlantic County)
Suspension 1 Year - *166 N.J. 48 (2001)*
Decided: 1/9/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Rhinold L. Ponder for District VIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who accepted $13,000 from a client and, over a period of at least

one year, failed to file an appeal on the client's behalf. After the client terminated his representation, the respondent failed to forward the client's file or an itemized bill to the client's new attorney as requested. The respondent further failed to return any unearned legal fees and never replied to any correspondence from either the client or the attorney. The respondent also failed to cooperate with disciplinary authorities during the processing of this matter.

The respondent has a lengthy history of discipline. In 1997, he was temporarily suspended from the practice of law for failing to comply with a district fee arbitration award in the amount of $2,100. *In re West, 151 N.J. 460 (1997).* In 1996, he was admonished for gross neglect, lack of diligence and failure to communicate. In 1998, the respondent was suspended for a period of three months for gross neglect, lack of diligence and failure to communicate. *In re West, 156 N.J. 391 (1998).* Also, in 1998, the respondent was suspended for a period of six months for engaging in a pattern of neglect in three matters, failing to communicate with clients, failing to surrender papers and refund an unearned fee, and failure to cooperate with disciplinary authorities during the investigation of that matter. *In re West, 156 N.J. 451 (1998).*

LOUIS F. WILDSTEIN

Admitted: 1978; Newark (Essex County)
Suspension 3 Months - *169 N.J. 220 (2001)*
Decided: 7/5/2001 Effective: 8/1/2001

APPEARANCES BEFORE REVIEW BOARD
Mark Denbeaux for District VA
Justin P. Walder for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected the handling of one estate, engaged in a conflict of interest when he acted as the attorney, executor and trustee of one estate at the same time that he was the executor and beneficiary of another estate, the latter estate holding a mortgage on the only asset of the former estate. Moreover, the respondent improperly drafted a will by changing the residuary beneficiary clause from the names of others to himself. This violated RPC 1.8(c), notwithstanding the fact that the change was made at the testator's request.

The respondent has a disciplinary history. In 1998, he was privately reprimanded for failure to keep a client reasonably informed about the status of a personal injury lawsuit. In 1994, he was publicly reprimanded for gross neglect, lack of diligence, and failure to communicate with a client. *In re Wildstein, 138 N.J. 48 (1994).*

JAMES H. WOLFE, III

Admitted: 1979; East Orange (Essex County)
Suspension 3 Months - *167 N.J. 278 (2001)*
Decided: 5/8/2001 Effective: 6/4/2001

APPEARANCES BEFORE REVIEW BOARD
Judith B. Appel for District VA
Kirk Douglas Rhodes for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in two client matters, engaged in gross neglect, lack of diligence, failure to keep a client reasonably informed and failure to cooperate with disciplinary authorities in the processing of this matter. The respondent was previously disciplined. In 1998, he received an admonition for failure to advise his clients of the status of their matter.

JAMES H. WOLFE, III

Admitted: 1979; East Orange (Essex County)
Reprimand - *167 N.J. 277 (2001)*
Decided: 5/8/2001

APPEARANCES BEFORE REVIEW BOARD
Judith B. Appel for District VA
Kirk Douglas Rhodes for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who exhibited a lack of diligence and gross neglect in representing a client in a federal civil rights action. The respondent was previously disciplined. In 1998, he received an admonition for his failure to advise his clients of the status of a matter, including the dismissal of several complaints, which occurred through no fault of respondent.

JAMES H. WOLFE, III

Admitted: 1979; Newark (Essex County)
Reprimand - *170 N.J. 71 (2001)*
Decided: 11/14/2001

APPEARANCES BEFORE REVIEW BOARD
Cynthia A. Walters for District VB
Kirk D. Rhodes for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, while representing a client in a motor vehicle accident case, failed to reasonably communicate with the client over a three-year period.

The respondent has a history of discipline. In 1998, respondent received an admonition for failing to advise his clients of the status of their matters. In 2001, the respondent was reprimanded for grossly neglecting a client's case. *In re Wolfe, 167 N.J. 277.* Also, in 2001, the respondent was suspended from the practice of law for a period of three months for grossly neglecting other clients' matters. *In re Wolfe, 167 N.J. 278.*

JACOB WYSOKER

Admitted: 1951; New Brunswick (Middlesex County)
Suspension 3 Months - *170 N.J. 7 (2001)*
Decided: 10/29/2001 Effective: 11/23/2001

APPEARANCES BEFORE REVIEW BOARD
Tangerla M. Thomas for Attorney Ethics
Kevin H. Michels for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, on at least 1,000 occasions, filed Workers' Compensation Petitions with inaccurate petitioners' addresses in order to "forum shop." A significant number of these false petitions occurred after respondent was warned by both his partner and by the director of the Division of Workers' Compensation that such conduct was improper and unethical. The respondent also executed the jurat on an undetermined number of petitions that contained what he knew to be incorrect information, thus knowingly executing documents containing misrepresentation which he then filed with the Division of Workers' Compensation.

H. MICHAEL ZUKOWSKI

Admitted: 1980; Titusville, Florida
Disability Inactive Status - *167 N.J. 33 (2001)*
Decided: 3/20/2001

REPRESENTATIONS
Nitza I. Blasini for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that the transfer to disability inactive status was the appropriate discipline for an attorney who lacked the mental capacity to practice law and participate in ongoing ethics investigations involving the payment of client funds.

In 1997, the respondent was publicly reprimanded for failing to diligently prosecute a Workers' Compensation claim and failing to communicate with the client and who, in a second matter, grossly neglected a personal injury case. *In re Zukowski, 152 N.J. 59*.

2000

MICHAEL S. AHL

Admitted: 1983; Fort Lee (Bergen County)
Suspension 3 Years - *164 N.J. 222 (2000)*
Decided: 5/11/2000

APPEARANCES BEFORE SUPREME COURT
Tangerla Mitchell Thomas for Attorney Ethics
Joseph P. Castiglia for respondent

The Supreme Court of New Jersey held that suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who, together with his two law partners (both of whom were disbarred), perpetuated a fraud on the New Jersey Division of Alcoholic Beverage Control, the City of Hoboken, and the New Jersey State Police by concealing the fact that they had two additional partners in a liquor license being operated as "Good N Plenti." One of the undisclosed partners had formerly owned the license but had been disqualified from continuing to hold the license by virtue of a criminal conviction.

LOUIS A. ALUM

Admitted: 1983; Guttenberg (Hudson County)
Suspension 1 Year Suspended - *162 N.J. 313 (2000)*
Decided: 1/28/2000

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Raymond Barto for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who knowingly engaged in a series of real estate transactions involving "silent seconds" or fictitious credits. In these transactions, the borrower obtained secondary financing to close a real estate transaction without disclosing to the first mortgage holder the need for such financing. Additionally, the respondent either personally prepared false RESPA and Fannie Mae documents designed to conceal prohibited financing or facilitated the use of false documentation at the closing by allowing his clients to sign the false documents. In view of the fact that the unethical conduct in question occurred in 1988 and 1989, over ten years ago, and in view of respondent's unblemished disciplinary record, the Court determined to suspend the suspension and to require the attorney to perform pro bono legal services of a community nature consisting of the equivalent of one day per week for a period of one year.

LINDA K. ANDERSON

Admitted: 1984; New Brunswick (Middlesex County)
Disbarment by Consent - *165 N.J. 494 (2000)*
Decided: 9/26/2000

APPEARANCES BEFORE REVIEW BOARD
Tangerla Mitchell Thomas for Attorney Ethics
Leroy Carmichael for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that she could not defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. At the time of her consent, the Disciplinary Review Board had recommended

disbarment and the matter was pending oral argument before the Supreme Court.

LUBA ANNENKO

Admitted: 1983; Cherry Hill (Camden County)
Suspension 6 Months - *165 N.J. 508 (2000)*
Decided: 10/17/2000 Effective: 11/13/2000

APPEARANCES BEFORE REVIEW BOARD
Paul Felixon for District IV
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who abandoned two clients after they had paid her retainers, failed to cooperate with the Office of Attorney Ethics during its investigation of these matters, failed to maintain a bona fide office and failed to maintain proper attorney trust and business accounts in New Jersey banking institutions.

The respondent has a disciplinary history. In 1988, she received a private reprimand for gross neglect and failure to communicate with a client for 18 months. In addition, respondent allowed the filed complaint to be dismissed for lack of prosecution. Again, in 1992, the respondent was privately reprimanded for lack of diligence. She failed to file an answer in the client's behalf, resulting in the entry of a default judgment. Furthermore, respondent failed to take action, as requested by the client, on a writ of execution on the judgment. In 1999, respondent was temporarily suspended from the practice of law for failure to satisfy a fee arbitration award and failure to pay a $500 sanction to the Disciplinary Oversight Committee.

WILLIAM F. ARANGUREN

Admitted: 1981; Jersey City (Hudson County)
Suspension 6 Months - *165 N.J.664 (2000)*
Decided: 12/5/2000 Effective: 1/2/2001

APPEARANCES BEFORE REVIEW BOARD
Kathleen Walrod for District VI
Robert Fuchs for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in representing three clients in five personal injury actions, committed unethical acts of gross neglect, pattern of neglect, lack of diligence, failure to communicate and failure to expedite litigation. The respondent also made misrepresentations in three of the matters, including one in a certification to a trial court. The respondent also failed to return the files to the client or client's counsel in three of the matters and failed to cooperate with the disciplinary system in the investigation of these matters.

The respondent had been previously disciplined. In 1997, he received an admonition for failing to prosecute an action, leading to its dismissal, failing to take steps to have the matter reinstated, failing to communicate the status of the matter to the client and to turn over the file to the client. In a second matter, the respondent obtained a judgment for a client and retained funds for counsel fees and expenses, but failed to give the client a detailed breakdown of fees or other deductions from the proceeds of the judgment, which distribution took four years to conclude.

DAVID ASSAD, JR.

Admitted: 1983; Cherry Hill (Camden County)
Reprimand - *164 N.J. 615 (2000)*
Decided: 7/13/2000

APPEARANCES BEFORE REVIEW BOARD
Michael A. Kaplan for District IV
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in the practice of law after being declared ineligible to do so by the Supreme Court for failure to pay his 1997 annual attorney registration fee and failing to maintain a bona fide law office in accordance with Rule 1:21-1(a).

DON X. BANCROFT

Admitted: 1968; Pompton Lakes (Passaic County)
Suspension 3 Months - *163 N.J. 139 (2000)*
Decided: 4/4/2000 Effective: 5/1/2000

APPEARANCES BEFORE REVIEW BOARD
John Robertson for District X
Albert B. Jeffers for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who improperly utilized escrow funds for purposes other than those intended without consent of both parties to the transaction. The respondent also grossly neglected a matter, failed to communicate with a client, failed to reduce the basis of a fee to writing, failed to maintain adequate billing records in accordance with *R. 1:21-6*, and improperly terminated representation.

The respondent had been previously disciplined. In 1980, he was privately reprimanded for failure to protect his client's interests. In 1981, he received another private reprimand for demonstrating poor judgment in confronting a client and for failing to turn over the client's file. In 1986, the respondent received a public reprimand for neglecting a matter, failing to carry out a contract of employment and for knowingly prejudicing or damaging his client. *In re Bancroft, 102 N.J. 114 (1986).*

JERALD D. BARANOFF

Admitted: 1972; Metuchen (Middlesex County)
Admonition - *Unreported (2000)*
Decided: 10/25/2000

APPEARANCES BEFORE REVIEW BOARD
Sherilyn Pastor for District VA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, while ineligible to practice law for failure to pay the annual attorney assessment, nevertheless appeared at an administrative hearing at the Office of Administrative Law on behalf of a client.

MICHAEL T. BARRETT

Admitted: 1982; Skillman (Somerset County)
Reprimand - *165 N.J. 562 (2000)*
Decided: 11/14/2000

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Arnold C. Lakind for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to properly supervise an employee who acted as a secretary-bookkeeper-office manager. While the respondent assumed that the employee was properly reconciling bank accounts, in fact, the employee embezzled in excess of $350,000 of client trust funds. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

DANIEL S. BELL

Admitted: 1949; East Orange (Essex County)
Disbarment by Consent - *162 N.J. 184 (2000)*
Decided: 1/6/2000

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
S.M. Chris Franzblau for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend charges alleging the knowing misappropriation of clients' trust funds. This matter was discovered solely as a result of the Random Audit Compliance Program.

THOMAS BENITZ

Admitted: 1975; Middlesex (Middlesex County)
Suspension 3 Months - *165 N.J.666 (2000)*
Decided: 12/5/2000 Effective: 1/2/2001

REPRESENTATIONS BEFORE REVIEW BOARD
Ann Louise Renaud for District VIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who accepted a personal injury client and then failed to file suit within the statute of limitations. The respondent misrepresented to the client that the case was proceeding properly. Ultimately, the client's new attorney obtained a $50,000 malpractice judgment against the respondent.

The respondent has been previously disciplined. In 1999, he was reprimanded for unethical conduct that included gross neglect, failure to act with diligence, failure to communicate with clients and failure to expedite litigation. *In re Benitz, 157 N.J. 637.* He was temporarily suspended for failure to cooperate in an unrelated matter by Order of the Supreme Court dated January 11, 2000. *In re Benitz, 162 N.J. 188 (2000).*

RICHARD D. BENNETT

Admitted: 1958; West Orange (Essex County)
Reprimand - *164 N.J. 340 (2000)*
Decided: 6/29/2000

APPEARANCES BEFORE REVIEW BOARD
William J. Hanley for District VC
Dominic J. Aprile for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who from 1979 through 1986 grossly neglected a number of cases he was handling on behalf of an insurance company. The respondent also failed to communicate with the company adequately during this period.

EDWARD J. BERGMAN

Admitted: 1974; Skillman (Somerset County)
Reprimand - *165 N.J. 560 (2000)*
Decided: 11/14/2000

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Arnold C. Lakind for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to properly supervise an employee who acted as a secretary-bookkeeper-office manager. While the respondent assumed that the employee was properly reconciling bank accounts, in fact, the employee embezzled in excess of $350,000 of client trust funds. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

STEVEN J. BERNOSKY

Admitted: 1993; Marlton (Burlington County)
Disbarment - *165 N.J. 667 (2000)*
Decided: 12/5/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Eastern District of Pennsylvania to one count of bankruptcy fraud/embezzlement as a result of a theft committed while acting as a bankruptcy trustee. The respondent had been temporarily suspended from the practice of law in New Jersey since April 19, 2000.

LOUIS B. BERTONI

Admitted: 1970; Clifton (Passaic County)
Reprimand - *165 N.J. 542 (2000)*
Decided: 10/31/2000

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Thomas G. Griggs for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who admitted that he failed to maintain appropriate trust and business account records as required under R. 1:21-6 and who failed to cooperate with disciplinary authorities during he investigation and processing of this matter. The respondent had been temporarily suspended from the practice of law on March 25, 1999 because of his failure to cooperate with the Office of Attorney Ethics during the investigation of this matter. The respondent was reinstated to practice on July 30, 1999 after complying with the Office of Attorney Ethics' request for information.

STEVEN BLUMROSEN

Admitted: 1984; Tucson, Arizona
Suspension 18 Months - *163 N.J. 5 (2000)*
Decided: 3/7/2000 Effective: 5/15/1996

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 18 months was the appropriate discipline for a New Jersey attorney who was suspended for that period of time by the Supreme Court of Arizona based upon his gross neglect of clients' matters in six cases and his failure to cooperate with disciplinary authorities in that state.

DAVID S. BOK

Admitted: 1984; New York City, New York
Disbarment - *163 N.J. 499 (2000)*
Decided: 5/10/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was convicted in the United States District Court for the Southern District of New York of federal income tax evasion, in violation of *26 U.S.C.A. 7201*, and the filing of false corporate income tax returns, in violation of *26 U.S.C.A. 7206(1)*. The respondent had been temporarily suspended from the practice of law in New Jersey since 1987, as a result of his failure to respond to the Office of Attorney Ethics' request for the production of books and records in connection with a separate ethics matter. *In re Bok, 109 N.J. 633 (1987)*.

JAMES F. BOYLAN

Admitted: 1988; Jersey City (Hudson County)
Disbarment - *162 N.J. 289 (2000)*
Decided: 1/28/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Albert B. Jeffers for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of mail fraud, in violation of *18 U.S.C.A. 1343* arising out of a scheme to defraud the City of Jersey City of money and property by reducing traffic violation fines and penalties for female defendants, coaching the defendants to lie in open court about the circumstances of their tickets and using these false statements as a factual basis to justify reductions in their fines and penalties. In exchange, the respondent solicited and received sexual favors from these defendants.

CHARLES R. BREINGAN

Admitted: 1983; Burlington (Burlington County)
Suspension 6 Months - *165 N.J. 538 (2000)*
Decided: 10/31/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Vincent L. Robertson for District IIIB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who failed to cooperate with disciplinary authorities during the investigation of a grievance. The respondent has a significant disciplinary history. In 1986, the respondent was privately reprimanded for buying law books with a check that was twice returned by the bank due to insufficient funds and for misrepresenting to the payee that a replacement check had been issued. In 1990, he was publicly reprimanded for unethical conduct in three matters, including failure to communicate with clients, lack of diligence, pattern of neglect and failure to cooperate with disciplinary authorities. *In re Breingan, 121 N.J. 161 (1990).* Effective May 1, 1999, Mr. Breingan was suspended from the practice of law for three months for conduct that included gross neglect, failure to keep a client reasonably informed and to comply with reasonable requests for information, failure to return an unearned retainer, failure to cooperate with disciplinary authorities and conduct involving dishonesty, deceit, fraud or misrepresentation. *In re Breingan, 158 N.J. 23 (1999).* Effective August 1, 1999, the respondent was again suspended for an additional period of three months for misconduct similar to the earlier three month suspension.

ANDREW J. BREKUS

Admitted: 1986; Cherry Hill (Camden County)
Admonition - *Unreported (2000)*
Decided: 9/25/2000

APPEARANCES BEFORE REVIEW BOARD
Julie Cavanagh for District IV
Faustino J. Fernandez-Vina for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who committed malpractice by filing a complaint on the client's behalf after the expiration of the statute of limitations and then failed to advise the client that the case was dismissed for that reason. Furthermore, the respondent entered into a verbal agreement with the client whereby the potential malpractice claim was settled for $8,000 plus the payment of reasonable medical expenses without advising the client to seek separate independent legal advice as to the propriety of the settlement.

HUGH J. BREYER

Admitted: 1983; Lawrenceville (Mercer County)
Suspension 3 Years - *163 N.J. 502 (2000)*
Decided: 5/10/2000 Effective: 10/29/1998

APPEARANCES BEFORE SUPREME COURT
Janet Brownlee Miller for Attorney Ethics
Anthony J. Zarrillo, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Mercer County, to an accusation charging him with one count of failure to make required disposition of property received, in violation of *N.J.S.A. 2C:20-9*. Respondent, as law librarian for the Administrative Office of the Courts, sold and traded the AOC's law books to several companies without the knowledge or approval of the AOC and kept the money from the sales and trades (total value $16,145) for himself. The respondent had been temporarily suspended from the practice of law since October 28, 1998. *In re Breyer, 156 N.J. 415 (1998).*

LOUIS N. CAGGIANO, JR.

Admitted: 1981; Mount Laurel (Burlington County)
Reprimand - *165 N.J. 475 (2000)*
Decided: 9/7/2000

APPEARANCES BEFORE REVIEW BOARD
James G. Gavin District IIIB
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected two matters, failed to comply with clients' reasonable requests for information and then failed to advise the clients that their cases had been dismissed. In one case, it was not until ten years later that the client learned from other sources that her case had been dismissed.

JOSEPH V. CAPODICI

Admitted: 1988; Jersey City (Hudson County)
Admonition - *Unreported (2000)*
Decided: 11/21/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Kim R. Onsdorff for District VI
Respondent failed to appear

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who accepted money to represent a client in 1998 while he was on the Supreme Court of New Jersey's Ineligible List for failure to pay his annual attorney registration statement.

JAMES F. CARNEY

Admitted: 1972; Roseland (Essex County)
Disbarment - *165 N.J. 537 (2000)*
Decided: 10/31/2000

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Allen L. Zegas for respondent

The Supreme Court of New Jersey held that Disbarment was the only appropriate discipline for an attorney

who knowingly misappropriated more than a million dollars of his clients' funds in five matters and stole another $170,000 from a client's Merrill Lynch account. The respondent also forged clients names on documents and created fraudulent documents which were submitted to disciplinary authorities.

The respondent had been temporarily suspended from the practice of law since March 9, 1999. *In re Carney, 157 N.J. 526 (1999).* In 1994, the respondent was publicly reprimanded for failure to reveal to a client that the financial consultant whom respondent recommended for advice on how to invest a substantial settlement was respondent's wife. *In re Carney, 138 N.J. 43 (1994).* This matter was discovered solely as a result of the Random Audit Compliance Program.

RICHARD J. CARROLL

Admitted: 1970; Secaucus (Hudson County)
Suspension 3 Months - *165 N.J. 566 (2000)*
Decided: 11/21/2000 Effective: 4/3/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Janet Brownlee Miller for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to correct nine trust and business account record keeping deficiencies as the result of a random audit of his accounting records. The respondent also failed to cooperate with disciplinary authorities during the investigation and prosecution of this matter. This case was discovered solely as a result of the Random Audit Compliance Program.

The respondent has a history of discipline. In 1984, he was privately reprimanded for his failure to carry out a contract of employment. In 1995, he was admonished for conduct that included lack of diligence, failure to communicate, failure to turn over a client's file to new counsel and failure to cooperate with the district ethics committee during the investigation of the matter. The respondent was again admonished in 1997 for conduct that included lack of diligence and failure to adequately communicate with a client. Effective January 3, 2000, the respondent was suspended from the practice of law for a period of three months as a result of violations that included gross neglect, lack of diligence and failure to cooperate with disciplinary authorities. *In re Carroll, 162 N.J. 97.*

ANTHONY CARROZZA, III

Admitted: 1985; Mount Laurel (Burlington County)
Disbarment - *165 N.J. 483 (2000)*
Decided: 9/19/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred by consent in the Commonwealth of Pennsylvania after admitting that he failed to remit escrow funds to clients and used those funds for other transactions.

ISRAEL CARTAGENA

Admitted: 1983; Jersey City (Hudson County)
Disbarment by Consent - *165 N.J. 31 (2000)*
Decided: 7/20/2000

REPRESENTATIONS
Tangerla Mitchell Thomas for Attorney Ethics
Edwin J. McCreedy for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of over $27,000 in clients' trust funds, as well as charges of misrepresentations to the Office of Attorney Ethics during the course of this investigation.

NATHANIEL K. CHARNEY

Admitted: 1992; New York, New York
Suspension 18 Months - *165 N.J. 561 (2000)*
Decided: 11/14/2000 Effective: 5/17/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 18 months was the appropriate discipline for an attorney who pled guilty to a one-count information filed in the United States District Court for the Southern District of New York charging him with conspiracy to make false statements, in violation of *18 U.S.C.A. 371.* The respondent had been temporarily suspended from the practice of law since May 17, 1999. *In re Charny, 158 N.J. 256.*

PATIENCE R. CLEMMONS

Admitted: 1987; Brooklyn, New York
Suspension 6 Months - *165 N.J. 568 (2000)*
Decided: 11/22/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of

six months was the appropriate discipline for an attorney who practiced law while ineligible, grossly neglected clients' matters, failed to provide a client with a written fee agreement, failed to comply with mandatory attorney trust and business account record keeping requirements, and misrepresented matters to disciplinary authorities and to her clients.

MARK D. CUBBERLEY

Admitted: 1984; Trenton (Mercer County)
Reprimand - *164 N.J. 532 (2000)*
Decided: 6/20/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Janetta D. Marbrey for District VII
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who engaged in a pattern of neglect, lack of diligence and failure to cooperate in two separate client matters. The respondent had been previously disciplined. In 1996, he was admonished for failing to reply to the district ethics committee investigator's request for information until a subpoena was issued.

MARK D. CUBBERLEY

Admitted: 1984; Trenton (Mercer County)
Reprimand - *164 N.J. 363 (2000)*
Decided: 6/20/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who, in two separate matters, engaged in gross neglect, lack of diligence and failure to communicate with clients. In 1996, the respondent was admonished for failing to cooperate with a district ethics committee investigator's request for information until a subpoena was issued.

HARDGE DAVIS, JR.

Admitted: 1977; Newark (Essex County)
Suspension 3 Months - *163 N.J. 563 (2000)*
Decided: 5/18/2000 Effective: 3/2/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a client matter by failing to oppose a motion for summary judgment against his client, which motion was then granted. Additionally, the respondent failed to keep his client reasonably informed of the status of her case and failed to reply to disciplinary authorities in the conduct of this investigation.

The respondent was previously disciplined. In 1998, he was admonished for ignoring ethics authorities' request for information. In 1999, the respondent was suspended for a period of three months for gross neglect, lack of diligence, knowingly disobeying the rules of a tribunal and failing to file a timely answer to a formal ethics complaint. *In re Davis, 162 N.J. 7 (1999).*

JAMES S. DEBOSH

Admitted: 1992; Phillipsburg (Warren County)
Reprimand - *164 N.J. 618 (2000)*
Decided: 7/13/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Philip G. Gentile for District XIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who grossly neglected a client matter, failed to comply with reasonable requests by the client for information, failed to prepare a written fee agreement and failed to cooperate with disciplinary authorities during the investigation and prosecution of the matter. The respondent's failures resulted in the issuance of bench warrants against his client and the removal and sale of the client's belongings.

MERCEDES DE LA REZA

Admitted: 1979; Hackensack (Bergen County)
Reprimand - *163 N.J. 399 (2000)*
Decided: 4/27/2000

APPEARANCES BEFORE SUPREME COURT
Ellen W. Smith for District IIB
Michael Gross for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, while representing both buyer and seller in a real estate transaction and while serving as an escrow agent, learned that the buyer agreed to loan the seller money from the buyer's real estate deposit, and that the seller agreed (after the fact) to allow the buyer to occupy the property before closing. Respondent engaged in a conflict of interest when she failed to withdraw from the representation of both parties after a dispute between them developed.

SUSAN DINICOLA-TAPIA

Admitted: 1988; North Bergen (Hudson County)
Disbarment - *165 N.J. 668 (2000)*
Decided: 12/5/2000

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $26,000 in two personal injury settlements, while misrepresenting to one of her clients that the case had settled for $7,500 instead of $20,500.

The respondent has a history of discipline. In 1993, she received a private reprimand for failure to communicate with a client. In 1998, an agreement in lieu of discipline was implemented in two matters. In one, the respondent admitted to a lack of diligence and a failure to communicate with a client. In the second, she admitted lack of diligence and failure to safekeep property.

ANDREW DRUCK

Admitted: 1974; Eden Prairie, Minnesota
Disbarment - *163 N.J. 81 (2000)*
Decided: 3/21/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that Disbarment was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of Minnesota to aiding and abetting wire fraud, in violation of *18 U.S.C.A. 1343 and 2*, based upon a letter sent by respondent that had assured a commercial borrower that $2,500,000.00 had been transferred to respondent's trust account, when, in fact, those funds had not been transferred. The respondent had been temporarily suspended from the practice of law in New Jersey since April 29, 1998. *In re Druck, 154 N.J. 1 (1998).*

JOHN G. DYER, III

Admitted: 1976; Medford (Burlington County)
Disbarment by Consent - *165 N.J. 468 (2000)*
Decided: 8/31/2000

REPRESENTATIONS
Nitza I. Blasini for Attorney Ethics
John S. Sitzler for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of estate funds.

PAUL A. DYKSTRA

Admitted: 1974; Hasbrouck Heights (Bergen County)
Admonition - *Unreported (2000)*
Decided: 9/27/2000

APPEARANCES BEFORE REVIEW BOARD
Robert C. LaSalle for District XI
Respondent appeared pro se

The Supreme Court of New Jersey accepted a motion for discipline by consent and held that an admonition was the appropriate discipline for an attorney who failed to communicate with his clients that an arbitration award that the clients declined to accept had never been appealed but had been dismissed a year earlier.

DANIEL ELLIS

Admitted: 1974; Warren (Somerset County)
Reprimand - *165 N.J. 493 (2000)*
Decided: 9/26/2000

APPEARANCES BEFORE REVIEW BOARD
John H. Fitzgerald for District XIII
Respondent appeared pro se

The Supreme Court of New Jersey granted a motion for discipline by consent and held that a reprimand was the appropriate discipline for a respondent who practiced law from September 1998 through January 1999 at a time when he was ineligible to practice law by virtue of his non-payment of the annual attorney assessment. The respondent was then reinstated and, one month later, was notified of his obligation to pay the 1999 annual attorney assessment. When he failed to make that payment, he was also declared ineligible to practice in October 1999, but nevertheless continued to perform legal work for two clients.

BRYAN F. FERRICK

Admitted: 1990; Shrewsbury (Monmouth County)
Suspension 3 Months - *165 N.J. 21 (2000)*
Decided: 7/13/2000 Effective: 8/9/2000

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a series of tax appeal cases by failing to obtain appraisals or other evidence of the fair market value of his clients' properties and by failing to retain an appraiser after

representing that he would do so in a targeted direct mail solicitation letter. The respondent failed to advise his clients that, if they appealed their property assessments, the municipality could cross-appeal and seek to raise the assessments. In several cases, the municipality did so and prevailed after the respondent left a hearing before the county tax board, thus abandoning a number of the clients.

The respondent had previously been admonished in October 1997 for sending targeted direct-mail solicitation letters to residential property owners in New Jersey that contained false and misleading statements, that were likely to create an unjustified expectation about the results that the respondent could achieve and that contained statements comparing respondent's services with those of other lawyers, all in violation of the Rules of Professional Conduct.

ROBERT B. FEUCHTBAUM

Admitted: 1974; North Haledon (Passaic County)
Reprimand - *165 N.J. 472 (2000)*
Decided: 9/7/2000

APPEARANCES BEFORE REVIEW BOARD
Harry D. Norton, Jr. for District XI
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who committed unethical conduct in two separate matters including failure to return a client's file after the representation was terminated and as required by court order, and improper distribution of escrow funds.

DOUGLAS J. FLEISHER

Admitted: 1980; North Bergen (Hudson County)
Reprimand - *165 N.J. 501 (2000)*
Decided: 10/3/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Kim Robert Onsdorf for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who, in a products liability case, failed to keep his client informed about the status of the matter for over a two-year period, failed to act diligently, and failed to turn over the client's file to a new attorney despite repeated requests to do so. In 1997, the respondent was the subject of diversion for his failure to safeguard a lien held by his client's landlord on a portion of proceeds from an unrelated personal injury matter.

MARIA P. FORNARO

Admitted: 1989; Morristown (Morris County)
Suspension 2 Years - *163 N.J. 88 (2000)*
Decided: 3/21/2000 Effective: 12/15/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Linda A. Mainenti-Walsh for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who, in two client matters, engaged in conduct constituting gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to provide a client with a written fee agreement, failure to terminate representation properly, and failure to cooperate with disciplinary authorities.

The respondent has been previously disciplined. In 1998, she was suspended from the practice of law for a period of three months for misconduct in four matters, including gross neglect, lack of diligence, failure to communicate, failure to provide in writing the basis or rate of a fee, failure to surrender a client's file, making false statements of material fact in connection with a disciplinary matter, failure to cooperate with disciplinary authorities, and conduct involving dishonesty, fraud, deceit or misrepresentation. *In re Fornaro, 152 N.J. 449 (1998).* Again, in 1999, the respondent was reprimanded for lack of diligence and failure to communicate in two matters. *In re Fornaro, 159 N.J. 525 (1999).*

JOHN F. FOX

Admitted: 1970; Totowa (Passaic County)
Disbarment by Consent - *165 N.J. 495 (2000)*
Decided: 9/26/2000

REPRESENTATIONS
John McGill III and Walton W. Kingsbery III for Attorney Ethics
Herman Osofsky for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges including the knowing misappropriation of $30,500 by way of an undisclosed "loan" from a client. That matter was the subject of a pending hearing before a special ethics master. Additionally, two other matters were pending alleging the misappropriation and misuse of escrow funds.

The respondent was previously reprimanded in 1990 for making an unsecured loan of $30,000 in trust assets while acting as a testamentary trustee to a roofing company client without disclosing the nature of the loan to the beneficiary of the trust or to the surrogate's court and without obtaining consent to the loan on behalf of the trust. *In re Fox, 118 N.J. 467.* In 1998, he was again reprimanded for grossly neglecting an estate matter, failing to communicate with the client and making misrepresentations regarding the status of the case to two attorneys. *In re Fox, 152 N.J. 467.*

STANLEY S. FRANKFURT

Admitted: 1987; Paterson (Passaic County)
Reprimand - *164 N.J. 596 (2000)*
Decided: 7/13/2000

APPEARANCES BEFORE REVIEW BOARD
Robert S. Damiano for District XI
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who displayed a lack of diligence and engaged in conduct prejudicial to the administration of justice by continually failing to appear in court for pretrial conferences in a criminal matter and becoming increasingly abusive to the case manager, the judge and the judge's staff. The respondent was previously disciplined in 1999 by a three-month suspension based upon a conviction of contempt of court and a guilty plea to a fourth degree stalking charge, in which the victim was a Passaic County Superior Court judge. *In re Frankfurt, 159 N.J. 521.*

WILLIAM J. GARCES

Admitted: 1988; Plainfield (Union County)
Reprimand - *163 N.J. 503 (2000)*
Decided: 5/15/2000

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Michael P. Ambrosio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who placed an improper Yellow Pages advertisement which, among other things, improperly utilized the seal of the Board on Attorney Certification and held out the respondent to be "Certified Civil Trial Attorneys" when respondent was not so certified.

OSCAR N. GASKINS

Admitted: 1979; Cherry Hill (Camden County)
Disbarment by Consent - *165 N.J. 469 (2000)*
Decided: 9/1/2000

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
Edward D. Sheehan consulted with respondent solely for purposes of assuring voluntariness of his consent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who was charged in a formal complaint with the knowing misappropriation of approximately $250,000 in client funds which he received in 1982 in trust for two minor beneficiaries. While the hearing was pending before a Special Ethics Master, the respondent submitted his consent to be disbarred. The respondent had been previously disciplined. In 1996, the respondent was suspended from the practice of law for a period of six months after pleading guilty in the United States District Court for the District of New Jersey to one count of failure to file a federal income tax return for 1987, in violation of *26 U.S.C.A. '7203*. The respondent there also admitted to willfully failing to file income tax returns for calendar years 1988 through 1990. *In re Gaskins, 146 N.J. 572.* In 1997, the respondent was reprimanded for practicing law for a period of six months while on the ineligible list, failing to maintain a bona fide office and failing to maintain trust and business accounts in approved New Jersey banking institutions. *In re Gaskins, 151 N.J. 3.*

ANTHONY N. GIANNATTASIO

Admitted: 1977; Seaside Park (Ocean County)
Reprimand - *165 N.J. 570 (2000)*
Decided: 11/21/2000

REPRESENTATIONS BEFORE REVIEW BOARD
S. Karl Mohel for District IIIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who was retained to handle a matter in the Superior Court of New Jersey, Special Civil Part. Although the attorney won the case, he failed to file for a judgment and failed to reply to the client's numerous requests for information regarding the status of the matter. The respondent also failed to cooperate with the district ethics committee during the investigation and processing of this matter.

JOHN S. GIAVA

Admitted: 1948; Newark (Essex County)
Admonition - *Unreported (2000)*
Decided: 9/25/2000

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Lewis B. Cohn for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who lent his client $500 as an advance against personal injury settlement funds in violation of *RPC 1.8(e).* The respondent also failed to act diligently by not obtaining an order directing payment by the Unsatisfied Claim Judgment Fund for a three-year period of time.

GERARD J. GILLIGAN

Admitted: 1980; Cedar Grove (Essex County)
Disbarment by Consent - *165 N.J. 499 (2000)*
Decided: 10/3/2000

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Timothy M. Donahue for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who pled guilty in the Superior Court of New Jersey, Law Division, Essex County, to one count of second degree aggravated sexual assault, in violation of *N.J.S.A. 2C:14-2a(1).* The respondent had been temporarily suspended from the practice of law since September 7, 2000.

ERIC J. GOODMAN

Admitted: 1973; Irvington (Essex County)
Reprimand - *165 N.J. 567 (2000)*
Decided: 11/21/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Denzil R. Dunkley for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who grossly neglected a slip and fall accident case for seven years by failing to file a complaint or to otherwise prosecute the claim. As a result, the client's claim was time-barred. The respondent also failed to cooperate with disciplinary authorities during the investigation and prosecution of this matter. In 1988, the respondent received a private reprimand after he failed to answer interrogatories in a matter, causing the complaint to be dismissed. Thereafter, he took no action to reinstate the complaint and failed to cooperate with ethics authorities.

MARC J. GORDON

Admitted: 1959; Springfield (Union County)
Suspension 1 Year - *165 N.J. 476 (2000)*
Decided: 9/7/2000 Effective: 11/6/1997

APPEARANCES BEFORE REVIEW BOARD
Donald F. Scholl, Jr. for District XIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who grossly neglected one case by allowing the product's liability action to be dismissed and taking no further action to restore the matter. The respondent kept the client in the dark for years about the true status of the case. In a second matter, after the Supreme Court had ordered that the respondent be suspended from the practice of law in a prior matter, but before the effective date of that order, the respondent unethically, and in violation of *R. 1:20(b)(11)*, transferred approximately 150 Workers' Compensation cases to another attorney of his choosing and also failed to notify clients of his suspension as required by the Court rule.

The respondent was previously disciplined. In 1990, he received a public reprimand for gross neglect, pattern of neglect, failure to communicate, misrepresentation and failure to protect his clients' interests in two personal injury cases. *In re Gordon, 121 N.J. 400.* In 1995, the respondent was reprimanded for gross neglect, lack of diligence, failure to communicate and failure to return a file to a client. *In re Gordon, 139 N.J. 606.* Two years later, in 1997, the respondent was suspended for a period of three months for gross neglect and failure to keep clients reasonably informed about the status of their matters. *In re Gordon, 150 N.J. 204.*

WILLIAM N. GRABLER

Admitted: 1983; Plainfield (Union County)
Reprimand - *163 N.J. 505 (2000)*
Decided: 5/15/2000

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Michael P. Ambrosio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who placed an improper Yellow Pages advertisement which, among other things, improperly utilized the seal of the Board on Attorney Certification and held out the respondent to be "Certified Civil Trial Attorneys" when respondent was not so certified.

LEONARD C. GUZZINO, III

Admitted: 1993; Clifton (Passaic County)
Suspension 2 Years - *165 N.J. 24 (2000)*
Decided: 7/13/2000 Effective: 12/23/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Joseph W. Spagnoli for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Morris County, to one count of second degree manslaughter (reckless homicide), in violation of *N.J.S.A. 2C:11-4(b)* and who also pleaded guilty to a charge of driving while under the influence of alcohol, in violation of *N.J.S.A. 39:4-50.* The respondent had been temporarily suspended from the practice of law since December 23, 1997. *In re Guzzino, 152 N.J. 183.*

TIMOTHY S. HALEY

Admitted: 1981; Caldwell (Essex County)
Disbarment by Consent - *162 N.J. 570 (2000)*
Decided: 2/28/2000

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
Kevin H. Michels for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of escrow funds.

ROBERT J. HANDFUSS

Admitted: 1984; Matawan (Monmouth County)
Reprimand - *165 N.J. 569 (2000)*
Decided: 11/21/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Mitchell J. Ansell for District IX
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who filed a complaint on behalf of his client in connection with a motor vehicle accident and then took no further action in the matter. The respondent failed to do any further work on the case and failed to communicate with the client in any way. Ultimately, the complaint was dismissed.

E. LORRAINE HARRIS, A/K/A ETTA LORRAINE HARRIS

Admitted: 1994; Gibbstown (Gloucester County)
Reprimand - *165 N.J. 471 (2000)*
Decided: 9/7/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a wrongful termination from employment case and in a separate employment discrimination claim, violated court rules by failing to have a written retainer agreement with a client and by taking a contingent fee award in a case where she failed to have a written contingency fee agreement. The respondent also failed to cooperate with disciplinary authorities during the processing of this matter. On September 28, 1999, the respondent was temporarily suspended for failing to cooperate with disciplinary authorities in accounting for escrow funds. She was reinstated to practice thereafter on October 26, 1999. On January 10, 2000, respondent was again temporarily suspended for failure to pay a refund to a client entered by a District Fee Arbitration Committee. She was reinstated to practice on January 19, 2000.

E. LORRAINE HARRIS

Admitted: 1994; Gibbstown (Gloucester County)
Admonition - *Unreported (2000)*
Decided: 9/27/2000

APPEARANCES BEFORE REVIEW BOARD
Lorraine A. DiCinto for District IV
Angelo J. Falciani for respondent

The Supreme Court of New Jersey held that an admonition was the appropriate discipline for an attorney who failed to provide her client in writing with the basis or rate of the fee for a criminal matter and several motor vehicle citations in violation of the provisions of *RPC 1.5(b).*

PHILIP JOHN HERBERT

Admitted: 1981; North Fort Myers, Florida
Disbarment - *163 N.J. 90 (2000)*
Decided: 3/21/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that Disbarment was the appropriate discipline for an attorney who consented to disbarment in the Commonwealth of Pennsylvania based upon his knowing misappropriation of clients' funds. The misappropriation involved four matters. In each case, the respondent settled a personal injury claim without the client's knowledge, failed to notify the client when the settlement proceeds had been received and failed to promptly pay the balance of the settlement due the client. The respondent failed to notify the Office of Attorney Ethics of his disbarment in Pennsylvania, as required by Rule 1:20-14(a)(1).

WILLIAM C. HERRMANN

Admitted: 1974; Red Bank (Monmouth County)
Disbarment by Consent - *164 N.J. 125 (2000)*
Decided: 6/12/2000

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Dominic J. Aprile for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending charges alleging the knowing misappropriation of clients' trust funds in excess of $19,000. This matter was discovered solely as a result of the Trust Overdraft Notification Program. The respondent's right to practice law was subjected to a temporary license restriction by Order of the Supreme Court on March 17, 2000.

KIMBERLY A. HINTZE
A/K/A KIMBERLY HINTZE-WILCE

Admitted: 1991; Jersey City (Hudson County)
Reprimand - *164 N.J. 548 (2000)*
Decided: 7/6/2000

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a client's matter by failing to file a lawsuit or to conduct an investigation, thus engaging in gross neglect and a lack of diligence, failed to return the client's telephone calls for information about the status of the matter, and failed to cooperate with disciplinary authorities during the investigation and prosecution of this case. The Court further ordered that the respondent enroll in the Ethics Diversionary Program offered by the New Jersey State Bar Association and that, for the period of one year, and until further Order of the Court, the respondent practice law under the supervision of a practicing attorney approved by the Office of Attorney Ethics.

HOWARD J. HOFFMANN

Admitted: 1976; West New York (Hudson County)
Suspension 3 Months - *163 N.J. 4 (2000)*
Decided: 3/7/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Joseph J. Talafous, Jr. for District VI
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected four separate clients' matters. The respondent closed his law practice, but failed to inform his clients in pending matters that they would have to find new representaton. The respondent also failed to protect his clients' interests upon the termination of his representation and, in fact, abandoned his clients. Finally, the respondent failed to cooperate with disciplinary authorities during the investigation of this matter.

The respondent was previously disciplined on two occasions. In 1998, the respondent was reprimanded for lack of diligence, failure to communicate, failure to cooperate with disciplinary authorities and misrepresentation. *In re Hoffmann, 154 N.J. 259 (1998).* In 1999, he was suspended from the practice of law for a period of three months for allowing a case to be dismissed for lack of prosecution, failing to cooperate with his client and misrepresenting to the client that the case was still pending. *In re Hoffmann, 156 N.J. 579 (1999).*

ANTOINETTE HOLLAND

Admitted: 1993; Voorhees (Camden County)
Reprimand - *164 N.J. 246 (2000)*
Decided: 6/20/2000

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Bernard K. Freamon for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who violated a judge's order and improperly withdrew attorney's fees from her trust account when the order directed her to "hold the remaining attorney's fees...in (her) trust account pending either agreement between (her and her adversary) or further order of this court." The respondent also failed to maintain proper trust and business account records as required by Rule 1:21-6.

OLIVIA C. HOWARD

Admitted: 1981; Newark (Essex County)
Disbarment by Consent - *163 N.J. 92 (2000)*
Decided: 3/28/2000

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Alan Dexter Bowman for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that she could not successfully defend herself against pending disciplinary charges alleging a failure to safeguard escrow funds.

The respondent had an extensive disciplinary history. In 1992, she was privately reprimanded for failing to properly withdraw from representing a client once her services were terminated. In 1996, she was suspended for a period of three months based on a criminal conviction of death by auto. *In re Howard, ____ N.J. ___ (1996).*

RAYMOND K. HSU

Admitted: 1990; Paramus (Bergen County)
Disbarment - *163 N.J. 559 (2000)*
Decided: 5/10/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Joseph P. Castiglia for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the Supreme Court of New York to grand larceny in the fourth degree, in violation of *New York Penal Law Section 155.30*. The respondent acknowledged that he accepted

$23,655 from a client to cover mortgage payments and converted that money to his own use.

The respondent had been temporarily suspended from the practice of law in New Jersey since October 16, 1996. *In re Hsu, 146 N.J. 486 (1996).*

THAKI ISMAEL

Admitted: 1985; Avenel (Middlesex County)
Suspension 3 Months - *165 N.J. 662 (2000)*
Decided: 12/5/2000

REPRESENTATIONS BEFORE REVIEW BOARD
James Patrick Nolan, Jr. for District VIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a name change matter and failed to communicate with his client.

The respondent has a significant discipline history. In 1992, he was privately reprimanded for misconduct in two real property matters, including failure to act with diligence and failure to cooperate with disciplinary authorities. In 1994, Mr. Ismael was again privately reprimanded for his inability to reconstruct financial records so that the owner of a trust fund could be ascertained; this misconduct was revealed as the result of a random audit. In 1995, the respondent was admonished for lack of diligence, failure to communicate and failure to reply to a district investigator's request for information. In 1999, Mr. Ismael was suspended from the practice of law for a period of six months for gross neglect, failure to act with reasonable diligence and promptness, failure to safeguard client property, failure to deliver client funds, failure to comply with record keeping rules and failure to respond to lawful demands for information from disciplinary authorities. *In re Ismael, 157 N.J. 632*.

FRANK J. JESS

Admitted: 1971; Perth Amboy (Middlesex County)
Disbarment by Consent - *164 N.J. 313 (2000)*
Decided: 6/23/2000

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
J. Stewart Grad for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. The respondent had been temporarily suspended from the practice of law since February 22, 2000. *In re Jess, 162 N.J. 544.*

PHILIP L. KANTOR

Admitted: 1990; Williamstown (Gloucester County)
Reprimand - *165 N.J. 572 (2000)*
Decided: 11/21/2000

APPEARANCES BEFORE REVIEW BOARD
Ann C. Pearl for District IV
Anthony J. Zarrillo, Jr. for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who misrepresented to a municipal court judge that the attorney's automobile was insured at the time that an accident occurred, when, in fact, it was not.

DAVID A. KAPLAN

Admitted: 1976; Neptune (Monmouth County)
Disbarment by Consent - *163 N.J. 93 (2000)*
Decided: 3/31/2000

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Robert P. Zoller for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend himself against pending charges alleging the knowing misappropriation of clients' trust funds.

ROBERT V. KELLY

Admitted: 1970; Belmar (Monmouth County)
Disbarment - *164 N.J. 173 (2000)*
Decided: 6/16/2000

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that Disbarment was the appropriate discipline for an attorney who used his status as an attorney to solicit clients for his wholly-owned business that located lost funds. The respondent then obtained the funds on behalf of those clients from the United States Bankruptcy Court and, instead of properly delivering them to the clients or holding them in trust, knowing misappropriated certain of those funds for his own personal purposes.

JAY L. KLOUD

Admitted: 1977; Springfield (Union County)
Disbarment by Consent - *162 N.J. 476 (2000)*
Decided: 2/17/2000

REPRESENTATIONS

John J. Janasie for Attorney Ethics
Lane M. Ferdinand for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend allegations that he knowingly misappropriated clients' trust and/or escrow funds arising out of several real estate closings.

DAVID M. KORNFELD

Admitted: 1987; Bayside, New York
Disbarment - *165 N.J. 539 (2000)*
Decided: 10/31/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred in the state of New York for knowingly misappropriating client escrow funds in six matters between April 14, 1994 and December 5, 1994. In each matter, the respondent, as attorney for the seller of real estate, was required to retain intact the deposits tendered by the buyers. He did not do so but, rather, commingled personal and trust funds and issued 27 checks payable to cash from his trust account.

JONATHAN H. KRANZLER

Admitted: 1992; Teaneck (Bergen County)
Admonition - *Unreported (2000)*
Decided: 11/21/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Keith E. Lynott for District VA
Respondent failed to appear

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who accepted representation and filed a complaint in a matter in 1996, notwithstanding the fact that he was on the Supreme Court's Ineligible List to practice law for failure to pay his annual attorney registration assessment.

SHELDON H. KRONEGOLD

Admitted: 1983; Clifton (Passaic County)
Reprimand - *164 N.J. 617 (2000)*
Decided: 7/13/2000

APPEARANCES BEFORE REVIEW BOARD
Elisa Leib for District XI
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who improperly engaged in the practice of law during an extended period from September 30, 1996 through December 13, 1998. The respondent had been declared ineligible to practice law by reason of nonpayment of his annual attorney registration fee.

RON MARTIN KUBIAK

Admitted: 1970; Camden (Camden County)
Suspension 3 Months - *162 N.J. 543 (2000)*
Decided: 2/22/2000 Effective: 3/20/2000

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Steven K. Kudatzky for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to safeguard funds given to him by the mother of a client for restitution in order to avoid criminal charges. The respondent was also found guilty of conduct prejudicial to the administration of justice based upon an alleged "sympathy" card sent to the OAE's main witnesses with veiled threats to reveal negative privileged information about the witnesses' deceased son if the disciplinary hearing occurred.

RON MARTIN KUBIAK

Admitted: 1970; Camden (Camden County)
Reprimand - *165 N.J. 595 (2000)*
Decided: 12/5/2000

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Steven K. Kudatzky for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who used misleading newspaper advertisements linking himself with Divorce Centers of New Jersey, Inc. in such a way that it was impossible for a reasonable client to tell which advertisements related only to providing "divorce kits" without legal assistance and which related to respondent's law practice.

The respondent was suspended from the practice of law for a period of three months in 2000 for conduct that occurred in 1989, including failure to safeguard trust funds and record keeping violations. Additionally, respondent's misconduct was exacerbated in 1998 when he sent an alleged "sympathy card" to the grievants (parents of a deceased client), containing veiled threats to reveal negative, privilged information about the client and the clients' son in an attempt to influence the grievants to dismiss their grievance. *In re Kubiak, 162 N.J. 543.*

RONALD KURZEJA

Admitted: 1986; Shrewsbury (Monmouth County)
Reprimand - *164 N.J. 563 (2000)*

Decided: 7/13/2000

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a number of tax appeal cases by failing to obtain appraisals or other evidence of the fair market value of the properties and failing to present appropriate evidence to the county tax board. The respondent further failed to advise his clients that, if they appealed their property assessments, the municipality could seek to raise the assessments. In several cases, the municipality prevailed on the cross-appeals and clients' assessments were increased.

The respondent had previously been admonished in October 1997 for sending targeted direct-mail solicitation letters to residential property owners in New Jersey that contained false and misleading statements, that were likely to create an unjustified expectation about the results that the respondent could achieve and that contained statements comparing respondent's services with those of other lawyers, all in violation of the Rules of Professional Conduct.

EDWARD LAWSON, JR.

Admitted: 1992; Guttenberg (Hudson County)
Disbarment by Consent - *165 N.J. 201 (2000)*
Decided: 8/10/2000

REPRESENTATIONS
Nitza I. Blasini for Attorney Ethics
Zulima V. Farber for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of client trust funds. The respondent had been temporarily suspended from the practice of law since February 1, 1999.

ALTHEAR A. LESTER

Admitted: 1969; South Orange (Essex County)
Suspension 1 Year - *165 N.J. 510 (2000)*
Decided: 10/17/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who was retained by a client and then failed to attend to her matters for eight years. In addition, the respondent failed to surrender the client's file to her new counsel when requested to do so and failed to reply to the Office of Attorney Ethics' request for information.

The respondent has an extensive disciplinary record. In 1989, he received a public reprimand for gross neglect of two client matters. *In re Lester, 116 N.J. 774 (1989).* In 1992, he was privately reprimanded for his failure to keep three clients reasonably informed of the status of their matters. In 1996, respondent was again publicly reprimanded for failure to communicate with a client, failure to adequately supervise office staff, and failure to release a file to a client. *In re Lester, 143 N.J. 130 (1996).* Finally, in 1997, the respondent was suspended for a period of six months because, in a series of six client matters, he grossly neglected their files. In one matter, the respondent sent a letter to his adversary saying that the adversary's secretary consented to an extension of time to file an answer, when that fact was knowingly false. He also failed to cooperate with disciplinary authorities during the investigation and processing of these matters.

JOHN R. LOLIO, JR.

Admitted: 1986; Pennsauken (Camden County)
Suspension 3 Months - *162 N.J. 496 (2000)*
Decided: 2/8/2000 Effective: 3/6/2000

APPEARANCES BEFORE REVIEW BOARD
Joseph A. McCormick, Jr. for District IV
Arthur Montano for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in over 200 will signings, had witnesses subscribe their names to the wills as being present, even though they did not see the testator/testatrix actually sign the wills.

BRETT K. LURIE

Admitted: 1983; Fort Lauderdale, Florida
Disbarment - *163 N.J. 83 (2000)*
Decided: 3/21/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that Disbarment was the appropriate discipline for an attorney who was convicted after a jury trial in the Supreme Court, New York County, on eight counts of scheming to defraud in the first degree, nine counts of intentional real estate securities fraud, three counts of grand larceny in the second degree, three counts of grand larceny in the third degree, and one count of offering a false statement for filing in the first degree. The respondent had been temporarily suspended from the practice of law in New Jersey since April 3, 1995. *In re Lurie, 137 N.J. 464 (1995).*

E. STEVEN LUSTIG

Admitted: 1982; Paramus (Bergen County)
Admonition - *Unreported (2000)*
Decided: 4/10/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Brian M. Chewcaskie for District IIA
Michael S. Goodman for respondent

The Disciplinary Review Board accepted a motion for discipline by consent and held that an admonition was the appropriate discipline for an attorney who grossly neglected a matrimonial matter, and failed to adequately communicate with his client.

MARC J. MALFARA

Admitted: 1993; Blackwood (Camden County)
Suspension 6 Months - *164 N.J. 551 (2000)*
Decided: 7/6/2000 Effective: 8/1/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a six months' suspension from the practice of law was the appropriate discipline for an attorney who, in three separate client matters, failed to take any action on behalf of the clients, thus constituting gross neglect, failed to contact his clients or to reply to their attempts to reach him, thus constituting a failure of communication, failed to have a written fee agreement with his clients as required by court rules, and failed to cooperate with disciplinary authorities in the investigation and prosecution of this matter. The Court also ordered that, prior to his reinstatement to practice law, the respondent must demonstrate by competent proofs that he is psychologically fit to practice law.

The respondent had been previously disciplined. In 1999, he was reprimanded for gross neglect, failure to cooperate with disciplinary authorities and conduct prejudicial to the administration of justice. *In re Malfara, 157 N.J. 635 (1999).*

MARC J. MALFARA

Admitted: 1993; Blackwood (Camden County)
Suspension 6 Months - *164 N.J. 551 (2000)*
Decided: 7/6/2000 Effective: 8/1/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a six months' suspension from the practice of law, to run concurrently with another six months' suspension given the same day, was the appropriate discipline for an attorney who was guilty of gross neglect, lack of diligence, failure to communicate with his clients, and failure to protect the clients' interests on termination of the representation in two separate client matters. In a third case, the respondent also failed to deliver funds of a client to a third person who was entitled to receive them. The Court also ordered that, prior to his reinstatement to practice law, the respondent must demonstrate by competent proofs that he is psychologically fit to practice law.

The respondent had been previously disciplined. In 1999, he was reprimanded for gross neglect, failure to cooperate with disciplinary authorities and conduct prejudicial to the administration of justice. *In re Malfara, 157 N.J. 635 (1999).*

MARC J. MALFARA

Admitted: 1993; Blackwood (Camden County)
Suspension 6 Months - *165 N.J. 578 (2000)*
Decided: 11/21/2000 Effective: 8/1/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Elizabeth Berenato for District IIIB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who was retained in a medical malpractice action and neglected to file a complaint. Thereafter, for approximately two and one-half years, the respondent misled the client by assuring her that the case was proceeding properly. The Court ordered that the six months' suspension run concurrently with two prior six months suspensions. Those suspensions involved gross neglect, lack of diligence, failure to cooperate with his clients and failure to cooperate with disciplinary authorities. *In re Malfara, 164 N.J. 551*. The respondent was also previously disciplined. In 1999, he was reprimanded for gross neglect, failure to cooperate with disciplinary authorities and conduct prejudicial to the administration of justice. *In re Malfara, 157 N.J. 635*.

ALAN H. MARLOWE

Admitted: 1971; Fort Lee (Bergen County)
Suspension 6 Months - *165 N.J. 25 (2000)*
Decided: 7/13/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board,

held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who accepted a $1,200 retainer from a client to file a bankruptcy knowing that the client was ineligible to file for bankruptcy because he had previously filed for bankruptcy within the previous six years and knowing that he, the respondent, was about to serve a one-year suspension from the practice of law. Additionally, although the respondent filed for bankruptcy, the petition was ultimately dismissed because the respondent failed to submit a plan. The respondent also failed to cooperate with the Office of Attorney Ethics during the investigation of this matter and failed to notify his clients of his previous one year suspension as required by court rules.

The respondent has an extensive disciplinary history. He was first publicly reprimanded in 1990 for misrepresenting to a trial judge that he had his adversary's consent to an adjournment. Thereafter, in 1990, respondent was suspended for three months for a pattern of neglect, failure to communicate and misrepresentation in two matters. *In re Marlowe, 121 N.J. 236 (1990).* That suspension was ordered continued unless and until respondent produced all financial records required by the Office of Attorney Ethics in a separate matter. In 1991, the respondent was again reprimanded for failure to cooperate with disciplinary authorities and failure to file an answer to an ethics complaint. *In re Marlowe, 126 N.J. 378 (1991).* In a separate matter in 1991, the respondent was also suspended for a period of 14 months for failure to cooperate with the disciplinary system. *In re Marlowe, 126 N.J. 379 (1991).* In 1997, the respondent was suspended again for a period of 12 months for grossly neglecting an estate matter, failing to act with diligence, failing to keep his clients reasonably informed and failing to comply with the record keeping requirements, as well as failing to cooperate with the disciplinary system. *In re Marlowe, 152 N.J. 20 (1997).*

IRA B. MARSHALL

Admitted: 1969; Matawan (Monmouth County)
Suspension 1 Year - *165 N.J. 27 (2000)*
Decided: 7/13/2000 Effective: 8/11/2000

APPEARANCES BEFORE REVIEW BOARD
Mitchell J. Ansell District IX
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who deceived his adversary and the court in a litigated matter by failing to reveal a material fact during litigation, serving false answers to interrogatories, permitting his client to produce misleading documents to his adversary, all the while maintaining his silence. Moreover, the respondent backdated a stock transfer document and put an incorrect date in his notarization of the transfer agreement knowing that the timing of the transfer could have a material effect on the case.

LEON MARTELLI

Admitted: 1983; Cherry Hill (Camden County)
Reprimand - *164 N.J. 106 (2000)*
Decided: 6/6/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who, in three client matters, engaged in conduct constituting a lack of diligence, failure to communicate with clients, failure to comply with attorney trust and business account recordkeeping requirements and failure to have a written retainer agreement in a matrimonial matter, in violation of *R. 1:21-7A*.

CHRISTOPHER G. MARTUCCI

Admitted: 1996; Camden (Camden County)
Disbarment by Consent - *164 N.J. 551 (2000)*
Decided: 7/12/2000

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. The respondent had been temporarily suspended from the practice of law since November 19, 1999. *In re Martucci, 162 N.J. 55 (1999).*

PHILIP J. MATSIKOUDIS

Admitted: 1989; Jersey City (Hudson County)
Admonition - *Unreported (2000)*
Decided: 9/25/2000

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Michael Ambrosio for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in violation of the contingent fee rule, miscalculated his fees in six matters by using the gross settlement amount, instead of the net amount. The respondent also negligently misappropriated clients' trust funds, failed to properly deliver funds to a third party, and failed to comply with mandatory record keeping rules.

JAMES F. MCCOOLE

Admitted: 1986; Oradell (Bergen County)
Disbarment - *165 N.J. 482 (2000)*
Decided: 9/19/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Jeffrey B. Steinfeld for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the state of New York to two counts of grand larceny, in violation of *New York Penal Law '155.40(1)*. In one count, the respondent deposited into his bank account $147,000 belonging to a client and used the funds for his own purposes, without the client's permission. In a second count, the respondent deposited into his bank account $225,000 belonging to two clients and used the funds for his own purposes. The respondent was temporarily suspended from the practice of law in New Jersey since September 24, 1997.

CHARLES E. MEADEN

Admitted: 1982; Tenafly (Bergen County)
Suspension 3 Years - *165 N.J. 22 (2000)*
Decided: 7/13/2000 Effective: 8/11/2000

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Linda Wong for respondent

The Supreme Court held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who, while on vacation in Santa Barbara, California, stole a credit card number while in a camera store and then attempted to commit theft by using the number to purchase $5,800 worth of golf clubs, which were delivered to a New Jersey address. Additionally, the respondent made multiple misrepresentations on fire arms purchase identification cards and handgun permit applications by failing to disclose his psychiatric condition and his involuntary psychiatric commitment as required by law.

The respondent was previously reprimanded in 1998 for making direct, in person contact with victims of the Edison New Jersey Pipeline Explosion Mass Disaster by personally approaching clients at the Red Roof Inn and by forwarding to them solicitation letters immediately following the disaster. *In re Meaden, 155 N.J. 357 (1997).*

DIANE L. MEDCRAFT

Admitted: 1990; Hopatcong (Sussex County)
Admonition - *Unreported (2000)*
Decided: 6/7/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Thomas A. Zelante for District X
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain a trust account in violation of *R. 1:21-6* and failed to register that trust account with the IOLTA Fund. Furthermore, the respondent negligently misappropriated interest of $308 accumulated on client's trust funds in his trust account by depositing that amount in her business account.

JOSEPH T. MONGELLI

Admitted: 1990; Hackensack (Bergen County)
Admonition - *Unreported (2000)*
Decided: 11/27/2000

APPEARANCES BEFORE REVIEW BOARD
Thoms J. McCormick for Attorney Ethics
John E. Selser, III for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who negligently misappropriated $64,955 due to a failure to properly maintain trust and business account records. This case was discovered solely as a result of the Random Audit Compliance Program.

MICHELLE J. MUN SAT

Admitted: 1980; Newark (Essex County)
Admonition - *Unreported (2000)*
Decided: 3/20/2000

APPEARANCES BEFORE REVIEW BOARD
Charles F. Kenny for District VA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act with reasonable diligence and promptness and failed to adequately communicate with her clients in a wrongful termination of employment matter.

DIANE K. MURRAY

Admitted: 1980; Jersey City (Hudson County)
Admonition - *Unreported (2000)*
Decided: 9/26/2000

APPEARANCES BEFORE REVIEW BOARD
John D. Lynch for District VI
Jay M. Liebman for respondent

The Supreme Court of New Jersey held that an admonition was the appropriate discipline for an attorney who, in representing the purchasers in a real estate transaction, failed to record the deed and obtain title insurance until 15 months and 2 2 years after the closing, respectively.

ANTON MUSCHAL

Admitted: 1976; Roebling (Burlington County)
Admonition - *Unreported (2000)*
Decided: 2/4/2000

APPEARANCES BEFORE REVIEW BOARD
Sahbra S. Jacobs for District VII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who engaged in a conflict of interest by representing one client in the incorporation of a business and in the renewal of a liquor license and who then filed a lawsuit against that client on behalf of the original liquor license owner.

BRUCE H. NAGEL

Admitted: 1977; Livingston (Essex County)
Reprimand - *165 N.J. 565 (2000)*
Decided: 11/21/2000

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Michael Chertoff for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a contentious civil trial, engaged in numerous outbursts during the judge's charge to the jury, going so far as to characterize the judge's jury charge as "absolutely insane" and saying that the judge had allowed the courtroom to become "a circus."

S. MICHAEL NAMIAS

Admitted: 1972; North Brunswick (Middlesex County)
Suspension 1 Year - *164 N.J. 310 (2000)*
Decided: 6/20/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who engaged in gross neglect and a pattern of neglect in four cases, misrepresented to his client in one case that the matter was proceeding after it had already been dismissed and engaged in numerous attorney trust and business accounting violations contrary to Rule 1:21-6, including the negligent misappropriation and failure to safeguard clients' funds.

PETER S. NAVON

Admitted: 1991; Cherry Hill (Camden County)
Disbarment by Consent - *166 N.J. 3 (2000)*
Decided: 12/26/2000

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Andrew D. Micklin for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MICHAEL A. NELSON

Admitted: 1988; New Brunswick (Middlesex County)
Admonition - *164 N.J. 108 (2000)*
Decided: 6/21/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Peter J. Hendricks for District VIII
Lennox S. Hinds for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to file a criminal appeal within the time prescribed and failed to communicate directly with his client about the status of the matter. In a second matter, the respondent failed to properly withdraw from representing another client or to take reasonable action to insure that the file was returned to the client after the onset of the attorney's disability.

STEVEN M. OLITSKY

Admitted: 1976; Irvington (Essex County)
Suspension 6 Months - *165 N.J. 28 (2000)*
Decided: 7/13/2000 Effective: 5/16/1998

APPEARANCES BEFORE REVIEW BOARD
Richard M. Cignarella for District VB
Ronald C. Hunt for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in two client matters, displayed a lack of diligence and failed to communicate with his clients. The respondent also failed to inform his client of his current suspension in one of those matters.

The respondent has a significant history of discipline. In 1993, he received a private reprimand for failure to communicate with a client and failure to prepare a written fee agreement. In 1996, he was admonished for, again, failing to prepare a written fee agreement and failing to inform a client that he would not perform any legal work until his attorney fee was paid in full. Thereafter, in 1997, the respondent was suspended for a period of three months for banking and record

keeping violations, failure to safeguard property and conduct involving dishonesty, fraud, deceit, or misrepresentation, including commingling personal and client funds in his trust account to avoid an Internal Revenue Service levy on his personal funds. *In re Olitsky, 149 N.J. 27.* In 1998, the respondent was again suspended for three months, consecutive to his prior suspension, for misconduct in three matters, including gross neglect, lack of diligence, failure to explain a matter to the extent reasonably necessary to permit the client to make an informed decision about the representation, failure to communicate with a client and failure to provide clients with a written fee agreement. *In re Olitsky, 154 N.J. 177.* In 1999, the respondent was suspended for an additional six months, retroactive to November 16, 1997, for gross neglect, pattern of neglect, failure to communicate with a client, failure to prepare a written fee agreement, continued representation of a client following termination of representation, and failure to surrender a client property on termination of the representation. *In re Olitsky, 158 N.J. 110.*

JOHN W. O'MARA

Admitted: 1965; Rumson (Monmouth County)
Disbarment by Consent - *162 N.J. 657 (2000)*
Decided: 3/6/2000

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Michael D. Schottland for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges involving prohibited business transactions with clients, in violation of Rule of Professional Conduct 1.8(a), and then failed to safeguard clients' funds and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

CHRISTOPHER J. O'ROURKE

Admitted: 1988; Waretown (Ocean County)
Admonition - *Unreported (2000)*
Decided: 11/27/2000

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Howard Butensky for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain appropriate accounting records for an estate, in violation of *RPC 1.15(d) and R. 1:21-6*.

JEAN A. PACE

Admitted: 1985; Jersey City (Hudson County)
Disbarment by Consent - *162 N.J. 656 (2000)*
Decided: 3/6/2000

REPRESENTATIONS
Nitza I. Blasini for Attorney Ethics
Robert E. Margulies for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that she could not successfully defend pending charges alleging the knowing misappropriation of clients' trust funds. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

RAYMOND T. PAGE

Admitted: 1983; Woodbury (Gloucester County)
Suspension 1 Year - *165 N.J. 512 (2000)*
Decided: 10/17/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who accepted a retainer in a client matter and then took no further action on the client's behalf and subsequently refused to talk with the client when she inquired about the status of the matter. The respondent also failed to cooperate with disciplinary authorities during the investigation of this matter.

The respondent has an extensive disciplinary history. In 1996, he was admonished for failure to act with diligence, failure to communicate with a client, despite numerous requests for information, and failure to cooperate with the disciplinary system in its investigation of the matter. In 1997, following a motion for discipline by consent, the respondent was reprimanded. He admitted that he had acted with gross neglect, failed to communicate with his client and failed to keep the client reasonably informed. *In re Page, 150 N.J. 254.* In 1998, the respondent was suspended from the practice of law for a period of three months. The misconduct found by the Court included gross neglect, failure to act with reasonable diligence, failure to keep a client reasonably informed and to comply with reasonable requests for information, failure to reduce a fee agreement to writing, knowingly making a false statement of fact in connection with a disciplinary matter, and failing to cooperate with disciplinary authorities. *In re Page, 156 N.J. 432.* Finally, in 1999, he was suspended from the practice of law for a period of six months for gross neglect, failure to act with reasonable diligence, failure to keep a client reasonably informed, and failure to cooperate with disciplinary authorities. *In re Page, 162 N.J. 107.*

DONALD J. PAPPA, JR.

Admitted: 1993; Allenhurst (Monmouth County)
Reprimand - *165 N.J. 665 (2000)*

Decided: 12/5/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Peter James Hendricks for District VIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who grossly neglected a client matter for which he was paid, failed to return the retainer and failed to cooperate with disciplinary authorities during the investigation and prosecution of this matter.

MICHAEL PARISER

Admitted: 1992; Teaneck (Bergen County)
Suspension 6 Months - *162 N.J. 574 (2000)*
Decided: 3/7/2000 Effective: 4/3/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Essex County, to official misconduct, in violation of *N.J.S.A. 2C:30-2(a)*, for stealing items from co-workers in the Newark office of the Attorney General where the respondent worked as a Deputy Attorney General.

JOSEPH PATERNO, III

Admitted: 1991; Kinnelon (Morris County)
Reprimand - *164 N.J. 364 (2000)*
Decided: 6/27/2000

APPEARANCES BEFORE REVIEW BOARD
Thomas A. Zelante for District X
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in fraudulent conduct by preparing a deed transferring title to property owned by his client to a "dummy" New York corporation that the client also owned, in an attempt to improperly avoid execution of a judgment against the client.

GARY D. PEIFFER

Admitted: 1976; Ho-Ho-Kus (Bergen County)
Disbarment by Consent - *163 N.J. 388 (2000)*
Decided: 4/25/2000

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Sarah Diane McShea of the New York Bar for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who pleaded guilty in the United States District Court for the Southern District of New York to one count of conspiracy to obstruct justice and commit perjury, in violation of *18 U.S.C.A. 371*, and one count of obstruction of justice, in violation of *18 U.S.C.A. 1505*.

ANGEL PENA

Admitted: 1984; Fort Lee (Bergen County)
Disbarment - *164 N.J. 222 (2000)*
Decided: 5/11/2000

APPEARANCES BEFORE SUPREME COURT
Tangerla Mitchell Thomas for Attorney Ethics
Anthony P. Ambrosio for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, together with two law partners, perpetuated a fraud on the New Jersey Division of Alcoholic Beverage Control, the City of Hoboken, and the New Jersey State Police by concealing the fact that they had two additional partners in a liquor license being operated as "Good N Plenti." One of the undisclosed partners had formerly owned the license but had been disqualified from continuing to hold the license by virtue of a criminal conviction.

The respondent was previously disciplined. In 1993, he received a private reprimand for allowing the Statute of Limitations to expire on an uninsured motorist claim and failing to release the client's file to her new attorney. In 1999, the respondent was suspended from the practice of law for a period of six months for engaging in a conflict of interest by representing his clients in the sale of real estate to the respondent's close and personal friends, and also by becoming directly involved in the purchase of the property himself. *In re Pena, 162 N.J. 15 (1999).*

WILLIAM O. PERKINS, JR.

Admitted: 1970; Jersey City (Hudson County)
Disbarment by Consent - *164 N.J. 124 (2000)*
Decided: 6/8/2000

REPRESENTATIONS
Tangerla Mitchell Thomas for Attorney Ethics
Richard F. X. Regan for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary investigation into charges involving the knowing misappropriation of client escrow funds. The respondent had previously been reprimanded in 1996 for failing to act diligently and failing to adequately communicate with his clients, as well as misrepresenting the status of a case to a client

and failing to cooperate with disciplinary authorities during the prosecution of these matters. *In re Perkins, 143 N.J. 139 (1996).*

STEVEN E. POLLAN

Admitted: 1970; South Orange (Essex County)
Suspension 3 Months - *163 N.J. 87 (2000)*
Decided: 3/21/2000 Effective: 10/22/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was retained in an estate matter in 1974 and who, since that time, took no action with respect to the estate funds except to place them in a certificate of deposit where they have resided for almost 25 years. Additionally, the respondent failed to cooperate with disciplinary authorities during the prosecution of this matter.

The respondent has an extensive disciplinary history. In 1996, he was suspended from the practice of law for a period of six months for misconduct in seven matters, including gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to protect a client's interests, failure to cooperate with disciplinary authorities, misrepresentation and record keeping violations. *In re Pollan, 143 N.J. 306 (1996).* In 1997, he was suspended for an additional two years, in a default proceeding, for misconduct in five matters. The misconduct included gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to surrender client property, failure to expedite litigation, failure to cooperate with disciplinary authorities and an attempt to violate the Rules of Professional Conduct. *In re Pollan, 151 N.J. 494 (1997).*

JACQUELINE JASSNER POQUETTE

Admitted: 1985; Denville (Morris County)
Admonition - *Unreported (2000)*
Decided: 11/20/2000

REPRESENTATIONS BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent failed to appear

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who negligently misappropriated $2,300 as a result of inadvertently failing to deposit real estate closing proceeds in her trust account to cover disbursements.

JOHN M. POWER

Admitted: 1992; Livingston (Essex County)
Suspension 6 Months - *164 N.J. 312 (2000)*
Decided: 6/20/2000 Effective: 7/20/2000

APPEARANCES BEFORE REVIEW BOARD
Paul R. Nusbaum for District X
Michael P. Ambrosio for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, while serving as general counsel, director, secretary and shareholder of a small corporation, engaged in a course of dishonest and improper conduct in an effort to transfer control of the corporation to himself and another.

DEIRDRE A. PRZYGODA

Admitted: 1990; Freehold (Monmouth County)
Reprimand - *163 N.J. 401 (2000)*
Decided: 4/27/2000

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected seven matters, failed to communicate with her clients and made misrepresentations. The Court also determined that the respondent be required to take the Skills and Methods courses offered by the Institute for Continuing Legal Education within one year of the date of its decision.

CHARLES M. RADLER, JR.

Admitted: 1983; Cranford (Union County)
Suspension 3 Months - *164 N.J. 550 (2000)*
Decided: 7/6/2000 Effective: 8/1/2000

APPEARANCES BEFORE REVIEW BOARD
Tangerla Mitchell Thomas for Attorney Ethics
John E. Bruder for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was found to have been in possession of 1.9 grams of cocaine, three pills of Valium and narcotics paraphernalia, all of which was for the respondent's personal use.

ALBERT R. RAGO

Admitted: 1967; Moorestown (Burlington County)
Admonition - *Unreported (2000)*
Decided: 7/26/2000

APPEARANCES BEFORE REVIEW BOARD
Richard P. MinteerDistrict IIIB

Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to notify his client about motions that led to the entry of a judgment against him, in violation of *RPC 1.4(a).*

IRWIN R. REIN

Admitted: 1962; West Orange (Essex County)
Reprimand - *164 N.J. 563 (2000)*
Decided: 7/13/2000

APPEARANCES BEFORE REVIEW BOARD
Eric S. Pennington for District VB
Melvyn H. Bergstein for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a personal injury action resulting in the running of the statute of limitations which barred the client's claim. The respondent then misrepresented to the client that the defendant would pay her a settlement of only $550 when, in fact, this was untrue.

DONALD W. RINALDO

Admitted: 1965; Union (Union County)
Reprimand - *165 N.J. 579 (2000)*
Decided: 11/21/2000

APPEARANCES BEFORE REVIEW BOARD
Joan D. VanPelt for District XII
Raymond A. Grimes for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who lent a client $585 to pay his rent, thereby improperly providing financial assistance to a client in a pending litigated matter. The respondent also had the client sign a document improperly granting him a lien on the recovery of any of the client's litigated matters in order to secure payment of that and other subsequent loans, in violation of *RPC 1.8(j)*.

The respondent has a disciplinary history. In 1981, he was publicly reprimanded for filing with the court two certifications that had been improperly signed and notarized by secretaries in his office. *In re Rinaldo, 86 N.J. 640.* In 1991, he received a private reprimand for failing to advise two clients to seek the advice of independent counsel in their business dealings with him. In 1998, he received a three-month suspension for gross neglect in one matter, conflict of interest by improperly representing two parties to a lawsuit through an elaborate subterfuge, and failing to cooperate with the disciplinary authorities. In a third matter, respondent failed to segregate a disputed legal fee until the dispute was resolved. *In re Rinaldo, 155 N.J. 541.*

JOANNE E. ROBINSON

Admitted: 1984; South Orange (Essex County)
Suspension 6 Months - *164 N.J. 597 (2000)*
Decided: 7/13/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Pamela M. Kapsimalis for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who failed to take any action subsequent to the filing of a lawsuit, including the failure to answer interrogatories, failure to oppose a motion to dismiss the complaint, failure to vacate the order of dismissal and failure to make any attempts to obtain the return of the client's $4,000 deposit. Additionally, the respondent failed to communicate with her client and failed to cooperate with disciplinary authorities during the investigation and prosecution of this matter.

The respondent has been previously disciplined. In 1999, she was temporarily suspended from the practice of law for failure to satisfy a fee arbitration award. The respondent also received a three-month suspension in 1999 for gross neglect, failure to communicate, failure to provide a written fee agreement, failure to maintain required trust and business accounting records and practicing law while ineligible, as well as failure to cooperate with disciplinary authorities. *In re Robinson, 157 N.J. 631.*

GLENN M. ROCCA

Admitted: 1983; Fort Lee (Bergen County)
Disbarment - *164 N.J. 222 (2000)*
Decided: 5/11/2000

APPEARANCES BEFORE SUPREME COURT
Tangerla Mitchell Thomas for Attorney Ethics
Eric A. Summerville for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, together with two law partners, perpetuated a fraud on the New Jersey Division of Alcoholic Beverage Control, the City of Hoboken, and the New Jersey State Police by concealing the fact that they had two additional partners in a liquor license being operated as "Good N Plenti." One of the undisclosed partners had formerly owned the license but had been disqualified from continuing to hold the license by virtue of a criminal conviction.

The respondent was previously disciplined. In 1993, he received a private reprimand for entering into a business transaction with a client without complying with the requirements of RPC 1.8(a).

NORMAN I. ROSS

Admitted: 1973; Paterson (Passaic County)
Disbarment by Consent - *162 N.J. 193 (2000)*
Decided: 1/28/2000

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Gerald B. O'Connor for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging a pervasive scheme to avoid conflict of interest provisions of Rule of Professional Conduct 1.7 by representing both driver and passenger in numerous automobile personal injury cases, and by knowingly misappropriating clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

ROBERT ROVNER

Admitted to the Pennsylvania Bar, only
Feasterville, Pennsylvania
Reprimand - *164 N.J. 616 (2000)*
Decided: 7/13/2000

APPEARANCES BEFORE REVIEW BOARD
Mark S. Kancher for District IV
Robert N. Agre for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney partner of a Pennsylvania law firm with offices in New Jersey where the partner admitted that, in two client personal injury matters, the law firm committed gross neglect, engaged in a lack of diligence, failed to communicate with clients and the partner admitted failing to supervise the junior attorneys assigned to those matters.

ROVNER, ALLEN, SEIKEN & ROVNER LAW FIRM

of Cherry Hill (Camden County)
Reprimand - *164 N.J. 617 (2000)*
Decided: 7/13/2000

APPEARANCES BEFORE REVIEW BOARD
Mark S. Kancher District IV
Arnold H. Feldman for respondent law firm

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for a law firm which mishandled two client matters, due to gross neglect, lack of diligence and failure to communicate with the clients. The law firm also failed to supervise junior attorneys assigned to these matters.

WESLEY S. ROWNIEWSKI

Admitted: 1991; Newark (Essex County)
Reprimand - *164 N.J. 108 (2000)*
Decided: 6/6/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who engaged in gross neglect by failing to answer interrogatories in a litigated matter resulting in its dismissal and who failed to take any action to have the case reinstated. The respondent also failed to cooperate with disciplinary authorities during the processing of this matter.

CHARLES J. SABELLA

Admitted: 1986; Ridgewood (Bergen County)
Suspension 3 Months - *165 N.J. 26 (2000)*
Decided: 7/13/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds in connection with a home mortgage refinancing, failed to maintain required trust and business account records as mandated by Rule 1:21-6, engaged in gross neglect, lack of diligence, and failure to communicate with a client.

VINAYA SAIJWANI

Admitted: 1990; Lawrenceville (Mercer County)
Reprimand - *165 N.J. 563 (2000)*
Decided: 11/14/2000

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who committed numerous trust and business record keeping violations by failing to maintain records required by Rule 1:21-6 and who, in one matter, engaged in a lack of diligence.

THOMAS J. SCHIAVO

Admitted: 1979; Ledgewood (Morris County)

Suspension 3 Months - *165 N.J. 533 (2000)*
Decided: 10/31/2000

REPRESENTATIONS
Edward F. Broderick, Jr. for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to promptly deliver funds to a third party and failed to comply with a court's order for the disbursement of escrow funds in one matter; failed to communicate with a client in a second matter; failed to act with reasonable diligence, failed to communicate with a client, failed to refund an unearned fee and misrepresented the status of a matter in a third case; and failed to act with reasonable diligence and to communicate with a client in a fourth matter.

The respondent had been temporarily suspended from the practice of law since October 26, 1999 for failure to cooperate with an ethics investigation.

STUART P. SCHLEM

Admitted: 1983; Manalapan (Monmouth County)
Reprimand - *165 N.J. 536 (2000)*
Decided: 10/31/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Janet B. Miller for Attorney Ethics
Respondent failed to appear

The Supreme Court, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to correct nine record keeping deficiencies discovered during a random audit. The respondent also failed to cooperate with the Office of Attorney Ethics during its investigation of this matter. This matter was discovered solely as a result of the Random Audit Compliance Program.

MADELINE SCHWARTZ

Admitted: 1988; Philadelphia, Pennsylvania
Suspension 3 Months - *163 N.J. 501 (2000)*
Decided: 5/10/2000

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who practiced law in New Jersey without a bona fide office knowing that she was ineligible to practice law, thereby misrepresenting to a court that she was an attorney in good standing. The respondent had been ineligible to practice law in New Jersey for a period of seven years, during which time she handled approximately ten New Jersey client matters.

JEFFREY D. SERVIN

Admitted: 1977; Camden (Camden County)
Reprimand - *164 N.J. 366 (2000)*
Decided: 6/27/2000

APPEARANCES BEFORE REVIEW BOARD
George Amacker, III for District IV
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, from 1993 through mid-1997, failed to maintain a bona fide office for the practice of law in New Jersey, as required by Rule 1:21-1(a). The respondent had been previously disciplined. In 1990, he received a private reprimand for commingling personal and client funds in his New Jersey trust account and failing to comply with the New Jersey attorney trust and business account record keeping requirements, in violation of Rule 1:21-6.

GREGORY V. SHARKEY

Admitted: 1969; Lakewood (Ocean County)
Reprimand - *164 N.J. 109 (2000)*
Decided: 6/6/2000

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Robert F. Novins for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who knowingly submitted false information in connection with real estate transactions including the fact that, although the mortgage commitment required the purchasers' occupation of the property as a principal residence, respondent knew that the purchasers were purchasing properties for investment, not as a residence. Consequently, his witnessing of his clients' signatures on documents that contained misrepresentations was improper and unethical.

RONALD J. SHARPER

Admitted: 1980; Camden (Camden County)
Admonition - *Unreported (2000)*
Decided: 11/27/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who,

while ineligible to practice law from September 21, 1998 through August 19, 1999 for failure to pay the annual attorney registration fee, nevertheless practiced law during that period. Moreover, the respondent failed to maintain a bona fide law office in New Jersey as required by court rules.

JOAN GERTSACOV SMITH

Admitted: 1974; Moorestown (Burlington County)
Suspension 6 Months - *165 N.J. 541 (2000)*
Decided: 10/31/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who deceived a client by accepting a retainer when she knew that she was about to be suspended from the practice of law by the Supreme Court, failed to prepare a written retainer agreement as required by Court rules, failed to return to the client her documents and unearned fee, failed to send the client a notice of her suspension or to file an affidavit with the Office of Attorney as required by Rule 1:20-20 demonstrating notice to the courts and clients of her suspension and failed to reply to disciplinary authorities' requests for information.

The respondent has a disciplinary history. In 1991, she was privately reprimanded for allowing a divorce complaint to be dismissed for lack of prosecution, failing to re-file both the complaint and a motion for pendente lite support and failing to communicate with her client. In 1997, the respondent was suspended from the practice of law for a period of six months for misconduct in three matters, including lack of diligence, failure to communicate with clients, failure to return a file, failure to safeguard clients' property and failure to cooperate with the disciplinary system. *In re Smith, 151 N.J. 483.*

JAMES D. SNEDEKER

Admitted: 1983; Hackensack (Bergen County)
Disbarment by Consent - *165 N.J. 200 (2000)*
Decided: 8/2/2000

REPRESENTATIONS
Tangerla Mitchell Thomas for Attorney Ethics
Raymond R. Wiss for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

ROBERT C. SPIESS

Admitted: 1981; Pompton Plains (Morris County)
Suspension 3 Months - *165 N.J. 473 (2000)*
Decided: 9/7/2000 Effective: 4/3/2000

REPRESENTATIONS BEFORE REVIEW BOARD
William C. Sandelands for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, at a time while he was ineligible to practice law for failure to pay his annual attorney assessment, represented an estate in a real estate transaction. After the closing, the respondent disbursed his legal fee to himself without first notifying the grievant of the proposed distribution, thereby depriving the client of an opportunity to object to the fee. The respondent also failed to respond to the district ethics committee investigating the grievance or to file an answer to the formal ethics complaint filed against him.

The respondent was previously suspended from the practice of law for a period of three months in January 2000 for gross neglect, failure to act with reasonable diligence, failure to communicate with a client, failure to explain matters sufficiently to a client to permit the client to make an informed decision, failure to expedite litigation, unauthorized practice of law and failure to cooperate with disciplinary authorities. *In re Spiess, 162 N.J. 121.*

AARON M. SPIEZER

Admitted: 1990; Cherry Hill (Camden County)
Suspension 3 Months - *164 N.J. 365 (2000)*
Decided: 6/27/2000 Effective: 7/27/2000

APPEARANCES BEFORE REVIEW BOARD
Andrew B. Kushner for District IV
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a litigated matter leading to the dismissal with prejudice of the case for failure to produce an expert report. The respondent further failed to inform his clients of the dismissal, thus committing a misrepresentation by silence. Additionally, the respondent failed to maintain a bona fide office, instead merely maintaining a mail drop which forwarded telephone messages to Pennsylvania.

HENRY M. SPRITZER

Admitted: 1958; New Brunswick (Middlesex County)
Disbarment by Consent - *165 N.J. 520 (2000)*
Decided: 11/2/2000

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics

E. Ronald Wright for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of client trust funds. This matter was discovered solely as a result of the Random Audit Compliance Program.

The respondent had been previously disciplined. In 1973, the respondent was suspended for a period of one year for failing to file federal income tax returns. *In re Spritzer, 63 N.J. 621.*

DONALD B. STEMMER

Admitted: 1975; Pennsauken (Camden County)
Admonition - *Unreported (2000)*
Decided: 3/7/2000

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from the Disciplinary Review Board, held that an admonition was the appropriate discipline for an attorney who, in the course of a disciplinary investigation of a grievance filed against him, failed to cooperate with disciplinary authorities by not replying to the grievance, in violation of *RPC 8.1(b)*. On further review, the Supreme Court of New Jersey authorized the Board to issue this letter of reprimand by Order dated March 7, 2000.

ISABEL STRAUSS

Admitted: 1976; Toms River (Ocean County)
Admonition - *Unreported (2000)*
Decided: 12/18/2000

APPEARANCES BEFORE REVIEW BOARD
James S. Keegan for District VB
Robert L. Martin for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who grossly neglected one personal injury matter and failed to communicate with clients in several others.

FREDERICK M. TESTA

Admitted: 1973; West Caldwell (Essex County)
Admonition - *Unreported (2000)*
Decided: 9/25/2000

APPEARANCES BEFORE REVIEW BOARD
Ronda L. Casson for District XI
Laurence B. Orloff for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, on appeal of a civil matter, misrepresented to his client that the appellate brief was finished and ready to be filed when, in fact, he unilaterally decided not to file the brief and did not tell the client.

KEVIN B. THOMAS

Admitted: 1981; Manahawkin (Ocean County)
Admonition - *Unreported (2000)*
Decided: 7/26/2000

APPEARANCES BEFORE REVIEW BOARD
Deborah H. Rumpf for District IIIA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who appeared twice in court after being placed on the Supreme Court of New Jersey's list of ineligible attorneys for failure to pay his annual attorney registration fee.

GARY E. THOMPSON

Admitted: 1987; Philadelphia, Pennsylvania
Reprimand - *165 N.J. 571 (2000)*
Decided: 11/21/2000

APPEARANCES BEFORE REVIEW BOARD
Louis G. Hasner for District IV
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in the practice of law in the state of New Jersey without maintaining a New Jersey bona fide law office in accordance with *R. 1:21-1(a)*.

RICHARD M. THURING

Admitted: 1970; New Providence (Union County)
Admonition - *Unreported (2000)*
Decided: 6/7/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Michael E. Brandman District XII
Respondent appeared pro se

The Disciplinary Review Board held that a reprimand was the appropriate discipline for an attorney who improperly collected a fee of $1,250 from a Workers' Compensation client in violation of *N.J.S.A. 34:15-64*, which prohibits the charging of a legal fee in a Workers' Compensation matter where the employer made an unconditional and good faith offer of settlement before trial.

JUDE J. TONZOLA

Admitted: 1986; Parsippany (Morris County)
Disbarment - *162 N.J. 296 (2000)*
Decided: 1/28/2000

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
William R. Connelly for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Essex County, to one count of forgery, in violation of *N.J.S.A. 2C:21-1(a)(2)*, and theft by unlawful taking, in violation of *N.J.S.A. 2C:20-3*. Specifically, the respondent had forged the signatures of judges to convince a client that he had obtained expungement orders, when he had not, and had also misappropriated approximately $27,000 from a client who had given him power of attorney in a real estate transaction. The respondent had been temporarily suspended from the practice of law in this state since May 26, 1994. *In re Tonzola, 137 N.J. 1 (1994)*.

JAMES P. TUTT

Admitted: 1985; Newark (Essex County)
Reprimand - *163 N.J. 562 (2000)*
Decided: 5/18/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to provide information to one of six beneficiaries of an estate, which the beneficiary was entitled to receive, failed to promptly deliver funds to a beneficiary and failed to cooperate with disciplinary authorities during the processing of this matter.

AUGUSTINE U. UZODIKE

Admitted: 1990; East Orange (Essex County)
Suspension 3 Months - *165 N.J. 478 (2000)*
Decided: 9/7/2000 Effective: 2/11/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Thomas S. Weinstock for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who allowed two client matters to be dismissed. In the one, he failed to tell the client of the dismissal for over two years, thus misrepresenting the status to him. In the other case, the respondent promised the grievants that he would remedy his inaction by filing a motion to reinstate the complaint; however, he failed to do so. Additionally, the respondent failed to cooperate with the district ethics committee during the investigation and hearing of this matter.

In 1999, the respondent was suspended from the practice of law for a period of six months for negligent misappropriation and gross neglect in four matters. *In re Uzodike, 159 N.J. 510.*

ALFRED J. VILLORESI

Admitted: 1963; Denville (Morris County)
Disbarment - *163 N.J. 85 (2000)*
Decided: 3/21/2000

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that Disbarment was the appropriate discipline for an attorney who was convicted in the Superior Court of New Jersey, Law Division, Morris County, of one count of second degree misapplication of entrusted property, in violation of *N.J.S.A. 2C:21-15*, and two counts of second degree theft by failure to make required disposition of property received, in violation of *N.J.S.A. 2C:20-9*, involving in excess of $439,000. The respondent had been temporarily suspended from the practice of law since May 23, 1995 based upon his failure to cooperate with the Office of Attorney Ethics during its investigation of the underlying ethics complaints. *In re Villoresi, 140 N.J. 242 (1995).*

DANNY M. VNENCHAK

Admitted: 1985; Rockaway (Morris County)
Disbarment - *165 N.J. 484 (2000)*
Decided: 9/19/2000

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $1,650 of a real estate escrow for payment of taxes. Respondent also failed to cooperate with the Office of Attorney Ethics during the investigation and processing of this matter. This case was discovered solely as a result of the Trust Overdraft Notification Program.

The respondent had been previously disciplined. In 1997, the respondent was temporarily suspended from the practice of law for failure to cooperate with the Office of

Attorney Ethics during its investigation of this matter. *In re Vnenchak, 151 N.J. 115.* In 1999, the respondent was suspended for a period of three months for a pattern of neglect, gross neglect, lack of diligence, failure to keep his client reasonably informed, failure to expedite litigation, failure to cooperate with disciplinary authorities, conduct involving dishonesty, fraud, deceit or misrepresentation, and conduct prejudicial to the administration of justice. *In re Vnenchak, 156 N.J. 547.*

PETER F. VOGEL

Admitted: 1964; Hackensack (Bergen County)
Disbarment by Consent - *165 N.J. 202 (2000)*
Decided: 8/9/2000

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Frank Agostino for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending allegations of the knowing misappropriation of client trust funds. This matter was discovered solely as the result of the Random Audit Compliance Program.

WILLIAM F. WARNOCK

Admitted: 1974; Bayonne (Hudson County)
Disbarment by Consent - *165 N.J. 517 (2000)*
Decided: 10/26/2000

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Gerald D. Miller for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend charges alleging the knowing misappropriation of clients' trust funds.

MARK H. WATSON

Admitted: 1965; Audubon (Camden County)
Reprimand - *165 N.J. 502 (2000)*
Decided: 10/3/2000

APPEARANCES BEFORE REVIEW BOARD
Gary N. Elkind for District IV
Robert N. Agre for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest by representing the buyers at the same time that he was acting as broker for the seller.

GERALD J. WEIR

Admitted: 1965; Huntington, New York
Disbarment by Consent - *163 N.J. 402 (2000)*
Decided: 5/3/2000

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Blair R. Zwillman for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who pleaded guilty to an information filed in the United States District Court for the District of New Jersey, charging him with one count of bank fraud (*18 U.S.C.A. 1344 and 2*) and nine counts of making false statements to banks (*18 U.S.C.A. 1014 and 2*). The respondent had been temporarily suspended from the practice of law since December 17, 1999. *In re Weir, 162 N.J. 145*.

DEAN I. WEITZMAN

Admitted: 1987; Marlton (Burlington County)
Disbarment by Consent - *165 N.J. 474 (2000)*
Decided: 9/11/2000

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
John Rogers Carroll, a Pennsylvania attorney, consulted with respondent to assure voluntariness consent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who pleaded guilty to a three-count information in the United States District Court for the Eastern District of Pennsylvania charging him with income tax evasion, in violation of *26 U.S.C.A. '7201.* The genesis of the income tax evasion arose from the fact that the respondent misappropriated funds belonging to his Pennsylvania law firm, amounting to approximately $500,000 over a three-year period. The respondent had been temporarily suspended from the practice of law since December 27, 1999.

GREGORY H. WHEELER

Admitted: 1980; Mount Laurel (Burlington County)
Suspension 3 Years - *163 N.J. 64 (2000)*
Decided: 3/14/2000 Effective: 1/1/1998

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Albert B. Jeffers, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who engaged in the practice of law in several matters while he was under a prior suspension by Order of the Supreme Court.

The respondent was temporarily suspended from practice on November 9, 1990 for failing to comply with a fee

arbitration determination. In 1995, the respondent was suspended from the practice of law for one year based upon his suspension in the Commonwealth of Pennsylvania for a retention of unearned retainers, lack of diligence, failure to communicate and misrepresentation. In 1995, the respondent was also suspended from the practice of law for a period of two years based upon multiple ethics violations including practicing law while suspended in the state of New Jersey. *In re Wheeler, 140 N.J. 321 (1995).*

CATHERINE K. WHITE

Admitted: 1969; Dunellen (Middlesex County)
Reprimand - *165 N.J. 577 (2000)*
Decided: 11/21/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Robert M. Zaleski for District VIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who accepted a retainer from a client but performed no work. Further, she failed to inform the client that she would be closing her office and, presumably, ceasing work on his matter. The respondent also failed to reply to numerous requests from the client for information. The respondent has been previously disciplined. In 1997, she was suspended from the practice of law for a period of three months for a pattern of neglect, lack of diligence, failure to communicate and conduct involving dishonesty, fraud, deceit or misrepresentation. *In re White, 150 N.J. 16.*

SCOTT J. WOOD

Admitted: 1988; Mount Holly (Burlington County)
Reprimand - *165 N.J. 564 (2000)*
Decided: 11/21/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Michele N. Siekerka for District VII
Rrespondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who grossly neglected two automobile accident cases resulting in the dismissal of filed complaints for their lack of prosecution. The respondent also failed to provide the client with copies of the complaints or to keep her informed about the status of her cases, as required by disciplinary rules.

In 1999, the respondent was admonished for his failure to communicate with a client in a matrimonial matter.

WILLIAM WRIGHT, JR.

Admitted: 1961; South Orange (Essex County)
Disbarment - *163 N.J. 133 (2000)*
Decided: 3/17/2000

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Raymond A. Brown, Jr. for respondent

The Supreme Court of New Jersey held that Disbarment was the only appropriate discipline in a case where the evidence overwhelmingly established that the respondent knowingly misappropriated clients' trust funds over a period of two years in an extremely complex check kiting scheme involving ten different bank accounts. This matter was discovered solely as a result of the Random Audit Compliance Program.

ANDREW S. WULFMAN

Admitted: 1987; Morristown (Morris County)
Admonition - *Unreported (2000)*
Decided: 9/25/2000

APPEARANCES BEFORE REVIEW BOARD
Jane E. Doran argued for District X
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to reply to two grievances filed against him, despite the committee investigator's numerous requests for information about the grievances. Additionally, the attorney failed to file a timely answer to the formal ethics complaints filed against him, despite having been granted several extensions of time.

RICHARD J. ZEITLER

Admitted: 1966; Iselin (Middlesex County)
Reprimand - *165 N.J. 503 (2000)*
Decided: 10/3/2000

APPEARANCES BEFORE REVIEW BOARD
Mitchell H. Portnoi for District VIII
Douglas R. Kleinfeld for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to act diligently in handling a PIP matter and failed to communicate adequately with his client. The Supreme Court further ordered that the respondent practice law for a period of two years under the auspices of a proctor approved by the Office of Attorney Ethics.

The respondent has an extensive disciplinary history. In 1976, he was suspended from the practice of law for one year for misconduct involving dishonesty, fraud, deceit or misrepresentation in two cases. *In re Zeitler, 69 N.J. 61 (1976).* In 1980, respondent was suspended for two years for his gross neglect of two client matters and his failure to tell his clients that their cases had been dismissed. *In re Zeitler, 85 N.J. 21*

(1980). In 1995, respondent received an admonition for lack of diligence in one matter. In 1999, the respondent was reprimanded for the improper release of escrow funds. *In re Zeitler, 158 N.J. 182 (1999).*

RICHARD J. ZEITLER

Admitted: 1966; Iselin (Middlesex County)
Reprimand - *165 N.J. 500 (2000)*
Decided: 10/3/2000

APPEARANCES BEFORE REVIEW BOARD
Julius J. Feinson for District VIII
Douglas R. Kleinfeld for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was declared ineligible to practice law on September 5, 1997 by reason of his nonpayment of the annual attorney assessment. The respondent was returned to eligible status on February 20, 1998. In the interim, he continued to practice law full-time without abatement. The Supreme Court further ordered that the respondent practice law for a period of two years under the auspices of a proctor approved by the Office of Attorney Ethics.

The respondent has an extensive disciplinary history. In 1976, he was suspended from the practice of law for one year for misconduct involving dishonesty, fraud, deceit or misrepresentation in two cases. *In re Zeitler, 69 N.J. 61 (1976).* In 1980, respondent was suspended for two years for his gross neglect of two client matters and his failure to tell his clients that their cases had been dismissed. *In re Zeitler, 85 N.J. 21 (1980).* In 1995, respondent received an admonition for lack of diligence in one matter. In 1999, the respondent was reprimanded for the improper release of escrow funds. *In re Zeitler, 158 N.J. 182 (1999).*

BARRY F. ZOTKOW

Admitted: 1971; Rutherford (Bergen County)
Reprimand - *165 N.J. 573 (2000)*
Decided: 11/21/2000

APPEARANCES BEFORE REVIEW BOARD
James R. Stevens for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, despite being aware of a trial date and despite the fact that the respondent knew that the case would be dismissed if he did not appear on that date, took no action to appear and the matter was dismissed.

The respondent has a disciplinary history. In 1992, he was privately reprimanded for allowing a complaint to be dismissed after he failed to oppose his adversary's motion to dismiss the complaint, failed to inform the client that the complaint had been dismissed, and failed to take remedial action to reinstate the complaint. In 1995, he received a three-month suspension from the practice of law for gross neglect, lack of diligence, failure to communicate, failure to expedite litigation and failure to make reasonably diligent efforts to comply with the proper discovery requests in a litigation matter. *In re Zotkow, 141 N.J. 34*. In 1996, the respondent was again suspended for a period of three months for gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to expedite litigation and failure to cooperate with the ethics authorities. *In re Zotkow, 143 N.J. 299*.

BAR ADMISSIONS CASE

IN THE MATTER OF S.

Red Bank (Monmouth County)
Bar Admission Voided - *Unreported (2000)*

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Board of Bar Examiners
Michael D. Schotland for respondent

The Supreme Court of New Jersey held that the bar examination results of a respondent for July 1999 are voided in their entirety as a result of proof, following a hearing before the Board of Bar Examiners, that respondent improperly employed a "crib sheet" during the examination process. The Court further ordered that the respondent is barred from applying for admission to the bar of the state of New Jersey and from taking the New Jersey bar examination for a period of three years from the July 1999 bar examination.

CHARACTER COMMITTEE CASE

STEVEN B. JACKMAN

Millburn (Essex County)
Admission Delayed - *165 N.J.580 (2000)*
Decided: 12/1/2000

APPEARANCES BEFORE SUPREME COURT
Janet Brownlee Miller for Committee on Character
Justin P. Walder for respondent

The Supreme Court of New Jersey held that an attorney's practice of "transactional law" at a large New Jersey law firm for seven years prior to taking the New Jersey bar constituted the Unauthorized Practice of Law as a result of which the respondent's certification of fitness was delayed until January 2, 2001. The Court noted that the attorney's admission had already been delayed since July 1999 when he passed the New Jersey bar examination.

1999

IMAN A. ABDALLAH

Admitted: 1989; Trenton (Mercer County)
Suspension 1 Year - *156 N.J. 551 (1999)*
Decided: 1/12/1999 Effective: 2/15/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who was disbarred in the state of New York for misconduct involving neglect of cases, lack of diligence, failure to communicate with clients, failure to return unearned retainers and lack of cooperation with disciplinary authorities.

CRAIG A. ALTMAN

Admitted: 1987; Vineland (Cumberland County)
Admonition - *Unreported (1999)*
Decided: 6/17/1999

APPEARANCES BEFORE REVIEW BOARD
William E. Nugent for District I
Scott M. Goldberg for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who signed a "letter of protection" for a medical provider and then failed to insure that the provider was paid from the personal injury settlement received, in violation of *RPC 1.15(b)*.

MICHAEL A. AMANTIA

Admitted: 1988; Trenton (Mercer County)
Admonition - *Unreported (1999)*
Decided: 9/22/1999

APPEARANCES BEFORE REVIEW BOARD
Michael N. Siekerka for District VII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to diligently handle an estate matter and failed to communicate reasonably with the beneficiaries of the estate, including providing them with information that was critical to allow them to make informed decisions regarding the case.

SANFORD AMDUR

Admitted: 1972; East Rutherford (Bergen County)
Disbarment by Consent - *161 N.J. 219 (1999)*
Decided: 9/15/1999

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Clark L. Cornwell, III for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

JOHN L. ANTONAS

Admitted: 1977; Edison (Middlesex County)
Reprimand - *157 N.J. 547 (1999)*
Decided: 3/9/1999

APPEARANCES BEFORE REVIEW BOARD
Peter J. Hendricks for District VIII
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a criminal matter and failed to appear at a trial in Middlesex County despite being counsel of record in the case. The Court also ordered that the respondent pay a fine of $2,000 imposed by the Superior Court in his related contempt action.

JOHN N. ARMELLINO

Admitted: 1976; Brick (Ocean County)
Disbarment by Consent - *157 N.J.460 (1999)*
Decided: 2/24/1999

REPRESENTATIONS
Tangerla Mitchell Thomas for Attorney Ethics
Lewis P. Sengstacke for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges that he knowingly misappropriated clients' trust funds in a real estate matter. The respondent had been temporarily suspended from the practice of law in New Jersey since February 8, 1999.

SHARON R. AUERBACHER

Admitted: 1986; Englewood (Bergen County)
Reprimand - *156 N.J.552 (1999)*
Decided: 1/12/1999

APPEARANCES BEFORE REVIEW BOARD
Roger A. Hauser for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest when she assumed the role of arbitrator reserved for a neutral party when she was the sister of

one party and had drafted the agreement that was the subject of the arbitration. The respondent also engaged in the unauthorized practice of law in Florida when she drafted an agreement to be used in that state.

RICHARD W. BANAS

Admitted: 1978; East Hanover (Morris County)
Suspension 3 Months - *157 N.J.18 (1999)*
Decided: 1/26/1999 Effective: 2/26/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Barbara S. Fox for District VC
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who accepted a retainer from a client, failed to take any action on the client's behalf, failed to reply to the client's repeated attempts to contact him and failed to provide the client with a written fee agreement. Respondent also failed to cooperate with the disciplinary system during the processing of this investigation. The respondent received a reprimand in 1996 for improperly retaining as legal fees a $5,000 payment intended to obtain bail for his client. *In re Banas, 144 N.J. 75 (1996).*

ANGELA C. W. BELFON

Admitted: 1993; Piscataway (Middlesex County)
Suspension 3 Months - *157 N.J.31 (1999)*
Decided: 1/26/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Audrey L. Anderson for District VIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and recommendation by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in the unauthorized practice of law in four matters, including practicing while on the Ineligible List, gross neglect, lack of communication and making a misrepresentation to the district ethics committee concerning the status of a case.

ANGELA C. W. BELFON

Admitted: 1993; Piscataway (Middlesex County)
Suspension 6 Months - *157 N.J. 31 (1999)*
Decided: 1/26/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Audrey L. Anderson for District VIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and recommendation by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for unethical conduct in three matters involving gross neglect, failure to communicate and practicing law while on the Ineligible List.

BARRY J. BELMONT

Admitted: 1973; Philadelphia, Pennsylvania
Reprimand - *158 N.J.183 (1999)*
Decided: 4/29/1999

APPEARANCES BEFORE REVIEW BOARD
Charles F. Kenney for District VA
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who charged an improper contingent fee in eight matters; deposited settlement checks in those matters in a Pennsylvania trust account; endorsed his clients' names on settlement checks, either with their authorizations B but before the approval of that procedure by the court in two matters B or without their authorizations (in three matters); failed to maintain a bona fide office in New Jersey; assisted his partner in the unauthorized practice of law; and failed to turn over a client's file.

THOMAS B. BENITZ

Admitted: 1975; Middlesex (Middlesex County)
Reprimand - *157 N.J. 637 (1999)*
Decided: 3/23/1999

APPEARANCES BEFORE REVIEW BOARD
William Brigiani for District VIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in two client matters, engaged in gross neglect, lack of diligence and failure to communicate resulting in the dismissal of one case.

CHARLES BERGAMO

Admitted: 1980; Hawley, Pennsylvania
Reprimand - *157 N.J. 461 (1999)*
Decided: 2/24/1999

APPEARANCES BEFORE REVIEW BOARD
Bonnie J. Mizdol for District IIA
Theresa A. Tosi for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to advise a client that there was a limited time period to

bring a motion for reconsideration of an appeal, failed to act with reasonable diligence by either filing the motion or appeal or advising the client that, in respondent's opinion, pursuit of the case would not have resulted in a favorable outcome and failed to communicate with the client despite his numerous telephone messages and letters.

JACK D. BERSON

Admitted: 1980; Absecon (Atlantic County)
Suspension 3 Months - *157 N.J. 634 (1999)*
Decided: 3/23/1999 Effective: 4/20/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Michael L. Testa for District I
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who received a retainer from a divorce client to file an appeal with the Appellate Division and who, over a period of three years, failed to reply to the client's letters and telephone calls concerning the status of the matter or to otherwise take action in the case. In another matter, respondent was hired to file a tort action and, four years later, had not done so. The respondent also failed to cooperate with the disciplinary system in the investigation and processing of this matter.

JACK D. BERSON

Admitted: 1980; Absecon (Atlantic County)
Suspension 3 Months - *159 N.J. 508 (1999)*
Decided: 7/15/1999 Effective: 7/20/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Michael L. Testa for District I
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected two client matters and failed to cooperate with disciplinary authorities during the processing of these cases.

The respondent has a disciplinary history. In 1996, he was admonished for failure to incorporate a non-profit corporation and failure to return the retainer upon the client's demand. During 1999, he was temporarily suspended from the practice of law on March 18, 1999 for failure to pay a fee arbitration award. *In re Berson, 157 N.J. 601*. In 1999, the respondent was also suspended from the practice of law for a period of three months, effective April 20, 1999, for receiving a retainer to file an appeal of a divorce judgment and then, over a period of three years, failing to reply to the client or to otherwise take action in the case. In a second matter, the respondent was hired to file a tort action and, four years later, had not done so. He also failed to cooperate with disciplinary authorities. *In re Berson, 157 N.J. 634.*

DAVID B. BIUNNO

Admitted: 1982; Summit (Union County)
Disbarment by Consent - *162 N.J. 147 (1999)*
Decided: 12/20/1999

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Mitchell A. Liebowitz for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending grievances charging the knowing misappropriation of clients' trust funds. The respondent was temporarily suspended from the practice of law in New Jersey on November 29, 1999.

KOHAR M. BOYADJIAN

Admitted: 1988; Paramus (Bergen County)
Reprimand - *162 N.J. 61 (1999)*
Decided: 11/29/1999

REPRESENTATIONS
Gregory E. Lake for District IIA
Charles M. Arakelian for respondent

The Disciplinary Review Board accepted a motion for discipline by consent and held that a reprimand was the appropriate discipline for an attorney who improperly notarized a document over the telephone, rather than requiring the individual to appear before him.

JOSEPH P. BREIG

Admitted: 1977; Millville (Cumberland County)
Reprimand - *157 N.J. 630 (1999)*
Decided: 3/23/1999

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Martin T. McDonough for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to promptly remit client funds and failed to comply with the recordkeeping requirements of *R. 1:21-6*.

CHARLES R. BREINGAN

Admitted: 1983; Burlington (Burlington County)
Suspension 3 Months - *158 N.J. 23 (1999)*
Decided: 4/6/1999 Effective: 5/1/1999

REPRESENTATIONS BEFORE REVIEW BOARD

Vincent L. Robertson for District IIIB
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who accepted a retainer to file a contract action and then failed to take any action on behalf of the client, failed to return the client's numerous telephone calls and misrepresented to the client that the action had been filed. The respondent also failed to cooperate with the district ethics committee during the investigation of this matter. The Court ordered that, within one year after the filing date of this order, respondent complete 15 hours of courses in professional responsibility offered by the Institute for Continuing Legal Education.

The respondent had been previously disciplined. In 1986, he was privately reprimanded for issuing a personal check that was twice dishonored by the bank due to insufficient funds and for misrepresenting to the payee that a replacement check had been issued. In 1990, he was publicly reprimanded for a pattern of neglect, failure to communicate with clients, lack of diligence and failure to cooperate with ethics authorities. *In re Breingan, 120 N.J. 161 (1990).*

CHARLES R. BREINGAN

Admitted: 1983; Burlington (Burlington County)
Suspension 3 Months - *158 N.J. 25 (1999)*
Decided: 4/6/1999 Effective: 8/1/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Vincent L. Robertson for District IIIB
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who accepted a retainer to defend a client in a municipal court traffic violation, failed to take any action on the client's behalf, thus forcing the client to obtain a new attorney at additional expense. The respondent also misrepresented to the client that he had contacted the municipal court on the client's behalf and, in addition, failed to cooperate with the disciplinary authorities during the investigation of this matter. The Court also ordered that prior to any application for reinstatement, respondent must submit proof of repayment of the retainer to the client.

The respondent had been previously disciplined. In 1986, he was privately reprimanded for issuing a personal check that was twice dishonored by the bank due to insufficient funds and for misrepresenting to the payee that a replacement check had been issued. In 1990, he was publicly reprimanded for a pattern of neglect, failure to communicate with clients, lack of diligence and failure to cooperate with ethics authorities. *In re Breingan, 120 N.J. 161 (1990).*

DEREK E. BROOKS

Admitted: 1993; Hackensack (Bergen County)
Disbarment by Consent - *158 N.J. 3 (1999)*
Decided: 3/22/1999

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Frank P. Lucianna for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend a formal complaint that had been filed against him alleging the knowing misappropriation of trust and escrow funds exceeding $58,000. The respondent was previously temporarily suspended from the practice of law on December 9, 1998. This case was discovered solely as a result of the Trust Overdraft Notification Program.

FREDERIC H. BROOKS

Admitted: 1982; East Orange (Essex County)
Reprimand - *157 N.J. 640 (1999)*
Decided: 3/23/1999

APPEARANCES BEFORE REVIEW BOARD
Stanley M. Varon for District VB
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with ethics authorities during the investigation of eight allegations of unethical conduct.

THOMAS M. BROWN

Admitted: 1993; Atlantic City (Atlantic County)
Reprimand - *159 N.J. 530 (1999)*
Decided: 7/21/1999

APPEARANCES BEFORE REVIEW BOARD
Robert J. Boland for District IX
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a divorce matter, failed to act with diligence, failed to communicate with his client and misrepresented the status of the case to the client.

NEJAT BUMIN

Admitted: 1992; Rutherford (Bergen County)
Admonition - *Unreported (1999)*
Decided: 3/25/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Blanche K. Goldstein for District XI

Respondent did not appear

The Disciplinary Review Board, on a certified record from and decision by the District XI (Passaic County) Ethics Committee, held that an admonition was the appropriate discipline for an attorney who failed to cooperate with disciplinary authorities during the investigation of the underlying grievance and also failed to file an answer to a formal ethics complaint alleging non-cooperation.

ROYLAND CAIN

Admitted: 1984; East Orange (Essex County)
Disbarment by Consent - *159 N.J. 416 (1999)*
Decided: 7/13/1999

REPRESENTATIONS
John McGill, III for Attorney Ethics
Vincent C. Scoca for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who, while a matter was pending hearing before a Special Ethics Master, admitted that he could not successfully defend those pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

JOHN E. CALLAGHAN

Admitted: 1985; Westfield (Union County)
Disbarment - *162 N.J. 182 (1999)*
Decided: 12/27/1999

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Steven D. Altman for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who engaged in the knowing misappropriation of clients' trust funds by borrowing money from clients without their authorization.

This matter was discovered solely as a result of the Random Audit Compliance Program.

GERALD P. CANTINI

Admitted: 1963; Quogue, New York
Indefinite Suspension - *157 N.J. 80 (1999)*
Decided: 1/26/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that an indefinite suspension from the practice of law was the appropriate discipline for a respondent who was disbarred in the state of Vermont for conduct that included poor record keeping and misrepresentations to a tribunal.

VICTOR J. CAOLA

Admitted: 1980; Brick (Ocean County)
Reprimand - *157 N.J. 641 (1999)*
Decided: 3/23/1999

APPEARANCES BEFORE REVIEW BOARD
Janet Zaorski Kalopos for District IIIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to communicate with a client in a workers compensation and personal injury action. The respondent was previously disciplined. In 1990, he received a private reprimand for lack of diligence and failure to communicate with his client. In 1989, he received a public reprimand for misrepresenting his background and experience as a criminal defense attorney in a solicitation letter sent to a prospective client. *In re Caola, 117 N.J. 109 (1989)*.

JOSEPH CAPODICI

Admitted: 1988; Jersey City (Hudson County)
Reprimand - *158 N.J. 109 (1999)*
Decided: 4/6/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Steven L. Menaker for District VI
Respondent did not appear

The Supreme Court, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who was retained by a client in a landlord tenant action and then grossly neglected the matter, failed to act diligently and failed to keep his client reasonably informed about the status of the case.

PASQUALE J. CARDONE

Admitted: 1976; Northfield (Atlantic County)
Suspension 3 Years - *157 N.J. 23 (1999)*
Decided: 1/26/1999 Effective: 2/26/1999

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Mark Biel for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who engaged in fraud involving an improper business transaction with a client. The respondent obtained a total of $325,000 from his client, knowing that if he had disclosed the actual terms of the

transactions, she would not have participated in them. Respondent then engaged in three business transactions that were not fair and reasonable to his client, failed to advise her to seek independent counsel and failed to obtain her written consent to the transactions. In addition, respondent engaged in two instances of conduct involving fraud, deceit and misrepresentation. He also failed to maintain proper business and trust account records required of all attorneys. After inducing his client to lend him $325,000 and signing an agreement that the debt was non-dischargeable and that he still owed her $254,300, respondent sought to discharge his debt in bankruptcy.

ANTHONY F. CARRACINO

Admitted: 1982; Fords (Middlesex County)
Admonition - *Unreported (1999)*
Decided: 12/28/1999

APPEARANCES BEFORE REVIEW BOARD
Karen A. Ostberg for District VIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to communicate with his client and notify her that he was unable to make service on defendants in civil litigation he had been hired to pursue. As a result, the complaint he had filed was dismissed for lack of prosecution. The respondent's conduct constituted a failure to properly withdraw from representation, in violation of *RPC 1.16(d)*.

RICHARD J. CARROLL

Admitted: 1970; Secaucus (Hudson County)
Suspension 3 Months - *162 N.J. 97 (1999)*
Decided: 12/7/1999 Effective: 1/3/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Maureen B. Matineo for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a client's foreclosure matter and failed to cooperate with disciplinary authorities during the investigation of the case. The respondent was previously disciplined by admonition in 1995 for lack of diligence, failure to communicate, failure to turn over a client file to new counsel, and failure to cooperate with disciplinary authorities. He was again admonished in 1997 for lack of diligence and failure to communicate with his client.

V. JAMES CASTIGLIA

Admitted: 1977; Oak Ridge (Morris County)
Reprimand - *158 N.J. 145 (1999)*
Decided: 5/3/1999

APPEARANCES BEFORE REVIEW BOARD
John P. Robertson, II for District X
Pamela Brause for respondent

The Supreme Court of New Jersey, on a motion for discipline by consent, held that a reprimand was the appropriate discipline for an attorney who repeatedly failed to communicate the basis or rate of his legal fee, in writing, to his clients, engaged in a conflict of interest by simultaneously representing various parties with competing interests, and represented that he had witnessed a party's signature to a deed and affidavit of title when, in fact, the documents had been signed outside of respondent's presence.

MARK D. CASWELL

Admitted: 1980; Cherry Hill (Camden County)
Suspension 6 Months - *157 N.J. 623 (1999)*
Decided: 3/23/1999 Effective: 4/19/1999

APPEARANCES BEFORE REVIEW BOARD
Joan Adams for District IV
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who brokered an investment between two clients but failed to disclose to the investor client that the borrower was also his client. The respondent not only failed to explain to his investor client that the borrower was in poor financial condition, but in fact told the investor that it was a good investment. In the end, the borrower never made any interest payments to the investor, nor repaid the principal loan of $20,000. The respondent thus engaged in a conflict of interest for which he was disciplined.

ANTHONY J. CAVUTO

Admitted: 1966; Mount Holly (Burlington County)
Disbarment - *160 N.J. 185 (1999)*
Decided: 7/30/1999

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Dominic J. Aprile for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who settled a personal injury action arising out of a motorcycle accident and then escrowed over $12,700 to pay health care providers. The respondent knowingly misappropriated almost all of those monies within a short time after the settlement.

MICHAEL A. CHASAN

Admitted: 1975; Green Brook (Somerset County)
Suspension 6 Months - *157 N.J. 29 (1999)*
Decided: 1/26/1999 Effective: 10/15/1998

APPEARANCES BEFORE REVIEW BOARD
Michael J. Posnik for District XIII
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who failed to supervise a convicted felon whom he employed and allowed to manage the firm's receipt of retainers from clients in the firm's business account. As a result, the respondent also grossly neglected client matters, failed to communicate with clients, shared fees with a non-lawyer and failed to comply with recordkeeping requirements of *Rule 1:21-6*.

This respondent was publicly reprimanded in 1982 for unilaterally deducting a fee from funds designated to pay his client's hospital bills and for endorsing the check in the name of the hospital, despite having no authority to do so. *In re Chasan, 91 N.J. 381 (1982).* In 1998, the respondent was also suspended from the practice of law for a period of three months for misleading a judge with regard to the whereabouts of a disputed fee and misrepresenting to the defendant's attorney that he had paid all existing liens from settlement proceeds and that he had placed the disputed fees in a separate account pending the resolution of the fee dispute. In fact, respondent disbursed fees to himself from the settlement funds. *In re Chasan, 154 N.J. 8 (1998)*.

MICHAEL A. CHASAN

Admitted: 1975; Green Brook (Somerset County)
Disbarment by Consent - *162 N.J. 47 (1999)*
Decided: November 4, 1999

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Victor A. Rizzolo for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against allegations that he knowingly misappropriated clients' trust funds.

In 1998, the respondent was suspended from the practice of law for a period of six months for failing to supervise a convicted felon whom he employed and allowed to manage the firm's receipt of retainers from clients in the firm's business account. As a result, the respondent also grossly neglected client matters, failed to communicate with clients, shared fees with a non-lawyer and failed to comply with recordkeeping requirements mandated by Rule 1:21-6. *In re Chasan, 157 N.J. 29.* The respondent was also suspended for a period of three months in 1998 as a result of misleading two judges and his adversary that he was holding a fee in his trust account until resolution and the apportionment of the legal fee issue when, in fact, he disbursed the entire fee to himself. *In re Chasan, 154 N.J. 8 (1998).* Finally, the respondent was disciplined in 1982 when he improperly endorsed a check. *In re Chasan, 91 N.J. 381 (1982).*

RUSSELL G. CHEEK

Admitted: 1980; Toms River (Ocean County)
Reprimand - *162 N.J. 98 (1999)*
Decided: 12/7/1999

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected an uncomplicated estate matter and failed to communicate with the executrixes and beneficiaries with respect to the status of the matter. Respondent also failed to maintain proper trust and business account records as required under *R. 1:21-6*.

The respondent was admonished in 1996 for failure to correct recordkeeping deficiencies discovered during a 1994 random audit.

ARTHUR L. CHIANESE

Admitted: 1987; Red Bank (Monmouth County)
Suspension 36 Months - *157 N.J. 527 (1999)*
Decided: 3/9/1999 Effective: 4/4/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
John P. Lacey for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who was convicted in the Superior Court of New Jersey, Law Division, of third degree perjury, in violation of *N.J.S.A. 2C:28-1*, third degree attempted theft by deception, in violation of *N.J.S.A. 2C:5-1 and N.J.S.A. 2C:20-4*, fourth degree forgery, in violation of *N.J.S.A. 2C:21-1a(1) and (2)*, and fourth degree forgery by uttering, in violation of *N.J.S.A. 2C:21-1a(3)*, all in connection with submitting a forged document in a civil proceeding that the respondent instituted to collect a brokerage fee. The respondent had been temporarily suspended from the practice of law since April 3, 1997. *In re Chianese, 148 N.J. 560 (1997)*.

NORMAN J. CHIDIAC

Admitted: 1970; Clifton (Passaic County)
Suspension 6 Months - *158 N.J. 2 (1999)*
Decided: 3/23/1999 Effective: 4/19/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Andrew Venturelli for District XI
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in contravention of a court order, released deposit funds to his clients so that they could purchase a different home. The respondent had been previously disciplined. In 1990, he was privately reprimanded for failing to record a mortgage and deed in a real estate transaction for a three-year period after closing. In 1990, respondent was suspended from the practice of law for a period of three years for misconduct in an estate matter, including gross negligence, misrepresentations about the status of the matter, and creation of a fake New Jersey Inheritance Tax Waiver to conceal his misconduct. *In re Chidiac, 120 N.J. 32 (1990)*.

MORRIS L. CHUCAS

Admitted: 1972; Philadelphia, Pennsylvania
Disbarment - *156 N.J. 542 (1999)*
Decided: 1/12/1999

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was found guilty in the United States District Court for the Eastern District of Pennsylvania of two counts of conspiracy to commit wire fraud and engage in unlawful monetary transactions, in violation of *18 U.S.C.A. ' 371*; 31 counts of wire fraud, in violation of *18 U.S.C.A. ' 1343*; and 14 counts of engaging in unlawful monetary transactions, in violation of *18 U.S.C.A. ' 1957(a)*. The respondent had been temporarily suspended from the practice of law in New Jersey since 1995. *In re Chucas, 141 N.J. 82 (1995)*.

ROBERT B. CLARK

Admitted: 1979; East Orange (Essex County)
Disbarment - *158 N.J. 250 (1999)*
Decided: 5/11/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who, in a series of four matters, evidenced abandonment of clients' matters, gross neglect, lack of diligence, failure to communicate, charged an unreasonable fee, failed to return unearned retainers to clients and failed to cooperate with ethics authorities during the processing of these matters. The respondent has a significant disciplinary history: In 1990, he was publicly reprimanded for lack of diligence and failure to communicate in four matters and failure to return a retainer in a fifth matter. *In re Clark, 118 N.J. 563 (1990)*. He was again publicly reprimanded in 1995 for negligence and misrepresentation in an employment matter. *In re Clark, 142 N.J. 475 (1995)*. During that year, respondent was also temporarily suspended from the practice of law for failure to pay a $10,000 fee arbitration award to a client. *In re Clark, 142 N.J. 475 (1995)*. In 1998, the respondent was suspended for three months for violations in two matters, including gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to return a file and a $15,000 fee, and failure to cooperate with disciplinary authorities. *In re Clark, 152 N.J. 461 (1998)*. In the instant case that resulted in its recommendation for disbarment, the Disciplinary Review Board summarized respondent's conduct as follows:

> "Here, respondent has spent the past decade displaying his pattern of unethical behavior. He has constantly taken clients' retainers without any intent to perform any work, refused to communicate with his clients and refused to refund the unearned retainers; he has repeatedly ignored the fee arbitration process; he has repeatedly ignored requests by investigators for information; and he has repeatedly refused to answer ethics complaints. Respondent is neither young nor inexperienced. He failed to exhibit the bare minimum of professionalism required of every member of the bar, and his misconduct undermined his numerous clients and the public's confidence in the legal profession."

MARC D'ARIENZO

Admitted: 1993; Wall (Monmouth County)
Suspension 3 Months - *157 N.J. 32 (1999)*
Decided: 1/26/1999 Effective: 3/1/1999

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who twice misrepresented his reason for not appearing to a municipal court judge.

GEORGE T. DAGGETT

Admitted: 1966; Sparta (Sussex County)
Admonition - *Unreported (1999)*
Decided: 2/23/1999

APPEARANCES BEFORE REVIEW BOARD
Linda A. Mainenti-Walsh for District X
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to prepare a written retainer agreement in connection with an engagement to appeal a civil matter. The respondent was previously disciplined on two occasions: In 1988, he was privately reprimanded for lack of diligence in a matrimonial matter; in 1997, he received an admonition for failure to communicate with a client in a workers' compensation matter.

KEVIN J. DALY

Admitted: 1980; Cranford (Union County)
Suspension 3 Months - *156 N.J. 541 (1999)*
Decided: 1/12/1999 Effective: 2/8/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was retained by a matrimonial client relating to post-judgment matrimonial issues, including custody, child support, proof of maintenance of insurance for the children's benefit and an accounting of escrowed funds and who, on several occasions, misrepresented to the client that he had filed the appropriate motion to resolve the issues but, in fact, had not.

DAVID PAUL DANIELS

Admitted: 1979; Camden (Camden County)
Reprimand - *157 N.J. 71 (1999)*
Decided: 1/26/1999

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to comply with the trust and business account recordkeeping requirements mandated by *Rule 1:21-6*, thereby negligently misappropriating clients' trust funds in excess of $54,000. Respondent received a private reprimand in 1991 for failure to maintain *R.1:21-6* required records.

HARDGE DAVIS, JR.

Admitted: 1977; Newark (Essex County)
Suspension 3 Months - *162 N.J. 7 (1999)*
Decided: 10/6/1999 Effective: 11/1/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected an estate matter by failing to file necessary accountings and to obey numerous orders issued by the Court, and who also failed to cooperate with disciplinary authorities during the processing of this matter. The respondent was admonished in 1998 for ignoring ethics authorities' requests for information about a grievance and for not filing an answer to a formal ethics complaint.

MANUEL R. DIAZ

Admitted: 1980; Union City (Union County)
Disbarment - *161 N.J. 326 (1999)*
Decided: 9/21/1999

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients trust funds in four matters in order to satisfy personal and family obligations. The respondent also knowingly submitted forged bank documents to the Office of Attorney Ethics during the investigation of the matter.

The respondent had been temporarily suspended from the practice of law since October 16, 1996. He was also previously disciplined. In 1997, he was suspended from the practice of law for a period of three months for entering into a business transaction with a client without a written agreement and without obtaining a waiver, for negligently misappropriating clients' funds and for failing to properly maintain trust and business accounting records required by Court Rule 1:21-6. *In re Diaz, 151 N.J. 318 (1997)*.

PATRICK DIMARTINI

Admitted: 1958; Jersey City (Hudson County)
Suspension 3 Months - *158 N.J. 439 (1999)*
Decided: 6/11/1999 Effective: 7/5/1999

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
John J. Curley for respondent

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who engaged in a conflict of interest in a real estate transaction, used his client as a strawman, improperly signed his client's name to real estate closing

documents and failed to safeguard his client's interest in the proceeds of the sale of the real estate.

SUSAN DINICOLA-TAPIA

Admitted: 1988; North Bergen (Hudson County)
Reprimand - *158 N.J. 181 (1999)*
Decided: 4/29/1999

APPEARANCES BEFORE REVIEW BOARD
Sharon Rivenson Mark for District VI
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to take any action in connection with a real estate closing to pay taxes from December 1994 to March 1996, even after she was notified by the mortgagee that the property had been listed for tax sale. The respondent was privately reprimanded in 1993 for failure to communicate with a client. In 1998, she was the subject of an Agreement in Lieu of Discipline in two matters resulting from her lack of diligence and failure to communicate with a client.

CHARLES DINSMORE

Admitted: 1988; Ocean City (Atlantic County)
Suspension 3 Months - *162 N.J. 104 (1999)*
Decided: 12/7/1999 Effective: 1/3/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Gary D. Wodlinger for District I
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected three client matters, including the failure to safeguard client funds, failure to deliver funds to a third party and the failure to protect the client's interests upon termination of the representation.

JOHN J. DUDAS, JR.

Admitted: 1968; Dumont (Bergen County)
Suspension 3 Months - *156 N.J. 540 (1999)*
Decided: 1/12/1999 Effective: 2/8/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Thomas F. Cermack, Jr. for District IIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in the practice of law by acting as counsel to the Borough of Dumont while he was declared to be ineligible to practice law for failure to pay his annual attorney registration fee and who, as the executor of an estate, failed to prepare and file an accounting, despite being held in contempt of court.

The respondent was previously disciplined. In 1995, he was admonished for failure to communicate with a client, failure to turn over a client's file to new counsel, and failure to cooperate with the district ethics committee investigation.

JOHN J. DUDAS, JR.

Admitted: 1968; Dumont (Bergen County)
Suspension 6 Months - *162 N.J. 101 (1999)*
Decided: 12/7/1999 Effective: 8/26/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Joseph J. Mecca, Jr. for District IIA
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, while representing a client in a personal injury action, failed to file a lawsuit within the two year statute of limitations, although he assured the client that a complaint had been filed and was pending with the courts. The respondent also failed to cooperate with disciplinary authorities during the investigation of this matter.

The respondent has previously been disciplined. In 1995, he was admonished for his failure to return client phone calls, failure to turn over a client's file to new counsel, failure to cooperate with disciplinary authorities and failure to comply with the disciplinary system's direction that the file be forwarded to new counsel. The respondent was also disciplined in 1999, when he was suspended for a period of three months for engaging in conduct involving a lack of diligence, failure to safeguard property, unauthorized practice of law and failure to cooperate with disciplinary authorities.

PAUL A. DYKSTRA

Admitted: 1974; Hasbrouck Heights (Bergen County)
Suspension 3 Months - *157 N.J. 636 (1999)*
Decided: 3/23/1999 Effective: 4/19/1999

APPEARANCES BEFORE REVIEW BOARD
Gregory J. Irwin for District IIB
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in three separate client matters, engaged in gross neglect, misrepresentation and failure to communicate with clients.

NEDUM C. EJIOGU

Admitted: 1992; East Orange (Essex County)
Admonition - *162 N.J. 99 (1999)*
Decided: 12/28/1999

APPEARANCES BEFORE REVIEW BOARD
Robert J. Prihoda for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain proper attorney trust and business account records in accordance with Rule 1:21-6, and who failed to comply with Rule 1:21-7, concerning the preparation of written contingent fee agreements.

DANIEL ELLIS

Admitted: 1974; Warren (Somerset County)
Reprimand - *158 N.J. 255 (1999)*
Decided: 5/11/1999

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds and failed to maintain attorney trust account records that complied with Rule 1:21-6. This matter was discovered solely through the Trust Overdraft Notification Program.

DAVID J. ESKIN

Admitted: 1993; Bronx, New York
Suspension 6 Months - *158 N.J. 259 (1999)*
Decided: 5/25/1999 Effective: 5/28/1998

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who was suspended for the same period in the state of New York for forging and falsely notarizing his client's signature to a notice of claim served after the statute of limitations had expired and for serving a second notice of claim containing a material misrepresentation regarding the date of an accident. The term suspension was made effective on May 28, 1998, the date that the respondent received a six-month suspension of his license to practice law in the state of New York. The Court ordered, however, that no application for reinstatement to practice could be made by the respondent until he is first reinstated to the practice of law in New York.

CHARLES H. FEELY

Admitted: 1985; New York City, New York
Disbarment - *162 N.J. 5 (1999)*
Decided: 10/6/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who had been disbarred in the state of New York for converting client trust funds, charging and collecting excessive fees, failing to maintain an account for client funds in his possession, failing to properly pay or deliver property to his clients, engaging in a conflict of interest by representing two clients who had adverse interests in a business transaction, failing to satisfy a client-related judgment and failing to cooperate with the disciplinary committee's investigation. The respondent had been temporarily suspended from the practice of law in the state of New Jersey since September 25, 1996 based upon his failure to cooperate with New York ethics authorities in their investigation of misappropriation of clients' trust funds.

KARL A. FENSKE

Admitted: 1977; Morristown (Morris County)
Admonition - *Unreported (1999)*
Decided: 5/25/1999

APPEARANCES BEFORE REVIEW BOARD
Brian M. Laddey for District X
John L. Huston for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who improperly released escrow deposit monies to his client, the buyer in a real estate transaction, after a dispute arose between the seller and the buyer, even though there was no authorization from the other party to do so.

STEPHEN FEUERSTEIN

Admitted: 1972; Manalapan (Monmouth County)
Suspension 3 Months - *157 N.J. 629 (1999)*
Decided: 3/23/1999 Effective: 4/19/1999

APPEARANCES BEFORE REVIEW BOARD
Richard D. Schibell for District IX
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in the practice of law after having been declared ineligible due to non-payment of his annual attorney registration fee. The respondent had been previously

disciplined. In 1983, he was reprimanded for exhibiting a pattern of neglect and for failing to carry out contracts of employment and for failing to maintain trust and business accounts in New Jersey. *In re Feuerstein, 93 N.J. 441 (1983)*. In 1989, he was suspended from the practice of law for six months for improperly withdrawing from representation in a pending matter, thereby causing the dismissal of the client's case, failing to withdraw as counsel pursuant to leave of court, failure to carry out a contract of employment with a client and neglect of a matter. *In re Feuerstein, 115 N.J. 278 (1989)*.

ARTHUR N. FIELD

Admitted: 1977; Englewood Cliffs (Bergen County)
Admonition - *Unreported (1999)*
Decided: 7/19/1999

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who handled two real estate matters in New Jersey at a time when he did not maintain required attorney trust and business account records in a New Jersey banking institution, in violation of *R. 1:21-6*.

RICHARD D. FIFIELD

Admitted: 1971; Washington (Warren County)
Disbarment by Consent - *157 N.J. 81 (1999)*
Decided: 2/3/1999

REPRESENTATIONS
Tangerla Mitchell Thomas Attorney Ethics
John Musarra for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending charges involving the misappropriation of over $18,000 in estate trust funds.

FREDERICK F. FITCHETT, III

Admitted: 1976; Voorhees (Camden County)
Reprimand - *158 N.J. 251 (1999)*
Decided: 5/11/1999

APPEARANCES BEFORE REVIEW BOARD
Louis Hasner for District IV
Saul Steinberg for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a personal injury and workers' compensation matter for a significant period of time and then misrepresented their status to the client.

F. GERALD FITZPATRICK

Admitted: 1971; Bayonne (Hudson County)
Admonition - *Unreported (1999)*
Decided: 4/21/1999

APPEARANCES BEFORE REVIEW BOARD
Rhonda E. Pope for District VA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, for a period of six years, from 1991 through 1997, practiced law in a professional corporation without maintaining professional liability insurance, in violation of *R. 1:21-1A(a)(3)*.

MARIA P. FORNARO

Admitted: 1989; Morristown (Morris County)
Reprimand - *159 N.J. 525 (1999)*
Decided: 7/15/1999

APPEARANCES BEFORE REVIEW BOARD
James D. Bride for District X
Stephen Weinstein for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to act diligently in one client matter and failed to give a proper accounting of services rendered in another client matter.

The respondent was suspended from the practice of law for a period of three months, effective March 24, 1998, as a result of violations in a series of four cases, including gross neglect, lack of diligence, failure to communicate, failure to surrender a client's file, making a false statement of material fact to a tribunal, failure to cooperate with disciplinary authorities, making a false statement of material fact in connection with a disciplinary matter and conduct involving dishonesty, fraud, deceit or misrepresentation. *In re Fornaro, 152 N.J. 449 (1998)*.

ROBERT J. FORREST

Admitted: 1984; Somerville (Somerset County)
Suspension 6 Months - *158 N.J. 428 (1999)*
Decided: 6/11/1999 Effective: 7/5/1999

APPEARANCES BEFORE SUPREME COURT
Tangerla Mitchell Thomas for Attorney Ethics
David B. Rubin for respondent

The Supreme Court of New Jersey held that a six-month suspension from the practice of law was the appropriate discipline for an attorney who, knowing that his personal injury client had died during the course of litigation, engaged in misrepresentation and deceit by failing to disclose that fact to the court, an arbitrator and to his adversary while continuing to

process the case. During the course of litigation and after the death of the client, the respondent filed the client's unsigned answers to interrogatories, participated in an arbitration proceeding and misrepresented to the arbitrator the reasons for his client's absence and misled opposing counsel throughout the discovery and negotiation process.

In 1991, the respondent was privately reprimanded for recordkeeping violations with respect to his trust account and also for improper withdrawal of a fee.

JEFFREY A. FOUSHEE

Admitted: 1988; Maplewood (Essex County)
Suspension 3 Months - *156 N.J. 553 (1999)*
Decided: 1/12/1999 Effective: 6/5/2000

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Bergen County, to third degree possession of cocaine, in violation of *N.J.S.A. 2C:35-10a(1).* The respondent has been previously disciplined. He was temporarily suspended on March 6, 1996 following notification of a trust overdraft. *In re Foushee, 143 N.J. 409 (1996).* He was suspended from the practice of law for three years on June 3, 1997 for misconduct in a series of four cases, in which he engaged in gross neglect, failure to communicate with clients, failure to prepare written fee agreements and failure to cooperate with ethics authorities. *In re Foushee, 149 N.J. 399 (1997).*

STANLEY S. FRANKFURT

Admitted: 1987; Paterson (Passaic County)
Suspension 3 Months - *159 N.J. 521 (1999)*
Decided: 7/15/1999 Effective: 8/11/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt Attorney Ethics
William J. DeMarco, respondent's counsel, waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who pled guilty to one count of fourth degree stalking of a Superior Court judge, in violation of *N.J.S.A. 2C:12-10b(1) and (2)*; and who, in a separate matter, was found guilty of contempt for having failed to appear at a hearing to determine why he should not be held in contempt for failing to appear at a trial and, thereafter, ignoring a judge's directives to appear.

ROSS M. GADYE

Admitted: 1987; Montville (Morris County)
Admonition - *Unreported (1999)*
Decided: 11/29/1999

APPEARANCES BEFORE REVIEW BOARD
Michael G. O'Brien for District X
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, while ineligible to practice in this state, filed an Order to Show Cause in Superior Court on one occasion.

KATHLEEN F. GAHLES

Admitted: 1982; Neshanic Station (Somerset County)
Reprimand - *157 N.J. 639 (1999)*
Decided: 3/23/1999

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
John J. Shannon for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in gross neglect and lack of diligence in an estate matter when she failed to file an inheritance tax return, causing the estate to be assessed penalties, refused to resign as executrix and caused the client's new attorney to initiate an action to have her removed, and required that an order be entered turning over the estate file to the client before the case could proceed.

CLAYTON S. GATES

Admitted: 1983; Short Hills (Essex County)
Reprimand - *157 N.J. 638 (1999)*
Decided: 3/23/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Abbott S. Brown for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who accepted $2,350 from a client to file a notice of appeal of a criminal conviction. The attorney failed to take any appropriate action to protect his client's legal interests, to communicate with him or to perfect the appeal. In fact, the attorney misrepresented the status of the matter and also failed to cooperate with disciplinary authorities during the investigation of the matter.

SEAN J. GEOGHAN

Admitted: 1991; Brooklyn, New York
Disbarment by Consent - *158 N.J. 146 (1999)*
Decided: 5/5/1999

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Seth E. Coen for respondent.

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who was disbarred in New York for improperly suggesting in a criminal matter that, on payment of $100,000 to his client to settle a civil matter, the criminal charges would be dismissed by his clients' giving false and misleading testimony to a grand jury.

THOMAS A. GIAMANCO

Admitted: 1983; Ridgewood (Bergen County)
Reprimand - *161 N.J. 724 (1999)*
Decided: 9/28/1999

APPEARANCES BEFORE REVIEW BOARD
Gregory E. Lake for District IIA
Anthony J. Gianni, Jr. for respondent

The Supreme Court of New Jersey accepted a Motion for Discipline by Consent and held that a reprimand was the appropriate discipline for an attorney who neglected a Workers' Compensation and personal injury matter, leading to dismissal of the case. The respondent misrepresented the status of the matter to the client and took no action to reinstate the action for a period of seven years.

HARVEY H. GILBERT

Admitted: 1971; Morristown (Morris County)
Suspension 3 Months - *159 N.J. 505 (1999)*
Decided: 7/15/1999 Effective: 8/11/1999

APPEARANCES BEFORE REVIEW BOARD
Thomas A. Zelante for District X
Noel E. Schablik for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to promptly return $6,400 in escrow funds deposited with him by a third party under a written escrow agreement. Instead, the respondent improperly asserted a lien on the entire amount of the escrow funds in order to attempt to collect fees owed him by his client. In 1996, the respondent was reprimanded for negligently misappropriating $10,303 in client funds; failing to comply with recordkeeping rules, including commingling personal and trust funds and depositing earned fees in his trust account; and failing to properly supervise his firm's employees. *In re Gilbert, 144 N.J. 581 (1996).*

BEVERLY G. GISCOMBE

Admitted: 1979; East Orange (Essex County)
Reprimand - *159 N.J. 517 (1999)*
Decided: 7/15/1999

APPEARANCES BEFORE REVIEW BOARD
Michael S. Haratz for District VB
Ernest G. Ianetti for respondent.

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who simultaneously represented a driver and passenger in two separate matters, thus constituting an impermissible conflict of interest. The respondent previously received a private reprimand in 1990 for also engaging in a conflict of interest when she represented the driver and passenger in a motor vehicle accident, lending money to one of the clients involved and grossly neglecting the litigation. Additionally, in 1996, she received an admonition for failure to communicate with a client.

ROBERT F. GOLD

Admitted: 1980; Morristown (Morris County)
Admonition - *Unreported (1999)*
Decided: 11/29/1999

APPEARANCES BEFORE REVIEW BOARD
John C. Whipple for District X
Vincent J. Nuzzi for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to keep his medical malpractice client reasonably advised of the status of the matter.

HARVEY B. GOLDBERG

Admitted: 1963; Fort Meyers, Florida
Disbarment by Consent - *157 N.J. 24 (1999)*
Decided: 1/26/1999

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Todd Foster, admitted only to Florida Bar, consulted with respondent regarding his execution of Disbarment by Consent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who pled guilty in the United States District Court for the Southern District of Florida to a multi-count federal indictment charging him with filing a false and fraudulent statement with a federally insured financial institution, in violation of *18 U.S.C.A. ' 1014.* The respondent had been temporarily suspended from the practice of law in New Jersey since November 18, 1998.

JUAN J. GONZALEZ

Admitted: 1987; Camden (Camden County)
Admonition - *Unreported (1999)*
Decided: 12/20/1999

APPEARANCES BEFORE REVIEW BOARD
Thomas J. Gosse for District IV
Roderick T. Baltimore for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who caused a matter to be dismissed due to his failure to answer interrogatories. Thereafter, respondent ignored plaintiff's counsel's letters complaining that the judgment had not been satisfied. The respondent's conduct constituted gross neglect and lack of diligence.

ARTURO B. GONZALEZ-ALFONSO

Admitted: 1988; Leonia (Bergen County)
Reprimand - *158 N.J. 13 (1999)*
Decided: 4/6/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Robert A. Vort for District IIB
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who agreed to represent a client in an immigration matter and subsequently failed to reply to the client's telephone calls and letters about the case. Additionally, the respondent failed to cooperate with disciplinary authorities during the investigation of this matter.

J. DANIEL HARRISON

Admitted: 1977; Englewood (Bergen County)
Disbarment - *162 N.J. 48 (1999)*
Decided: 11/3/1999

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who settled an automobile accident case for $6,800, forged the endorsements of the clients thereon and knowingly misappropriated clients' trust funds. The respondent had been previously disciplined. In 1995, he was reprimanded for recordkeeping violations and negligent misappropriation. *In re Harrison, 139 N.J. 609 (1995).* In 1998, the respondent was temporarily suspended from the practice of law for failure to submit quarterly audits and court ordered drug testing reports, a requirement of the 1995 reprimand. *In re Harrison, 152 N.J. 427 (1998).*

MICHAEL E. HAWKINS

Admitted: 1984; Suitland, Maryland
Disbarment - *161 N.J. 325 (1999)*
Decided: 9/21/1999

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients' trust funds, engaged in conduct involving dishonesty, fraud, deceit or misrepresentation, recordkeeping violations and a pattern of neglect in the handling of client matters. The respondent had been temporarily suspended from the practice of law since November 2, 1995.

STEVEN F. HERRON

Admitted: 1978; Cherry Hill (Camden County)
Suspension 3 Months - *162 N.J. 105 (1999)*
Decided: 12/7/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Andrew B. Kushner for District IV
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, while representing a client in the conversion of a duplex home into a condominium, grossly neglected the matter, failed to communicate with the client and failed to cooperate with disciplinary authorities in the investigation of this matter.

In 1995, the respondent was suspended from the practice of law for a period of one year for misconduct in seven matters, including gross neglect, pattern of neglect, failure to act diligently, failure to keep clients informed about the status of their matters, failure to deliver client funds, failure to protect the client's interests by surrendering papers, failure to cooperate with disciplinary authorities and misrepresentation of the status of matters to clients. *In re Herron, 140 N.J. 229 (1995).* The respondent was again suspended for an additional period of one year in 1996 for grossly neglecting two client matters, failing to communicate with clients and failing to cooperate with disciplinary authorities. *In re Herron, 144 N.J. 158 (1996).*

PERRY J. HODGE

Admitted: 1984; Montclair (Essex County)
Disbarment - *158 N.J. 289 (1999)*
Decided: 5/11/1999

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Herbert L. Zuckerman for respondent

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated the sum of $10,000 and lied to the Office of Attorney Ethics during the investigation of the matter. Respondent also engaged in a prohibited conflict of interest when he induced a client to make a $10,000 loan to respondent's secretary, which loan respondent guaranteed, and then failed to either satisfy the loan or to take appropriate action to seek its repayment. The respondent had a prior disciplinary history: He was temporarily suspended in 1996 following his failure to appear at a demand audit. *In re Hodge, 144 N.J. 646 (1996).* In 1993, the respondent had been suspended from the practice of law for a period of three months for his misconduct in five matters, including gross neglect, pattern of neglect, failure to communicate, failure to return client property, failure to maintain a bona fide office and failure to cooperate with disciplinary authorities. *In re Hodge, 130 N.J. 534 (1993).*

HOWARD J. HOFFMANN

Admitted: 1976; West New York (Hudson County)
Suspension 3 Months - *156 N.J. 579 (1999)*
Decided: 1/12/1999 Effective: 2/8/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Nathan Beck for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was retained by the guardian of an infant to file an action for injuries, which case he allowed to be dismissed for lack of prosecution. The respondent also failed to communicate with his client on many occasions and, when he did, misrepresented that the case was still pending. The respondent was previously reprimanded in 1998 for failure to communicate, failure to cooperate with disciplinary authorities, lack of diligence and misrepresentation. *In re Hoffmann, 154 N.J. 259 (1998).*

DAVID S. HOLLANDER

Admitted: 1974; Boca Raton, Florida
Disbarment - *157 N.J. 25 (1999)*
Decided: 1/26/1999

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $12,810 from monies he was holding in trust for the benefit of a minor. Respondent had been temporarily suspended from the practice of law in New Jersey since June 11, 1992 for failure to honor a fee arbitration determination.

ARNOLD E. HURTAULT

Admitted: 1988; Matawan (Monmouth County)
Admonition - *Unreported (1999)*
Decided: 10/28/1999

APPEARANCES BEFORE REVIEW BOARD
Terrence J. Bolan for District IX
Respondent appeared pro se

The Disciplinary Review Board, based upon a motion for discipline by consent, held that an admonition was the appropriate discipline for an attorney who, in one matter, failed to record a real estate deed and failed to ascertain the exact tax valuation of the property, resulting in an increased mortgage obligation for his clients, and who, in an unrelated transaction, failed to file a corrected deed on behalf of the clients despite repeated requests over a two-year period, thus engaging in a lack of diligence and failure to communicate with his clients.

TAYEB HYDERALLY, A/K/A TY HYDERALLY

Admitted: 1994; Pensacola, Florida
Reprimand - *162 N.J. 95 (1999)*
Decided: 12/7/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt and Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney whose certification to practice of law before Navy courts or boards was suspended by the Judge Advocate General of the United States Navy for two years as a result of sexual advances that the respondent made to two women who were his legal aid clients while he was in the Navy. In this case of first impression in New Jersey, the Disciplinary Review Board held that a JAG's disciplinary order constitutes discipline by another "tribunal" within the meaning of *R. 1:20-14(a)* requiring the imposition of reciprocal discipline in New Jersey.

THAKI ISMAEL

Admitted: 1985; Avenel (Middlesex County)
Suspension 6 Months - *157 N.J. 632 (1999)*
Decided: 3/23/1999 Effective: 4/19/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board,

held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who engaged in gross neglect and a pattern of neglect in three matters, failed to maintain proper trust and business accounts in accordance with *R.1:21-6*, failed to disburse $1,800 due to a client for almost a decade and failed to cooperate with the disciplinary system during the investigation of these matters. The respondent was previously disciplined. In 1992, he was privately reprimanded for failure to act with diligence and failure to cooperate with disciplinary authorities. In 1994, he was again privately reprimanded for failure to reconstruct financial records after a random audit. In 1995, the respondent was admonished for failure to communicate with a client, lack of diligence, and failure to reply to an investigator's request for information during the course of a disciplinary investigation.

MICHELE JACKSON

Admitted: 1992; Trenton (Mercer County)
Suspension 3 Months - *158 N.J. 154 (1999)*
Decided: 5/11/1999

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Cassandra T. Savoy for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who practiced law in violation of an order of the Supreme Court placing conditions on his bar admission that he practice only with appropriate supervision. Additionally, in another matter, the respondent retained fees from two clients while employed by another law firm, misrepresented the status of those outside cases to the law firm, and also represented those outside clients without adequate supervision and in violation of the Supreme Court's order.

DANIEL B. JACOBS

Admitted: 1976; Union City (Hudson County)
Suspension 6 Months - *156 N.J. 549 (1999)*
Decided: 1/12/1999 Effective: 6/10/1998

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Bergen County, to an indictment charging him with fourth degree crime of false public alarm by falsely reporting to a help hotline that he was a child molester and would continue to molest two year old boys. The respondent was previously disciplined. In 1988, he was privately reprimanded for gross neglect, lack of diligence, failure to expedite litigation, and pattern of neglect. In 1998, he was suspended from the practice of law for a period of three months for gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to promptly deliver funds to a client, failure to cooperate with disciplinary authorities, and various recordkeeping violations. *In re Jacobs, 152 N.J. 463 (1998)*.

DANIEL B. JACOBS

Admitted: 1976; West New York (Hudson County)
Disbarment by Consent - *157 N.J. 459 (1999)*
Decided: 2/23/1999

REPRESENTATIONS
Michael J. Sweeney for Attorney Ethics
William O. Perkins, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Hudson County, to a charge of practicing law without a license, a crime of the fourth degree, at a time when the respondent had been suspended from the practice of law in this state. At the time of his disbarment, the respondent was the subject of four separate formal complaints in 16 separate matters filed by the Office of Attorney Ethics and pending a trial date before a Special Ethics Master.

The respondent was suspended from the practice of law for a period of three months on March 9, 1998 for engaging in a pattern of neglect and gross neglect in four client matters, failing to communicate with clients, failing to promptly deliver funds to a client and failing to cooperate with disciplinary authorities. *In re Jacobs, 152 N.J. 463 (1998).* He was suspended for an additional six months effective June 10, 1998 as a result of a guilty plea entered in the Superior Court of New Jersey, Law Division, Bergen County, in an indictment charging him with the fourth degree crime of false public alarm by falsely reporting to a hotline that he was a child molester and would continue to molest young children. *In re Jacobs, 156 N.J. 549 (1998).*

CYNTHIA S. JENKINS
A/K/A CYNTHIA LOU SHARP JENKINS

Admitted: 1983; Haddon Heights (Camden County)
Reprimand - *157 N.J. 27 (1999)*
Decided: 1/26/1999

APPEARANCES BEFORE REVIEW BOARD
Patrick J. Monahan, Jr. for Attorney Advertising.
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was responsible for a flyer being published in several newspapers regarding living trusts and estate practice which included a number of statements that were inaccurate and may have misled individuals.

JESSE JENKINS, III

Admitted: 1992; Orange (Essex County)
Suspension 3 Months - *161 N.J. 142 (1999)*
Decided: 9/8/1999 Effective: 5/12/1998

APPEARANCES BEFORE REVIEW BOARD
Jay J. Rice for District VB
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, after being disqualified from representing a client during the course of litigation, nevertheless continued to handle the client's matter and to deal with third parties while misrepresenting the facts to them concerning his representation.

In 1997, the respondent was suspended from the practice of law for a period of six months for placing an "S" and writing a decedent's name on the signature line of a medical authorization to give the impression that the document had been signed by the decedent. In this fashion, the respondent fraudulently obtained the decedent's medical records from a hospital. Respondent also misrepresented to hospital officials that he was the attorney for the decedent. In fact, respondent represented two individuals who claimed to be related to the decedent. *In re Jenkins, 151 N.J. 469.* The respondent was originally denied admission to the bar of the state of New Jersey in 1978 because of misconduct occurring during the application process in which he displayed a consistent pattern of untruthfulness. Application of Jenkins, *94 N. J. 458 (1983).*

HUBERT JOHNSON

Admitted: 1973; Knoxville, Tennessee
Disbarment - *157 N.J. 531 (1999)*
Decided: 3/9/1999

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Dennis M. Donnelly for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was convicted in the state of Tennessee, Knox County, of first degree murder, in violation of *Tenn. Code Ann. 39-13-202* and attempted first degree murder, in violation of *Tenn. Code Ann. 39-12-101 and 39-13-202.*

The respondent had previously been disciplined when he received a three-year suspension from practice for negligent misappropriation of $20,000 in funds belonging to two infants and to an estate and for neglecting four other cases, thereby establishing a pattern of neglect, for which the New Jersey Clients' Security Fund paid out $29,501.68 in claims. *In re Johnson, 91 N.J. 616 (1982).* Respondent was restored to the practice of law in New Jersey on April 2, 1991. *In re Johnson, 123 N.J. 361 (1991).* Respondent was temporarily suspended from the practice of law following his criminal conviction on November 21, 1994. *In re Johnson, 138 N.J. 171 (1994).*

DENNIS D. JOY

Admitted: 1974; Sparta (Sussex County)
Disbarment - *157 N.J. 157 (1999)*
Decided: 2/9/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Tangerla Mitchell Thomas for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated over $16,350 in trust funds from two clients. The respondent was temporarily suspended from the practice of law in New Jersey on May 6, 1997. *In re Joy, 149 N.J. 89 (1997).* The respondent was previously the subject of a letter of admonition in 1997 for lack of diligence and failure to communicate with a client. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

SIDNEY S. KANTER

Admitted: 1972; Irvington (Essex County)
Suspension 1 Year - *162 N.J. 118 (1999)*
Decided: 12/7/1999 Effective: 6/3/1999

APPEARANCES BEFORE REVIEW BOARD
George J. Mazin for District VB
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who, in a series of six client matters, engaged in gross neglect, lack of diligence, failure to communicate, failure to prepare a retainer agreement, failure to expedite litigation, failure to cooperate with ethics authorities and conduct involving dishonesty, fraud, deceit or misrepresentation.

In 1995, the respondent was temporarily suspended from the practice of law for failure to comply with a demand for a random compliance audit. *In re Kanter, 142 N.J. 470 (1995).* In 1997, the respondent was suspended from the practice of law for a period of two years for misconduct in 11 matters, including gross neglect, lack of diligence, failure to communicate with clients, failure to turn over files upon conclusion of the representation, failure to expedite litigation, conduct involving dishonesty, deceit or misrepresentation and failure to cooperate with disciplinary authorities. *In re Kanter, 149 N.J. 396 (1997).*

SIDNEY S. KANTER

Admitted: 1972; Irvington (Essex County)

Suspension 1 Year - *162 N.J. 118 (1999)*
Decided: 12/7/1999 Effective: 6/3/2000

APPEARANCES BEFORE REVIEW BOARD
William D. Sanders for District VB
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who, in a series of seven client matters, engaged in gross neglect, lack of diligence, failure to communicate, failure to prepare a retainer agreement, failure to turn over a client file to a new attorney, failure to cooperate with ethics authorities and conduct involving dishonesty, fraud, deceit or misrepresentation.

In 1995, the respondent was temporarily suspended from the practice of law for failure to comply with a demand for a random compliance audit. *In re Kanter, 142 N.J. 470 (1995).* In 1997, the respondent was suspended from the practice of law for a period of two years for misconduct in 11 matters, including gross neglect, lack of diligence, failure to communicate with clients, failure to turn over files upon conclusion of the representation, failure to expedite litigation, conduct involving dishonesty, deceit or misrepresentation and failure to cooperate with disciplinary authorities. *In re Kanter, 149 N.J. 396 (1997).*

BRETT K. KATES

Admitted: 1987; Mount Laurel (Burlington County)
Disbarment - *162 N.J. 10 (1999)*
Decided: 10/6/1999

REPRESENTATIONS BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and recommendation by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who dishonestly obtained $11,500 from an 85 year old widow to invest in a limited partnership and attempted to retain the money by billing her for $11,500 of work that he did not do. The respondent also forged the elderly lady's signature on partnership and trust documents and misrepresented that they had been filed with the Department of State when, in fact, they had not. He also duped another couple by misrepresenting he was a lawyer in good standing when, in fact, he was suspended, taking $2,500 as a "fee", and doing nothing. The respondent had been previously suspended from the practice of law for a period of three months in 1994 for lack of diligence, failure to comply with a client's reasonable request for information and for failure to cooperate with the ethics system. *In re Kates, 137 N.J. 102 (1994).* He never applied for reinstatement from that suspension.

MICHAEL H. KESSLER

Admitted: 1969; Union (Union County)
Reprimand - *157 N.J. 73 (1999)*
Decided: 1/26/1999

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated client trust funds, drew trust account checks against uncollected funds, and failed to maintain proper trust and business accounting records. In 1993, the respondent was privately reprimanded for lack of diligence, failure to communicate and failure to cooperate with the disciplinary system.

S. DORELL KING

Admitted: 1980; Verona (Essex County)
Suspension 3 Months - *157 N.J. 548 (1999)*
Decided: 3/9/1999 Effective: Indefinite

REPRESENTATIONS BEFORE REVIEW BOARD
Mitchel E. Ostrer for District VC
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in gross neglect, a pattern of neglect, lack of diligence, and failure to communicate with a client in a personal injury matter and who also failed to cooperate with disciplinary authorities during the investigation and processing of the case. The respondent is currently under temporary suspension, entered on June 16, 1998, for failure to return a $7,500 unused retainer to her client as ordered by a District Fee Arbitration Committee. *In re King, 154 N.J. 119 (1998).* The Court ordered that her three-month suspension should not begin until the return of the $7,500 retainer. The respondent was previously reprimanded for gross neglect, pattern of neglect, lack of diligence, failure to communicate and failure to return an unearned fee in a client file. *In re King, 152 N.J. 379 (1998).*

HERBERT M. KORN

Admitted: 1972; Morristown (Morris County)
Reprimand - *157 N.J. 624 (1999)*
Decided: 3/23/1999

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Donald R. Belsole for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds, exhibited a lack of diligence and failed to safeguard funds in two matters; failed to comply with recordkeeping rules in those matters, plus a third matter; failed to supervise staff in one of those matters, plus in another matter; and employed a disbarred attorney. The Court also ordered that, within 60 days after the filing date of the Court's Order, the respondent shall pay to New Jersey Manufacturers Insurance Company the sum of $2,325 to satisfy in full a compromised lien.

KAREN ANN KUBULAK

Admitted: 1980; Perth Amboy (Middlesex County)
Suspension 3 Months - *157 N.J. 74 (1999)*
Decided: 1/26/1999 Effective: 3/1/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected four client matters, failed to communicate with clients and failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

MARTIN C. LATINSKY

Admitted: 1983; Tenafly (Bergen County)
Admonition - *Unreported (1999)*
Decided: 11/29/1999

APPEARANCES BEFORE REVIEW BOARD
Anne C. Skau for District IIA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in three separate matters, acted without proper diligence, failed to communicate reasonably with his clients and, in one matter, failed to properly withdraw from representation with a client.

KARL R. LAWNICK

Admitted: 1988; Perth Amboy (Middlesex County)
Suspension 3 Months - *162 N.J. 115 (1999)*
Decided: 12/7/1999 Effective: Indefinite

REPRESENTATIONS BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who failed to diligently represent a client in a negligence matter and failed to keep the client reasonably informed of the status. Furthermore, the respondent failed to turn over his file to new counsel when requested and failed to cooperate with disciplinary authorities by failing to file an answer to a formal ethics complaint.

In 1998, the respondent was temporarily suspended from the practice of law for failure to comply with an order of the Supreme Court. *In re Lawnick, 155 N.J. 117 (1998).*

KARL R. LAWNICK

Admitted: 1988; Perth Amboy (Middlesex County)
Suspension 1 Year - *162 N.J. 113 (1999)*
Decided: 12/7/1999 Effective: Indefinite

REPRESENTATIONS BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who, in a series of six matters, agreed to represent clients, then did nothing. In five of the matters, the respondent accepted retainers, ranging from $500 to $1,500, and thereafter undertook no action on behalf of those clients. The respondent also refused to reply to any communications from his clients and, in every matter, refused to cooperate with the investigation conducted by the disciplinary system.

In 1998, the respondent was temporarily suspended from the practice of law for failure to comply with a Supreme Court order. *In re Lawnick, 155 N.J. 117 (1998).*

BARBARA K. LEWINSON

Admitted: 1981; East Brunswick (Middlesex County)
Suspension 6 Months - *157 N.J. 627 (1999)*
Decided: 3/23/1999 Effective: 4/19/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who consented to be disbarred in the Commonwealth of Pennsylvania after admitting that she represented a client in two criminal cases in Pennsylvania while ineligible to practice law due to her failure to comply with Pennsylvania's Continuing Legal Education requirements. The respondent also admitted that she misrepresented her status to the criminal court judge before whom she appeared. In 1992, the respondent received a public reprimand for failure to maintain adequate attorney business

records during 1984 and 1985. *In re Lewinson, 126 N.J. 515 (1992)*.

BARBARA K. LEWINSON

Admitted: 1981; East Brunswick (Middlesex County)
Suspension 3 Months - *162 N.J. 4 (1999)*
Decided: 10/6/1999 Effective: 10/19/1999

APPEARANCES BEFORE REVIEW BOARD
Lorraine Pullen for District VIII
Evan L. Goldman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in two separate matters, allowed the case to either be dismissed or summary judgment granted for failure to file an expert report for an extended period of time. In one of those matters, the respondent's mishandling of the case continued on appeal as she failed to timely order transcripts, again resulting in dismissal of the appeal.

The respondent has a significant history of discipline. In 1992, she received a public reprimand for failure to maintain adequate business records for two years and for a series of negligent misappropriations of clients' trust funds. In re Lewinson, 126 N.J. 515 (1992). In 1999, the respondent was suspended from the practice of law for a period of six months as the result of being first disciplined in the state of Pennsylvania for misconduct in a matter, including gross neglect, failure to communicate, lack of diligence and misrepresentations to her client and the court. In re Lewinson, 157 N.J. 627 (1999).

JAMES R. LISA

Admitted: 1984; Bayonne (Hudson County)
Suspension 1 Year - *158 N.J. 5 (1999)*
Decided: 3/23/1999

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Angelo Bianchi for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who, after being suspended from the practice of law in New Jersey, appeared before a New York Supreme Court judge and failed to advise that judge of his New Jersey suspension, as required by *R. 1:20-20* and, thereafter, misrepresented his status to the judge when specifically questioned about it. The respondent had been previously disciplined. In 1995, he received an admonition for using his trust account as a business account and for failing to correct recordkeeping deficiencies. In 1998, he was suspended from the practice of law for three months, effective March 24, 1998, for admitting to being under the influence of a controlled, dangerous substance, cocaine, having unlawful constructive possession of a controlled, dangerous substance, 0.73 grams of cocaine, and unlawful possession of drug paraphernalia, all of which offenses occurred in July 1996.

GERALD M. LYNCH

Admitted: 1977; New Brunswick (Middlesex County)
Admonition - *Unreported (1999)*
Decided: 5/28/1999

APPEARANCES BEFORE REVIEW BOARD
Oleta J. Harden for District IX
Frank J. Shamy for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in representing a client in a personal injury matter, failed to inform the client that, despite her request, he failed to file the necessary paperwork to reject an arbitration award. Thereafter, the client initially agreed to accept the arbitration award of $17,500 and then changed her mind. In the interim, the attorney secured the check from the insurance company and was not able to return it. As a result, the attorney improperly signed the client's name on the back of the check and deposited the money in his trust account. His failure to notify the client of the receipt of the settlement proceeds and to properly deliver them to her was an ethical violation. The respondent also failed to cooperate with the district ethics committee in the investigation and processing of the matter.

SIXTO L. MACIAS

Admitted: 1980; Union City (Hudson County)
Suspension 3 Months - *159 N.J. 516 (1999)*
Decided: 7/15/1999 Effective: 8/11/1999

APPEARANCES BEFORE REVIEW BOARD
Bennett A. Robbins for District VI
Ivan M. Sutherland for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a personal injury matter and failed to supervise an associate attorney with the result that the case was dismissed. The respondent failed to monitor the case and failed to take any remedial action to remedy the mistakes of his subordinate once they were brought to his attention. The respondent has been previously disciplined. In 1990, he received a public reprimand for failure to cooperate with the Office of Attorney Ethics by not properly certifying that recordkeeping deficiencies found during a random audit had been corrected. *In re Macias, 121 N.J. 243*. In 1991, the respondent was again publicly reprimanded for exhibiting a pattern of neglect and a lack of diligence in four matters. *In re Macias, 124 N.J. 601.*

WILLIAM MAIONE

Admitted: 1982; Scotch Plains (Union County)
Reprimand - *158 N.J. 21 (1999)*
Decided: 4/6/1999

APPEARANCES BEFORE REVIEW BOARD
Jeffrey S. Charney for District XII
Robert A. Giegerich for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest by representing multiple parties with competing interests and also notarized a deed that was signed out of his presence.

MARC J. MALFARA

Admitted: 1993; Blackwood (Camden County)
Reprimand - *157 N.J. 635 (1999)*
Decided: 3/23/1999

APPEARANCES BEFORE REVIEW BOARD
Ronald Manos for District IV
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who displayed gross neglect by failing to appear at two bankruptcy court hearings forcing the client to represent himself and who exhibited conduct prejudicial to the administration of justice by failing to honor the bankruptcy judge's order to reimburse the client $500 for the retainer given in those cases. The respondent also failed to cooperate with the Office of Attorney Ethics during the investigation and processing of this matter.

SAMUEL MANDEL

Admitted: 1968; Moorestown (Burlington County)
Reprimand - *162 N.J. 100 (1999)*
Decided: 12/7/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Warren S. Jones, Jr. for District IIIB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who grossly neglected a claim for property damage on behalf of a client, failed to communicate with the client, failed to turn over a file to a new attorney and failed to cooperate with disciplinary authorities.

SAMUEL MANDEL

Admitted: 1968; Moorestown (Burlington County)
Reprimand - *Unreported (1999)*
Decided: 12/7/1999

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who committed unethical conduct in three separate matters, including gross neglect, lack of diligence, failure to communicate and failure to cooperate with disciplinary authorities in the prosecution of the matter.

GEORGE J. MANDLE, JR.

Admitted: 1970; Linden (Union County)
Reprimand - *157 N.J. 68 (1999)*
Decided: 1/26/1999

APPEARANCES BEFORE REVIEW BOARD
Barbara S. Worth for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in an estate matter, was guilty of gross neglect, lack of diligence, lack of communication and failure to cooperate with disciplinary authorities in the investigation of the matter. Respondent was previously reprimanded in 1996 for gross neglect, lack of diligence and failure to cooperate with ethics authorities in four separate matters. *In re Mandle, 146 N.J. 520 (1996).*

WILLIAM D. MANNS, JR.

Admitted: 1978; Newark (Essex County)
Reprimand - *157 N.J. 532 (1999)*
Decided: 3/9/1999

APPEARANCES BEFORE REVIEW BOARD
Jeffery M. Pollock for District VA
Thomas R. Ashley for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who exhibited a lack of diligence in three matters, grossly neglected two of those matters and failed to communicate with his client in one of the cases. The Court also ordered that, for a period of six months, respondent's practice be supervised by a practicing attorney approved by the Office of Attorney Ethics.

MARTIN G. MARGOLIS

Admitted: 1961; Verona (Essex County)
Reprimand - *161 N.J. 139 (1999)*
Decided: 9/8/1999

APPEARANCES BEFORE REVIEW BOARD

Brian D. Gillet for Attorney Ethics
Justin P. Walder for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who breached his fiduciary duty as escrow agent when he released $45,000 in escrow funds to his law firm and his client before he delivered the agreed- upon original litigation settlement documents to his adversary's attorney. Despite several inquiries by the adversary, respondent failed to reply to requests regarding his continuing obligations under the escrow agreement.

STEVEN J. MARMAROU

Admitted: 1981; Marlton (Burlington County)
Disbarment by Consent - *162 N.J. 117 (1999)*
Decided: 12/14/1999

REPRESENTATIONS
Michael J. Sweeney for Attorney Ethics
Anthony B. Costa for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging that he forged the judge's signature on a divorce judgment in one matter and that, in a separate matter, he knowingly misappropriated client's trust funds.

The respondent was temporarily suspended from the practice of law in New Jersey on October 18, 1999.

SCOTT J. MARUM

Admitted: 1979; Morristown (Morris County)
Suspension 1 Year - *157 N.J. 625 (1999)*
Decided: 3/23/1999 Effective: 4/19/1999

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Joseph R. McDonough for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who displayed gross neglect in three matters, exhibited a lack of diligence in eight matters, failed to communicate with clients in nine matters, made misrepresentations in six matters and generally showed a pattern of neglect over an 11-year period, between 1985 through 1996. The respondent was previously disciplined. In 1995, he was admonished for lack of diligence and failure to keep a client informed in a personal injury action. Respondent also failed to take adequate steps to have a legal guardian appointed for purposes of distributing the client's settlement funds. In 1997, the respondent was again admonished for lack of diligence and failure to keep his client informed in a personal injury matter that was dismissed upon respondent's failure to move for either a trial de novo or for confirmation of an arbitration award.

KENNETH C. MCBROOM

Admitted: 1980; Hackensack (Bergen County)
Suspension 2 Years - *158 N.J. 258 (1999)*
Decided: 5/25/1999 Effective: 4/29/1996

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of an indictment charging him with possession of computer files and images containing visual depictions, downloaded from the Internet, of minors engaged in sexually explicit conduct, in violation of *18 U.S.C.A. 2252(a)4.* The respondent's criminal sentence was modified on appeal [United States v. McBroom, 124 F. 3rd 533 (3rd Cir. 1997)], and he was ultimately sentenced to six months imprisonment followed by two months of home confinement [United States v. McBroom, 991 F. Supp. 445 (1998)]. The respondent had been temporarily suspended from the practice of law since April 29, 1996. *In re McBroom, 143 N.J. 560 (1996).*

LARRY J. MCCLURE

Admitted: 1971; Hackensack (Bergen County)
Admonition - *Unreported (1999)*
Decided: 2/22/1999

APPEARANCES BEFORE REVIEW BOARD
Wendy F. Klein for District IIB
Paul J. Giblin for respondent

The Disciplinary Review Board held that an admonition by consent was the appropriate discipline for an attorney who, in one matter, failed to execute a written retainer agreement, failed to prepare a complaint and failed to communicate with his client for a period of one and one-half years, thus engaging in gross neglect, lack of diligence and failure to communicate, and who, in a second matter, failed to communicate with his clients for a period of six months and failed to respond to a motion filed in their case. The respondent also failed to timely cooperate with the district ethics committee in the investigation of the matter.

JAMES J. MCGUIRE, JR.

Admitted: 1974; Tinton Falls (Monmouth County)
Admonition - *Unreported (1999)*
Decided: 2/24/1999

APPEARANCES BEFORE REVIEW BOARD

Mitchell J. Ansell for District IX
Robert J. DeGroot for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was hired to file an appeal from a reconsideration of the denial of a workers' compensation claim, but who did not process the matter with reasonable diligence nor keep his client reasonably informed about the status of the matter.

SAMUEL R. MILLER, III

Admitted: 1989; Bloomfield (Essex County)
Disbarment by Consent - *161 N.J. 218 (1999)*
Decided: 9/14/1999

REPRESENTATIONS
John McGill, III for Attorney Ethics
Roy W. Breslow for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

RICHARD M. MILSTEAD

Admitted: 1965; Vineland (Cumberland County)
Reprimand - *162 N.J. 96 (1999)*
Decided: 12/7/1999

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Vincent Pancari for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who improperly released $103,000 held in escrow under a court order to his client, thus breaching an order of the court and the attorney's fiduciary duty as an escrow agent.

SETH MININSOHN

Admitted: 1985; Hoboken (Hudson County)
Disbarment - *162 N.J. 62 (1999)*
Decided: 12/3/1999

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Andrew P. Napolitano for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated client trust and escrow funds. In nine real estate matters, he represented the seller or was the escrowee for the buyer's deposit and invaded those funds prior to closing. On six other occasions, the respondent disbursed fees to himself before he received any funds to the credit of his client. The Court rejected the respondent's contention that he erroneously believed that he had an equity cushion in the trust account at the time he disbursed funds to himself. This case was discovered solely as a result of the Trust Overdraft Notification Program.

ELLIOTT D. MOORMAN

Admitted: 1977; East Orange (Essex County)
Reprimand - *159 N.J. 523 (1999)*
Decided: 7/15/1999

APPEARANCES BEFORE REVIEW BOARD
Judith E. Rodner for District VA
Oliver Lofton for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in representing a criminal defendant, failed to act diligently, failed to provide the client with a written retainer, failed to maintain proper trust and business account records required by *R. 1:21-6* and failed to cooperate with disciplinary authorities during the investigation of the matter. The respondent has a disciplinary history. In 1990, he was publicly reprimanded for misconduct that occurred from 1981 through 1991 and included failure to maintain proper time records, failure to preserve the identity of clients' funds, and callous indifference toward the disciplinary system. *In re Moorman, 118 N.J. 422.* In 1994, the respondent was suspended from the practice of law for a period of three months for misconduct that occurred between 1989 through 1991, including gross neglect, failure to act with reasonable diligence and promptness, failure to keep a client reasonably informed about the status of the matter and failure to comply with reasonable requests for information. *In re Moorman, 135 N.J. 1*.

MICHAEL K. MULLEN

Admitted: 1982; Morristown (Morris County)
Admonition - *158 N.J. 20 (1999)*
Decided: 4/21/1999

APPEARANCES BEFORE REVIEW BOARD
Luanne M. Peterpaul for District XII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who allowed an estate matter to languish for a period of one and one-half years and failed to comply with one of the beneficiary's numerous efforts to obtain information about the progress of the case.

STEVEN T. MULLER

Admitted: 1971; Bergenfield (Bergen County)
Reprimand - *162 N.J. 118 (1999)*

Decided: 12/7/1999

APPEARANCES BEFORE REVIEW BOARD
James R. Stevens for District IIA
John E. Selser for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a matrimonial proceeding as evidenced by his failure to move swiftly to restore a dismissed complaint once he learned that it had been dismissed, and misrepresented himself by failing to disclose to his clients the true posture of the case that the complaint had been dismissed. The respondent received a private reprimand in 1991 for failing to take action on a client's behalf for five months after accepting a $500 retainer.

CHARLES J. MYSAK

Admitted: 1977; Wayne (Passaic County)
Disbarment - *162 N.J. 181 (1999)*
Decided: 12/27/1999

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who displayed a pattern of invading one client's funds for the benefit of another or himself, thus committing knowing misappropriation of both escrow funds and client funds. The respondent had been temporarily suspended from the practice of law in New Jersey since July 21, 1997. Prior thereto, in 1995, he was admonished for exhibiting disruptive conduct during a trial, leading to a finding of criminal contempt.

This case was discovered solely as a result of the Random Audit Compliance Program.

S. MICHAEL NAMIAS

Admitted: 1972; North Brunswick (Middlesex County)
Reprimand - *157 N.J. 15 (1999)*
Decided: 1/22/1999

APPEARANCES BEFORE REVIEW BOARD
Carol Perez for District VIII
Thomas J. Welchman for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was retained in connection with an employment matter but who never filed suit on the client's behalf and failed to communicate the status of the matter and also practiced law in 1993 and 1994 while he was declared ineligible by the Supreme Court for failure to pay his annual attorney registration assessment.

STEVEN S. NEDER

Admitted: 1973; Millville (Cumberland County)
Admonition - *Unreported (1999)*
Decided: 5/27/1999

APPEARANCES BEFORE REVIEW BOARD
Catherine Tuohy for District I
James J. Seeley for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who represented a matrimonial client without obtaining a written retainer agreement, as required by court rules, failed to pay over $150 in child support and $930 in legal fees intended for the adversary attorney, instead applying them to his legal fee. The respondent also failed to act with diligence and failed to comply with recordkeeping requirements of *Rule 1:21-6*.

CAROL POWE NEWTON

Admitted: 1982; Paterson (Passaic County)
Suspension 1 Year - *159 N.J. 526 (1999)*
Decided: 7/15/1999 Effective: 8/13/1999

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Clark L. Cornwell, III for respondent

The Supreme Court of New Jersey held that a one year suspension from the practice of law was the appropriate discipline for an attorney who participated in a scheme to defraud lenders by drafting lease/buyback agreements which were specifically created to avoid secondary financing and to allow the sellers, not the investors, to remain on the premises. The respondent took at least one false jurat and, in eight transactions, acknowledged documents that contained misrepresentations, including affidavits of title, Fanny Mae affidavits and agreements and RESPA statements. As a result, the lenders were deceived into believing that the investors were going to occupy the subject properties as their primary residences.

KRZYSZTOF L. NOWAK

Admitted: 1978; Old Bridge (Middlesex County)
Suspension 3 Months - *159 N.J. 520 (1999)*
Decided: 7/15/1999 Effective: 8/11/1999

APPEARANCES BEFORE REVIEW BOARD
Louise Elizabeth Xifo for District XIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who represented clients with adverse interests in several real estate transactions and then compounded the violation by preparing

two settlement statements, both of which contained misrepresentations. The settlement statements failed to disclose secondary financing, misrepresenting the sale price and the amount of cash to the seller from the borrowers. These misrepresentations were made specifically to mislead the first mortgagee as to the true sums of the transaction.

KRZYSZTOF L. NOWAK

Admitted: 1978; Old Bridge (Middlesex County)
Disbarment by Consent - *162 N.J. 146 (1999)*
Decided: 12/20/1999

REPRESENTATIONS
Michael J. Sweeney for Attorney Ethics
Robert E. Margulies for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent by a respondent who admitted that he could not successfully defend charges alleging the knowing misappropriation of client/escrow funds. In 1999, the respondent was suspended from the practice of law in New Jersey for a period of three months, effective August 11, 1999, for conflict of interest and misrepresentation.

DENNIS J. O'BRIEN

Admitted: 1968; Haddon Heights (Camden County)
Disbarment by Consent - *157 N.J. 185 (1999)*
Decided: 2/9/1999

REPRESENTATIONS
John McGill, III for Attorney Ethics
Robert N. Agre for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Camden County, to an accusation charging him with three counts of third degree theft by misapplication of entrusted funds, in violation of *N.J.S.A. 2C:21-15.*

JAMES M. O'BRIEN

Admitted: 1985; Staten Island, New York
Disbarment by Consent - *162 N.J. 110 (1999)*
Decided: 12/10/1999

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Michael A. Querques for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misuse of clients' trust funds.

HAROLD V. O'GRADY

Admitted: 1974; Jersey City (Hudson County)
Disbarment - *162 N.J. 12 (1999)*
Decided: 10/6/1999

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
John A. Young, Jr. for respondent

The Supreme Court of New Jersey held that Disbarment was the appropriate discipline for an attorney who knowingly misappropriated $4,000 from a real estate settlement escrow and used the monies for personal expenses. Respondent's psychiatric and medical problems, including brain lesions, were insufficient to demonstrate that during the protracted period of time when the misappropriations occurred, the respondent lacked the competence, comprehension and will to conform his actions to the Rules of Professional Conduct. The respondent had been temporarily suspended from the practice of law since May 9, 1995. *In re O'Grady, 140 N.J. 80.*

FRANK B. O'NEILL, JR.

Admitted: 1970; New York, New York
Reprimand - *157 N.J. 639 (1999)*
Decided: 3/23/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who accepted representation of a personal injury client and, thereafter, took no action on the client's behalf and ignored the client's attempts to ascertain the status of the matter. The respondent also failed to cooperate with the disciplinary system during the investigation of this case.

ANGEL OJEDA

Admitted: 1989; Hackensack (Bergen County)
Reprimand - *158 N.J. 261 (1999)*
Decided: 5/25/1999

APPEARANCES BEFORE REVIEW BOARD
Susan Thal for District IIB
Respondent did not appear

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a series of three matters, engaged in gross neglect, lack of diligence and failure to communicate. The respondent had been transferred to disability inactive status by Order of the Supreme Court on February 6, 1997. *In re Ojeda, 147 N.J. 433.*

STEVEN M. OLITSKY

Admitted: 1976; Irvington (Essex County)
Suspension 6 Months - *158 N.J. 110 (1999)*
Decided: 4/6/1999 Effective: 11/16/1997

APPEARANCES BEFORE REVIEW BOARD
George J. Mazin for District VB
Paul W. Bergrin for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who grossly neglected two bankruptcy clients, ignored the clients' numerous telephone calls and letters, failed to provide one client with a written fee agreement and failed to surrender property of the client on termination of the representation.

The respondent was previously disciplined. In 1993, he received a private reprimand for failure to communicate with a client and failure to prepare a written retainer agreement. In 1996, he received an admonition for failure to prepare a retainer agreement and to inform his client that his law firm would not initiate the matter unless payment in full of the fee was made. In 1997, he was suspended from practice for a period of three months for recordkeeping deficiencies, which included the commingling of personal and client funds in his trust account to avoid an IRS levy on his personal funds. *In re Olitsky, 149 N.J. 27 (1997)*. Thereafter, the respondent's application for reinstatement to the practice of law was denied by the Supreme Court pending the resolution of all ethics grievances against him. In 1998, the Court imposed a three-month suspension, consecutive to his previous suspension, for four separate cases constituting gross neglect, lack of diligence, failure to explain a matter to the extent reasonably necessary to permit the client to make an informed decision regarding the representation, and failure to communicate and to provide his clients with a written fee agreement in three matters. *In re Olitsky, 154 N.J. 177 (1998)*.

WILLIAM H. OLIVER, JR.

Admitted: 1972; Asbury Park (Monmouth County)
Admonition - *Unreported (1999)*
Decided: 2/22/1999

APPEARANCES BEFORE REVIEW BOARD
Gary E. Linderoth for District IX
Alfred J. D'Auria for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in a bankruptcy proceeding, failed to supervise employees in his office and allowed them to sign the client's name on certain pages of the bankruptcy petition. The conduct was unethical even though the client had signed the final page of the petition, itself.

JAMES R. OWENS

Admitted: 1976; Jersey City (Hudson County)
Disbarment by Consent - *158 N.J. 10 (1999)*
Decided: 4/1/1999

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Donald R. Venezia for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who agreed that he could not successfully defend pending charges alleging the knowing misappropriation of trust funds held in the capacity of guardian. The respondent had been temporarily suspended from the practice of law since March 31, 1999.

RAYMOND T. PAGE

Admitted: 1983; Woodbury (Gloucester County)
Suspension 6 Months - *162 N.J. 107 (1999)*
Decided: 12/7/1999 Effective: 3/16/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Michael A. Kaplan for District IV
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who engaged in gross neglect, lack of diligence, failure to communicate and failure to cooperate with disciplinary authorities.

The respondent has a history of discipline. In 1995, he was admonished for lack of diligence, failure to communicate with a client and failure to respond to an ethics investigator's request for information. In 1997, he was reprimanded for gross neglect, failure to communicate and failure to keep a client reasonably informed. *In re Page, 150 N.J. 254 (1997).* In 1998, he was suspended for three months for gross neglect, failure to communicate, lack of diligence, failure to communicate the basis of the rate or fee in writing, and failure to cooperate with disciplinary authorities. *In re Page, 156 N.J. 432 (1998).*

JOSEPH A. PANEPINTO

Admitted: 1970; Jersey City (Hudson County)
Suspension 2 Years - *157 N.J. 458 (1999)*
Decided: 2/23/1999 Effective: 2/7/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Justin P. Walder for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years

was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to conspiracy to commit bank fraud, in violation of *18 U.S.C.A. ' 371*, in connection with a fraudulent loan from the respondent to a client, the intent of which was to deceive Citicorp Mortgage, Inc. into believing that the funds were available to the purchaser of real estate in order to induce a mortgage commitment. The respondent had been temporarily suspended from the practice of law since February 7, 1997. *In re Panepinto, 147 N.J. 431 (1997).*

VINCENT D. PARAGANO

Admitted: 1980; Bernardsville (Somerset County)
Suspension 6 Months - *157 N.J. 628 (1999)*
Decided: 3/23/1999 Effective: 4/19/1999

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Andrew M. Epstein for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in an internal law firm dispute, engaged in fraud by mischaracterizing over $16,000 of personal disbursements as firm expenses in the attorney business account checkbook, thus committing 14 acts of deception over a 16-month period by misrepresenting the purpose of the expenditures. The respondent previously received a private reprimand in 1989 for the improper execution of a jurat.

PATRICK PATEL

Admitted: 1985; Jersey City (Hudson County)
Suspension 3 Months - *159 N.J. 527 (1999)*
Decided: 7/15/1999 Effective: 8/13/1999

APPEARANCES BEFORE REVIEW BOARD
Steven Menaker for District VI
Bernard K. Freamon for respondent

The Supreme Court of New Jersey, having granted the respondent's petition for review, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in multiple conflicts of interest, failed to maintain an attorney trust account, failed to maintain proper trust and business account records, and failed to provide his client with a closing statement upon settlement of a contingent fee matter.

GUY A. PELUSO

Admitted: 1984; West Long Branch (Monmouth County)
Suspension 3 Months - *156 N.J. 545 (1999)*
Decided: 1/121999

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected six client matters and failed to maintain trust and business account records as required by *Rule 1:21-6* resulting in two overdrafts of respondent's trust account. The respondent had been temporarily suspended from the practice of law in New Jersey since September 10, 1998 for failing to cooperate with an unrelated ethics investigation.

GUY A. PELUSO

Admitted: 1984; West Long Branch (Monmouth County)
Disbarment by Consent - *158 N.J. 449 (1999)*
Decided: 6/14/1999

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Charles J. Uliano for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of clients' trust funds. The respondent had been temporarily suspended from the practice of law since September 10, 1998 as a result of his failure to cooperate with the disciplinary system in the investigation of several grievances. *In re Peluso, 155 N.J. 596 (1998)*. He was also suspended from the practice of law for a period of three months for grossly neglecting six client matters, failing to maintain trust and business account records, as required by Rule 1:21-6, resulting in overdrafts. *In re Peluso, 156 N.J. 545 (1999)*.

ANGEL R. PENA

Admitted: 1984; Fort Lee (Bergen County)
Suspension 6 Months - *162 N.J. 15 (1999)*
Decided: 10/22/1999 Effective: 11/17/1999

APPEARANCES BEFORE SUPREME COURT
Tangerla Mitchell Thomas for Attorney Ethics
Bernard K. Freamon for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who engaged in a conflict of interest by representing his clients in the sale of real estate to the respondent's close and personal friends and also by becoming directly involved in the purchase of the property himself. The respondent was previously privately reprimanded in 1993 for allowing the statute of limitations to expire on a client's uninsured motorist claim and for failing to release the client's files to her new attorney.

JAMES R. PICCIANO

Admitted: 1972; Haddon Heights (Camden County)
Disbarment - *158 N.J. 470 (1999)*
Decided: 6/18/1999

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $5,000 of escrow funds withheld from a personal injury settlement in order to pay the client's physician. The respondent had previously been reprimanded for gross neglect, lack of diligence and failure to communicate in two matters. In addition, respondent misrepresented the status of the case to one client and failed to reduce the basis of his fee to writing. *In re Picciano, 144 N.J. 82 (1996).*

ALAN S. PORWICH

Admitted: 1979; Jersey City (Hudson County)
Reprimand - *159 N.J. 511 (1999)*
Decided: 7/15/1999

APPEARANCES BEFORE REVIEW BOARD
Joseph Talafous, Jr. for District VI
Gerald Miller for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a series of four matters, engaged in gross neglect, lack of diligence, failure to communicate, and failure to cooperate with ethics authorities and who misrepresented the status of the case in one matter.

RAFAEL A. PRADO

Admitted: 1978; Jersey City (Hudson County)
Suspension 3 Months - *159 N.J. 528 (1999)*
Decided: 7/15/1999 Effective: 8/13/1999

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Gerald D. Miller for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds in several matters and then failed to replace the trust funds for a period of one and one-half years. The respondent was previously audited by the Office of Attorney Ethics and warned of his recordkeeping deficiencies. He also certified to the Office of Attorney Ethics that he had corrected those deficiencies, which he had not.

THOMAS E. PRIMAVERA

Admitted: 1975; Shrewsbury (Monmouth County)
Suspension 1 2 Years - *157 N.J. 459 (1999)*
Decided: 2/23/1999 Effective: 11/18/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
John T. Mullaney, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one and one-half years was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to misprision of felony, in violation of *18 U.S.C.A. ' 4,* by failing to take any action when he learned that the purchaser of real estate and the purchaser's attorney intended to submit a false Real Estate Settlement Procedures Act Statement to Citicorp Mortgage, Inc.

RUDOLF L. RAINES

Admitted: 1985; South Orange (Essex County)
Disbarment by Consent - *161 N.J. 138 (1999)*
Decided: 8/31/1999

REPRESENTATIONS
John McGill, III for Attorney Ethics
Kirk D. Rhodes for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of escrow funds held in a real estate settlement transaction.

ROBERT E. RIVA

Admitted: 1979; Short Hills (Essex County)
Reprimand - *157 N.J. 34 (1999)*
Decided: 2/5/1999

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a litigated matter allowing a default judgment to be entered and then failed to act with diligence to have the default vacated, while also misrepresenting the status of the matter to his clients.

JOANNE E. ROBINSON

Admitted: 1984; South Orange (Essex County)
Suspension 3 Months - *157 N.J. 631 (1999)*
Decided: 3/23/1999 Effective: 4/12/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who practiced law after she was declared ineligible by the Supreme Court for failure to pay her 1997 annual attorney registration statement, failed to act competently on behalf of a client and to communicate reasonably with the client and ultimately misrepresented to the client that documents had been filed in the case when they had not. The Court also ordered that, prior to her reinstatement, the respondent must refund the $800 legal fee charged to the client in the underlying matter.

IGNACIO SAAVEDRA, JR.

Admitted: 1972; Union City (Hudson County)
Suspension 3 Months - *162 N.J. 108 (1999)*
Decided: 12/7/1999

APPEARANCES BEFORE REVIEW BOARD
Kathleen B. Estabrooks for District XII
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who undertook representation of a juvenile in connection with a delinquency complaint, and appeared in court one time without being paid a fee, based upon his prior relationship with the family. Thereafter, the respondent failed to appear for trial and improperly withdrew without seeking leave of court. The respondent further ignored the judge's order to appear on a rescheduled date for trial.

The respondent had been previously disciplined. In 1978, he received a private reprimand for obtaining a retainer from his client and then failing to proceed with the matter without being relieved as counsel. In 1993, he was publicly reprimanded for gross neglect, failure to communicate and failure to cooperate with ethics authorities in two matters. *In re Saavedra, 132 N.J. 271 (1993).* In 1997, the respondent was suspended for a period of three months for misconduct in three matters, which included gross neglect, pattern of neglect, failure to act with reasonable diligence and promptness, failure to keep a client reasonably informed about the status of the matter and to comply with reasonable requests for information, conduct prejudicial to the administration of justice and failure to return an unearned retainer. *In re Saavedra, 147 N.J. 269 (1997).*

GENEROSO SCALA

Admitted: 1993; New Brunswick (Middlesex County)
Admonition - *Unreported (1999)*
Decided: 12/17/1999

APPEARANCES BEFORE REVIEW BOARD
Andre W. Gruber for District VIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to properly withdraw from representation of a client and failed to turn over the client's file to another attorney, as requested.

STEPHEN D. SCHARFETTER

Admitted: 1986; Morris Plains (Morris County)
Suspension 6 Months - *159 N.J. 518 (1999)*
Decided: 7/15/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Thomas A. Zelante for District X
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who grossly neglected his responsibilities in representing the purchasers of a home by failing to file necessary documents, including the deed, and failing to pay the realty transfer fee and to reply to his client's communications. During the period of time involved in this matter, the respondent was also ineligible to practice law due to his failure to pay the annual attorney registration fee. He also failed to cooperate with disciplinary authorities during the investigation of the matter. The respondent was previously disciplined. In 1990, he was privately reprimanded for neglecting six matters and for misrepresenting the status of five of those matters to the members of his law firm. In 1997, he was temporarily suspended from the practice of law for failure to release funds from this real estate closing that resulted in his six months' suspension. *In re Scharfetter, 151 N.J. 480.*

JEFFREY A. SCHNEPPER

Admitted: 1976; Cherry Hill (Camden County)
Reprimand - *158 N.J. 22 (1999)*
Decided: 4/6/1999

APPEARANCES BEFORE REVIEW BOARD
William E. Nugent for District I
Stephen M. Holden for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who knowingly immersed himself in a conflict of interest situation and then failed to withdraw when it became obvious that the deal he had brokered between a present and former client was in trouble.

ROCCO F. SENNA

Admitted: 1942; Newark (Essex County)
Disbarment - *158 N.J. 152 (1999)*
Decided: 5/4/1999

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowing misappropriated over $20,000 in four separate client matters. The Court, quoting the Disciplinary Review Board's decision, noted that:

> "Based on the overwhelming documentary evidence, as well as respondent's admissions, it is clear that respondent knowingly misappropriated client funds. Emerging from this record is the unfortunate picture that respondent was not aware that 'borrowing' money from his clients is prohibited. Respondent presents a sympathetic figure. He has practiced law since 1942, a period of 56 years. He has no prior disciplinary history. At the time of the Board hearing, respondent was 79 years old. He must be, nonetheless, charged with knowledge of the applicable rules and caselaw."

ERIK SHANNI

Admitted: 1986; Woodbridge (Middlesex County)
Admonition - *Unreported (1999)*
Decided: 4/21/1999

APPEARANCES BEFORE REVIEW BOARD
Hector I. Rodriguez for District VIII
Robert Musto for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, during the course of an ethics investigation, failed to reply, in writing, to the investigator's request for information about the matter.

JOSEPH D. SLOBODA

Admitted: 1990; Key Biscayne, Florida
Disbarment - *157 N.J. 16 (1999)*
Decided: 1/26/1999

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred in the state of New York for misappropriation of escrow funds, gross neglect, failure to communicate, taking an unreasonable fee and practicing law while not authorized to do so.

STEPHEN R. SPECTOR

Admitted: 1968; Englewood (Bergen County)
Reprimand - *157 N.J. 530 (1999)*
Decided: 3/9/1999

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
John E. Selser, III for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who submitted false RESPA statements and two "Fannie Mae" affidavits and certifications to lenders in order to hide improper secondary mortgage financing. The decision of the Disciplinary Review Board cautioned the bar as follows:

> "The Board was gravely concerned with the fact that respondent signed false certifications to facilitate closing the transactions. That conduct was at a minimum deceitful, if not an outright fraud -- at least vis a vis Northstar Mortgage Corporation. Even more alarming, though, was respondent's testimony that this type of conduct, submitting false information to lenders, is prevalent among lawyers. Attorneys are hereby reminded that knowingly submitting false information in any aspect of a real estate transaction constitutes serious unethical conduct. Henceforth, attorneys who engage in such grievous behavior will be facing more serious discipline."

ROBERT C. SPIESS

Admitted: 1981; Pompton Plains (Morris County)
Suspension 3 Months - *162 N.J.121 (1999)*
Decided: 12/7/1999 Effective: 1/3/2000

REPRESENTATIONS BEFORE REVIEW BOARD
William C. Sandelands for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who practiced law while ineligible and then grossly neglected the defense of a litigated matter, allowing a judgment to be entered against his client on two occasions and failing to timely move to vacate these judgments. The respondent also failed to cooperate with disciplinary authorities during the prosecution of this matter.

ADELE M. STALCUP

Admitted: 1980; Penns Grove (Salem County)
Suspension 24 Months - *159 N.J. 513 (1999)*
Decided: 7/15/1999 Effective: 2/19/1999

APPEARANCES BEFORE REVIEW BOARD
William W. Shultz for District I
Dana Pirone Garrity for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who, in two matters, engaged in gross neglect, lack of diligence, failure to communicate, failure to provide a written retainer agreement, failure to expedite litigation, and failure to cooperate with disciplinary authorities during the processing of the matter. The respondent also made misrepresentations to clients about the status of these matters. The respondent has a history of discipline. In 1995, she received a public reprimand for gross neglect, failure to perfect an appeal and to so inform her client, and failure to withdraw from representation when her services were terminated. *In re Stalcup, 140 N.J. 622.* In 1996, she was temporarily suspended from the practice of law for failure to comply with a fee arbitration determination. *In re Stalcup, 146 N.J. 63.* In 1997, the respondent was suspended for a period of three months for failure to communicate with her client, failure to reduce a fee agreement to writing, and for conduct involving dishonesty, fraud, deceit or misrepresentation. *In re Stalcup, 147 N.J. 335.*

JOHN R. STEPHENSON, JR.

Admitted: 1984; Montclair (Essex County)
Suspension 1 Year - *162 N.J. 111 (1999)*
Decided: 12/7/1999

APPEARANCES BEFORE REVIEW BOARD
Regina Waynes Joseph for District VC
Louis P. Sengstacke for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who engaged in a series of misconduct in five matters, including practicing law while ineligible, gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to comply with discovery requests from an opposing party and failure to cooperate with disciplinary authorities.

The respondent was previously disciplined. In 1998, he received an admonition for gross neglect in failing to take any action to reinstate a complaint after its dismissal for the second time. Also in 1997, the respondent was temporarily suspended from the practice of law for failure to comply with a fee arbitration determination directing him to refund a fee to a client.

SEAMUS M. TUOHEY

Admitted: 1986; Montclair (Essex County)
Suspension 6 Months - *156 N.J. 547 (1999)*
Decided: 1/12/1999 Effective: 2/9/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Michael Chertoff for respondent and waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who pled guilty to a criminal complaint filed in the United States District Court for the District of New Jersey, charging him with willful failure to file a federal corporate income tax return for 1991, in violation of *26 U.S.C.A. ' 7203*.

AUGUSTINE U. UZODIKE

Admitted: 1990; East Orange (Essex County)
Suspension 6 Months - *159 N.J. 510 (1999)*
Decided: 7/15/1999 Effective: 8/11/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who negligently misappropriated $2,897 in trust funds, commingled trust and personal funds, failed to maintain proper trust and business accounting records and failed to timely remit mortgage payoffs in two matters. Additionally, the respondent failed to act diligently or to communicate with a client. Finally, respondent made a false statement to the Office of Attorney Ethics during the investigation of this matter. The respondent was temporarily suspended from the practice of law by the Supreme Court of New Jersey on August 18, 1998 for failure to cooperate with the Office of Attorney Ethics in its investigation of a trust overdraft notice. *In re Uzodike, 155 N.J. 354.* He was reinstated to practice on September 17, 1998. *In re Uzodike, 155 N.J. 601.*

PHILIP A. VALENTINO, JR.

Admitted: 1983; Wildwood (Cape May County)
Suspension 5 Years - *161 N.J. 140 (1999)*
Decided: 9/8/1999 Effective: 4/1/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Robert N. Agre for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of five years

was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Eastern District of Pennsylvania to one count of mail fraud, in violation of *18 U.S.C.A. '1341*, in that between 1992 and 1996, respondent was part of a scheme to obtain money from insurance companies by submitting fraudulent medical bills that inflated the amount of treatment provided to clients.

DAVID A. VALVANO

Admitted: 1974; Montague (Bergen County)
Reprimand - *156 N.J. 545 (1999)*
Decided: 1/12/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Leonard Rosenstein for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to communicate with a client and failed to appear or to waive his appearance before the Disciplinary Review Board.

HARVEY VAN SCIVER, JR.

Admitted: 1980; Merchantville (Camden County)
Suspension 3 Months - *158 N.J. 4 (1999)*
Decided: 3/23/1999

APPEARANCES BEFORE REVIEW BOARD
James H. Landgraf for District IIIB
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who appeared in municipal court three times although he had been declared ineligible to practice law by Supreme Court order due to his failure to pay the annual attorney registration fee. The respondent also failed to cooperate with disciplinary authorities during the investigation of this matter. The respondent had been transferred to disability inactive status by order of the Supreme Court dated September 12, 1995 and remained on that status prior to his suspension in the instant case.

ARTHUR T. VAN WART, II

Admitted: 1972; Vineyard Haven, Massachusetts
Suspension 3 Months - *162 N.J. 102 (1999)*
Decided: 12/7/1999 Effective: 1/3/2000

REPRESENTATIONS BEFORE REVIEW BOARD
Edgar Hathaway, Jr. for District I
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who practiced law while ineligible by representing an estate in a real estate transaction and failing to turn over the deed to the property as provided by agreement. The respondent also failed to cooperate with disciplinary authorities during the investigation of this matter.

ANDREW P. VECCHIONE

Admitted: 1969; Spring Lake (Monmouth County)
Suspension 6 Months - *159 N.J. 507 (1999)*
Decided: 7/15/1999 Effective: 8/11/1999

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
David B. Rubin for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who failed to file federal income tax returns for a period of 12 years, during which time he was a partner in a Monmouth County law firm.

ROBERT J. VEDATSKY

Admitted: 1974; Cherry Hill (Camden County)
Suspension 2 Years - *158 N.J. 18 (1999)*
Decided: 4/6/1999

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who was disciplined in the Commonwealth of Pennsylvania by a two-year suspension based upon his abandonment of his Pennsylvania office. The respondent grossly neglected client cases despite having collected $10,500 and $10,000, respectively, in legal fees from two clients. He also misrepresented to the clients the status of their matters. In 1994, the respondent was reprimanded for failure to cooperate with disciplinary authorities. *In re Vedatsky, 138 N.J. 173 (1994)*.

ANTONIO VELAZQUEZ

Admitted: 1988; Clifton (Passaic County)
Disbarment - *158 N.J. 253 (1999)*
Decided: 5/11/1999

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who, in a series of 11 matters, engaged in knowing misappropriation of clients' trust funds, gross neglect and a pattern of neglect, failure to keep a client reasonably informed and failure to cooperate with disciplinary authorities. The respondent had been temporarily suspended from the practice of law in New Jersey since September 9, 1997 due to his failure to respond to requests for information and records relating to charges of misappropriation of trust funds.

DANNY M. VNENCHAK

Admitted: 1985; Morristown (Morris County)
Suspension 3 Months - *156 N.J. 548 (1999)*
Decided: 1/12/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Lewis M. Markowitz for District X
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in two separate client matters, was guilty of gross neglect, pattern of neglect, lack of diligence, failure to communicate, failure to expedite litigation, failure to cooperate with disciplinary authorities and misrepresentation to clients. The respondent has been temporarily suspended from the practice of law in New Jersey since September 1997 for failure to appear at an audit to investigate a possible charge of knowing misappropriation.

SHIRLEY L. WATERS-CATO

Admitted: 1977; Maplewood (Essex County)
Suspension 3 Months - *158 N.J. 12 (1999)*
Decided: 4/6/1999 Effective: 10/22/2000

APPEARANCES BEFORE REVIEW BOARD
Patricia M. Talbert for District VB
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in gross neglect, lack of diligence, failure to communicate with a client and failure to cooperate with disciplinary authorities during the investigation of the matter.

The respondent was privately reprimanded in 1991 for ethics violations in three real estate matters. In 1995, she was suspended for three months from the practice of law for her failure to comply both with attorney recordkeeping requirements and directives from the Office of Attorney Ethics. *In re Waters-Cato, 139 N.J. 498 (1995)*. In 1995, the respondent received an additional one-year suspension for misconduct that included gross neglect, pattern of neglect, misrepresentations and failure to disclose material facts, failure to respond to disciplinary authorities and conduct prejudicial to the administration of justice. *In re Waters-Cato, 142 N.J. 472 (1995)*. In 1997, respondent was suspended for three years following findings of pattern of neglect, lack of diligence, failure to communicate, failure to return a client file and failure to cooperate with ethics authorities. *In re Waters-Cato, 151 N.J. 492 (1997)*.

BRADLEY J. WEIL

Admitted: 1987; North Haledon (Passaic County)
Reprimand - *162 N.J. 45 (1999)*
Decided: 11/3/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Thomas P. DeVita for District XI
Respondent appeared pro se

The Supreme Court of New Jersey, on a recommendation by the Disciplinary Review Board for Discipline by Consent, held that a reprimand was the appropriate discipline for an attorney who, in one matter, misrepresented the status of a non-lawyer former employee and in another matter, improperly represented both parties to a real estate transaction without making the required disclosures and obtaining each parties' consent to the dual representation.

ALAN J. WEINER

Admitted: 1982; Spring Valley, New York
Disbarment - *156 N.J. 544 (1999)*
Decided: 1/12/1999

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who had been disbarred in the state of New York for intentionally converting third party escrow funds to his own use, falsely representing to a civil court judge that he had the escrow when he knew this was untrue, disobeying a court directive that he forward the escrow check to his client's landlord and for lying under oath to disciplinary officials during the course of two depositions, when he swore that his client had given him permission to use the escrow funds as a loan.

HOWARD S. WEISS

Admitted: 1971; Franklin Lakes (Bergen County)
Disbarment by Consent - *157 N.J. 82 (1999)*
Decided: 2/3/1999

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
David Waldman for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of client trust and/or estate funds.

ARTHUR G. WILLIAMSON

Admitted: 1974; West New York (Hudson County)
Disbarment - *162 N.J. 9 (1999)*
Decided: 10/6/1999

REPRESENTATIONS BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and recommendation by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who obtained $690,000 from clients to purchase land, but instead took title in a corporation in which respondent, and not the clients, was owner. Essentially, the respondent simply stole $690,000 of clients' trust funds.

The respondent had been temporarily suspended from the practice of law since August 7, 1996 for his failure to cooperate during the course of this investigation. *In re Williamson, 145 N.J. 573 (1996).* He also had a disciplinary history. In 1988, he received a private reprimand for failure to carry out a contract of employment with a client in a matrimonial matter and failure to surrender the client's file to a new attorney. In 1999, the Supreme Court publicly reprimanded the respondent based upon his failure to cooperate with disciplinary authorities. *In re Williamson, 152 N.J. 489 (1998).*

RAYMOND H. WONG

Admitted: 1989; Bound Brook (Somerset County)
Reprimand - *157 N.J. 77 (1999)*
Decided: 1/26/1999

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Peter N. Gilbreth for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was charged in Superior Court of New Jersey, Law Division, Morris County in an accusation alleging that he endangered the welfare of a child by engaging in sexual misconduct prior to his admission to the New Jersey Bar. The respondent entered a plea of not guilty and was admitted to the Morris County Pretrial Intervention Program which he successfully completed.

SCOTT J. WOOD

Admitted: 1988; Mount Holly (Burlington County)
Admonition - *Unreported (1999)*
Decided: 2/24/1999

APPEARANCES BEFORE REVIEW BOARD
Robert J. Boland for District IX
Bernard A. Campbell, Jr. for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to communicate with his client in a divorce matter and to comply with her request for information about the progress of the case even after the client contacted the local bar association which attempted to assist in the matter.

RICHARD J. ZEITLER

Admitted: 1966; Colonia (Middlesex County)
Reprimand - *158 N.J. 182 (1999)*
Decided: 4/29/1999

APPEARANCES BEFORE REVIEW BOARD
Mitchell L. Portnoi for District VIII
Douglas Kleinfeld for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who gave written assurances to an insurance carrier that he would pay medical bills and liens with respect to the plaintiff's workers' compensation claim out of the proceeds of settlement. Respondent failed to do so and, instead, improperly released those escrowed funds to himself and his client. The respondent has a history of discipline. In 1976, he was suspended from the practice of law for one year for misconduct involving dishonesty, fraud, deceit, or misrepresentation in two cases. *In re Zeitler, 69 N.J. 61 (1976).* In 1980, the respondent was suspended for two years for his gross neglect of two client matters and his failure to tell clients that their cases had been dismissed. *In re Zeitler, 85 N.J. 21 (1980).* In 1995, respondent received an admonition for lack of diligence in one matter.

1998

R. WESLEY AGEE

Admitted: 1976; East Orange (Essex County)
Suspension 2 Years - *152 N.J. 223 (1998)*
Decided: 1/21/1998 Effective: 2/16/1998

APPEARANCES BEFORE SUPREME COURT
JoAnn G. Eyler Attorney Ethics
Bernard Freamon for respondent

The Supreme Court of New Jersey held that a two-year suspension from the practice of law was the appropriate discipline for an attorney who, in a series of matters, engaged in a conflict of interest by impermissibly representing the buyer and seller in the negotiation of the transaction, committed a fraud on the lender by intentionally withholding documents that would have disclosed the fact that the transaction was a lease/option rather than a straight sale, negligently misappropriated clients' trust funds, and displayed a continuing pattern of deceitful conduct by making misrepresentations to judges, lying to the Office of Attorney Ethics, lying to his clients, lying to the Special Ethics Master and lying to other attorneys.

JOEL M. ALBERT

Admitted: 1961; Hackensack (Bergen County)
Admonition - *Unreported (1998)*
Decided: 2/23/1998

APPEARANCE BEFORE REVIEW BOARD
Linda F. Spiegel for District IIB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who released escrow funds to a third party without first personally obtaining the authorization of that party or his attorney.

GERALD M. ALSTON

Admitted: 1989; Atlantic City (Atlantic County)
Reprimand - *154 N.J. 83 (1998)*
Decided: 6/2/1998

APPEARANCES BEFORE REVIEW BOARD
Maury K. Cutler for District IV
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who appeared before New Jersey courts on five occasions when he was declared ineligible to practice law by reason of his failure to pay the annual attorney assessment. The respondent also violated *R.1:21-1(a)* in that he failed to maintain a bona fide law office. He also failed to cooperate with the Office of Attorney Ethics during the investigation of this matter.

LUBA ANNENKO

Admitted: 1983; Haddon Heights (Camden County)
Suspension 3 Months - *156 N.J. 441 (1998)*
Decided: 11/17/1998 Effective: Stayed

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was retained in a post-judgment matrimonial action to terminate a child's support obligation, was paid $600 and then failed to file the motion or to take any further action on the client's behalf. The respondent was previously disciplined. In 1988, she was privately reprimanded for failure to communicate with her client for approximately 18 months and for lack of diligence in a contractual matter in which the complaint was dismissed for lack of prosecution. She was again privately reprimanded in 1992 for lack of diligence in a matter in which she permitted a default judgment to be entered against her client.

AYSHIA Y. ARMORER

Admitted: 1987; Philadelphia, Pennsylvania
Admonition - *Unreported (1998)*
Decided: 2/10/1998

APPEARANCES BEFORE REVIEW BOARD
Cynthia S. Jenkins for District IV
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, after her employment was terminated by her client, failed to return to the client certain documentation and tape recordings in the client's file, in violation of *RPC 1.16(d)*.

AYSHIA Y. ARMORER

Admitted: 1987; Marlton (Burlington County)
Reprimand - *153 N.J. 358 (1998)*
Decided: 5/5/1998

APPEARANCES BEFORE REVIEW BOARD
Warren Jones for District IIIB
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a medical malpractice suit, failed to communicate reasonably with her client, practiced law while ineligible to do so and failed to maintain a bona fide law office. The Supreme Court also ordered that the respondent practice law under the supervision of a practicing attorney approved by the Office of Attorney Ethics until further order of the Court, and that, within one year of its order, respondent successfully complete six hours of courses in the areas of professional responsibility. The Court also ordered that respondent make restitution of $250 to the grievant.

PAMELA A. BAKEN

Admitted: 1974; Englewood (Bergen County)
Admonition - *Unreported (1998)*
Decided: 7/28/1998

APPEARANCES BEFORE REVIEW BOARD
Maureen A. Mahoney for District VB
Rrespondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, after receiving a $300 retainer to start a divorce, failed to communicate with her client to notify her that she was moving her office to another location. In addition, the respondent did no legal work on the case. The respondent was previously privately reprimanded on December 8, 1976 and, again, on April 3, 1984, for using profanity and improper remarks at the Bergen County Courthouse.

GLENN W. BANKS

Admitted: 1982; Wyckoff (Bergen County)
Suspension 2 Years - *155 N.J. 597 (1998)*
Decided: 9/10/1998 Effective: 4/3/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived argument

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years, retroactive to April 3, 1997, the date respondent was temporarily suspended from the practice of law in New Jersey, was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Sussex County, to the manufacture and/or possession of marijuana, with intent to distribute, in a quantity of more than one-half ounce, a crime of the third degree, in violation of *N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(11)*.

HEYWOOD E. BECKER

Admitted: 1979; Frenchtown (Hunterdon County)
Reprimand - *153 N.J. 359 (1998)*
Decided: 5/5/1998

APPEARANCES BEFORE REVIEW BOARD
Anthony M. Rotunno for District XIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who practiced law in New Jersey without maintaining a bona fide law office, as required by *R.1:21-1(a)*. While the respondent began to take steps to establish a bona fide law office while this matter was under investigation, he had not yet done so at the time that the hearing in this matter was completed.

DAVID R. BENNETT

Admitted: 1979; Beach Haven (Ocean County)
Admonition - *Unreported (1998)*
Decided: 11/24/1998

APPEARANCES BEFORE REVIEW BOARD
Lionel Simon, III for District IIIA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, after receiving a pro bono Superior Court assignment, failed to act with reasonable diligence and who also failed to cooperate with a district ethics committee in its investigation of a grievance and, in a second matter, grossly neglected and failed to diligently pursue a subdivision of real estate.

FREDERICK L. BERNSTEIN

Admitted: 1959; Hackensack (Bergen County)
Admonition - *Unreported (1998)*
Decided: 4/27/1998

APPEARANCES BEFORE REVIEW BOARD
Kim D. Ringler for District IIB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, as the scrivener of several wills, named himself as beneficiary, in violation of *RPC 1.8(c)*.

ANGELO R. BISCEGLIE, JR.

Admitted: 1987; Newark (Essex County)
Admonition - *Unreported (1998)*
Decided: 9/24/1998

APPEARANCES BEFORE REVIEW BOARD
Carolyn R. Reed for District VA
Barry H. Evenchick for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney whose unreasonable fee of over $80,000 was reduced to $46,500 after fee arbitration. The Board noted that the objectionable work, which was done for a municipal body, was not done pursuant to a resolution of the entire body but was undertaken only at the direction of one or two of the members of that body. In addition, the respondent failed to communicate to the municipal body, in writing, the basis or rate of his fee before or within a reasonable time after commencing the representation, in violation of *RPC 1.5(b)*.

DEXTER B. BLAKE, JR.

Admitted: 1970; Bernardsville (Somerset County)

Disbarment by Consent - *156 N.J. 377 (1998)*
Decided: 10/16/1998

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Paul H. Loeffler for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the misappropriation of clients' trust funds. Respondent was previously admonished in 1996 for failing to act diligently and to communicate with his client in a litigation matter.

OTTO F. BLAZSEK

Admitted: 1963; Clifton (Passaic County)
Reprimand - *154 N.J. 137 (1998)*
Decided: 6/30/1998

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Frank A. Ferrante for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated over $21,000 in client trust funds and failed to properly maintain trust and business account records, as required by *R. 1:21-6.*

CHARLES V. BOOREAM, III

Admitted: 1979; Milltown (Middlesex County)
Disbarment by Consent - *156 N.J. 524 (1998)*
Decided: 12/28/1998

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Frederick J. Dennehy for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend charges in a pending formal complaint alleging the knowing misappropriation of client trust and/or estate funds. The respondent had been temporarily suspended from the practice of law in New Jersey since June 9, 1998.

JAMES P. BRENNAN

Admitted: 1986; Union City (Hudson County)
Suspension 6 Months - *153 N.J. 29 (1998)*
Decided: 3/24/1998 Effective: 4/20/1998

APPEARANCES BEFORE REVIEW BOARD
Frederick Stevens for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who told his client, in connection with a driving while intoxicated charge, that he would attempt to mislead the municipal court judge and the prosecutor that his client had no prior driving while intoxicated convictions by removing the client's abstract from the municipal court file. In return, the client paid the respondent a fee of $1500. Ultimately, when challenged by the municipal prosecutor, respondent gave up his efforts to lose the abstract of the first conviction and did not remove it from the municipal court file.

ARTHUR D. BROMBERG

Admitted: 1979; Saddle Brook (Bergen County)
Reprimand - *152 N.J. 382 (1998)*
Decided: 2/3/1998

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Robert L. Hollingshead for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, reasonably believing that he was a partner in a law firm, intercepted client fees due to the law firm, took possession of those checks by deceptive means and improperly endorsed the name of the firm on the checks, deposited them to his own bank account and thereafter lied to the law firm about his conduct.

NEAL E. BRUNSON

Admitted: 1988; Rutherford (Bergen County)
Reprimand - *155 N.J. 591 (1998)*
Decided: 9/8/1998

APPEARANCES BEFORE REVIEW BOARD
Robert L. Ritter for District IIB
Charles Thomas for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in one matter, unethically notarized a release in the absence of the person who signed it and who, in another matter, failed to act with diligence and failed to communicate with his client in a personal injury and property damage claim.

RONALD E. BURGESS

Admitted: 1972; Sea Bright (Monmouth County)
Admonition - *Unreported (1998)*
Decided: 4/27/1998

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics

Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who grossly neglected an estate matter for a period of one year, failed to provide the beneficiaries with an accounting of the estate despite his written promise to do so, failed to obtain the accounting from the executor and failed to communicate with the grievant/beneficiaries. In addition, the respondent failed to properly maintain an attorney business account in violation of *R.1:21-6*.

HILDA BURNETT-BAKER

Admitted: 1983; Raleigh, North Carolina
Reprimand - *153 N.J. 357 (1998)*
Decided: 5/5/1998

APPEARANCES BEFORE REVIEW BOARD
J. Patrick Roche for District VB
Cynthia Hardaway for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with a district ethics committee during the investigation and processing of a grievance.

The respondent was previously disciplined: In 1993, she was privately reprimanded for gross neglect and failure to communicate in two real estate matters and failure to turn over the file to new counsel; in 1997, she was suspended from the practice of law for a period of three months for gross neglect and a pattern of neglect, lack of diligence, failure to communicate and misrepresentation of the status of the case in a matter in which she represented a client in both a wrongful termination case and a Workers' Compensation case. *In re Burnett-Baker, 151 N.J. 483 (1997)*.

HARRISON R. BUTLER

Admitted: 1988; Norwood, Pennsylvania
Reprimand - *152* N.J.445 (1998*)*
Decided: 2/24/1998

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, without authority, sold a computer belonging to his law firm and retained the proceeds.

PIERCE L. BUTLER

Admitted: 1981; Livingston (Essex County)
Reprimand - *152 N.J. 448 (1998)*
Decided: 2/24/1998

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a series of nine real estate transactions, engaged in a pattern of neglect by failing to record mortgages and mortgage discharges in a timely manner, and who also admitted numerous recordkeeping violations of required trust and business accounts.

The respondent had previously been privately reprimanded in 1992 for failing to obtain a canceled mortgage document from the county clerk in a real estate matter and for failing to cooperate with disciplinary authorities.

ANTHONY F. CARRACINO

Admitted: 1982; Fords (Middlesex County)
Suspension 6 Months - *156 N.J. 477 (1998)*
Decided: 12/8/1998 Effective: 1/4/1999

APPEARANCES BEFORE REVIEW BOARD
James E. Stahl for District VIII
Richard H. Kress for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who entered into an improper business venture with a client which resulted in a law partnership agreement with a non-lawyer wherein respondent agreed to share fees with that non-lawyer and engaged in other conduct involving dishonesty, fraud, deceit or misrepresentation. Respondent also failed to cooperate with disciplinary authorities in two matters. In a default matter, decided at the same time, involving respondent's representation of a grievance in a personal injury matter, respondent was found to have committed gross neglect, failed to communicate, failed to cooperate with disciplinary authorities, and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

The respondent has an extensive disciplinary history. In 1995, he was admonished for failure to keep his client reasonably informed about the progress of a matter and to reply to the client's numerous requests for information. In 1996, he was publicly reprimanded for lack of diligence, failure to communicate, making a false statement of fact and conduct involving dishonesty, fraud, deceit or misrepresentation in two matters. *In re Carracino, 143 N.J. 140 (1996).* He was again admonished in 1997 for failure to obtain a written fee agreement in a matrimonial matter.

RICHARD D. CARUSO

Admitted: 1986; Brick (Ocean County)
Reprimand - *153 N.J. 30 (1998)*
Decided: 3/24/1998

APPEARANCES BEFORE REVIEW BOARD
Robert A. Ballou for District IIIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a municipal court matter and then failed to cooperate with disciplinary authorities in the investigation of this case. The respondent was previously reprimanded in 1997 for lack of diligence in two matters and failure to expedite litigation in a third. *In re Caruso, 151 N.J. 316*.

JAMES G. CERESNAK

Admitted: 1978; Basking Ridge (Somerset County)
Disbarment by Consent - *154 N.J. 16 (1998)*
Decided: 6/18/1998

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Kevin F. Colquhoun for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend multiple formal complaints pending before a Special Ethics Master alleging the knowing misappropriation of clients' trust funds. The respondent had been temporarily suspended from the practice of law since December 10, 1996. *In re Ceresnak, 147 N.J. 210 (1996)*.

MICHAEL A. CHASAN

Admitted: 1975; Greenbrook (Somerset County)
Suspension 3 Months - *154 N.J. 8 (1998)*
Decided: 6/16/1998 Effective: 7/15/1998

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who misled two judges and his adversary that he was holding a fee in his trust account until the resolution and the apportionment of the legal fee issue when, in fact, he disbursed the entire fee to himself.

MARIE C. CHEN

Admitted: 1986; Bound Brook (Somerset County)
Suspension 6 Months - *153 N.J. 362 (1998)*
Decided: 5/5/1998 Effective: 11/1/1997

APPEARANCES BEFORE REVIEW BOARD
Brian Mitchell Cige for District XIII
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who grossly neglected a municipal court matter and then failed to file an answer to a formal ethics complaint.

The respondent has an extensive disciplinary history, beginning in 1995, when she was reprimanded for gross neglect, failure to communicate with clients, failure to maintain a bona fide office, and failure to cooperate with disciplinary authorities. *In re Chen, 142 N.J. 479 (1995)*. On March 19, 1996, she was suspended for three months for gross neglect, pattern of neglect, lack of diligence, failure to communicate with clients, failure to cooperate with disciplinary authorities and misrepresentation. *In re Chen, 143 N.J. 416 (1996)*. On October 15, 1997, she was suspended for a period of three months, retroactive to August 1, 1997, for neglect, failure to keep a client reasonably informed about the status of the matter, and misrepresentation. *In re Chen, 151 N.J. 477 (1997)*.

MARIE C. CHEN

Admitted: 1986; Bound Brook (Somerset County)
Suspension 6 Months - *154 N.J. 11 (1998)*
Decided: 6/16/1998 Effective: 5/1/1998

APPEARANCES BEFORE REVIEW BOARD
Brian M. Cige for District XIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who grossly neglected a personal injury matter and failed to adequately communicate with her client.

The respondent has an extensive disciplinary history. In 1995, she received a reprimand for gross neglect, failure to communicate and failure to maintain a bona fide office. *In re Chen, 142 N.J. 479 (1995).* In 1996, she was suspended for three months for a pattern of neglect, failure to communicate and failure to cooperate with disciplinary authorities. *In re Chen, 143 N.J. 416 (1996).* In 1997, she received an additional three months suspension for gross neglect, pattern of neglect, failure to communicate and conduct involving dishonesty, fraud, deceit, or misrepresentation. *In re Chen, 151 N.J. 477 (1997).*

MICHAEL J. CHULAK

Admitted: 1986; Union City (Hudson County)
Suspension 3 Months - *152 N.J. 443 (1998)*
Decided: 2/24/1998 Effective: 3/24/1998

APPEARANCES BEFORE REVIEW BOARD
Nathan Beck for District VI
Jonathan Goodman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who permitted his name to appear on pre-printed checks with a non-lawyer and then lied about his knowledge of that situation, and also allowed a non-attorney to prepare and sign pleadings in the attorney's name, thus assisting another to engage in the unauthorized practice of law.

JEFFREY P. CILLO

Admitted: 1981; Union (Union County)
Suspension 12 Months - *155 N.J. 599 (1998)*
Decided: 9/10/1998 Effective: 10/7/1998

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Theodore J. Romankow for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 12 months was the appropriate discipline for an attorney whose pro hac vice right to appear in the United States District Court for the Southern District of New York was permanently barred as a result of misrepresenta-tions made to a judge in a civil case. The respondent falsely advised the judge that the case had been settled and that no one was appearing for a conference when, in fact, respondent knew that at least one other attorney involved in the litigation was going to appear and that the terms of the order he presented to the court violated other relevant agreements between the parties.

The respondent was previously disciplined. In 1993, he received a private reprimand for failure to communicate with a client and to respond to the client's request for information about the case. He also received a private letter of reprimand in 1992 for entering into an improper business relationship with a client by borrowing money from the client without advising her of the desirability of seeking independent counsel and failing to obtain her written consent to the transaction.

ROBERT B. CLARK

Admitted: 1979; East Orange (Essex County)
Suspension 3 Months - *152 N.J. 461 (1998)*
Decided: 2/24/1998

APPEARANCES BEFORE REVIEW BOARD
Peter S. Valentine for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was paid a $15,000 fee in an estate matter, but who failed to take any action whatsoever, despite the client's repeated requests to do so or to return the $15,000 retainer. The respondent in a second matter filed a civil complaint, but thereafter failed to take any action resulting in the dismissal of the matter for lack of prosecution. The respondent never notified the client of the dismissal and failed to take any steps to reinstate the complaint. He also failed to cooperate with the client's new counsel, as well as with the District Ethics Committee in its investigation and prosecution of the matter.

The respondent had been previously disciplined. In 1994, he was publicly reprimanded for unethical conduct in four matters, which included lack of diligence and failure to communicate with clients and, in a fifth matter, failed to retain a retainer. On October 2, 1995, he was again reprimanded for negligence and misrepresentation in an employment matter. On that same date, he was temporarily suspended from the practice of law for failure to pay a fee arbitration award of $10,000. He has never been reinstated from that temporary suspension.

ELIZABETH ANNE COHEN

Admitted: 1976; East Brunswick (Middlesex County)
Disbarment - *155 N.J. 120 (1998)*
Decided: 7/9/1998

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, in a series of four matters, stole $30,000 from her clients' children, charged grossly excessive fees and completed little or no work. The record in this matter was supplemented with evidence of respondent's conviction in the Superior Court of New Jersey, Law Division, Middlesex County, of second degree theft and theft by failure to make required disposition of property. The respondent had been temporarily suspended from the practice of law since January 19, 1994. She had also been previously privately reprimanded in 1992 for failure to file a complaint and to so inform her client.

JEFFREY M. COHEN

Admitted: 1988; Union (Union County)
Admonition - *Unreported (1998)*
Decided: 10/21/1998

APPEARANCES BEFORE REVIEW BOARD
Seamus Boyle for District XII
Edwin J. McCreedy for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to attend a trial call resulting in dismissal of a complaint without prejudice. The attorney took no steps thereafter to reinstate the complaint and failed to promptly advise his clients that the matter had been dismissed. As a result, the attorney committed gross negligence and also failed to communicate with his client.

FRANCIS CUTRUZZULA

Admitted: 1989; Hackensack (Bergen County)
Reprimand - *152 N.J.153 (1998)*
Decided: 1/6/1998

APPEARANCES BEFORE REVIEW BOARD
Kim D. Ringler for District IIB
Respondent appeared pro se

The Supreme Court of New Jersey accepted a Motion for Discipline By Consent and held that a reprimand was the appropriate discipline for an attorney who failed to obtain a written retainer agreement from a matrimonial client, as required by Court Rule, failed to file a motion for pendente lite support, failed to file a case information statement, failed to answer the divorce complaint, failed to produce discovery provided by his client, or to take any action on a motion for default, and a subsequent entry of default. The grievant in the matter was subsequently represented by another attorney who satisfactorily resolved the matrimonial matter.

A. DAVID DASHOFF

Admitted: 1976; Voorhees (Camden County)
Suspension 6 Months - *152 N.J. 446 (1998)*
Decided: 2/24/1998

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in a potential litigation matter, failed to act with diligence, to keep a client reasonably informed, to communicate the basis or rate a fee to the client and engaged in a conflict of interest and failed to cooperate with disciplinary authorities during the investigation of the matter.

The respondent has an extensive prior history of discipline. In 1987 he was publicly reprimanded for misconduct in three matters. In 1989 he was privately reprimanded, and in 1995 he was suspended for three months for failure to maintain proper trust and business account records and failure to cooperate with disciplinary authorities.

A. DAVID DASHOFF

Admitted: 1976; Voorhees (Camden County)
Disbarment - *156 N.J. 393 (1998)*
Decided: 10/22/1998

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who committed multiple acts of misconduct in 12 separate client matters, including knowing misappropriation of client funds, gross neglect, failure to communicate with clients, failure to act with diligence, making misrepresentations, engaging in conflicts of interest, and failing to provide files and documents to clients and their attorneys. The respondent had an extensive history of discipline. In 1987, he was publicly reprimanded for unethical conduct in three matters, including failure to complete legal matters during a six-year period. *In re Dashoff, 108 N.J. 690 (1987).* In 1989, he received a private reprimand for failure to pursue a medical malpractice action and for failure to keep his clients informed about the status of the matter. In 1995, the respondent was suspended for three months for failure to maintain proper trust and business account records and for failure to cooperate with disciplinary authorities. *In re Dashoff, 142 N.J. 555 (1995).* In 1998, the respondent was again suspended, this time for an additional six months, for misconduct that included failure to communicate, lack of diligence, failure to have a written fee agreement, conflict of interest and failure to cooperate with disciplinary authorities.

BARRY F. DAVIDOFF

Admitted: 1978; Norwalk, Connecticut
Suspension 2 Years - *156 N.J. 418 (1998)*
Decided: 11/2/1998 Effective: 12/1/1998

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Daniel J. Jurkovic for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds, practiced law in New York when he was not admitted there, misrepresented to his clients both the status of their litigation, as well as his status as a New York attorney, and failed to maintain a bona fide office and trust and business accounts in the state of New Jersey.

LORENZO A. DELUCA

Admitted: 1976; New York City, New York
Suspension 30 Months - *154 N.J. 256 (1998)*
Decided: 6/16/1998 Effective: 2/28/1994

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 30 months was the appropriate discipline for an attorney who had been disciplined in the state of New York for escrow and

recordkeeping violations and for failure to cooperate with that state's Departmental Disciplinary Committee. The respondent had been temporarily suspended from the practice of law in New Jersey since February 28, 1994.

NICHOLAS J. DEMARCO

Admitted: 1987; Paterson (Passaic County)
Disbarment by Consent - *154 N.J. 260 (1998)*
Decided: 5/20/1998

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Roy F. McGeady for respondent.

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending charges alleging the knowing misuse of clients' trust funds. The respondent had been temporarily suspended from the practice of law in New Jersey since April 30, 1996.

RICHARD J. DOYLE

Admitted: 1973; Wall (Monmouth County)
Disbarment by Consent - *154 N.J. 15 (1998)*
Decided: 6/18/1998

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Thomas J. Cammarata for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Monmouth County, to an indictment for second degree theft, in violation of *N.J.S.A. 2C:20-9.* The respondent had previously been temporarily suspended from the practice of law since June 21, 1996 for his failure to cooperate with the Office of Attorney Ethics' investigation of an estate matter.

JAMES EASTMOND

Admitted: 1973; East Orange (Essex County)
Reprimand - *152 N.J. 435 (1998)*
Decided: 2/10/1998

APPEARANCES BEFORE REVIEW BOARD
Andrew A. McDonald for District VB
Eldridge Hawkins for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a medical malpractice case, engaged in gross neglect, lack of diligence and made a misrepresentation to his client.

RAYMOND EISDORFER

Admitted: 1988; Elizabeth (Union County)
Reprimand - *155 N.J. 357 (1998)*
Decided: 7/28/1998

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Michael P. Ambrosio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in direct, personal solicitation of clients by talking to a group of mass disaster victims of the Edison, New Jersey pipeline explosion when he appeared at the emergency shelter shortly after the disaster occurred.

ROBERT S. ELLENPORT

Admitted: 1975; Clark (Union County)
Reprimand - *152 N.J. 156 (1998)*
Decided: 1/13/1998

APPEARANCES BEFORE REVIEW BOARD
Seamus Boyle for District XII
Edward J. Kologi for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest by representing one client in a personal injury suit filed against one of his matrimonial clients, and failing to communicate with a client and entering into unauthorized settlement negotiations on the client's behalf in another matter. The respondent was previously disciplined by admonition on January 6, 1997 for charging a fee in excess of the maximum allowed by the rules.

ANTHONY FERANDA

Admitted: 1969; Warren (Somerset County)
Suspension 6 Months - *154 N.J. 4 (1998)*
Decided: 6/2/1998 Effective: 6/29/1998

APPEARANCES BEFORE REVIEW BOARD
William J. Gold and Michael J. Stanton for District XIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, while both a tax attorney and a certified public accountant, engaged in a conflict of interest by simultaneously representing two parties to a real estate transaction. Additionally, the respondent completely failed to safeguard the grievants' funds pending completion of the entire transaction.

LAWRENCE M. FINN, III

Admitted: 1981; Elizabeth (Union County)
Disbarment - *153 N.J. 360 (1998)*
Decided: 5/5/1998

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $15,000 given to him by a criminal client to pay for restitution ordered in connection with her criminal matter. The respondent was temporarily suspended from the practice of law since October 13, 1993, following his failure to comply with a fee arbitration determination. *In re Finn, 134 N.J. 200 (1993)*.

JOSEPH F. FLAYER

Admitted: 1976; Budd Lake (Morris County)
Suspension 6 Months - *154 N.J. 2 (1998)*
Decided: 6/2/1998 Effective: Indefinite

APPEARANCES BEFORE REVIEW BOARD
Brian M. Laddey for District X
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months (said suspension to be consecutive to the temporary suspension currently in effect and to commence on the satisfaction by respondent of the award of the District X Fee Arbitration Committee that requires respondent to refund the sum of $2,420 to his client) was the appropriate discipline for an attorney who, in a series of three matters, overreached a client by charging $4,215 legal fee for services that the Fee Arbitration Committee valued at $830, and also grossly neglected several client matters permitting the complaints to be dismissed.

The respondent has an extensive ethics history. He was publicly reprimanded on June 7, 1992 for the improper release of escrow funds without the consent of the seller in a real estate transaction and for failure to cooperate with ethics authorities. On December 6, 1994, he was again publicly reprimanded for gross neglect, failure to act with diligence, failure to communicate with his client, failure to explain a matter to his client, and failure to expedite litigation. On May 9, 1995, the respondent was temporarily suspended for failure to comply with a fee arbitration determination granting a refund to a client.

JOSEPH F. FLAYER

Admitted: 1976; Neshanic Station (Somerset County)
Disbarment - *156 N.J. 479 (1998)*
Decided: 12/8/1998

APPEARANCES BEFORE SUPREME COURT
Tangerla M. Thomas for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $2,500. The respondent had an extensive disciplinary history. In 1992, he was publicly reprimanded for the improper release of escrow funds without the consent of the seller in a real estate transaction and for failure to cooperate with ethics authorities. *In re Flayer, 130 N.J. 21 (1992)*. In 1994, he was again publicly reprimanded for gross neglect, failure to act with diligence, failure to communicate with his client, failure to explain a matter to his client and failure to expedite litigation. *In re Flayer, 138 N.J. 276 (1994)*. In 1995, respondent was temporarily suspended from the practice of law for failure to comply with a fee arbitration determination to refund a fee. In 1998, the respondent was suspended from the practice of law for a period of six months for gross neglect, pattern of neglect, lack of diligence, failure to keep a client informed about the status of a matter and to properly comply with reasonable requests for information, failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions, fee overreaching, failure to expedite litigation and to treat with courtesy and consideration all persons involved in the legal process and failure to cooperate with disciplinary authorities. *In re Flayer, 154 N.J. 2 (1998)*.

EDWARD S. FODY

Admitted: 1974; Boonton (Morris County)
Disbarment - *156 N.J. 395 (1998)*
Decided: 10/22/1998

APPEARANCES BEFORE SUPREME COURT
Tangerla M. Thomas for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated more than $91,000 in clients' trust funds. The respondent was previously disciplined. In 1995, he was reprimanded for failure to cooperate with disciplinary authorities during an investigation of two cases and for failure to act with diligence in one of the cases. *In re Fody, 139 N.J. 432 (1995)*. In 1997, he was again reprimanded for failure to cooperate with disciplinary authorities. Respondent was temporarily suspended from the practice of law in New Jersey on August 19, 1996.

ANTOINETTE CLARKE FORBES

Admitted: 1993; South Plainfield (Middlesex County)
Admonition - *Unreported (1998)*

Decided: 10/21/1998

APPEARANCES BEFORE REVIEW BOARD
Michelle J. Tomasso for District VIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to communicate with her client in an estate matter and failed to withdraw when discharged by the client.

MARK W. FORD

Admitted: 1983; Gloucester City (Gloucester County)
Reprimand - *152 N.J. 465 (1998)*
Decided: 2/10/1998

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who falsely certified at least ten times to the Division of Unemployment and Disability Insurance that he was entitled to unemployment benefits. The respondent failed to fully disclose his newly established law practice to the Division of Unemployment and Disability Insurance, although that practice grew to be a healthy one; in the face of his own business success, he continued to falsely assert that he was unemployed.

MARIA P. FORNARO

Admitted: 1989; Morristown (Morris County)
Suspension 3 Months - *152 N.J. 449 (1998)*
Decided: 2/24/1998 Effective: 3/24/1998

APPEARANCES BEFORE REVIEW BOARD
Clifford W. Starrett for District X
Benjamin E. Haglund for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in a series of four cases, engaged in gross neglect, lack of diligence, failure to communicate, failure to surrender a client's file, making a false statement of material fact to a tribunal, failure to cooperate with disciplinary officials, making a false statement of material fact in connection with a disciplinary matter and conduct involving dishonesty, fraud, deceit or misrepresentation.

GARY E. FOX

Admitted: 1975; Ocean (Ocean County)
Reprimand - *154 N.J. 139 (1998)*
Decided: 6/30/1998

APPEARANCES BEFORE REVIEW BOARD
JoAnn G. Eyler for Attorney Ethics
Daniel M. Waldman for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected 14 collection cases and failed to protect his clients' interests upon termination of the representation.

JOHN F. FOX

Admitted: 1970; Totowa (Passaic County)
Reprimand - *152 N.J. 467 (1998)*
Decided: 2/18/1998

APPEARANCES BEFORE REVIEW BOARD
Irene U. Mecky for District XI
Anthony C. Sartori for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected an estate matter, failed to communicate with the client and made misrepresentations regarding the status of the case to two attorneys. The Supreme Court also ordered that the respondent refund the sum of $5,000 to the estate.

JOHN B. M. FROHLING

Admitted: 1960; Roseland (Essex County)
Reprimand - *153 N.J. 27 (1998)*
Decided: 3/10/1998

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
S.M. Chris Franzblau for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to keep employee withholding taxes intact as required by law and who made misrepresentations to his employees by issuing them Form W-2's which represented that their withholding taxes had, in fact, been paid, when such was not the case. Respondent's conduct, in using funds that should have been withheld to pay payroll taxes to instead wine and dine clients, violated *RPC 1.15(b)*.

JACK N. FROST

Admitted: 1971; Plainfield (Union County)
Suspension 2 Years - *156 N.J. 416 (1998)*
Decided: 11/2/1998

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Pamela Brause for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years

was the appropriate discipline for an attorney who breached an escrow agreement in a real estate transaction, failed to honor closing instructions and prepared misleading closing documents, including falsely certifying that the lender had a first lien on the property knowing that a judgment had priority over that lien; completing a RESPA statement showing that $7,406.02 had been used towards the judgment when it had not; and, when he sent the post-closing documents to the lender and to the title insurance company, made no reference to the unpaid judgment.

The respondent has an extensive history of discipline. He was privately reprimanded in 1988 for engaging in a conflict of interest. He was again privately reprimanded in 1992 for improperly endorsing a client's name on a settlement check without the client's authorization. In 1997, he was suspended from the practice of law for a period of three months for lack of candor towards a tribunal, conduct involving dishonesty, fraud, deceit or misrepresentation, failure to expedite litigation and failure to act with fairness to opposing party and counsel. Later, in 1997, he was again suspended for a period of six months for gross neglect and a lack of diligence in three matters, failure to communicate in two matters, and a pattern of neglect.

JAY LAWRENCE FULMER

Admitted: 1984; Cherry Hill (Camden County)
Reprimand - *152 N.J. 430 (1998)*
Decided: 2/24/1998

APPEARANCES BEFORE REVIEW BOARD
Louise Donaldson for District IV
Respondent waived appearance through counsel

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to maintain a bona fide office and improperly engaged in the practice of law while he had been declared ineligible to do so by Supreme Court Order due to non-payment of the annual attorney registration fee.

FRANCIS X. GAVIN

Admitted: 1981; Hackettstown (Warren County)
Reprimand - *153 N.J. 356 (1998)*
Decided: 5/5/1998

APPEARANCES BEFORE REVIEW BOARD
Ellen M. Gillespie for District XIII
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a personal injury matter resulting in the running of the statute of limitations. The respondent also failed to communicate with his client in the matter.

JOHN G. GELLENE

Admitted: 1979; New York, New York (County)
Disbarment by Consent - *153 N.J. 353 (1998)*
Decided: 4/23/1998

REPRESENTATIONS
David E. Johnson, Jr. for Attorney Ethics
Jamie A. Levitt, a member of the New York Bar, for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending charges that he had pled guilty to bankruptcy fraud and false sworn declaration, in violation of *18 U.S.C. '152 and '1623* in the United States District Court for the Eastern District of Wisconsin.

MARTIN A. GENDEL

Admitted: 1972; Paterson (Passaic County)
Reprimand - *153 N.J. 369 (1998)*
Decided: 5/26/1998

APPEARANCES BEFORE REVIEW BOARD
Michael Birnberg, IV for District XI
Respondent appeared pro se

The Supreme Court of New Jersey, on motion for discipline by consent and recommendation of the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who, in a litigated matter, improperly advised a client that a complaint had been filed when it had not, although the complaint had been prepared by the respondent's associate; during the next several years, the client was never informed that the complaint had not been filed, but instead was assured by respondent that the matter was "being worked on."

MARTIN A. GENDEL

Admitted: 1972; Pine Brook (Passaic County)
Disbarment by Consent - *156 N.J. 454 (1998)*
Decided: 11/30/1998

REPRESENTATIONS
John McGill, III for Attorney Ethics
Anthony P. Ambrosio for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who, while a formal complaint was pending before a Special Ethics Master, admitted that he could not successfully defend himself against pending charges of the knowing misuse of clients' trust funds.

STEVEN H. GIFIS

Admitted: 1970; Pennington (Mercer County)
Disbarment - *156 N.J. 323 (1998)*

Decided: 9/23/1998

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Lawrence S. Lustberg and Louis Raveson for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated escrow funds in three separate matters. The Disciplinary Review Board's report, which was adopted by the Supreme Court, characterized respondent's conduct as follows:

> "Insensitivity to basic ethics tenets, unimaginable disregard for the consequences that inevitably flow from behavior that is prohibited--even arrogance--seem to define respondent's character."

ROBERT H. GOLDEN

Admitted: 1984; South Orange (Essex County)
Disbarment - *156 N.J. 365 (1998)*
Decided: 9/23/1998

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who was guilty of abandoning seven clients, whose cases he grossly neglected while failing to communicate with the clients, and who also lied to the Office of Attorney Ethics and failed to cooperate with the disciplinary system in answering a formal complaint filed against him. The respondent was previously disciplined on several occasions: He was temporarily suspended on January 8, 1993 for failure to cooperate with the district ethics committee investigation and abandonment of his law practice. On October 15, 1997 respondent was indefinitely suspended from the practice of law for abandoning one client and failing to return an unearned retainer to another client. *In re Golden, 151 N.J. 487 (1997)*.

ROBERT P. GORMAN

Admitted: 1983; Princeton (Mercer County)
Suspension 3 Months - *156 N.J. 435 (1998)*
Decided: 11/17/1998 Effective: 12/14/1998

APPEARANCES BEFORE REVIEW BOARD
Jeffrey S. Posta for District VII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a client matter by failing to complete the work required, failing to return the client's telephone calls and by failing to respond to request from the client and her new attorneys to turn over his files so that the matter could be concluded. The attorney also failed to cooperate with the disciplinary system in the investigation and prosecution of this matter. The respondent was previously admonished in 1995 for failure to respond to an ethics investigator's request for information in a prior matter arising out of the same client's case.

BETTE R. GRAYSON

Admitted: 1977; Springfield (Union County)
Admonition - *Unreported (1998)*
Decided: 5/27/1998

APPEARANCES BEFORE REVIEW BOARD
Robert J. Prihoda for Attorney Ethics
Edwin J. McCreedy for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to prepare quarterly reconciliations of client trust ledger accounts to the bank statements resulting in a negligent misappropriation of $6,590.69. This matter was discovered solely as a result of the Random Audit Compliance Program.

JOEL A. GREENBERG

Admitted: 1975; Atlantic City (Atlantic County)
Disbarment - *155 N.J. 138 (1998)*
Decided: 7/17/1998

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Joseph H. Kenney for respondent
Jay H. Greenblatt for amicus curiae, N.J. State Bar Association

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, over a period of one year, engaged in multiple fraudulent acts of misappropriation of $34,525 from his law firm. The Court held that, as with client trust funds, disbarment was the almost inevitable consequence for a lawyer who knowingly misappropriated law firm funds. The Court stated:

> "Today, we again reaffirm the rule announced in Wilson and hold that disbarment is the appropriate sanction in cases where it has been shown, by clear and convincing evidence, that an attorney has knowingly misappropriated client funds. We accept as an inevitable consequence of the application of this rule that rarely will an attorney evade disbarment in such cases. Public confidence in the 'integrity and trustworthiness of lawyers' requires no less."

STEVEN W. GRILL

Admitted: 1988; Parsippany (Morris County)
Reprimand - *152 N.J. 151 (1998)*
Decided: 1/6/1998

APPEARANCES BEFORE REVIEW BOARD
James M. Cerra for District X
John M. Esposito for respondent

The Supreme Court of New Jersey accepted a Motion for Discipline By Consent and held that a reprimand was the appropriate discipline for an attorney who accepted a personal injury action after the statute of limitations had already expired and, thereafter, failed to act for at least six months. In a second matter, the respondent filed a malpractice action against a hospital but allowed that case to be dismissed without prejudice because he was unavailable when trial was actually scheduled.

RICHARD L. GRUBER

Admitted: 1977; Newark (Essex County)
Reprimand - *152 N.J.451 (1998)*
Decided: 2/24/1998

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who, in a tax foreclosure matter, engaged in gross neglect, lack of diligence, failure to communicate with his client and failure to cooperate with the Office of Attorney Ethics' request for information in the matter.

ROBERT C. GRUHIN

Admitted: 1937; Nutley (Essex County)
Admonition - *Unreported (1998)*
Decided: 2/9/1998

APPEARANCES BEFORE REVIEW BOARD
Paula Crane for District VC
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who prepared a codicil to a will of a longstanding client which bequeathed the attorney the sum of $25,000. This action was taken by the attorney in violation of RPC 1.8(c) when he did not advise the client to seek independent counsel with respect to the client's desire to bequeath a "substantial" gift to the lawyer.

SYLVIA E. HALL

Admitted: 1986; Wilmington, Delaware
Disbarment by Consent - *153 N.J. 352 (1998)*
Decided: 4/7/1998

REPRESENTATIONS
Nitza I. Blasini for Attorney Ethics
Teri S. Lodge for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that she could not successfully defend pending disciplinary charges alleging knowing misappropriation of clients' trust funds. The respondent had been previously temporarily suspended from the practice of law in New Jersey on February 23, 1998.

CLIFFORD C. HALPER

Admitted: 1974; Trenton (Mercer County)
Reprimand - *156 N.J. 370 (1998)*
Decided: 10/6/1998

APPEARANCES BEFORE REVIEW BOARD
Elinor P. Mulligan for District XIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in an improper attorney-client business relationship, and who also failed to communicate with his client and failed to reduce a fee agreement to writing.

ALEXANDER HAMER, JR.

Admitted: 1985; Newark (Essex County)
Disbarment By Consent - *152 N.J. 429 (1998)*
Decided: 2/24/1998

REPRESENTATIONS
John McGill, III for Attorney Ethics
Albert B. Jeffers, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges involving the knowing misappropriation of $35,000 of clients' trust funds in a real estate matter.

PATRICIA L. HASBROUCK

Admitted: 1981; Washington (Warren County)
Disbarment - *152 N.J. 366 (1998)*
Decided: 1/30/1998

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Stephen S. Weinstein for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Warren County, to four counts of third-degree burglary, in violation of *N.J.S.A. 2C:18-2*, three counts of third-degree theft by unlawful taking, in violation of *N.J.S.A. 2C:20-3*, and one count of fourth-degree theft by unlawful taking, in violation of *N.J.S.A. 2C:20-3*. The respondent burglarized the homes and offices of doctors in four different counties in order to obtain prescription drugs. The Court held that:

> "(R)espondent's pattern of fraud and deception, and the severity of her crimes -- violating the safety and sanctity of the homes of strangers, sometimes as they slept -- does not permit us to impose any discipline but disbarment."

The respondent had previously been suspended from the practice of law for a period of one year for obtaining a controlled dangerous substance by fraud and for uttering a forged prescription. *In re Hasbrouck, 140 N.J. 162 (1995)*.

ROBERT A. HEDESH

Admitted: 1988; New Brunswick (Middlesex County)
Admonition - *Unreported (1998)*
Decided: 12/3/1998

APPEARANCES BEFORE REVIEW BOARD
Michelle J. Tomasso for District VIII
Frank Cofone, Jr. for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who improperly attempted to withdraw from representation in a malpractice matter without giving the client reasonable notice or obtaining his consent and also failed to communicate with the client to explain the problems in the case and inform him that the complaint had been dismissed for failure to answer interrogatories.

WILLIAM C. HERRMANN

Admitted: 1974; Red Bank (Monmouth County)
Admonition - *Unreported (1998)*
Decided: 10/21/1998

APPEARANCES BEFORE REVIEW BOARD
Ronald J. Troppoli for District IX
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently and failed to properly communicate with a client concerning the status of a subdivision application and subsequent litigation.

WILLIAM D. HOBSON

Admitted: 1989; Collingswood (Camden County)
Disbarment - *154 N.J. 269 (1998)*
Decided: 4/14/1998

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who had been disbarred in the Commonwealth of Pennsylvania for the knowing misappropriation of over $45,000 in clients' trust funds in two separate matters.

The respondent was temporarily suspended from the practice of law on February 6, 1996 in New Jersey for his failure to refund $12,500 to a former client, as ordered by the District IV Fee Arbitration Committee. In addition, on September 28, 1994, he was admonished for failure to establish and maintain a bona fide office in New Jersey, as required by *R.1:21-1*.

HOWARD J. HOFFMANN

Admitted: 1976; West New York (Hudson County)
Reprimand - *154 N.J. 259 (1998)*
Decided: 5/20/1998

APPEARANCES BEFORE REVIEW BOARD
Frederick Theemling, Jr. for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to act diligently, and failed to communicate with a client in connection with an automobile accident case which was dismissed because of respondent's failure to supply answers to interrogatories. The respondent misrepresented the status of the matter to his client by failing to inform the client that the case had been dismissed. He also failed to cooperate with disciplinary authorities during the processing of this matter.

EDWARD J. HOLDEN

Admitted: 1977; West Long Branch (Monmouth County)
Disbarment by Consent - *155 N.J. 598 (1998)*
Decided: 9/14/1998

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
John S. Sitzler for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend a pending disciplinary charge

alleging the knowing misappropriation of client's trust funds. This matter was discovered solely as a result of the Random Audit Compliance Program.

ROBERT A. HOLLIS

Admitted: 1971; Hackensack (Bergen County)
Suspension 1 Year - *154 N.J. 12 (1998)*
Decided: 6/16/1998

APPEARANCES BEFORE REVIEW BOARD
John J. Lamb for District IIB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who violated administrative guidelines of the Supreme Court and court rules by failing to notify a client of his suspension and continuing to represent her while suspended and by then recommending an attorney to his client while under suspension.

The respondent has an extensive disciplinary history. He was suspended from the practice of law for a period of three years in 1993 for failure to expedite litigation, conduct involving dishonesty, fraud, deceit or misrepresentation, gross negligence, failure to act with reasonable diligence, failure to communicate and failure to withdraw from representation. *In re Hollis, 134 N.J. 124 (1993).* In 1984, respondent was suspended for three years for failure to prosecute actions on behalf of clients, failure to record a mortgage, failure to supply an inventory of pending cases to a proctor, and failure to promptly pay a client's mortgage out of the trust account. *In re Hollis, 95 N.J. 253 (1984).*

A. ROBERT HOLMAN, III

Admitted: 1989; Jersey City (Hudson County)
Disbarment - 156 N.J. 371 (1998)
Decided: 10/6/1998

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who engaged in misconduct in 15 matters, which included accepting fees and undertaking representation of clients, then abandoning them without performing any services in their behalf and without returning the fee, as well as conduct involving gross neglect, lack of diligence, abandonment and dishonesty, fraud, deceit or misrepresentation. The respondent had been temporarily suspended from the practice of law in New Jersey since March 18, 1997. *In re Holman, 148 N.J. 396 (1997).*

WILLIAM C. ISRAEL

Admitted: 1987; Yonkers, New York (County)
Disbarment - *156 N.J. 398 (1998)*
Decided: 10/22/1998

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who had been disbarred in the state of New York for the knowing misappro-priation of client trust funds and for practicing law while under suspension in that state. The respondent had been previously disciplined. In 1996, he was reciprocally suspended in New Jersey for two years following discipline for misconduct in New York that included neglecting six matters, handling one matter incompetently and without adequate preparation, engaging in conduct prejudicial to the administration of justice and failing to carry out a contract of employment.

CHARLES M. IZZO

Admitted: 1987; Camden (Camden County)
Reprimand - *156 N.J. 375 (1998)*
Decided: 10/21/1998

APPEARANCES BEFORE REVIEW BOARD
Phillip S. Fuoco for District IV
Henry J. Tyler for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who took the acknowledgment of the grantor to a deed outside the grantor's presence.

DANIEL B. JACOBS

Admitted: 1976; Union City (Hudson County)
Suspension 3 Months - *152 N.J. 463 (1998)*
Decided: 2/10/1998 Effective: 3/9/1998

APPEARANCES BEFORE SUPREME COURT
Steven Menaker for District VI
Avram B. Segall for respondent

The Supreme Court of New Jersey held that a suspension for a period of three months and until the conclusion of all ethics proceedings currently pending was the appropriate discipline for an attorney who, in a series of four matters, engaged in a pattern of neglect and gross neglect of four matters, failed to act diligently, failed to communicate with clients, failed to promptly deliver funds to a client, failed to cooperate with disciplinary authorities in the investigation of the matters, failed to properly designate a law office business account, failed to place settlement proceeds in a trust account,

and failed to maintain financial records in accordance with R.1:21-6. The respondent was previously privately reprimanded in 1988 for lack of competence, negligence in handling a file, lack of diligence and failure to expedite a matter. Since July 30, 1997, the respondent had practiced law under a temporary license restriction that included the supervision of a practicing attorney approved by the Office of Attorney Ethics.

MARK H. JAFFE

Admitted: 1988; Princeton (Mercer County)
Reprimand - *154 N.J. 136 (1998)*
Decided: 6/30/1998

APPEARANCES BEFORE REVIEW BOARD
Joan D. VanPelt for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, as an accommodation to another attorney, signed certain documents in a case. When the matter was called for trial, the attorney was listed as attorney of record. Without any further inquiry, respondent failed to notify the client of the trial date and allowed the matter to be dismissed.

SCOTT E. KAPLAN

Admitted: 1977; Bordentown (Burlington County)
Suspension 2 Years - *154 N.J. 13 (1998)*
Decided: 6/16/1998 Effective: 7/9/1996

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey granted the respondent's petition for review and held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who plead guilty to one count of an indictment charging him with wire fraud, in violation of *18 U.S.C.A. '1343 and 2* for making an interstate telephone call for the purpose of avoiding detection of false representations made by the buyer and seller of a realty who had engaged in a scheme to defraud Meridian Mortgage Corporation. Respondent had been temporarily suspended from the practice of law since July 12, 1996. *In re Kaplan, 146 N.J. 215 (1996).*

JOEL M. KESSLER

Admitted: 1979; Long Branch (Monmouth County)
Reprimand - *152 N.J. 488 (1998)*
Decided: 3/10/1998

APPEARANCES BEFORE REVIEW BOARD
Maureen Bauman for District IX
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest by taking a position for one client against a former matrimonial client's husband. The respondent previously received a private reprimand for failure to advise a client of a conflict of interest in 1994.

S. DORRELL KING

Admitted: 1980; Verona (Essex County)
Reprimand - *152 N.J. 380 (1998)*
Decided: 2/3/1998

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a series of three different matters, engaged in gross neglect, lack of diligence, failure to communicate, refusal to return an unearned retainer and failed to turn over a case file.

The Supreme Court also ordered that total restitution to clients be made within 60 days in the amount of $11,500, failing which respondent would be temporarily suspended. The Court also ordered that the respondent practice under the supervision of a practicing attorney approved by the Office of Attorney Ethics for a period of two years and until further order of the Court.

PAUL J. KONZELMANN, II

Admitted: 1980; West Paterson (Passaic County)
Disbarment by Consent - *156 N.J. 374 (1998)*
Decided: 10/14/1998

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Donald J. Rinaldi for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend himself against pending charges that he misused $120,000 in trust funds and $70,000 in estate funds.

THEODORE F. KOZLOWSKI

Admitted: 1978; Morristown (Morris County)
Admonition - *Unreported (1998)*
Decided: 2/18/1998

APPEARANCES BEFORE REVIEW BOARD
Barry N. Shinberg for District X
Gerard E. Hanlon for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in two separate matters, failed to act diligently or to adequately communicate with his clients.

MANOS M. LAMPIDIS

Admitted: 1972; Teaneck (Bergen County)
Reprimand - *153 N.J. 367 (1998)*
Decided: 5/20/1998

APPEARANCES BEFORE REVIEW BOARD
Andrew J. Cevasco for District IIB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who filed a personal injury suit and then failed to take any further action, thus grossly neglecting the matter and failing to communicate with the client. The respondent also failed to cooperate with disciplinary authorities during the processing of this matter.

F. CRAIG LAROCCA

Admitted: 1977; Ventnor (Atlantic County)
Reprimand - *152 N.J. 453 (1998)*
Decided: 2/24/1998

APPEARANCES BEFORE REVIEW BOARD
Michael A. Fusco for District I
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in unethical conduct by entering into a business transaction with a client without making the appropriate disclosures to obtain independent counsel.

WILLIAM C. LATOURETTE

of Oakland (Bergen County)
Admission Denied - *156 N.J. 444 (1998)*
Decided: 12/4/1998

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Committee on Character
William C. LaTourette, applicant, appeared pro se

The Supreme Court of New Jersey held that an attorney would not be granted admission to the practice of law in New Jersey where he has failed to demonstrate by clear and convincing evidence that he possesses the character and fitness necessary to practice law. In this case, the respondent's intemperate exchanges with Bar Examiners' personnel (referring to them as committing acts of "purposeful harassment and cruelty" and characterizing communications with the Bar Examiners' as "marked by petty cruelty.") shows such a marked disrespect for judicial personnel, procedures and institutions as to belie a fidelity to the administration of justice. The Court further ordered that the respondent was prohibited for a period of two years from again making application for admission to the bar.

CHARLES H. LEE

Admitted: 1990; Palisades Park (Bergen County)
Admonition - *Unreported (1998)*
Decided: 6/2/1998

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in 1995, during a search conducted by the Fort Lee police, was found in possession of a controlled, dangerous substance, 0.46 grams of marijuana, as well as possession of drug paraphernalia.

SETH D. LEVINE

Admitted: 1983; Roseland (Essex County)
Admonition - *Unreported (1998)*
Decided: 7/28/1998

APPEARANCES BEFORE REVIEW BOARD
Lisa A. Firko for District VC
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to release his client's matrimonial file to a new attorney despite repeated requests after respondent's services were terminated.

JAMES R. LISA

Admitted: 1984; Jersey City (Hudson County)
Suspension 3 Months - *152 N.J. 455 (1998)*
Decided: 2/24/1998 Effective: 3/24/1998

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Robert A. Bianchi for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in a disciplinary stipulation, admitted to being under the influence of a controlled, dangerous substance, cocaine, having unlawful constructive possession of a controlled, dangerous substance, 0.73 grams of cocaine, and unlawful possession of drug paraphernalia, all of which offenses occurred in July of 1996.

Respondent's offenses were a violation of *N.J.S.A. 2C:35-10(b); N.J.S.A. 2C:35-10(a)(1), and N.J.S.A. 2C:36-2*. The respondent was previously disciplined by admonishment in 1995 for using a trust account as a personal business account which caused three overdrafts.

ROGER A. LEVY

Admitted: 1987; Oradell (Bergen County)
Suspension 3 Months - *155 N.J. 594 (1998)*
Decided: 9/10/1998

APPEARANCES BEFORE REVIEW BOARD
Paul N. Daly for District VII
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, from May 1993 through May 1995, filed a total of 607 complaints in the state of New Jersey, notwithstanding the fact that he was ineligible to practice law by reason of non-payment of his annual registration fee. Additionally, respondent failed to maintain a bona fide office and failed to maintain required attorney trust and business accounts.

LARRY A. LUBIN

Admitted: 1984; Fort Lee (Bergen County)
Suspension 2 Years - *152 N.J. 459 (1998)*
Decided: 2/24/1998 Effective: 3/24/1998

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who was disbarred in the state of California based upon instances of gross neglect, misrepresentation to clients, improper termination of representation and practicing law without a proper license.

MELVIN D. LUSANE

Admitted: 1972; Newark (Essex County)
Disbarment by Consent - *156 N.J. 404 (1998)*
Decided: 11/5/1998

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Bernard K. Freamon for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend pending disciplinary charges in several cases alleging the knowing misappropriation of clients' trust funds. The respondent had been the subject of two separate decisions of the Disciplinary Review Board that were pending oral argument before the Supreme Court. Both decisions recommended respondent's disbarment. The respondent has an extensive discipline history. He was privately reprimanded in 1981 and again in 1988 for lack of diligence and lack of communication. He was publicly reprimanded in 1991 for failure to answer an ethics complaint, as well as failure to withdraw from a matter when discharged and failure to communicate with clients. *In re LuSane, 124 N.J. 31 (1991).* In addition, respondent was temporarily suspended from practicing law in New Jersey on September 25, 1992, based on an alleged misappropriation of clients' trust funds.

MARSHALL F. MASSA

Admitted: 1975; Pequannock (Morris County)
Disbarment by Consent - *155 N.J. 118 (1998)*
Decided: 8/10/1998

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Stephen S. Weinstein for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges of the knowing misappropriation of client's trust funds and who, on July 30, 1998, entered a guilty plea in the Superior Court of New Jersey, Law Division, Morris County to charges of theft by deception of over $200,000. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

WILLIAM T. MCCUE

Admitted: 1980; Glen Rock (Essex County)
Disbarment - *153 N.J. 365 (1998)*
Decided: 5/5/1998

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $547,000 from a decedent's trust. The respondent had been temporarily suspended from the practice of law in New Jersey on February 6, 1996. *In re McCue, 143 N.J. 331 (1996)*.

JAMES J. MCENROE

Admitted: 1977; New York City, New York
Suspension 1 Year - *156 N.J. 433 (1998)*
Decided: 11/17/1998 Effective: 12/17/1998

APPEARANCES BEFORE REVIEW BOARD

Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year, effective December 17, 1998, was the appropriate discipline for an attorney who had received a three-year suspension in the state of New York where he was found guilty of professional misconduct in his representation of 14 clients in various legal matters. The misconduct there included neglect of clients' legal matters, failure to maintain contact with clients and failure to promptly refund unearned advance fees upon withdrawing from employment.

CHARLES E. MEADEN

Admitted: 1982; Tenafly (Bergen County)
Reprimand - *155 N.J. 357 (1998)*
Decided: 7/28/1998

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Bernard K. Freamon for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who made direct, in person contact with victims of the Edison, New Jersey pipeline explosion mass disaster by personally approaching clients at the Red Roof Inn and by forwarding to them solicitation letters immediately following the disaster.

LEE DAVID MEDINETS

Admitted: 1977; Lakewood (Ocean County)
Reprimand - *154 N.J. 255 (1998)*
Decided: 6/16/1998

APPEARANCES BEFORE REVIEW BOARD
Janet Z. Kalapos for District IIIA
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with the disciplinary system in the investigation and processing of a grievance.

MICHAEL J. MELLA

Admitted: 1968; Garfield (Bergen County)
Reprimand - *153 N.J. 35 (1998)*
Decided: 3/24/1998

APPEARANCES BEFORE REVIEW BOARD
Myra Wrubel and Paul Brickfield for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in two matters, failed to act with diligence and failed to communicate and to keep a client reasonably informed of the status of their matter. The respondent was also disciplined for conduct prejudicial to the administration of justice in communicating with the grievant in an attempt to have the grievant dismiss the pending ethics grievance in exchange for a fee refund and some additional remedial conduct.

ROBERT D. MEENEN

Admitted: 1965; Hawthorne (Passaic County)
Disbarment - *156 N.J. 401 (1998)*
Decided: 11/2/1998

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated more than $308,000 in estate assets acting as the administrator thereof by making improper loans and improperly investing estate funds, as well as improperly advancing fees to himself.

BEATRIZ E. MEZA-RUIZ

Admitted: 1994; Hawthorne (Passaic County)
Disbarment by Consent - *152 N.J. 377 (1998)*
Decided: 2/2/1998

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Raymond A. Reddin for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who knowingly misappropriated both law firm and client trust funds, falsified official U.S. government correspondence, gave false information to the New Jersey Division of Unemployment Insurance, provided false information to the Office of Attorney Ethics during the investigation and prosecution of this matter and engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation. The respondent had been temporarily suspended from the practice of law since May 27, 1997.

ALAN SCOTT MILLER

Admitted: 1973; Key Biscayne, Florida
Disbarment by Consent - *156 N.J. 453 (1998)*
Decided: 11/25/1998

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Bruce P. Miller for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who tendered the same after a motion for final discipline had been filed with the Disciplinary Review Board. The respondent pleaded guilty to a three-count federal information filed in the United States District Court for the Southern District of Florida charging one count of engaging in monetary transactions in property derived from specified unlawful activity, in violation of *18 U.S.C.A. 1957* and two counts of making false statements, in violation of *18 U.S.C.A. 1001*. Respondent had been temporarily suspended from the practice of law in New Jersey since July 27, 1994. *In re Miller, 137 N.J. 237 (1994).*

JOHN P. MORRIS

Admitted: 1974; Bridgeton (Cumberland County)
Reprimand - *152 N.J. 155 (1998)*
Decided: 1/6/1998

APPEARANCES BEFORE REVIEW BOARD
Catherine A. Tuohy for District I
Respondent appeared pro se

The Supreme Court of New Jersey accepted a Motion for Discipline By Consent and held that a reprimand was the appropriate discipline for an attorney who grossly neglected to take any substantial action in an estate matter for a period of eleven years, including the failure to prepare or file an inheritance tax return, open an estate account or deposit checks forwarded to the estate. The respondent did, however, ultimately make restitution to the estate for its losses, which totaled more than $8,000. The respondent previously received an admonition in 1996 for mishandling an estate matter.

RICHARD D. MORRIS

Admitted: 1987; Wenonah (Gloucester County)
Suspension 3 Years - *153 N.J. 36 (1998)*
Decided: 3/24/1998

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a three year suspension from the practice of law was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Gloucester County, to official misconduct and conspiracy to obtain cocaine. With regard to the former charge, respondent, acting as the municipal public defender for the Municipal Court of Glassboro, offered to provide his client with a fictitious insurance card in return for $750. Although the respondent was unable to obtain the false insurance card, he nevertheless misrepresented to the municipal court that the insurance card was at his residence. The respondent had been temporarily suspended from the practice of law in New Jersey since June 7, 1996. *In re Morris, 144 N.J. 255 (1996)*.

GERALD A. NUNAN

Admitted: 1983; Morristown (Morris County)
Admonition - *Unreported (1998)*
Decided: 10/20/1998

APPEARANCES BEFORE REVIEW BOARD
Stephan C. Hansbury for District X
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who grossly neglected a matrimonial matter, failed to keep his client reasonably informed of the status of the matter, and failed to cooperate with disciplinary authorities during the investigation.

KENNETH S. OLECKNA

Admitted: 1972; Rahway (Union County)
Reprimand - *155 N.J. 357 (1998)*
Decided: 7/28/1998

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
David B. Rubin for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, as a member of a law firm, rented and operated a Winnebago recreational vehicle within 100 feet of a Red Cross shelter established for the mass disaster victims of the Edison, New Jersey pipeline explosion.

STEVEN M. OLITSKY

Admitted: 1976; North Caldwell (Essex County)
Suspension 3 Months - *154 N.J. 177 (1998)*
Decided: 6/30/1998 Effective: 8/16/1997

APPEARANCES BEFORE REVIEW BOARD
George Mazin for District VB
Ernest G. Ianetti for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in three client matters, engaged in gross neglect, lack of diligence, failure to keep a client reasonably informed, and failure to prepare a written retainer agreement.

The respondent had been previously disciplined. In 1993, he was privately reprimanded for failure to communicate with a client and to prepare a written retainer agreement. In 1996, he received an admonition for failure to prepare and execute a fee retainer agreement and to inform his client that his law firm would not initiate the matter unless full payment of

the fee was made. In 1997, respondent was suspended for a period of three months for recordkeeping deficiencies, which included the commingling of personal and client funds in his trust account in order to avoid an IRS levy of his personal funds.

RAYMOND T. PAGE

Admitted: 1983; Woodbury (Gloucester County)
Suspension 3 Months - *156 N.J. 432 (1998)*
Decided: 11/17/1998 Effective: 12/16/1998

APPEARANCES BEFORE REVIEW BOARD
Michael A. Kaplan for District IV
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months, effective December 16, 1998, was the appropriate discipline for an attorney who was retained by a client to defend him against harassment charges in municipal court and, although the attorney filed a civil action for malicious prosecution, he allowed that action to subsequently be dismissed. Respondent failed to inform his clients either that the complaint had been filed or that it had been dismissed and took no further action in the matter. The respondent had been previously admonished in 1995 for lack of diligence, failure to communicate with the client, and failure to respond to an ethics investigator's request for information; he was reprimanded in 1997 for gross neglect, failure to communicate and failure to keep a client reasonably informed. *In re Page, 150 N.J. 254 (1997).*

PATRICK M. PAJEROWSKI

Admitted: 1978; Newark (Essex County)
Disbarment - *156 N.J.509 (1998)*
Decided: 12/4/1998

APPEARANCES BEFORE SUPREME COURT
Robert J. DeGroot for Attorney Ethics
Lewis P. Sengstacke for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, between 1991 and 1994, solicited clients through his office manager/investigator who, in a one-year period, was paid a total of $182,000. The Court noted that:

> [W]hen an attorney pays a runner to solicit clients, numerous problems arise that adversely affect the public, the bar and the judicial system. Soliciting accident victims so soon after their injuries presents an opportunity for "fraud, undue influence, intimidation, overreaching, and other forms of vexatious conduct." (Citations omitted).

In this case, the Court observed that the respondent knew and condoned his investigator's conduct in assisting his clients to file false medical claims. The Court observed that such conduct "poisons the well of justice," and constitutes "grave misconduct that goes to the heart of the administration of justice." (Citations omitted).

RUDOLPH A. PALOMBI, JR.

Admitted: 1984; Trenton (Mercer County)
Suspension 3 Months - *152 N.J. 453 (1998)*
Decided: 2/24/1998 Effective: 3/24/1998

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who unethically led his client to believe that, by paying a civil settlement of a potential lawsuit against the client by a police officer, he could achieve a more favorable sentencing recommendation in the client's criminal case. As the Disciplinary Review Board noted:

> "In other words, respondent intentionally gave his client the impression that 'justice is for sale.' Attorneys who create the appearance that our justice system may be compromised by financial offers are subject to serious consequences."

LOUIS L. PARADISO

Admitted: 1987; Montclair (Essex County)
Reprimand - *152 N.J. 466 (1998)*
Decided: 2/18/1998

APPEARANCES BEFORE REVIEW BOARD
James J. McDonald for District VC
Dennis Durkin for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a personal injury matter, failed to act with diligence and failed to communicate with the client causing the case to be dismissed with prejudice. While the respondent has no ethical history, he was the subject of a diversion for minor misconduct, including gross neglect and lack of communication, that was entered on May 26, 1996.

ALBERT S. PARSONNET

Admitted: 1955; Hillside (Union County)
Suspension 1 Year - *153 N.J. 37 (1998)*
Decided: 3/24/1998 Effective: 3/6/1997

APPEARANCES BEFORE REVIEW BOARD

Richard J. Engelhardt for Attorney Ethics
Joseph W. Spagnoli for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Union County to one count of receiving stolen property, in violation of *N.J.S.A. 2C:20-7*. Specifically, the charge involved respondent's receipt of a laptop computer in return for the payment of $350, when respondent had reason to believe that the computer was stolen property. Respondent had been temporarily suspended from the practice of law in New Jersey since March 6, 1997.

PAUL J. PASKEY

Admitted: 1983; Bayonne (Hudson County)
Admonition - *Unreported (1998)*
Decided: 10/23/1998

APPEARANCES BEFORE REVIEW BOARD
Sandy G. Moscaritolo for District VI
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who allowed both an initial complaint, as well as a subsequent complaint, to be dismissed for lack of prosecution, thereby grossly neglecting the matter. The respondent also failed to communicate with his client in handling the case.

G. ROBERT PATTERSON

Admitted: 1990; Collingswood (Camden County)
Disbarment - *152 N.J. 457 (1998)*
Decided: 2/24/1998

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, in a series of 15 cases, engaged in an egregious pattern of neglect and gross neglect, lack of diligence, failure to communicate with clients, failure to return to a client unearned retainers, misrepresentation and failure to cooperate with disciplinary authorities. The respondent was temporarily suspended from the practice of law on May 20, 1996. *In re Patterson, 144 N.J. 157*.

THOMAS S. PLAIA

Admitted: 1982; Union (Union County)
Reprimand - *154 N.J. 179 (1998)*
Decided: 6/301998

APPEARANCES BEFORE REVIEW BOARD
John J. DeMassi for District XII
Christopher L. Patella for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected several cases, failed to communicate with his clients and, in addition, failed to turn over the file. In four matters, the respondent misrepresented the status of the case to his clients.

RANDEE POMERANTZ

Admitted: 1986; Manalapan (Monmouth County)
Disbarment - *155 N.J. 122 (1998)*
Decided: 7/17/1998

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Andrew B. Schultz, a member of the NY Bar, for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misused client trust funds for personal purposes and then replaced them with her own money; knowingly withdrew for her own benefit sums in excess of the funds received from an estate of which she was the beneficiary; was out-of-trust on 28 occasions from June 1991 through August 1992; wrote checks against uncollected funds, committed numerous recordkeeping violations; made misrepresentations to the Office of Attorney Ethics during the course of the ethics investigation and attempted to frame her bookkeeper for trust account shortages by filing a false claim with the prosecutor that was no billed by the grand jury.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

HARRIS J. RAKOV

Admitted: 1969; Mahwah (Bergen County)
Suspension 2 Years - *155 N.J. 593 (1998)*
Decided: 9/10/1998 Effective: 4/19/1996

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years, retroactive to April 19, 1996, the date of his temporary suspension from practice in New Jersey, was the appropriate discipline for an attorney who was convicted in the United States District Court for the District of New Jersey on five counts of attempted income tax evasion for calendar years 1988 through 1992, in violation of *26 U.S.C.A. '7201*.

RAVICH, KOSTER, TOBIN, OLECKNA, REITMAN AND GREENSTEIN, A LAW FIRM TRADING AS "TEAMLAW"

Rahway (Union County)
Reprimand*155 N.J. 357 (1998)*
Decided: 7/28/1998

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
David B. Rubin for respondents

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for a New Jersey law firm which engaged in a planned effort to improperly solicit clients by placing a Winnebago recreational vehicle 100 feet from the Red Cross Shelter established for the victims of the Edison, New Jersey pipeline explosion mass disaster.

MICHAEL L. RESNICK

Admitted: 1988; Morristown (Morris County)
Reprimand - *154 N.J. 6 (1998)*
Decided: 6/15/1998

APPEARANCES BEFORE REVIEW BOARD
Linda Mainenti-Walsh for District X
Respondent appeared pro se

The Supreme Court of New Jersey accepted the Discipline by Consent recommended by the Disciplinary Review Board in connection with a respondent who failed to abide by a client's decision to reject a settlement offer in a litigated matter, but who accepted the settlement, deposited it into his trust account, and disbursed his fee to himself.

DONALD W. RINALDO

Admitted: 1965; Union (Union County)
Suspension 3 Months - *155 N.J. 541 (1998)*
Decided: 6/30/1998 Effective: 7/27/1998

APPEARANCES BEFORE REVIEW BOARD
Joan VanPelt for District XII
Lee A. Gronikowski Attorney Ethics
Raymond Grimes and Robert Michael Vreeland for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected one matter when he failed to file suit in a timely manner or to advise the client of her options, and, in another case, was involved in a conflict of interest by improperly representing both parties to a lawsuit through an elaborate subterfuge; respondent also failed to reply to a lawful demand for information from a disciplinary authority. Finally, in yet another case, the respondent failed to keep a legal fee separate until the dispute over the legal fee was resolved.

EDWARD K. RODGERS

Admitted: 1991; Manasquan (Monmouth County)
Disbarment by Consent - *153 N.J. 366 (1998)*
Decided: 7/7,/998

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Michael G. Brennan consulted with respondent solely with regard to voluntariness of his disbarment

The Supreme Court of New Jersey accepted the Disbarment by Consent of an attorney who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misuse of clients' trust funds. The respondent was temporarily suspended from the practice of law on April 16, 1998.

RONALD G. RUBIN

Admitted: 1976; Cherry Hill (Camden County)
Reprimand - *153 N.J. 354 (1998)*
Decided: 4/23/1998

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Raymond E. Milavsky for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to maintain proper trust and business account records by failing to prepare quarterly reconciliations as required by court rule and for having over $53,000 in unidentified trust funds in his trust account. The respondent also advanced funds to personal injury clients before settlement monies were received from their cases.

This matter was discovered solely as the result of the Random Audit Compliance Program. The respondent has a prior disciplinary history. The respondent received a private reprimand in 1987 for a conflict of interest, when he accepted employment with former clients to negotiate a settlement with his own legal malpractice insurance carrier. In 1992, he received a private reprimand for breach of fiduciary duty by disbursing $4,397 in escrow funds to his own clients without giving notice to the other party who had an interest in the funds. In 1996, respondent admitted failing to communicate in two matters and failure to provide a client with a written retainer agreement in another matter, following which the disciplinary proceeding was diverted.

DENNIS M. SALERNO

Admitted: 1971; Jersey City (Hudson County)
Reprimand - *152 N.J. 431 (1998)*
Decided: 2/24/1998

APPEARANCES BEFORE REVIEW BOARD
Robert J. Prihoda for Attorney Ethics

Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, although he had certified that he had corrected deficiencies in a 1988 random audit, was found to have failed to have corrected most of those same deficiencies when a 1996 audit of his trust and business account records were conducted.

RONALD S. SAMPSON

Admitted: 1981; East Orange (Essex County)
Admonition - *Unreported (1998)*
Decided: 4/27/1998

APPEARANCES BEFORE REVIEW BOARD
Leonard A. Weitzman for District VB
Rspondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who allowed a litigated matter to be dismissed and, thereafter, failed to take appropriate action to have the case reinstated. In addition, the respondent failed to reply to reasonable requests for information about the matter from his client. Further, respondent failed to cooperate with disciplinary authorities' demands for information.

ANTHONY F. SARSANO

Admitted: 1974; Union City (Hudson County)
Reprimand - *153 N.J. 364 (1998)*
Decided: 5/5/1998

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who prepared two different RESPA statements in order to mislead a lending institution.

INA P. SCHIFF

Admitted: 1975; Ashburn, Virginia
Suspension 18 Months - *156 N.J. 402 (1998)*
Decided: 11/2/1998 Effective: 8/7/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 18 months was the appropriate discipline for an attorney who grossly exaggerated her fees and costs to the United States District Court for the District of Rhode Island with a false affidavit supporting the accuracy and truthfulness of those fees and costs. The respondent had been temporarily suspended from the practice of law in New Jersey following her failure to respond to an inquiry regarding the cause for an overdraft in her trust account. *In re Schiff, 151 N.J. 62 (1997).*

CLARK B. SCHOR

Admitted: 1974; Belleville (Essex County)
Reprimand and Temporary Suspension - *154 N.J. 81 (1998)*
Decided: 6/2/1998

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with the Random Audit Program in producing records and correcting deficiencies cited by the Program. The respondent also failed to cooperate with disciplinary authorities in the prosecution of this matter. In addition to a reprimand, the Court also ordered that respondent be temporarily suspended from the practice of law, effective immediately, "until respondent demonstrates to the Office of Attorney Ethics that he is complying fully with *Rule 1:21-6*."

THEODORE J. SEGAL

Admitted: 1972; Phoenix, Arizona
Disbarment - *156 N.J. 431 (1998)*
Decided: 11/17/1998

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred in the state of Arizona for knowingly misappropriating over $419,000 in clients' trust funds. The respondent had been temporarily suspended from the practice of law in New Jersey since August 19, 1996. *In re Segal, 146 N.J. 173 (1996).*

PAUL H. SEIDENSTOCK

Admitted: 1987; Staten Island, New York
Reprimand - *153 N.J. 363 (1998)*
Decided: 5/5/1998

APPEARANCES BEFORE REVIEW BOARD
Mark H. Lipton for District VI
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who,

while appearing *pro hac vice* in the state of Delaware, grossly neglected a litigated matter by failing to meet numerous deadlines for the production of documents under a special master's discovery order, and then misrepresented the status of the case to his employer.

ALLAN SHOOPAK

Admitted: 1960; Randolph (Morris County)
Disbarment By Consent - *152 N.J. 487 (1998)*
Decided: 3/61998

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Thomas R. Curtin consulted with the respondent solely for insuring voluntariness of his action

The Supreme Court of New Jersey accepted the Disbarment by Consent of a respondent who admitted that he was unable to successfully defend a complaint pending against him charging the knowing misappropriation of clients' trust funds in the amount of $18,000.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

PETER B. SILVIA

Admitted: 1977; Washington Township (Bergen County)
Disbarment - *152 N.J. 243 (1998)*
Decided: 1/9/1998

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated trust funds from an incompetent relative who was in the final stages of renal failure and confined to a nursing home. The Court held that:

> "Knowing misappropriation of funds from a family member incapable of self-care by a lawyer-relative entrusted with the safekeeping of those funds for the family member's benefit constitutes a flagrant abdication of the lawyer's professional responsibilities. No discipline short of disbarment is justified."

ROBERT SIMONS

Admitted: 1991; Haddon Heights (Camden County)
Admonition - *Unreported (1998)*
Decided: 7/281998

APPEARANCES BEFORE REVIEW BOARD
Ann C. Pearl for District IV
Michael D. Miller for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who signed a friend's name on an affidavit and notarized the "signature" and then submitted that document to a court.

NICHOLAS G. SKOKOS

Admitted: 1976; Asbury Park (Monmouth County)
Suspension 2 Years - *153 N.J. 33 (1998)*
Decided: 3/24/1998 Effective: 4/20/1998

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who failed to maintain records of estate funds entrusted to his care, failed to promptly notify the heirs of their interest in the estate, failed to promptly deliver bequests to the heirs within a reasonable time, and failed to cooperate with the Office of Attorney Ethics during its investigation. The respondent's neglect was so complete that he allowed estate funds to escheat to the estate and failed to pay any estate taxes, thereby incurring large penalties against the estate.

The respondent was previously reprimanded in 1997 for gross neglect, lack of diligence, and failure to communicate with clients. *In re Skokos, 145 N.J. 556 (1997)*.

JOSEPH P. SKRIPEK

Admitted: 1964; Fairfield (Essex County)
Reprimand - *156 N.J. 399 (1998)*
Decided: 10/22/1998

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Henry J. Franzoni, Jr. for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who resigned his membership in the Bar of the state of New York as a result of a pending ethics investigation in that state following a New York judge's ruling of civil contempt for his failure to obey a court order in his own matrimonial matter.

DOUGLAS R. SMITH

Admitted: 1974; Midland Park (Bergen County)
Disbarment - *153 N.J. 42 (1998)*
Decided: 3/24/1998

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, while already suspended from the practice of law, continued to practice in violation of the Supreme Court's Order, and who, in another matter, exhibited gross neglect, lack of diligence, failure to communicate, misrepresentations and failure to cooperate with disciplinary authorities.

The respondent had a history of discipline. In 1993, he was privately reprimanded for representing clients with adverse interests without disclosing the circumstances of the multiple representation and for failing to file an answer to a formal ethics complaint. In 1994, he was suspended for a period of one year for gross neglect, pattern of neglect, lack of diligence, misrepre-sentation and entering into a business relationship with a client without advising the client to seek independent counsel. *In re Smith, 135 N.J. 122 (1994)*. In 1995, respondent was suspended for an additional six months for lack of diligence in connection with an appellate matter and failure to cooperate with disciplinary authorities. *In re Smith, 140 N.J. 212 (1995)*. In 1997, the Supreme Court ordered a three-year suspension for gross neglect, misrepresentation and failure to cooperate with disciplinary authorities. *In re Smith, 148 N.J. 375 (1997)*.

MEREDITH P. SOLVIBILE

Admitted: 1995; Philadelphia, Pennsylvania
Suspension 6 Months - *156 N.J. 321 (1998)*
Decided: 9/23/1998

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Robert N. Agre for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in her application for admission to the Pennsylvania Bar Exam, made misrepresentations that her application for admission was, in fact, mailed prior to the closing deadline, when she knew, in fact, it was not. The respondent, through her boyfriend, sought the assistance of a friend who worked at the post office, and respondent prepared and submitted to the Pennsylvania Board of Law Examiners a false and misleading letter signed by the post office worker stating that her application and money order payment were, in fact, filed before the deadline, when she knew this to be untrue. Ultimately, the respondent admitted her actions to the Pennsylvania Board of Law Examiners who denied her admission for a period of one year. Respondent then reported herself to the Office of Attorney Ethics.

JOHN R. STEPHENSON, JR.

Admitted: 1984; Montclair (Essex County)
Admonition - *Unreported (1998)*
Decided: 6/2/1998

APPEARANCES BEFORE REVIEW BOARD
Regina W. Joseph for District VC
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who allowed a litigated matter to be dismissed without taking any final action to reinstate the complaint, thus grossly neglecting a client matter.

NEIL STERNSTEIN

Admitted: 1975; Woodbury (Gloucester County)
Suspension 2 Years - *152 N.J. 433 (1998)*
Decided: 2/10/1998 Effective: 10/31/1995

APPEARANCES BEFORE SUPREME COURT
Peter J. Boyer for District IV
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years, retroactive to October 31, 1995, the date of the expiration of a prior suspension, was the appropriate discipline for an attorney who engaged in multiple ethics offenses in ten matters, involving gross neglect and pattern of neglect, lack of diligence, failure to communicate, failure to disclose a material fact to a tribunal, knowingly disobeying an obligation of a tribunal, failure to cooperate with disciplinary authorities and conduct involving dishonesty, fraud, deceit or misrepresentation. The respondent was previously suspended for a period of three months, effective July 31, 1995, for violations of gross neglect, lack of diligence, lack of communication and failure to cooperate with disciplinary authorities in four matters. *In re Sternstein, 141 N.J. 16 (1995)*.

KENNETH M. SUNBERG

Admitted: 1978; Caldwell (Essex County)
Reprimand - *156 N.J. 396 (1998)*
Decided: 10/22/1998

APPEARANCES BEFORE REVIEW BOARD
JoAnn G. Eyler for Attorney Ethics
Angelo J. Genova for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to consult with a client before permitting two matters to be dismissed, created a phony arbitration award to mislead his partner and lied to the Office of Attorney Ethics about the matter during the disciplinary investigation.

RONALD THOMPSON

Admitted: 1980; East Orange (Essex County)
Admonition - *Unreported (1998)*
Decided: 4/27/1998

APPEARANCES BEFORE REVIEW BOARD
Scott K. Seelagy for District VB
Marvin T. Braker for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in a Workers' Compensation matter, failed to act with diligence and failed to reasonably communicate with his client and to return telephone calls between 1987 and 1993 advising her of the status of the matter.

DONALD F. TOMPKINS

Admitted: 1969; Wayne (Passaic County)
Suspension 3 Months - *155 N.J. 542 (1998)*
Decided: 6/30/1998 Effective: 7/27/1998

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who negligently misappropriated client trust funds as a result of reckless banking practices. This matter was discovered solely as a result of the Random Audit Compliance Program.

PETER J. TOTH

Admitted: 1976; Burlington (Burlington County)
Suspension 2 Years - *154 N.J. 156 (1998)*
Decided: 6/2/1998

APPEARANCES BEFORE REVIEW BOARD
Brian Brodowski for District IIIB
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who, in a series of 11 matters, engaged in gross neglect and a pattern of neglect, lack of diligence, failure to communicate and misrepresentation to clients in eight matters and who abandoned many of those clients.

Respondent had previously been disciplined on several occasions. In 1985, he was privately reprimanded for withdrawing from representation without giving notice to the client, failing to communicate and failing to carry out a contract of employment. In 1988, he received a public reprimand for unethical conduct in three separate matters, including gross neglect in the three matters, failure to communicate in one matter, and improperly withdrawing from the representation in another case. *In re Toth, 110 N.J. 686 (1988)*. The respondent had been under suspension since February 14, 1996 for his failure to comply with a fee arbitration determination requiring him to refund a fee to a client. *In re Toth, 143 N.J. 309 (1996)*.

THOMAS J. VIGGIANO

Admitted: 1974; Hackensack (Bergen County)
Suspension 3 Months - *153 N.J. 40 (1998)*
Decided: 3/24/1998 Effective: 4/20/1998

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who pled guilty to two charges of assault, in violation of *N.J.S.A. 2C:12-1a(1)* where the respondent physically attacked another motorist and then assaulted a police officer as he tried to place him under arrest.

LESTER T. VINCENTI

Admitted: 1971; Elizabeth (Union County)
Disbarment - *152 N.J. 253 (1998)*
Decided: 1/9/1998

APPEARANCES BEFORE SUPREME COURT
JoAnn G. Eyler for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who the Court described as an "arrogant bully" who was "ethically bankrupt." In this case, which represented the fifth serious encounter by this attorney with the disciplinary system, the Court found the respondent had repeatedly used vile tactics in an attempt to verbally and/or physically bully all involved in a termination of parental rights case and in another litigated matter, lied repeatedly to the Office of Attorney Ethics during its investigation of the matters, made false statements of material fact in connection with the disciplinary proceeding and demonstrated by his repeated, inexcusable conduct that he was indeed a "renegade attorney" whose path of devastation could be ended only by his disbarment.

The respondent had an extensive disciplinary history. In 1983, he was suspended for one year for displaying a pattern of abuse, intimidation and contempt toward judges, witnesses, opposing counsel and other attorneys. *In re Vincenti, 92 N.J. 591 (1983)*. In 1989, respondent was again suspended for a period of three months for challenging opposing counsel and a witness to a fight; for using loud, abusive and profane language against his adversary and an opposing witness; and for using racial innuendo on a least one occasion. *In re Vincenti, 114 N.J. 275 (1989)*. In 1994, respondent received an admonition for failing to comply with discovery requests in a disciplinary matter, despite repeated requests from the panel chair, and for falsely testifying at the ethics hearing that he had personally served a subpoena, knowing that to be untrue. *In re Vincenti, N.J. ___ (1994)*. Respondent was again suspended from the practice of law in 1997 for a period of one year as a result of his

violation of the recordkeeping provisions of *R.1:21-6*, negligently misappropriating clients' trust funds and engaging in conduct intended to disrupt a tribunal. *In re Vincenti, 147 N.J. 460 (1997)*.

PETER F. VOGEL

Admitted: 1964; Hackensack (Bergen County)
Admonition - *Unreported (1998)*
Decided: 9/24/1998

APPEARANCES BEFORE REVIEW BOARD
Michael S. Stein for District IIB
Respondent appeared pro se

The Disciplinary Review Board granted a motion for discipline by consent and imposed an admonition upon an attorney who failed to submit an accounting in a conservatorship action for more than three and one-half years and failed to reply to his client's reasonable requests for information in the matter, while also failing to prepare a writing setting forth the basis for the calculation of the attorney's legal fee, as required by Court Rules.

BRUCE A. WALLACE, III

Admitted: 1985; Cherry Hill (Camden County)
Suspension 3 Months - *153 N.J. 31 (1998)*
Decided: 3/24/1998 Effective: 4/20/1998

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Saul J. Steinberg for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who pleaded guilty in the Superior Court of New Jersey, Law Division, Camden County to the third degree crime of unlawful possession of a handgun without a permit, in violation of *N.J.S.A. 2C:39-5b*.

J. EDWARD WALLER

Admitted: 1983; Irvington (Essex County)
Admonition - *Unreported (1998)*
Decided: 7/28/1998

APPEARANCES BEFORE REVIEW BOARD
Christopher Hartmann for District VB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, while engaged part-time in the practice of law in New Jersey, failed to maintain a business account and disbursement journals and ledger books for the trust account, in violation of *R.1:21-6*.

ANITA LANG WALCH

Admitted: 1989; Butler (Morris County)
Admonition - *156 N.J. 414 (1998)*
Decided: 11/2/1998

APPEARANCES BEFORE REVIEW BOARD
Edward W. Ahart for District X
Respondent appeared pro se

The Disciplinary Review Board approved a motion for discipline by consent and held that an admonition was the appropriate discipline for an attorney who displayed a lack of diligence and failure to communicate in four client matters.

SEYMOUR WASSERSTRUM

Admitted: 1973; Vineland (Cumberland County)
Admonition - *Unreported (1998)*
Decided: 2/23/1998

APPEARANCES BEFORE REVIEW BOARD
Daniel A. Zehner for District I
Anthony J. Zarrillo, Jr. for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who accepted two personal injury matters on a contingency basis but failed to reduce the fee agreements to writing as required by *RPC 1.5(c)* and also violated *R.1:21-7(g)* by turning over the entire file to the client without keeping copies of the settlement disbursement sheets and other financial information required to be maintained for seven years under court rule.

SEYMOUR WASSERSTRUM

Admitted: 1973; Vineland (Cumberland County)
Admonition - *Unreported (1998)*
Decided: 7/28/1998

APPEARANCES BEFORE REVIEW BOARD
John D. Jordan for District I
Anthony J. Zarrillo, Jr for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to prepare a retainer agreement covering the contingent fee in a personal injury automobile accident case in violation of *R.1:21-7.*

RICHARD B. WEIL

Admitted: 1973; Montclair (Essex County)
Disbarment - *156 N.J. 430 (1998)*
Decided: 11/18/1998

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics

Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients' trust funds in a real estate matter. The respondent had been temporarily suspended from the practice of law since October 17, 1995 for failure to cooperate with ethics authorities. *In re Weil, 142 N.J. 489 (1995).*

JOHN H. C. WEST, III

Admitted: 1989; Ventnor (Atlantic County)
Suspension 3 Months - *156 N.J. 391 (1998)*
Decided: 10/22/1998

APPEARANCES BEFORE REVIEW BOARD
Frank Corrado for District I
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected two client matters and failed to communicate with them. The respondent was previously disciplined in 1996 when he received an admonition for lack of diligence and failure to communicate. The respondent was also temporarily suspended from the practice of law on October 6, 1997 for failure to pay a fee arbitration award. *In re West, 151 N.J. 460 (1997).*

JOHN H. C. WEST, III

Admitted: 1989; Ventnor (Atlantic County)
Suspension 6 Months - *156 N.J. 451 (1998)*
Decided: 10/22/1998

APPEARANCES BEFORE REVIEW BOARD
Paul T. Chan for District I
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who engaged in gross neglect and a pattern of neglect in three matters, failed to communicate with clients, failed to surrender papers and refund an unearned fee and failed to cooperate with disciplinary authorities during an investigation of the matter. In 1996, the respondent was admonished for lack of diligence and failure to communicate. The respondent was also temporarily suspended from the practice of law on October 6, 1997 for failure to pay a fee arbitration award. *In re West, 151 N.J. 460 (1997).*

ARTHUR G. WILLIAMSON

Admitted: 1974; West New York (Hudson County)
Reprimand - *152 N.J. 489 (1998)*
Decided: 3/10/1998

APPEARANCES BEFORE REVIEW BOARD
Robert J. Maloof for District IIB
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with the district ethics committee during the investigation and prosecution of a grievance.

The respondent had been privately reprimanded in 1988 for failure to carry out a contract of employment for professional services in a matrimonial matter and for failure to return the file to the client. In addition, respondent was temporarily suspended by the Supreme Court of New Jersey on August 7, 1996, after a $20,000 settlement check he gave to a client was returned for insufficient funds.

JAMES H. WOLFE, III

Admitted: 1979; Orange (Essex County)
Admonition - *Unreported (1998)*
Decided: 4/27/1998

APPEARANCES BEFORE REVIEW BOARD
Judith B. Appel for District VA
Oliver Lofton for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in a personal injury matter, failed to keep his clients reasonably advised of the status of the matter, including the fact that on numerous occasions the complaints had been dismissed.

DOROTHY L. WRIGHT

Admitted: 1976; Green Brook (Somerset County)
Reprimand - *154 N.J. 7 (1998)*
Decided: 6/16/1998

APPEARANCES BEFORE REVIEW BOARD
Donald F. Scholl, Jr. for District XIII
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a series of two matters, failed to represent clients with diligence and failed to adequately communicate the status of the matters with her clients.

The respondent was previously disciplined on May 26, 1996 when she received an admonition for failure to communicate and failure to adequately explain to a client the contents of a retainer agreement in a bankruptcy matter.

RICHARD S. YUSEM

Admitted: 1977; Somerville (Somerset County)
Reprimand - *155 N.J. 595 (1998)*
Decided: 9/10/1998

APPEARANCES BEFORE REVIEW BOARD
Diane K. Smith for District XIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and recommendation by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to act diligently in representing a client in a collection matter and failed to keep the client reasonably informed about the status of the matter and failed to communicate with the client. The respondent also failed to cooperate with disciplinary authorities during the investigation of this matter.

The respondent was previously privately reprimanded in 1993 for failure to take required action for two and one-half years as an assignee and for failure to respond to requests for information from the grievants and the ethics investigator.

JAMES C. ZIMMERMAN

Admitted: 1991; Vernon (Sussex County)
Admonition - *Unreported (1998)*
Decided: 5/21/1998

APPEARANCES BEFORE REVIEW BOARD
Louis Criscuoli for District X
Donald A. Kessler for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in a dental malpractice case, failed to properly research applicable law, failed to take steps to file a complaint through the courts, and handled a matter in which the attorney had insufficient experience in violation of *RPC 1.3*.

1997

ARNOLD M. ABRAMOWITZ

Admitted: 1976; Irvington (Essex County)
Admonition - *Unreported (1997)*
Decided: 7/25/1997

APPEARANCES BEFORE REVIEW BOARD
John J. Bolan for District VB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to cooperate with reasonable requests for information by a district ethics committee which was investigating a disciplinary grievance against him.

DANIEL B. ABRAMS

Admitted: 1988; Jersey City (Hudson County)
Reprimand - *151 N.J. 485 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Christopher L. Patella for District VI
Robert E. Margulies for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a personal injury matter leading to the expiration of the statute of limitations and who failed to communicate the status of the matter to the client.

LUKE J. ANTONACCI

Admitted: 1951; Clifton (Passaic County)
Reprimand - *151 N.J. 318 (1997)*
Decided: 9/16/1997

APPEARANCES BEFORE REVIEW BOARD
John J. Sheehy for District VI
John A. Brogan for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to notify beneficiaries of an estate of their interest in a $120,000 estate for a period of nine years.

STEPHEN APOLLO

Admitted: 1967; Alpine (Bergen County)
Discipline By Consent - *150 N.J. 001 (1997)*
Decided: 6/23/1997

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
William J. Brennan, III for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who, while a formal hearing was pending, admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of clients' trust funds exceeding $100,000.

WILLIAM F. ARANGUREN

Admitted: 1981; Jersey City (Hudson County)
Admonition - *Unreported (1997)*
Decided: 6/30/1997

APPEARANCES BEFORE REVIEW BOARD
Edward J. DePascale for District VI
Richard J. Carroll for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently and to communicate with a client in a litigated matter and who, in a separate case, failed to promptly notify and pay a litigation client funds that were due to the client.

NICHOLAS M. ARMELLINO

Admitted: 1979; West New York (Hudson County)
Disbarment By Consent - *149 N.J. 275 (1997)*
Decided: 5/27/1997

REPRESENTATIONS
Michael J. Sweeney for Attorney Ethics
Lewis P. Sengstacke for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he was unable to successfully defend himself against pending disciplinary charges alleging that he knowingly misappropriated client's trust funds. The respondent had been temporarily suspended from practicing law since June 4, 1996.

This matter was discovered solely as a result of the Random Audit Compliance Program.

ROBERT C. AURIEMMA

Admitted: 1971; Towaco (Morris County)
Disbarment By Consent - *147 N.J. 508 (1997)*
Decided: 2/18/1997

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Gerald D. Miller for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending charges alleging the knowing misappropriation of over $500,000 in clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

GUY D. BADAMI

Admitted: 1974; Manasquan (Monmouth County)
Admonition - *Unreported (1997)*
Decided: 4/30/1997

APPEARANCES BEFORE REVIEW BOARD
Mitchell J. Ansell for District IX
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to honor his agreement to pay a referral fee to another lawyer after settlement of a personal injury action and failed to honor a consent judgment he subsequently signed to do so.

CHRISTOPHER K. BARBER

Admitted: 1990; Glenside, Pennsylvania
Suspension 6 Months - *148 N.J. 74 (1997)*
Decided: 3/11/1997 Effective: 3/31/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a six-month suspension from the practice of law (retroactive to March 31, 1995, a date near to his date of temporary suspension) was the appropriate sanction for an attorney who was found guilty in the Criminal Court of the state of Pennsylvania, Bucks County, of two counts of homicide by vehicle, in violation of *75 Pa. C.S.A. 3732*.

HUBERT U. BARBOUR, JR.

Admitted: 1973; Atlantic City (Atlantic County)
Suspension 1 Year - *147 N.J. 456 (1997)*
Decided: 2/11/1997 Effective: 3/12/1997

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a one-year suspension from practice was the appropriate discipline for an attorney who, without authorization, took legal fees from settlement funds knowing that his client opposed the distribution.

MARC C. BATEMAN

Admitted: 1975; Oakland (Bergen County)
Disbarment By Consent - *151 N.J. 473 (1997)*
Decided: 10/9/1997

REPRESENTATIONS BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Andrew J. Naideck for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who was convicted in the Superior Court of New Jersey, Law Division, of conspiracy and theft by deception, in violation of *N.J.S.A. 2C:20-4* and *2C:5-2*, and who pled guilty in the Superior Court of New Jersey, Law Division, Bergen County to failure to make required disposition of property and tampering with evidence, in violation of *N.J.S.A. 2C:20-9* and *2C:28-2a and c.*

The respondent had been temporarily suspended from the practice of law since July 31, 1996.

ROBERT BEERS

Admitted: 1958; Flemington (Hunterdon County)
Admonition - *Unreported (1997)*
Decided: 4/16/1997

APPEARANCES BEFORE REVIEW BOARD
Judith Paparozzi for District XIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who violated client confidentiality by disclosing the amount of legal fees that he charged his clients to a third party.

MARK BENDET

Admitted: 1977; Patterson (Passaic County)
Disbarment By Consent - *147 N.J. 596 (1997)*
Decided: 3/6/1997

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Kalmon H. Geist for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pled guilty in the Superior Court of New Jersey, Law Division, Passaic County to one count of an indictment charging theft by deception in relation to a fraudulent insurance claim, in violation of *N.J.S.A. 2C:20-4*.

JOHN E. BENSTOCK

Admitted: 1992; Bayville, New York
Revocation - *151 N.J. 491 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that revocation of an attorney's license to practice law in the state of New Jersey was the appropriate discipline for a lawyer whose Juris Doctor Degree from the New York Law School was revoked for his failure to disclose on his application for admission to that law school that he had previously attended another law school and had been dismissed for academic insufficiency. The respondent had also failed to disclose this information on his application for admission to the Bar of the state of New Jersey.

NEAL J. BERGER

Admitted: 1977; Florham Park (Morris County)
Suspension 2 Years - *151 N.J. 476 (1997)*
Decided: 10/15/1997 Effective: 11/12/1997

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Frank G. Capece for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who submitted false information to his insurance agent with the intent to defraud the law firm's insurance carrier in connection with a fire loss.

DAVID J. BILDNER

Admitted: 1991; Passaic (Passaic County)
Reprimand - *149 N.J. 393 (1997)*
Decided: 6/3/1997

APPEARANCES BEFORE REVIEW BOARD
Glenn F. Peterson for District XI
Anthony P. Ambrosio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who showed a lack of diligence and failed to communicate with a personal injury client for two years after that client's matter was dismissed with prejudice.

LARRY BLUMENSTYK

Admitted: 1977; Morristown (Morris County)
Disbarment - *152 N.J. 158 (1997)*
Decided: 12/12/1997

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Donald R. Belsole for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated over $85,000 in clients' trust funds which he used for a family vacation to Israel, his sons's Bar Mitzvah, and for tax payments. Prior to his selection for a random audit, he voluntarily made full restitution of the stolen funds to his attorney trust account. This matter was discovered solely as a result of the Random Audit Compliance Program.

SANTO J. BONANNO

Admitted: 1987; Riverdale (Morris County)
Admonition - *Unreported (1997)*
Decided: 9/30/1997

APPEARANCES BEFORE REVIEW BOARD
Thomas M. Wells for District IIB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently in one client matter and failed to comply with a court order in another case.

MARC K. BONDS

Admitted: 1982; Jersey City (Hudson County)
Disbarment - *148 N.J. 580 (1997)*
Decided: 4/9/1997

APPEARANCES BEFORE SUPREME COURT
JoAnn G. Eyler for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on review of a certified record from and recommendation by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated over $38,000 from a real estate closing.

SYLVIA BRANDON-PEREZ

Admitted: 1976; West New York (Hudson County)
Suspension 6 Months - *149 N.J. 25 (1997)*
Decided: 4/23/1997 Effective: 5/16/1997

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a six-month suspension from practicing law was the appropriate discipline for an attorney who obtained a loan on personal real estate under false pretenses and who misrepresented that she would use the proceeds to satisfy four outstanding mortgages, which she failed to do for a period of several years.

The respondent was previously suspended from the practice of law in 1993 for three months for negligent misappropriation of client's trust funds.

DAVID BRANTLEY

Admitted: 1970; Verona (Essex County)
Reprimand - *149 N.J. 21 (1997)*
Decided: 4/23/1997

APPEARANCES BEFORE REVIEW BOARD
Jay M. Silberner for District VB
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to act diligently in the handling of an estate matter.

The respondent had been previously disciplined on numerous occasions; in 1982 and 1988 he was privately reprimanded; in 1991 he was suspended from practice for one year; in 1995 he was suspended from practice for three months.

ANDREW T. BRASNO

Admitted: 1972; of South River (Middlesex County)
Admonition - *Unreported (1997)*
Decided: 6/25/1997

APPEARANCES BEFORE REVIEW BOARD
Carol L. Perez for District VIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, after being dismissed by his client, failed to comply with the client's request to return the client's file and also failed to cooperate with the investigation of the matter by the district ethics system.

ROBERT A. BRAUN

Admitted: 1984; Philadelphia, Pennsylvania
Disbarment - *149 N.J. 414 (1997)*
Decided: 6/3/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Eastern District of Pennsylvania to one count of income tax evasion, in violation of *26 U.S.C.A. ' 7201*.

The respondent had been temporarily suspended from the practice of law in New Jersey since March 1, 1996. *In re Braun, 143 N.J. 405 (1996)*.

PAULETTE BROWN

Admitted: 1976; East Orange (Essex County)
Admonition - *Unreported (1997)*
Decided: 12/2/1997

APPEARANCES BEFORE REVIEW BOARD
John C. Phillips for District XII
Hardge Davis, Jr. for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to represent a client's interest diligently by not disbursing for over four years the sum of $2,942 held in escrow after settlement of a personal injury claim to pay outstanding medical bills. The respondent made payment only after a suit was instituted against respondent's client to recover monies paid.

RAYMOND A. BROWN, JR.

Admitted: 1986; Newark (Essex County)
Reprimand - *147 N.J. 77 (1997)*
Decided: 3/11/1997

APPEARANCES BEFORE REVIEW BOARD
Paul Jackson for District VC
Ernest G. Ianetti for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who made a loan of personal funds to a client without complying with the ethical requirements of *RPC 1.8(a)* and for failing to maintain the required financial receipts of transactions involving the client.

The respondent had been previously admonished in 1996 for record keeping deficiencies in the maintenance of his trust accounts.

ROBERT C. BROWN

Admitted: 1988; Old Bridge (Middlesex County)
Suspension 3 Months - *148 N.J. 83 (1997)*
Decided: 3/11/1997 Effective: 4/7/1997

APPEARANCES BEFORE REVIEW BOARD
Joseph M. Fuoco for District VIII
Daniel C. Fleming for respondent

The Supreme Court of New Jersey, on review of a certified record from and a decision by the Disciplinary Review Board, held that a three month suspension from the practice of law was the appropriate discipline for an attorney who used obscene and inappropriate language to a Municipal Court Judge to object to the attorney's *pro bono* assignment as counsel and who threatened to greatly injure the judge if he was not relieved as counsel and who then wrote letters to the Assignment Judge of the county which impugned that judge's motives and contained unwarranted personal attacks against him.

HILDA BURNETT-BAKER

Admitted: 1983; Raleigh, North Carolina
Suspension 3 Months - *151 N.J. 483 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Jay Rice for District VB
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected two matters leading to the dismissal of a workers' compensation case and who made misrepresentation to another client in a wrongful termination case that the complaint was filed when it was not.

The respondent had been previously privately reprimanded in 1993 for gross negligence in two real estate matters, including failure to communicate with the client and failure to surrender the file to a subsequent attorney.

JOSEPH P. CAPONE

Admitted: 1987; Voorhees (Camden County)
Suspension 2 Years - *147 N.J. 590 (1997)*
Decided: 2/24/1997 Effective: 9/7/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a two year suspension from practice (retroactive to the date of his temporary suspension on September 7, 1995) was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to knowingly making a false statement on a loan application, in violation of *18 U.S.C.A. '1014 and 2*.

LENNART CARLSON

Admitted: 1989; New Brunswick (Middlesex County)
Suspension 3 Months - *151 N.J. 495 (1997)*
Decided: 10/15/1997 Effective: 11/17/1997

APPEARANCES BEFORE REVIEW BOARD
Miriam R. Rubin for District VIII
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who abandoned a client after being retained to represent her in connection with a wage execution for child support payments.

VERA E. CARPENTER

Admitted: 1988; Newark (Essex County)
Admonition - *Unreported (1997)*
Decided: 10/27/1997

APPEARANCES BEFORE REVIEW BOARD
Martin F. Dowd for District VA
Steve Hallett for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in a personal injury action, failed to act with reasonable diligence and promptness, failed to reply to the grievant's numerous requests for information about the status of the case and failed to timely release the file to a new attorney when

discharged by a client, despite numerous requests that the attorney do so.

ANTHONY F. CARRACINO, JR.

Admitted: 1982; Woodbridge (Middlesex County)
Admonition - *Unreported (1997)*
Decided: 7/25/1997

APPEARANCES BEFORE REVIEW BOARD
Anthony M. Campisano for District VIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to have a written fee agreement with a matrimonial client as required by *R.1:21-7A*.

RICHARD J. CARROLL

Admitted: 1970; Secaucus (Hudson County)
Admonition - *Unreported (1997)*
Decided: 10/27/1997

APPEARANCES BEFORE REVIEW BOARD
Bennett A. Robbins District VI
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently in defending a collection lawsuit which resulted in a judgment being entered against the client. Respondent also failed to reply to the client's numerous requests for information about the status of the matter.

RICHARD D. CARUSO

Admitted: 1986; Brick (Ocean County)
Reprimand - *151 N.J. 316 (1997)*
Decided: 9/16/1997

APPEARANCES BEFORE REVIEW BOARD
Robert A. Ballou, Jr. for District IIIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to act diligently in two matters and failed to expedite litigation in a third case.

V. JAMES CASTAGLIA

Admitted: 1977; Oakridge (Morris County)
Admonition - *Unreported (1997)*
Decided: 5/5/1997

APPEARANCES BEFORE REVIEW BOARD
David L. Johnson for District X
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, as attorney, co-executor and a beneficiary, failed to respondent to reasonable requests from other beneficiaries for information about the estate. As a result an unnecessary will - contest proceeding occurred causing the estate to incur legal costs.

MARIE U. CHEN

Admitted: 1986; Bound Brook (Somerset County)
Suspension 3 Months - *151 N.J. 477 (1997)*
Decided: 10/15/1997 Effective: 8/1/1997

APPEARANCES BEFORE REVIEW BOARD
Stephen B. Rubin for District XIII
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a client in a name change proceeding, failed to communicate with the client and misrepresented the status of the matter to the client.

Respondent had been previously publicly reprimanded for gross neglect, failure to communicate with clients in two matters, and failure to maintain a bona fide office on October 2, 1995. On March 19, 1996, she was suspended from the practice of law for three months for a pattern of neglect and failure to communicate in two matters, together with failure to cooperate with disciplinary authorities. The current suspension is to run consecutively to the expiration of her prior three-month suspension.

JOSEPH CHIZIK

Admitted: 1976; Mount Laurel (Burlington County)
Reprimand - *149 N.J. 377 (1997)*
Decided: 5/27/1997

APPEARANCES BEFORE REVIEW BOARD
Julie Kligerman for District IIIB
John S. Sitzler for respondent

The Supreme Court of New Jersey entered discipline by consent by way of reprimand against an attorney who grossly neglected a personal injury matter and failed to communicate with the client as to the status of the matter.

The respondent had been privately reprimanded in 1988 for lack of diligence in representing a client and for lack of communication.

FREDERICK CHUNG, JR.

Admitted: 1978; New York City, New York
Suspension 12 Years - *147 N.J. 559 (1997)*

Decided: 2/24/1997 Effective: 9/14*1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Craig Hilliard for respondent

The Supreme Court of New Jersey held that an eighteen month suspension from practice was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Southern District of New York to an information charging him with receiving more than $10,000 in cash in a transaction and failing to file a report of the transaction, in violation of *26 U.S.C.A. '60501 and '7203*. The respondent had been temporarily suspended from practice since September 14, 1995.

EDWARD T. COSGROVE

Admitted: 1962; Union City (Hudson County)
Suspension 2 Years - *151 N.J. 488 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics.
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and recommendation by the Disciplinary Review Board, held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who, for a period of 13 years from the date of his qualification as executor and attorney for the estate of a decedent, failed to take any meaningful action to determine the assets of the estate, to invest and preserve those assets, to account to the beneficiaries for those assets, to file an inheritance tax return with the state of New Jersey, to pay any taxes due, or to otherwise fulfill his duties as executor or attorney for the estate. The respondent also engaged in the practice of law during a potion of this period after having been declared ineligible by the Supreme Court of New Jersey for failure to pay his annual attorney registration fee.

The respondent had been previously disciplined on several occasions: in 1981 he received a private reprimand for neglecting a Florida estate matter; in 1987, he was publicly reprimanded for failure to maintain proper trust and business account records and for failure to promptly disburse client funds; in 1988, he was temporarily suspended from the practice of law for failure to supply an accounting of the assets belonging to a client for whom he held a power of attorney; in 1995, he was temporarily suspended for failure to account for the assets in the instant estate matter and for failure to cooperate with the Office of Attorney Ethics in its investigation of that matter.

ROBERT M. CHRISTIE

Admitted: 1977; East Orange (Essex County)
Disbarment - *152 N.J. 030 (1997)*
Decided: 12/2/1997

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated approximately $8,000 in clients' funds, made misrepresentations to the Office of Attorney Ethics and failed to cooperate with the attorney disciplinary system in the investigation and prosecution of this matter.

The respondent had previously been temporarily suspended from the practice of law in New Jersey since May 23, 1995.

GEORGE T. DAGGETT

Admitted: 1966; Sparta (Sussex County)
Admonition - *Unreported (1997)*
Decided: 6/6/1997

APPEARANCES BEFORE REVIEW BOARD
Robert E. Bartkus for District X
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to represent a client diligently in connection with a Workers' Compensation claim and failed to communicate to the client numerous developments in the case.

CORNELIUS W. DANIEL, III

Admitted: 1969; Brielle (Monmouth County)
Admonition - *Unreported (1997)*
Decided: 1/16/1997

APPEARANCES BEFORE REVIEW BOARD
Susan R. Zaback for District IX
Michael Schottland for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed for a period of four years to pay medical bills from the net proceeds of a personal injury settlement. The attorney also failed to adequately communicate the status of the matter to his client.

THOMAS M. DELUCA

Admitted: 1981; Jersey City (Hudson County)
Disbarment By Consent - *152 N.J. 059 (1997)*
Decided: 12/4/1997

REPRESENTATIONS

Nitza I. Blasini for Attorney Ethics
Gerald P. Tyne for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that he could not successfully defend charges involving the knowing misappropriation of clients' trust funds. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOSEPH DEMESQUITA

Admitted: 1983; Cherry Hill (Camden County)
Suspension 2 Years - *147 N.J. 290 (1997)*
Decided: 1/14/1997; Effective: 9/13/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Paul R. Melletz for respondent

The Supreme Court of New Jersey held that a two year suspension from practicing law in New Jersey (retroactive to September 13, 1995, the date of respondent's temporary suspension in this state) was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Eastern District of Pennsylvania to mail fraud, in violation of *18 U.S.C.A.'1341, 1342.*

ALAN E. DENENBERG

Admitted: 1989; Cherry Hill (Camden County)
Reprimand - *147 N.J. 455 (1997)*
Decided: 2/11/1997

APPEARANCES BEFORE REVIEW BOARD
Thomas J. Shusted, Jr. for District IV
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who lied to one judge about the need to appear before another judge.

AARON D. DENKER

Admitted: 1976; Mount Laurel (Burlington County)
Disbarment - *147 N.J. 570 (1997)*
Decided: 2/24/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of money laundering, in violation of *18 U.S.C.A. '1956(a)(3)*. The respondent had been temporarily suspended from practice since November 15, 1995.

GLENN D. DESANTIS

Admitted: 1986; Westmont (Camden County)
Suspension 2 Years - *147 N.J. 589 (1997)*
Decided: 2/24/1997 Effective: 10/2/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years (retroactive to the date of his temporary suspension on October 2, 1995) was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of mail fraud, in violation of *18 U.S.C.A. '1341,* relating to the submission of a false medical report of injuries sustained in an automobile accident.

MANUEL R. DIAZ

Admitted: 1980; Union City (Hudson County)
Suspension 3 Months - *151 N.J. 318 (1997)*
Decided: 9/16/1997

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a three-month suspension from practice was the appropriate discipline for an attorney who negligently misappropriated clients trust funds and also entered unethically into a business venture with a client.

CHRISTOPHER M. DOHERTY

Admitted: 1985; Raritan (Somerset County)
Disbarment By Consent - *152 N.J. 001 (1997)*
Decided: 11/10/1997

REPRESENTATIONS
JoAnn G. Eyler for Attorney Ethics
Francis J. Lutz consulted with respondent solely in connection with execution of disbarment by consent

The Supreme Court of New Jersey accepted the Disbarment By Consent of an attorney who admitted that he falsified official court documents, including a judgment of divorce, in two separate matters and who also misappropriated client trust funds in a real estate transaction. The respondent had been previously temporarily suspended from the practice of law since November 3, 1997.

MARTIN C. X. DOLAN

Admitted: 1978; Jersey City (Hudson County)
Reprimand - *151 N.J. 324 (1997)*

Decided: 9/16/1997

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on review of a certified record from and a decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who grossly neglected an estate matter and failed to communicate with the beneficiary of the estate.

The respondent had been previously publicly reprimanded in 1993 for similar misconduct. *In re Dolan, 132 N.J. 272 (1993)*.

JOSEPH G. DOOLEY, JR.

Admitted: 1970; West Orange (Essex County)
Disbarment By Consent - *147 N.J. 376 (1997)*
Decided: 2/7/1997

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
George L. Schneider for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of client trust funds.

JAMES E. DOW, JR.

Admitted: 1972; Hackensack (Bergen County)
Reprimand - *150 N.J. 18 (1997)*
Decided: 7/1/1997

APPEARANCES BEFORE REVIEW BOARD
Raymond C. Barzey for District VA
Joseph Guez for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to represent the administratrix of an estate diligently and failed to keep her reasonably informed. The respondent also failed to advise her of the ramifications of a challenge to the will and that she should retain new counsel because respondent, as preparer of the will, was potentially liable to her for legal malpractice, and his continued representation would constitute a conflict of interest.

RICHARD J. DOYLE

Admitted: 1973; Wall Township (Monmouth County)
Reprimand - *149 N.J. 397 (1997)*
Decided: 6/3/1997

APPEARANCES BEFORE REVIEW BOARD
Terry F. Brady for District IIIA
Michele A. Querques for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, while representing a partnership as its lawyer and also as a principal in the partnership, engaged in an extra-marital affair with one of the partners, thus constituting an unethical appearance of impropriety.

The respondent had been previously disciplined. In 1995 he was admonished for record keeping deficiencies. On June 21, 1996 he was temporarily suspended from practicing law for failing to produce his trust records and files for a demand audit by the Office of Attorney Ethics.

LOUIS A. EGNASKO

Admitted: 1987; White Deer, Pennsylvania
Disbarment - *151 N.J. 506 (1997)*
Decided: 10/28/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who was disbarred in the state of New York for the failure to account for and pay trust funds in some twenty matters involving in excess of $1,000,000.

The respondent had been temporarily suspended from the practice of law in New Jersey since February 14, 1996.

ROBERT S. ELLENPORT

Admitted: 1975; Clark (Union County)
Admonition - *Unreported (1997)*
Decided: 6/11/1997

APPEARANCES BEFORE REVIEW BOARD
Seamus Boyle for District XII
Edward Kologi, Jr. for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who charged and collected a contingent fee from a client in excess of that allowed by *Court Rule 1:21-7.*

BRAXTON LEE EPPS

Admitted: 1977; Camden (Camden County)
Suspension 3 Months - *148 N.J. 83 (1997)*
Decided: 3/11/1997 Effective: 4/7/1997

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on review of a certified record from and decision by the Disciplinary Review Board, held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who was found to be in possession of less than 20 grams of cocaine.

PERRY FEINBERG

Admitted: 1983; Point Pleasant (Ocean County)
Disbarment By Consent - *148 N.J. 432 (1997)*
Decided: 3/26/1997

REPRESENTATIONS
John J. Janasie for Attorney Ethics
James Pinchak for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pled guilty in the Superior Court of New Jersey, Law Division, Ocean County to two counts of an indictment charging second degree theft by failure to make required disposition of property received, in violation of *N.J.S.A. 2C:20-9*.

The respondent had been temporarily suspended from the practice of law since September 20, 1995. *In re Feinberg, 142 N.J. 462 (1995)*.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

BRYAN F. FERRICK

Admitted: 1990; Saddle Brook (Bergen County)
Admonition - *Unreported (1997)*
Decided: 10/28/1997

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Committee on Attorney Advertising
Respondent appeared pro se

The Disciplinary Review Board held that an admonition by consent was the appropriate discipline for an attorney who made false and misleading statements in a targeted direct mail solicitation letter to residential real estate owners.

GERALD F. FITZPATRICK

Admitted: 1971; Bayonne (Hudson County)
Reprimand - *147 N.J. 285 (1997)*
Decided: 1/14/1997

APPEARANCES BEFORE REVIEW BOARD
Bennett Wasserstrum for District XI
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to communicate adequately with a client on a personal injury matter and then misrepresented the status of the matter to the client.

EDWARD S. FODY

Admitted: 1974; Boonton (Morris County)
Reprimand - *148 N.J. 373 (1997)*
Decided: 3/11/1997

APPEARANCES BEFORE REVIEW BOARD
Barry N. Shinberg for District X
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with a district ethics committee during the processing of an ethics matter.

The respondent had been previously reprimanded in 1995 for the same misconduct. *In re Fody, 139 N.J. 432*. He had been temporarily suspended from the practice of law since August 19, 1996 for failure to cooperate with a district ethics committee and failure to account for $29,000 in estate funds.

JEFFREY A. FOUSHEE

Admitted: 1988; Maplewood (Essex County)
Suspension 3 Years - *149 N.J. 399 (1997)*
Decided: 6/3/1997

APPEARANCES BEFORE REVIEW BOARD
Blair R. Zwillman for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on review of a certified record from and decision by the Disciplinary Review Board, held that a three-year suspension from practice was the appropriate discipline for an attorney who, in a series of four matters, engaged in gross neglect of client cases, failure to communicate with the clients, failure to have written fee agreements, failure to cooperate with disciplinary authorities and misrepresentation.

The respondent had been temporarily suspended from practicing law since March 6, 1996 for failure to cooperate with the Office of Attorney Ethics.

THOMAS P. FOY

Admitted: 1977; Hackensack (Bergen County)
Admonition - *Unreported (1997)*
Decided: 7/28/1997

APPEARANCES BEFORE REVIEW BOARD
Thaddeus Mikulski, Jr. for District VII
Michael J. Herbert for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who communicated *ex parte* with a Superior Court Judge in a matter

in which the respondent was not involved. The respondent did not intend to improperly influence the judge.

JEFFREY H. FRANKEL

Admitted: 1985; King of Prussia, Pennsylvania
Disbarred - *151 N.J. 456 (1997)*
Decided: 9/16/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who settled two litigated matters, forged documents to disguise the true settlement amounts to his clients and then misappropriated a total of $7,500.

LEWIS B. FREIMARK

Admitted: 1980; West Caldwell (Essex County)
Disbarment - *152 N.J. 045 (1997)*
Decided: 12/5/1997

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Kimberly A. Hintze for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients' trust funds through a pattern of depositing settlement proceeds into his trust account, advancing potential fees to himself and then replenishing those fees by invading trust funds received on behalf of other clients in unrelated matters. Respondent had practiced law only under the supervision of a proctor approved by the Office of Attorney Ethics since November 9, 1993. This matter was discovered solely as a result of the Random Audit Compliance Program.

JACK N. FROST

Admitted: 1971; Plainfield (Union County)
Suspension 3 Months - *152 N.J. 23 (1997)*
Decided: 11/18/1997 Effective: 12/10/1997

APPEARANCES BEFORE REVIEW BOARD
Andrew Baron for District XII
Kirk D. Rhodes for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who misrepresented to a court that he would discharge a mortgage he had taken to secure fees in a matrimonial matter and who executed two jurats attesting to the fact that there were no liens on the property, when respondent knew that this information was false. The respondent also was found guilty of four other grievances filed by judges for, among other things, submitting inaccurate, exaggerated and duplicitous legal fee applications, misrepresenting to a judge that he had personally telephoned the judge's chambers to request an adjournment when such was not the fact, filing an inaccurate certification for fees in a third matter, and engaging in a conflict of interest in a fourth case.

JACK N. FROST

Admitted: 1971; Plainfield (Union County)
Suspension 6 Months - *152 N.J. 025(1997)*
Decided: 11/18/1997 Effective: 3/10/1998

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Raymond Bruse for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who grossly neglected three client matters, displayed a lack of diligence in three matters, and failed to communicate in two other matters. The Disciplinary Review Board noted that "For every bit of evidence in testimony against him, respondent offered an excuse, some less plausible than others. While it is clear that offenses have been committed, respondent blames someone else in his office, be it a paralegal, an associate or a partner, despite his ultimate control over the office. He refuses to accept responsibility for any wrongdoing."

The Court also ordered that respondent remain suspended and not be eligible for reinstatement until the conclusion of all other ethics matters pending against him in the disciplinary system.

The respondent was previously privately reprimanded in 1988 for engaging in a conflict of interest by representing his client's co-defendant in another criminal matter and for failure to safeguard a client's property. In 1992, he was, again, privately reprimanded for improperly endorsing the client's name on a settlement check without the client's written or oral authorization.

RALPH FUCETOLA, III

Admitted: 1971; Morristown (Morris County)
Reprimand - *147 N.J. 255 (1997)*
Decided: 1/6/1997

APPEARANCES BEFORE REVIEW BOARD
Robert J. Prihoda for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds as a result of his failure to maintain proper trust and business accounting records. This matter was discovered solely as a result of the Random Audit Compliance Program.

SHIRLEY F. GAJEWSKI

Admitted: 1983; Amityville, New York
Suspension One Year - *147 N.J. 287 (1997)*
Decided: 1/14/1997 Effective: 1/15/1996

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law in New Jersey for a period of one year (retroactive to January 15, 1996, the date of her suspension from practice in New York) was the appropriate discipline for an attorney who engaged in a pattern of neglect of two client matters and, further, in one of those matters, she allowed a collection agency to affix her name to affirmations in court papers, although she had not signed or reviewed the papers.

WILLIAM B. GALLAGHER, JR.

Admitted: 1968; Asbury Park (Monmouth County)
Admonition - *Unreported (1997)*
Decided: 5/5/1997

APPEARANCES BEFORE REVIEW BOARD
Susan R. Zaback for District IX
George N. Arvanitis for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was guilty of gross neglect in allowing a complaint for medical malpractice to be dismissed due to poor office procedures.

OSCAR N. GASKINS

Admitted: 1979; Philadelphia, Pennsylvania
Reprimand - *151 N.J. 3 (1997)*
Decided: 7/29/1997

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey accepted the recommendation of the Disciplinary Review Board that discipline by consent by way of reprimand be imposed for practicing law for a period of six months while on the ineligible list, failing to maintain a bona fide office and failing to maintain trust and business accounts in approved New Jersey banking institutions.

WILLIAM C. GASPER, JR.

Admitted: 1979; Whiting (Ocean County)
Reprimand - *149 N.J. 20 (1997)*
Decided: 4/23/1997

APPEARANCES BEFORE REVIEW BOARD
Harold Hensel for District IIIA
Bernard F. Boglioli, Sr. for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for a respondent who created a fictitious court order for the purpose of misleading his client about the status of the case, which matter he had grossly neglected.

JAMES A. GELLER

Admitted: 1972; West Caldwell (Essex County)
Admonition - *Unreported (1997)*
Decided: 1/24/1997

APPEARANCES BEFORE REVIEW BOARD
Kenneth F. Mullany, Jr. for District VC
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who entered into a business venture with a client without first securing informed consent after making full disclosure as required under *RPC 1.8(a)*.

RICHARD C. GERNERT

Admitted: 1973; Hackensack (Bergen County)
Suspension 1 Year - *147 N.J. 289 (1997)*
Decided: 1/14/1997 Effective: 2/10/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Craig Swenson for respondent

The Supreme Court of New Jersey held that a suspension for one year was the appropriate discipline for a respondent who pled guilty to the petty disorderly persons offense of harassment by offensive touching, in violation of *N.J.S.A.2C:33-4b*. The victim was a teenage client of respondent.

GERARD J. GILLIGAN

Admitted: 1980; Cedar Grove (Essex County)
Reprimand - *147 N.J. 268 (1997)*
Decided: 1/14/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
John P. McDonald for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who pled guilty to three counts of lewdness, a disorderly persons

offense, in violation of *N.J.S.A.2C:14-4*, for exposing himself in the presence of two children.

LEONARD I. GIUSTI

Admitted: 1991; Morristown (Morris County)
Reprimand - *147 N.J. 265 (1997)*
Decided: 1/14/1997

APPEARANCES BEFORE REVIEW BOARD
William E. Hinkes for District X
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who forged his client's name on a medical release form, forged the signature of a notary public to the jurat and used the notary's seal.

MARK E. GOLD

Admitted: 1972; Hackensack (Bergen County)
Suspension 6 Months - *149 N.J. 23 (1997)*
Decided: 4/23/1997 Effective: 5/17/1997

APPEARANCES BEFORE REVIEW BOARD
John J. Breslin, III for District IIB
Robert Margulies for respondent.

The Supreme Court of New Jersey held that a six month suspension from the practice of law was the appropriate discipline for an attorney who borrowed money from his legal secretary without giving the advice and warnings required by *RPC 1.8(a)*. The secretary had relied on respondent to protect her interests.

WILLIAM GOLDBERG

Admitted: 1967; Hackensack (Bergen County)
Reprimand - *147 N.J. 274 (1997)*
Decided: 1/14/1997

APPEARANCES BEFORE REVIEW BOARD
John J. Breslin for District IIB
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who unethically represented two clients with differing interests in a transaction without obtaining their consent after full disclosure of all the facts and circumstances.

ROBERT H. GOLDEN

Admitted: 1984; South Orange (Essex County)
Indefinite Suspension - *151 N.J. 487 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Paul N. Watter for District VII
Respondent did not appear

The Supreme Court of New Jersey held that an indefinite suspension from the practice of law pending the completion of all pending ethics complaints against him was the appropriate discipline for an attorney who abandoned a client when he was handling a variety of legal matters, and who failed to return to another client an unearned retainer after the need for the respondent's services ended.

The respondent had been temporarily suspended from the practice of law since January 8, 1993 for failure to cooperate with a disciplinary investigation of grievances and abandonment of his law practice.

JERROLD D. GOLDSTEIN

Admitted: 1967; North Plainfield (Union County)
Reprimand - *147 N.J. 286 (1997)*
Decided: 1/14/1997

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
David Paris for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated client's trust funds and failed to maintain proper trust and business account records as required by *R.1:21-6*.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

SEYMOUR GOLDSTAUB

Admitted: 1960; Guttenberg (Hudson County)
Disbarment - *152 N.J. 033 (1997)*
Decided: 12/2/1997

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who engaged in a pattern of gross neglect, lack of diligence, failure to communicate, misrepresentation and failure to cooperate with disciplinary authorities in a series of five matters.

The respondent had previously been disciplined on numerous occasions: in 1971, he was suspended for one year for failure to cooperate with a district ethics committee. In 1992, respondent was again suspended for one year for misconduct in four matters, including gross neglect and pattern of neglect. Thereafter, in 1988, he was again suspended, retroactive to the time of his 1982 suspension for misconduct in

two matters. He was then temporarily suspended on July 7, 1992 for failure to comply with proctorship conditions imposed on his license as a result of his reinstatement to practice on June 13, 1989.

WAYLAND H. GOLDSTON

Admitted: 1982; of East Orange (Essex County)
Disbarment - *149 N.J. 412 (1997)*
Decided: 6/3/1997

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $5,000 from a personal injury settlement.

The respondent had been previously disciplined. In 1995 he was reprimanded for lack of diligence and failure to safeguard client funds and record keeping deficiencies. *In re Goldston, 140 N.J. 272 (1995)*. On March 13, 1995 he was temporarily suspended from the practice of law for failure to produce trust and business account records in connection with an investigation of the instant case.

MARC C. GORDON

Admitted: 1959; Springfield (Union County)
Suspension 3 Months - *150 N.J. 204 (1997)*
Decided: 7/10/1997 Effective: 8/6/1997

APPEARANCES BEFORE REVIEW BOARD
Stuart C. Ours for District XIII
Respondent did not appear

The Supreme Court of New Jersey held that a three-month suspension from practice was the appropriate discipline for an attorney who grossly neglected a worker's compensation matter, failed to keep the client reasonably informed and failed to communicate with her.

The respondent had been previously disciplined on two occasions: he was reprimanded in 1990 and again in 1995 for similar violations.

HARRY J. GREENBAUM

Admitted: 1974; Fair Lawn (Bergen County)
Suspension 2 Years - *147 N.J. 271 (1997)*
Decided: 1/14/1997 Effective: 11/1/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Herman Osofsky for respondent

The Supreme Court of New Jersey held that a two-year suspension from practicing law in New Jersey was the appropriate discipline for an attorney who was disciplined in the state of New York for grossly neglecting a client matter and then misrepresenting the status to the client and for unethically engaging in a business transaction with a former client in which he made false representations to the client regarding the soundness of the investment.

ROBERT GREENBERG

Admitted: 1956; West New York (Hudson County)
Admonition - *Unreported (1997)*
Decided: 4/15/1997

APPEARANCES BEFORE REVIEW BOARD
Steven L. Menaker for District VI
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in connection with a real estate transaction, was grossly negligent in preparing affidavits of title containing false statements of fact.

JAY W. GREENSTONE

Admitted: 1958; Hackensack (Bergen County)
Disbarment By Consent - *147 N.J. 334 (1997)*
Decided: 1/29/1997

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Stephen B. Wiley for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the misappropriation of client trust funds.

JAY M. GROSSMAN

Admitted: 1986; Fair Lawn (Bergen County)
Disbarment - *147 N.J. 462 (1997)*
Decided: February 11, 1997

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Howard A. Miller for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who abandoned four clients, fabricated a complaint in order to placate a client and engaged in a pattern of neglect.

In 1994 the respondent was previously suspended for 3 years for similar misconduct. *In re Grossman, 138 N.J. 91 (1994)*.

MARC E. GROSSMAN

Admitted: 1972; White Plains, New York
Disbarment - *151 N.J. 504 (1997)*
Decided: 10/28/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who had been disbarred in the state of New York for knowing misappropriation of in excess of $14,500 in client's trust funds received as a result of a medical malpractice action and for the failure to account for $175,000 of trust funds received in a second malpractice action. The respondent had been temporarily suspended from the practice of law in the state of New Jersey since October 16, 1996.

DAVID R. HAMILTON

Admitted: 1974; Trenton (Mercer County)
Reprimand - *147 N.J. 459 (1997)*
Decided: 2/11/1997

APPEARANCES BEFORE REVIEW BOARD
Edward S. Nagorsky for District XIII
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in a civil action, failed to act diligently, failed to keep a client reasonably informed about the status of the matter and, also, failed to cooperate with disciplinary authorities in the processing of this case.

The respondent was previously privately reprimanded in 1992 for similar misconduct.

DONALD D. HAMILTON

Admitted: 1975; Cranford (Union County)
Disbarment By Consent - *147 N.J. 321 (1997)*
Decided: 1/24/1997

REPRESENTATIONS
Michael J. Sweeney for Attorney Ethics
Edwin T. McCreedy for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that he could not successfully defend himself against charges of the knowing misappropriation of trust funds from an estate.

RICHARD S. HANLON

Admitted: 1977; Bayonne (Hudson County)
Suspension 3 Months - *152 N.J. 002 (1997)*
Decided: 11/7/1997 Effective: 12/8/1997

APPEARANCES BEFORE REVIEW BOARD
Nathan Beck for District VI
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a personal injury matter, misrepresented the status of the matter to the client by claiming to be in the process of negotiations when the case had already been dismissed, and continually disregarded the district ethics committee's requests for information during the course of their investigation.

RICHARD J. HANSSON

Admitted: 1988; Roselle (Union County)
Suspension 3 Months - *149 N.J. 395 (1997)*
Decided: 6/3/1997 Effective: 7/1/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Raymond J. Zeltner waived appearance for respondent

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Union County, to possession of narcotics paraphernalia, in violation of *N.J.S.A. 2C:36-2*.

CHARMAN T. HARVEY

Admitted: 1986; East Orange (Essex County)
Disbarment - *152 N.J. 028 (1997)*
Decided: 12/1/1997

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Cassandra Savoy for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated trust funds from eight clients over a period of ten months in the total of approximately $10,000.

The respondent was previously suspended from the practice of law for a period of one year for negligently misappropriating $2,250, notarizing a false signature on a release, and grossly neglecting two client matters. *In re Harvey, 140 N.J. 70 (1995)*.

JAY G. HELT

Admitted: 1983; Monmouth Beach (Monmouth County)
Reprimand - *147 N.J. 273 (1997)*
Decided: 1/14/1997

APPEARANCES BEFORE REVIEW BOARD
Anthony T. Bruno for District IX
Respondent failed to respond

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in unethical conduct by failing to turn over files requested by both his former client and new counsel and by failing to cooperate with disciplinary authorities investigating this grievance.

THOMAS R. HILBERTH

Admitted: 1969; Clifton (Passaic County)
Suspension 3 Months - *149 N.J. 87 (1997)*
Decided: 5/6/1997 Effective: 6/2/1997

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Kevin H. Michels for respondent

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who secured loans from a client to himself and who brokered loans from a client to other clients without affording the client the mandatory disclosures required by *RPC 1.8(a)* regarding business transactions with clients.

DONALD R. HOBBS

Admitted: 1977; East Orange (Essex County)
Disability Inactive - *147 N.J. 330 (1997)*
Decided: 1/30/1997

REPRESENTATIONS
John McGill, III for Attorney Ethics
John W. Noonan for respondent

The Supreme Court of New Jersey held that transfer to disability-inactive status was the appropriate discipline for an attorney who, based on uncontradicted psychiatric evidence could not tell right from wrong and lacked the capacity to practice law.

HARVEY J. HONIG

Admitted: 1969; Hamburg (Sussex County)
Disbarment By Consent - *147 N.J. 190 (1997)*
Decided: 1/2/1997

REPRESENTATIONS
Edward F. Broderick, Jr. for District X
Frank L. Patti for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of over $100,000 in estate funds.

RONALD W. HOROWITZ

Admitted: 1983; Red Bank (Monmouth County)
Admonition - *Unreported (1997)*
Decided: 1/16/1997

APPEARANCES BEFORE REVIEW BOARD
Craig S. Laughlin for District IX
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who made a misrepresentation in securing a turnover of funds due his client from a third-party bank.

RAYMOND W. HOVSEPIAN, JR.

Admitted: 1973; Haverford, Pennsylvania
Disbarment By Consent - *151 N.J. 321 (1997)*
Decided: 9/24/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Frederic L. Bor for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent after the Disciplinary Review Board had already filed its decision recommending disbarment with the Supreme Court. The respondent had pleaded guilty to an information filed in the United States District Court for the District of New Hampshire, charging him with conspiracy to commit mail fraud, in violation of *18 U.S.C.A. 371*, based on his participation in a commercial bribery conspiracy.

The respondent has been temporarily suspended from practicing law in New Jersey since March 20, 1996.

MICHAEL R. IMBRIANI

Admitted: 1957; Bound Brook (Somerset County)
Disbarment - *149 N.J. 521 (1997)*
Decided: 6/27/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Mark D. Imbriani for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Mercer County, to one count of theft by failure to make required disposition of funds received, in violation of *N.J.S.A. 2C:20-9*, arising out of conduct that occurred while respondent was a Superior Court Judge.

The respondent had been temporarily suspended from the practice of law since June 30, 1994. *In re Imbriani, 137 N.J. 100 (1994)*.

DONALD JACKSON

Admitted: 1981; Teaneck (Bergen County)
Reprimand - *151 N.J. 485 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Cynthia A. Cappell for District IIB
John E. Selser, III for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to disclose secondary financing to a mortgage company despite its written prohibition against secondary financing without written approval, failed to safeguard client funds, and engaged in a conflict of interest by representing both the buyer and seller in "flip" transactions without making full disclosure of the implications of the common representation and the advantages and risks involved and obtaining consent from both parties.

JACOBY & MEYERS

New York City, New York
Reprimand - *147 N.J. 374 (1997)*
Decided: 2/4/1997

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Robyn M. Hill for Disciplinary Review Board
Steven K. Kudatsky for respondent law firm

The Supreme Court of New Jersey, in a case of first impression both in this state and nationwide, held that a law firm, whose principals were not admitted as attorneys in New Jersey but which was authorized to practice law in this state under the trade name Jacoby & Meyers in accordance with *RPC 7.5(b)*, would be reprimanded for failing to process funds received in connection with New Jersey legal matters through an attorney trust account maintained in an approved New Jersey financial institution in violation of *RPC 1.15* and *Rule 1:21-6*. The Court also declined for the first time in this state to impose a fine in a disciplinary proceeding.

STUART W. JAY

Admitted: 1987; Lawnside (Camden County)
Suspension 3 Months - *148 N.J. 79 (1997)*
Decided: 3/11/1997 Effective: 1/2/1996

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Emmett E. Primas, Jr. for respondent

The Supreme Court of New Jersey, on review of a motion for discipline by consent, held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who possessed and used controlled dangerous substances (i.e., cocaine and marijuana) in the course of his employment as an Assistant County Counsel for the County of Camden.

JEFFREY E. JENKINS

Admitted: 1984; Haddon Heights (Camden County)
Admonition - *Unreported (1997)*
Decided: 12/2/1997

APPEARANCES BEFORE REVIEW BOARD
John J. Master, Jr. for District IV
George J. Singley for respondent

The Disciplinary Review held that an admonition was the appropriate discipline for an attorney who engaged in a conflict of interest by continuing to represent both a husband and a wife in bankruptcy proceedings despite the fact that the couple developed marital difficulties with each party retaining their own matrimonial attorneys. As a result, in the bankruptcy proceeding, the respondent at times advanced the interests of one client, while compromising the interests of the other.

JESSE JENKINS, III

Admitted: 1992; East Orange (Essex County)
Suspension 6 Months - *151 N.J. 473 (1997)*
Decided: 10/15/1997 Effective: 11/12/1997

APPEARANCES BEFORE REVIEW BOARD
Kenneth J. Cesta for District VB
Sheldon Schiffman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who wrote-in a decedent's name on a medical authorization form and presented it to a hospital, even though the decedent had died a year earlier, such conduct prejudicing the administration of justice in the case.

REGINALD JENNINGS

Admitted: 1973; Englewood Cliffs (Bergen County)
Suspension 3 Months - *147 N.J. 276 (1997)*
Decided: 1/14/1997 Effective: 2/5/1997

APPEARANCES BEFORE REVIEW BOARD
Andrew J. Cevasco for District IIB
Respondent failed to appear

The Supreme Court of New Jersey held that a three-month suspension from the practice of law in New Jersey was the appropriate discipline for an attorney who abandoned a

client in a matrimonial matter, closed down his office and disappeared, and failed to cooperate with disciplinary authorities during the investigation of this matter.

DENNIS JOY

Admitted: 1974; Sparta (Sussex County)
Admonition - *Unreported (1997)*
Decided: 6/6/1997

APPEARANCES BEFORE REVIEW BOARD
Linda K. Connolly for District X
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to represent a client diligently in a litigated matter and failed to keep his client reasonably informed about the status of the matter.

SIDNEY S. KANTER

Admitted: 1972; Irvington (Essex County)
Suspension 2 Years - *149 N.J. 396 (1997)*
Decided: 6/3/1997

APPEARANCES BEFORE REVIEW BOARD
Robert A. Schor for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on review of a certified record from and decision by the Disciplinary Review Board, held that a two-year suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected ten client matters.

The respondent had been temporarily suspended from the practice of law since September 27, 1995 for his failure to respond to a demand for a Random Compliance Audit of his trust and business accounts.

WILFRED J. KILLIAN

Admitted: 1989; Lancaster, California
Suspension 2 Years - *149 N.J. 647 (1997)*
Decided: 6/30/1997

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a two-year suspension from practice was the appropriate discipline for an attorney who failed to disclose on his New Jersey, California and Pennsylvania bar applications that he had been convicted in 1979 of shoplifting.

LEON KNIGHT

Admitted: 1986; Jersey City (Hudson County)
Suspension 1 Year - *152 N.J. 021 (1997)*
Decided: 11/17/1997

APPEARANCES BEFORE REVIEW BOARD
JoAnn G. Eyler Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who, in a series of four matters, engaged in pervasive misrepresentation, including presenting a fraudulent document to the Supreme Court's District Fee Arbitration Committee, made misrepresentations and failed to cooperate with the District Ethics Committee, made misrepresentations to a Judge Advocate General's Tribunal, and grossly neglected four client matters.

The respondent had been previously disciplined: in 1992, he was temporarily suspended for failure to comply with a fee arbitration determination. Thereafter, on October 12, 1993, respondent was suspended for a period of six months for gross neglect, conduct involving dishonesty, fraud, deceit or misrepresentation, failure to cooperate with disciplinary authorities and violation of the record keeping requirements. That suspension was retroactive to July 6, 1993. *In re Knight, 134 N.J. 121 (1993)*.

CHEN KORNREICH

Admitted: 1985; Freehold (Monmouth County)
Suspension 3 Years - *149 N.J. 346 (1997)*
Decided: 5/23/1997 Effective: 6/18/1997

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Brian J. Neary for respondent

The Supreme Court of New Jersey held that a three-year suspension from the practice of law was the appropriate discipline for an attorney who falsely accused her babysitter of being involved in an automobile accident which in fact involved respondent in order to secure the dismissal of criminal charges.

GEORGE J. KOVACS

Admitted: 1978; Passaic (Passaic County)
Admonition - *Unreported (1997)*
Decided: 5/5/1997

APPEARANCES BEFORE REVIEW BOARD
Kenneth P. Mullaney, Jr. for District IX
Albert B. Jeffers for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who improperly deposited a trust check for $135 in his business account by mistake rather than in his trust account as required by court rules.

STEVEN M. KRAMER

Admitted: 1983; Wayne (Passaic County)
Suspension 6 Months - *149 N.J. 19 (1997)*
Decided: 4/23/1997 Effective: 5/16/1997

APPEARANCES BEFORE REVIEW BOARD
John M. Kearney, III, for District IV
James B. Ventantonio for respondent

The Supreme Court of New Jersey held that a six-month suspension from the practice of law was the appropriate discipline for an attorney who refused to terminate representation of a client after being discharged and who improperly obtained a proprietary interest in litigation.

The respondent was publicly reprimanded in 1993 for gross neglect, failure to withdraw as counsel when discharged and failure to protect a client's interests after termination of the representation.

RONALD KURZEJA

Admitted: 1986; Saddle Brook (Bergen County)
Admonition - *Unreported (1997)*
Decided: 10/28/1997

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Committee on Attorney Advertising
Respondent appeared pro se

The Disciplinary Review Board held that an admonition by consent was the appropriate discipline for an attorney who made false and misleading statements in a targeted direct mail solicitation letter to residential real estate owners.

HOWARD LAZAROFF

Admitted: 1985; Cherry Hill (Camden County)
Disbarment By Consent - *151 N.J. 112 (1997)*
Decided: 8/21/1997

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Robert N. Agre for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients trust funds.

GEOFFREY P. LEBAR

Admitted: 1970; Hackensack (Bergen County)
Disbarment - *150 N.J. 014 (1997)*
Decided: 6/30/1997

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
William D. Russiello for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated real estate escrow funds after being expressly denied authorization from the purchasers to do so.

This case was discovered solely as a result of the Random Audit Compliance Program.

MICHAEL LESSACK

Admitted: 1979; Fort Lee (Bergen County)
Reprimand - *148 N.J. 394 (1997)*
Decided: 3/21/1997

APPEARANCES BEFORE REVIEW BOARD
Melinda L. McAllister for District IIB
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was grossly negligent in taking a jurat on two occasions.

ALTHEAR A. LESTER

Admitted: 1969; Newark (Essex County)
Suspension 6 Months - *148 N.J. 86 (1997)*
Decided: 3/21/1997 Effective: 4/15/1997

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for District VA
Respondent failed to appear

The Supreme Court of New Jersey held, on a certified record from and decision by the Disciplinary Review Board, that a six month suspension from practice was the appropriate discipline for an attorney who, in a series of six client matters, grossly neglected these files. Additionally, in one matter respondent sent a letter to his adversary saying the adversary's secretary consented to an extension of time to file an answer, when that fact was knowingly false. Respondent also failed to cooperate in the investigation and processing of these disciplinary cases.

The respondent was previously disciplined: in 1990 and 1996 he was publicly reprimanded for similar misconduct; in 1992 he was privately reprimanded.

GERALD LEVY

Admitted: 1965; Boonton (Morris County)

Disbarment By Consent - *147 N.J. 509 (1997)*
Decided: 2/18/1997

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Stephen W. Weinstein for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself from pending disciplinary charges alleging the misappropriation of trust funds.

LLOYD M. LEWIS

Admitted: 1984; Interlaken (Monmouth County)
Suspension 3 Months - *151 N.J. 481 (1997)*
Decided: 10/15/1997 Effective: 2/7/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who was convicted in municipal court in this state on several occasions: two 1991 convictions for shoplifting, in violation of *N.J.S.A. 2C:20-11,* and a 1991 arrest for possession of drug paraphernalia, in violation *N.J.S.A. 2C:36-6*, which offense he admitted.

DAVID LUSTBADER

Admitted: 1968; Livingston (Essex County)
Admonition - *Unreported (1997)*
Decided: 6/6/1997

APPEARANCES BEFORE REVIEW BOARD
Juan C. Fernandez for District VC
Respondent appeared pro se

The Disciplinary Review Board held that admonition was the appropriate discipline for an attorney who initially quoted a client fee of $750 and then billed him $3,500 without preparing any written fee agreement as required by *RPC 1.5(b)*.

JAMES E. LYNCH

Admitted: 1987; Washington's Crossing, Pennsylvania
Disbarment - *148 N.J. 429 (1997)*
Decided: 3/18/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred in the state of Pennsylvania for knowingly misappropriating $19,000 of clients' trust funds.

The respondent had been temporarily suspended from the practice of law in New Jersey since January 30, 1996.

JAMES A. MAJOR, II

Admitted: 1960; Hackensack (Bergen County)
Reprimand - *149 N.J. 243 (1997)*
Decided: 5/20/1997

APPEARANCES BEFORE REVIEW BOARD
Michael N. Boardman for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in misconduct over a period of five years when, in a litigated matter, he failed to conduct any discovery, failed to prepare the case for trial and failed to communicate with his client. Further, the respondent agreed to a voluntary dismissal of the complaint without notifying his client or obtaining consent and never informed his client of the dismissal.

The respondent had been previously privately reprimanded for his repeated failure to produce a client for deposition, in violation of a court order.

EDWARD J. MANGOLD

Admitted: 1975; Brick Township (Ocean County)
Reprimand - *148 N.J. 76 (1997)*
Decided: 3/11/1997

APPEARANCES BEFORE REVIEW BOARD
Robert A. Ballou, Jr. for District IIIA
Respondent waived appearance

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who participated in the estate of a non-relative when respondent had drafted the will and served as executor of the estate.

JOSEPH T. MARGRABIA, JR.

Admitted: 1994; Glassboro (Gloucester County)
Suspension 3 Months - *150 N.J. 198 (1997)*
Decided: 7/11/1997 Effective: 8/6/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who was found guilty in Municipal Court of assaulting his wife, in violation of *N.J.S.A. 2C: 12-*

1a(1). Holding that "(t)he public's confidence in the bar... is a central concern" in attorney disciplinary matters, the Court reiterated that criminal domestic violence conviction by attorneys will ordinarily warrant a suspension from the practice of law.

ALAN MARLOWE

Admitted: 1971; Midland Park (Bergen County)
Suspension 1 Year - *152 N.J. 020 (1997)*
Decided: 11/7/1997 Effective: 12/8/1997

APPEARANCES BEFORE REVIEW BOARD
Matthew S. Rogers for District IIB
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of twelve months was the appropriate discipline for an attorney who grossly neglected an estate matter, failed to act with diligence, failed to keep his clients reasonably informed, failed to comply with record keeping requirements and failed to cooperate with the disciplinary system.

The respondent had been previously disciplined on numerous occasions: on January 10, 1990, he was publicly reprimanded for a misrepresentation to a trial judge. Thereafter, on September 17, 1990, he was suspended for three months for a pattern of neglect, failure to communicate and misrepresentations in two matters. On December 10, 1990, he was again publicly reprimanded for failure to cooperate and failure to file an answer to an ethics complaint. On that date, respondent was also suspended from the practice of law for a period of fourteen months, retroactive to the September 17, 1990 suspension.

ALLEN C. MARRA

Admitted: 1967; Montclair (Essex County)
Suspension 3 Months - *149 N.J. 650 (1997)*
Decided: 6/30/1997 Effective: 7/28/1997

APPEARANCES BEFORE REVIEW BOARD
Alan Wovsaniker for District VC
Respondent appeared pro se

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who failed to advise a client of the dismissal of a complaint in one matter and, in a second case, was guilty of gross neglect, lack of diligence, and failure to communicate with a client.

The respondent had been previously disciplined on two occasions: he was privately reprimanded in 1992 for lack of diligence and failure to communicate with a client; in 1993 he was publicly reprimanded for having an office employee notarize false signatures, failing to deposit settlement proceeds into his trust account and failing to cooperate with a district ethics committee.

ROBERT L. MARTIN

Admitted: 1969; Orange (Essex County)
Reprimand - *151 N.J. 475 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Barry D. Berman for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in an improper business transaction with a client and who was guilty of lack of diligence and failure to communicate in connection with his representation in a personal injury matter.

SCOTT J. MARUM

Admitted: 1979; Convent Station (Morris County)
Admonition - *Unreported (1997)*
Decided: 10/27/1997

APPEARANCES BEFORE REVIEW BOARD
Richard H. Bauch for District VA
Joseph R. McDonough for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, after a personal injury matter had been submitted to arbitration in accordance with court rules and his client was awarded $14,352, neither moved in a timely fashion for either a trial *de novo* nor for confirmation of the award, resulting in the lawsuit being dismissed. The respondent also failed to notify his client of the dismissal.

BERNADETTE MCGINLEY

Admitted: 1991; Blackwood (Camden County)
Admonition - *Unreported (1997)*
Decided: 1/16/1997

APPEARANCES BEFORE REVIEW BOARD
Lorainne A. DiCintio for District IV
Lisa B. Baughman for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who appeared in bankruptcy court in New Jersey without having a bona fide law office in the state.

JOHN K. MEDFORD

Admitted: 1984; Alpine (Bergen County)
Suspension 3 Months - *148 N.J. 81 (1997)*
Decided: 3/11/1997 Effective: 4/7/1997

APPEARANCES BEFORE REVIEW BOARD

Dennis P. LaHiff for District IIA
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in an appeal of a matrimonial matter, grossly neglected the case resulting in an irreversible dismissal of the matter, made misrepresentations, failed to communicate with the client about the status of the matter, failed to promptly turn over escrow funds to his client, failed to cooperate with disciplinary authorities during investigation of the proceedings and who engaged in the practice of law while he was declared ineligible to do so.

ROBERT A. METZ

Admitted: 1977; Westfield (Union County)
Disbarment - *148 N.J. 431 (1997)*
Decided: 3/18/1997

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated in excess of $10,000 in clients' trust funds.

STEVEN B. MIROW

Admitted: 1983; Stratford (Camden County)
Reprimand - *151 N.J. 479 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on review of a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to maintain a bona fide office in this state pursuant to *R.1:21-1(c)*.

HUGO MORAS

Admitted: 1975; South Orange (Essex County)
Reprimand - *151 N.J. 500 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Carmine J. Caruso, III for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds and failed to maintain appropriate trust and business account records as required by *R.1:21-6*.

The respondent had previously received a six months suspension from practice in 1993 for issuing a trust account check before the clearing of equivalent funds designated to cover the check. *In re Moras, 131 N.J. 164 (1993)*.

JOHN W. MORRIS

Admitted: 1981; Haddonfield (Camden County)
Disbarment - *152 N.J. 032 (1997)*
Decided: 12/2/1997

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $77,700 in four client matters. The respondent had been temporarily suspended from the practice of law in New Jersey since March 21, 1995.

MARK D. MUNGELLO

Admitted: 1986; Marlton (Burlington County)
Admonition - *Unreported (1997)*
Decided: 10/27/1997

APPEARANCES BEFORE REVIEW BOARD
James H. Landgraf for District IIIB
Jon C. Martin for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who used evidence improperly obtained by his client during discovery proceedings.

DIANE K. MURRAY

Admitted: 1980; Jersey City (Hudson County)
Admonition - *Unreported (1997)*
Decided: 10/6/1997

APPEARANCES BEFORE REVIEW BOARD
Gary D. Bennett for District VI
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in a litigated matter, failed to have a written retainer with the client, failed to act diligently and failed to communicate with her clients.

VICTOR M. MUSTO

Admitted: 1983; Asbury Park (Monmouth County)
Suspension 3 Years - *152 N.J. 165 (1997)*
Decided: 12/19/1997 Effective: 6/15/1995

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
William B. Gallagher, Jr. for respondent

The Supreme Court of New Jersey held that a three year suspension, rather than disbarment, was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of conspiracy to distribute cocaine, in violation of *21 U.S.C.A. 846*, and who pled guilty in the Superior Court of New Jersey, Law Division, Monmouth County, to possession of methyl ecgonine, a controlled, dangerous substance, in violation of *N.J.S.A. 2C:35-10a(1)*; conspiracy to possess heroin and cocaine, in violation of *N.J.S.A. 2C:5-2* and *N.J.S.A. 2C:35-10*; and possession of heroin and cocaine, in violation of *N.J.S.A. 2C:35-10a(1)*. The Court determined that, while disbarment is usually the result of a drug distribution conviction, it was this respondent's drug dependency that led to his offense from which he did not seek to profit for these activities. Respondent had been temporarily suspended from the practice of law in the state of New Jersey since June 15, 1995. *In re Musto, 140 N.J. 520 (1995)*.

RAYMOND D. NADEL

Admitted: 1982; Cherry Hill (Camden County)
Reprimand - *147 N.J. 558 (1997)*
Decided: 2/24/1997

APPEARANCES BEFORE REVIEW BOARD
F. J. Fernandez-Vina for District IV
Carl Poplar for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in dual representation of both driver and passenger in an automobile accident, thus constituting a conflict of interest.

ANITA LIOTTA NEFF

Admitted: 1969; Brick (Ocean County)
Reprimand - *147 N.J. 283 (1997)*
Decided: 1/14/1997

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Charles E. Starkey for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who commingled personal funds with client's trust funds resulting in negligent misappropriation of those funds.

WILLIAM E. NORRIS

Admitted: 1967; Parsippany (Morris County)
Admonition - *Unreported (1997)*
Decided: 12/30/1997

APPEARANCES BEFORE REVIEW BOARD
Carole M. Duffy for District X
Noel E. Schablik for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who improperly returned real estate escrow monies to one of the parties when he should have retained them in trust pending agreement by both parties or a resolution by court order.

ROBERT H. OBRINGER

Admitted: 1982; Marlton (Burlington County)
Disbarment - *152 N.J. 076 (1997)*
Decided: 11/21/1997

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who "poisoned the well of justice in order to execute (a) well-planned theft," involving the filing of fictitious court documents with the bankruptcy court in order to induce the staff to transmit $20,000 in U.S. Treasury checks to which he was not entitled and then forging endorsements on said checks, all in an elaborate scheme designed to steal money which he used for his personal purposes.

PATRICK J. O'NEIL

Admitted: 1984; Vernon (Sussex County)
Disbarment By Consent - *151 N.J. 1 (1997)*
Decided: 7/21/1997

REPRESENTATIONS
Nitza I. Blasini for Attorney Ethics
Stephen J. McGee for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of over $60,000 in estate trust funds.

STEVEN M. OLITSKY

Admitted: 1976; Irvington (Essex County)
Suspension 3 Months - *149 N.J. 27 (1997)*
Decided: 4/23/1997 Effective: 6/1/1997

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who intentionally commingled client funds, business funds and personal funds to avoid levy by the Internal Revenue Service, thereby defrauding the government, and who failed to maintain proper trust and business accounting records as required by Supreme Court rules.

RAMON ORTIZ

Admitted: 1976; Teaneck (Bergen County)
Reprimand - *147 N.J. 292 (1997)*
Decided: 1/21/1997

APPEARANCES BEFORE REVIEW BOARD
Basil O'Connor for District VA
Lewis, P. Sengstacke for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who did not obtain a signed retainer agreement in a medical malpractice case, advanced personal funds of $500 to his client, grossly neglected the handling of the matter, failed to communicate with his client, did not retain an expert and missed the statute of limitations.

DAVID J. ORTOPAN

Admitted: 1977; Asbury Park (Monmouth County)
Suspension 6 Months - *147 N.J. 330 (1997)*
Decided: 1/28/1997

APPEARANCES BEFORE REVIEW BOARD
Barbara L. Birdsall for District IX
Respondent defaulted

The Supreme Court of New Jersey, on a certified record from and a decision by the Disciplinary Review Board, held that, in view of respondent's ethical history, a six month suspension from the practice was the appropriate discipline for an attorney who, in a workers' compensation matter, failed to act diligently, failed to communicate with his client, failed to turn over the client's file to a new attorney and then failed to cooperate with disciplinary authorities in the investigation of this matter.

The respondent was suspended from practice for three months for the same types of violations. *In re Ortopan, 143 N.J. 486 (1996)*. He had also previously been temporarily suspended for failure to pay a fee arbitration refund determination.

RAYMOND T. PAGE

Admitted: 1983; Woodbury (Gloucester County)
Reprimand - *150 N.J. 254 (1997)*
Decided: 7/23/1997

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a client matter, failed to communicate with the client and failed to keep the client reasonably informed as to the status of the matter.

ANTHONY M. PALAZZO

Admitted: 1985; West New York (Hudson County)
Suspension 6 Months - *149 N.J. 24 (1997)*
Decided: 4/23/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Brian E. Ansell for respondent

The Supreme Court of New Jersey held that a six month suspension from practicing law was the appropriate discipline for an attorney who knowingly failed to reveal in his certified petition for reinstatement from an earlier suspension that he had been arrested on drug charges.

The respondent was suspended for three months in 1996 for the possession of cocaine. *In re Palazzo, 143 N.J. 300*.

DAVID C. PALMER

Admitted: 1966; Bernardsville (Somerset County)
Disbarment - *147 N.J. 312 (1997)*
Decided: 1/22/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Gerard E. Hanlon for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Morris County to seven counts of third-degree aggravated sexual assault, in violation of *N.J.S.A. 2C:14-3a(2)b* and one count of fourth-degree sexual contact, in violation of *N.J.S.A. 2C:14-3b(4)b*, involving the touching of eight boys employed at a recreation complex owned by the attorney.

MICHAEL L. PARK

Admitted: 1975; East Orange (Essex County)
Reprimand - *152 N.J. 027 (1997)*
Decided: 11/7/1997

APPEARANCES BEFORE REVIEW BOARD

Eric S. Pennington for District VB
Respondent failed to appear

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to keep his clients reasonable informed of the status of two matters, misrepresented the status of their claims and failed to cooperate with the disciplinary system in the investigation and prosecution of his case.

BEN W. PAYTON

Admitted: 1992; Plainfield (Union County)
Admonition - *Unreported (1997)*
Decided: 10/27/1997

APPEARANCES BEFORE REVIEW BOARD
Michael Mitzner for District XII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who filed a civil complaint four days after the expiration of the statue of limitations and failed to tell the client. As a consequence, the complaint was dismissed for lack of prosecution.

RICHARD M. PISACANE

Admitted: 1969; Wayne (Passaic County)
Disbarment - *148 N.J. 464 (1997)*
Decided: 3/18/1997

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $1.5 million dollars in client trust funds.

The respondent had been temporarily suspended from the practice of law since July 12, 1995.

LARRY PLUMMER

Admitted: 1983; Elizabeth (Union County)
Reprimand - *149 N.J. 413 (1997)*
Decided: 6/3/1997

APPEARANCES BEFORE SUPREME COURT
JoAnn G. Eyler for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to appear repeatedly on a criminal motion and then lied to the judge to conceal his use of cocaine.

GREG POGARSKY

Admitted: 1987; Lakewood (Ocean County)
Reprimand - *147 N.J. 458 (1997)*
Decided: 2/11/1997

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Robert Novins for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in a sexual relationship with the defendant-wife in a matrimonial matter while respondent represented the husband.

DONALD V. POHLMEYER

Admitted: 1980; Tampa, Florida
Disbarment - *151 N.J. 507 (1997)*
Decided: 10/28/1997

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that disbarment was the only appropriate discipline for an attorney who misappropriated in excess of $35,000 in estate funds and then attempted to cover up his misconduct.

The respondent had been temporarily suspended from the practice of law since March 21, 1995.

STEVEN E. POLLAN

Admitted: 1970; f South Orange (Essex County)
Suspension 2 Years - 151 N.J. 494 (1997)
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Kenneth J. Cesta for District VB
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who, in a series of five matters spanning the late 1980's to 1994, engaged in a pattern of neglect, lack of diligence, failure to communicate, failure to surrender property and papers to a client, failure to expedite litigation and failure to cooperate with disciplinary authorities.

The respondent had previously been suspended for a period of six months in 1996 for his misconduct in seven matters including gross negligence, pattern of neglect, failure to communicate, failure to deliver a client's file, misrepresentation, record keeping and failure to cooperate with ethics authorities.

BENJAMIN A. POREDA

Admitted: 1957; Trenton (Mercer County)
Disbarment - *152 N.J. 041 (1997)*
Decided: 11/21/1997

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was criminally convicted for conspiring with an employee of the New Jersey Division of Motor Vehicles to arrange for the alteration of official records relating to respondent's motor vehicle violations history, preparing and assisting in the preparation of wills in which the respondent was given a residuary interest in the estate in violation of ethics rules, continuing to represent a client after the effective date of a prior suspension from practice, failing to inform the client of his suspension, falsely certifying to the Office of Attorney Ethics that he had no matters pending after his suspension, and for attempting to persuade a grievant to withdraw a grievance against him.

The respondent was previously suspended from the practice of law for a period of three months for presenting a forged insurance identification card to a police officer and to a court. *In re Poreda, 139 N.J. 435 (1995)*.

WAYNE POWELL

Admitted: 1985; Cherry Hill (Camden County)
Reprimand - *148 N.J. 393 (1997)*
Decided: 3/21/1997

APPEARANCES BEFORE REVIEW BOARD
Thomas McCay, III for District IV
Carl Poplar for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to communicate with a client, failed to act diligently and misrepresented to ethics authorities that an appeal of the case had already been filed when it had not.

The respondent had previously been reprimanded in 1995 for improperly advancing personal funds to eight clients in personal injury matters and for negligently misappropriating client funds. *In re Powell, 142 N.J. 426 (1995)*.

IRWIN RAVIN

Admitted: 1966; Homer, Alaska
Suspension 6 Months - 147 N.J. 279 (1997)
Decided: 1/14/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a six-month suspension from practicing law in New Jersey was the appropriate discipline for an attorney who was similarly disciplined by the state of Alaska for continuing to practice law in that state after being suspended from practice there for non-payment of bar dues and for failing to cooperate with disciplinary authorities.

DONALD J. RINALDI

Admitted: 1972; Nutley (Essex County)
Suspension 3 Months - *149 N.J. 22 (1997)*
Decided: 4/23/1997 Effective: 5/16/1997

APPEARANCES BEFORE REVIEW BOARD
Stuart Gold for District VC
Respondent appeared pro se

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who failed to represent a client diligently in a litigated matter, made misrepresentations to the client about having filed the complaint and then created three fictitious letters which he submitted to a district ethics committee to portray that he had performed services in the matter when he had not.

STEVEN J. RUBIN

Admitted: 1987; Cranford (Union County)
Suspension 1 Year - *150 N.J. 207 (1997)*
Decided: 7/10/1997

APPEARANCES BEFORE REVIEW BOARD
Benjamin N. Cittadino for District VII
Respondent did not appear

The Supreme Court of New Jersey held that a one-year suspension from practice was the appropriate discipline for an attorney who charged an excessive legal fee, assisted a non-lawyer in the unauthorized practice of law and also violated the terms of an escrow agreement.

WILLIAM S. RUGGIERIO

Admitted: 1976; Marlton (Burlington County)
Admonition - *Unreported (1997)*
Decided: 1/24/1997

APPEARANCES BEFORE REVIEW BOARD
Carol Lonergran Perez for District VIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, as special counsel to a municipality, failed to report the status of legal cases for more than a two-year period.

IGNACIO SAAVEDRA, JR.

Admitted: 1972; West New York (New York County)
Suspension 3 Months - *147 N.J. 269 (1997)*
Decided: 1/14/1997 Effective: 2/10/1997

APPEARANCES BEFORE REVIEW BOARD
Mark K. Lipton for District VI
Respondent waived appearance

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for a respondent who grossly neglected two client matters, failed to return an unearned retainer and disregarded a court order to appear, resulting in the issuance of a warrant for his arrest.

The respondent had been previously disciplined; in 1978 he was privately reprimanded and in 1993 he received a public reprimand.

RONALD S. SAMPSON

Admitted: 1981; East Orange (Essex County)
Suspension 3 Months - *147 N.J. 281 (1997)*
Decided: 1/14/1997 Effective: 2/10/1997

APPEARANCES BEFORE REVIEW BOARD
Leonard A. Weitzman for District VB
Respondent waived appearance

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who, in a litigated matter, grossly neglected a matter resulting in a $30,000 judgment against his client, misrepresented the status of the matter to the client and failed to cooperate with ethics authorities investigating the matter.

ROBERT J. SAYPOL

Admitted: 1983; West Orange (Essex County)
Disbarment By Consent - *149 N.J. 411 (1997)*
Decided: 6/6/1997

REPRESENTATIONS
JoAnn G. Eyler for Attorney Ethics
Mitchell H. Berger for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of $1,073 in clients' trust funds that were segregated to pay a title insurance premium.

JERALD A. SCHRAGEN

Admitted: 1970; Ramsey (Bergen County)
Disbarment - *151 N.J. 317 (1997)*
Decided: 9/16/1997

APPEARANCES BEFORE SUPREME COURT
Lee A.Gronikowski for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who engaged in a prohibited business transaction with a client, lied to a Bankruptcy Court and failed to cooperate with disciplinary authorities in the processing of this matter.

The respondent was previously privately reprimanded in 1992 for an attorney-client business venture and had been temporarily suspended since 1995.

RICHARD P. SCHUBACH

Admitted: 1983; Raritan (Somerset County)
Reprimand - *152 N.J. 019 (1997)*
Decided: 11/7/1997

APPEARANCES BEFORE REVIEW BOARD
Donald S. Maurice, Jr. for District XII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who failed to keep a client reasonably informed in connection with civil litigation and failed to return $150 to a client.

HAROLD B. SHAPIRO

Admitted: 1974; Vineland (Cumberland County)
Reprimand - *149 N.J. 392 (1997)*
Decided: 6/3/1997

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Morris W. Pinsky for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to adequately supervise his wife-bookkeeper, as a result of which she negligently misappropriated clients' trust funds.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

JOEL F. SHAPIRO

Admitted: 1989; Bound Brook (Somerset County)
Admonition - *Unreported (1997)*
Decided: 1/16/1997

APPEARANCES BEFORE REVIEW BOARD
Ana L. Day for District X

Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, after being discharged by a client, failed, despite repeated requests, to turn over the clients' file to her.

UDIT STEVEN SHARMA

Admitted: 1995; Pennington (Mercer County)
Suspension 1 Year - *150 N.J. 205 (1997)*
Decided: 7/10/1997 Effective: 8/6/1997

APPEARANCES BEFORE REVIEW BOARD
Patrick J. Monahan, Jr. for Committee on Attorney Advertising
Respondent did not appear

The Supreme Court of New Jersey held that a one-year suspension from practicing law was the appropriate discipline for an attorney who engaged in uncivil and grossly improper behavior towards the Committee on Attorney Advertising and its staff during an investigation into respondent's improper use of legal letterhead and advertisements.

JEFFREY SIMMS

Admitted: 1973; West Orange (Essex County)
Reprimand - *151 N.J. 480 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Jay M. Silberner for District VB
Edward R. McGlynn for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who signed a client's name on both a settlement check and a release and then acknowledged the "signature" on the release, albeit with the client's authorization.

NICHOLAS G. SKOKOS

Admitted: 1976; Asbury Park (Monmouth County)
Reprimand - *147 N.J. 556 (1997)*
Decided: 2/24/1997

APPEARANCES BEFORE REVIEW BOARD
Anthony T. Bruno for District IX
Respondent appeared pro se

The Supreme Court of New Jersey, on a certified record from and a decision by the Disciplinary Review Board, held that a reprimand was the appropriate discipline for an attorney who, while representing a seller of a business, engaged in gross neglect, lack of diligence and a failure to communicate.

DAVID E. SLOANE

Admitted: 1989; Reading, Pennsylvania
Suspension 2 Years - *147 N.J. 279 (1997)*
Decided: 1/14/1997 Effective: 1/23/1996

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a two year suspension from the practice of law (retroactive to January 23, 1996, the date of his temporary suspension from practice) was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Eastern District of Pennsylvania to mail fraud, in violation of *18 U.S.C.A. '1341-1342,* in connection with false medical reports and bills respondent submitted to an insurance company regarding his own personal injury suffered in 1990.

DOUGLAS R. SMITH

Admitted: 1974; Fair Lawn (Bergen County)
Suspension 3 Years - *148 N.J. 375 (1997)*
Decided: 3/11/1997

APPEARANCES BEFORE REVIEW BOARD
C. Boyd Cote' for District IIA
Respondent failed to appear

The Supreme Court of New Jersey, on review of a certified record to and decision from the Disciplinary Review Board, held that a three year suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected a client matter, misrepresented the status of the case to his client and failed to cooperate with disciplinary authorities during the investigation and processing of this matter.

The respondent was previously suspended for one year in 1994 [*In re Smith, 135 N.J. 122*] and for 6 months in 1995 [*In re Smith, 140 N.J. 212*]. He was also privately reprimanded in 1993.

DOUGLAS R. SMITH

Admitted: 1974; Fair Lawn (Bergen County)
Suspension 6 Months - *151 N.J. 501 (1997)*
Decided: 10/15/1997 Effective: 4/10/1995

APPEARANCES BEFORE REVIEW BOARD
Clayton B. Cote' District IIA
Respondent did not appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who grossly neglected a client matter, failed to keep the client reasonably informed, and failed to expedite litigation.

The respondent had been previously disciplined on several occasions: on November 23, 1993, he was privately reprimanded for misconduct in two matters, which included lack of diligence and failure to cooperate with disciplinary authorities. On March 14, 1994, he was suspended for one year for gross neglect, misrepresentations and conflict of interest in a business relationship with a client. On May 18, 1995, the respondent was suspended for a period of six months for lack of diligence and failure to cooperate with disciplinary authorities. On March 11, 1997, the Supreme Court suspended respondent for three years for gross neglect, misrepresentation and failure to cooperate with disciplinary authorities.

JOAN GERTSACOV SMITH

Admitted: 1974; Cherry Hill (Camden County)
Suspension 6 Months - *151 N.J. 483 (1997)*
Decided: 10/15/1997 Effective: 11/12/1997

APPEARANCES BEFORE REVIEW BOARD
Mark E. Herrera for District IV
Marvin Lehman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who grossly neglected two client matters and failed to communicate with the clients, failed to cooperate with disciplinary authorities in the investigation and prosecution of three client matters, and who, in one of those matters, failed to safeguard client funds, failed to turn over the client's file and failed to return an unearned fee.

The respondent had been previously privately reprimanded for misconduct in a matrimonial matter, including lack of diligence, failure to communicate with the client, and failure to cooperate with disciplinary authorities in 1991.

WILLIAM B. SPARKS

Admitted: 1983; Woodbury (Gloucester County)
Reprimand - *151 N.J. 478 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Jay J. Blumberg for District IV
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who accepted a $250 retainer in one matter for the purpose of filing a lawsuit, but who did nothing; and who, in another case, allowed a personal injury suit to be dismissed for lack of prosecution.

The respondent was previously privately reprimanded on two occasions: on November 27, 1991, he was privately reprimanded for failure to take action on a client matter, resulting in the dismissal of that complaint, failure to reply to the client's inquiries and failure to cooperate with the ethics investigation; on July 29, 1988, for a nine-month failure to prepare documents necessary to extend a mortgage and for failure to defer a balloon payment on the mortgage.

RONALD W. SPEVACK

Admitted: 1964; Woodbridge (Middlesex County)
Reprimand - *147 N.J. 272 (1997)*
Decided: 1/14/1997

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who commingled clients' trust funds and personal funds and failed to maintain proper trust and business account records as required by *R.1:21-6*.

BRAD J. SPILLER

Admitted: 1979; Camden (Camden County)
Admonition - *Unreported (1997)*
Decided: 10/28/1997

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Committee on Attorney Advertising
Lewis P. Sengstacke for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who sent a targeted direct-mail solicitation letter without having the word "advertisement" prominently displayed in capital letters on the top of the first page of the text as required by court rules.

ADELE M. STALCUP

Admitted: 1980; Penns Grove (Salem County)
Suspension 3 Months - *147 N.J. 335 (1997)*
Decided: 1/28/1997 Effective: 10/29/1996

APPEARANCES BEFORE REVIEW BOARD
Helen Fite Petrin for District I
Respondent appeared pro se

The Supreme Court of New Jersey held that a three month suspension from practice was the appropriate discipline for an attorney who failed to prepare and execute a written retainer agreement with a client, failed to communicate clearly to her client that a recovery was unlikely and made misrepresentations to new counsel.

The respondent was previously publicly reprimanded in 1995 for gross neglect, failure to communicate and improper withdrawal from representation in a criminal matter. She was also temporarily suspended from practicing law since August 13, 1996.

MORRIS STARKMAN

Admitted: 1972; Cherry Hill (Camden County)
Reprimand - *147 N.J. 559 (1997)*
Decided: 2/24/1997

APPEARANCES BEFORE REVIEW BOARD
F. J. Fernandez-Vina for District IV
Carl Poplar for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in dual representation of both driver and passenger in an automobile accident, thus constituting a conflict of interest.

ANDREW D. STRUPP

Admitted: 1974; Salt Point, New York
Reprimand - *147 N.J. 267 (1997)*
Decided: 1/14/1997

APPEARANCES BEFORE REVIEW BOARD
Marianne A. Gallina for District XIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who falsely advised a court in connection with pending litigation that he was a member of a New Jersey law firm which did not in fact exist, did not maintain a bona fide office and was not eligible to practice because he had claimed an exemption with the Lawyer's Fund for Client Protection representing that he was retired completely from the practice of law.

KATINA STYLIANOU

Admitted: 1991; Clifton (Passaic County)
Admonition - *Unreported (1997)*
Decided: 4/30/1997

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who negligently misappropriated client's trust funds as a result of her failure to reconcile her accounts as required by court rules.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

ROBERT S. SUSSER

Admitted: 1979; Red Bank (Monmouth County)
Suspension 3 Years - *152 N.J. 037 (1997)*
Decided: 11/18/1997 Effective: 12/10/1997

APPEARANCES BEFORE REVIEW BOARD
Brian J. Molloy for Attorney Ethics
Theodore Geiser for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who prematurely released escrow funds to a developer-seller of real estate in which entity respondent had a financial interest and for having misrepresented the status of the escrow funds to an attorney for the buyer.

JOHN G. TAKACS

Admitted: 1985; Evesham Township (Camden County)
Suspension 3 Years - *147 N.J. 277 (1997)*
Decided: 1/14/1997 Effective: 8/11/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Eastern District of Pennsylvania to mail fraud, in violation of *18 U.S.C.A. ' 1341,* by participating in the filing of false insurance claims in two separate matters.

HOWARD S. TEITELBAUM

Admitted: 1975; East Brunswick (Middlesex County)
Suspension 3 Months - *149 N.J. 26 (1997)*
Decided: 4/23/1997 Effective: 5/16/1997

APPEARANCES BEFORE REVIEW BOARD
John P. McDonald for District XIII
Respondent waived appearance

The Supreme Court of New Jersey held that a three-month suspension from practicing law was the appropriate discipline for an attorney who misrepresented the terms of his law partnership agreement to defraud his deceased partner's minor son of monies justly due and owing to him.

DAVID B. THOMAS

Admitted: 1972; Chatham (Morris County)
Suspension 6 Months - *149 N.J. 648 (1997)*
Decided: 6/30/1997

APPEARANCES BEFORE REVIEW BOARD
Carole M. Duffy for District X
Respondent failed to appear

The Supreme Court of New Jersey, on review of a certified record from and decision by the Disciplinary Review

Board, held that a six month suspension from practice was the appropriate discipline for an attorney who, in a series of four client matters, engaged in gross neglect, failure to communicate, charged an unreasonable fee, failed to have a retainer in writing, failed to maintain a bona fide office and failed to cooperate with the district committee in the processing of these matters.

EDWARD C. THOMAS, JR.

Admitted: 1980; Clinton (Hunterdon County)
Suspension 1 Year - *152 N.J. 004 (1997)*
Decided: 11/7/1997

APPEARANCES BEFORE REVIEW BOARD
Patricia A. Colabella for District XIII
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a one-year suspension was the appropriate sanction for an attorney who received a retainer to represent a client on a motor vehicle charge, failed to deposit the monies in his attorney business account as required and failed to appear on the client's behalf or to render any legal services despite the client's repeated attempts to communicate with him. The respondent also failed to cooperate with the ethics committee during the investigation and processing of this matter.

On June 7, 1994, the respondent was temporarily suspended from practice as the result of his failure to pay a fee arbitration award. Subsequently, on May 18, 1995, the respondent was suspended for a period of one year for mishandling two client matters, practicing law while on the ineligible list, not maintaining a bona fide office and failing to cooperate with disciplinary authorities.

ERNEST H. THOMPSON, JR.

Admitted: 1977; Newark (Essex County)
Admonition - *Unreported (1997)*
Decided: 6/5/1997

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who sent a targeted direct-mail solicitation flyer to an individual whose residence was about to be sold at a sheriff's sale, which letter contained misleading statements.

PHILIP V. TORONTO

Admitted: 1982; Lodi (Bergen County)
Reprimand - *148 N.J. 85 (1997)*
Decided: 3/11/1997

APPEARANCES BEFORE REVIEW BOARD
Robert L. Ritter for District IIB
Raymond F. Flood for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was untruthful in a pleading submitted under oath and at a district ethics committee hearing.

PHILIP V. TORONTO

Admitted: 1982; Lodi (Bergen County)
Suspension 3 Months - *150 N.J. 191 (1997)*
Decided: 7/11/1997 Effective: 8/6/1997

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Raymond F. Flood for respondent

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Bergen County to simple assault, in violation of *N.J.S.A. 2C:12-1a(1)*, arising out of domestic violence.

The respondent had been previously reprimanded for making misrepresentations to a district ethics committee during the course of an unrelated disciplinary proceeding.

ADRIAN M. UNGER

Admitted: 1937; Newark (Essex County)
Discipline By Consent - *151 N.J. 113 (1997)*
Decided: 8/27/1997

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
Frederic K. Becker for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

FRANK VALENTIN

Admitted: 1988; Bronx, New York
Disbarment - *147 N.J. 499 (1997)*
Decided: 2/21/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Stephen J. Tafaro for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, following his criminal conviction for the sale of more than one

pound of cocaine in New York, was disbarred in that jurisdiction.

PETER B. VAN DEVENTER, JR.

Admitted: 1979; Newark (Essex County)
Admonition - *Unreported (1997)*
Decided: 7/25/1997

APPEARANCES BEFORE REVIEW BOARD
Marc S. Friedman for District VC
Paul D. Drobbin for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to disclose to his client the fact that a medical malpractice case had been dismissed for failure to comply with discovery.

DWAYNE C. VAUGHN

Admitted: 1981; Newark (Essex County)
Reprimand - *148 N.J. 87 (1997)*
Decided: 3/21/1997

APPEARANCES BEFORE REVIEW BOARD
Patrick M. Callahan for District VA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in gross neglect, lack of diligence and failure to communicate with a client.

The respondent was previously disciplined on two occasions: in 1988 he was privately reprimanded for lack of diligence; in 1991 he was publicly reprimanded for failure to account for funds, pattern of neglect and failure to cooperate with ethics authorities. *In re Vaughn, 123 N.J. 576 (1991)*.

LESTER T. VINCENTI

Admitted: 1971; Elizabeth (Union County)
Suspension 1 Year - *147 N.J. 460 (1997)*
Decided: 2/11/1997 Effective: 3/12/1997

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a one year suspension from practice was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds, failed to maintain required trust and business account records and deliberately disrupted the orderly process of disciplinary hearings by attempting to intimidate witnesses, using a loud tone and generally displaying rude and offensive deportment in the course of the proceedings.

In 1983 respondent was suspended for one year; in 1989, he was suspended for three months and in 1994 he was admonished.

JAMES A. WALDRON, JR.

Admitted: 1976; Trenton (Mercer County)
Disbarment By Consent - *152 N.J. 018 (1997)*
Decided: 11/10/1997

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
John L. Call, Jr. for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who knowingly misappropriated client trust funds by making numerous unauthorized and improper disbursements totaling in excess of $270,000 from the accounts of two elderly, incompetent widows for whom he had powers of attorney. This matter was discovered solely as the result of the Random Audit Compliance Program.

EDWARD WALLACE, III

Admitted: 1977; West Trenton (Mercer County)
Admonition - *Unreported (1997)*
Decided: 12/3/1997

APPEARANCES BEFORE REVIEW BOARD
Timothy Scaffidi for District IV
John T. Kelly for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who appeared in a criminal matter while on the Supreme Court's Ineligible List to practice law in the state of New Jersey by reason of his failure to pay the annual attorney assessment.

WALTER V. WALTZ

Admitted: 1987; Spokane, Washington
Disbarment - *148 N.J. 578 (1997)*
Decided: 4/9/1997

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey, on review of a certified record from and recommendation by the Disciplinary Review Board, held that disbarment was the appropriate discipline for an attorney who disbursed legal fees in an estate matter to himself without authorization, for attempting to conceal the disbursements, and for failure to cooperate with disciplinary authorities during the processing of this matter.

SHIRLEY WATERS-CATO

Admitted: 1977; Orange (Essex County)
Suspension 3 Years - *151 N.J. 492 (1997)*
Decided: 10/15/1997

APPEARANCES BEFORE REVIEW BOARD
Peter S. Valentine for District VB
Respondent failed to appear

The Supreme Court of New Jersey, on a certified record from and decision by the Disciplinary Review Board, held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who, in three matters, was guilty of gross neglect, pattern of neglect, lack of diligence, failure to keep a client reasonably informed, failure to return a file to a client on termination of representation, and failure to cooperate with disciplinary authorities.

The respondent had been previously disciplined on numerous occasions; in 1991, she received a private reprimand for record keeping violations; in 1995, she was suspended from the practice of law for three months for failure to safeguard client property, record keeping violations and failure to cooperate with ethics authorities; in 1995, the respondent also received a one-year suspension from practice for the improper handling of escrow funds, gross neglect and for a failure to cooperate with disciplinary authorities.

JAMES S. WEBB, JR.

Admitted: 1975; Wildwood (Cape May County)
Disbarment - *147 N.J. 571 (1997)*
Decided: 2/24/1997

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients' trust funds in four different matters totaling almost $21,000.

The respondent had been temporarily suspended from practice since February 22, 1995.

DOUGLAS H. WEISS

Admitted: 1984; Philadelphia, Pennsylvania
Disbarment - *147 N.J. 336 (1997)*
Decided: 1/28/1997

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Earl G. Kauffman, admitted pro hac vice, respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $76,000 of legal fees that belonged to several law firms for which he worked and made misrepresentation to a bankruptcy court.

HARVEY L. WEISS

Admitted: 1963; Maplewood (Essex County)
Reprimand - *151 N.J. 459 (1997)*
Decided: 9/30/1997

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Anthony P. Ambrosio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest by representing a client in a second mortgage financing without fully disclosing that the mortgage agency was wholly owned by respondent's wife.

CATHERINE K. WHITE

Admitted: 1969; Dunellen (Middlesex County)
Suspension 3 Months - *150 N.J. 016 (1997)*
Decided: 6/30/1997 Effective: 7/28/1997

APPEARANCES BEFORE REVIEW BOARD
Frank Cofone, Jr. for District VIII
Respondent failed to appear

The Supreme Court of New Jersey held that a three-month suspension from practice was the appropriate discipline for an attorney who, in a series of three client matters, engaged in a pattern of neglect, lack of diligence, failure to communicate and misrepresentation.

STUART M. WHITEFIELD

Admitted: 1979; Metuchen (Middlesex County)
Disbarment - *149 N.J. 309 (1997)*
Decided: 5/6/1997

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients funds in four cases, grossly neglected client files and made misrepresentations to clients and others.

LOIS ANN WOOD

Admitted: 1983; Trenton (Mercer County)
Admonition - *Unreported (1997)*
Decided: 7/25/1997

APPEARANCES BEFORE REVIEW BOARD
Stuart B. Dember for District VII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to cooperate with reasonable requests for information by a district ethics committee which was conducting an investigation.

RICHARD W. WOODWARD

Admitted: 1990; Middletown (Monmouth County)
Suspension 3 Years - *149 N.J. 562 (1997)*
Decided: 6/3/1997 Effective: 7/12/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Southern District of New York to conspiracy to commit securities fraud, in violation of *18 U.S.C.A. '371*.

The respondent had been temporarily suspended from practice since July 18, 1995.

CHARLES P. WRIGHT, II

Admitted: 1980; Boonton (Morris County)
Disbarment - *152 N.J. 035 (1997)*
Decided: 12/2/1997

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in a Superior Court of New Jersey, Law Division, Morris County, to one count of aggravated sexual assault, in violation of *N.J.S.A. 2C:14-2a(2)*.

H. MICHAEL ZUKOWSKI

Admitted: 1980; Titusville, Florida
Reprimand - *152 N.J. 059 (1997)*
Decided: 11/7/1997

APPEARANCE BEFORE REVIEW BOARD
Karen L. Kuebler for District VI
Louis Serterides for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to diligently prosecute a workers' compensation claim and failed to communicate with the client and who, in a second matter, grossly neglected a personal injury case.

1996

ARNOLD ABRAMOWITZ

Admitted: 1976; Irvington (Essex County)
Admonition - *Unreported (1996)*
Decided: 4/3/1996

APPEARANCES BEFORE REVIEW BOARD
Mark T. Karinja for District VB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to keep his client reasonably informed about the progress of his personal injury matter despite numerous requests for information made both by letter and by telephone.

LINDA AHMED-HOWARD

Admitted: 1989; Teaneck (Bergen County)
Admonition - *Unreported (1996)*
Decided: 4/29/1996

APPEARANCES BEFORE REVIEW BOARD
Robert LaRitter for District IIB
Yvonne Haskins for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who never properly filed and served a legal malpractice complaint, failed to reply to the client's reasonable requests for information and failed to cooperate with the disciplinary system in the investigation of the matter.

WILLIAM M. ANTINORE

Admitted: 1979; Woodbury (Gloucester County)
Disbarment By Consent - *143 N.J. 537 (1996)*
Decided: 3/28/1996

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Louis D. Fletcher for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of clients' trust funds.

The respondent had been temporarily suspended from the practice of law since February 16, 1996.

RICHARD W. BANAS

Admitted: 1978; Bloomfield (Essex County)
Reprimand - *144 N.J. 75 (1996)*
Decided: 5/10/1996

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Lawrence S. Lustberg for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who improperly retained $5,000 paid by his client's mother to secure the client's release on bail, which respondent was not able to do. The Supreme Court ordered that respondent make restitution of the amount in question.

MUHAMMED IBN BASHIR

Admitted: 1987; Elizabeth (Union County)
Reprimand - *143 N.J. 406 (1996)*
Decided: 3/5/1996

APPEARANCES BEFORE REVIEW BOARD
William J. Riina for District VA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a litigated matter resulting in a default and the entry of a $41,000 judgment against his clients. Additionally, respondent failed to cooperate with the disciplinary system in the processing of this disciplinary matter.

BASIL D. BECK, JR.

Admitted: 1963; Bridgeton (Cumberland County)
Suspension 3 Years - *143 N.J. 135 (1996)*
Decided: 1/17/1996 Effective: 1/6/1995

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Harold B. Shapiro for respondent

The Supreme Court of New Jersey held that a three-year suspension from practice was the appropriate discipline for an attorney who engaged in multiple violations of various ethical rules in eleven separate cases, including a pattern of neglect, lack of diligence, failure to communicate with clients, improperly terminating client representation, lack of truthfulness, unauthorized practice of law, criminal conduct, conduct involving fraud, dishonesty or misrepresentation and conduct prejudicial to the administration of justice.

The respondent had been disciplined previously on numerous occasions: two private reprimands, a public reprimand, a three-month suspension and several temporary suspensions from practicing law.

BASIL D. BECK, III

Admitted: 1992; Bridgeton (Cumberland County)
Admonition - *143 N.J. 308 (1996)*
Decided: 2/20/1996

APPEARANCES BEFORE REVIEW BOARD
Richard R. Fleming for District I
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain a bona fide office for the practice of law as required by *R.1:21-1(a)*.

RICHARD L. BERNSTEIN

Admitted: 1966; Westfield (Union County)
Suspension 3 Months - *144 N.J. 369 (1996)*
Decided: 6/13/1996

APPEARANCES BEFORE REVIEW BOARD
Rafael J. Betancourt for District XII
Respondent waived appearance

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who engaged in gross neglect, lack of diligence, failure to communicate and misrepresentations to a client, in addition to failing to cooperate with disciplinary authorities.

The respondent was privately reprimanded in 1992 for failing to inform a client of a court order resulting in a default judgment against the client whom he thereafter misled as to the status of the matter; respondent also failed to cooperate with disciplinary authorities.

JACK D. BERSON

Admitted: 1980; Absecon (Atlantic County)
Admonition - *Unreported (1996)*
Decided: 11/26/1996

APPEARANCES BEFORE REVIEW BOARD
Lois H. Finifter for District I
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who grossly neglected a client matter, failed to respond to the client's reasonable requests for information and failed to refund an unearned retainer to the client.

DAVID A. BIEDERMAN

Admitted: 1959; Secaucus (Hudson County)
Disbarment By Consent - *143 N.J. 557 (1996)*
Decided: 4/19/1996

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Warren W. Wilentz for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who pled guilty in the United States District Court for the Northern District of Illinois to one count of conspiracy to arrange sham marriages for the purpose of circumventing federal immigration laws in violation of *18 U.S.C.A.' 371*.

The respondent had been temporarily suspended from the practice of law in New Jersey since October 13, 1995. *In re Biederman, 142 N.J. 486*.

DOUGLAS P. BLACK

Admitted: 1978; Red Bank (Monmouth County)
Disbarment By Consent - *144 N.J. 475 (1996)*
Decided: 6/17/1996

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Harold L. Gechtman for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges alleging the knowing misappropriation of $200,000 of client's trust funds.

This case was discovered exclusively by the Random Audit Compliance Program.

DEXTER B. BLAKE, JR.

Admitted: 1970; Basking Ridge (Somerset County)
Admonition - *143 N.J. 387 (1996)*
Decided: 3/6/1996

APPEARANCES BEFORE REVIEW BOARD
Lee A. Graybeal for District XIII
John F. Richardson for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently in a litigated matter and failed to reply to the client's reasonable requests for information regarding the status of the matter.

STEVEN R. BOLSON

Admitted: 1971; Linwood (Atlantic County)
Disbarment By Consent - *146 N.J. 469 (1996)*
Decided: 8/26/1996

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
John L. Weichsel for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pleaded guilty in the United States District Court for the Eastern District of Louisiana to one count of running an illegal gambling business, in violation of *18 U.S.C.A. ' 1955 (a)(1)* and *(2)* and four counts of wire fraud, in violation of *18 U.S.C.A. ' 1343* and *(2)*.

The respondent had been temporarily suspended from the practice of law in New Jersey since July 29, 1994. *In re Bolson, 137 N.J. 229 (1994)*.

ARTHUR J. BREITKOPF

Admitted: 1948; Elizabeth (Union County)
Reprimand - *143 N.J. 307 (1996)*
Decided: 2/6/1996

APPEARANCES BEFORE REVIEW BOARD
Joseph P. Depa, Jr. for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who was guilty of gross neglect by submitting to a court a certification containing inaccurate factual information of which he had no personal information and without taking reasonable measures to ensure that his representations had a basis in fact. The attorney relied solely on his client's word.

The respondent was previously disciplined on several occasions: in 1975 he was temporarily suspended for failure to keep trust and business records and was reinstated in 1979; in 1990 he was privately reprimanded for failure to keep his client reasonably informed in a negligence matter.

ARTHUR J. BREITKOPF

Admitted: 1948; Elizabeth (Union County)
Reprimand - *144 N.J. 163 (1996)*
Decided: 5/20/1996

APPEARANCES BEFORE REVIEW BOARD
Joseph P. Depa, Jr. for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to provide a written fee agreement to a client as required by *R.P.C.1.5*, made a misrepresentation to a client and failed to cooperate with disciplinary authorities.

The respondent had been previously disciplined on several occasions: in 1975 he was temporarily suspended for failure to maintain required trust and business accounts; he was reinstated in 1979; in 1990 he was privately reprimanded for

failure to keep a client reasonably informed; in 1996 he was publicly reprimanded for gross neglect of a clients' case.

RAYMOND A. BROWN, JR.

Admitted: 1986; Newark (Essex County)
Admonition - *143 N.J. 407 (1996)*
Decided: 4/3/1996

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Ernest G. Ianetti for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain proper attorney trust account records in violation of *R.1:21-6*.

STEPHEN D. BROWN

Admitted: 1986; East Orange (Essex County)
Suspension 3 Months - *144 N.J. 580 (1996)*
Decided: 6/28/1996 Effective: 7/24/1996
Reinstated: 10/29/1996

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Stephen B. Wiley and Albert Jeffers respondent

The Supreme Court of New Jersey held that a three month suspension from the practice of law was the appropriate discipline for an attorney who made a series of material and intentional misrepresentations under oath to a judge about his cocaine dependency and alcoholism.

ANTHONY F. CARRACINO

Admitted: 1982; Fords (Middlesex County)
Reprimand - *143 N.J. 140 (1996)*
Decided: 1/10/1996

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to act diligently in representing two clients and then misrepresented the status of the cases to client.

JOSEPH S. CARUSO

Admitted: 1990; Voorhees (Camden County)
Admonition - *Unreported (1996)*
Decided: 5/21/1996

APPEARANCES BEFORE REVIEW BOARD
Patricia A. Smith for District IV
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who negligently misappropriated $1,450 in client trust funds as a result of a failure to maintain proper trust and business account records as required under *Rule 1:21-6*.

CHARLENE CATHCART

Admitted: 1989; Somerdale (Camden County)
Admonition - *Unreported (1996)*
Decided: 5/2/1996

APPEARANCES BEFORE REVIEW BOARD
Lorraine A. DiCintio for District IV
Arthur F. Risden for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who sent a letter directly to the defendant in a personal injury matter in which the respondent represented the plaintiff.

RUSSELL G. CHEEK

Admitted: 1980; Toms River (Ocean County)
Admonition - *Unreported (1996)*
Decided: 5/22/1996

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain proper attorney trust and business account records required by *Rule 1:21-6*.

MARIE CHEN

Admitted: 1986; Bound Brook (Somerset County)
Suspension 3 Months - *143 N.J. 416 (1996)*
Decided: 3/19/1996 Effective: 4/15/1996

APPEARANCES BEFORE REVIEW BOARD
Stephen B. Rubin for District XIII
Respondent failed to appear

The Supreme Court of New Jersey held that a three month suspension from practice was the appropriate discipline for an attorney who engaged in a pattern of neglect, misrepresentation, failure to communicate and failure to cooperate with disciplinary authorities in two ethics matters.

The respondent had been previously reprimanded for gross neglect and failure to communicate in two other matters. *In re Chen, 142 N.J. 479 (1995)*.

CHARLES W. CIPOLLA

Admitted: 1967; Englewood Cliffs (Bergen County)
Reprimand - *143 N.J. 408 (1996)*
Decided: 3/6/1996

APPEARANCES BEFORE REVIEW BOARD
John D. Birchby for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest, charged an unreasonable legal fee and filed with a court a client's affidavit that the clients had signed in blank.

The respondent had previously received a private reprimand in 1985 for failure to maintain a bona fide office.

GREGORY P. COBBS

Admitted: 1992; Morristown (Morris County)
Disbarment By Consent - *143 N.J. 553 (1996)*
Decided: 4/11/1996

REPRESENTATIONS
John McGill, III for Attorney Ethics
Peter D. Manahan for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

The respondent had been temporarily suspended from practicing law since November 14, 1995.

GEORGE B. CRISAFULLI

Admitted: 1975; Blackwood (Camden County)
Admonition - *Unreported (1996)*
Decided: 5/6/1996

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to represent a client diligently in a litigated matter, failed to keep the client reasonably informed of the status of the matter and failed to cooperate with the disciplinary system during the investigation of this matter.

CLINTON E. CRONIN

Admitted: 1963; Toms River (Ocean County)
Disbarment - *146 N.J. 487 (1996)*
Decided: 10/1/1996

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated client and escrow funds for his own personal use and created false records and forged his client's signature to conceal the misappropriation and misled the Office of Attorney Ethics. The respondent had been temporarily suspended from the practice of law in New Jersey since February 6, 1996.

This matter was discovered solely as a result of the Random Audit Compliance Program.

MARK D. CUBBERLEY

Admitted: 1984; Hamilton (Mercer County)
Admonition - *Unreported (1996)*
Decided: 4/19/1996

APPEARANCES BEFORE REVIEW BOARD
Lawrence F. Gilman for District VII
Stephen J. Zielinski, Jr. for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in two cases, failed to cooperate with disciplinary officials in the conduct of those disciplinary investigations.

CORNELIUS W. DANIEL, III

Admitted: 1969; Brielle (Monmouth County)
Reprimand - *146 N.J. 490 (1996)*
Decided: 10/16/1996

APPEARANCES BEFORE REVIEW BOARD
Michael R. DuPont for District IX
Michael D. Schottland for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to adequately supervise an associate resulting in a failure to handle a case with diligence and a failure to keep a client adequately informed as to the status of a matter.

The respondent had been previously privately reprimanded on two different occasions in 1988 for failing to pursue a client's matter and for improperly releasing funds received as payment for a mortgage, without first obtaining a cancellation or discharge of the mortgage.

RONALD A. DAVIS

Admitted: 1979; Newark (Essex County)
Admonition - *Unreported (1996)*
Decided: 9/30/1996

APPEARANCES BEFORE REVIEW BOARD
Joseph J. DePalma for District VA
Carmen C. Rusignola for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to keep a client reasonably informed about the status of a matter and who improperly deposited into his trust account funds that were not related to any client matter.

ERNEST DESTEFANO

Admitted: 1980; Hammonton (Atlantic County)
Disbarment By Consent - *147 N.J. 2 (1996)*
Decided: 12/10/1996

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Joseph H. Kenney for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary complaints charging him with knowing misappropriation of $22,100 from an estate and allowing several lawsuits to be dismissed and then misrepresenting the status of these cases to his clients.

DONALD B. DEVIN

Admitted: 1969; Randolph (Morris County)
Reprimand - *144 N.J. 476 (1996)*
Decided: 6/21/996

APPEARANCES BEFORE REVIEW BOARD
David L. Johnson for District X
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a litigated matter over a period of seven years, misrepresented the status of the matter to the client and failed to cooperate with disciplinary authorities.

The respondent had been previously suspended from the practice of law for three months in 1994 for failure to communicate, misrepresentation and conduct prejudicial to the administration of justice.

GERALD A. DIENST

Admitted: 1965; Toms River (Ocean County)
Admonition - *Unreported (1996)*
Decided: 4/3/1996

APPEARANCES BEFORE REVIEW BOARD
William L. Gold for District VB
Peter W. Kenny for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently to pursue a lawsuit on behalf of a client and failed to communicate to the client the status of the matter.

VICKIE A. DONALDSON

Admitted: 1983; Newark (Essex County)
Disbarment By Consent - *143 N.J. 535 (1996)*
Decided: 3/26/1996

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
William A. Thomas, Jr. for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that she could not successfully defend herself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

The respondent had been temporarily suspended from the practice of law since February 20, 1996.

JOHN L. DOWNER, JR.

Admitted: 1985; Summit (Union County)
Disbarment - *144 N.J. 1 (1996)*
Decided: 4/19/1996

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated escrow funds by using for his personal purposes, $4,017.79 in title insurance premiums collected in twenty real estate transactions as an agent of Chicago Title Insurance Company and knowingly misappropriating $2,050 of clients' trust funds following a real estate closing.

The respondent had been temporarily suspended from the practice of law in New Jersey since September 7, 1994.

JOHN P. DOYLE

Admitted: 1967; Brick (Ocean County)
Suspension 6 Months - *146 N.J. 629 (1996)*
Decided: 11/221996 Effective: 12/16/1996

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Robert F. Novins for respondent

The Supreme Court of New Jersey held that a six month suspension from the practice of law was the appropriate discipline for an attorney who impermissibly entered into a business venture with a client by purchasing real estate without

making full disclosure of the conflict of interest and without insuring that the client consulted with independent counsel.

The respondent was previously privately reprimanded in 1985 for engaging in a conflict of interest.

HELENE L. EPSTEIN

Admitted: 1986; Belleville (Essex County)
Suspension 1 Year - *143 N.J. 332 (1996)*
Decided: 2/6/1996 Effective: 3/1/1996

APPEARANCES BEFORE REVIEW BOARD
Bernard A. Campbell, Jr. for District VII
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who improperly entered into a business transaction with a client in which respondent failed to comply with *RPC 1.8(a)*, failed to properly record a second mortgage and also concealed the existence of a second mortgage on a refinancing application and on the affidavit of title.

EDWARD M. FARYNYK

Admitted: 1972; Jersey City (Hudson County)
Admonition - *143 N.J. 302 (1996)*
Decided: 2/20/1996

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Robert E. Margulies for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who passively commingled a significant amount of personal and client trust funds over an extended period of time.

This case was discovered solely as a result of the Random Audit Compliance Program.

MILES R. FEINSTEIN

Admitted: 1966; Clifton (Passaic County)
Admonition - *144 N.J. 169 (1996)*
Decided: 6/3/1996

APPEARANCE BEFORE REVIEW BOARD
A. Harold Kokes for District I
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was retained to represent a defendant in a criminal appeal but failed to reduce the fee agreement to writing as required by *R.P.C. 1.5(b)*.

EDWARD J. GAFFNEY, JR.

Admitted: 1989; Newton (Sussex County)
Suspension 3 Years - *146 N.J. 522 (1996)*
Decided: 10/16/1996 Effective: 9/10/1996

APPEARANCES BEFORE REVIEW BOARD
Mark T. Friedman and James D. Bride for District X
Charles V. Bonin for respondent

The Supreme Court of New Jersey held that a three-year suspension from practice was the appropriate discipline for an attorney who committed misconduct in eleven matters, including gross neglect, failure to cooperate with disciplinary authorities, failure to return client files, misrepresentation, conduct prejudicial to the administration of justice and conduct intended to disrupt a tribunal.

The respondent had been previously disciplined on multiple occasions; in 1993 he was publicly reprimanded for gross neglect, lack of diligence, failure to cooperate with ethics authorities; in 1994 he was temporarily suspended for abandoning his practice; in 1994 he was suspended for two years and six months for gross neglect, lack of diligence, lack of communication, misrepresentation, and conduct prejudicial to the administration of justice.

OSCAR N. GASKINS

Admitted: 1979; Cherry Hill, (Camden County)
Suspension 6 Months - *146 N.J. 572 (1996)*
Decided: 11/12/1996 Effective: 12/9/1996

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a six month suspension from the practice of law was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of failure to file a federal income tax return for 1987 in violation of *26 U.S.C.A. '7203*. The respondent also admitted to willfully failing to file income tax returns for calendar years 1988 through 1990.

MARTIN A. GENDEL

Admitted: 1972; Patterson (Passaic County)
Suspension 3 Months - *144 N.J. 645 (1996)*
Decided: 7/10/1996 Effective: 8/5/1996
Reinstated: 11/4/1996

APPEARANCES BEFORE REVIEW BOARD
Richard H. Greenstein for District XII
Thomas Raimondi for respondent

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate

discipline for an attorney who engaged in an impermissible conflict of interest in a real estate matter, grossly neglected a bankruptcy matter and then misled the client on the status of the case. Respondent also failed to cooperate with disciplinary authorities in the processing of the matter.

HARVEY H. GILBERT

Admitted: 1971; Morristown (Morris County)
Reprimand - *144 N.J. 581 (1996)*
Decided: 6/28/1996

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated over $10,000 in client funds, failed to comply with record keeping rules -- including commingling personal and trust funds and depositing earned fees in the trust account -- and failed to properly supervise his firm's employees with regard to the maintenance of the business and trust accounts.

STEPHEN C. GILBERT

Admitted: 1972; Morristown (Morris County)
Reprimand - *144 N.J. 583 (1996)*
Decided: 6/28/1996

APPEARANCES BEFORE REVIEW BOARD
Brian D. Gillet for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for a respondent who negligently misappropriated over $10,000 in client funds, failed to comply with record keeping rules -- including commingling personal and trust funds and depositing earned fees in the trust account -- and failed to properly supervise his firm's employees with regard to the maintenance of the business and trust accounts.

BEVERLY G. GISCOMBE

Admitted: 1979; East Orange (Essex County)
Admonition - *Unreported (1996)*
Decided: 7/24/1996

APPEARANCES BEFORE REVIEW BOARD
Michael D. Malloy for District VB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to reasonably communicate the status of the matter to a personal injury client in violation of *R.P.C. 1.4(a)*.

STEVEN GROSSER

Admitted: 1985; Montvale (Bergen County)
Suspension 2 Years - *143 N.J. 561 (1996)*
Decided: 4/29/1996 Effective: 5/20/1996

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a two-year suspension from the practice of law in New Jersey was the appropriate discipline for an attorney who was disbarred in the state of New York for ten instances of professional misconduct, including neglect, lack of diligence, dishonesty, fraud, deceit and misrepresentation, failure to release files after being discharged, failure to cooperate with disciplinary officials and conduct designed to limit liability to a client for malpractice.

LAWRENCE S. GROSSMAN

Admitted: 1965; Morganville (Monmouth County)
Reprimand - *145 N.J. 570 (1996)*
Decided: 7/30/1996

APPEARANCES BEFORE REVIEW BOARD
Michael F. Chiarella for District IX
Richard M. Keil for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to notify prior counsel that a matter had been settled and monies received, despite representing that he would do so. He also failed to remit prior counsel's portion of those funds to which prior counsel was entitled once those funds were available for distribution.

STEVEN P. HAFT

Admitted: 1974; Parsippany (Morris County)
Suspension 1 Year - *146 N.J. 489 (1996)*
Decided: 10/16/1996 Effective: 11/18/1996

APPEARANCES BEFORE REVIEW BOARD
Richard V. Hollyer for District X
Respondent appeared pro se

The Supreme Court of New Jersey held that a one year suspension from the practice of law was the appropriate discipline for a respondent who entered into a business transaction with a client by borrowing $100,000 to invest in residential property without advising the client to secure independent counsel and without explaining the pitfalls of the transaction. Moreover, respondent gave the client a mortgage to secure the loan that was essentially worthless.

The respondent had been previously publicly reprimanded in 1984 after he failed to prepare an appellate brief

in a matter involving a convicted murderer, despite the Appellate Division's repeated directions to do so.

LOWEN K. HANKIN

Admitted: 1992; Lawrenceville (Mercer County)
Reprimand - *146 N.J. 525 (1996)*
Decided: 10/16/1996

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Marc A. Citron for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, prior to his admission to the New Jersey Bar and while acting as a businessman, issued a falsified receipt to a purchaser of a boat suspecting that the purchaser would use that receipt to evade the payment of sales tax to the state of New Jersey.

THOMAS J. HANRAHAN

Admitted: 1987; Glen Rock (Essex County)
Admonition - *Unreported (1996)*
Decided: 7/24/1996

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who negligently misappropriated a small amount of clients' trust funds as a result of his failure to maintain complete trust records and to perform regular quarterly trust reconciliations.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

WILLIAM A. HANSEN

Admitted: 1977; Seaside Park (Ocean County)
Admonition - *Unreported (1996)*
Decided: 9/25/1996

APPEARANCES BEFORE REVIEW BOARD
John F. Gelson for District IIIA
Edward Bosaman for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, while acting as executor of an estate, failed to communicate with the beneficiary of that estate.

NEAL F. HEALY

Admitted: 1976; Livingston (Essex County)
Suspension 3 Months - *143 N.J. 585 (1996)*
Decided: 5/7/1996 Effective: 6/10/1996

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected an estate matter, failed to respond to requests from the New Jersey Transfer Inheritance Tax Bureau and failed to cooperate with the disciplinary system in the processing of this matter.

STEVEN F. HERRON

Admitted: 1978; Cherry Hill (Camden County)
Suspension 1 Year - 144 N.J. 158 (1996)
Decided: 5/20/1996 Effective: 6/12/1995

APPEARANCES BEFORE REVIEW BOARD
Peter J. Boyer for District IV
Respondent appeared pro se

The Supreme Court of New Jersey held that a one-year suspension (retroactive to June 12, 1995, the date of a prior one-year suspension) was the appropriate discipline for an attorney who grossly neglected two matters, failed to communicate with clients and failed to cooperate with disciplinary authorities in processing these matters.

Respondent was previously suspended for one year for similar misconduct in seven client matters. *In re Herron, 140 N.J. 229 (1995)* .

PETER E. HESS

Admitted: 1988; Maywood (Bergen County)
Admonition - *Unreported (1996)*
Decided: 9/24/1996

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who practiced law in New Jersey while he was ineligible and without having a bona fide law office as required by Court rule.

OLIVIA C. HOWARD

Admitted: 1981; East Orange (Essex County)
Suspension 3 Months - *143 N.J. 564 (1996)*
Decided: 4/12/1996 Effective: 5/15/1996
Reinstated: 10/7/1996

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Alan Dexter Bowman for respondent

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who was convicted in the Superior Court of New Jersey, Law Division, Bergen County, of death by auto, a third degree crime (criminal homicide) in violation of *N.J.S.A. 2C:11-5*. The Court held that:

> "Any misconduct, whether professional or private, that reveals a lack of good character essential for an attorney constitutes a basis for discipline."

The Court held that death by auto meets this standard because of the seriousness of the crime (i.e. third degree) and the state of mind required for conviction (i.e. reckless indifference to human life).

GREGORY M. IMPERIALE

Admitted: 1981; Northfield (Atlantic County)
Disbarment By Consent - *144 N.J. 171 (1996)*
Decided: 5/29/1996

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Mark Roddy for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who, subsequent to the filing of a formal complaint, admitted that he could not successfully defend himself against the pending charges alleging the knowing misappropriation of over $75,000 in client's trust funds.

The respondent had been temporarily suspended from the practice of law in New Jersey since February 28, 1996.

WILLIAM C. ISRAEL

Admitted: 1987; Englewood (Bergen County)
Suspension 2 Years - *143 N.J. 538 (1996)*
Decided: 3/281996 Effective: 11/3/1994

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a two year suspension from the practice of law was the appropriate discipline for an attorney who had been disciplined in the state of New York for neglecting six client matters, handling a matter incompetently and engaging in conduct prejudicial to the administration of justice.

FRANK J. JESS

Admitted: 1971; Perth Amboy (Middlesex County)
Admonition - *Unreported (1996)*
Decided: 6/3/1996

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
John L. Schantz for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who improperly engaged in an attorney-client business transaction by borrowing $30,000 from a client without complying with the mandatory requirements of *R.P.C. 1.8(a)* and without memorializing his obligation to repay the loan.

MITCHELL J. KASSOFF

Admitted: 1983; South Orange (Essex County)
Admonition - *Unreported (1996)*
Decided: 12/30/1996

APPEARANCES BEFORE REVIEW BOARD
John B. Sogliuzzo for District VB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who threatened to file criminal charges arising out of a motor vehicle accident in order to obtain an improper advantage in the resulting civil matter between the parties.

LAWRENCE V. KELLY

Admitted: 1968; Hasbrouck Heights (Bergen County)
Discipline By Consent - *143 N.J. 406 (1996)*
Decided: 3/6/1996

REPRESENTATIONS
John McGill, III for Attorney Ethics
Andrew P. Napolitano for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who, after a formal complaint was filed against him, admitted that he could not successfully defend himself against disciplinary charges that he knowingly misappropriated $140,000 in estate funds.

The respondent had been temporarily suspended from the practice of law in New Jersey since September 1, 1995.

JOSEPH P. KERRIGAN

Admitted: 1994; Westmont (Gloucester County)
Suspension 18 Months - *146 N.J. 557 (1996)*
Decided: 10/29/1996 Effective: 5/16/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that an 18 month suspension from the practice of law was the appropriate discipline for an attorney who pled guilty in the United States

District Court for the Eastern District of Pennsylvania to one count of mail fraud in violation of *18 U.S.C.A. '1341*, when, prior to his admission to the bar of this state, he submitted a knowingly false claim for injuries to an insurance company and was paid $5,500. The respondent had been temporarily suspended from the practice of law since May 16, 1995. *In re Kerrigan, 140 N.J. 269 (1995)*.

JAMES A. KEY, JR.

Admitted: 1974; Edison (Middlesex County)
Admonition - *Unreported (1996)*
Decided: 2/20/1996

APPEARANCES BEFORE REVIEW BOARD
Ronald B. Grayzel for District VIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to correct deficiencies in a civil appeal filed with the Appellate Division as a result of which the appeal was dismissed. Respondent failed to inform his client of the dismissed appeal. In another matter respondent permitted a civil complaint to be dismissed for lack of prosecution and, likewise, failed to inform his client of this action.

JAMES A. KEY, JR.

Admitted: 1974; Edison (Middlesex County)
Admonition - *Unreported (1996)*
Decided: 11/25/1996

APPEARANCES BEFORE REVIEW BOARD
Ronald B. Grayzel for District VIII
Steven D. Altman for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who allowed a personal injury complaint to be dismissed for failing to answer interrogatories, failed to tell the client and failed to take efforts for four years to have the complaint restored.

BYRON R. KING

Admitted: 1983; Edison (Middlesex County)
Reprimand - *144 N.J. 169 (1996)*
Decided: 5/22/1996

APPEARANCES BEFORE REVIEW BOARD
Ellen Clarkson for District VIII
Respondent failed to appear

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a client's divorce matter by practicing without having any office system in place to follow-up on files. He also failed to reasonably communicate with his client and entered into an improper attorney-client business transaction. The Court also ordered that the respondent be temporarily suspended from practicing law until he secures an approved proctor who is to supervise his practice.

The respondent had previously received a private reprimand in 1994 for failure to prepare a written retainer agreement, to pursue his client's interests and to communicate with his clients.

JOHN A. KLAMO

Admitted: 1982; Cherry Hill (Camden County)
Reprimand - *143 N.J. 387 (1996)*
Decided: 3/5/1996

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Louis M. Barbone for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who improperly delegated his attorney record keeping responsibilities to an employee whom he never instructed nor supervised. As a result the attorney negligently misappropriated clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

RICHARD H. KRESS

Admitted: 1979; Clark (Union County)
Reprimand - *143 N.J. 334 (1996)*
Decided: 2/20/1996

APPEARANCES BEFORE REVIEW BOARD
John C. Phillips for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to handle a *pendente lite* support matter diligently resulting in a $2,500 legal fee award against his client. Respondent failed to disclose these facts to his client.

MERRI R. LANE

Admitted: 1982; Delran (Camden County)
Reprimand - *147 N.J. 3 (1996)*
Decided: 12/10/1996

APPEARANCES BEFORE REVIEW BOARD
F. J. Fernandez-Vina for District IV
Henry J. Tyler for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for a respondent who grossly neglected a bankruptcy matter and failed to respond to her client's numerous inquiries as to the status of the matter.

F. WILLIAM LAVIGNE

Admitted: 1970; Andover (Sussex County)
Suspension 3 Years - *146 N.J. 590 (1996)*
Decided: 11/15/1996 Effective: 12/9/1996

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
S. M. Chris Franzblau for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who engaged in conflicts of interest, misrepresentations and failures to safeguard client's funds in connection with the exchange of real estate owned by respondent and his clients.

CLIFFORD E. LAZZARO

Admitted: 1988; Newark (Essex County)
Reprimand - 146 N.J. 573 (1996)
Decided: 11/11/1996

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Nicholas E. Caprio for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who sent targeted direct mail solicitation letters to victims of a train accident, less than two weeks after the event, without first ascertaining the nature and degree of their injuries.

GARY LESSER

Admitted: 1969; Budd Lake (Morris County)
Suspension 1 Year - *144 N.J. 160 (1996)*
Decided: 5/20/1996

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Harry J. Riskin for District X
George T. Daggett for respondent

The Supreme Court of New Jersey held that a one year suspension from the practice of law was the appropriate discipline for an attorney who recklessly failed to maintain proper trust and business account records as required under *Rule 1:21-6* and used his trust account as a personal account, from which he disbursed in excess of $250,000 to a contractor for work performed on his house.

Respondent has been temporarily suspended from practicing law since October 26, 1993. Previously, he was privately reprimanded in 1989 for improperly removing legal fees from closing proceeds without the client's authorization; in 1993 he was suspended for three months for commingling trust and personal funds [*In re Lesser, 134 N.J. 220 (1993)*]; he was suspended in 1995 for one year for grossly neglecting an appeal, misrepresentation and failure to cooperate with disciplinary authorities. [*In re Lesser, 140 N.J. 41 (1995)*].

ALTHEAR A. LESTER

Admitted: 1969; Newark (Essex County)
Reprimand - *144 N.J. 130 (1996)*
Decided: 1/3/1996

APPEARANCES BEFORE REVIEW BOARD
Robert M. Goodman for District VA
Alan Roth for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to communicate with a client, failed to adequately supervise office staff, and failed to release a file to a client.

The respondent had previously been disciplined on two occasions: in 1992 he was privately reprimanded and in 1989 he was publicly reprimanded.

HARMON H. LOOKHOFF

Admitted: 1973; Annandale (Hunterdon County)
Admonition - *Unreported (1996)*
Decided: 7/24/1996

APPEARANCES BEFORE REVIEW BOARD
John Patrick McDonald for District XIII
Frederick Popovitch for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who tried to collect a legal fee from one who was not a client. In another matter the attorney failed to safeguard client property, but finally repaid the client $600.

GEORGE T. MANDLE, JR.

Admitted: 1970; Linden (Union County)
Reprimand - *146 N.J. 520 (1996)*
Decided: 10/16/1996

APPEARANCES BEFORE REVIEW BOARD
Michael Ventura for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected four separate client matters, failed to act diligently and then failed to cooperate with disciplinary authorities in connection with the investigation of these matters.

JOSEPH JUDE MARRA

Admitted: 1984; Pennsauken (Camden County)
Disbarment By Consent - *147 N.J. 254 (1996)*
Decided: 12/30/1996

REPRESENTATION
Brian D. Gillet for Attorney Ethics
Leo R. Zamparelli for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent from an attorney who admitted that he could not successfully defend himself against pending disciplinary charges of the knowing misappropriation of client's trust funds.

ROBERT J. MASCENIK

Admitted: 1980; Iselin (Middlesex County)
Admonition - *Unreported (1996)*
Decided: 2/15/1996

APPEARANCES BEFORE REVIEW BOARD
John J. Peters for District VIII
Richard W. Kracht for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who permitted his client's personal injury case to be dismissed without prejudice for failure to appear at an arbitration hearing and then took no action to reinstate the complaint and failed to reply to the client's requests as to the status of the case.

THOMAS P. MILBURN

Admitted: 1978; Metuchen (Middlesex County)
Disbarment By Consent - *145 N.J. 367 (1996)*
Decided: 7/23/1996

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Malcolm R. Busch consulted with respondent solely for assuring voluntariness of his consent.

The Supreme Court of New Jersey accepted the Disbarment By Consent of an attorney who admitted that he could not successfully defend himself against pending charges alleging the knowing misappropriation of clients' trust funds.

JOHN A. MOORE

Admitted: 1983; Avon (Monmouth County)
Disbarment - *143 N.J. 415 (1996)*
Decided: 3/19/1996

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for a respondent who accepted substantial retainers from two clients, did nothing, failed to return the retainers, then disappeared. Respondent also exhibited an "utter and complete disregard for his obligations to the ethics system" by failing to cooperate during the investigation, failing to file answers to the complaints and failing to appear before the Disciplinary Review Board and the Supreme Court.

The respondent had been temporarily suspended from the practice of law since April 7, 1995.

JOHN P. MORRIS

Admitted: 1974; Bridgeton (Cumberland County)
Admonition - *Unreported (1996)*
Decided: 2/20/1996

APPEARANCES BEFORE REVIEW BOARD
Helen Fite Petrin for District I
Vincent J. Pancari for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, as a fiduciary, failed to file a fiduciary income tax return in a timely fashion and also failed to submit a proper estate accounting.

JOHN J. NOVAK

Admitted: 1989; Lakewood (Ocean County)
Admonition - *Unreported (1996)*
Decided: 5/21/1996

APPEARANCES BEFORE REVIEW BOARD
Martin P. Gertner for District IIIA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who improperly engaged in a verbal exchange with a Judge's secretary using loud, verbally aggressive, improper and obnoxious language and thus failed to treat a person involved in the legal process with courtesy and consideration.

CHARLES H. NUGENT, JR.

Admitted: 1987; Medford (Burlington County)
Admonition - *Unreported (1996)*
Decided: 4/19/1996

APPEARANCES BEFORE REVIEW BOARD
Julie Kligerman for District IIIB
Francis J. Hartman for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for a respondent who, in opposing an order to show cause, submitted an affidavit of his client which attached a certification page from a prior certification of the client. The affidavit contained untruthful statements made by the client. The attorney was not aware of the untruthful nature of the statements, but was aware that the

certification related to a prior document and the attorney failed to so inform the Court.

STEVEN M. OLITSKY

Admitted: 1976; Irvington (Essex County)
Admonition - *Unreported (1996)*
Decided: 11/27/1996

APPEARANCES BEFORE REVIEW BOARD
Mark T. Karinja for District VB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who accepted $250 to commence a change of name proceeding, failed to take any action to do so and failed to have the client execute a written retainer agreement as required by court rules.

RICHARD M. ONOREVOLE

Admitted: 1983; Lake Hiawatha (Morris County)
Reprimand - *144 N.J. 477 (1996)*
Decided: 7/21/1996

APPEARANCES BEFORE REVIEW BOARD
James D. Bride for District X
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who grossly neglected a landlord-tenant matter for nearly a year, lied to his client to hide his neglect and failed to cooperate with disciplinary authorities during the processing of this matter.

The respondent had been previously admonished in 1994 for gross neglect, lack of diligence and failure to communicate with a client in one matter.

DAVID J. ORTOPAN

Admitted: 1977; Asbury Park (Monmouth County)
Suspension 3 Months - *143 N.J. 586 (1996)*
Decided: 5/7/1996

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected a worker's compensation matter, failed to communicate with the client, failed to deliver the file to the client or to a new attorney and failed to participate in any way in the disciplinary proceeding against him.

The respondent had been temporarily suspended from the practice of law since February 13, 1996 for failure to pay a fee arbitration award by the District Fee Arbitration Committee.

RAYMOND T. PAGE

Admitted: 1983; Woodbury (Gloucester County)
Admonition - *Unreported (1996)*
Decided: 10/25/1996

APPEARANCES BEFORE REVIEW BOARD
Jane A. Kenney for District IV
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who grossly neglected a tax foreclosure matter, failed to communicate with his client and failed to cooperate with disciplinary authorities investigating this grievance.

ANTHONY M. PALAZZO

Admitted: 1985; Allenhurst (Monmouth County)
Suspension 3 Months - *143 N.J. 300 (1996)*
Decided: 2/6/1996 Effective: 3/1/1996
Reinstated: 6/28/1996

APPEARANCES BEFORE REVIEW BOARD
John McGill for Attorney Ethics
Richard S. Haines for respondent

The Supreme Court of New Jersey held that a three month suspension from the practice of law was the appropriate discipline for an attorney who was arrested for possession of cocaine.

The respondent was previously privately reprimanded in 1990 for failure to advise a grievant of his limited authorization to honor representations and commitments made while negotiating a lease with the grievant.

WILLIAM O. PERKINS, JR.

Admitted: 1970; Jersey City (Hudson County)
Reprimand - *143 N.J. 139 (1996)*
Decided: 1/3/1996

APPEARANCES BEFORE REVIEW BOARD
Cara M. Corbo for District VI
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in two client matters, failed to act diligently and failed to adequately communicate with the clients. Respondent was also found guilty of misrepresenting the status of one case to a client and failing to cooperate with disciplinary authorities during the processing of these matters.

JAMES R. PICCIANO

Admitted: 1972; Haddon Heights (Camden County)
Reprimand - *144 N.J. 82 (1996)*

Decided: 5/22/1996

APPEARANCES BEFORE REVIEW BOARD
Raymond E. Milavsky for District IV
Harvey M. Mitnick for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for a respondent who grossly neglected two client matters and misrepresented the status of one of those matters to the client. The Court also ordered that respondent practice under the supervision of a proctor for one year.

ANTHONY F. PISTILLI

Admitted: 1978; Little Ferry (Bergen County)
Disbarment By Consent - 146 N.J. 62 (1996)
Decided: 8/12/1996

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Raymond F. Flood for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who pled guilty in the Superior Court of New Jersey, Law Division, Bergen County to one count of second degree theft by deception in violation of *N.J.S.A. 2C:20-4* and one count of second degree conspiracy to commit theft by deception in violation of *N.J.S.A. 2C:5-2* and *2C:20-4*.

The respondent had been temporarily suspended from the practice of law since June 13, 1994. *In re Pistilli, 137 N.J. 6 (1994)*.

STEVEN E. POLLAN

Admitted: 1970; South Orange (Essex County)
Suspension 6 Months - *143 N.J. 305 (1996)*
Decided: 2/6/1996 Effective: 3/1/1996

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III, Kenneth J. Cesta and
Raymond A. Reddin for Attorney Ethics
John F. X. Irving for respondent

The Supreme Court of New Jersey held that a six month suspension from practice was the appropriate discipline for an attorney who engaged in misconduct in seven matters, which included gross negligence, pattern of neglect, failure to communicate, failure to deliver a client's file, misrepresentation, record keeping and failure to cooperate with ethics authorities.

MICHAEL G. PRESTIA

Admitted: 1986; Carlstadt (Bergen County)
Admonition - *Unreported (1996)*
Decided: 11/25/1996

APPEARANCES BEFORE REVIEW BOARD
Gregory J. Irwin for District IIB
Louis C. Esposito for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to execute a required written retainer agreement for legal fees with his client and then charge them three times the amount initially quoted.

SAVERIO R. PRINCIPATO

Admitted: 1959; Camden (Camden County)
Disbarment By Consent - *146 N.J. 491 (1996)*
Decided: 10/23/1996

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
Kenneth W. Landis for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

JOSEPH A. PRIVETERA

Admitted: 1966; Ship Bottom (Ocean County)
Disbarment By Consent - *147 N.J. 41 (1996)*
Decided: 12/16/1996

REPRESENTATIONS
Brian D. Gillet for Attorney Ethics
Thomas F. Kelaher for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of over $800,000 in clients' trust funds.

JAMES J. REA, JR.

Admitted: 1965; Avon (Monmouth County)
Reprimand - *143 N.J. 385 (1996)*
Decided: 3/5/1996

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Stephanie E. Fox for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who intentionally failed to account to the heirs for his handling of $4,000 of estate monies.

Respondent was temporarily suspended from practice on April 16, 1993 for failure to appear for a demand audit regarding client trust funds. The respondent had previously been reprimanded in 1992 for engaging in a sexual relationship with an assigned *pro bono* client, whom he knew to have a history of mental health problems.

JAMES J. REA, JR.

Admitted: 1965; Avon (Monmouth County)
Suspension 3 Months - *143 N.J. 385 (1996)*
Decided: 3/5/1996 Effective: 1/8/1996
Reinstated: 4/23/1996

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a three month suspension from the practice of law was the appropriate discipline for an attorney who pled guilty in the state of New York to an indictment charging criminal mischief in the second degree, in violation of *N.Y. Penal Law 145.10 (McKinney 1988*), and to an accusation charging him with hindering apprehension, in violation of *N.J.S.A. 2C:29-3b(2)*, a fourth degree offense.

KIRK D. RHODES

Admitted: 1981; Plainfield (Union County)
Admonition - *143 N.J. 302 (1996)*
Decided: 2/20/1996

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who negligently misappropriated $10,400 in clients' trust funds due to inadequate record keeping practices.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

STEPHEN H. ROSEN

Admitted: 1982; Glen Ridge (Essex County)
Admonition - *Unreported (1996)*
Decided: 4/29/1996

APPEARANCES BEFORE REVIEW BOARD
Thomas S. Cosma for District VC
Michael P. Ambrosio for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who witnessed and notarized the signature of an individual on closing documents signed outside of his presence and also failed to cooperate with a district ethics committee in investigating this case.

RICHARD J. RUBIN

Admitted: Pro Hac Vice; New York City (New York)
Suspension 3 Years - *144 N.J. 161 (1996)*
Decided: 5/20/1996

APPEARANCES BEFORE REVIEW BOARD
Teofilo Montanez for District I
Respondent failed to appear

The Supreme Court of New Jersey held that a three year suspension of respondent's right to practice law *pro hac vice* in New Jersey was the appropriate discipline for an attorney who appeared before the Office of Administrative Law in New Jersey and misrepresented in an affidavit that he had made payment to the Lawyer's Fund for Client Protection and improperly named a local counsel an attorney who was not involved in the underlying litigation. Respondent also failed to cooperate with disciplinary authorities in the processing of this matter.

RONALD M. SALZER

Admitted: 1983; Hackensack (Bergen County)
Disbarment By Consent - *143 N.J. 133 (1996)*
Decided: 1/12/1996

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Melody R. Merola for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who pled guilty in the Superior Court of New Jersey, Law Division, Bergen County to an indictment charging theft by deception involving more than 40 clients and totaling over $500,000.

The respondent had been temporarily suspended from the practice of law in New Jersey since June 2, 1995. *In re Salzer, 140 N.J. 318 (1995)*.

FRANCIS H. SCALESSA

Admitted: 1974; Summit (Union County)
Suspension 3 Months - *144 N.J. 166 (1996)*
Decided: 5/20/1996 Effective: 6/17/1996

APPEARANCES BEFORE REVIEW BOARD
Jay Lavroff for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected six client matters, made misrepresentations to his clients and to third

parties and failed to cooperate with disciplinary authorities in the prosecution of these matters.

The respondent had previously been disciplined on two occasions; in 1991 he was temporarily suspended for two weeks for not responding to the disciplinary system's request for explanation of a trust overdraft notice; in 1994 he was privately reprimanded for gross neglect, lack of diligence and failure to communicate in two matters.

CHARLES M. SCHIMENTI

Admitted: 1952; Jersey City (Hudson County)
Disbarment By Consent - *144 N.J. 474 (1996)*
Decided: 6/17/1996

REPRESENTATIONS
John J. Janasie for Attorney Ethics
James G. Lepis for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misuse of estate and escrow funds.

FREDERICK S. SCHOFIELD, III

Admitted: 1977; Brigantine (Atlantic County)
Disbarment By Consent - *146 N.J. 476 (1996)*
Decided: 9/25/1996

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Steven C. Harris for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he knowingly misappropriated clients' trust funds by taking advanced legal fees from his trust account prior to any entitlement to such funds.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

STEPHEN J. SCHUTZMAN

Admitted: 1985; New York City, New York
Reprimand - *145 N.J. 568 (1996)*
Decided: 7/29/1996

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to maintain a bona fide office in New Jersey while representing a party in a litigated matter and who also failed to maintain business and trust accounts in this state as required by Court rules.

LAURA A. SCOTT

Admitted: 1984; Clifton (Passaic County)
Admonition - *Unreported (1996)*
Decided: 5/2/1996

APPEARANCES BEFORE REVIEW BOARD
Madeline L. Houston for District XI
Timothy N. Tuttle for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in connection with a mortgage refinancing, failed to act diligently and failed to comply with her client's requests for information.

CHARLES SHAW

Admitted: 1990; Hackensack (Bergen County)
Admonition - *Unreported (1996)*
Decided: 7/24/1996

APPEARANCES BEFORE REVIEW BOARD
Robert Tafuri for District IIA
Lawrence Grossman for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, during the course of litigation in which he was attorney for one of the parties, wrongfully disclosed in the complaint that his adversary had received a private letter of reprimand, in violation of *R.1:20-10(a)(e)* and *R.P.C. 8.4(e)*.

RICHARD K. SILBERBERG

Admitted: 1970; Springfield (Union County)
Suspension 2 Years - *144 N.J. 215 (1996)*
Decided: 6/4/1996 Effective: 7/22/1996

APPEARANCES BEFORE REVIEW BOARD
Patricia Hernandez for District XII
Respondent appeared pro se

The Supreme Court of New Jersey held that a two-year suspension from the practice of law was the appropriate discipline for an attorney who witnessed and notarized at a real estate closing the "signature" of a person whom respondent knew to be deceased and for providing two false written statements to ethics authorities regarding the circumstances leading to the execution of the documents.

IRVING SILVERMAN

Admitted: 1959; Newark (Essex County)
Suspension 6 Months - *143 N.J. 134 (1996)*

Decided: 1/10/1996 Effective: 3/1/1996

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Lawrence S. Horn for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to the willful failure to file a federal income tax return for calendar year 1988 in violation of *26 U.S.C.A. ' 7203*.

The respondent was previously privately reprimanded in 1981 for failing to act diligently in two matters.

MICHAEL B. SILVERMAN

Admitted: 1980; Orange (Essex County)
Admonition - *Unreported (1996)*
Decided: 10/22/1996

APPEARANCES BEFORE REVIEW BOARD
Stephen O. Mortenson for District VB
Adam H. Glick for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for a respondent who failed to advise his client in response to the clients' inquiry that the underlying litigation had been dismissed for failure to answer interrogatories.

GLENN V. SORGE

Admitted: 1979; West Orange (Essex County)
Disbarment By Consent - *143 N.J. 554 (1996)*
Decided: 4/81996

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Neil G. Duffy, III for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

MARILYN E. STERNSTEIN

Admitted: 1980; Audubon (Camden County)
Reprimand - *143 N.J. 128 (1996)*
Decided: 1/3/1996

APPEARANCES BEFORE REVIEW BOARD
John McFeeley, III for District IV
Angelo J. Falciani for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in two client matters, failed to act diligently, failed to communicate and failed to cooperate with district ethics authorities.

The respondent had previously been privately reprimanded in 1993 for gross neglect, lack of diligence, failure to communicated with her client and failure to cooperate with a district ethics committee.

JOSEPH B. THOR

Admitted: 1967; East Newark (Hudson County)
Disbarment By Consent - *143 N.J. 555 (1996)*
Decided: 4/17/1996

REPRESENTATIONS BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Furman L. Templeton, Jr. consulted with respondent for sole purpose of assuring voluntariness of execution of form of disbarment.

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent in a matter which was pending argument before the Disciplinary Review Board. The respondent was convicted in United States District Court for New Jersey of three counts of wire fraud [*18 U.S.C.A. 1343 and 2*], two counts of bribery [*18 U.S.C.A. 1952(a)(3) and 2*], two counts of extortion [*18 U.S.C.A. 1951(a)(b)(2) and (3) and 2*], one count of mail fraud conspiracy [*18 U.S.C.A. 371*] one count of mail fraud [*18 U.S.C.A. 1341 and 2*] and one count of money laundering [*18 U.S.C.A. 1956(a)(1)(B)(i) and 2*].

The respondent had been temporarily suspended from the practice of law since February 28, 1994. *In re Thor, 135 N.J. 81 (1994)*.

CHARLES I. TIGHE, III

Admitted: 1971; Mount Laurel (Burlington County)
Disbarment - *143 N.J. 298 (1996)*
Decided: 2/6/1996

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, in thirty-four personal injury matters, knowingly misappropriated clients' trust funds by withdrawing legal fees prior to receiving the personal injury settlement.

This case was discovered solely as a result of the Random Audit Compliance Program.

PAMELA N. TIGHE

Admitted: 1978; Mount Laurel (Burlington County)
Reprimand - *143 N.J. 304 (1996)*

Decided: 2/6/1996

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to properly supervise her staff resulting in the negligent misappropriation of clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

JAMES N. TRACY, JR.

Admitted: 1968; Brielle (Monmouth County)
Disbarment By Consent - *146 N.J. 475 (1996)*
Decided: 9/17/1996

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
James N. Tracy, III for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pled guilty in the United States District Court for the District of New Jersey to a federal information charging him with embezzlement of public money in violation of *18 U.S.C.A. 641*. The respondent had been temporarily suspended from the practice of law in New Jersey since March 10, 1995. *In re Tracy, 139 N.J. 286 (1995)*.

MICHAEL J. VARLEY

Admitted: 1969; Allenhurst (Monmouth County)
Disbarment By Consent - *146 N.J. 139 (1996)*
Decided: 8/12/1996

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
Michael D'Alessio, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

KEVIN F. WALL

Admitted: 1976; Camden (Camden County)
Disbarment By Consent - *143 N.J. 418 (1996)*
Decided: 3/22/1996

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Ralph R. Kramer for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who pled guilty in the Superior Court of New Jersey, Law Division, Camden County, to a one count indictment charging him with theft by failure to make required disposition of property received in violation of *N.J.S.A. 2C:20-9*.

The respondent had been temporarily suspended from practicing law since March 10, 1992. *In re Wall, 127 N.J. 93 (1992)*.

SHELDON G. WEINSTEIN

Admitted: 1965; Westfield (Union County)
Suspension 3 Months - *144 N.J. 367 (1996)*
Decided: 6/13/1996 Effective: 7/15/1996

APPEARANCES BEFORE REVIEW BOARD
Alfred Sauer for District XII
Morton S. Bunis for respondent

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who, in four client matters, exhibited gross neglect, lack of diligence, failure to communicate, misrepresentation, failure to turn over a file and failure to cooperate with disciplinary authorities.

GARY M. WEISS

Admitted: 1984; Matawan (Monmouth County)
Disbarment By Consent - *143 N.J. 414 (1996)*
Decided: 3/20/1996

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Donald R. Belsole for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of a respondent who admitted that he could not successfully defend himself against a disciplinary complaint that was pending hearing before a Special Ethics Master alleging the knowing misappropriation of clients' trust funds in excess of $23,000.

The respondent had been temporarily suspended from the practice of law since October 23, 1995.

JOHN H. C. WEST, III

Admitted: 1989; Ventnor (Atlantic County)
Admonition - *Unreported (1996)*
Decided: 2/15/1996

APPEARANCES BEFORE REVIEW BOARD
Frank L. Corrado for District I
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who

failed to act diligently in a criminal post-conviction relief matter and failed to reply to his clients' inquiries about the matter.

E. BRUCE WETZEL, JR.

Admitted: 1965; Manasquan (Monmouth County)
Admonition - *Unreported (1996)*
Decided: 4/3/1996

APPEARANCES BEFORE REVIEW BOARD
William G. Marriott for District IX
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently to complete an estate matter and failed to comply with reasonable requests for information about the status of the matter.

STUART M. WHITEFIELD

Admitted: 1979; Metuchen (Middlesex County)
Suspension 3 Months - *146 N.J. 480 (1996)*
Decided: 10/1/1996 Effective: 7/5/1996

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a three-month suspension from practice (and until the conclusion of all other pending disciplinary complaints against him) was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds, failed to maintain proper trust account records, improperly entered into a business transaction with a client and failed to communicate with a client and handle the client's matter with diligence.

JOHN F. WISE

Admitted: 1983; South Orange (Essex County)
Admonition - *Unreported (1996)*
Decided: 6/26/1996

REPRESENTATIONS BEFORE REVIEW BOARD
Kenneth J. Cesta for District VB
Respondent represented himself pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently and to keep a domestic relations client reasonably informed of the status of his matter.

DOROTHY L. WRIGHT

Admitted: 1976; Greenbrook (Somerset County)
Admonition - *Unreported (1996)*
Decided: 5/22/1996

APPEARANCES BEFORE REVIEW BOARD
Marianne A. Gallina for District XIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for a respondent who, in a bankruptcy matter, failed to communicate the basis or rate of the legal fee in writing to the client as required, and failed to communicate with the client and provide reasonable status reports concerning the matter.

GEORGE GUYER YOUNG, III

Admitted: 1988; Haverton, Pennsylvania
Admonition - *144 N.J. 165 (1996)*
Decided: 6/3/1996

APPEARANCES BEFORE REVIEW BOARD
Michael Huber for District IV
Arthur Montano for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, as executor, also performed legal services in New Jersey without maintaining a bona fide law office in violation of *R.1:21-1(a)*.

BARRY F. ZOTKOW

Admitted: 1971; Fort Lee (Bergen County)
Suspension 3 Months - *143 N.J. 299 (1996)*
Decided: 2/6/1996 Effective: 12/11/1995

APPEARANCES BEFORE REVIEW BOARD
Scott R. Lippert for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey held that a three month suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected a client matter, failed to communicate with the client, failed to expedite litigation and failed to cooperate with ethics authorities.

The respondent had been previously disciplined on two occasions: in 1992 he was privately reprimanded for failing to oppose an adversary's motion to dismiss and failing to inform the client that the complaint had been dismissed without respondent's taking any remedial action; and in 1995 he was suspended for three months for gross neglect, lack of diligence, failure to communicate and failure to comply with proper discovery requests. *In re Zotkow, 141 N.J. 34 (1995)*.

1995

ARNOLD M. ABRAMOWITZ

Admitted: 1976; Irvington (Essex County)
Admonition - *Unreported* (1995)
Decided: 11/28/1995

APPEARANCES BEFORE REVIEW BOARD
Mark T. for District VB
Domenic D. Toto for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently when assigned to represent a criminal defendant and failed to pursue an appeal. Subsequently, the case was reinstated.

WILLIAM E. AGRAIT

Admitted: 1984; Newark (Essex County)
Admonition - *142 N.J. 427 (1995)*
Decided: 10/4/1995

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds and also failed to comply fully with mandatory record keeping requirements.

This case was discovered solely as a result of the Random Audit Compliance Program.

J. DAVID ALCANTARA

Admitted: 1988; Ventnor (Atlantic County)
Reprimand - *144 N.J. 257 (1995)*
Decided: 12/1/1995

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey granted the appeal of the Office of Attorney Ethics from dismissal by the Disciplinary Review Board. The Court held that a reprimand was the appropriate discipline for a respondent who improperly communicated with adverse party- witnesses (i.e. co-defendants who had agreed to testify against respondent's client) in a criminal case when he knew that they were represented by counsel in violation of *R.P.C. 4.2* and who improperly advised these co-defendants not to testify for the state in violation of *R.P.C. 3.4(f)*. The Court stated that because this was the first time that it had ever explained the status of a co-defendant-witness in a criminal prosecution as a "party" to whom access is not available as it is to non-party witnesses, a reprimand was the appropriate discipline. However, it cautioned the Bar that such conduct in the future will ordinarily warrant a suspension.

DENISE D. ASHLEY

Admitted: 1984; Camden (Camden County)
Disbarment - *142 N.J. 588 (1995)*
Decided: 11/14/1995

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
Raymond L. Hamlin for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $3,609 in client's trust funds.

The respondent had previously been disciplined on three occasions: in 1989 she was transferred to disability inactive status; in 1991 she was suspended from practice for a period of two years for neglecting client matters, misrepresentation, failure to return client files and retainers, forgery of client's signatures to bankruptcy petitions and failure to cooperate with an ethics investigation; and in 1993 she was again transferred to disability inactive status.

RAYMOND A. ASLAKSEN

Admitted: 1972; Audubon (Camden County)
Admonition - *Unreported (1995)*
Decided: 11/27/1995

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who permitted a medical malpractice case to be dismissed as to a hospital for failing to serve answers to interrogatories. The case was also dismissed as to the doctor for failure to provide an expert. Respondent failed to advise his client of the dismissals despite requests from the client for information on the status of her matter.

JOEL C. BALSAM

Admitted: 1973; New Providence (Union County)
Suspension 6 Months - *142 N.J. 550 (1995)*
Decided: 11/1/1995 Effective: 11/29/1995

APPEARANCES BEFORE REVIEW BOARD
Joseph P. Depa, Jr., for District XII
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a six month suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected a client matter, failed to communicate with a client, improperly withdrew from representation, failed to cooperate with disciplinary authorities

and failed to comply with a September 9, 1992 order imposing conditions on his practice of law.

The respondent was previously privately reprimanded on two occasions; in 1989 for failure to file a complaint and misrepresentation and in 1992 for failure to provide written retainer agreement, keep financial records and keep a client reasonably informed.

DENNIS M. BARLOW

Admitted: 1976; Nutley (Essex County)
Disbarment - *140 N.J. 191 (1995)*
Decided: 5/19/1995

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Respondent submitted a letter in lieu of appearance

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $2,800 in clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

PEDRO J. BATALLA, JR.

Admitted: 1987; Yonkers, New York
Suspension 2 Years - 142 N.J. 616 (1995)
Decided: 11/30/1995 Effective: 8/5/1994

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a two-year suspension from practicing law in New Jersey was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Southern District of New York to a one-count felony information charging him with income tax evasion in violation of *26 U.S.C.A.'7201*.

The respondent had been temporarily suspended from practicing law in New Jersey since August 5, 1994.

PHILIP J. BATTAGLIA

Admitted: 1981; Clifton (Passaic County)
Suspension 3 Months - *139 N.J. 610 (1995)*
Decided: 4/26/1995 Effective: 5/22/1995

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blazini for Attorney Ethics
Kalman Harris Geist for respondent

The Supreme Court of New Jersey, without oral argument, held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who was guilty of the possession of cocaine.

ALAN R. BELL

Admitted: 1986; Fort Lee (Bergen County)
Disbarment By Consent - *140 N.J. 043 (1995)*
Decided: 3/17/1995

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Sheldon H. Kronegold for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the misuse of clients' trust funds.

PHILIP F. BLANCH

Admitted: 1967; Fairfield (Essex County)
Reprimand - *140 N.J. 519 (1995)*
Decided: 6/14/1995

APPEARANCES BEFORE REVIEW BOARD
David M. Paris for District VC
Diana Coppola for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who failed to disclose secondary financing to a mortgage company contrary to the company's written instructions.

CHRISTINE BORCSIK

Admitted: 1985; Amsterdam, Netherlands
Admonition - *Unreported (1995)*
Decided: 2/6/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Ross D. London for District VI
Respondent represented herself

The Disciplinary Review Board, without oral argument, adopted the hearing panel report of the District VI (Hudson County) Ethics Committee and held that an admonition was the appropriate discipline for an attorney who acquired a proprietary interest in the cause of action she was conducting for a client.

DAVID BRANTLEY

Admitted: 1970; East Orange (Essex County)
Suspension 3 Months - *139 N.J. 465 (1995)*
Decided: 4/4/1995 Effective: 5/1/1995

APPEARANCES BEFORE SUPREME COURT
JoAnn G. Eyler for Attorney Ethics
S. Dorell King for respondent

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected two matters and failed to cooperate with a district ethics committee in a third case.

The respondent had been privately reprimanded in 1982 for failing to represent a client zealously, in 1988 for driving under a suspended license and again in 1988 for gross neglect and misrepresentation. In 1991 respondent was suspended for one year for neglect and misrepresentation in four matters. *In re Brantley 123 N.J. 330 91991)*.

FREDERICK K. BREWINGTON

Admitted: 1986; New York, New York
Reprimand - *143 N.J. 3 (1995)*
Decided: 12/13/1995

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to maintain a bona fide office for the practice of law in New Jersey and failed to maintain trust and business accounts as required by *R.1:21-6* while acting as attorney for plaintiff in a civil litigation matter.

RONALD D. BROWN

Admitted: 1976; Newark (Essex County)
Suspension 36 Months - *141 N.J. 13 (1995)*
Decided: 7/5/1995

APPEARANCES BEFORE REVIEW BOARD
Philip S. Elberg for District VA
Respondent did not appear

The Supreme Court of New Jersey, without oral argument, held that a suspension from the practice of law for three years was the appropriate discipline for an attorney who, in three client matters, engaged in a pattern of neglect, failed to consult with his client prior to settling a case, failed to communicate with a client and charged an unreasonable fee.

The respondent had previously been suspended from practice for a period of six months for various record keeping violations and for failing to keep a client adequately informed about the status of a matter. *In re Brown,123 N.J. 571 (1991)*.

HOWARD Z. BUCKNER

Admitted: 1981; Edison (Middlesex County)
Reprimand - *140 N.J. 613 (1995)*
Decided: 7/5/1995

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
David B. Rubin for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who engaged in a misrepresentation by signing the name of a client to a deed without also indicating the attorney's name and representative capacity and based only on the oral authorization of the client.

JEFFREY W. BURNS

Admitted: 1991; Lakewood (Ocean County)
Suspension 6 Months - 142 N.J. 490 (1995)
Decided: 10/17/1995 Effective: 5/27/1994

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Ralph M. Fava, Jr. for respondent

The Supreme Court of New Jersey held that a six month suspension from the practice of law (retroactive to May 27, 1994, the date that he retired from the practice of law) was the appropriate discipline for an attorney who burglarized an automobile and committed thefts from two automobiles and also was found to have been in possession of burglary tools.

WILLIAM B. BUTLER

Admitted: 1967; Westfield (Union County)
Suspension 3 Months - *142 N.J. 460 (1995)*
Decided: 9/20/1995 Effective: 10/16/1995

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Arnold K. Mytelka for respondent

The Supreme Court of New Jersey held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who failed to inform his clients, the sellers, of the buyers contract to sell the property to a third party, executed before closing of title with respondent's client and for representing both parties in negotiating a contract of sale and in negotiating a modification thereof.

LEONARD T. BZURA

Admitted: 1978; Elizabeth (Union County)
Disbarment - 142 N.J. 478 (1995)
Decided: 10/2/1995

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was convicted in the Superior Court of New Jersey, Law Division, Union County of theft by deception (*N.J.S.A. 2C:20-*

4), theft by failure to make required disposition of property received (*N.J.S.A.2C:20-9*) and misapplication of entrusted property (*N.J.S.A.2C:21-15*).

The respondent had been originally temporarily suspended from practice on November 29, 1989. On May 21, 1990 he was suspended for two years for unethical conduct including misrepresentation and pattern of neglect as well as a conviction for the unlawful possession of a weapon. *In re Bzura*, *119 N.J. 91 (1990)*.

ANTHONY J. CABELO

Admitted: 1975; Newark (Essex County)
Disbarment By Consent - *142 N.J. 589 (1995)*
Decided: 11/20/1995

REPRESENTATIONS
John McGill, III for Attorney Ethics
S. M. Chris Franzblau for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of an attorney who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

LEROY CARMICHAEL

Admitted: 1971; Trenton (Mercer County)
Reprimand - *139 N.J. 390 (1995)*
Decided: 3/21/1995

APPEARANCES BEFORE REVIEW BOARD
Marilyn L. Kline for District VII
Respondent appeared pro se

The Supreme Court of New Jersey adopted the report and recommendation of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who failed to handle two client matters with diligence and failed to communicate with the client.

The respondent had previously been privately reprimanded in 1988 for failure to communicate and misrepresentations to his client that a complaint had been filed in a civil matter when it had not.

ANTHONY F. CARRACINO

Admitted: 1982; Woodbridge (Middlesex County)
Admonition - Unreported (1995)
Decided: 11/30/1995

APPEARANCES BEFORE REVIEW BOARD
Anthony M. Campisano for District VIII
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to keep his client reasonably informed of the status of her personal injury matter.

RICHARD J. CARROLL

Admitted: 1970; Secaucus (Hudson County)
Admonition - *Unreported (1995)*
Decided: 6/26/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Theresa M. McGuire for District VI
Respondent represented himself

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to provide reasonable communication with his client and failed to turn over the client's file to new counsel for an extended period of time after his services were terminated. The respondent also failed to cooperate with disciplinary authorities during the investigation of this matter.

MARIE CHEN

Admitted: 1986; Bound Brook (Somerset County)
Reprimand - *142 N.J. 479 (1995)*
Decided: 10/2/1995

APPEARANCES BEFORE REVIEW BOARD
Stephen B. Rubin for for District XIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, in two matters, engaged in gross neglect and failure to communicate with clients and who failed to maintain a bona fide office.

ROBERT B. CLARK

Admitted: 1979; East Orange (Essex County)
Reprimand - *142 N.J. 475 (1995)*
Decided: 10/2/1995

APPEARANCES BEFORE REVIEW BOARD
Peter S. Valentine for District VB
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for a respondent who grossly neglected one client matter.

The respondent had been reprimanded in 1990 for lack of diligence and failure to communicate in four matters and for failing to return part of an unearned retainer in a fifth matter. *In re Clark, 118 N.J. 563 (1990)*.

The respondent was temporarily suspended from practicing law by order of the Supreme Court dated October 2, 1995 for failing to refund monies to a client pursuant to a fee arbitration award.

RICHARD P. CONSOLE

Admitted: 1977; Berlin (Camden County)
Disbarment - *142 N.J. 548 (1995)*
Decided: 11/11995

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Bruce M. Merrill for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was convicted in the United States District Court for the District of New Jersey for violations of mail fraud, under *18 U.S.C.A. 1341*, and conspiracy and racketeering, under the Racketeer Influence and *Corrupt Organization Act (RICO)*, under *18 U.S.C.A. 1962*. Respondent had been temporarily suspended from the practice of law in New Jersey since May 27, 1992.

ARTHUR B. COOPER

Admitted: 1977; Hilo, Hawaii
Suspension 36 Months - *139 N.J. 260 (1995)*
Decided: 2/7/1995 Effective: 8/26/1992

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey accepted the report and recommendation of the Disciplinary Review Board (which report the respondent did not contest) and held that a three-year suspension from practice, retroactive to August 26, 1992, the date of respondent's temporary suspension, was the appropriate discipline for an attorney who pled guilty in the United States District Court for New Jersey to a three-count information charging bank fraud [*18 U.S.C.A. '1344]* conspiracy to defraud the United States and the Internal Revenue Service [*18 U.S.C.A.' 371]* and aiding and abetting income tax evasion [*26 U.S.C.A. '7201 and 18 U.S.C.A. '2*].

MICHAEL A. COSCIA

Admitted: 1987; Fort Lee (Bergen County)
Admonition - *Unreported (1995)*
Decided: 10/4/1995

APPEARANCES BEFORE REVIEW BOARD
Robert F. Sloan for District VI
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who practiced law in New Jersey without maintaining a bona fide office in compliance with *R.1:21-1(a)*.

EDWARD C. CURCIO

Admitted: 1978; Berlin (Camden County)
Disbarment - 142 N.J. 476 (1995)
Decided: 10/2/1995

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Robert J. Borbe for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for a respondent who was found guilty in the United States District Court for the District of New Jersey of conspiracy and racketeering under Racketeer Influence and Corrupt Organization Act (RICO), *18 U.S.C.A. '1962*, as well as four counts of mail fraud in violation of *18 U.S.C.A.'1341* .

The respondent had been temporarily suspended from practicing law in New Jersey since May 27, 1992.

A. DAVID DASHOFF

Admitted: 1976; Voorhees (Camden County)
Suspension 3 Months - *142 N.J. 555 (1995)*
Decided: 11/1/1995 Effective: 11/27/1995

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension for three months was the appropriate discipline for a respondent who failed to maintain proper trust and business account records as required by *R.1:21-6*, repeatedly failed to bring his records into compliance despite directions from the Office of Attorney Ethics, and failed to cooperate with disciplinary officials.

The respondent had been previously disciplined on two occasions: in 1989 he was privately reprimanded for lack of diligence and communication and in 1987 he was publicly reprimanded for neglecting three client matters. *In re Dashoff, 108 N.J. 690 (1987)*.

MARVIN S. DAVIDSON

Admitted: 1969; Orange (Essex County)
Suspension 3 Months - *139 N.J. 232 (1995)*
Decided: 2/7/1995 Effective: 3/15/1995

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
H. Curtis Meanor for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who prepared a power of attorney which falsely purported to give his client authority to act prior to a real estate closing and who

then improperly witnessed and acknowledged closing documents; in addition respondent improperly advanced funds to a client in connection with litigation. The respondent was reinstated to practice on July 28, 1995.

SHERI L. DESARETZ

Admitted: 1985; Collingswood (Camden County)
Admonition - *Unreported (1995)*
Decided: 5/22/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Jeanne A. Taylor for District IIIB
Respondent represented herself pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, while representing a husband and wife in a personal injury action, developed an intimate personal relationship with the husband constituting a conflict of interest.

CHARLES DEUBEL, III

Admitted: 1976; South Orange (Essex County)
Admonition - *Unreported (1995)*
Decided: 5/16/1995

REPRESENTATIONS BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent represented himself

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to represent real estate purchasers in a diligent manner by failing to record their deed for 15 months.

LOUIS DI LIETO

Admitted: 1965; Asbury Park (Monmouth County)
Disbarment - *142 N.J. 492 (1995)*
Decided: 10/6/1995

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
William J. Gearty for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $15,000 in real estate escrow funds and for his intentional deception and dishonesty in two other matters.

HOWARD M. DORIAN

Admitted: 1978; Cliffside Park (Bergen County)
Admonition - *Unreported (1995)*
Decided: 8/1/1995

APPEARANCES BEFORE REVIEW BOARD
Andrew J. Cervasco for District IIB
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who grossly neglected a client matter, failed to inform the client that her litigated matter had been dismissed, failed to turn over the file to the successor attorney and failed to reply to the district ethics committee's investigator.

RICHARD J. DOYLE

Admitted: 1973; Wall (Monmouth County)
Admonition - *Unreported (1995)*
Decided: 2/14/1995

REPRESENTATION BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent represented himself pro se

The Disciplinary Review Board adopted the hearing panel report of the District IX (Monmouth County) Ethics Committee and held that an admonition was the appropriate discipline for an attorney who failed to maintain proper trust and business accounting records in accordance with *Rule 1:21-6*.

JOHN J. DUDAS, JR.

Admitted: 1968; Dumont (Bergen County)
Admonition - *Unreported (1995)*
Decided: 11/30/1995

APPEARANCES BEFORE REVIEW BOARD
Walter A. Lesnevich for District IIA
Joseph H. Cerame for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to keep his clients reasonably informed of the status of their case, failed to turn over the client file to new counsel and failed to cooperate with disciplinary authorities during the investigation of this matter.

WILLIAM J. FARLEY, JR.

Admitted: 1978; Manasquan (Monmouth County)
Admonition - *Unreported (1995)*
Decided: 11/3/1995

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent represented himself

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who served as a principal in a corporation and also acted as the

corporation counsel without first having observed the requirements of *RPC 1.8(a)* by making full disclosure to his clients and advising that they secure independent counsel.

EDWARD M. FINK

Admitted: 1970; Edison (Middlesex County)
Suspension 6 Months - *141 N.J. 231 (1995)*
Decided: 7/26/1995 Effective: 8/1/1995

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, held that a six month suspension from the practice of law was the appropriate discipline for an attorney who provided false information on a RESPA statement in a real estate matter and then made a false statement to a county prosecutor regarding his failure to include secondary financing on the RESPA statement.

EDWARD S. FODY

Admitted: 1974; Boonton (Morris County)
Reprimand - *139 N.J. 432 (1995)*
Decided: 3/21/1995

APPEARANCES BEFORE REVIEW BOARD
Barry N. Shinberg for District X
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who failed to cooperate with the district ethics committee during an investigation of two cases and failed to act with diligence in one matter.

FRANK FORD, III

Admitted: 1986; Browns Mills (Burlington County)
Disbarment - *142 N.J. 467 (1995)*
Decided: 9/20/1995

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who engaged in a pattern of neglect and failure to communicate with a series of 5 clients, failed to comply with mandates to refund monies to clients in two fee arbitration cases, failed to cooperate with disciplinary authorities and failed to safeguard and account for trust funds being held for an incompetent client.

The respondent had been suspended from practicing law in New Jersey for two years based upon his prior suspension in the Virgin Islands. *In re Ford, 126 N.J. 483 (1992)*.

KEVIN M. FORD

Admitted: 1980; Glen Rock (Bergen County)
Disbarment - *140 N.J. 618 (1995)*
Decided: 7/5/1995

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Frank P. Lucianna for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients' trust funds by withdrawing legal fees from his attorney trust account in advance of receipt or deposit of any corresponding funds and for misrepresenting on client ledger cards the date of receipt or deposit of corresponding funds or the date on which he drew his fee.

BRUCE E. FOX

Admitted: 1974; Bayonne (Hudson County)
Disbarment - *140 N.J. 613 (1995)*
Decided: 7/5/1995

APPEARANCES BEFORE SUPREME COURT
Brian D. Gillet for Attorney Ethics
Robert S. Eisenberg for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who bribed a court clerk to backdate the filing of two personal injury complaints for which the statute of limitations had expired.

ANTHONY J. FUSCO, JR.

Admitted: 1972; Passaic (Passaic County)
Reprimand - *142 N.J. 636 (1995)*
Decided: 12/11/1995

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent represented himself pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to supervise an associate attorney in the operation of respondent's trust account by making reasonable efforts to ensure conformance with *R.1:21-6* with the result that the associate knowingly misappropriated clients trust funds.

This case was discovered as a result of the Trust Overdraft Notification Program.

SHIRLEY F. GAJEWSKI

Admitted: 1983; East Orange (Essex County)
Reprimand - *139 N.J. 389 (1995)*
Decided: 3/21/1995

APPEARANCES BEFORE REVIEW BOARD
Charles B. Clancy, III for District VB
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who failed to maintain a bona fide office and also failed to maintain required trust and business account records.

STEPHEN E. GARSHELL

Admitted: 1974; Jupiter, Florida
Admonition - *Unreported (1995)*
Decided: 3/24/1995

REPRESENTATIONS BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Alan Silber for respondent

The Disciplinary Review Board, without oral argument, held that an admonition was the appropriate discipline for an attorney who negligently misappropriated $18,000 in clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

KEVIN E. GILES

Admitted: 1983; East Orange (Essex County)
Suspension 3 Years - *139 N.J. 468 (1995)*
Decided: 4/4/1995

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who grossly neglected five matters, charged an unreasonable fee, and failed to maintain a bona fide office.

The respondent had been privately reprimanded in 1988 for lack of diligence and misrepresentation. In 1991 he was placed on disability-inactive status. In 1993 respondent was suspended for one year for gross neglect, abandonment of clients, misrepresentations and failure to cooperate with disciplinary authorities. *In re Giles, 131 N.J. 111 (1993).*

MARTIN M. GLAZER

Admitted: 1984; Elizabeth (Union County)
Admonition - *Unreported (1995)*
Decided: 2/23/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Respondent represented himself

The Disciplinary Review Board, without oral argument, held that an admonition was the appropriate discipline for an attorney who, within two weeks of the date of an auto accident, sent a targeted direct-mail solicitation letter and a copy of a police report to an elderly victim who was lying in a coma at a hospital.

A. ROBERT GLOESER

Admitted: 1981; Williamstown (Gloucester County)
Reprimand - *140 N.J. 077 (1995)*
Decided: 5/5/1995

APPEARANCES BEFORE REVIEW BOARD
Morris G. Smith and James J. Rafferty for District IV
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who grossly neglected two client matters (a matrimonial and a bankruptcy matter).

ARTHUR ABBA GOLDBERG

Admitted: 1965; New York, New York
Disbarment - *142 N.J. 557 (1995)*
Decided: 11/9/1995

APPEARANCES BEFORE SUPREME COURT
JoAnn G. Eyler for Attorney Ethics.
William J. Brennan, III for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Central District of California to three counts of mail fraud, in violation of *18 U.S.C.A.'1341, 1343* and *2* and who also pled guilty in the United States District Court for the Southern District of Illinois to one count of conspiracy to defraud the United States in violation of *18 U.S.C.A.'371*.

The respondent had been temporarily suspended from the practice of law in New Jersey since August 4, 1989.

WAYLAND H. GOLDSTON

Admitted: 1982; East Orange (Essex County)
Reprimand - *140 N.J. 272 (1995)*
Decided: 5/23/1995

APPEARANCES BEFORE SUPREME COURT

John J. Janaise for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to safeguard clients' funds by grossly failing to maintain proper trust and business account records as required by *R.1:21-6*.

The respondent had been temporarily suspended from practice since March 13, 1995.

This case was discovered solely as a result of the Random Audit Compliance Program.

RALPH A. GONZALEZ

Admitted: 1987; Deptford (Gloucester County)
Reprimand - *142 N.J. 482 (1995)*
Decided: 10/2/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for a respondent who pled guilty to the disorderly persons offense of obstructing the administration of law, in violation of *N.J.S.A. 2C:29-1* arising out of his misrepresenting his identity to a police officer following a motor vehicle stop.

HAMLET E. GOORE, JR.

Admitted: 1971; East Orange (Essex County)
Reprimand - *140 N.J. 072 (1995)*
Decided: 4/26/1995

APPEARANCES BEFORE REVIEW BOARD
M. Richard Merklinger for District VB
Melvyn H. Bergstein for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who filed inaccurate and false fee certifications with a bankruptcy court and who failed to maintain proper trust and business account records in violation of *R.1:21-6*.

Respondent was previously reprimanded for engaging in a pattern of neglect of client matters. *In re Goore, 127 N.J. 246 (1992)*.

MARC J. GORDON

Admitted: 1955; Springfield (Union County)
Reprimand - *139 N.J. 606 (1995)*
Decided: 4/20/1995

APPEARANCES BEFORE REVIEW BOARD
Patricia F. Hernandez for District XII
Peter N. Gilbreth for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who, in two client matters, grossly neglected the cases, failed to keep clients informed and failed to return a file to a client.

The respondent had previously been reprimanded for gross neglect and misrepresentation. *In re Gordon, 121 N.J. 400 (1990)*.

ROBERT P. GORMAN

Admitted: 1960; Princeton (Mercer County)
Admonition - *Unreported (1995)*
Decided: 2/8/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Thomas W. Summers, Jr. for District VII
Respondent represented himself

The Disciplinary Review Board, without oral argument, adopted the hearing panel report of the District VII (Mercer County) Ethics Committee and held that an admonition was the appropriate discipline for an attorney who failed to cooperate with the district committee during the course of an ethics investigation.

LAWRENCE S. GROSSMAN

Admitted: 1965; Morganville (Monmouth County)
Suspension 3 Months - *140 N.J. 039 (1995)*
Decided: 5/5/1995 Effective: 6/1/1995

APPEARANCES BEFORE REVIEW BOARD
Noel S. Tonneman for District IX
Michael J. Pappa for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a three month suspension from the practice of law was the appropriate discipline for a respondent who engaged in a conflict of interest by representing both driver and passenger in a case, grossly neglected both matters and then misrepresented the status to the clients. The respondent was reinstated to practice on September 26, 1995.

The respondent was previously privately reprimanded in 1981 for practicing law in New Jersey under an improper law firm name.

THOMAS A. HARLEY

Admitted: 1975; Newark (Essex County)
Admonition - *Unreported (1995)*
Decided: 7/26/1995

APPEARANCES BEFORE REVIEW BOARD
Siobhan Teare for District VA

Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who misrepresented that he had authority from his client to settle a matter when such was not the fact. Respondent also failed to turn over the file to the client after being discharged.

J. DANIEL HARRISON

Admitted: 1977; Passaic (Passaic County)
Reprimand - *139 N.J. 609 (1995)*
Decided: 4/20/1995

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Raymond M. Brown for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds and failed to maintain proper trust and business account records.

JOHN A. HARTMANN, III

Admitted: 1969; Princeton (Mercer County)
Reprimand - *142 N.J. 587 (1995)*
Decided: 11/14/1995

APPEARANCES BEFORE REVIEW BOARD
David Dembe for District VII
Charles Casale, Jr. for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who intentionally and repeatedly ignored court orders to pay opposing counsel a fee for respondent's consistent tardiness and who, in a separate case, engaged in discourteous and abusive conduct toward the Superior Court judge with the purpose of attempting to intimidate the judge into hearing his clients' matter that day.

CHARMAN T. HARVEY

Admitted: 1986; Newark (Essex County)
Suspension 1 Year - *140 N.J. 070 (1995)*
Decided: 4/26/1995 Effective: 5/26/1995

APPEARANCES BEFORE REVIEW BOARD
Gerald Poss, for District VB
Cassandra T. Savoy for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who negligently misappropriated $2,250, notarized a false signature on a release and grossly neglected two client matters.

PATRICIA LYNNE HASBROUCK

Admitted: 1981; Washington (Warren County)
Suspension 1 Year - *140 N.J. 162 (1995)*
Decided: 5/12/1995

APPEARANCE BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Stephen S. Weinstein for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for one year was the appropriate discipline for an attorney who obtained controlled dangerous substances (Darvocet and Vicodin) by fraud and uttered a forged prescription.

STEVEN E. HEATH

Admitted: 1973; Bradley Beach (Monmouth County)
Disbarment By Consent - 142 N.J. 483 (1995)
Decided: 10/4/1995

REPRESENTATIONS
John J. Janasie for Attorney Ethics
John T. Mullaney, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients trust funds.

This matter was discovered solely as a result of the Random Audit Compliance Program.

STEVEN F. HERRON

Admitted: 1978; Cherry Hill (Camden County)
Suspension 1 Year - *140 N.J. 229 (1995)*
Decided: 5/18/1995 Effective: 6/12/1995

APPEARANCES BEFORE REVIEW BOARD
Peter J. Boyer for District IV
Leonard S. Baker for respondent

The Supreme Court of New Jersey, without oral argument, held that a suspension from the practice of law for one year was the appropriate discipline for an attorney who, in a series of seven cases, either grossly neglected the matters or failed to act with reasonable diligence and failed to keep clients reasonably informed about the status of their matters and, in two cases, misrepresented the status of matters to clients. Respondent was also found guilty of failing to cooperate with disciplinary authorities in the processing of these matters.

JEROLD B. HOFFMAN

Admitted: 1987; Ventnor (Atlantic County)
Admonition - *Unreported (1995)*
Decided: 10/5/1995

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Respondent represented himself

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain a bona fide office, contrary to *R.1:21-1(a)* and who issued a targeted direct mail solicitation letter which failed to contain required ethical disclosures under *R.P.C. 7.3(b)(4)*.

SIDNEY L. HOFING

Admitted: 1961; Trenton (Mercer County)
Reprimand - *139 N.J. 444 (1995)*
Decided: 3/21/1995

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Andrew R. Jacobs for respondent

The Supreme Court of New Jersey, without oral argument, accepted the report and recommendation of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who failed to adequately supervise his bookkeeper who, over a four year period, embezzled $750,000 of clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

HARVEY J. HONIG

Admitted: 1969; Sparta (Sussex County)
Admonition - *Unreported (1995)*
Decided: 11/28/1995

APPEARANCES BEFORE REVIEW BOARD
Clifford W. Starrett for District X
Manuel P. Fanarjian, Jr. for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who engaged in a conflict of interest when, as township attorney, he gave a legal opinion regarding a performance bond posted by a developer whom he previously represented in securing subdivision approval requiring the posting of that performance bond.

CHRISTOPHER M. HOWARD

Admitted: 1980; Cranford (Union County)
Admonition - *Unreported (1995)*
Decided: 8/1/1995

APPEARANCES BEFORE REVIEW BOARD
Ernest F. Duh for District XIII
Robert E. Ryan for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for a respondent who threatened criminal action in order to secure an improper advantage in a civil matter.

GREGORY M. IMPERIALE

Admitted: 1981; Northfield (Atlantic County)
Reprimand - *140 N.J. 075 (1995)*
Decided: 5/2/1995

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Daniel M. Perskie for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated over $9,000 of clients' trust funds as a result of totally inadequate trust and business account records.

This case was discovered solely as a result of the Random Audit Compliance Program.

RAMON A. IRIZARRY

Admitted: 1980; Newark (Essex County)
Disbarment - *141 N.J. 189 (1995)*
Decided: 7/21/1995

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Theodore W. Daunno and Ramon A. Irizarry, pro se, argued the cause for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated clients' trust funds by, among other ways, issuing trust account checks to himself knowing that he was out of trust.

THAKI ISMAEL

Admitted: 1985; Cranford (Union County)
Admonition - *Unreported (1995)*
Decided: 3/22/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Jay Lavroff for District XII
Respondent represented himself

The Disciplinary Review Board, without oral argument, held that an admonition was the appropriate discipline for an attorney who neglected a municipal court matter, failed to communicate with the client and failed to cooperate with the district ethics committee in the investigation of the matter.

V. JOSEPH JAMES

Admitted: 1985; St. Mary's, Pennsylvania
Disbarment - *142 N.J. 466 (1995)*
Decided: 9/20/1995

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred in the state of Pennsylvania for the knowing misappropriation of clients' trust funds.

The respondent had been temporarily suspended from the practice of law in New Jersey since December 21, 1993.

CHESTER A. JUST

Admitted: 1961; Edison (Middlesex County)
Suspension 3 Months - *140 N.J. 320 (1995)*
Decided: 6/2/1995

APPEARANCES BEFORE REVIEW BOARD
Robert J. MacNiven for District VIII
Frederick J. Denachy for respondent

The Supreme Court of New Jersey, without oral argument, held that a three month suspension from practice was the appropriate discipline for an attorney who facilitated a conveyance that was questionable because of the grantor's apparent lack of competence and for improperly notarizing the deed without personally witnessing the signature.

ALAN M. KAMEL

Admitted: 1985; Elizabeth (Union County)
Admonition - *Unreported (1995)*
Decided: 2/23/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Respondent represented himself

The Disciplinary Review Board, without oral argument, held that an admonition was the appropriate discipline for an attorney who, within two weeks of the date of an auto accident, sent a targeted direct-mail solicitation letter and a copy of a police report to an elderly victim who was lying in a coma at a hospital.

GARY M. KAMINSKY

Admitted: 1983; Marlboro (Monmouth County)
Disbarment - *139 N.J. 109 (1995)*
Decided: 1/10/1995

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred in the state of New York for conversion of clients' trust funds and commingling of client escrow funds with personal funds.

The respondent had been temporarily suspended from the practice of law in New Jersey since July 21, 1993.

DAVID A. KAPLAN

Admitted: 1976; Oakhurst (Monmouth County)
Admonition - *Unreported (1995)*
Decided: 3/24/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Kerry E. Higgins for District IX
Gabriel E. Spector for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who engaged in a conflict of interest.

MICHAEL D. KASSON

Admitted: 1987; Philadelphia, Pennsylvania
Reprimand - *141 N.J. 83 (1995)*
Decided: 7/28/1995

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to maintain a bona fide office while the New Jersey associate of a Pennsylvania attorney.

DAVID S. KAUFMAN

Admitted: 1966; Verona (Essex County)
Admonition - *Unreported (1995)*
Decided: 3/24/1995

REPRESENTATIONS BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Alan Silber for respondent

The Disciplinary Review Board, without oral argument, held that an admonition was the appropriate discipline for an attorney who negligently misappropriated $18,000 in clients' trust funds.

This matter was discovered solely as a result of the Random Audit Compliance Program.

LEONARD J. KEILP

Admitted: 1967; Oakton, Virginia
Suspension 2 Months - *139 N.J. 283 (1995)*
Decided: 3/7/1995 Effective: 4/1/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of two months was the appropriate discipline for an attorney who had been suspended for two months in the Commonwealth of Virginia in 1990 for overreaching a client by unilaterally changing his fee from an hourly rate to a contingent fee. Respondent had failed to notify New Jersey disciplinary authorities of his discipline in Virginia as required by law.

EDWARD J. KELLEY

Admitted: 1985; Franklin Lakes (Bergen County)
Admonition - *140 N.J. 070 (1995)*
Decided: 6/14/1995

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Mark P. Tarantino for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who retained $2,912 in interest earned on his clients' trust funds and who failed to maintain accurate trust and business accounting records.

MORRIS J. KURZROK

Admitted: 1977; Tuckerton (Ocean County)
Admonition - *Unreported (1995)*
Decided: 4/5/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Steven N. Cucci for District IIIA
Respondent represented himself

The Disciplinary Review Board, without oral argument, held that an admonition was the appropriate discipline for an attorney who accepted tax appeal cases improperly through the use of an intermediary in violation of *RPC 5.5(b)*.

ROBERT LEOTTI

Admitted: 1987; Bound Brook (Somerset County)
Disbarment By Consent - *139 N.J. 282 (1995)*
Decided: 3/7/1995

REPRESENTATIONS
William R. Wood for Attorney Ethics
Steven B. Fuerst for respondent

The Supreme Court of New Jersey accepted the disbarment by Consent of a respondent, which consent was tendered on the eve of trial before a Special Ethics Master. The respondent, in his disbarment by consent affidavit, admitted that he could not successfully defend himself against charges in a disciplinary complaint alleging the knowing misappropriation of $332,000 in clients' trust funds.

The respondent had been temporarily suspended from practicing law since March 16, 1993. *In re Leotti, 131 N.J. 482 (1993)*.

GARY LESSER

Admitted: 1969; Budd Lake (Morris County)
Suspension 3 Months - *139 N.J. 233 (1995)*
Decided: 2/7/1995 Effective: 3/1/1995

APPEARANCES BEFORE REVIEW BOARD
Harry J. Riskin for District X
Respondent appeared pro se

The Supreme Court, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who commingled client funds with his own, failed to promptly notify his client of receipt of funds, intentionally failed to promptly disburse those funds to his client and failed to comply with the record keeping provisions of *R.1:21-6*.

The respondent had previously been privately reprimanded in 1989 for deducting legal fees and disbursements from a deposit in a real estate matter without his client's prior consent.

GARY LESSER

Admitted: 1969; Budd Lake (Morris County)
Suspension 1 Year - *140 N.J. 041 (1995)*
Decided: 5/5/1995 Effective: 6/1/1995

APPEARANCES BEFORE REVIEW BOARD
Harry J. Riskin for District X
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a suspension from the practice of law for one year was the appropriate discipline for an attorney who grossly neglected an appeal resulting in its dismissal and then misrepresented the status of the matter for an extended period of time. Respondent also failed to cooperate with disciplinary authorities.

The respondent was previously disciplined on two occasions: In 1989 he received a private reprimand and in 1995 respondent was suspended for a period of three months. *In re Lesser 139 N.J. 233 (1995).*

JAMES R. LISA

Admitted: 1984; Jersey City (Hudson County)
Admonition - *Unreported (1995)*
Decided: 5/23/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Respondent represented himself

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain proper trust and business accounting records in accordance with *R.1:21-6* and who failed to cooperate with the Office of Attorney Ethics to correct these deficiencies.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

ROWLAND V. LUCID, JR.

Admitted: 1968; Morristown (Morris County)
Reprimand - *143 N.J. 2 (1995)*
Decided: 11/30/1995

APPEARANCES BEFORE REVIEW BOARD
Stephen D. Cuyler for District X
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who failed to adequately communicate with the beneficiaries of an estate and failed to have a written fee agreement as required by *RPC 1.5*.

The respondent had been previously privately reprimanded on two occasions: in 1990 for gross neglect and in 1993 for gross neglect and failing to turn over the client file.

LAWRENCE MAGID

Admitted: 1969; Cherry Hill (Camden County)
Reprimand - *139 N.J. 449 (1995)*
Decided: 3/31/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Benjamin Goldstein for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who was found guilty in the Superior Court, Law Division, Gloucester County, of simple assault on his girlfriend, a disorderly persons offense, in violation of *N.J.S.A. 2C:12-1a(1)*. The Court stated that:

> "We caution members of the bar, however, that the Court in the future will ordinarily suspend an attorney who is convicted of an act of domestic violence."

JOHN J. MAHONEY

Admitted: 1981; New Providence (Union County)
Suspension 3 Months - *140 N.J. 634 (1995)*
Decided: 7/12/1995 Effective: 8/7/1995

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Thomas C. Hart for respondent

The Supreme Court of New Jersey, without oral argument, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in four client matters, engaged in a pattern of neglect and lack of communication and who failed to safeguard client property by maintaining required trust account records.

The respondent had previously been reprimanded for neglecting clients in four real estate matters and failing to maintain proper trust and business account records. *In re Mahoney 120 N.J. 155 (1990)*.

JOHN J. MAIORIELLO

Admitted: 1989; Philadelphia, Pennsylvania
Reprimand - *140 N.J. 320 (1995)*
Decided: 6/2/1995

APPEARANCES BEFORE REVIEW BOARD
Robert J. Maloof for District IIB
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who practiced law while ineligible, failed to maintain proper trust and business accounting records in nine matters and demonstrated a lack of diligence, neglect and failure to communicate with clients in six matters.

STANLEY E. MARCUS

Admitted: 1970; Newark (Essex County)
Reprimand - *140 N.J. 518 (1995)*
Decided: 6/14/1995

APPEARANCES BEFORE REVIEW BOARD

Walton W. Kingsbery, III for Attorney Ethics
Michael R. Perle for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who, negligently misappropriated $24,891 in clients' trust funds and failed to maintain proper trust and business account records.

The respondent had been previously reprimanded for engaging in a pattern of neglect in six cases and for failing to communicate with those clients. *In re Marcus, 126 N.J. 304 (1991)*.

MICHAEL G. MARINANGELI

Admitted: 1984; New York City , New York
Suspension 3 Years - *142 N.J. 487 (1995)*
Decided: 10/17/1995 Effective: 8/19/1993

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, ordered that a three year suspension from the practice of law in New Jersey (retroactive to August 19, 1993, the date of his temporary suspension from practice) was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Southern District of New York to theft of mail involving four credit cards and two checks from a mailbox in violation of *18 U.S.C.A.'1708*.

SCOTT J. MARUM

Admitted: 1979; Newark (Essex County)
Admonition - *Unreported (1995)*
Decided: 10/5/1995

APPEARANCES BEFORE REVIEW BOARD
Frank D. Angelastro for District VA
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to diligently represent a client and failed to comply with the client's reasonable requests for information about the matter.

JOHN V. MCDERMOTT, JR.

Admitted: 1975; Vernon (Sussex County)
Reprimand - *142 N.J. 634 (1995)*
Decided: 12/6/1995

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, after a client stopped payment on a check for legal fees, improperly filed a criminal complaint against the client in order to obtain a civil advantage instead of pursuing civil action or action through a fee arbitration committee.

ANDRE L. MCGUIRE

Admitted: 1985; Newark (Essex County)
Suspension 6 Months - *140 N.J. 268 (1995)*
Decided: 5/9/1995 Effective: 7/20/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Lewis P. Sengstahe for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for six months was the appropriate discipline for an attorney who was convicted in the Superior Court of New Jersey, Essex County, of conspiracy to violate narcotics laws, contrary to *N.J.S.A. 2C:5-2* and possession of cocaine, in violation of *N.J.S.A. 2C:35-10a(1)*.

The respondent had been temporarily suspended from the practice of law since May 12, 1992 for failure to comply with a fee arbitration determination. He was reinstated to practice law on October 7, 1995.

THOMAS A. MCKINNEY

Admitted: 1979; Hawthorne (Passaic County)
Reprimand - *139 N.J. 388 (1995)*
Decided: 3/21/1995

APPEARANCES BEFORE REVIEW BOARD
Arnold L. Stadtmauer for District XI
Thomas P. DeVita for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who intentionally failed to notify his client of the receipt of settlement funds and then disbursed his legal fee notwithstanding his knowledge that the client disputed the fee.

ALLAN F. MEYER

Admitted: 1969; Fort Lauderdale, Florida
Suspension 3 Years - *139 N.J. 466 (1995)*
Decided: 4/4/1995 Effective: 2/4/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent waived argument

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who was

convicted in the United States Court for the Southern District of Florida of conspiracy to make false statements with regard to documents required by *ERISA*, in violation of *18 U.S.C.A. 371*, and making false statements with regard to documents required by *ERISA*, in violation of *18 U.S.C.A. 1027*.

The respondent had been temporarily suspended from practicing law in New Jersey since February 2, 1990. *In re Meyer, 118 N.J. 429 (1990)*.

ROBERT S. MILLER

Admitted: 1964; Bloomfield (Essex County)
Admonition - *Unreported (1995)*
Decided: 11/22/1995

APPEARANCES BEFORE REVIEW BOARD
Stuart I. Gold for District VC
Jeffrey Bronson for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to diligently represent a matrimonial client seeking visitation and failed to keep the client reasonably informed about the status of the matter.

NICHOLAS A. MINA

Admitted: 1983; Jersey City (Hudson County)
Disbarment - *139 N.J. 285 (1995)*
Decided: 3/7/1995

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate sanction for an attorney who knowingly misappropriated $80,000 from the beneficiaries of an estate he was handling.

The respondent had been temporarily suspended from practicing law since October 30, 1990.

CATHERINE P. MITCHELL

Admitted: 1972; Paterson (Passaic County)
Reprimand - *139 N.J. 608 (1995)*
Decided: 4/20/1995

APPEARANCES BEFORE REVIEW BOARD
William R. Wood for Attorney Ethics
Alfred E. Fontanella for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds and failed to maintain proper trust and business accounting records.

THOMAS W. MITCHELL, JR.

Admitted: 1984; Amsterdam, Netherlands
Admonition - *Unreported (1995)*
Decided: 2/6/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Ross D. London for District VI
Respondent represented himself

The Disciplinary Review Board, without oral argument, adopted the hearing panel report of the District VI (Hudson County) Ethics Committee and held that an admonition was the appropriate discipline for an attorney who acquired a proprietary interest in the cause of action he was conducting for a client.

DONALD MYERS

Admitted: 1955; Elizabeth (Union County)
Disbarment By Consent - *142 N.J. 547 (1995)*
Decided: 10/31/1995

REPRESENTATIONS
JoAnn G. Eyler for Attorney Ethics
Raymond S. Londa for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of an attorney who, while a formal hearing was in process, admitted that he could not successfully defend himself against pending charges that he knowingly misappropriated $4,400 in estate trust funds.

CHARLES J. MYSAK

Admitted: 1977; Wayne (Passaic County)
Admonition - *Unreported (1995)*
Decided: 5/23/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Louis F. Treole for District XI
Respondent represented himself

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who was held in contempt of court for failing to abide by the Court's rulings, raising his voice in an unseemly manner and making disparaging facial gestures at the Court following its rulings.

NANCY OXFELD

Admitted: 1977; Newark (Essex County)
Admonition - *Unreported (1995)*
Decided: 3/22/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Michael DiLoprete for District VA
Respondent represented herself

The Disciplinary Review Board, without oral argument, held that an admonition was the appropriate discipline for an attorney who, in an employment matter, failed to communicate with a client and failed to comply with reasonable requests for information about the status of the matter.

A. THOMAS PALAMARA

Admitted: 1951; Jersey City (Hudson County)
Admonition - *Unreported (1995)*
Decided: 11/29/1995

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, for nine and one-half years, failed to maintain trust and business account records as required by *R.1:21-6* and who, for over four years, failed to account to the representatives of an estate or to make distribution of estate funds.

WILLIAM R. PEARSON

Admitted: 1967; Woodbury (Gloucester County)
Reprimand - *139 N.J. 230 (1995)*
Decided: 2/7/1995

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Angelo J. Falciani, Jr. for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who engaged in non-consensual sexual misconduct with a matrimonial client in his law office.

STEPHEN PEPE

Admitted: 1971; Tuckerton (Ocean County)
Suspension 3 Months - *140 N.J. 561 (1995)*
Decided: 6/30/1995 Effective: 7/24/1995

APPEARANCES BEFORE SUPREME COURT
Nitza I. Blasini for Attorney Ethics
George L. Schneider for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, while serving as a Superior Court Judge, shared marijuana with a third party. In a separate judicial disciplinary proceeding, the respondent was removed from judicial office. The respondent was reinstated to practice law on November 6, 1995.

JAMES J. PIERCE

Admitted: 1971; Whiting (Ocean County)
Reprimand - *139 N.J. 433 (1995)*
Decided: 3/21/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who was convicted in municipal court of lewdness, a disorderly persons offense, in violation of *N.J.S.A. 2C:14-4*.

JEFFREY R. POCARO

Admitted: 1982; Summit (Union County)
Suspension 1 Year - *142 N.J. 423 (1995)*
Decided: 9/7/1995 Effective: 9/30/1995

APPEARANCES BEFORE REVIEW BOARD
Michael J. Sweeney for Attorney Ethics
H. Curtis Meanor for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a one year suspension from the practice of law was the appropriate discipline for an attorney who engaged in fraudulent conduct while acting as attorney for the borrower in a sale-leaseback transaction involving race horses.

MARTIN A. POLCARI

Admitted: 1974; Wayne (Passaic County)
Disbarment By Consent - *142 N.J. 667 (1995)*
Decided: 12/13/1995

REPRESENTATIONS
John McGill, III for Attorney Ethics
Ralph E. Polcari for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

BENJAMIN A. POREDA

Admitted: 1957; Trenton (Mercer County)
Suspension 3 Months - *139 N.J. 435 (1995)*
Decided: 3/21/1995 Effective: 4/17/1995

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
E. John Wherry for respondent

The Supreme Court of New Jersey, without oral argument, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who presented a forged insurance identification card to a police officer and, also, to a court.

WAYNE POWELL

Admitted: 1985; Cherry Hill (Camden County)
Reprimand - *142 N.J. 426 (1995)*
Decided: 9/11/1995

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who improperly advanced personal funds to eight clients in personal injury matters and who, due to a lack of proper accounting records and practices, negligently misappropriated clients' funds in his trust account.

SALVATORE PRINCIPATO

Admitted: 1983; Camden (Camden County)
Reprimand - *139 N.J. 456 (1995)*
Decided: 3/31/1995

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Saverio Principato for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who was convicted in Haddon Township Municipal Court of simple assault of a female client, a disorderly persons offense, in violation of *N.J.S.A. 2C:12-1a(1)*. The Court stated:

> "But for the fact that we have not previously addressed the appropriate discipline to be imposed on a lawyer who is convicted of an act of domestic violence, and that respondent's offense was an isolated incident and did not present a pattern of abusive conduct, respondent's discipline would be greater.... We caution members of the bar, however, that the Court in the future will ordinarily suspend an attorney who is convicted of an act of domestic violence.

RICHARD W. RAINES

Admitted: 1977; Jersey City (Hudson County)
Suspension 6 Months - *139 N.J. 446 (1995)*
Decided: 3/28/1995 Effective: 4/24/1995

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Harvey L. Stern for respondent and waived appearance

The Supreme Court of New Jersey held that a six month suspension from the practice of law was the appropriate discipline for an attorney who received a conditional discharge for possession of cocaine, practiced law while on the Ineligible List, grossly neglected three matters and made a misrepresentation to a client.

The respondent received a private reprimand in 1993 for lack of communication and failure to return a retainer to a client, as promised.

EDWARD A. REILLY, III

Admitted: 1978; Wanamassa (Monmouth County)
Reprimand - *143 N.J. 34 (1995)*
Decided: 11/30/1995

APPEARANCES BEFORE REVIEW BOARD
John C. Carton for District IX
Stanley S. Spector for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who improperly witnessed a signature on a power of attorney and then forged a signature on a document.

EMIL T. RESTAINO

Admitted: 1984; Belleville (Essex County)
Suspension 2 Years - *142 N.J. 615 (1995)*
Decided: 11/30/1995 Effective: 1/1/1996

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a two-year suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected an estate by failing to file a tax return for eight years, misrepresented that the return had been filed when asked by opposing counsel, failed to keep proper accounting records for the estate and failed to cooperate with ethics authorities in processing the matter.

The respondent had previously been disciplined on two occasions: in 1991 he was privately reprimanded for lack of diligence, failure to communicate with a client and failure to surrender the client's file to substitute counsel; in 1992 he was suspended for six months for misrepresentation to a client and

for gross neglect in a real estate matter. *In re Restaino, 127 N.J. 403 (1992)*.

STEPHEN H. ROSEN

Admitted: 1982; Glen Ridge (Essex County)
Reprimand - *139 N.J. 387 (1995)*

Decided: 3/21/1995

APPEARANCES BEFORE REVIEW BOARD
Thomas S. Cosma for District VC
C. Robert Sarcone for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who, in three cases, exhibited a lack of diligence, failed to communicate with a client and engaged in a conflict of interest.

VINCENT S. ROSPOND

Admitted: 1959; Bloomfield (Essex County)
Admonition - *Unreported (1995)*
Decided: 6/26/1995

REPRESENTATIONS BEFORE REVIEW BOARD
Gage Andretta for District VC
Respondent represented himself

The Disciplinary Review Board held that an admonition was the appropriate discipline for a respondent who issued an attorney trust check against uncollected funds (i.e. an uncertified check of a client) in a real estate transaction and who also violated an escrow agreement by releasing monies to a client before satisfying the escrow condition.

WALTER L. ROTH, JR.

Admitted: 1979; Pitman (Gloucester County)
Disbarment - *140 N.J. 417 (1995)*
Decided: 6/16/1995

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Charles J. Sprigman, Jr. for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney whose repeated instances of invasions of clients' trust funds constituted knowing misappropriation.

MICHAEL L. RUBERTON

Admitted: 1988; Hammonton (Atlantic County)
Suspension 3 Months - *140 N.J. 633 (1995)*
Decided: 7/12/1995 Effective: 8/7/1995

APPEARANCES BEFORE REVIEW BOARD
Daniel A. Zehner for District I
Burt Hill, III for respondent

The Supreme Court of New Jersey, without oral argument, held that a three month suspension from practice was the appropriate discipline for an attorney who failed to disclose the terms of a business transaction with a client, to reduce those terms to writing or to advise the client to seek independent counsel in violation of *Rule of Professional Conduct 1.8(a)*.

The respondent had previously been privately reprimanded in 1992 for entering into a business transaction with a client without advising the client to obtain independent counsel and for displaying a lack of diligence and gross neglect.

JEFFREY P. RUDDY

Admitted: 1967; Newark (Essex County)
Reprimand - *142 N.J. 428 (1995)*
Decided: 9/11/1995

APPEARANCES BEFORE REVIEW BOARD
Philip S. Elberg for District VA
Alan Dexter Bowman for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for a respondent who was guilty of gross neglect and lack of diligence in one matter and of failure to communicate and entering into an improper agreement to compensate a client for his gross neglect without requiring the client to obtain independent counsel in a second case.

The respondent had been previously suspended from practicing law for a period of two years for criminal conduct adversely reflecting on his fitness to practice law. *In re Ruddy, 130 N.J. 85 (1992)*. He was reinstated on November 28, 1994. *In re Ruddy, 138 N.J. 167 (1994)*.

MARK C. RUSHFIELD

Admitted: 1980; Roseland (Essex County)
Reprimand - *142 N.J. 617 (1995)*
Decided: 11/28/1995

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Justin P. Walder for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who pled guilty in the United States District Court to a three-count federal information charging him with violating the ERISA-reporting provisions of *29 U.S.C.'1023 and '1024*, misdemeanor offenses under *29 U.S.C.'1131*.

PHILIP M. SAGINARIO

Admitted: 1968; Haledon (Passaic County)
Suspension 3 Months - *142 N.J. 424 (1995)*
Decided: 9/7/1995 Effective: 9/30/1995

APPEARANCES BEFORE REVIEW BOARD
Bernard B. Montalbano for District X
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who grossly neglected a client matter by failing to file an appeal after accepting substantial payment therefore.

The respondent had been privately reprimanded on two previous occasions: in 1992 when he failed to keep his clients reasonably informed of the status of a matter and failed to answer a formal ethics complaint; and in 1988 for issuing a $500 expense check as well as a post-dated check against his trust account and for authorizing his secretary to draw checks against the trust account.

ROBERT J. SAYPOL

Admitted: 1983; West Orange (Essex County)
Reprimand - *142 N.J. 556 (1995)*
Decided: 11/1/1995

APPEARANCES BEFORE REVIEW BOARD
Richard R. Slavitt for District VB
John R. Skolnik for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who, while an ethics matter was pending against him, persuaded the ethics grievant to sign a document purporting to release him from all ethics charges against him.

STEVEN M. SCHAFFER

Admitted: 1986; Fort Lee (Bergen County)
Suspended 3 Month Suspension - *140 N.J. 148 (1995)*
Decided: 5/12/1995

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspended three month suspension was the appropriate discipline for an attorney who possessed cocaine for personal use. The Court explained that, while an actual suspension from practice was appropriate, in the future an attorney who is guilty of a possessory drug offense may seek to serve an appropriate period of suspension on an accelerated basis while undertaking rehabilitation.

LAWRENCE SCHECHTERMAN

Admitted: 1969; Boca Raton, Flordia
Disbarment - *143 N.J. 20 (1995)*
Decided: 12/12/1995

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Richard F. Collier for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who submitted his resignation from the Florida Bar based upon a record that demonstrated that he knowingly misappropriated clients' trust funds.

KATHRYN A. SCHINDELAR

Admitted: 1971; Stanhope (Morris County)
Disbarment - *140 N.J. 616 (1995)*
Decided: 7/5/1995

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who borrowed more than $73,000 from a 78 year old client without providing adequate security for the loan, without discussing the inherent conflicts of such a venture and without suggesting that the client secure independent counsel. Respondent had been disbarred in Colorado for her misconduct.

CLAIRE K. SCHMIDT

Admitted: 1987; Red Bank (Monmouth County)
Suspension 6 Months - *140 N.J. 081 (1995)*
Decided: 4/26/1995

APPEARANCES BEFORE REVIEW BOARD
Thomas J. Smith, III for District IX.
Respondent did not appear

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a six month suspension from the practice of law was the appropriate discipline for an attorney who repeatedly failed to appear in municipal court to answer bad check charges resulting in a contempt warrant being issued and who failed to cooperate with disciplinary authorities in processing this matter.

ARTHUR SCHWARTZ

Admitted: 1984; Howell (Monmouth County)
Admonition - *Unreported (1995)*
Decided: 3/22/1995

REPRESENTATIONS BEFORE REVIEW BOARD
James H. Moody for District IX
Respondent represented himself

The Disciplinary Review Board, without oral argument, held that an admonition was the appropriate discipline for an attorney who represented clients with conflicting interests and also acquired a pecuniary interest in a business transaction without providing the disclosure and explanations required by the *Rules of Professional Conduct*.

ALLEN J. SERRATELLI

Admitted: 1976; Newark (Essex County)
Admonition - *Unreported (1995)*
Decided: 11/22/1995

APPEARANCES BEFORE REVIEW BOARD
Marc S. Friedman for District VC
S.M. Chris Franzblau for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to maintain attorney records in accordance with *R.1:21-6* and commingled personal and trust funds in his trust account.

LEE W. SHELLY

Admitted: 1973; Manasquan (Monmouth County)
Suspension 6 Months - *140 N.J. 501 (1995)*
Decided: 6/9/1995 Effective: 7/1/1995

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
John T. Mullaney, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who took loans from a client without documentation and without advising the client to obtain independent counsel prior to entering into the loan.

RICHARD A. SHEPARD

Admitted: 1977; Morristown (Morris County)
Suspension 1 Year - *140 N.J. 620 (1995)*
Decided: 7/10/1995 Effective: 8/1/1995

APPEARANCES BEFORE REVIEW BOARD
Richard D. Wilkinson for District VB
Respondent did not appear

The Supreme Court of New Jersey, without oral argument, held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who abandoned two legal matters being handled on behalf of one client and misrepresented the status of a matter and who persistently failed to cooperate with disciplinary authorities.

DANIEL R. SIEGEL

Admitted: 1952; Englewood Cliffs (Bergen County)
Suspension 36 Months - *139 N.J. 270 (1995)*
Decided: 2/15/1995 Effective: 11/8/1993

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, held that a three year suspension from practice was the appropriate discipline for an attorney who had received a three year suspension in the state of New York for neglecting four legal matters, misrepresenting the status of a case and settling two cases without authorization from his clients.

BARRY SILBER

Admitted: 1974; Manalapan (Monmouth County)
Disbarment By Consent - *140 N.J. 324 (1995)*
Decided: 6/9/1995

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Joseph D. Youssouf for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misuse of clients' trust funds.

BENJAMIN A. SILBER

Admitted: 1976; Carney's Point (Salem County)
Reprimand - *139 N.J. 605 (1995)*
Decided: 4/20/1995

APPEARANCES BEFORE REVIEW BOARD
Kyran w. Connor for District I
Angelo J. Falciani for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who improperly communicated with a party known to have been represented by counsel and who improperly drafted a release that attempted to resolve himself from disciplinary proceedings.

MARK V. SILVERBERG

Admitted: 1983; East Brunswick (Middlesex County)
Reprimand - *142 N.J. 428 (1995)*
Decided: 9/11/1995

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Robert D. Thuring for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who was guilty of gross neglect, lack of diligence and misrepresentation in a real estate matter, for failing to amend a RESPA statement to accurately reflect the terms of the transaction.

RICHARD D. SILVERBLATT

Admitted: 1983; Hollis Hills, New York
Suspension 3 Years - *142 N.J. 635 (1995)*
Decided: 12/6/1995 Effective: 7/1/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Southern District of New York to one count of an indictment charging that he willfully and knowingly presented documents containing false statements of material facts to the United States Naturalization and Immigration Service in violation of *18 U.S.C.A. 1001* .

The respondent had been temporarily suspended from the practice of law in New Jersey since July 1, 1993.

DOUGLAS R. SMITH

Admitted: 1974; Fair Lawn (Bergen County)
Suspension 6 Months - *140 N.J. 212 (1995)*
Decided: 5/18/1995 Effective: 4/10/1995

APPEARANCES BEFORE REVIEW BOARD
David K. Cazen for District IIA
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from practicing law for a period of six months was the appropriate sanction for an attorney who failed to represent a client diligently in connection with an appeal and failed to cooperate with disciplinary authorities.

The respondent was privately reprimanded in 1993 for conflict of interest in a real estate matter. In 1994 respondent was suspended from practice for one year, Effective: April 11, 1994, for gross neglect, misrepresentation and failure to advise a client to obtain independent counsel before entering into a business relationship. *In re Smith, 135 N.J. 122 (1994).*

MICHAEL T. SPALLINO

Admitted: 1985; West Orange (Essex County)
Disbarment By Consent - *139 N.J. 562 (1995)*
Decided: 4/11/1995

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Noel E. Schablik for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging that he forged endorsements on insurance company checks totaling $7,950.

The respondent had been temporarily suspended from the practice of law since January 30, 1995. *In re Spallino, 139 N.J. 178 (1995).*

SHELDON N. SPIZZ

Admitted: 1982; Manalapan (Monmouth County)
Admonition - *140 N.J. 038 (1995)*
Decided: 6/14/1995

APPEARANCES BEFORE REVIEW BOARD
Paul E. Zager for District IX
Respondent appeared pro se

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who, in violation of a court order, prematurely distributed escrow funds to his clients without notifying adversary counsel and obtaining her consent.

BENJAMIN G. SPRECHER

Admitted: 1978; Flushing, New York
Disbarment - *142 N.J. 432 (1995)*
Decided: 9/12/1995

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who was disbarred in the state of New York based upon his conviction in the United States Court for the District of New York of two counts of criminal conspiracy, including conspiracy to defraud the United States and to commit securities fraud pursuant to *18 U.S.C.A. 1001* and *2*, obstruction of proceedings pursuant to *18 U.S.C.A. 1505*, perjury pursuant to *18 U.S.C.A. 1621* and obstruction of justice pursuant to *18 U.S.C.A. 1503*.

The respondent had been temporarily suspended from the practice of law in New Jersey since January 14, 1994.

ADELE A. STALCUP

Admitted: 1980; Penns Grove (Salem County)

Reprimand - *140 N.J. 622 (1995)*
Decided: 7/12/1995

APPEARANCES BEFORE REVIEW BOARD
Helen Fite Petrin District I
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who failed to perfect an appeal and to so inform her client and for failure to withdraw from representation when her services were terminated. The Supreme Court also ordered that respondent refund the sum of $750 to the client for costs advanced on the appeal.

NEIL I. STERNSTEIN

Admitted: 1975; Woodbury (Gloucester County)
Suspension 3 Months - *141 N.J. 16 (1995)*
Decided: 7/5/1995 Effective: 7/31/1995

APPEARANCES BEFORE REVIEW BOARD
Peter J. Boyer for District IV
Carl D. Poplar for respondent

The Supreme Court of New Jersey, without oral argument, held that a suspension from the practice of law for three months was the appropriate discipline for an attorney who, in a series of four cases, was guilty of gross neglect and lack of diligence and who failed to cooperate with the disciplinary system in the investigation of these cases.

ALAN C. SUGARMAN

Admitted: 1955; Boca Raton, Florida
Disbarment By Consent - *139 N.J. 176 (1995)*
Decided: 1/30/1995

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Respondent represented himself

The Supreme Court of New Jersey accepted the consent to disbarment of a respondent who pled guilty in the United States District Court in the Southern District of Florida to 17 counts of embezzlement in violation of *18 U.S.C.A. '153*.

WARREN J. TAUB

Admitted: 1971; Bernardsville (Somerset County)
Disbarment By Consent - *139 N.J. 159 (1995)*
Decided: 1/31/1995

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
S. M. Chris Franzblau for respondent

The Supreme Court of New Jersey accepted the disbarment by consent of an attorney who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

EDWARD C. THOMAS, JR.

Admitted: 1980; Clinton (Hunterdon County)
Suspension 1 Year - *140 N.J. 270 (1995)*
Decided: 5/18/1995

APPEARANCES BEFORE REVIEW BOARD
Gerard M. Brennan for District XIII
Respondent did not appear

The Supreme Court of New Jersey, without oral argument, held that a one year suspension from practice was the appropriate discipline for a respondent who grossly neglected two client matters, practiced law while on the ineligible list and without having a bona fide office and failed to cooperate with ethics authorities during the processing of these matters.

The respondent had been temporarily suspended since June 7, 1994 as a result of his failure to pay a fee arbitration award to refund monies to a client.

HOWARD C. TRUEGER

Admitted: 1971; Parsippany (Morris County)
Suspension 1 Year - *140 N.J. 103 (1995)*
Decided: 5/5/1995 Effective: 6/1/1995

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Donald R. Belsole for respondent

The Supreme Court of New Jersey held that suspension from the practice of law for one year was the appropriate discipline for an attorney who made false representations to a client, grossly neglected a matter, failed to keep a client reasonably informed of the status of a matter and failed to cooperate with a district ethics committee in the investigation of the matter.

Respondent had been previously privately reprimanded in 1978 for failing to apprise a client of the status of his suit and was publicly reprimanded in 1983 for gross neglect and misrepresentation to a client. *In re Trueger, 92 N.J. 605 (1983)*.

HOWARD C. TRUEGER

Admitted: 1971; Parsippany (Morris County)
Disbarment By Consent - *141 N.J. 233 (1995)*
Decided: 7/28/1995

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Roy E. Kurnos for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending charges alleging the knowing misappropriation of clients' trust funds.

DAVID H. VAN DAM

Admitted: 1981; Paramus (Bergen County)
Suspension 3 Years - *140 N.J. 078 (1995)*
Decided: 5/5/1995 Effective: 3/14/1993

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Brian D. Campion for respondent and waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the recommendation of the Disciplinary Review Board and held that a three-year suspension from practicing law was the appropriate discipline for a respondent who pleaded guilty in the United States District Court for the District of New Jersey to making a false statement to an institution insured by the Federal Savings and Loan Insurance Corporation (*18 U.S.C.A. 1014 & 2)* and obstruction of justice in connection with a deposition given to the Office of Thrift Supervision (*18 U.S.C.A. 1505 & 2*).

The respondent had been temporarily suspended from practicing law since March 14, 1993.

SHIRLEY L. WATERS-CATO

Admitted: 1977; Orange (Essex County)
Suspension 3 Months - *139 N.J. 498 (1995)*
Decided: 4/4/1995 Effective: 5/1/1995

APPEARANCES BEFORE REVIEW BOARD
John Mc Gill, III for Attorney Ethics
Loraine Posner for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a three month suspension from the practice of law was the appropriate discipline for an attorney who was grossly negligent in failing to maintain required trust and business account records. The respondent was previously privately reprimanded in 1991 for a conflict of interest and gross neglect.

This matter was discovered solely as a result of the Random Audit Compliance Program.

SHIRLEY WATERS-CATO

Admitted: 1977; Orange (Essex County)
Suspension 12 Months - *142 N.J. 472 (1995)*
Decided: 10/2/1995 Effective: 4/4/1995

APPEARANCES BEFORE REVIEW BOARD
Peter S. Valentine for District VB
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who engaged in a pattern of gross neglect and misrepresentations and who failed to cooperate with disciplinary authorities.

The respondent had been privately reprimanded on October 29, 1991 for her conduct in three real estate matters. She was thereafter suspended for a period of three months for failure to comply with record keeping requirements and for failure to cooperate with disciplinary authorities. *In re Waters-Cato, Unreported (1995)*.

TIMOTHY WEEKS

Admitted: 1972; Newark (Essex County)
Disbarment By Consent - *140 N.J. 076 (1995)*
Decided: 5/5/1995

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Maurice R. Strickland consulted with respondent with respect to Disbarment By Consent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against a report and recommendation filed by the Disciplinary Review Board recommending disbarment for the knowing misappropriation of clients' trust funds.

The respondent had been temporarily suspended from practice since November 28, 1988. *In re Weeks, 114 N.J. 622 (1989)*.

A. KENNETH WEINER

Admitted: 1970; East Brunswick (Middlesex County)
Reprimand - *140 N.J. 621 (1995)*
Decided: 7/10/1995

APPEARANCES BEFORE REVIEW BOARD
Stanton Levy for District VIII
Ronald J. Busch for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for a respondent who failed to ethically supervise his non-lawyer staff by condoning staff's signing client's names to documents.

The respondent had previously been privately reprimanded on May 5, 1988 for failure to properly identify and safeguard a client's funds and to return the balance at the end of the representation.

GREGORY H. WHEELER

Admitted: 1980; Mount Laurel (Burlington County)

Suspension 3 Years - *140 N.J. 321 (1995)*
Decided: 7/6/1995 Effective: 7/8/1993

APPEARANCES BEFORE REVIEW BOARD
John McGill, III and Richard J. Engelhardt Attorney Ethics
Justin T. Loughry for respondent

The Supreme Court of New Jersey, without oral argument, held that a one year reciprocal suspension from practice was the appropriate discipline for an attorney based upon his suspension by the Commonwealth of Pennsylvania for the retention of an unearned retainer, lack of diligence and misrepresentations. The Court also imposed a consecutive two-year suspension on this respondent for his activities in New Jersey, including practicing law while suspended, negligent misappropriation of client trust funds, conflict of interest and multiple and repeated instances of gross neglect and misrepresentation to clients.

The respondent had been temporarily suspended from the practice of law in New Jersey since November 9, 1990 for failure to pay a fee arbitration determination. *In re Wheeler, 121 N.J. 458 (1990).*

STUART M. WHITEFIELD

Admitted: 1979; Metuchen (Middlesex County)
Suspension 1 Year - *142 N.J. 480 (1995)*
Decided: 10/2/1995 Effective: 7/5/1995

APPEARANCES BEFORE REVIEW BOARD
Evan L. Goldman for District VIII
Respondent appeared pro se

The Supreme Court of New Jersey held that a one-year suspension from practice was the appropriate discipline for an attorney who, in three client matters, engaged in gross neglect, lack of communication, charged an unreasonable fee and misrepresented the status of a DWI matter.

GEORGE J. WHITEHAIR

Admitted: 1983; Mount Laurel (Burlington County)
Disbarment - *139 N.J. 434 (1995)*
Decided: 3/21/1995

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $3,700 in clients' trust funds, made misrepresentations to clients and failed to maintain mandatory trust and business account records.

HENRY J. WILEWSKI

Admitted: 1963; Jersey City (Hudson County)
Disbarment - *142 N.J. 469 (1995)*
Decided: 9/20/1995 Effective: 9/29/1995

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Gerald D. Miller for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $196,000 out of 1.5 million dollars that was erroneously credited to his attorney trust account by his bank.

JEROME T. WILLIAMS

Admitted: 1979; Passaic (Passaic County)
Reprimand - *139 N.J. 445 (1995)*
Decided: 3/21/1995

APPEARANCES BEFORE REVIEW BOARD
Vincent Marino for District XI
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who grossly neglected the cases of two clients.

JEROME T. WILLIAMS

Admitted: 1979; Passaic (Passaic County)
Reprimand - *142 N.J. 553 (1995)*
Decided: 11/2/1995

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Respondent represented himself

The Supreme Court of New Jersey accepted the Disciplinary Review Board's determination to impose discipline by consent and issue a reprimand for an attorney who failed to collect sufficient funds in a real estate transaction to pay a title insurance fee and thereafter failed to reply to the title company's several attempts to collect the fee; commingled personal funds and client funds; failed to maintain any trust and business account records and failed to reply to a district ethics committee's investigation.

The respondent was previously reprimanded for grossly neglecting two clients cases. *In re Williams, 139 N.J. 445 (1995).*

JOHN F. WISE

Admitted: 1983; South Orange (Essex County)
Reprimand - *139 N.J. 268 (1995)*
Decided: 2/21/1995

APPEARANCES BEFORE REVIEW BOARD
Lee A. Gronikowski for Attorney Ethics
Raymond M. Brown for respondent

The Supreme Court of New Jersey, without oral argument, adopted the decision and recommendation of the Disciplinary Review Board and held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated client funds in the amount of $9,000.

This matter was discovered solely as a result of the Random Audit Compliance Program.

SUNAO T. A. YAMADA

Admitted: 1982; New York, New York
Suspension 3 Years - *142 N.J. 473 (1995)*
Decided: 10/2/1995 Effective: 7/13/1994

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a three year suspension from practicing law in New Jersey was the appropriate discipline for an attorney based upon his reciprocal three-year suspension in the state of New York for assisting a client in evading federal income taxes, in violation of *26 U.S.C.'7201*, and for representing clients with conflicting interests.

The respondent had been temporarily suspended from practicing law in New Jersey since July 13, 1994.

ALLEN ZAVODNICK

Admitted: 1962; Jersey City (Hudson County)
Reprimand - *139 N.J. 607 (1995)*
Decided: 4/20/1995

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Gerald D. Miller for respondent

The Supreme Court of New Jersey, without oral argument, held that a reprimand was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds and failed to maintain proper trust and business accounting records.

RICHARD J. ZEITLER

Admitted: 1966; Iselin (Middlesex County)
Admonition - *Unreported (1995)*
Decided: 11/3/1995

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Douglas N. Kleinfield for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who failed to act diligently by not securing an adjournment of a sheriff's sale of his client's home.

BONNIE M. ZEM

Admitted: 1987; Hackensack (Bergen County)
Reprimand - *142 N.J. 638 (1995)*
Decided: 12/6/1995

APPEARANCES BEFORE REVIEW BOARD
Nitza I. Blasini Attorney Ethics
Miles R. Feinstein for respondent

The Supreme Court of New Jersey held that a reprimand was the appropriate discipline for an attorney who used small amounts of cocaine.

BARRY F. ZOTKOW

Admitted: 1971; Fort Lee (Bergen County)
Suspension 3 Months - *141 N.J. 34 (1995)*
Decided: 7/12/1995

APPEARANCES BEFORE REVIEW BOARD
Scott R. Lippert for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who, in one client matter, engaged in gross neglect, failure to communicate with his clients and who failed to make reasonably diligent efforts to comply with proper discovery requests by an opposing party.

The respondent had previously been privately reprimanded in 1992 for failure to oppose an adversary's motion to dismiss a compliant and for failure to inform his clients that the complaint had been dismissed.

1994

SAMUEL ASBELL

Admitted: 1969; Camden (Camden County)
Suspension 24 Months - *135 N.J. 446 (1994)*
Decided: 5/13/1994 Effective: 6/6/1994

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Carl Poplar for respondent; Teri S. Lodge on the brief.

The Supreme Court of New Jersey held that a two year suspension from practice was the appropriate discipline for an

attorney who, while Camden County Prosecutor, planned and carried out a fictitious assassination attempt on his own life in order to attempt to insure his reappointment as County Prosecutor. The Court specifically found that respondent had not proven an alleged insanity defense. Although the testimony suggested that respondent's conduct was aberrant, the Court found his conduct to have been knowing and intentional warranting serious discipline.

CHARLES J. BENJAMIN

Admitted: 1982; Newark (Essex County)
Suspension 3 Months - *135 N.J. 461 (1994)*
Decided: 5/10/1994 Effective: 6/6/1994

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Raymond F. Flood for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a three month suspension from the practice of law was the appropriate discipline for an attorney who admitted to the possession of cocaine and marijuana.

BERNARD S. BERKOWITZ

Admitted: 1957; Roseland (Essex County)
Public Reprimand - *135 N.J. 461 (1994)*
Decided: 6/17/1994

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Todd M. Sahner for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest by representing a corporate client while respondent's partner represented another client whose interest in a rezoning application was opposed by, and thus directly adverse to, respondent's client.

JULIET O. BERNARDEZ

Admitted: 1980; Jersey City (Hudson County)
Disbarment By Consent - *138 N.J.40 (1994)*
Decided: 9/27/1994

REPRESENTATIONS
Nitza I. Blasini for Attorney Ethics
Victor G. Sison for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted, following the filing and service of a formal complaint, that she could not defend herself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

This matter was discovered solely as a result of the Random Audit Compliance Program.

The respondent was also admitted to practice law in the Commonwealth of Massachusetts and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

DAVID A. BIRCH

Admitted: 1973; South Orange (Essex County)
Public Reprimand - *135 N.J. 347 (1994)*
Decided: 4/28/1994

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who acquired an ownership interest in real estate that was adverse to his clients, particularly due to the fact that the agreement prepared by respondent prohibited the sale or encumbrance thereof without the prior written consent of all parties and respondent purchased the adverse party's interest without notice to or consent of respondent's clients.

SANTO J. BONANNO

Admitted: 1981; Oakland (Bergen County)
Public Reprimand - *135 N.J. 464 (1994)*
Decided: 5/10/1994

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Barry A. Knopf for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who impermissibly delegated his professional responsibilities to a law clerk and then failed to supervise him with the result that a client's matter was dismissed. While associated with respondent, the law clerk appeared at a deposition as an attorney, attended an arbitration hearing as an attorney, signed retainer agreements, forged documents and embezzled $32,000 in client's funds, without discovery by respondent.

KEVIN P. BOSIES

Admitted: 1984; Englishtown (Monmouth County)
Suspension Six Months - *138 N.J. 169 (1994)*
Decided: 11/15/1994 Effective: 12/7/1994

APPEARANCES BEFORE REVIEW BOARD
John F. DeBartolo for District IX
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, accepted the report and recommendation of the

Disciplinary Review Board and held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in a series of four matters, engaged in a pattern of neglect, lack of communication and misrepresentation.

TERRENCE G. BOYLE

Admitted: 1982; SeaGirt (Monmouth County)
Disbarment By Consent - *135 N.J. 180 (1994)*
Decided: 4/7/1994

REPRESENTATIONS
John J. Janasie for Attorney Ethics
William J. McMahon, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of clients' trust funds.

The respondent had been temporarily suspended from the practice of law since October 20, 1993. *In re Boyle, 134 N.J. 293 (1993)*.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

ANGELA M. BRAY

Admitted: 1981; Teaneck (Bergen County)
Indefinite Suspension - *137 N.J. 300 (1994)*
Decided: 8/3/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that an indefinite suspension from the practice of law was the appropriate discipline for an attorney who was disbarred in the state of New York based upon charges of gross neglect, failure to communicate, failure to cooperate with disciplinary authorities and failure to properly register as an attorney with the Office of Court Administration in 1992.

The respondent was also admitted to practice law in the state of New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

SCOTT BRISTOL

Admitted: 1982; Newark (Essex County)
Disbarment By Consent - *135 N.J. 346 (1994)*
Decided: 5/10/1994

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Bruce A. Giles, a member of the Arizona Bar, consulted with respondent in connection Consent to Disbarment

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pled guilty in the United States District Court for the District of Arizona to five counts of bank robbery in violation of *18 U.S.C.A. 2113(a)* covering robberies occurring in the states of Arizona, Louisiana and Colorado.

The respondent had previously been temporarily suspended from practicing law in New Jersey since February 23, 1993. *In re Bristol, 131 N.J. 374 (1993)*.

FRANCIS J. CALISE

Admitted: 1973; Clifton (Passaic County)
Disbarment By Consent - *135 N.J. 78 (1994)*
Decided: 2/22/1994

*REPRESENTATION*S
William R. Wood for Attorney Ethics
Jan K. Seigel for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of client's trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

JOSEPH C. CAPUTO

Admitted: 1985; Summit (Union County)
Disbarment By Consent - *135 N.J. 106 (1994)*
Decided: 3/3/1994

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Jeffrey R. Pocaro for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misuse of client's trust funds.

The respondent had been temporarily suspended from the practice of law since February 8, 1994.

JAMES F. CARNEY

Admitted: 1972; Roseland (Essex County)
Public Reprimand - *138 N.J. 43 (1994)*
Decided: 10/4/1994

APPEARANCES BEFORE REVIEW BOARD
Vincent J. Nuzzi for District VC
Harvey Weissbard for respondent

The Supreme Court of New Jersey, without oral argument, accepted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who failed to reveal to a client that the financial consultant to whom respondent referred her for advice regarding the investment of a substantial settlement was respondent's wife. Respondent was also ordered to repay the client the sum of $7,500, representing the financial loss sustained as a result of the investment.

HOWARD J. CASPER

Admitted: 1973; Cherry Hill (Camden County)
Disbarment - *134 N.J. 596 (1994)*
Decided: 2/15/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who was disbarred on consent in Pennsylvania based upon the knowing misappropriation of $100,000 in client's funds in two matters.

The respondent had been temporarily suspended from practicing law in New Jersey since November 10, 1992.

PAUL C. CAVALIERE, JR.

Admitted: 1956; Wayne (Passaic County)
Disbarment By Consent - *138 N.J. 168 (1994)*
Decided: 11/28/1994

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Mathew J. Cavaliere for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment by a respondent who, while a motion for final discipline was pending before the Disciplinary Review Board, admitted that he could not successfully defend himself against charges that he had pled guilty in the United States District Court for the District of New Jersey to a federal information charging him with utilizing interstate commerce to facilitate a bribery scheme in violation of *18 U.S.C.A. '1952(a)(3) and (2)* and income tax evasion in violation of *26 U.S.C.A. '7201.*

The respondent had previously been temporarily suspended from practice since January 30, 1991.

JOSEPH M. CLARK

Admitted: 1971; Englewood (Bergen County)
Public Admonition - *Unreported (1994)*
Decided: 11/2/1994

REPRESENTATIONS
Chalres R. Melli, Jr. for District IIA
Respondent represented himself

The Disciplinary Review Board held that a public admonition was the appropriate discipline for an attorney who grossly neglected a personal injury case, failed to release the client file to a new attorney and failed to cooperate with the district ethics committee investigating the case.

JOHN F. COFFEY

Admitted: 1975; Bayonne (Hudson County)
Disbarment By Consent - *137 N.J. 104 (1994)*
Decided: 7/6/1994

REPRESENTATIONS
William R. Wood for Attorney Ethics
John F. Coffey, II for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary changes that he knowingly misappropriated clients' trust funds.

The respondent had been temporarily suspended from the practice of law since August 26, 1992. *In re Coffey 129 N.J. 673 (1992)*.

CECILIA F. COOK

Admitted: 1979; Vauxhall (Union County)
Disbarment - *138 N.J. 83 (1994)*
Decided: 10/25/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Union County to, inter alia, knowingly misappropriating clients' trust funds in excess of $350,000, in violation of *N.J.S.A. 2C:20-9*.

The respondent had been temporarily suspended from practicing law in New Jersey since April 17, 1991.

LEAH D. DADE

Admitted: 1990; Piscataway (Middlesex County)
Disbarment - *134 N.J. 597 (1994)*
Decided: 2/15/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for a respondent who pled guilty in the Superior Court of New Jersey, Law Division, Union County, to theft by deception *(N.J.S.A.2C:20-4)* in submitting falsified claim drafts totaling $457,928 to her employer, State Farm Mutual Automobile Insurance Company.

The respondent had been temporarily suspended from the practice of law since July 30, 1992.

ERNEST DESTEFANO

Admitted: 1980; Hammonton (Atlantic County)
Public Reprimand - *138 N.J. 170 (1994)*
Decided: 11/15/1994

APPEARANCES BEFORE REVIEW BOARD
Paul E. Latterman for District I
Peter L. Bruso for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who grossly neglected a bankruptcy matter.

The respondent was previously privately reprimanded in 1993 for failure to pursue the foreclosure of two tax sale certificates for a period of two years.

DONALD B. DEVIN

Admitted: 1969; Dover (Morris County)
Suspension 3 Months - *138 N.J. 46 (1994)*
Decided: 10/4/1994 Effective: 10/31/1994

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Clifford Weininger for respondent

The Supreme Court of New Jersey, without oral argument, accepted the report and recommendation of the Disciplinary Review Board and held that a three-month suspension from the practice of law was the appropriate discipline for an attorney who failed to keep a client reasonably informed, misrepresented facts to the client and lied to a police officer.

LESLIE A. DIENES

Admitted: 1981; New Brunswick (Middlesex County)
Disbarment - *138 N.J. 32 (1994)*
Decided: 9/20/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who was convicted in the Superior Court of New Jersey, Law Division, Middlesex County, of theft by deception, in violation of *N.J.S.A.2C:20-4,* and theft by unlawful taking, in violation of *N.J.S.A.2C:20-3,* in connection with $41,000 of client's trust funds.

The respondent had been temporarily suspended from the practice of law since March 25, 1991.

Respondent was previously publicly reprimanded for threatening a defendant corporation to disclose confidential information in order to obtain a favorable legal result for himself. *In re Dienes, 118 N.J. 403 (1990)*.

HARRY DREIER

Admitted: 1976; Watchung (Somerset County)
Suspension 12 Months - *138 N.J. 45 (1994)*
Decided: 10/4/1994 Effective: 10/31/1994

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Noel E. Schablik for respondent

The Supreme Court of New Jersey held that a suspension for 12 months was the appropriate discipline for an attorney who, as a trustee, grossly neglected his responsibilities, failed to deliver interest checks and bonds to beneficiaries and failed to cooperate with ethics authorities in the investigation of the case.

The respondent had been previously disciplined by public reprimand on three occasions: in 1983 for intentionally misrepresenting the status of a case and neglect, *In re Dreier, 94 N.J. 396*; in 1990 for lack of diligence and failure to communicate; and in 1993 for lack of diligence, *In re Dreier, 120 N.J., 54*, failure to communicate and failure to cooperate with ethics authorities. *In re Dreier, 131 N.J. 157*.

JAMES P. DUGAN

Admitted: 1959; Newark (Essex County)
Public Reprimand - *136 N.J. 148 (1994)*
Decided: 6/17/1994

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Dominic J. Aprile for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who, while a member of a law firm, represented a client in a rezoning matter which action was adverse to another longstanding client of the law firm who opposed the change. This created a conflict of interest. The respondent also had a business interest in the client's matter, which fact exacerbated the degree of the conflict, underscoring the gravity of the misconduct.

JOSEPH F. FLAYER

Admitted: 1976; Budd Lake (Morris County)

Public Reprimand - *138 N.J. 276 (1994)*
Decided: 12/6/1994

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who grossly neglected a client matter and failed to communicate with the client.

The respondent was previously publicly reprimanded in 1992 for releasing escrow funds without the consent of the seller in the attorney's own real estate matter and for failing to cooperate with disciplinary authorities. *In re Flayer, 130 N.J. 21 (1992).*

RICHARD M. FOLEY, JR.

Admitted: 1974; Marlton (Burlington County)
Suspension 2 Years - *138 N.J. 50 (1994)*
Decided: 10/4/1994 Effective 10/22/1994

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who, while suspended for a prior violation, misrepresented the status of a case to a former client after he had neglected that client's matter and who failed to notify his clients that he had been suspended in conformance with the Supreme Court's prior suspension order.

The respondent had been privately reprimanded in 1991 for failure to notify a client of the dismissal of her suit. He was publicly reprimanded for gross neglect and misrepresentation in three cases in 1991. *In re Foley, 122 N.J. 246.* He received two concurrent two-year suspensions in 1992 for grossly neglecting several matters and misrepresenting the status of cases to clients. *In re Foley, 130 N.J. 47 and 322.*

M. DANIEL FRIEDLAND

Admitted: 1967; West Palm Beach, Florida
Disbarment - *137 N.J. 105 (1994)*
Decided: 7/7/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was permanently disbarred in the state of Connecticut for accepting monies from clients in four separate matters and then abandoning them.

The respondent had previously been suspended in New Jersey in 1983 based upon his disbarment in Indiana for attempting to intimidate and improperly influence a judge of the Indiana Court of Appeals and members of that jurisdiction's Disciplinary Commission. *In re Friedland, 92 N.J. 107 (1983).*

EDWARD J. GAFFNEY

Admitted: 1989; Newton (Sussex County)
Suspension 30 Months - *138 N.J. 86 (1994)*
Decided: 11/1/1994 Effective: 3/10/1994

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension for two years and six months (retroactive to March 10, 1994, the date he was temporarily suspended from practice) was the appropriate discipline for an attorney who engaged in conduct prejudicial to the administration of justice by baiting a judge by accusing him of lying in open court and using profanity, and, in two cases, was guilty of gross neglect, lack of diligence and failing to keep clients reasonably informed about the status of their matters.

The respondent had been publicly reprimanded in 1993 for gross neglect, lack of diligence, failure to communicate, failure to expedite litigation and failure to cooperate with a district ethics committee. *In re Gaffney, 133 N.J. 65.*

The respondent had been temporarily suspended from practice in New Jersey since March 10, 1994.

PASCAL P. GALLERANO

Admitted: 1972; West Caldwell (Essex County)
Disbarment - *138 N.J. 44 (1994)*
Decided: 10/4/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pleaded guilty in the Superior Court of New Jersey, Law Division, to accepting a gift of $2,500 while Deputy Director of Compliance, Division of Alcohol Beverage Control to influence the performance of his official duties, in violation of *N.J.S.A. 2C:27-6.*

RICHARD B. GIRDLER

Admitted: 1972; Morristown (Morris County)
Public Reprimand - *135 N.J. 465 (1994)*
Decided: 5/10/1994

APPEARANCES BEFORE REVIEW BOARD
Albert E. Cruz for District X
Rrespondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who, in one matter, failed to act with due diligence, failed to communicate with his client in a timely fashion and failed to prepare a written retainer agreement.

The respondent had been previously privately reprimanded in 1991 for misconduct arising from two matters, specifically, gross neglect and failure to communicate.

JAY M. GROSSMAN

Admitted: 1986; Fair Lawn (Bergen County)
Suspension 36 Months - *138 N.J. 91 (1994)*
Decided: 11/7/1994

APPEARANCES BEFORE SUPREME COURT
Michael J. Sweeney for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who, while employed in a high volume law firm, signed a judge's name to a divorce judgment and gave it to his clients to cover up the fact that he had mishandled the case and who ultimately disappeared and abandoned approximately two hundred other cases after having misrepresented to courts and various clients that their cases had been settled.

PHILLIP F. GUIDONE

Admitted: 1966; Chester (Morris County)
Suspension 3 Months - *139 N.J. 272 (1994)*
Decided: 7/29/1994 Effective: 8/20/1994

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Francis X. Crahay for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, while representing a client in a complex sale of real property, acquired an interest in the partnership that was purchasing the parcel. He continued to represent the seller without disclosing his adverse pecuniary interest for a long period of time.

MICHAEL T. HENCHY

Admitted: 1968; Dover (Morris County)
Disbarment By Consent - *138 N.J. 183 (1994)*
Decided: 11/29/1994

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Abraham M. Absebrad for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of a respondent who admitted that he could not successfully defend himself against charges pending in a formal complaint alleging misappropriation of $4,580 in clients' trust funds.

This matter was discovered solely as a result of the Random Audit Compliance Program.

CLIFFORD S. HINDS

Admitted: 1982; Clifton (Passaic County)
Public Reprimand - *138 N.J. 277 (1994)*
Decided: 12/9/1994

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who negligently misappropriated client's trust funds, grossly neglected one legal matter and then failed to cooperate with disciplinary authorities.

WILLIAM D. HOBSON

Admitted: 1989; Collingswood (Camden County)
Public Admonition - *Unreported (1994)*
Decided: 9/28/1994

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising
Respondent appeared pro se

The Disciplinary Review Board determined that a public admonition was the appropriate discipline for an attorney who practiced law in New Jersey without maintaining a bona fide law office or trust and business accounts as required by court rules.

FRANK J. HOERST, III

Admitted: 1974; Woodstown (Salem County)
Suspension 6 Months - *135 N.J. 98 (1994)*
Decided: 2/18/1994 Effective: 3/11/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Edward N. Fitzpatrick forrespondent

The Supreme Court of New Jersey held that a six month suspension was the appropriate discipline for an attorney who, as Salem County Prosecutor, used $15,000 from the county forfeiture fund to pay for a California trip for himself

and three others and who pled guilty in the Superior Court, Law Division to one count of theft by failure to make required disposition of property in violation of *N.J.S.A. 2C:20-9*.

DAVID P. HURWITZ

Admitted: 1986; Fort Lee (Bergen County)
Suspension 36 Months - *135 N.J. 181 (1994)*
Decided: 4/5/1994 Effective: 10/12/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a three year suspension from the practice of law was the appropriate discipline for an attorney who, in a series of five matters, engaged in a pattern of neglect of clients and who also failed to cooperate with discipline authorities.

Respondent had previously been indefinitely suspended from practice on October 12, 1993 based on a reciprocal disciplinary action in New York involving his failure to cooperate with a disciplinary investigation. *In re Hurwitz, 134 N.J. 199 (1993)*.

Chief Disciplinary Counsel in New York has been notified of the results of these proceedings.

BRETT K. KATES

Admitted: 1987; Cherry Hill (Camden County)
Suspension 3 Months - *137 N.J. 102 (1994)*
Decided: 7/7/1994 Effective: 8/1/1994

APPEARANCES BEFORE REVIEW BOARD
Janet Brownlee Miller for District IIIB
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the decision and recommendation of the Disciplinary Review Board and held that a three month suspension from the practice of law was the appropriate discipline for a respondent who failed to act with reasonable diligence and failed to comply with reasonable requests for information from his client and then hindered the ethics investigation by failing to cooperate with the investigation, failing to answer the formal compliant and failing to appear at the disciplinary hearing.

STEPHEN T. KEANE

Admitted: 1963; Spring Lake (Monmouth County)
Disbarment By Consent - *137 N.J. 2 (1994)*
Decided: 6/7/1994

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
William J. Gearty for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of client's trust funds.

STEVEN I. KERN

Admitted: 1975; Bridgewater (Somerset County)
Public Reprimand - *135 N.J. 463 (1994)*
Decided: 5/10/1994

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Stephen S. Weinstein for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who, in direct contravention of the order of an Administrative Law Judge, improperly withdrew from representation of a client during the middle of 56 days of hearing and after respondent had exhausted all valid avenues of review.

BYRON R. KING

Admitted: 1983; Plainfield (Union County)
Public Admonition - *Unreported (1994)*
Decided: 11/2/1994

REPRESENTATIONS
Robert C. Holmes for District VIII
Respondent represented himself

The Disciplinary Review Board held that a public admonition was the appropriate discipline for an attorney who grossly neglected a client matter after accepting an $800 retainer and who also failed to communicate with the client.

GARY L. KRULEWITZ

Admitted: 1964; Cherry Hill (Camden County)
Disbarment - *134 N.J. 622 (1994)*
Decided: 2/15/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $75,000 in client trust monies from estates and who, as a result, permanently resigned from the Bar in the state of Florida while disciplinary proceedings were pending.

The respondent had been temporarily suspended from the practice of law in New Jersey since May 12, 1993.

DENNIS C. LARSEN

Admitted: 1970; Norwood (Bergen County)
Suspension 36 Months - *138 N.J. 34 (1994)*
Decided: 9/20/1994 Effective: 10/1/1992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey accepted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for 36 months, the same discipline imposed on respondent in the state of New York, was the appropriate sanction as a result of his neglect, failure to communicate with a client, conduct involving dishonesty, fraud, deceit or misrepresentation, failure to cooperate in an ethics investigation and failure to register as an attorney and to maintain an office for the practice of law within the state of New York.

The respondent was previously privately reprimanded in 1985 for neglect and failure to communicate with his clients in three legal matters.

MELISSA LEKAS

Admitted: 1987; Brick (Ocean County)
Public Reprimand - *136 N.J. 515 (1994)*
Decided: 6/7/1994

APPEARANCES BEFORE REVIEW BOARD
George K. Kukos for District IIIA
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who was convicted of the disorderly persons offense of obstructing the administration of law in violation of *N.J.S.A. 2C:29-1* for interrupting a court hearing and refused to leave although repeatedly ordered to do so by a Municipal Court Judge.

LEON LESNIK

Admitted: 1956; Newark (Essex County)
Public Admonition - *Unreported (1994)*
Decided: 10/13/1994

REPRESENTATIONS
Paul A. Friedman for District VA
Respondent represented himself

The Disciplinary Review Board accepted an investigative recommendation of the District VA (Essex-Newark) Ethics Committee and held that a public admonition was the appropriate discipline for an attorney who filed a certification with a court that omitted a material fact thus misleading the court.

STANLEY M. LEWIS

Admitted: 1966; North Plainfield (Union County)
Public Admonition - *138 N.J. 33 (1994)*
Decided: 9/20/1994

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a public admonition was the appropriate discipline for an attorney who attempted to deceive a municipal court judge by introducing into evidence a document falsely showing that a heating problem in an apartment respondent owned had been corrected prior to the issuance of a municipal summons to respondent as landlord.

ROBERT C. MAIDA

Admitted: 1960; Trenton (Mercer County)
Public Admonition - *Unreported (1994)*
Decided: 11/23/1994

REPRESENTATIONS
Daniel J. Graziano, Jr. for District VII
Respondent represented himself

The Disciplinary Review Board adopted the report of the District VII (Mercer County) Ethics Committee and held that a public admonition was the appropriate discipline for an attorney who, while township attorney, gave an official opinion to the governing body on a matter with respect to an individual with whom he was a stockholder in a business transaction.

STEVEN F. MILLER

Admitted: 1983; Hackensack (Bergen County)
Suspension 3 Months - *135 N.J. 343 (1994)*
Decided: 4/28/1994 Effective: 6/1/1994

APPEARANCES BEFORE REVIEW BOARD
Michael J. Powers for District IIB
Respondent failed to appear

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from practice for a period of three months was the appropriate discipline for an attorney who grossly neglected three client matters and failed to cooperate with disciplinary authorities.

The respondent had been temporarily suspended from the practice of law since May 12, 1992 for failure to appear at a disciplinary audit of his trust and business records.

The respondent was previously privately reprimanded in 1991 for failure to act on a client's behalf and failure to pay a fee arbitration award until threatened with a motion for temporary suspension.

STEPHEN P. MILLS

Admitted: 1971; Caldwell (Essex County)
Public Admonition - *Unreported (1994)*
Decided: 12/28/1994

REPRESENTATIONS
Gage Andretta for District VC
Respondent represented himself

The Disciplinary Review Board, without oral argument, adopted the recommendation of the District Ethics Committee and held that an admonition was the appropriate discipline for an attorney who accepted a retainer from a client in an employment matter and then failed to communicate with the client concerning the scope of representation and also failed to maintain the client's files for a period of seven years as required by court rules.

Respondent had previously been publicly reprimanded for making a false statement of fact and improperly communicating with a party known to have been represented by counsel. *In re Mills, 127 N.J. 401 (1992)*.

ELLIOTT D. MOORMAN

Admitted: 1977; East Orange (Essex County)
Suspension 3 Months - *135 N.J. 1 (1994)*
Decided: 3/8/1994 Effective: 4/1/1994

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
John P. Dell'Italia for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected a client matter, failed to act with reasonable diligence and failed to keep a client reasonably informed. The Court further ordered that, prior to reinstatement, respondent provide a medical report verifying that he is free of drugs and alcohol and that he practice under the supervision of a proctor for a period of two years.

The respondent had previously been publicly reprimanded for failure to maintain proper time records to support a legal fee in an estate matter, failure to preserve the identity of client funds and failure to cooperate with the ethics system. *In re Moorman, 118 N.J. 422 (1990)*.

TERRENCE O'BRIEN

Admitted: 1984; Englewood Cliffs (Bergen County)
Disbarment By Consent - *137 N.J. 302 (1994)*
Decided: 8/7/1994

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Charles I. Epstein for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

RICHARD M. ONOREVOLE

Admitted: 1983; Lake Hiawatha (Morris County)
Public Admonition - *Unreported (1994)*
Decided: 11/2/1994

REPRESENTATIONS
Bonnie C. Frost for District X
Respondent represented himself

The Disciplinary Review Board held that a public reprimand was the appropriate discipline for an attorney who, over a period of nine months, grossly neglected to obtain the cash surrender value of a life insurance policy and failed to respond to a client's reasonable requests for information.

RUSSELL E. PAUL

Admitted: 1966; Woodbury (Gloucester County)
Public Reprimand - *137 N.J. 103 (1994)*
Decided: 7/7/1994

APPEARANCES BEFORE REVIEW BOARD
Michael J. Hogan for District IIIB
Respondent appeared pro se

The Supreme Court of New Jersey without oral argument, adopted the decision and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who grossly neglected a client's matter and then misrepresented the status of the case.

The respondent had previously been privately reprimanded: in 1974 for having failed to notify his client that an appeal had been dismissed and in 1987 for having failed to pursue his client's potential claim against the driver in a personal injury action and for having failed to advise that client that the statute of limitations on that action had run, thereby allowing his client to believe that negotiations were still pending.

DONALD D. PHILLIPS

Admitted: 1960; Atlantic City (Atlantic County)
Admonition - *Unreported (1994)*
Decided: 9/30/1994

REPRESENTATIONS BEFORE REVIEW BOARD
Robert A. DeSanto for District I
David R. Fitzsimons, Jr. for respondent

The Disciplinary Review Board held that an admonition was the appropriate discipline for an attorney who represented a client without preparing a written retainer agreement as required by RPC 1.5(b) and who failed to act diligently in a collection matter on behalf of a client.

GEORGE N. POLIS

Admitted: 1984; Atlantic City (Atlantic County)
Public Reprimand - *136 N.J. 421 (1994)*
Decided: 6/29/1994

APPEARANCES BEFORE REVIEW BOARD
Joseph Sayegh for District I
Cosmo A. Giovinazzi, III for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who prepared a will for an elderly client giving most of her $500,000 estate to the respondent's sister and thus creating an unethical conflict of interest.

FAHEEM J. RASHEED

Admitted: 1988; Newark (Essex County)
Disbarment - *134 N.J. 533 (1994)*
Decided: 1/11/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Benjamin D. Liebowitz for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Essex County, to one count of aggravated manslaughter (*N.J.S.A. C:12-11-4(a)*), four counts of aggravated assault (*N.J.S.A.2C:12-1(b)(1)*) and one count of terroristic threats (*N.J.S.A. 2C:12-3*).

The respondent had been temporarily suspended from the practice of law since July 13, 1992. *In re Rasheed, 128 N.J. 575 (1992)*.

CHRISTOPHER H. RILEY, JR.

Admitted: 1974; Millville (Cumberland County)
Disbarment By Consent - *138 N.J. 27 (1994)*
Decided: 9/8/1994

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
James R. Swift consulted with respondent for the purpose of executing the Disbarment By Consent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted, following the filing and service of a formal complaint, that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of client's trust funds.

The respondent had been temporarily suspended from the practice of law since July 22, 1994.

TERRY L. SHAPIRO

Admitted: 1974; Newark (Essex County)
Suspension 6 Months - *138 N.J. 87 (1994)*
Decided: 11/1/1994 Effective: 12/1/1994

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Joseph J. Hayden, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 6 months was the appropriate discipline for an attorney who negligently misappropriated over $60,000 in clients' trust funds, engaged in deceit and misrepresentation by lying to an associate attorney about the receipt of a fee to which the associate was entitled, and engaging in conduct prejudicial to the administration of justice by failing to comply with a court order.

The respondent had practiced under a license restriction since November 5, 1990.

RICHARD J. SILBERFEIN

Admitted: 1989; Hoboken (Hudson County)
Suspension 3 Months - *138 N.J. 51 (1994)*
Decided: 10/11/1994 Effective: 6/21/1994

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the decision and recommendation of the Disciplinary Review Board and held that a three month suspension from practicing law was the appropriate discipline for an attorney who pled guilty in the Supreme Court of New York to a Class A misdemeanor of criminal possession of a controlled dangerous substance (cocaine) in the seventh degree, in violation of *New York Penal Law '220.03*.

The respondent had been temporarily suspended from practice since June 21, 1994 and the Court's Order of October 11, 1994 caused him to be reinstated to the practice of law.

Respondent was also admitted to practice law in the state of New York and Chief Disicplinary Counsel there has been notified of the results of these proceedings.

LEONARD S. SINGER

Admitted: 1973; Wayne (Passaic)
Public Reprimand - *135 N.J. 462 (1994)*
Decided: 5/10/1994

APPEARANCES BEFORE REVIEW BOARD
Roy F. McGeady for District IIA
Carl E. Klotz for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who made a material misrepresentation to the purchasers and their attorney in connection with the sale of a business when he withheld the true identity of a known lienholder of the business.

DOUGLAS R. SMITH

Admitted: 1974; Fair Lawn (Bergen County)
Suspension 12 Months - *135 N.J. 122 (1994)*
Decided: 3/14/1994 Effective: 4/11/1994

APPEARANCES BEFORE REVIEW BOARD
David K. Chazen for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the decision and recommendation of the Disciplinary Review Board and held that a one year suspension from practice was the appropriate discipline for an attorney who, in one client's case, engaged in gross neglect and a pattern of neglect, made misrepresentations to the client and failed to advise the client to seek independent counsel prior to entering into a business relationship with him.

TROY LEE SMITH

Admitted: 1991; Plainfield (Union County)
Disbarment By Consent - *135 N.J. 445 (1994)*
Decided: 5/10/1994

REPRESENTATIONS
John McGill, III for Attorney Ethics
Vernell Patrick for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending charges alleging the knowing misappropriation of clients trust funds.

JOEL M. SOLOW

Admitted: 1974; Newark (Essex County)
Public Admonition - *Unreported (1994)*
Decided: 10/13/1994

REPRESENTATIONS
John McGill, III for Attorney Ethics
Respondent represented himself

The Disciplinary Review Board accepted the investigative recommendation of the Office of Attorney Ethics and held that a public admonition was the appropriate discipline for an attorney who admitted possession of more than 50 grams of marijuana for personal use, in violation of *N.J.S.A.2C:35-10a(3)*.

LARRICK B. STAPLETON

Admitted: 1986; Wynnewood, Pennsylvania
Disbarment By Consent - *135 N.J. 77 (1994)*
Decided: 2/15/1994

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Samuel C. Stretton, a member of Pennsylvania Bar, consulted with respondent with respect to execution of Disbarment By Consent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who was disbarred in Pennsylvania for the knowing misappropriation of more than $60,000 in client's funds.

The respondent had been temporarily suspended from practicing law in New Jersey since November 29, 1993.

The respondent was also admitted to practice in the states of West Virginia and Pennsylvania and Chief Disciplinary Counsel there have been notified of the results of these proceedings.

SCOTT A. TELSON

Admitted: 1980; Edison (Middlesex County)
Suspension 6 Months - *138 N.J. 47 (1994)*
Decided: 10/4/1994 Effective: 10/31/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Stephen F. Lombardi for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who altered a court document to conceal the fact that a divorce complaint had been dismissed and who, thereafter, submitted the uncontested divorce to another judge who granted the divorce. Respondent then denied that he had committed any misconduct when questioned by the Assignment Judge.

JILL L. TERRY

Admitted: 1983; South River (Middlesex County)
Suspension 42 Months - *137 N.J. 4 (1994)*
Decided: 6/7/1994 Effective: 9/4/1990

APPEARANCES BEFORE REVIEW BOARD
Margery S. Golin for District VIII
Jamie D. Happas for respondent

The Supreme Court of New Jersey, without oral argument, accepted the report and recommendation of the Disciplinary Review Board and held that a suspension for 3 1/2 years, was the appropriate discipline for a respondent who abandoned three clients despite being paid to complete their cases, failed to deliver funds to a third party and failed to cooperate with the ethics system in the investigation of her cases.

The respondent had been temporarily suspended from practicing law since September 4, 1990.

This matter was discovered as a result of the Trust Overdraft Notification Program.

BEVERLY K. THOMPSON

Admitted: 1979; Cherry Hill (Camden County)
Suspension 3 Months - *135 N.J. 125 (1994)*
Decided: 3/28/1994 Effective: 7/7/1988

APPEARANCES BEFORE REVIEW BOARD
Nancy I. Gold District IV
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from practicing law for a period of three months was the appropriate discipline for a respondent who overreached a client by charging $2,250 for filing two identical motions, both of which were caused by respondent's own neglect, and for charging the client for the filing of a pretrial motion which in fact was never prepared or filed.

BEVERLY K. THOMPSON

Admitted: 1979; Cherry Hill (Camden County)
Suspension 24 Months - *135 N.J. 125 (1994)*
Decided: 3/28/1994 Effective: 5/17/1991

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Francis J. Hartman for respondent

The Supreme Court of New Jersey held that a suspension from practicing law for a period of two years was the appropriate discipline for a respondent who was negligent and misappropriated client's trust funds in Pennsylvania and who was suspended for two years in the Commonwealth of Pennsylvania for these transgressions. The Supreme Court further ordered that respondent will not be eligible for reinstatement in New Jersey until she is first reinstated in Pennsylvania.

BRUCE A. THOMPSON

Admitted: 1970; Fair Haven (Monmouth County)
Disbarment By Consent - *136 N.J. 515 (1994)*
Decided: 6/7/1994

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
John H. Yauch for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who pled guilty in the United States District Court for the District of New Jersey to one count of mail fraud conspiracy and four counts of mail fraud as a result of making false statements to banks in order to defraud.

The respondent had been temporarily suspended from practicing law since March 30, 1993. *In re Thompson, 131 N.J. 551 (1993).*

JOSEPH S. TYSOWSKI, JR.

Admitted: 1968; Trenton (Mercer County)
Suspension 24 Months - *135 N.J. 344 (1994)*
Decided: 4/28/1994 Effective: 10/11/1991

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Joseph J. Triarsi for respondent
Michael J. Nizolek was appointed Attorney-Trustee pursuant to R.1:20-12

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a two year suspension from practicing law was the appropriate discipline for an attorney who, by essentially abandoning his law practice to his secretary, was grossly negligent and invaded client trust funds by almost $24,000, and also grossly neglected eleven client matters.

This case was discovered solely as a result of the Trust Overdraft Notification Program. The respondent had been temporarily suspended from the practice of law since October 11, 1991.

The respondent had been previously privately reprimanded on two occasions: in 1988, for engaging in a conflict of interest and in 1991, for practicing law while on the ineligible list.

ROBERT J. VEDATSKY

Admitted: 1974; Voorhees (Camden County)
Public Reprimand - *138 N.J. 173 (1994)*
Decided: 11/29/1994

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who failed to cooperate with the District Ethics Committee and with the Disciplinary Review Board.

LESTER T. VINCENTI

Admitted: 1971; Elizabeth (Union County)
Public Admonition - *Unreported (1994)*
Decided: 11/30/1994

REPRESENTATIONS
Paul J. Endler, Jr. for District XII
Respondent represented himself

The Disciplinary Review Board accepted the report of the District XII (Union County) Ethics Committee and held that a public admonition was the appropriate discipline for an attorney who, in his pending disciplinary proceeding, refused to comply with discovery requests after repeated instructions by the hearing panel chair and falsely testified at the ethics hearing that he had personally served a subpoena knowing that to have been untrue.

The respondent had been previously disciplined on two occasions: he was suspended from practice for one year for improper trial misconduct *In re Vincenti, 92 N.J. 591 (1983)* and was suspended for three months for improper trial misconduct *In re Vincenti, 114 N.J. 275 (1989)*.

ALAN WASSERMAN

Admitted: 1975; Woodbridge (Middlesex County)
Public Admonition - *Unreported (1994)*
Decided: 10/5/1994

REPRESENTATIONS
Helen B. VerStrate for District IX
Philip G. Auerbach for respondent

The Disciplinary Review Board held that a public admonition was the appropriate discipline for an attorney who instituted a frivolous second lawsuit against an insurance carrier for legal fees without notice to his client after a prior suit against the client to collect that legal fee had been dismissed.

DONALD J. WEBER

Admitted: 1989; Menard, Illinois
Disbarment By Consent - *138 N.J. 31 (1994)*
Decided: 9/8/1994

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey accepted the respondent's consent to disbarment while a Decision and Recommendation by the Disciplinary Review Board recommending disbarment was pending before it. The Board recommended disbarment based upon respondent's guilty plea in Cook County Illinois to charges of murder in the first degree, in violation of *Chapter 38, Section 9-1-A(1)* of the Illinois Revised Statutes, armed robbery, in violation of *Chapter 38, Section 18-2-A* of the Illinois Revised Statutes and concealment of homicidal death, in violation of *Chapter 38, Section 9-3.1a* of the Illinois Revised Statutes.

RICHARD J. WEBER

Admitted: 1970; Neptune (Monmouth County)
Public Reprimand - *138 N.J. 35 (1994)*
Decided: 9/20/1994

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Frederic M. Milstein for respondent

The Supreme Court of New Jersey adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who allowed a client's appeal to be dismissed without communicating with the client and then deceived the client for over a year in an attempt to mislead the client into believing that the case had been decided on the merits.

BRUCE J. WECHSLER

Admitted: 1981; Littleton, Colorado
Suspension One Year - *138 N.J. 274 (1994)*
Decided: 12/6/1994 Effective: 7/14/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for one year and one day, the same sanction imposed by the Supreme Court of Colorado, was the appropriate discipline for an attorney who failed to pay over trust funds to a client and misrepresented the location of those funds.

LOUIS F. WILDSTEIN

Admitted: 1978; Newark (Essex County)
Public Reprimand - *138 N.J. 48 (1994)*
Decided: 10/11/1994

APPEARANCES BEFORE REVIEW BOARD
Frank Angelastro for District VA
Daniel M. Hurley for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who, in a series of three client matters, failed to reasonably communicate with clients and grossly neglected their matters. The Court ordered that respondent undergo a psychiatric examination and practice law under the supervision of a proctor for a period of one year.

ELAN WURTZEL

Admitted: 1986; Plainview, New York
Public Admonition - *Unreported (1994)*
Decided: 10/13/1994

REPRESENTATIONS
Ann T. Manning for District IIIB
Respondent represented himself

The Disciplinary Review Board accepted an investigative recommendation of the District IIIB (Burlington County) Ethics Committee and held that a public admonition was the appropriate discipline for an attorney who appeared before a New Jersey Court without maintaining a bona fide law office in this state in violation of court rule.

CAPITOLA B. YOUNG

Admitted: 1984; East Orange (Essex County)
Disbarment By Consent - *135 N.J. 124 (1994)*
Decided: 3/28/1994

REPRESENTATIONS
William R. Wood for Attorney Ethics
Mark Denbeaux for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that she could not successfully defend herself against pending disciplinary charges alleging the knowing misappropriation of client's trust funds.

RAYMOND F. ZALESKI

Admitted: 1977; Bayonne (Hudson County)
Disbarment By Consent - *135 N.J. 179 (1994)*
Decided: 4/7/1994

REPRESENTATIONS
William R. Wood for Attorney Ethics
Dominic J. April for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges involving the knowing misappropriation of clients' trust funds.

The respondent had been temporarily suspended from the practice of law since April 5, 1989. *In re Zaleski, 114 N.J. 630 (1989)*.

1993

HARVEY F. ANGER

Admitted: 1971; Paterson (Passaic County)
Disbarment By Consent - *130 N.J. 532 (1993)*
Decided: 1/4/1993

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Anthony A. Kress for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges involving the knowing misuse of clients' trust funds.

BRUCE G. BARON

Admitted: 1978; Harrisburg, Pennsylvania
Disbarment By Consent - *134 N.J. 189 (1993)*
Decided: 9/9/1993

*REPRESENTATION*S
Richard J. Engelhardt for Attorney Ethics
Charles O. Barto, Jr., of the Pennsylvania Bar, consulted with respondent solely as to execution of Disbarment by Consent.

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who was convicted in the Court of Common Pleas for Dauphin County, Pennsylvania, of theft, in violation of *18 Pa. C.S.A. '3921(a)*, and misapplication of entrusted property, in violation of *18 Pa.C.S.A. '4113(a)*.

The respondent had been temporarily suspended from practicing law in New Jersey since May 12, 1993.

The respondent was also admitted to practice law in the Commonwealth of Pennsylvania and the state of Illinois and Chief Disciplinary Counsel there have been notified of the results of these proceedings.

MARC C. BATEMAN

Admitted: 1975; Oakland (Bergen County)
Suspension 2 Years - *132 N.J. 297 (1993)*
Decided: 5/25/1993 Effective: 4/12/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for two years (retroactive to April 12, 1990, the date respondent was temporarily suspended) was the appropriate discipline for an attorney who was convicted of mail fraud conspiracy, in violation of *18 U.S.C.A. '1014 and 2*, and making a false statement on a loan application, in violation of *18 U.S.C.A. '1014 and 2*, respondent having assisted in obtaining an inflated appraisal value of a property.

DAVID A. BIEDERMAN

Admitted: 1959; Clifton (Passaic County)
Suspension 18 Months - *134 N.J. 217(1993)*
Decided: 10/19/1993 Effective: 9/24/1992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Milton K. Diamond for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 18 months (retroactive to the date of respondent's temporary suspension on September 24, 1992) was the appropriate discipline for a respondent who pled guilty in the United States District Court for the Eastern District of New York to one count of knowingly and willfully encouraging and inducing aliens to reside in the United States in violation of *8 U.S.C.A. '1324(a)(1)(D).*

The respondent had been temporarily suspended from the practice of law since September 24, 1992.

The respondent had been previously publicly reprimanded for accepting private employment in connection with a matter in which he had substantial responsibility while he was a public employee. *In re Biederman, 63 N.J. 396 (1973).*

MARLINDA A. BOXLEY

Admitted: 1992; Montclair (Essex County)
Disbarment By Consent - *134 N.J. 255 (1993)*
Decided: 11/8/1993

REPRESENTATIONS
Lee A. Gronikowski for Attorney Ethics
Sarah Diane McShea, of New York Bar, was admitted pro hac vice and represented respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that she could not successfully defend herself against pending disciplinary charges that she knowingly misused client trust funds.

SYLVIA BRANDON-PEREZ

Admitted: 1978; Warren (Somerset County)
Suspension 3 Months - *131 N.J. 454 (1993)*
Decided: 3/23/1993 Effective: 4/15/1993

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
David A. Pressler for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings and the recommendation of the Disciplinary Review Board and held that a suspension from practice for a period of three months was the appropriate discipline for an attorney who, due to totally inadequate record keeping practices, negligently misappropriated in excess of $20,000. The Supreme Court also ordered that, for a period of three years after respondent's reinstatement, she submit certified annual audit reports of her trust account to the Office of Attorney Ethics.

By order dated September 14, 1993 the Supreme Court ordered the respondent reinstated to practice.

WALTER D. CLARK

Admitted: 1986; East Orange (Essex County)
Disbarment - *134 N.J. 522 (1993)*
Decided: 12/7/1993

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who abandoned his law practice and engaged in misconduct in six matters, including gross neglect, lack of diligence, failure to communicate, conduct prejudicial to the administration of justice and failure to cooperate with ethics authorities.

The respondent had been temporarily suspended from the practice of law since April 24, 1991. *In re Clark, 123 N.J. 478 (1991).*

ANDREW CONSTANTINE, II

Admitted: 1984; Jersey City (Hudson County)
Suspension 3 Months - *131 N.J. 452 (1993)*
Decided: 3/23/1993 Effective: 4/19/1993

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Louis Serterides for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings and decision of the Disciplinary Review Board and held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who admitted to the possession of .35 grams of cocaine in violation of *N.J.S.A. 2C:35-10A(1).*

By order dated September 14, 1993 the Supreme Court ordered the respondent reinstated to practice.

VITO J. CORASANITI

Admitted: 1980; Chatham (Morris County)
Disbarment By Consent - *132 N.J. 262 (1993)*
Decided: 5/27/1993

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Anthony Benevento for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of clients' trust funds.

The respondent had been temporarily suspended from the practice of law since May 4, 1993.

JOSEPH A. DAMBACH

Admitted: 1962; Fords (Middlesex County)
Disbarment By Consent - *131 N.J. 120 (1993)*
Decided: 2/2/1993

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
John L. Schantz for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges that he knowingly misused client trust funds.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

BIROL JOHN DOGAN

Admitted: 1983; New York, New York
Disbarment By Consent - *134 N.J. 190 (1993)*
Decided: 9/9/1993

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Robert Forrest for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pled guilty in the Supreme Court of the state and county of New York to one count of Grand Larceny in the Fourth Degree involving client's trust funds.

In 1992 the respondent had been suspended from the practice of law for three months for negligently misappropriating $3,500 in client trust funds. In re Dogan, 127 N.J. 385 (1992).

The respondent was admitted to the practice of law in the state of New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

JO DOIG

Admitted: 1975; West Windsor (Mercer County)
Public Reprimand - *134 N.J. 118 (1993)*
Decided: 9/9/1993

APPEARANCES BEFORE REVIEW BOARD
Joan Markiewicz Weidner for District VII
Lowell F. Curran, Jr. for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest by undertaking dual representation of two individuals in a business/real estate matter without obtaining their consent after full disclosure and who altered a deed after closing, failing to inform the co-owner and the bank of her action and misrepresenting the reason for the inclusion of an additional name on the deed.

The respondent had been previously privately reprimanded in 1984 for the improper use of a trade name, Princeton Road Legal Services, in connection with her law practice.

MARTIN C. X. DOLAN

Admitted: 1978; Jersey City (Hudson County)
Public Reprimand - *132 N.J. 272 (1993)*
Decided: 6/7/1993

APPEARANCES BEFORE REVIEW BOARD
Ira M. Starr for District VI
Marc J. Keane for respondent

The Supreme Court of New Jersey, without oral argument, held that a public reprimand was the appropriate discipline for an attorney who, in a series of six matters, engaged in a pattern of neglect, lack of diligence, failure to communicate, failure to safeguard property and who failed to cooperate with disciplinary authorities. The Court also ordered that respondent's practice be supervised by a proctor for a period of two years and that he submit quarterly psychiatric reports during this period.

JOSEPH F. DOYLE

Admitted: 1965; Woodbury (Gloucester County)
Suspension 6 Months - *132 N.J. 098 (1993)*
Decided: 4/27/1993 Effective: 5/24/1993

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
John Tomasello for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a suspension from the practice of law for a

period of six months was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to one count of willfully failing to file a federal income tax return for calendar year 1988, in violation of *26 U.S.C.A. ' 7203*.

HARRY DREIER

Admitted: 1976; Watchung (Somerset County)
Public Reprimand - *131 N.J. 157 (1993)*
Decided: 2/9/1993

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Noel E. Schablik for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for a respondent who failed to act with diligence in an estate matter and who failed to cooperate with ethics authorities during the processing of the matter.

The respondent was previously disciplined on two occasions. In 1983 he was publicly reprimanded for misrepresenting the status of a lawsuit to his clients and further attempting to mislead them by providing a false docket number in the case after failing to file a complaint. *In re Dreier, 94 N.J. 396*. In 1990, respondent was also publicly reprimanded for lack of diligence and failure to communicate with the beneficiary of a trust in his capacity as a trustee. *In re Dreier, 120 N.J. 154*.

DANIEL P. DUTHIE

Admitted: 1989; Oyster Bay, New York
Suspension 6 Months - *131 N.J. 172 (1993)*
Decided: 2/23/1993 Effective: 12/24/1990

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, held that a six month suspension from practice (retroactive to the date of a previous six month suspension of respondent on December 24, 1990), was the appropriate discipline for a respondent who pleaded guilty in the United States District Court for the Eastern District of New York to one count of willful failure to file a federal tax return for the calendar year 1987, in violation of *26 U.S.C.A. ' 7203*.

The respondent had previously been suspended from the practice of law on December 24, 1990 for his plea for failure to file New York State tax returns for the years 1986 and 1987. *In re Duthie, 121 N.J. 545 (1990)*.

WILLIAM B. EWING

Admitted: 1972; Montclair (Essex County)
Suspension 1 Year - *132 N.J. 206 (1993)*
Decided: 5/11/1993 Effective: 6/3/1993

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Bernard A. Kuttner for respondent

The Supreme Court of New Jersey held that a suspension for one year was the appropriate discipline for an attorney who acted recklessly in the handling of his trust account responsibilities by practically surrendering his law practice and his record keeping to his secretary and his bookkeeper. As a consequence client's trust funds were negligently misappropriated to the extent of $20,000.

This case was discovered solely as a result of the Random Audit Compliance Program.

The respondent was also admitted to practice law in the State of New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

THEODORE M. FIESCHKO

Admitted: 1982; West Orange (Essex County)
Public Reprimand - *131 N.J. 436 (1993)*
Decided: 3/9/1993

APPEARANCES BEFORE REVIEW BOARD
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who was grossly negligent in failing to substantially maintain trust and business accounting records required by *Rule 1:21-6* and who failed to cooperate with the Office of Attorney Ethics during the processing of a disciplinary complaint. The Court also ordered that, for the next three years, respondent must file a certified annual audit with the Office of Attorney Ethics.

The respondent was previously publicly reprimanded for gross neglect and misrepresentation of the status of a matter to a client. *In re Fieschko, 127 N.J. 398 (1992)*.

This case was discovered solely as the result of the Random Audit Compliance Program.

JERROLD M. FLEISHER

Admitted: 1963; Closter (Bergen County)
Disbarment By Consent - *131 N.J. 119 (1993)*
Decided: 2/2/1993

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Anthony J. Gianni, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he

could not successfully defend pending disciplinary charges that he knowingly misused client trust funds.

The respondent had been on disability inactive status since October 26, 1992.

The respondent had been previously indefinitely suspended in 1975 for altering a final judgment of divorce. *In re Fleisher, 66 N.J. 398 (1975)*.

PETER P. FRUNZI, JR.

Admitted: 1966; Red Bank (Monmouth County)
Public Reprimand - *131 N.J. 571 (1993)*
Decided: 4/6/1993

APPEARANCES BEFORE REVIEW BOARD
Jamie S. Perri for District IX
John T. Mullaney, Jr. for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who communicated *ex parte* in a real estate transaction with a party he knew to have been represented by counsel.

EDWARD J. GAFFNEY, JR.

Admitted: 1989; Newton (Sussex County)
Public Reprimand - *133 N.J. 65 (1993)*
Decided: 6/22/1993

APPEARANCES BEFORE REVIEW BOARD
Gordon S. Graber for District X
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who failed to file an appellate brief in a criminal matter and then failed to respond to various orders of an Appellate Division Judge, resulting in respondent being held in contempt of Court. The Supreme Court also ordered that respondent submit to a psychiatric examination and practice law under the supervision of a proctor until further order of the Court.

GLENN J. GALLACHER

Admitted: 1986; Warren (Somerset County)
Disbarment By Consent - *134 N.J. 221 (1993)*
Decided: 10/26/1993

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Michael J. Rogers for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending charges involving the knowing misappropriation of clients' trust funds.

The respondent had been temporarily suspended from the practice of law since June 2, 1993. *In re Gallacher, 132 N.J. 265.*

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

KEVIN E. GILES

Admitted: 1983; East Orange (Essex County)
Suspension 1 Year - *131 N.J. 111 (1993)*
Decided: 1/261993

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who, in a series of four matters, committed unethical conduct including gross neglect, pattern of neglect, failure to communicate with and abandonment of clients, failure to act with due diligence, misrepresentations to and failure to cooperate with ethics authorities and failure to maintain a bona fide office. The respondent had been on Disability Inactive Status since April 30, 1991. *In re Giles, 123 N.J. 545 (1991)*.

The respondent had been previously privately reprimanded in 1988 for lack of diligence and misrepresentation to a client.

JOSEPH D. J. GOURLEY

Admitted: 1951; Wayne (Passaic County)
Disbarment By Consent - *131 N.J. 174 (1993)*
Decided: 2/26/1993

REPRESENTATIONS
John J. Janasie for Attorney Ethics
J. Allan Provan for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

J. WARD GUILDAY

Admitted: 1989; Swarthmore, Pennsylvania
Suspension 6 Months - *134 N.J. 219 (1993)*
Decided: 10/21/1993 Effective: 11/15/1993

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics

Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who engaged in a pattern of deception by failing to disclose quasi-criminal arrest records in his application for admission to the bar.

The respondent had been admitted to the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

ANTHONY W. HARRIS

Admitted: 1984; Newark (Essex County)
Disbarment - *131 N.J. 117 (1993)*
Decided: 1/26/1993

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, in a series of ten matters, engaged in unethical conduct including gross neglect, failure to communicate with clients, lack of diligence, conduct involving dishonesty, deceit and misrepresentation, failure to safeguard clients' property, failure to cooperate with ethics authorities and abandonment of clients. In its decision and recommendation, the Disciplinary Review Board concluded that the respondent's misconduct "demonstrated a callous indifference to his clients' welfare, to the judicial system, and to the disciplinary process."

The respondent had been temporarily suspended from the practice of law since July 31, 1991. *In re Harris, 125 N.J. 189 (1991).*

ROBERT K. HARTMANN

Admitted: 1949; Paramus (Bergen County)
Disbarment By Consent - *134 N.J. 214 (1993)*
Decided: 9/9/1993

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Robert J. Kipnees for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pled guilty in United States District Court for the District of New Jersey to a two count information charging bank fraud, in violation of 18 U.S.C.A. '1344, and obstructing an Office of Thrift Supervision investigation, in violation of 18 U.S.C.A. '1505 and 2.

The respondent had been temporarily suspended from the practice of law in New Jersey since September 18, 1992.

PERRY J. HODGE

Admitted: 1984; Newark (Essex County)
Suspension 3 Months - *130 N.J. 534 (1993)*
Decided: 1/12/1993 Effective: 2/8/1993

APPEARANCES BEFORE REVIEW BOARD
Frederic S. Kessler for District VA
Ronald Hunt for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of three months was the appropriate discipline for a respondent who engaged in a pattern of neglect and lack of communication with several clients, and who failed to cooperate with disciplinary authorities in the processing of this disciplinary matter.

The Court also ordered that respondent's "reinstatement to practice shall be conditioned on his successful completion of the ICLE Skills Training Course core courses and a two-year period of practice under the supervision of a proctor acceptable to the Office of Attorney Ethics.

ROBERT A. HOLLIS

Admitted: 1971; Hackensack (Bergen County)
Suspension 3 Years - *134 N.J. 124 (1993)*
Decided: 10/5/1993 Effective: 10/31/1993

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Nino D. Caridi for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who grossly neglected a criminal case by failing to file an appellate brief and then failing to have the dismissal of the case reinstated and who, for a period of three years, made knowing misrepresentations to his incarcerated client.

The respondent had been previously suspended from the practice of law for three years, effective January 21, 1982 for failing to prosecute numerous client actions, failing to record mortgages, failing to supply inventory of all pending cases to his proctor and failing to promptly pay a client's mortgage from trust funds. *In re Hollis, 95 N.J. 253 (1984).*

RICHARD G. HORTON

Admitted: 1977; Somerset (Somerset County)
Disbarment By Consent - *132 N.J. 266 (1993)*
Decided: 6/7/1993

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Robert C. Diorio consulted with respondent solely with respect to execution of Disbarment By Consent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not defend pending disciplinary charges alleging the knowing misappropriation of over $34,000 in clients' trust funds over a two-year period.

This case was discovered solely as a result of the Random Audit Compliance Program.

DAVID P. HURWITZ

Admitted: 1986; Fort Lee (Bergen County)
Indefinite Suspension - *134 N.J. 199 (1993)*
Decided: 10/12/1993

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, without oral argument, held that an indefinite suspension from the practice of law was the appropriate discipline for an attorney who was suspended by the Appellate Division, Third Department of the state of New York for failure to cooperate with a disciplinary investigation in that state.

KENNETH F. IREK

Admitted: 1981; Colts Neck (Monmouth County)
Disbarment - *132 N.J. 203 (1993)*
Decided: 5/11/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated a $5,000 escrow in a real estate transaction.

The respondent was also admitted to practice law in the state of North Carolina and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

RODNEY B. JONES

Admitted: 1986; Teaneck (Bergen County)
Disbarment - *131 N.J. 505 (1993)*
Decided: 3/26/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Jerrold Kamensky for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for a respondent who pled guilty in the Superior Court of New Jersey, Law Division, Essex County to soliciting $5,000 in order to influence the performance of his duties as a Deputy Attorney General with respect to a matter pending before the New Jersey Board of Psychological Examiners, in violation of *N.J.S.A. 2C:27-6a*.

The respondent had been temporarily suspended from practicing law since March 18, 1991.

PAUL H. KARWELL

Admitted: 1970; New Providence (Union County)
Suspension 3 Months - *131 N.J. 396 (1993)*
Decided: 3/19/1993 Effective: 4/12/1993

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Thomas M. Murphy for respondent

The Supreme Court of New Jersey held that a three month suspension from the practice of law was the appropriate discipline for an attorney who admitted to the possession of .13 grams of cocaine, .08 grams of marijuana and drug paraphernalia. The Court concluded:

> "We are confident that a period of suspension will reinforce the gravity of the offense, maintain the necessary public confidence in the legal profession's commitment to the laws of society, and yet allow respondent to return to practice, a faithful adherent to his program of rehabilitation."

The respondent was also admitted to practice in the state of New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings. By order dated September 27, 1993 the Supreme Court ordered the respondent reinstated to practice.

MARCIA S. KASDAN

Admitted: 1978; Englewood Cliffs (Bergen County)
Suspension 3 Years - *132 N.J. 99 (1993)*
Decided: 4/30/1993

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Dominic J. April for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who, after being suspended for a period of three months [*In re Kasdan, 115 N.J. 472 (1989)]*, deliberately continued to practice law and who misrepresented her status as an attorney to adversaries and to courts where she appeared.

The Supreme Court ordered that respondent not be reinstated until she submits competent psychiatric evidence of her fitness to practice law and that, upon her reinstatement, she be supervised by a proctor until further order of the Court.

STEPHEN P. KERNAN

Admitted: 1981; Bridgeton (Cumberland County)
Public Reprimand - *133 N.J. 64 (1993)*
Decided: 6/22/1993

APPEARANCES BEFORE REVIEW BOARD
Mitchell H. Kizner for District I
John P. Morris for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who grossly neglected civil litigation being handled for a client.

The respondent was privately reprimanded in 1986 for engaging in a conflict of interest. In 1990, he was suspended for three months for lack of candor to a Court. *In re Kernan, 118 N.J. 361.* On June 27, 1991 he was placed on disability-inactive status and on September 16, 1991 he was publicly reprimanded for grossly neglecting two matters. *In re Kernan, 126 N.J. 216*.

The Court also ordered that any reinstatement to practice law is conditioned upon supervision by a proctor for two years and quarterly psychiatric reports attesting to respondent's sobriety and mental fitness to practice. On November 16, 1993 the Supreme Court ordered the respodnent reinstated to practice.

LEON KNIGHT

Admitted: 1986; Jersey City (Hudson County)
Suspension 6 Months - *134 N.J. 121 (1993)*
Decided: 10/12/1993 Effective: 7/6/1993

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law was the appropriate discipline for an attorney who made misrepresentations to three clients in immigration matters, failed to maintain proper trust and business account records and who failed to cooperate with disciplinary authorities in the ethics investigation. The Disciplinary Review Board described this latter misconduct thusly:

> "Respondent's demeanor toward the hearing panel defied belief. His obstreperous and belligerent behavior denigrated the dignity of the proceedings and approached conduct impeding the administration of justice.
>
> *****
>
> Respondent's contumacious attitude toward the disciplinary system continued with his failure either to appear before the Board or to contact the Office of Board Counsel concerning his apparent decision not to appear."

The respondent had been temporarily suspended from the practice of law since December 21, 1992 for failure to comply with a fee arbitration determination.

SAMUEL KONIGSBERG

Admitted: 1981; Norwood (Bergen County)
Suspension 33 Months - *132 N.J. 263 (1993)*
Decided: 5/25/1993 Effective: 8/20/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Richard E. Mischel for respondent

The Supreme Court of New Jersey adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for 33 months (retroactive to August 20, 1990, the date of respondent's temporary suspension), was the appropriate discipline for a respondent who pled guilty in the United States District Court for the Eastern District of New York to a federal information charging him with making a false statement to an agency of the United States in violation of *18 U.S.C.A.* '1001, respondent having backdated a contract for a client in order to obtain insurance proceeds.

Respondent was also admitted to the Bar of the state of New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

JOEL P. KRAEMER

Admitted: 1965; Madison (Morris County)
Disbarment By Consent - *132 N.J. 97 (1993)*
Decided: 4/27/1993

REPRESENTATIONS
John J. Janasie for Attorney Ethics
S. M. Chris Franzblau for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against pending disciplinary charges of the knowing misappropriation of clients trust funds. The respondent had been temporarily suspended from the practice of law since March 11, 1993.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

STEVEN M. KRAMER

Admitted: 1983; Blackwood (Camden County)
Public Reprimand - *130 N.J. 536 (1993)*
Decided: 1/12/1993

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics

Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who failed to withdraw as counsel when ordered to do so by the trial court, grossly nelgected his client's case, exhibited a "haughty attitude" toward the disciplinary process and failed to cooperate with disciplinary authorities during the processing of this matter.

The respondent was also admitted to the Bars of the states of Illinois, New York and Pennsylvania and Chief Disciplinary Counsel there have been notified of the results of these proceedings.

RAYMOND H. LEAHY

Admitted: 1959; Sea Girt (Monmouth County)
Disbarment - *134 N.J. 215 (1993)*
Decided: 11/16/1993

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $4,300 in client's trust funds and who unethically engaged in the practice of law while under a prior suspension from practice.

The respondent had previously been suspended for one year for invading clients' trust funds. *In re Leahy, 111 N.J. 127 (1988).*

JOHN P. LIBRETTI

Admitted: 1978; Hackensack (Bergen County)
Public Reprimand - *134 N.J. 123 (1993)*
Decided: 10/5/1993

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
John L. Weischsel for respondent

The Supreme Court of New Jersey adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who grossly neglected a criminal case himself and who failed to properly supervise an associate attorney.

JAMES E. LYNCH

Admitted: 1987; West Trenton (Mercer County)
Suspension 3 Months - *132 N.J. 269 (1993)*
Decided: 6/7/1993 Effective: 6/28/1993

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Frederick J. Dennehy for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who, in connection with a real estate matter acted with a conflict of interest, grossly neglected the matter, failed to deposit cash received in a trust account and who failed to disclose to a judge that a closing had already taken place with the result that the judge proceeded on mistaken assumptions.

The respondent was also admitted to practice in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings. By order dated December 21, 1993 the Supreme Court reinstated respondent to practice.

LLOYD J. MANNING

Admitted: 1986; New York City, New York
Disbarment - *134 N.J. 523 (1993)*
Decided: 12/7/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred in the state of New York for the knowing misappropriation of $10,000 in client funds and for his failure to cooperate with New York disciplinary authorities.

ALAN K. MARCUS

Admitted: 1980; Coral Gables, Florida
Disbarment - *134 N.J. 119 (1993)*
Decided: 9/9/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Stephen H. Dunbar for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the United States District Court in Miami, Florida to a violation of *18 U.S.C.A. '1342* (wire fraud) arising out of a scheme to defraud a client, Great American Insurance Company.

The respondent had been temporarily suspended from the practice of law in New Jersey since October 16, 1991.

MICHAEL A. MARK

Admitted: 1986; Hackensack (Bergen County)
Suspension 3 Months - *132 N.J. 268 (1993)*
Decided: 6/7/1993 Effective: 6/28/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics

Joseph P. Rem, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who fabricated two letters and submitted them to a trial court and to his adversary in a litigated matter.

By order dated November 1, 1993 the Supreme Court reinstated the respondent to practice.

ALLEN C. MARRA

Admitted: 1967; Montclair (Essex County)
Public Reprimand - *134 N.J. 521 (1993)*
Decided: 12/7/1993

APPEARANCES BEFORE REVIEW BOARD
Andrew W. Kleppe for District VC
Michael Critchley for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney for failing to communicate with a client, for having an office employee notarize false signatures, for failing to deposit settlement proceeds in his trust account and for failing to cooperate with ethics authorities in the processing of this ethics grievance.

The respondent had previously been privately reprimanded in 1992 for lack of diligence and failure to communicate with one client.

ARTHUR N. MARTIN, JR.

Admitted: 1973; Newark (Essex County)
Public Reprimand - *132 N.J. 261 (1993)*
Decided: 5/25/1993

APPEARANCES BEFORE REVIEW BOARD
James C. Orr for District VA
Robert O'Bryant Rix for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who engaged in a pattern of neglect in four cases including misrepresenting the status of one matter.

Respondent has previously been disciplined on two occasions. In 1990 he was suspended for six months for grossly neglecting seven matters. *In re Martin, 118 N.J. 239 (1990)*. In 1991 he was suspended for three months for similar misconduct in four cases. *In re Martin, 122 N.J. 198 (1991)*.

CHARLES F. MARTONE

Admitted: 1973; Newark (Essex County)
Public Reprimand - *132 N.J. 274 (1993)*
Decided: 6/7/1993

APPEARANCES BEFORE REVIEW BOARD
Raymond T. Coughlin for District VI
John F. Hamill, Jr. for respondent

The Supreme Court of New Jersey, without oral argument, held that a public reprimand was the appropriate discipline for an attorney who engaged in a pattern of neglect and lack of diligence in three matters and who failed to cooperate with an ethics investigation.

The respondent had been previously privately reprimanded in 1990 for failure to communicate in three matters and lack of diligence in two matters, all of which occurred during the same time period as the current matters.

NANCY A. MARUK

Admitted: 1985; Auburn (New York)
Disbarment - *132 N.J. 267 (1993)*
Decided: 6/7/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disbarred in New York in 1992 for converting approximately $1,400 in client's trust funds in two separate matters.

LEONARD A. MESSINGER

Admitted: 1974; New York, New York
Disbarment - *133 N.J. 173 (1993)*
Decided: 7/23/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Ronald G. Russo, a member of the New York Bar, for respondent pro hac vice

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was indicted by a federal grand jury in New York and convicted of one count of conspiracy to defraud the United States, by engaging in fraudulent securities transactions for the purpose of generating tax losses *(18 U.S.C.A. '371*), seven counts of aiding in the filing of false tax returns for various partnerships (*26 U.S.C.A. '7206(2)*) and one count of filing a false personal income tax return for the calendar year 1981 (*26 U.S.C.A. '7206(1)*). Respondent's conviction was affirmed by the United States Court of Appeals for the Second Circuit. *United States v. Oshatz, et al, 912 F.2d 534 (2nd Cir. 1990*).

The respondent had been temporarily suspended from the practice of law in New Jersey since March 22, 1989. *In re Messinger, 114 N.J. 628 (1989)*.

HUGO L. MORAS

Admitted: 1975; South Orange (Essex County)
Suspension 6 Months - *131 N.J. 164 and 483 (1993)*
Decided: 2/26/1993 Effective: 4/5/1993

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Robert H. Jaffe for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who acted recklessly in issuing an attorney trust account check against uncollected funds to accommodate a friend and then, when he discovered the friend's check would not be honored by her bank, failed to stop payment on the trust check. As a consequence of his reckless conduct, other clients' trust funds were invaded to the extent of $15,000; respondent took 4 years to reimburse his trust account in full for these funds.

By order dated November 1, 1993 the Supreme Court reinstated the respondent to practice.

JOHN R. NEENAN

Admitted: 1983; Palisades Park (Bergen County)
Disbarment - *131 N.J. 533 (1993)*
Decided: 3/23/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated clients' trust funds from two real estate closings.

The respondent had been temporarily suspended from the practice of law since October 16, 1990.

STEPHEN ORLANDO, JR.

Admitted: 1968; Edison (Middlesex County)
Disbarment By Consent - *131 N.J. 173 (1993)*
Decided: 2/261993

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Peter P. Muscato for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of the respondent who admitted that he could not successfully defend pending charges that he knowingly misappropriated clients' trust funds.

The respondent had been previously disciplined by indefinite suspension from practice on September 21, 1981 as the result of a guilty plea to a charge of possession of cocaine, as well as a finding that he had negligently misappropriated clients' trust funds. *In re Orlando, 104 N.J. 344 (1986).*

DAVID C. ORT

Admitted: 1970; Hackettstown (Warren County)
Disbarment - *134 N.J. 146 (1993)*
Decided: 10/8/1993

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III for Attorney Ethics
Thomas J. Beetel for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, while representing a widow in settling her husband's estate, mortgaged the estate residence without his client's permission, and then used that loan to take excessive and unauthorized legal fees. Respondent also overstated and exaggerated his legal fees, charged legal fees for non-legal work and made misrepresentations to his client concerning his representation.

Respondent had been temporarily suspended from practicing law since September 21, 1993.

MARTIN PERROTTA

Admitted: 1978; Willingboro (Burlington County)
Disbarment By Consent - *134 N.J. 192 (1993)*
Decided: 9/13/1993

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Joel A. Finkelstein for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of client's trust funds.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

HOWARD PITT

Admitted: 1974; Greenwood Lake, New York
Suspension 6 Months - *134 N.J. 520 (1993)*
Decided: 12/7/1993 Effective: 1/3/1994

APPEARANCES BEFORE REVIEW BOARD
Mary Franc Thurber for District IIA
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, in one matter, failed to communicate with his client and failed to act with diligence and failed to safeguard property and who, in the processing of the disciplinary complaint that resulted from

respondent's misconduct, failed to cooperate with ethics authorities.

The respondent was previously privately reprimanded in 1988 for lack of diligence and failure to communicate and in 1990 was publicly reprimanded for failure to maintain a bona fide office and for failure to cooperate with disciplinary officials. *In re Pitt, 121 N.J. 398 (1990).*

The respondent was admitted to practice law in the state of New York and Chief Disciplinary counsel there has been notified of the results of these proceedings.

ALFRED A. PORRO, JR.

Admitted: 1959; Lyndhurst (Bergen County)
Public Reprimand - *134 N.J. 524 (1993)*
Decided: 12/7/1993

APPEARANCES BEFORE REVIEW BOARD
Walton W. Kingsbery, III for Attorney Ethics
Respondent waived oral argument

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest by representing a developer operating in a municipality in which respondent was both the municipal attorney and the attorney for the sewer authority, and by representing these entities at the same time an associate in respondent's firm served as counsel to the planning board that approved the developer's subdivision.

The respondent was also admitted to practice law in the states of Maryland and Pennsylvania and Chief Disciplinary Counsel there have been notified of the results of these proceedings.'

GEORGE P. PREDHAM

Admitted: 1974; Neptune City (Monmouth County)
Suspension 6 Months - *132 N.J. 276 (1993)*
Decided: 6/7/1993 Effective: 6/28/1993

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Monmouth County to charges of contempt of court, terroristic threats, aggravated assault with a deadly weapon and possession of a weapon for unlawful purposes, these acts being part of an ongoing course of harassment resulting from a divorce proceeding. Respondent was also ordered to demonstrate that he is psychologically fit to practice law prior to reinstatement.

GEORGE W. PRESSLER

Admitted: 1971; East Brunswick (Middlesex County)
Public Reprimand - *132 N.J. 155 (1993)*
Decided: 4/27/1993

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Steven D. Altman for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who misappropriated $8,000 in interest earned on clients' trust funds in violation of *In re Goldstein, 116 N.J. 1.(1989)* and negligently misappropriated $13,000 in clients' trust funds as a result of his failure to adequately supervise existing trust account records. Respondent's misappropriation of the interest pre-dated the *Goldstein* decision. The Supreme Court ordered that the $8,000 in interest be paid to the IOLTA Fund.This case was discovered solely as a result of the Random Audit Compliance Program.

IGNACIO SAAVEDRA, JR.

Admitted: 1972; Union City (Hudson County)
Public Reprimand - *132 N.J. 271 (1993)*
Decided: 6/7/1993

APPEARANCES BEFORE REVIEW BOARD
John J. Hughes for District VI
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who, in two cases, grossly neglected the matters and failed to communicate with the clients. Additionally, respondent was found guilty of failing to cooperate with disciplinary authorities in the processing of the matter.

IRA A. SCHWARTZ

Admitted: 1964; Paterson (Passaic County)
Disbarment By Consent - *134 N.J. 530 (1993)*
Decided: 12/21/1993

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Leonard M. Bitterman for respondent

The Supreme Court of New Jersey accepted the consent to disbarment of a respondent who admitted that he could not defend himself in connection with pending disciplinary charges involving the knowing misuse of client's trust funds.

The respondent had been temporarily suspended from practicing law in this state since November 19, 1993.

MATTHEW E. SEGAL

Admitted: 1978; Cherry Hill (Camden County)
Public Reprimand - *132 N.J. 154 (1993)*
Decided: 4/27/1993

APPEARANCES BEFORE REVIEW BOARD
John McFeeley, III for District IV
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who engaged in a pattern of neglect in handling multiple collection matters for a single client and who failed to cooperate with ethics authorities in the investigation of the disciplinary matter.

The respondent was previously publicly reprimanded for gross neglect of a criminal matter. *In re Segal, 130 N.J. 468 (1992)*.

MATTHEW E. SEGAL

Admitted: 1978; Cherry Hill (Camden County)
Disbarment By Consent - *132 N.J. 138 (1993)*
Decided: 5/5/1993

REPRESENTATIONS
Walton W. Kingsbery, III for Attorney Ethics
Robert Aaron Greenberg for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself from pending charges involving the knowing misappropriation of clients' trust funds.

The respondent was previously disciplined on two occasions. In 1992 he was publicly reprimanded for gross neglect of a criminal case when acting as a municipal prosecutor. *In re Segal, 130 N.J. 468 (1992)*. Earlier in 1993 respondent was again publicly reprimanded for engaging in a pattern of neglect in handling multiple collection matters for a single client. In re Segal, 132 N.J. 154 (1993).

The respondent was admitted to practice law in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

CARL W. SEITZ

Admitted: 1979; Cherry Hill (Camden County)
Disbarment By Consent - *134 N.J. 218 (1993)*
Decided: 10/19/1993

REPRESENTATION BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
William F. Hyland, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pled guilty in the United States District Court for the Eastern District of Pennsylvania to conspiracy to defraud the United States (*18 U.S.C.A. '371*) and making false statements to obtain F.H.A. insured mortgages (*18 U.S.C.A. '1010*).

The respondent had been temporarily suspended from practicing law on June 25, 1992. *In re Seitz, 127 N.J. 162 (1992).*

STEVEN G. SIEGEL

Admitted: 1973; Newark (Essex County)
Disbarment - *133 N.J. 162 (1993)*
Decided: 7/23/1993

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Justin P. Walder for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated law firm funds ($25,000) from the firm's Attorney Business Account by submitting thirty-four false requests for disbursements over a three year period. The Supreme Court concluded that:

> (K)nowingly misappropriating funds -- whether from a client or from one's partner -- will generally result in disbarment. Although the relationship between lawyers and clients differs from that between partners, misappropriation from the latter is as wrong as from the former. A plainly-wrong act is not immunized because the victims are one's partners.

MICHAEL P. SKELLY

Admitted: 1983; Willingboro (Burlington County)
Public Reprimand - *134 N.J. 144 (1993)*
Decided: 9/9/1993

APPEARANCES BEFORE REVIEW BOARD
James T. Rosenberg for District IIIB
Respondent appeared pro sec

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who was not diligent and failed to communicate appropriately with his client in a litigated matter and who failed to cooperate with disciplinary authorities during the processing of this ethics investigation.

MARC J. TERNER

Admitted: 1976; Pompton Lakes (Passaic County)
Disbarment - *134 N.J. 198 (1993)*
Decided: 10/5/1993

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Michael A. Querques for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $25,000 in client's trust funds by forging his client's signature on a personal injury settlement check. The respondent had been previously suspended from the practice of law in 1990 for three years for engaging in a pattern of neglect in 16 separate client matters. *In re Terner, 120 N.J. 706 (1990).*

JACK TROMBADORE

Admitted: 1955; Manville (Somerset County)
Disbarment By Consent - *131 N.J. 113 (1993)*
Decided: 2/2/1993

REPRESENTATIONS
William R. Wood for Attorney Ethics
Paul H. Loeffler for respondent
Eleanor Heck served as co-counsel for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges of fraud and theft in that he borrowed in excess of a million dollars from clients and non-clients at a point in time when he knew that he had no ability to repay the loans. The respondent had been temporarily suspended from practice since November 12, 1991. The respondent was also admitted to practice law in the District of Columbia and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

PAUL J. URBANIA

Admitted: 1984; Red Bank (Monmouth County)
Public Reprimand - *132 N.J. 326 (1993)*
Decided: 6/7/1993

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the decision of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who failed to maintain proper attorney trust account records resulting in the negligent misappropriation of over $12,000 in client's trust funds. This case was discovered solely as a result of the Random Audit Compliance Program.

ROBERT M. WALTON, JR.

Admitted: 1978; Budd Lake (Morris County)
Public Reprimand - *134 N.J. 116 (1993)*
Decided: 10/12/1993

APPEARANCES BEFORE SUPREME COURT
Lee A. Gronikowski for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who engaged in a pattern of neglect, failure to communicate and lack of diligence in three client matters, improperly withdrew from employment and failed to cooperate with a district ethics committee.

W. ROBERT WARWICK

Admitted: 1951; Long Branch (Monmouth County)
Disbarment By Consent - *131 N.J. 437 (1993)*
Decided: 3/15/1993

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Gary T. Campbell for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of respondent who admitted that he could not successfully defend himself against pending disciplinary charges that he misused clients' trust funds.

BEVERLY M. WURTH

Admitted: 1981; East Rutherford (Bergen County)
Public Reprimand - *131 N.J. 453 (1993)*
Decided: 3/23/1993

APPEARANCES BEFORE REVIEW BOARD
Terry Paul Bottinelli for District IIB
Anthony G. Talarico for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who, in a series of six cases, failed to act diligently and failed to communicate with clients. The Court acknowledged a causal link between respondents misconduct and alcoholism. As a result, respondent's practice of law was conditioned upon a proctorship, as well as continued psychological and alcoholic counseling.

JOHN P. YETMAN, JR.

Admitted: 1976; Mount Holly (Burlington County)
Suspension 3 Months - *132 N.J. 157 (1993)*
Decided: 4/27/1993 Effective: 5/25/1993

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
John S. Sitzler for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for 3 months was the appropriate discipline for a respondent who, in a series of 12 cases, engaged in a pattern of neglect, lack of diligence and failure to communicate with clients, including misrepresenting the status of the matter. The Court adopted the findings of the Disciplinary Review Board, including the fact that respondent established a causal link between alcoholism and the misconduct charged. The Supreme Court ordered that on reinstatement respondent be supervised by a proctor for a period of 2 years. The respondent was previously privately reprimanded in 1986 for failure to provide a criminal defendant with possible exculpatory evidence. In 1989 respondent received a public reprimand for gross neglect in handling an estate matter. *In re Yetman, 113 N.J. 556 (1989).* By order dated November 1, 1993 the Supreme Court reinstated the respondent to practice.

1992

MADGY F. ANIS

Admitted: 1987; Jersey City (Hudson County)
Public Reprimand - *126 N.J. 448 (1992)*
Decided: 1/10/1992

APPEARANCES BEFORE SUPREME COURT
Patrick J. Monahan, Jr. for Attorney Advertising.
Michael D. Schottland for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who sent a solicitation letter to the father of a child killed in the Pan American Flight 103, Lockerbie, Scotland air disaster the day after the child's remains were identified. The Court held that:

> "(A)ny reasonable lawyer would conclude that an obsequious letter of solicitation delivered the day after a death notice would reach people when they 'could not exercise reasonable judgment in employing a lawyer.'"

As a result, respondent was found to have violated *R.P.C. 7.3(b)(1)*.

BASIL D. BECK, JR.

Admitted: 1963; Bridgeton (Cumberland County)
Suspension 3 Months - *127 N.J. 391 (1992)*
Decided: 4/28/1992 Effective: 1/30/1992

APPEARANCE BEFORE REVIEW BOARD
Mitchell H. Kizner for District I
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of three months, and until the conclusion of all pending ethics complaints, was the appropriate discipline for a respondent who failed to cooperate with disciplinary authorities in the processing of three disciplinary complaints.

The respondent had previously been privately reprimanded for neglect on two occasions, both in 1988. In addition, he was publicly reprimanded in 1990 for engaging in a pattern of neglect in three matters. *In re Beck, 118 N.J. 561.*

BARBARA A. BELL

Admitted: 1978; Newark (Essex County)
Public Reprimand - *126 N.J. 511 (1992)*
Decided: 1/17/1992

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who failed to maintain proper trust and business accounting records as mandated by *R.1:21-6*.

LUIS OSCAR BELTRE

Admitted: 1982; Paramus (Bergen County)
Suspension 3 Years - *130 N.J. 437 (1992)*
Decided: 12/14/1992

APPEARANCES BEFORE SUPREME COURT
Walton W. Kingsbery, III Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for a respondent who failed to maintain a bona fide office, practiced law while suspended and failed to inform a judge before whom he appeared that he was suspended from the practice of law.

The respondent was previously suspended from the practice of law for three months. *In re Beltre, 119 N.J. 190 (1990)*. He was never reinstated.

The respondent was also admitted to practice law in the states of Florida and New York and Chief Disciplinary Counsel there have been notified of the results of these proceedings.

TODD E. BLUMENFELD

Admitted: 1983; Philadelphia, Pennsylvania
Disbarment - *130 N.J. 89 (1992)*
Decided: 9/22/1992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who consented to disbarment in the Commonwealth of Pennsylvania as the result of evidence which demonstrated the knowing misappropriation of a total of $6,800 in clients' trust funds in three separate matters.

FRANCIS A. BOCK

Admitted: 1959; Morristown (Morris County)
Suspension 6 Months - *128 N.J. 270 (1992)*
Decided: 6/26/1992 Effective: 7/20/1992

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Martin Newmark for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who, while serving as a part-time Municipal Court Judge and a lawyer, abandoned both positions by feigning his own death by drowning in order to run off with his secretary. Respondent then concealed his whereabouts for five weeks despite knowledge of an official investigation to locate him.

The Court held that respondent's conduct constituted a misrepresentation and abandonment and adversely affected the administration of justice.

THOMAS G. BRODO

Admitted: 1974; Wayne (Passaic County)
Disbarment By Consent - *128 N.J. 576 (1992)*
Decided: 7/14/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Richard F. Regan consulted with respondent solely with respect to execution of Disbarment By Consent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending charges of the knowing misappropriation of client trust funds.

The respondent had been temporarily suspended from practice since May 21, 1992.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

LARRY A. CHAMISH

Admitted: 1983; Newark (Essex County)
Suspension 6 Months - *128 N.J. 110 (1992)*
Decided: 6/11/1992 Effective: 7/6,/992

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Frederic K. Becker for respondent

The Supreme Court of New Jersey, after scheduling oral argument and after briefings on the matter, discharged the order to show cause with the consent of respondent's counsel and adopted the report and recommendation of the Disciplinary Review Board, holding that a suspension from practice for a period of six months was the appropriate discipline for a respondent who, in a series of six matters, failed to respond to clients' requests for information and failed to act with due diligence and who, in one of these matters, represented both driver and passenger in a motor vehicle case and then instituted litigation on behalf of the driver in the name of another attorney without that attorney's knowledge or consent, forged the attorney's signature and then filed the pleading with the court.

STEPHEN P. CHATBURN

Admitted: 1974; Mount Laurel (Burlington County)
Public Reprimand - *127 N.J. 248 (1992)*
Decided: 3/31/1992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Francis J. Hartman for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who engaged in a pattern of neglect in three matters and also failed to communicate with these clients. The Court also ordered that respondent practice under a proctorship by another attorney for a period of one year.

The respondent was previously privately reprimanded in 1989 for grossly neglecting two matters.

ROBERT H. CHESTER

Admitted: 1959; Rutherford (Bergen County)
Public Reprimand - *127 N.J. 318 (1992)*
Decided: 4/10/1992

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics

Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who drew a trust account check against a check not yet deposited and who solicited his secretary to make an unsecured $9,500 loan for three days to a client of the law firm and, while giving her assurances that he would protect her interest, failed to do so.

Respondent had previously been privately reprimanded in 1988 for use of unbecoming language in a courtroom and again in 1990 for making a material misrepresentation to a court. In 1990 respondent was suspended from the practice of law for a period of six months after pleading guilty to one count of willful failure to file a federal income tax return. *In re Chester, 117 N.J. 360 (1990)*.

EDWARD C. CHEW, III

Admitted: 1985; Voorhees (Camden County)
Disbarment - *127 N.J. 498 (1992)*
Decided: 5/12/1992

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated client's trust funds, primarily by forging clients names to settlement drafts in personal injury matters.

The respondent had been temporarily suspended from the practice of law since November 26, 1990.

The respondent was also admitted to the Bar of the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

HAROLD M. COHEN

Admitted: 1961; Secaucus (Hudson County)
Disbarment By Consent - *130 N.J. 529 (1992)*
Decided: 12/22/1992

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
John J. Carlin, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend findings of the Disciplinary Review Board that he had knowingly misappropriated in excess of $50,000 in client's trust funds.

The respondent was also admitted to the Bar of the state of New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

ERNEST R. COSTANZO

Admitted: 1974; Camden (Camden County)
Disbarment - *128 N.J. 108 (1992)*
Decided: 6/11/1992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for a respondent who engaged in a pattern of neglect and abandonment of ten clients, as well as practicing law while he was suspended from practice.

The respondent had been temporarily suspended from practice since October 24, 1990.

The respondent was previously privately reprimanded in 1983 for misconduct during his handling of a foreclosure matter. He was publicly reprimanded in 1989 for failing to communicate with a client and failing to carry out a contract of employment, in addition to practicing law while on the ineligible list. *In re Costanzo, 115 N.J. 428 (1989)*.

MICHAEL E. CUNNINGHAM

Admitted: 1972; Brick (Ocean County)
Disbarment By Consent - *127 N.J. 71 (1992)*
Decided: 3/2/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Charles M. Moriarity for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of a respondent who pled guilty in the Superior Court of New Jersey, Law Division, Ocean County to ten counts of theft by deception, in violation of *N.J.S.A. 2C:20-4*, and three counts of theft by failing to make required disposition of property, in violation of *N.J.S.A. 2C:20-9*.

The respondent had been temporarily suspended from the practice of law since September 4, 1990.

ROBERT F. DATO

Admitted: 1965; Woodbridge (Middlesex County)
Suspension 1 Year - *130 N.J. 400 (1992)*
Decided: 11/2/1992 Effective: 11/23/1992

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Ronald J. Busch for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law was the appropriate discipline for a respondent who engaged in a pattern of self dealing with clients by purchasing residential real estate from one client and contracting to resell it to another client ten days

after closing of title for a profit of $65,000. In each transaction, neither client had separate counsel.

HILTON DAVIS

Admitted: 1970; Newark (Essex County)
Disbarment - *127 N.J. 118 (1992)*
Decided: 3/13/1992

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Richard L. Bland, Jr. for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who engaged in a pervasive pattern of knowing misappropriation of over $50,000 of clients' trust funds.

The respondent had been temporarily suspended from practicing law since January 31, 1989. Respondent had previously been the subject of three private letters of reprimand.

GEORGE W. DEPIETROPOLO

Admitted: 1984; Pennsauken (Camden County)
Suspension 2 Years - *127 N.J. 237 (1992)*
Decided: 3/24/1992 Effective: 3/24/1992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension for two years from the practice of law was the appropriate discipline for a respondent who engaged in a pattern of neglect in five matters, made misrepresentations and failed to communicate with clients and who failed to cooperate with ethics authorities.

The respondent had been temporarily suspended from the practice of law since July 10, 1991.

DANIEL J. DIPOALO

Admitted: 1987; Woodbridge (Middlesex County)
Disbarment By Consent - *130 N.J. 386 (1992)*
Decided: 10/26/1992

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Eugene M. Purcell for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges that he knowingly misused law firm business account funds exceeding $100,000.

BIROL JOHN DOGAN

Admitted: 1983; New York City (New York)
Suspension 3 Months - *127 N.J. 385 (1992)*
Decided: 4/28/1992 Effective: 10/21/1991

APPEARANCES BEFORE DISCIPLINARY REVIEW BOARD
David E. Johnson, Jr. for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for three months was the appropriate discipline for an attorney who negligently misappropriated $3,500 in client trust funds, failed to maintain proper trust and business account records in accordance with *R.1:21-6*, practiced law while ineligible and who failed to cooperate with disciplinary authorities and then knowingly made a false statement in connection with the disciplinary investigation. The Supreme Court further ordered that upon reinstatement he be required to submit certified annual audits for a period of three years to the Office of Attorney Ethics.

The respondent had been temporarily suspended from the practice of law since September 10, 1991.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

ROBERT M. DOSWELL

Admitted: 1986; Maplewood (Essex County)
Disbarment - *127 N.J. 92 (1992)*
Decided: 3/6/1992

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey adopted the report and recommendation of the Disciplinary Review Board and held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated $11,000 in escrow funds for personal and business purposes.

JOHN L. DOWNER, JR.

Admitted: 1985; Summit (Union County)
Public Reprimand - *127 N.J. 168 (1992)*
Decided: 3/17/1992

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who engaged in a pattern of neglect and gross negligence in three matters, failed to maintain proper trust and business accounts in

accordance with *R.1:21-6*, failed to maintain a *bona fide* office in accordance with *R.1:21-1(a)*, failed to cooperate with a district ethics committee in the investigation of the case, misrepresented to a court clerk his reasons for not appearing in a court matter, and failed to deliver promptly to a third party a client's money.

The Court also ordered that respondent enroll in a substance abuse program within 30 days and successfully complete it and, also, that he provide periodic urine tests. Finally, the Court conditioned his further practice of law upon a three-year proctorship.

THEODORE M. FIESCHKO

Admitted: 1982; West Orange (Essex County)
Public Reprimand - *127 N.J. 389 (1992)*
Decided: 4/28/1992

APPEARANCES BEFORE REVIEW BOARD
Howard D. Cohen for District VB
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who grossly neglected one matter and misrepresented the status of that matter to a client and failed to communicate with another client.

The Court also ordered that respondent practice under the supervision of a proctor for a period of one year.

JOSEPH F. FLAYER

Admitted: 1976; Budd Lake (Morris County)
Public Reprimand - *130 N.J. 21 (1992)*
Decided: 7/7/1992

APPEARANCES BEFORE REVIEW BOARD
Edward M. Dunne for District X
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who improperly released escrow funds without the consent of the seller in connection with the attorney's own real estate transaction and who failed to cooperate with the district ethics committee in the investigation of the matter.

RICHARD M. FOLEY, JR.

Admitted: 1974; Mount Laurel (Burlington County)
Suspension 2 Years - *130 N.J. 322 (1992)*
Decided: 9/22/1992 Effective: 10/21/1992

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who, in a series of three client matters, engaged in a pattern of neglect, failure to communicate, misrepresentation and failed to cooperate with disciplinary authorities.

The Court also ordered that on reinstatement respondent be required to practice under the supervision of a proctor for a period of two years and successfully complete the Institute for Continuing Legal Education Skills and Methods Core Courses.

The respondent had previously been privately reprimanded in 1981 for neglect and failure to communicate in one matter. In 1991 the respondent was publicly reprimanded for gross neglect in three matters. *In re Foley, 122 N.J. 246 (1991)*.

RICHARD M. FOLEY, JR.

Admitted: 1974; Mount Laurel (Burlington County)
Suspension 2 Years - *130 N.J. 47 (1992)*
Decided: 10/14/1992 Effective: 10/21/1992

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey adopted a stipulation of facts entered into between the Office of Attorney Ethics and the respondent and held that a suspension from the practice of law for a period of two years was the appropriate sanction for a respondent who, in five client matters, engaged in misconduct involving a lack of diligence, failure to communicate, making misleading representations to clients regarding the status of their matters and generally engaging in a pattern of misconduct. The Court ordered the suspension to run concurrently with a two-year suspension ordered in a separate matter on September 22, 1992, which suspension was effective October 21, 1992. *In re Foley 130 N.J. 322 (1992)*.

The respondent had also been previously disciplined by private reprimand in 1981 for neglect and failure to communicate in one matter. Additionally, in 1991 he was publicly reprimanded for gross neglect in three matters. *In re Foley 122 N.J. 246 (1991)*.

FRANK FORD, III

Admitted: 1986; Browns Mills (Burlington County)
Suspension 2 Years - *126 N.J. 483 (1992)*
Decided: 1/61992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for two years was the

appropriate discipline for an attorney who was suspended by the District Court of the Virgin Islands for neglecting a criminal case and for attempting surreptitiously to practice law through other attorneys in order to avoid an order of temporary suspension imposed by the United States Court of Appeals for the Third Circuit. Because respondent failed to report his discipline to New Jersey in accordance with *R.1:20-7(a)*, the New Jersey suspension was made prospective and not retroactive to that imposed in the Virgin Islands.

RICHARD H. FOSTER

Admitted: 1960; Hackensack (Bergen County)
Disbarment By Consent - *130 N.J. 49 (1992)*
Decided: 9/22/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Francis X. Gavin for respondent
Francis X. Gavin was appointed Attorney-Trustee pursuant to R.1:20-12.

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending charges that he knowingly misused clients' trust funds.

The respondent had been temporarily suspended from the practice of law since August 26, 1992.

JONATHAN H. GANZ

Admitted: 1983; Marlton (Burlington County)
Disbarment By Consent - *130 N.J. 424 (1992)*
Decided: 11/30/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Robert E. Welsh, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending charges in Pennsylvania that he knowingly misused escrow funds. The Respondent also submitted his disbarment by consent to the Supreme Court of Pennsylvania where he was also admitted to practice.

JOHN GEORGE

Admitted: 1953; South Plainfield (Middlesex County)
Public Reprimand - *128 N.J. 545 (1992)*
Decided: 7/7/1992

APPEARANCES BEFORE REVIEW BOARD
William Brigiani for District VIII
Respondent waived appearance

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who neglected a matter and then misrepresented the status of a lawsuit to a client and who failed to cooperate with the ethics committee during the investigation of this matter.

The respondent was previously privately reprimanded in 1977 for lack of diligence in a matrimonial matter and then was suspended for one year, effective October 9, 1989 for a pattern of neglect and lack of cooperation with disciplinary authorities in three matters.

HAMLET E. GOORE, JR.

Admitted: 1971; East Orange (Essex County)
Public Reprimand - *127 N.J. 246 (1992)*
Decided: 3/24/1992

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Melvyn H. Bergstein for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who, in a series of eight matters, engaged in patterns of neglect, failure to communicate and lack of due diligence, failed to promptly deliver funds to a client, failed to maintain proper trust and business accounting records, failed to supervise a non-lawyer assistant properly and failed to cooperate with disciplinary authorities. The Court further ordered that respondent practice indefinitely under the supervision of a proctor.

EMILE E. GOUIRAN

Admitted: 1984; Paris, France
Revocation - *130 N.J. 96 (1992)*
Decided: 10/5/1992 Effective: 2/5/1993

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Edward N. Fitzpatrick for respondent

The Supreme Court of New Jersey held that revocation of respondent's license to practice law was the appropriate discipline for an attorney who knowingly failed to respond fully to questions on the application for admission to the bar of this state with respect to the revocation of his license as a realtor in the state of New York. The Supreme Court ordered that "the revocation of respondent's license is stayed until the further Order of this Court in order to permit respondent to apply to the Committee on Character to be certified for admission to the bar of this State, provided the respondent makes such application within forty-five days after the date of this order." No such application was ever filed and, by order of the Supreme Court, the revocation took effect on February 5, 1993.

JOSEPH P. GRABLER

Admitted: 1964; Middletown (Monmouth County)
Suspension 2 Years - *127 N.J. 38 (1992)*

Decided: 2/19/1992 Effective: 6/4/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Francis X. Crahay for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law was the appropriate discipline for an attorney who neglected two real estate matters, misrepresented the status of a case to a client, practiced law during a period of time when he was previously suspended by the Supreme Court and failed to cooperate with disciplinary authorities in the investigation of these matters.

The Court ordered that the instant suspension begin on the date of his prior suspension, June 4, 1990. The respondent had previously been suspended for one year on two occasions. *In re Grabler, 119 N.J. 83 (1990) and In re Grabler, 114 N.J. 1 (1989).*

JEFFREY J. GRENELL

Admitted: 1972; Vernon (Sussex County)
Suspension 2 Years - *127 N.J. 116 (1992)*
Decided: 3/101992 Effective: 3/30/1992

APPEARANCES BEFORE SUPREME COURT
Paula T. Granuzzo for Attorney Ethics
L. Steven Pessin for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who brought frivolous criminal complaints in one matter and who, in a series of four other cases, engaged in abusive language toward adversaries, disrespectful behavior toward judges and the making of a false statement of material fact to a tribunal. Further, respondent continued to demonstrate similar improper behavior during the instant ethics proceedings.

Since November 13, 1990 respondent had practiced under a restricted license that limited him to non-litigated matters.

JAMES F. HOUSTON

Admitted: 1969; Keyport (Monmouth County)
Disbarred - *130 N.J. 382 (1992)*
Decided: 10/141992 Effective: 10/27/1992

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Sidney I. Sawyer for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated over $16,000 in clients' trust funds by unethically advancing legal fees to himself in real estate matters before the fees were due him at the closing of title, thereby invading other client funds.

This matter was discovered solely as a result of the Random Audit Compliance Program.

The respondent was previously publicly reprimanded for failing to adequately communicate with clients. *In re Houston, 73 N.J. 282 (1977).*

THOMAS M. KEARNEY

Admitted: 1984; Montvale (Bergen County)
Suspension 6 Months - *127 N.J. 387 (1992)*
Decided: 4/28/1992 Effective: 3/14/1991

APPEARANCES BEFORE REVIEW BOARD
Thomas W. Dunn for District IIA
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who failed to promptly deliver to an estate beneficiary funds to which that beneficiary was entitled and to provide an accounting of those funds and who failed to cooperate with ethics authorities in the processing of this matter.

The respondent had been temporarily suspended from the practice of law since March 14, 1991.

RICHARD H. KRESS

Admitted: 1979; Rahway (Union County)
Suspension 3 Months - *128 N.J. 520 (1992)*
Decided: 7/10/1992 Effective: 8/1/1992

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
John P. McDonald for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for three months was the appropriate discipline for a municipal prosecutor who contributed to the improper dismissal of a charge of driving while intoxicated. In this case the respondent stood silent and allowed a judge to dismiss the D.W.I. charge merely because the police officers did not want to pursue the case, but, rather, wanted to "dump" the case. The Supreme Court admonished the respondent and held that:

> "Charges based on adequate evidence should not be dismissed without good cause."

The respondent was reinstated to practice by Order of the Supreme Court dated November 30, 1992.

D. VINCENT LAZZARO

Admitted: 1960; Blackwood (Camden County)
Public Reprimand - *127 N.J. 390 (1992)*
Decided: 4/28/1992

APPEARANCES BEFORE REVIEW BOARD
Paula T. Granuzzo for Attorney Ethics

Frank W. Thatcher for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who negligently misappropriated over $3,000 in clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

KENNETH J. LEVENSON

Admitted: 1972; East Brunswick (Middlesex County)
Disbarment By Consent - *127 N.J. 270 (1992)*
Decided: 4/9/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
A. Kenneth Weiner for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of respondent who pled guilty in the Superior Court of New Jersey, Law Division, Middlesex County, to an accusation charging him with failure to make required disposition of property received, in violation of *N.J.S.A. 2C:20-9,* as well as to one count of an indictment charging him with conspiracy to commit commercial bribery by inflating house prices to secure 100% financing for clients.

The respondent had been temporarily suspended from the practice of law in New Jersey since October 9, 1991.

The respondent was also admitted to practice law in the state of New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

BARBARA K. LEWINSON

Admitted: 1981; East Brunswick (Middlesex County)
Public Reprimand - *126 N.J. 515 (1992)*
Decided: 1/28/1992

APPEARANCES BEFORE REVIEW BOARD
William R. Wood for Attorney Ethics
Carl J. Palmisano for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who recklessly disregarded her trust and business accounting obligations, resulting in the negligent invasion of clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

The respondent was also admitted to the practice of law in the state of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

JOHN J. LIPARI

Admitted: 1966; Somerset (Somerset County)
Disbarment By Consent - *127 N.J. 132 (1992)*
Decided: 3/10/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Gerald P. Egan, a member of the Pennsylvania Bar, for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who pled guilty in the United States District Court for the District of New Jersey to conspiracy and tax evasion during his representation of the now-defunct First Atlantic Savings and Loan Association. Respondent admitted accepting more than $1 million dollars in kickbacks from developers and mortgage brokers in return for development loans while serving as the institution's attorney.

The respondent was also admitted to the Bar of the District of Columbia and Chief Disciplinary Counsel there has been notified of the results of the proceedings.

KENNETH C. LUKE

Admitted: 1981; East Brunswick (Middlesex County)
Disbarment - *130 N.J. 530 (1992)*
Decided: 12/301992

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Bernard F. Conway for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated almost $6,000 of client's trust funds in a personal injury matter and $16,000 of escrow funds in a real estate matter.

The respondent had been temporarily suspended from the practice of law since February 2, 1990.

ROY E. MAHONEY

Admitted: 1973; Woodbury Heights (Gloucester County)
Disbarment - *127 N.J. 499 (1992)*
Decided: 5/12/1992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who fabricated a judgment of adoption to placate a client in one matter and who, in a series of five matters, engaged in a pattern of neglect and virtual abandonment of his clients. Respondent also failed to cooperate with ethics authorities in the investigation and prosecution of these matters.

The respondent had been temporarily suspended from the practice of law since March 26, 1991.

The respondent had previously been suspended from the practice of law for a period of three years beginning in 1977 as the result of embezzlement. *In re Mahoney, 78 N.J. 248 (1978)*.

ANDREW MARCHESE

Admitted: 1976; West Orange (Essex County)
Disbarment By Consent - *126 N.J. 412 (1992)*
Decided: 1/2/1992

REPRESENTATIONS
John McGill, III for Attorney Ethics
Kenneth F. Kunzman for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending charges that he knowingly misappropriated clients' trust funds.

The respondent was also admitted to the practice of law in the state of Florida and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

BRIAN P. MCKINNEY

Admitted: 1969; Newark (Essex County)
Disbarment - *130 N.J. 87 (1992)*
Decided: 9/22/1992

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey adopted the report and recommendation of the Disciplinary Review Board and held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated over $241,000 in client's trust funds.

The respondent had been temporarily suspended from the practice of law since April 5, 1988.

VAN MILLIN

Admitted: 1986; Linwood (Atlantic County)
Disbarment By Consent - *127 N.J. 40 (1992)*
Decided: 2/19/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Mary J. Maudsley consulted with respondent solely with respect to execution of Disbarment By Consent

The Supreme Court of New Jersey accepted the Consent To Disbarment of a respondent who admitted that he could not successfully defend himself from pending disciplinary charges alleging that he knowingly misappropriated more than $5,000 in client's trust funds.

The respondent had been temporarily suspended from practice since May 20, 1991. The respondent was also admitted to the practice of law in the state of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

STEPHEN R. MILLS

Admitted: 1971; Livingston (Essex County)
Public Reprimand - *127 N.J. 401 (1992)*
Decided: 4/28/1992

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who, in a litigated matter, made a false statement of fact and improperly communicated with an adversary who was known to be represented by an attorney.

MAURO P. MINERVINI

Admitted: 1981; Jersey City (Hudson County)
Disbarment By Consent - *130 N.J. 428 (1992)*
Decided: 12/14/1992

REPRESENTATIONS
William R. Wood for Attorney Ethics
Robert E. Margulies for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending charges alleging that he knowingly misappropriated clients' trust funds.

The respondent had been temporarily suspended from practicing law since September 23, 1991.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

MARK A. MINTZ

Admitted: 1980; Newark (Essex County)
Suspension 2 Years - *126 N.J. 484 (1992)*
Decided: 1/21/1992 Effective: 2/2/1992

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for 2 years was the appropriate discipline for an attorney who engaged in a pattern

of neglect and abandonment in four cases, failed to maintain a *bona fide* office and failed to cooperate with ethics authorities in the processing of these ethics grievances.

The respondent was also admitted to the bars of the state of New York and the District of Columbia and Chief Disciplinary Counsel there have been notified of the results of these proceedings.

JAMES E. MOEN

Admitted: 1981; Sparta (Sussex County)
Disbarment By Consent - *127 N.J. 70 (1992)*
Decided: 2/21/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Robert C. Shelton, Jr. consulted with respondent solely with respect to execution of Disbarment By Consent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges that alleged the knowing misappropriation of clients' trust funds totaling more than $10,000.

This case was discovered as a result of the Trust Overdraft Notification Program.

JOHN J. MOGCK, III

Admitted: 1982; Medford (Burlington County)
Disbarment By Consent - *130 N.J. 386 (1992)*
Decided: 10/26/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Philip B. Seaton consulted with respondent solely with respect to execution of Disbarment By Consent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges that he knowingly misappropriated $8,000 in clients' trust funds.

This matter was discovered solely as a result of the Random Audit Compliance Program.

PAUL D. MORONEY

Admitted: 1972; St. Petersburg, Florida
Disbarment By Consent - *126 N.J. 516 (1992)*
Decided: 1/30/1992

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Robert F. Novins for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend pending disciplinary charges alleging that he forged documents and knowingly misappropriated mortgage closing funds from a client/business partner.

WILLIAM J. MULKEEN

Admitted: 1974; Elizabeth (Union County)
Suspension 1 Year - *130 N.J. 422 (1992)*
Decided: 11/17/1992

APPEARANCES BEFORE REVIEW BOARD
Jamie S. Peni for District IX
John J. Mullany, Jr. for respondent

The Supreme Court of New Jersey, without oral argument, adopted the Decision and Recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of one year and until the resolution of all pending grievances against him was the appropriate sanction for a respondent who, in a series of three client matters, failed to act with diligence, failed to communicate reasonably with clients and failed to safeguard clients' property.

The respondent was previously privately reprimanded in 1988 for failure to communicate with his client, and to properly pursue a settlement and payment from the client's insurance carrier. In 1990 he was suspended from the practice of law for three months for lack of diligence, failure to communicate, gross neglect, pattern of neglect, and failure to answer a formal ethics complaint. *In re Mulkeen, 121 N.J. 192 (1990)*.

The respondent was also admitted to practice law in the District of Columbia and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

GEORGE W. NASH

Admitted: 1972; New York City, New York
Suspension 1 Year - *127 N.J. 383 (1992)*
Decided: 4/28/1992 Effective: 5/30/1991

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for one year was the appropriate discipline for an attorney based upon a reciprocal disciplinary proceeding in New York where he was found guilty of back-dating a separation agreement in a divorce matter and of filing a divorce action in New York despite the fact that both parties resided in New Jersey.

The respondent had been temporarily suspended from the practice of law in New Jersey since September 17, 1991.

ROBERT T. NORTON

Admitted: 1972; Westfield (Union County)
Suspension 3 Months - *128 N.J. 520 (1992)*
Decided: 7/10/1992 Effective: 8/1/1992

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Frederic K. Becker for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for three months was the appropriate discipline for a defense counsel who contributed to the improper dismissal of a charge of driving while intoxicated in municipal court. The Supreme Court rejected respondent's assertion that it was totally appropriate for a defense counsel to initiate communication with the arresting officers and to advise them that the client is a "good guy" and a loyal supporter of the police and to ask them to give the client "a break." The Court noted that:

> "(W)e rely on the integrity of the counsel to limit the discussion to the facts surrounding the arrest and not to use the session as an opportunity to suggest to the police officers that they "dump" the case..."

The respondent was reinstated to practice by Order of the Supreme Court dated November 30, 1992.

JOSEPH C. NOTO

Admitted: 1968; Ridgewood (Bergen County)
Public Reprimand - *128 N.J. 607 (1992)*
Decided: 7/7/1992

APPEARANCES BEFORE REVIEW BOARD
Joseph D. J. Gourley for District XI
Paul M. Ambrose, Jr. for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who engaged in a conflict of interest and misrepresentation in connection with attorney-client business ventures.

RALPH A. NUZZO

Admitted: 1960; Fairfield (Essex County)
Disbarment By Consent - *126 N.J. 511 (1992)*
Decided: 12/21/1991

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Donald R. Belsole for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not defend pending disciplinary charges that he knowingly misappropriated $100,000 in real estate escrow funds.

The respondent had been temporarily suspended from the practice of law since December 10, 1991.

DONALD D. PHILLIPS

Admitted: 1960; Atlantic City (Atlantic County)
Public Reprimand - *127 N.J. 83 (1992)*
Decided: 3/2/1992

APPEARANCES BEFORE REVIEW BOARD
Rocco J. Tedesco for District I
David R. Fitzsimons, Jr. for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who failed to act with diligence in taking six years to conclude an uncomplicated estate matter.

The respondent was previously privately reprimanded in 1988 for failing to disburse escrow funds and failing to communicate with his clients for two years.

WILLIAM L. O'REILLY

Admitted: 1976; Morris Plains (Morris County)
Suspension 3 Months - *127 N.J. 573 (1992)*
Decided: 5/26/1992 Effective: 6/8/1992

APPEARANCES BEFORE REVIEW BOARD
Marguerite M. Schaffer for District X
Donald S. McCord, Jr. for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who engaged in a pattern of neglect of 50 personal injury cases, some of which were dismissed with prejudice, and who made misrepresentations to many clients who inquired into the status of these matters. The Board gave significant weight to respondent's successful rehabilitation from a psychiatric disorder. The Court also imposed an indefinite proctorship as a condition of reinstatement. The respondent was reinstated to the practice of law by order of the Supreme Court on October 5, 1992.

The respondent had been previously privately reprimanded in 1979 and, again, in 1985 for neglect of client matters.

JAMES J. REA, JR.

Admitted: 1965; Avon (Monmouth County)
Public Reprimand - *128 N.J. 544 (1992)*
Decided: 7/7/1991

APPEARANCES BEFORE REVIEW BOARD
Dana C. Argeris for District IX
Richard A. Amdur for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who, while assigned to represent a female client in a driving while intoxicated case, had sexual relations with the client knowing that she had a history of mental health problems and who, for that reason, should have known that the client would not voluntarily consent to the relationship.

EMIL R. RESTAINO

Admitted: 1984; Bloomfield (Essex County)
Suspension 6 Months - *127 N.J. 403 (1992)*
Decided: 4/28/1992 Effective: 5/26/1992

APPEARANCES BEFORE REVIEW BOARD
David M. Paris for District VC
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of six months was the appropriate discipline for a respondent who grossly neglected a client and then made intentional misrepresentations concerning the status of the matter for a period of two years. The Court also ordered that any reinstatement to practice be conditioned upon supervision by a proctor for a period of one year.

The respondent was previously privately reprimanded in 1991 for neglecting another client.

FREDERIC C. RITGER, JR.

Admitted: 1950; Newark (Essex County)
Disbarment - *128 N.J. 112 (1992)*
Decided: 6/17/1992

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who neglected a matter, then misrepresented the status to the client and who disregarded the directions of his attorney-proctor's instruction to withdraw from the case. In aggravation of the offense the Supreme Court cited respondent's extensive prior disciplinary history. In 1979 respondent was suspended for two years for misappropriation of clients' funds. *In re Ritger, 80 N.J. 1 (1979)*. In 1989 respondent was suspended for six months for engaging in a pattern of neglect and misrepresentation in an estate matter. *In re Ritger, 115 N.J. 50 (1989)*.

JEFFREY P. RUDDY

Admitted: 1967; Newark (Essex County)
Suspension 2 Years - *130 N.J. 85 (1992)*
Decided: 9/22/1992 Effective: 10/16/1992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Alan Dexter Bowman for respondent

The Supreme Court of New Jersey adopted the report and recommendation of the Disciplinary Review Board and held that a two year suspension from the practice of law was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Essex County, to four counts of an indictment charging endangering the welfare of a child, a third degree crime, in violation of *N.J.S.A. 2C:24-4*.

KENNETH B. SCHNEIDER

Admitted: 1974; Elizabeth (Union County)
Disbarment By Consent - *127 N.J. 318 (1992)*
Decided: 4/6/1992

REPRESENTATION
John J. Janasie for Attorney Ethics
Ronald F. Esposito for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending criminal charges in the United States District Court for the District of New Jersey involving mail fraud in violation of *18 U.S.C. <185> 1341* and charges pending in the Superior Court of New Jersey, Law Division, Union County, involving the unlawful disposition of over $75,000 in trust funds in violation of *N.J.S.A. 2C:21-15*.

Respondent had been temporarily suspended from the practice of law since October 8, 1991.

FREDERICK S. SCHOFIELD, III

Admitted: 1977 ; Brigantine (Atlantic County)
Public Reprimand - *126 N.J. 515 (1992)*
Decided: 1/28/1992

APPEARANCES BEFORE REVIEW BOARD
Gregory F. McCloskey for District III
Arthur Montano for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who entered into a business transaction with a client without complying with the mandatory requirements of *R.P.C.1.8(a)*.

The respondent was also admitted to the practice of law in the state of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

RICHARD P. SCHUBACH

Admitted: 1983; Raritan (Somerset County)
Suspension 3 Months - *130 N.J. 93 (1992)*
Decided: 10/5/1992 Effective: 11/1/1992

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Stephen H. Fleischer for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who committed numerous ethical violations in connection with the purchase and sale of real estate owned jointly with his girlfriend. Specifically, respondent misstated his income on mortgage applications, signed the name of his girlfriend's father on a contract of sale without any authority, failed to advise the girlfriend and her father to retain independent counsel in a business transaction, intimidated and obtained an unfair advantage over the girlfriend and her father in the division of their property and failed to cooperate with the ethics authorities in the ensuing investigation.

JOHN J. SCOTTO

Admitted: 1987; Pacific Palisades, California
Indefinite Suspension - *127 N.J. 239 (1992)*
Decided: 3/24/1992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that an indefinite suspension from the practice of law was the appropriate discipline for an attorney who pled *nolo contendere* in the Superior Court of California, Los Angeles County, to one count of an information charging him with possession of a forged instrument, a $6,000 check, in violation of *California Penal Code <185>475*. The Court ordered further that no application for reinstatement shall be considered unless and until respondent has been restored to the practice of law in the state of California.

The respondent had been temporarily suspended from the practice of law in this state since December 18, 1990.

MATTHEW E. SEGAL

Admitted: 1978; Cherry HIll (Camden County)
Public Reprimand - *130 N.J. 468 (1992)*
Decided: 12/31/1992

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for a respondent who, as municipal prosecutor, failed to engage in any trial preparation of a municipal court charge which was tried in the Superior Court of New Jersey, Burlington County, due to the fact that the defendant was a Camden County Superior Court Judge. As a result of this failure the defendant was acquitted. The Supreme Court held that its decision should serve to "emphasize to the bar that lawyers serving public bodies, as well as the private bar, cannot fail to be diligent in the performance of their professional duties."

PATRICK J. SHANNON

Admitted: 1981; Haddonfield (Camden County)
Disbarment By Consent - *127 N.J. 401 (1992)*
Decided: 4/28/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Donald Schwartz for respondent
Thomas J. Hagner was appointed Attorney-Trustee in accordance with R.1:20-12

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending charges alleging that he knowingly misused clients' trust funds.

The respondent had been temporarily suspended from the practice of law since June 19, 1991.

JOSEPH C. STRANSKY

Admitted: 1974; Dunellen (Middlesex County)
Suspension 1 Year - *128 N.J. 542 (1992)*
Decided: 7/7/1992 Effective: 8/1/1992

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
John M. Lore for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for a respondent who abandoned all control over his attorney trust and business accounts to his secretary-wife, which abdication was unethical and resulted in the negligent misappropriation of over $32,000 in clients' trust funds. The Court ordered that respondent be credited for the eleven month period (from August 3, 1990 to June 27, 1991) during which he was temporarily suspended, with the result that he was eligible for reinstatement after one additional month of actual suspension. The respondent was reinstated by order of the Supreme Court dated November 2, 1992.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

STANLEY S. TRAYMORE

Admitted: 1961; Wayne (Passaic County)
Disbarment By Consent - *128 N.J. 52 (1992)*
Decided: 6/9/1992

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics.
Miles Feinstein for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pled guilty in the Superior Court of New Jersey, Law Division, Passiac County, to three counts of misapplication of entrusted properly in violation of *N.J.S.A. 2C:21-15* involving the knowing misappropriation of approximately $60,000 in client's trust funds.

The respondent had been temporarily suspended from the practice of law since September 26, 1989.

THOMAS S. VALLEAU

Admitted: 1975; Lake Hopatcong (Morris County)
Suspension 2 Years - *127 N.J. 71 (1992)*
Decided: 2/25/1992 Effective: 10/24/1989

APPEARANCES BEFORE SUPREME COURT
John McGill, III for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a suspension from practice for a period of two years (retroactive to October 24, 1989) was the appropriate discipline for an attorney who exhibited a lack of diligence by failing to account in an estate matter, but then failed to cooperate with disciplinary authorities in connection with a demand audit of his estate accounts. The Court conditioned any application for reinstatement upon a proctorship for a period of one year.

The respondent had been temporarily suspended from practicing law since October 24, 1989.

KENNETH VAN RYE

Admitted: 1979; Elmwood Park (Bergen County)
Suspension 2 Years - *128 N.J. 108 (1992)*
Decided: 6/11/1992 Effective: 11/121991

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years (retroactive to November 12, 1991, the date he was eligible to be reinstated after a prior three month suspension) was the appropriate discipline for a respondent who created a conflict of interest by engaging in a business transaction with clients without advising them to obtain independent counsel and who, in connection with that business transaction, improperly executed a jurat on a document outside of the presence of the signer, improperly altered a deed, signed closing documents without benefit of a power of attorney and disbursed mortgage proceeds without first obtaining a needed signature or a power of attorney.

The respondent had previously been suspended from practice on August 12, 1991 for a period of three months for, among other things, improperly notarizing a false signature on a mortgage, making false certifications to a mortgage company and misrepresentations to a credit union, failing to keep proper trust and business account records and failing to submit a written, formal accounting of rents collected on behalf of a client. *In re Van Rye, 124 N.J. 664 (1991).*

GERALD WEINGART

Admitted: 1970; Wayne (Passaic County)
Suspension 6 Months - *127 N.J. 1 (1992)*
Decided: 1/21/1992 Effective: 2/9/1992

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Herman Osofsky for respondent

The Supreme Court of New Jersey held that an actual suspension of six months from the practice of law was the appropriate discipline for an attorney who neglected a case, lied to the client about the status of the case and prepared and submitted to his client, the Office of the Attorney General and the Administrative Office of the Courts a fictitious complaint with intent to mislead the client into believing that a lawsuit had been instituted when, in truth, it had not. The Court held that, absent compelling mitigating factors, the standard sanction for such misconduct would be a two-year suspension. The respondent was reinstated to practice law by order of the Supreme Court on October 5, 1992.

Respondent was also admitted to the practice of law in the state of New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

EDWARD H. ZALESKI

Admitted: 1984; Bayonne (Hudson County)
Public Reprimand - *127 N.J. 384 (1992)*
Decided: 4/281992

APPEARANCES BEFORE REVIEW BOARD
William R. Wood for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who, after being privately reprimanded in 1989 for failure to maintain a *bona fide* office in New Jersey in accordance with *R.1:21-1(a)*, continued to practice law in violation of those requirements.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

1991

MARC E. ALTERMAN

Admitted: 1983; Morris Plains (Morris County)
Suspension 2 Years - *126 N.J. 410 (1991)*
Decided: 12/27/1991 Effective: 6/26/1991

APPEARANCES BEFORE REVIEW BOARD
Frank J. Stanley, III for District XII
John A. Brogan for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a two year suspension from the practice of law retroactive to June 26, 1990, the date of interim suspension, was the appropriate discipline for a respondent who, during the course of working for two separate multi-member law firms, grossly neglected five matters, made a false statement to a tribunal, misrepresented the status of several matters, demonstrated a callous disregard for his clients' interests, failed to pay the annual attorney registration fee and then practiced law while on the Ineligible list, and failed to cooperate with disciplinary authorities. The Court also ordered that, at the conclusion of his suspension respondent be transferred to Disability Inactive Status "until he is able to demonstrate his fitness to practice law."

DENISE A. ASHLEY

Admitted: 1984; Camden (Camden County)
Suspension 2 Years - *122 N.J. 52 (1991)*
Decided: 1/8/1991

APPEARANCES BEFORE SUPREME COURT
Paula T. Granuzzo for Attorney Ethics
Harvey C. Johnson for respondent

The Supreme Court of New Jersey held that s suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who engaged in a pattern of neglect and gross neglect in 10 separate cases, made misrepresentations to clients, refused to return files, on two occasions failed to return retainers contrary to the orders of a bankruptcy judge and failed to cooperate with a district ethics committee in connection with the investigation and hearing of several matters.

The respondent had been placed on temporary disability-inactive status since January 12, 1989.

The respondent was also admitted to the Bar of the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

DAVID BAKER

Admitted: 1956; Avalon (Atlantic County)
Disbarment by Consent - *126 N.J. 343 (1991)*
Decided: 12/2/1991

REPRESENTATION
Richard J. Engelhardt for Attorney Ethics
Ira Deiches consulted with respondent solely with respect to execution of Disbarment By Consent

The Supreme Court of New Jersey accepted the Consent to Disbarment of a respondent who admitted that he could not successfully defend himself against pending charges involving the knowing misappropriation of clients trust funds.

MICHAEL J. BELL

Admitted: 1960; Jersey City (Hudson County)
Disbarment - *126 N.J. 261 (1991)*
Decided: 10/4/1991

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Matthew Boylan for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated over $20,000 in clients' trust funds as a result of using "his trust account both as a business account and as a personal account to accommodate some of his friends, generally elderly acquaintances who bills respondent paid," and for whom he had no monies on deposit in his trust account.

RICHARD G. BIRCHALL

Admitted: 1975; East Longmeadow, Massachusetts
Public Reprimand - *126 N.J. 344 (1991)*
Decided: 12/10/1991

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Union County to two counts of theft and one count of burglary resulting from two break-ins at his former marital residence in 1983.

The respondent was also admitted to the practice of law in the Commonwealth of Massachusetts and Chief

Disciplinary Counsel there has been notified of the results of these proceedings.

MILLARD A. BLAKE

Admitted: 1974; Atlantic City (Atlantic County)
Disability Inactive Status - *126 N.J. 286 (1991)*
Decided: 10/28/1991

APPEARANCES BEFORE REVIEW BOARD
Charles H. Mandell for District IIIA
James J. McGuire, Jr. for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who abandoned his client during the course of a matrimonial matter. The Court also ordered that respondent be transferred to Disability Inactive Status and that any restoration to practice shall, in addition to any other requirements authorized by law, be subject to the supervision of a proctor for an indefinite period.

The respondent was previously privately reprimanded for filing false travel vouchers while employed by the Office of the Attorney General.

MARC K. BONDS

Admitted: 1982; Jersey City (Hudson County)
Public Reprimand - *123 N.J. 574 (1991)*
Decided: 4/30/1991

APPEARANCES BEFORE REVIEW BOARD
William R. Wood for Attorney Ethics.
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and publicly reprimanded respondent who failed to maintain proper trust account records in violation of R.1:21-6 and who failed to cooperate with the Office of Attorney Ethics in correcting record keeping deficiencies. The Supreme Court further ordered that respondent submit certified annual trust audits for calendar years 1991 and 1992 and that he attend and complete the next Skills and Methods Course on Trust and Business Accounting.

BRIAN A. BOYD

Admitted: 1987; San Francisco, California
Disbarment - *126 N.J. 223 (1991)*
Decided: 10/1/1991

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who pled guilty in the Supreme Court of New York to one count of grand larceny in the second degree in violation of $155.40 of the New York Penal Law by stealing more than $77.00 from an estate client of the New York City law firm where he was employed as an associate.

The respondent had been temporarily suspended from the practice of law in New Jersey since December 27, 1989.

DAVID BRANTLEY

Admitted: 1970; East Orange (Essex County)
Suspension 1 Year - *123 N.J. 330 (1991)*
Decided: 3/19/1991 Effective: 4/15/1991

APPEARANCES BEFORE REVIEW BOARD
Sheldon Schiffman and Peter A. Forgosh for District VB
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who in a series of four cases, engaged in gross neglect and a pattern of neglect, lack of diligence, and who failed to communicate properly and made misrepresentations to a client regarding the status of a litigated matter. The Supreme Court also noted that respondent failed to cooperate with ethics authorities in the processing of these matters.

Respondent had previously been privately reprimanded on three occasions: In 1982 for failing to represent a client zealously; and in 1988 for driving while his license was suspended; in 1988 again for allowing the statue of limitations to run in a personal injury matter and misrepresenting.

KENNETH H. BRESLOW

Admitted: 1967; Paterson (Passaic County)
Disbarment - *124 N.J. 386 (1991)*
Decided: 6/7/1991

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
John E. Selser, III for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated $48,000 from settlements recovered on behalf of three personal injury clients. The Supreme Court noted that respondent's attempt to analogize attorney discipline cases to bar admissions cases, which give greater consideration to rehabilitation from past delinquencies,"is a frail one at best." The Court stated that:

> "The most obvious difference, and the one that most clearly justifies differential treatment of the two proceedings, is that at

the time of his or her past delinquency, the bar applicant was not bound by the solemn oath taken by every attorney and by the strictures of our *Rules of Professional Conduct*, as every practicing lawyer is. The oath and those Rules cast a different light on otherwise identical misconduct because the attorney, unlike the applicant, acts in contravention of standards to which he or she has knowingly and affirmatively acceded. The weight to be accorded proof of rehabilitation, then, varies, depending on whether the transgression occurs before or after admission and, beyond that, depending on the nature of the transgression itself."

The respondent had been temporarily suspended from the practice of law since November 2, 1983.

RONALD D. BROWN

Admitted: 1976; Newark (Essex County)
Suspension 6 Months - *123 N.J. 571 (1991)*
Decided: 4/30/1991 Effective: 3/21/1991

APPEARANCES BEFORE REVIEW BOARD
Myrna Wigod for District VA
James Plaisted for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a six month suspension from the practice of law was the appropriate sanction for a series of violations stemming from a grossly negligent failure to maintain trust and business accounts in violation of *R.1:21-6*, including the negligent misappropriation of clients' trust funds. Respondent was also found guilty of improperly failing to pay his annual registration fee and then practicing law while on the Ineligible List during that period.

BARRY N. BRUMER

Admitted: 1973; Port Orange, Florida
Suspension 3 Years - *122 N.J. 294 (1991)*
Decided: 1/8/1991 Effective: 6/8/1989

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years (retroactive to June 8, 1989, the date of his suspension in the state of Florida) was the appropriate discipline for a respondent who pled guilty in the United States District Court for the District of Florida to a two-count indictment charging him with knowingly and willfully encouraging and inducing aliens to reside in the United States, in violation of *8 U.S.C.A. 1324(a)(1)(D)* and *18 U.S.C.A.2.*

The respondent had been temporarily suspended in this state since March 20, 1990, based upon his criminal conviction.

ANTHONY CABELLO

Admitted: 1975; Newark (Essex County)
Public Reprimand - *122 N.J. 295 (1991)*
Decided: 1/8/1991

APPEARANCES BEFORE REVIEW BOARD
William C. Connelly for District VA
S.M. Chris Franzblau for respondent

The Supreme Court of New Jersey without oral argument, adopted the report of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who failed to diligently pursue a matter before the Immigration and Naturalization Service on behalf of a client and for failing to keep his client reasonably informed about the status of the matter.

The respondent was previously privately reprimanded in 1988 for gross neglect, lack of diligence and failure to communicate with clients in two matters.

JAMES O. DELANCEY, JR.

Admitted: 1972; Bridgewater (Somerset County)
Disbarment by Consent - *123 N.J. 582 (1991)*
Decided: 5/10/1991

REPRESENTATIONS
William R. Wood for Attorney Ethics
Thomas J. Onka for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending charges that he knowingly misappropriated clients' trust funds.

The respondent had been temporarily suspended from the practice of law since September 4, 1990.

HARRY A. DELVENTHAL, JR.

Admitted: 1993; Ocean City (Cape May County)
Suspension 3 Months - *124 N.J. 266 (1991)*
Decided: 5/24/1991 Effective: 6/11/1991

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Robert W. Delventhal for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three months was the appropriate discipline for a respondent who misrepresented to his adversary that he would not seek the release of escrow funds and who then tricked his adversary by furtively withdrawing those funds. Respondent also deceived a

title company, which was holding the escrow funds, into believing that an order dismissing a complaint for failure to answer Interrogatories was a final order that authorized the release of the escrow funds to respondent's client. In its opinion the Supreme Court concluded:

> "Litigation should not be viewed as a contest to be won by sharp practices that attempt to track the letter of the law while dishonoring its purpose. The vast majority of lawyers understand and respect that principle. We regard its observance as fundamental to the ethical practice of law."

WILLIAM J. DEMARCO

Admitted: 1971; Wayne (Passaic County)
Public Reprimand - *125 N.J. 1 (1991)*
Decided: 7/17/1991

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt forAttorney Ethics
John Fiorello for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that public reprimand was the appropriate discipline for an attorney who was found guilty in Superior Court of New Jersey, Law Division, Passaic County, of two counts of contempt. During the course of a criminal trial respondent exhibited a pattern of abusive and unwarranted behavior directed at the trial judge. Respondent's statements were rude and uncalled for attacks upon the objectivity and integrity of the judge, thus disrupting the trial proceedings.

Respondent had been previously privately reprimanded on two occasions. In 1978 he was reprimanded for conduct involving misrepresentation prejudicial to the administration of justice and conduct prohibiting the knowing use of false evidence. In 1986 respondent also received a private reprimand for his failure to review, prior to its filing, a brief prepared by a law clerk misrepresenting the proceedings.

RICHARD M. FOLEY, JR.

Admitted: 1974; Marlton (Burlington County)
Public Reprimand - *122 N.J. 246 (1991)*
Decided: 1/22/1991

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for a respondent who grossly neglected three matters, in one of which he failed to keep his client reasonably informed of the status of the matter over a number of years, including the facts that suit had been filed and subsequently dismissed for lack of prosecution. The Supreme Court also ordered that respondent's future practice of law shall be under the supervision of a proctor for a period of one year.

The respondent had previously been privately reprimanded in 1981 for grossly neglecting a client matter.

JAMES V. GASSARO

Admitted: 1981; New Brunswick (Middlesex County)
Suspension 2 Years - *124 N.J. 395 (1991)*
Decided: 6/13/1991 Effective: 12/14/1989

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Warren W. Wilentz for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who was convicted in the United States District Court for the District of New Jersey of conspiracy to defraud the Internal Revenue Service, in violation of *18 U.S.C.A. '1001 and '1002.*

The respondent had been temporarily suspended from practicing law since December 14, 1989 and his two year suspension was ordered to be effective as of that date.

JOHN A. GILLESPIE

Admitted: 1976; Elizabeth (Union County)
Suspension 3 Years - *124 N.J. 81 (1991)*
Decided: 5/17/1991 Effective: 11/28/1989

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Raymond S. Londa for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years (retroactive to the date of his temporary suspension) was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to a charge of wilfully aiding and assisting in the presentation of false corporate tax returns by J.P. Sasso, Inc., a construction company.

The respondent had been previously temporarily suspended from the practice of law on November 28, 1989.

DOMINICK GIORDANO

Admitted: 1959; Passaic (Passaic County)
Suspension 3 Years - *123 N.J. 362 (1991)*
Decided: 3/15/1991 Effective: 10/31/1989

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Adolph J. Galluccio for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Passaic Countu, to attempting to tamper with public records or information in violation of *N.J.S.A. 2C:28-7, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:5-1* by participating in a scheme to furnish illegal drivers licenses in exchange for sexual favors.

The respondent had been temporarily suspended from the practice of law since October 31, 1989.

MICHAEL H. GOTTESMAN

Admitted: 1975; Asbury Park (Monmouth County)
Public Reprimand - *126 N.J. 361 (1991)*
Decided: 12/10/1991

APPEARANCES BEFORE REVIEW BOARD
Dana C. Argeris for District IX
Allan J. Shechet for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who improperly divided a percentage of legal fees with a non-lawyer paralegal and who also aided the unauthorized practice of law by allowing the paralegal to advise clients on the merits of claims and by permitting the paralegal to exercise sole discretion in formulating offers of settlement and in accepting and rejecting them.

The respondent was also admitted to practice law in the state of Arizona and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

RICHARD J. GREENBERG

Admitted: 1972; Montclair (Essex County)
Disbarment By Consent - *122 N.J. 119 (1991)*
Decided: 1/23/1991

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Noel E. Schablik for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not defend pending disciplinary charges that he knowingly misappropriated clients' trust funds.

DERRICK N. HART

Admitted: 1975; South Orange (Essex County)
Disbarment By Consent - *123 N.J. 543 (1991)*
Decided: 4/30/1991

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Roger P. Sauer for respondent
Jill S. Slattery appointed Custodial Receiver in accordance with R.1:28-8

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend allegations in a pending formal complaint charging respondent with the knowing misappropriation of over $55,000 in clients' trust funds between 1987 and 1988.

The respondent had been temporarily suspended from the practice of law since March 23, 1989.

JAMES E. HEINE

Admitted: 1957; Belmar (Monmouth County)
Public Reprimand - *124 N.J. 557 (1991)*
Decided: 7/9/1991

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Thomas F. McGuane for respondent

The Supreme Court of New Jersey, without oral argument, adopted the decision and recommendation of the Disciplinary Review Board and held that a public reprimand, coupled with the condition that respondent be supervised in his practice of law for a period of three years, was the appropriate discipline for a respondent who committed record keeping violations in maintaining trust and business accounting records and who also failed to complete an estate matter in a timely manner.

The record keeping aspect of this matter was discovered solely as a result of the Random Audit Compliance Program. The respondent was previously privately reprimanded on two occasions, once in 1985 and once in 1989, in both instances for failing to act diligently and to communicate with estate beneficiaries.

PETER B. HILGENDORFF

Admitted: 1970; Morristown (Morris County)
Public Reprimand - *123 N.J. 573 (1991)*
Decided: 4/30/1991

APPEARANCES BEFORE REVIEW BOARD
Robert C. Shelton, Jr. for District X
James F. Sullivan for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and publicly reprimanded a respondent who failed to keep a personal injury client informed of the status of her matter and failed to transfer an earned legal fee from his trust account to his business account prior to disbursing the fee.

The respondent had been previously privately reprimanded in 1988 for his gross negligence in failing to provide answers to interrogatories in a litigated matter and his subsequent failure to oppose an action to dismiss the complaint.

PETER L. HUMEN

Admitted: 1977; Jersey City (Hudson County)
Suspension 2 Years - *123 N.J. 289 (1991)*
Decided: 3/1/1991 Effective: 3/15/1991

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Mark P. Denbeaux for respondent

The Supreme Court of New Jersey held that a two-year suspension from the practice of law was the appropriate discipline for an attorney who improperly engaged in multiple business transactions with an elderly client, including acting as property agent, purchaser and lender. During the course of his representation of the client respondent failed to advise the client to obtain independent legal advice, failed to account to the client for profits on the property he managed and in addition, purchased that property from his client at substantially less than the actual appraised value.

ALBERT L. ICHEL

Admitted: 1953; Edison (Middlesex County)
Suspension 6 Months - *126 N.J. 217 (1991)*
Decided: 9/16/1991

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Justice P. Walder for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate sanction for an attorney who, over a period of many years, engaged in the reckless misuse of clients' trust funds. The Court determined further that, because the last act of misconduct occurred nine years ago, the suspension should be suspended. This matter was discovered solely as a result of the Random Audit Compliance Program.

STEPHEN P. KERNAN

Admitted: 1981; Bridgeton (Cumberland County)
Disability Inactive Status - *126 N.J. 216 (1991)*
Decided: 9/16/1991

APPEARANCES BEFORE REVIEW BOARD
Theodore S. Ridgway for District I
John P. Morris for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand and continuation of disability inactive status was the appropriate discipline for an attorney who grossly neglected a municipal court matter and a personal injury matter on behalf of one client. The respondent had been transferred to disability inactive status on June 27, 1991. The Court further ordered that "should respondent be restored to the practice of law, (he) shall practice under the supervision of a proctor satisfactory to the Office of Attorney Ethics, until further Order of the Court."

The respondent was previously privately reprimanded in 1986 for representing the buyer and seller in a real estate transaction, thus engaging in a conflict of interest. In 1990 respondent was suspended from practice for a period of three months for fraudulently transferring real estate to his mother the day before a post-divorce support hearing. *In re Kernan, 118 N.J. 361 (1990).*

MICHAEL V. KERWIN, JR.

Admitted: 1978; Somerset (Somerset County)
Disbarment By Consent - *125 N.J. 189 (1991)*
Decided: 8/1/1991

REPRESENTATIONS
William R. Wood for Attorney Ethics
Joseph A. Hayden, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending charges that he knowingly misappropriated clients' trust funds.

The respondent has been temporarily suspended from the practice of law in New Jersey since February 8, 1991. Respondent was also admitted to practice law in the state of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

MICHAEL A. KONOPKA

Admitted: 1971; Clifton (Passaic County)
Suspension 6 Months - *126 N.J. 225 (1991)*
Decided: 10/4/1991 Effective: 10/28/1991

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Douglas H. Burg for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who negligently misappropriated up to $6,000 in clients' trust funds.

This matter was discovered solely as a result of the Random Audit Compliance Program.

ROSCOE L. LAMB

Admitted: 1962; Ridgewood (Bergen County)
Public Reprimand - *122 N.J. 296 (1991)*
Decided: 1/8/1991

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Raymond P. Vivino for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who negligently misappropriated client trust funds on two occasions, failed to maintain proper trust and business accounting records in accordance with *R.1:21-6* and who used his business account as his trust account.

This case was discovered solely as a result of the Random Audit Compliance Program.

DAVID R. LAROSEE

Admitted: 1973; Trenton (Mercer County)
Disbarment - *122 N.J. 298 (1991)*
Decided: 2/15/1991

APPEARANCES BEFORE SUPREME COURT
Paula T. Granuzzo for Attorney Ethics
Edward Hunter and David R. LaRosee, pro se, for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for a respondent who attempted to suborn perjury, materially altered a document from the Immigration and Naturalization Service and provided it to his client with intent to deceive, fraudulently issued a $15,000 deposit check in a real estate matter while knowing he had no corresponding deposit in his trust account therefor, and who failed to maintain proper trust account records as required by *R.1:21-6.*

The respondent had been temporarily suspended from the practice of law since June 7, 1988

ROBERT H. LEVIN

Admitted: 1980; Cherry Hill (Camden County)
Public Reprimand - *123 N.J. 544 (1991)*
Decided: 4/30/1991

APPEARANCES BEFORE REVIEW BOARD
Francis R. Galdo for District IIIB
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who, for a period of nineteen months prior to the filing of a personal injury suit on behalf of a client, took no action in the case and then, after filing the suit took no action for thirty-four months (during which time he also failed to communicate with the grievant).

The respondent had recently been privately reprimanded in 1990 for falling to comply with a client's twenty to thirty requests for information about a case, and for falling to return promptly to her the balance of certain escrow funds.

MELVIN D. LUSANE

Admitted: 1972; Newark (Essex County)
Public Reprimand - *124 N.J. 31 (1991)*
Decided: 5/14/1991

APPEARANCES BEFORE REVIEW BOARD
William A. Cambria for District VA
Richard F. Thayer for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who failed to keep a personal injury client reasonably informed about the status of his case, failed to withdraw from the case when discharged by his client and who failed to file an answer to a formal ethics complaint. The Court further ordered respondent to practice under a proctorship for two years.

The respondent had previously been privately reprimanded twice in 1981 and once in 1988 for neglect and lack of communication.

SIXTO L. MACIAS

Admitted: 1980; Union City (Hudson County)
Public Reprimand - *124 N.J. 601 (1991)*
Decided: 7/9/1991

APPEARANCES BEFORE REVIEW BOARD
Gregory G. Diebold for District VI
Armando C. Hernandez for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who failed to act diligently in four separate matters and who exhibited a pattern of neglect in those same cases. The Supreme Court further ordered that respondent is required to practice law under the supervision of a proctor to be selected by the Office of Attorney Ethics for a period of one year.

The respondent was previously publicly reprimanded for failing to answer an ethics complaint and for failing to cooperate with the Office of Attorney Ethics.

The respondent was admitted to the Bar of the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

STANLEY MARCUS

Admitted: 1970; Newark (Essex County)
Public Reprimand - *126 N.J. 304 (1991)*
Decided: 11/25/1991

APPEARANCES BEFORE REVIEW BOARD

Irving L. Hurwitz for District VA
Michael R. Perle and Joseph A. Hayden for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who engaged in a pattern of neglect involving six cases and failed to also communicate with those clients. The Court also ordered that respondent be required to practice under the supervision of a proctor for a period of two years.

ALAN H. MARLOWE

Admitted: 1971; Fort Lee (Bergen County)
Public Reprimand - *126 N.J. 378 (1991)*
Decided: 12/10/1991

APPEARANCES BEFORE REVIEW BOARD
Michael J. Powers for District IIB
Respondent failed to appear

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who failed to respond to a lawful demand for information from a disciplinary agency and failed to file an answer to a formal ethics complaint.

Respondent was previously disciplined by a three months suspension in 1990 [*In re Marlowe, 121 N.J. 236 (1990)]* and a public reprimand also in the same year [*In re Marlowe, 121 N.J .236 (1990)].*

ALAN H. MARLOWE

Admitted: 1971; Fort Lee (Bergen County)
Suspension 14 Months - 126 N.J. 379 (1991)
Decided: 12/10/1991 Effective 9/17/1990

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Jay Joseph Friedrich for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of 14 months, retroactive to the date of his temporary suspension, September 17, 1990, was the appropriate discipline for an attorney who failed to maintain mandatory trust and business accounting records in accordance with *R.1:21-6* and who then failed to cooperate with the Office of Attorney Ethics by correcting these deficiencies.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

ARTHUR N. MARTIN, JR.

Admitted: 1973; Newark (Essex County)
Suspension 3 Months - *122 N.J. 198 (1991)*
Decided: 1/8/1991 Effective: 10/9/1990

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Theodore V. Wells, Jr. for respondent

The Supreme Court of New Jersey held that a three month suspension from the practice of law, to run consecutively to an existing six month suspension from practice that began April 9, 1990, was the appropriate discipline for a respondent who, during the period 1985 through 1987, engaged in misconduct in four separate matters in that he failed to return to a client the unearned portion of a retainer after the client's case was dismissed, failed to pursue an appeal, failed to adequately communicate with clients in three of the matters and failed to respond to lawful requests for information by a district ethics committee investigator.

The respondent had been previously suspended for a period of six months for engaging in a pattern of neglect in seven different matters during a five year period from 1980 through 1985. *In re Martin, 118 N.J. 239 (1990).*

ROBERT G. MAZEAU

Admitted: 1966; Hackensack (Bergen County)
Public Reprimand - *122 N.J. 244 (1991)*
Decided: 1/22/1991

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Anthony R. Ambrosio for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who knowingly made a false statement of material fact to a trial judge in a brief with knowledge that the court may tend to have been misled by the same.

The respondent had been previously privately reprimanded on two occasions. The 1984 reprimand concerned a failure to institute suit and failure to timely advise his clients of this fact, which led to their cause of action being barred by the Statute of Limitations. Respondent was also privately reprimanded in 1975.

KENNETH S. MEYERS

Admitted: 1972; Westfield (Union County)
Suspension 3 Years - *126 N.J. 409 (1991)*
Decided: 12/27/1991 Effective: 1/15/1992

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics

Kenneth J. Grispin for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for a respondent who, in order to placate a client in a matrimonial matter, fabricated a judgment of divorce bearing the purported signature of a Superior Court judge and who then, when his client discovered the falsehood, attempted to induce the client to lie to the Court about it.

AUGUST C. MICHAELIS

Admitted 1940; Passaic (Passaic County)
Disbarment By Consent - *123 N.J. 460 (1991)*
Decided: 4/10/1991

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Jonathan L. Goldstein for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pled guilty in the United State District Court for the District of New Jersey to a two-count information charging him with obstructing the inquiry of a Congressional Sub-committee, in violation of *18 U.S.C.A §371.*

The respondent had been temporarily suspended from practicing law since July 30, 1990.

DAVID D. MOSER

Admitted: 1983; Fort Lee (Bergen County)
Disbarment - *126 N.J. 221 (1991)*
Decided: 10/1/1991

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for, an attorney who, while employed as an associate of a law firm, knowingly misappropriated clients' trust funds by fraudulently endorsing a personal injury settlement check for $2,000, depositing it into an account separate from the law firm and then misappropriating those funds to his own use. Additionally, the respondent exhibited a total lack of cooperation with the disciplinary system by failing to answer the formal compliant and by failing to appear at the district hearing, as well as before the Disciplinary Review Board and the Supreme Court.

ALLEN K. MUKAIDA

Admitted: 1982; Fords (Middlesex County)
Disbarment By Consent - *126 N.J. 289 (1991)*
Decided: 11/7/1991

REPRESENTATIONS
William R. Wood for Attorney Ethics
Arnold E. Hurtautt for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of respondent who admitted that he could not successfully defend himself against pending disciplinary charges that he knowingly misappropriated $15,000 in clients's trust funds.

The respondent had been temporarily suspended from the practice of law in New Jersey since June 3, 1991. Respondent was also admitted to the Bar of the state of Hawaii and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

MICHAEL J. NEDICK

Admitted: 1975; Edgewater (Bergen County)
Suspension 2 Years - *122 N.J. 96 (1991)*
Decided: 1/8/1981; Effective: 4/19/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Steven L. Mechanic for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of two years was the appropriate discipline for an attorney who pled guilty in the United States District Court for the Southern District of New York to one count of a felony information charging him with income tax evasion for failing to include $7,500 in cash legal fees in his taxable income of $13,000 for calendar year 1983, in violation of 26 U.S.C.A. '7201.

The respondent had been temporarily suspended from the practice of law since April 19, 1990.

The respondent was also admitted to the Bars of the states of Florida and New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

WILLIAM S. NIXON

Admitted: 1982; Aberdeen (Monmouth County)
Suspension 3 Months - *122 N.J. 290 (1991)*
Decided: 2/5/1991 Effective: 3/1/1991

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Jon Steiger for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of three months was the appropriate discipline for a respondent who was indicted in the Superior Court of New Jersey, Law Division, Monmouth County for the third degree crime of possession of a controlled dangerous substance (cocaine), in violation of *N.J.S.A. 2C: 35-10(a)* (*1)* and who then was granted pretrial intervention after which the indictment was dismissed. The ethics proceedings

independently proved respondent's violation of criminal conduct.

Respondent was also admitted to the practice of law in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there as been notified of the results of these proceedings.

EDWARD E. PACK

Admitted: 1958; Livingston (Essex County
Disbarment By Consent - *126 N.J. 382 (1991)*
Decided: 12/13/1991

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Stephen N. Dermer for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of clients' trust funds.

The respondent had been temporarily suspended from the practice of law since August 1, 1991. The respondent was also admitted to practice law in the state of New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

JOHN H. RATLIFF

Admitted: 1971; Somerville (Somerset County)
Disbarment By Consent - *126 N.J. 303 (1991)*
Decided: 11/20/1991

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics.
Michael A. Cohan for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend pending charges that he knowingly misappropriated clients' trust funds.

This matter was discovered solely as a result of the Random Audit compliance Program.

LEE JASPER ROGERS

Admitted: 1981; Red Bank (Monmouth County)
Suspension 2 Years - *126 N.J. 345 (1991)*
Decided: 12/6/1991 Effective: 1/1/1992

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Michael D. Schottland for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for two years was the appropriate discipline for an attorney who negligently misappropriated clients' trust funds, engaged in a conflict of interest with a client and failed to maintain proper trust and business accounting records.

This matter was discovered solely as a result of the Trust Overdraft Notification Program

WILLIAM J. ROSS

Admitted: 1970; Totowa (Passaic County).
Disbarment By Consent - *125 N.J. 189 (1991)*
Decided: 7/25/1991

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
William J. DeMarco for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against charges specified in a formal ethics complaint alleging that he knowingly misappropriated clients trust funds in the amount of over $21,000 held in escrow in several real estate and estate matters.

The respondent had been temporarily suspended from the practice of law in New Jersey since November 29, 1990.

JUDY G. RUSSELL

Admitted: 1981; Iselin (Middlesex County)
Disability Inactive Status - *126 N.J. 383 (1991)*
Decided: 12/10/1991 Effective: 4/19/1989

APPEARANCES BEFORE REVIEW BOARD
William R. Wood for Attorney Ethics
Robert J. Fettweis for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that disability inactive status was the appropriate sanction for respondent who, as a former Assistant United States Attorney, was the subject of a one-count federal information filed in the United States District Court for the District of New Jersey charging her with obstruction of justice in violation of *18 U.S.C. '1503* by sending death threats to herself and the judge in a pending criminal case. Respondent was found not guilty by reason of insanity. The Disciplinary Review Board, in exercising its independent *de novo* review of the record, found that:

> "Although the record, on its face, demonstrates clear and convincing evidence of unethical conduct...it is equally clear that, because of...multiple personality disorder, respondent did not know the wrongfulness of her conduct at that time."

As a consequence, the Board held that respondent could not be held responsible for her acts.

The respondent had been place on temporary disability inactive status since April 19, 1989.

ALFRED G. SANTASIERE

Admitted: 1969; South Orange (Essex County)
Public Reprimand - *123 N.J. 578 (1991)*
Decided: 4/30/1991

REPRESENTATIONS BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Justin P. Walder for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and publicly reprimanded a respondent whose faulty record keeping caused him to negligently misappropriate in excess of $6,000 in clients' trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

PHILIP J. SCRIFFIGNANO

Admitted: 1980; Nutley (Essex County)
Disbarment By Consent - *126 N.J. 302 (1991)*
Decided: 11/20/1991

REPRESENTATIONS
John McGill, III for Attorney Ethics
Frank J. Cozzarelli for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges that he knowingly misappropriated clients' trust funds.

JEFFREY M. SHEPPARD

Admitted: 1987; Atlantic City (Atlantic County)
Suspension 3 Months - *126 N.J. 210 (1991)*
Decided: 9/4/1991 Effective: 6/17/1991

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a suspension from the practice of law for a period of three months was the appropriate discipline for an attorney who pled guilty in Superior Court of New Jersey, Law Division, Gloucester County, to two disorderly persons offenses: possession of under 50 grams of marijuana, in violation of *N.J.S.A. 2C:35-10(a)(4)*, and failure to deliver a controlled dangerous substance (cocaine) to a law enforcement officer, in violation of *N.J.S.A. 2C:35-10c*. The Disciplinary Review Board noted that respondent had received a conditional discharge in 1980 for possession of under 50 grams of marijuana.

The respondent had been temporarily suspended from the practice of law in New Jersey since June 17, 1991.

ARTHUR H. SORENSEN

Admitted: 1972; Atlantic Highlands (Monmouth County)
Public Reprimand - *122 N.J. 589 (1991)*
Decided: 1/8/1991

APPEARANCES BEFORE REVIEW BOARD
Paula T. Granuzzo for Attorney Ethics
William F. Dowd for respondent

The Supreme Court, without oral argument, adopted the report and recommendation of the Disciplinary Review Board, and held that a public reprimand was the appropriate discipline for an attorney who, in violation of *Advisory Opinion 326, 99 N.J.L.J. 298 (1976)* failed to turn over to clients and appropriated to himself a total of $12,699.99 in interest earned on client's trust funds between the period January 1986 through November 1988. The Supreme Court also ordered that respondent "forthwith deliver to the I.O.L.T.A. Fund all monies kept by him as interest accrued on client funds."

This case was discovered solely as a result of the Random Audit Compliance Program.

The respondent was also admitted to practice law in the states of Vermont and New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

KENNETH VAN RYE

Admitted: 1979; Elmwood Park (Bergen County)
Suspension 3 Months - *124 N.J. 664 (1991)*
Decided: 7/17/1991 Effective: 8/12/1991

APPEARANCES BEFORE REVIEW BOARD
Regina R. Ford for District IIA
Harvey R. Browne for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a suspension from the practice of law for a period of three months was the appropriate discipline for a respondent who improperly witnessed a false signature on a mortgage and then notarized it and who failed to maintain trust and business accounting records in accordance with *R.1:21-6* and generally accepted accounting practice.

DWAYNE C. VAUGHN

Admitted: 1981; Stone Mountain, Georgia
Public Reprimand - *123 N.J. 576 (1991)*
Decided: 4/30/1991

APPEARANCES BEFORE REVIEW BOARD
Hayden Smith, Jr. for District VA
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who exhibited a lack of diligence, lack of communication and pattern of neglect in five separate matters. In mitigation of the Court considered the narrow time frame within which respondent's aberrational negligence occurred, respondent's attitude toward the practice of law at the time of his lapses, and respondent's candor, contrition and remorse for these events. In aggravation the Court considered respondent's failure to reply to the ethics committee investigator and to file an answer to a formal ethics complaint.

The respondent was also admitted to the Bars of the States of New York and Georgia and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

MARTIN W. YAZGIER

Admitted: 1974; East Brunswick (Middlesex County)
Disbarment By Consent - *123 N.J. 480 (1991)*
Decided: 4/19/1991

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Edward J. Ramp for respondent
Frederick Kalma appointed Attorney/Trustee
in accordance with R.1:20-12

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he was unable to successfully defend himself against pending charges that he knowingly misappropriated client's trust funds.

The respondent had been temporarily suspended from the practice of law since November 27, 1990. He had previously practiced under a license restriction that required a co-signature on his trust account since November 5, 1990.

LOUIS B. YOUMANS

Admitted: 1977; Tinton Falls (Monmouth County)
Disbarment By Consent - *123 N.J. 570 (1991)*
Decided: 4/30/1991

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
James R. Kinarney for respondent
Patricia M. Greeley appointed Attorney/Trustee
in accordance with R.1:20-12

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who pled guilty in the Superior Court of New Jersey, Law Division, Monmouth County, to charges of conspiracy to commit theft by deception *(N.J.S.A. 2C:5-2* and *2C:20-4)*, theft of services (N.J.S.A. *2C:20-8),* theft by failure to make required disposition of property received (*N.J.S.A. 2C:20-9)* and unlawful possession of a weapon (*N.J.S.A. 2C:39-5).*

The respondent had previously been temporarily suspended from practice on January 24, 1990. He was subsequently suspended for a period of two years later that year. In *re Youmans, 118 N.J. 622 (1990).*

The respondent was admitted to the Bars of New York and the District of Columbia and Chief Disciplinary Counsel there has been advised of the results of these proceedings.

KENNETH P. ZAUBER

Admitted: 1965; New Brunswick (Middlesex County)
Disbarment - *122 N.J. 87 (1991)*
Decided: 1/18/1991

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt Attorney Ethics
Richard F. Aronsohn for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for a respondent who was convicted in the United States District Court for the District of New Jersey of Racketeer Influenced and Corrupt Organization Act conspiracy, in violation of *18 U.S.C.A. '1962(d),* and of soliciting kickbacks in connection with an employee benefit plan, in violation of *18 U.S.C.A. '1954.* Respondent's conviction on these charges was affirmed in United States v. Zauber, *837 F.2d. 137 (3rd Cir. 1988)*. He also pled guilty in the Superior Court of New Jersey, Law Division, Mercer County, to obtaining controlled dangerous substances by fraud or misrepresentation, in violation of *N.J.S.A.24:21-22a(3),* and to forgery in violation of *N.J.S.A. 2C:21-1a(2).* Respondent asserted that his convictions should be mitigated because of his addiction to prescription drugs, cocaine and heroin. The Supreme Court noted, however, that:

> [D]rug addiction, whether legal or illegal drugs, may not mitigate serious ethical infractions such as misappropriation or crimes involving dishonesty, fraud, deceit, or misrepresentation.

The respondent was previously privately reprimanded in 1979, when he was a deputy attorney general, for improperly soliciting an endorsement to support his quest for a judgeship. The person so solicited was the defendant in a civil action instituted by the Attorney General, an action in which respondent had assisted in drafting the complaint.

The respondent had been temporarily suspended from the practice of law since January 8, 1986.

1990

JOEL M. ALBERT

Admitted: 1961; Hackensack (Bergen County)
Suspension for 3 Months - *120 N.J. 698 (1990)*

Decided: 8/8/1990 Effective: 8/24/1990

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Barry I. Croland for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 3 months was the appropriate discipline for a respondent who, in two separate client matrimonial matters, exhibited a lack of diligence and neglect, and failed to reasonably communicate with his clients. Moreover, in one case he improperly withdrew legal fees from an escrow account without first securing the client's permission. In aggravation the Court pointed out that respondent had failed to cooperate with the District Ethics Committee during the investigation, failed to file an answer to the formal complaint and failed to notify the Disciplinary Review Board that he intended to waive his appearance before the Board.

The respondent had been previously privately reprimanded in 1985 for having failed to respond promptly to an ethics complaint.

Respondent was also admitted to the Bar of the District of Columbia and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

The respondent was reinstated to the practice of law by order of the Supreme Court, effective December 20, 1990.

PETER J. ANTICO

Admitted: 1974; Jersey City (Hudson County)
Disbarment By Consent - *120 N.J. 59 (1990)*
Decided: 6/26/1990

REPRESENTATION
William R. Wood for Attorney Ethics
Harold J. Ruvoldt, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging the knowing misappropriation of client's trust funds.

LEONARD M. ATLAS

Admitted: 1965; Morganville (Monmouth County)
Disbarment By Consent - *121 N.J. 395 (1990)*
Decided: 10/11/1990

REPRESENTATIONS
John J. Janasie for Attorney Ethics
John R. Ford for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of respondent who admitted that he could not successfully defend pending disciplinary charges that he misused client's trust funds.

The respondent had been temporarily suspended from the practice of law in New Jersey since June 18, 1990.

DALE W. BAKER

Admitted: 1980; North Brunswick (Middlesex County)
Disbarment - *120 N.J. 496 (1990)*
Decided: 8/3/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
John J. Pribish for respondent

The Supreme Court held that disbarment was the only appropriate discipline for a respondent who knowingly misappropriated $47,693 in clients' trust funds. The Court found that respondent's psychological defense failed to demonstrate that respondent did not understand the nature and quality of his acts of misappropriation. In fact, the Court found that he knew exactly what he was doing, but simply "did not care about the consequences."

The respondent has been practicing law since April 26, 1986 under a license restriction, which required his practice to be supervised by a proctor, John Pribish, who was directed to co-sign all checks and to share in the responsibility for handling his bank accounts.

The respondent was also admitted to practice law in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

SALVATORE J. BATE

Admitted: 1975; Englewood Cliffs (Bergen County)
Public Reprimand - *120 N.J. 376 (1990)*
Decided: 7/17/1990

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Frank J. Cuccio for respondent

The Supreme Court of New Jersey, without oral argument, accepted the recommendation and adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who engaged in flagrant violations in maintaining a law firm trust account and who, for a year and a half, negligently misappropriated clients' funds due to a $8,900 over-disbursement at a real estate closing. Since no quarterly reconciliations were performed as required by court rules, the over-disbursement was not discovered until an overdraft on the trust account occurred and the Office of Attorney Ethics investigated.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

BASIL D. BECK, JR.

Admitted: 1963; Bridgeton (Cumberland County)
Public Reprimand - *118 N.J. 561 (1990)*
Decided: 5/1/1990

APPEARANCES BEFORE REVIEW BOARD
Nelson C. Johnson for District I
Joseph D. O'Neill for respondent

The Supreme Court of New Jersey, without oral argument, adopted the Decision and Recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who engaged in a pattern of negligence in the handling of three matters, failed to adequately communicate with these clients and failed to expedite litigation in accordance with *R.P.C. 3.2*. Additionally, the Court ordered that, for a period of two years, the respondent be required to practice under the supervision of a proctor approved by the Office of Attorney Ethics.

LUIS OSCAR BELTRE

Admitted: 1982; Jersey City (Hudson County)
Suspension 3 Months - *119 N.J. 190 (1990)*
Decided: 5/30/1990

APPEARANCES BEFORE REVIEW BOARD
John A. O'Shaughnessy for District VI
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for three months was the appropriate discipline for an attorney who (1) failed to prosecute a criminal appeal, (2) failed to maintain a bona fide law office within the state, (3) failed to maintain attorney trust and business accounts, (4) practiced law in New Jersey while on the Ineligible List for failure to file annual registration statements and failure to pay his annual registration fee and (5) failed to cooperate with a District Ethics Committee and the Disciplinary Review Board during the processing of these ethics proceedings.

The respondent was also admitted to practice in the states of Florida and New York and Chief Disciplinary Counsel there have been notified of the results of these proceedings.

ALBERT H. BIRCHWALE

Admitted: 1976; Ridgefield (Bergen County)
Suspension for 6 Months - *121 N.J. 397 (1990)*
Decided: 10/16/1990 Effective: 11/5/1990

APPEARANCES BEFORE REVIEW BOARD
Michael L. Kingman for District IIB
Peter E. Doyne for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a six month suspension from practicing law was the appropriate discipline for a respondent who improperly engaged in two separate business relationships with clients without making proper disclosures, failed to maintain proper trust and business accounting records and who directed his secretary to notarize the will of a client whose signature the secretary had not witnessed.

ROBERT A. BRAUN

Admitted: 1984; Philadelphia (Pennsylvania)
Suspension for 3 Months - *118 N.J. 452 (1990)*
Decided: 1/23/1990 Effective: 9/3/1987

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the decision of the Disciplinary Review Board and held that a suspension for three months was the appropriate discipline for a respondent who pled guilty in the Municipal Court of Philadelphia to one count of recklessly endangering another person by intentionally reversing a gas meter. The respondent had been initially disciplined in the State of Pennsylvania (where respondent was also admitted) by a three month suspension commencing September 3, 1987. The New Jersey suspension was reciprocally ordered to be effective as of that same date.

The respondent was reinstated to the practice of law by order of the Supreme Court, effective March 30, 1990.

CHARLES R. BREINGAN

Admitted: 1983; Burlington (Burlington County)
Public Reprimand - *120 N.J. 161 (1990)*
Decided: 7/10/1990

APPEARANCES BEFORE REVIEW BOARD
Gregory R. McCloskey for District IIIB
Peter J. Toth for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who exhibited a pattern of neglect in the handling of three matters, failed to communicate with those clients and who, in one of these matters, failed to diligently pursue his client's claims. The Supreme Court also cited as an aggravating factor respondent's failure to cooperate with the District Ethics Committee during the course of the investigation.

The respondent had been previously privately reprimanded in 1986. Respondent was admitted to the Bar of the State of Colorado and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

ALBERT M. BUKOSKY

Admitted: 1965; Linden (Union County)
Disbarment By Consent - *121 N.J. 399 (1990)*
Decided: 10/16/1990

REPRESENTATIONS
Richard J. Engelhardt Attorney Ethics
Frank C. Krack for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who pled guilty in Superior Court of New Jersey, Law Division, Union County to one count each of theft by failure to make required disposition of property in violation of *N.J.S.A. 2C:20-9* and misapplication of entrusted property in violation of *N.J.S.A. 2C:21-15*.

The respondent had been temporarily suspended from the practice of law since July 25, 1990.

HOWARD S. BORDEN, JR.

Admitted: 1958; Toms River (Ocean County)
Suspension for 6 Months - *121 N.J. 520 (1990)*
Decided: 10/16/1990 Effective: 11/5/1990

APPEARANCES BEFORE REVIEW BOARD
Charles H. Mandell for District IIIA
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of six months was the appropriate discipline for an attorney who grossly neglected filing a lawsuit on behalf of a client for five years, resulting in the running of the statute of limitations, and who on numerous occasions made misrepresentations to the client, including intentionally misleading the client to believe that a complaint had been filed and a trial date would be forthcoming. The respondent also failed to cooperate with disciplinary authorities.

The respondent had been previously disciplined for similar misconduct on two occasions. On May 28, 1982 he received a private reprimand for failing to pursue a matter and to communicate with a client for a period in excess of four years. On October 18, 1988 he was publicly reprimanded for grossly neglecting a case, failing to keep his client informed of the status of the matter, allowing the complaint to be dismissed for failure to answer interrogatories, and repeatedly misrepresenting to the client that the case was progressing satisfactorily, even after its dismissal. *In re Borden 112 620 (1988)*.

The respondent was also admitted to practice in the state of Florida and Chief Disciplinary Counsel has been notified of the results of these proceedings.

PETER A. BUXBAUM

Admitted: 1983 New Jersey
1983 Pennsylvania
of Merchantville (Camden County)
Disbarment By Consent - *121 N.J. 191 (1990)*
Decided: 9/4/1990

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Respondent represented himself

While a recommendation for his disbarment by the Disciplinary Review Board was pending oral argument before the Supreme Court, respondent submitted his Disbarment By Consent, which was accepted by the Supreme Court. In so doing respondent admitted that he could not successfully defend himself against reciprocal disciplinary proceedings emanating from Pennsylvania that demonstrated a knowing misappropriation of client's trust funds.

The respondent had been temporarily suspended from practicing law in New Jersey since July 17, 1990.

LEONARD T. BZURA

Admitted: 1978; Elizabeth (Union County)
Suspension 2 Years - 119 N.J. 91 (1990)
Decided: 5/21/1990

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Thomas V. Manahan for District XII
Respondent did not appear

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a two year suspension from the practice of law was the appropriate discipline for an attorney who (1) was convicted in the Superior Court, Law Division, Union County of unlawful possession of a weapon in violation of *N.J.S.A. 2C:39-5b* (a third degree crime) and who (2) engaged in a pattern of neglect in three matters, failed to communicate with clients, acted in a manner prejudicial to the administration of justice, failed to provide clients with written retainer agreements in accordance with *RPC 1.5* and who wrote to a client that he was waiting for a trial date when the case had been dismissed.

The respondent had been temporarily suspended since November 29, 1989 as the result of his failure to comply with a fee arbitration determination.

ROBERT D. CARROLL

Admitted: 1960; Oxford (Warren County)
Public Reprimand - 118 N.J. 437 (1990)
Decided: 3/20/1990

APPEARANCES BEFORE REVIEW BOARD
Robert M. Sanderford for District XIII
Noel E. Schablik for District X
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, accepted the recommendation of the Disciplinary Review Board held that a public reprimand was the appropriate discipline for a respondent who was found guilty of contempt in willfully violating a matrimonial restraining order issued by the Superior Court by intentionally contacting and harassing a person while under a protective court order. The respondent was also found to have been guilty, in a workers compensation matter, of improperly executing a jurat, failing to keep a legal fee agreement as required by court rules and of improperly waiving a legal fee in exchange for a referral of legal business.

ROBERT E. CASSIDY

Admitted: 1978; Passaic (Passaic County)
Disbarment - 122 N.J. 1 (1990)
Decided: 12/20/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear
Paul O'Rourke appointed Attorney/Trustee
in accordance with R.1:20-12

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who fraudulently took thirty-six retainers from clients without depositing them in a trust or business account and who then vanished, thus abandoning his clients. Respondent was also found to have knowingly misappropriated $4,962 of one client's funds, which was specifically designated to pay medical bills.

Respondent had been temporarily suspended from the practice of law in New Jersey since March 13, 1989.

PETER M. CERVANTES

Admitted: 1976; Bushkill, Pennsylvania
Public Reprimand - 118 N.J. 557 (1990)
Decided: 5/1/1990

APPEARANCES BEFORE REVIEW BOARD
District VIII waived appearance
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who failed to pursue two worker's compensation matters with diligence and failed to keep these clients reasonably informed of the status of their matters and who, in one of these cases, also misrepresented the status to the client.

The respondent has been temporarily suspended from practice since January 31, 1986 for failing to pay a fee arbitration determination award. *In re Cervantes, 101 N.J. 649 (1986)*. The Court, in the present case, ordered that the temporary suspension continue and that any application for reinstatement shall be conditioned upon "satisfactory evidence that the award of the District VIII Fee Arbitration Committee and all other claims for reimbursement of fees paid by former clients have been satisfied."

ROBERT H. CHESTER

Admitted: 1960; Clifton (Passaic County)
Suspension for 6 Months - 117 N.J. 360 (1990)
Decided: 1/10/1990 Effective: 1/29/1990

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
David A. Biederman for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a six month suspension from practicing law was the appropriate discipline for respondent who pled guilty in United States District Court for the District of New Jersey to one count of willful failure to file a federal income tax return for calendar year 1984 in violation of *26 U.S.C.A. <185>7203.*

The Disciplinary Review Board noted as an aggravating factor that the respondent had received a previous private reprimand in 1988 for the use of unbecoming language in the courtroom. The respondent was reinstated to the practice of law by order of the Supreme Court, effective December 4, 1990.

NORMAN J. CHIDIAC

Admitted: 1970; Paterson (Passaic County)
Suspension 36 Months - *120 N.J. 32 (1970)*
Decided: 6/29/1990 Effective: 12/14/1987

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Allan M. Harris for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of three years was the appropriate discipline for a respondent who, while managing low-income rental properties for the Diocese of Paterson, failed to maintain proper records of the income received and expenses paid, failed to communicate adequately with his client and withdrew legal and other fees without prior consent of his client.

The respondent had been temporarily suspended from practicing law since December 14, 1987 as a result of a finding that he forged an inheritance tax waiver. *In re Chidiac, 109 N.J. 84 (1987).*

ROBERT B. CLARK

Admitted: 1979; East Orange (Essex County)
Public Reprimand - *118 N.J. 563 (1990)*
Decided: 5/1/1990

APPEARANCES BEFORE REVIEW BOARD
Raymond J. Fleming and Sheldon Schiffman for District VB
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the Decision and Recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who failed to act with diligence and to communicate with clients in four matters, and, in a fifth case, failed to return any part of a $545 retainer despite promises to the grievant and the request of the grievant's new attorney.

The respondent was admitted to the Bar of the State of New York and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

IRA COHEN

Admitted: 1972; Emerson (Bergen County)
Public Reprimand - *118 N.J. 420 (1990)*
Decided: 1/10/1990

APPEARANCES BEFORE REVIEW BOARD
Robert T. Tessaro for District IIB
Gerald D. Miller for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that public reprimand was the appropriate discipline for a respondent who engaged in a conflict of interest by representing a driver and passenger in a personal injury action and who engaged in misrepresentation by writing a letter to the defendant which improperly suggested discovery answers and purported to be signed by defendant's counsel.

The respondent was also admitted to the bar of the State of Wisconsin and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

JEROME JAY COHEN

Admitted: 1965; Cherry Hill (Camden County)
Disbarment - *120 N.J. 304 (1990)*
Decided: 7/20/1990

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Respondent did not appear
Michael A. Kaplan appointed Attorney/Trustee
in accordance with R.1:20-12

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who exhibited a pervasive pattern of neglect and lack of communication with his client, and who altered the filing date on a complaint in an attempt to deceive the client, the court and his adversaries in order to cover up the fact that the complaint was filed after the running of the statute of limitations.

The respondent had been privately reprimanded in 1979 for conduct involving misrepresentation to an expert. Moreover, in 1989 respondent had been suspended from the practice of law for a period of one year for numerous ethical violations including conflict of interest and gross negligence. *In re Cohen, 114 N.J. 51 (1989).*

LESLIE A. DIENES

Admitted: 1981; Metuchen (Middlesex County)
Public Reprimand - *118 N.J. 403 (1990)*
Decided: 4/6/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
S. M. Chris Franzblau for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for a respondent who, in response to a civil action motion against him for the imposition of monetary sanctions for filing a frivolous suit, sent a letter to the Chairman of defendant-corporation which included an improper threat. Specifically, respondent threatened to reveal the "saga of the lax security in the computer operations at defendant-corporation to an investigative reporter from the New York Post if defendant-corporation did not withdraw its demand for counsel fees in the pending federal civil action." The Court stated that "No lawyer, even if acting in a personal capacity, should use a threat to disclose confidential information to obtain a favorable legal result." The Court further admonished the respondent by noting that "(a)ny further misconduct in advocacy on respondent's part 'will be a basis for more drastic disciplinary action than is imposed herewith.'"

HARRY DREIER

Admitted: 1976; Plainfield (Union County)
Public Reprimand - *120 N.J. 154 (1990)*
Decided: 7/17/1990

APPEARANCES BEFORE REVIEW BOARD
Gerald T. Glennon for District XII
Francis X. Hermes for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for a respondent who, while acting as a trustee in an estate matter, failed to act with reasonable diligence for a period of over three years and failed to communicate with the beneficiary of the trust.

The respondent had been previously publicly reprimanded for his lack of diligence in a matter, misrepresenting the status to his client on numerous occasions, and further attempting to deceive his client by supplying a false docket number. *In re Dreier, 94 N.J. 396 (1983).*

The respondent was admitted to the Bar of the District of Columbia and Chief Disciplinary Counsel there has been advised of the results of these proceedings.

DANIEL P. DUTHIE

Admitted: 1989 New Jersey
1977 New York
Oyster Bay, New York
Suspension for 6 Months - *121 N.J. 545 (1990)*
Decided: 12/20/1990

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
John H. Schunke, Jr. for respondent

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for six months was the appropriate discipline for an attorney who pled guilty in the state of New York, Albany City Court, to two misdemeanor Counts of failure to file New York State tax returns for the calendar years 1986 and 1987 (for which his tax liability totalled $14,146.11 and $11,367.88, respectively), in violation of <185>1801(a) of the tax laws of the state of New York.

ROBIN E. ECHEVARRIA

Admitted: 1982; Mount Holly (Burlington County)
Public Reprimand - *119 N.J. 272 (1990)*
Decided: 6/7/1990

APPEARANCES BEFORE REVIEW BOARD
Paula T. Granuzzo for Attorney Ethics
John S. Furlong for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who was found guilty in the Superior Court of New Jersey, Law Division, Union County of possession and use of less than 50 grams of marijuana in violation of *N.J.S.A. 2C:35-10(b) and 2C: 35-10(a)(4)*, both disorderly persons offenses. The Court noted in its order that, while a private reprimand would normally be the proper discipline "in matters arising from the possession and use of a small amount of marijuana, respondent was conditionally discharged for possession and use of marijuana in 1975." This prior finding was an aggravating factor which led to enhanced discipline.

JOHN A. ESPOSITO

Admitted: 1957; Union City (Hudson County)
Suspension for 3 Years - *118 N.J. 432 (1990)*
Decided: 2/9/1990; Effective: 5/28/1984

APPEARANCES BEFORE REVIEW BOARD
Edward B. Heyd for District VI
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the Decision and Recommendation of the Disciplinary Review Board and held that a three year suspension from the practice of law was the appropriate discipline for a respondent who grossly neglected five matters and misrepresented the status of several of those cases, and engaged in impermissible dual representation of buyer and seller of real estate in a sixth matter.

The respondent had been previously suspended from practice since May 28, 1984 when he received a six month suspension as a result of his guilty plea to failure to pay federal income and social security taxes on behalf of employees. In re Esposito, 96 N.J. 122 (1984). Since the respondent had never applied for reinstatement from that earlier action, his current suspension was made retroactive to the earlier suspension.

ALFREDO FERNANDEZ

Admitted: 1980; Union (Union County)
Disbarment By Consent - *117 N.J. 423 (1990)*
Decided January 23, 1990

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Richard B. McGlynn for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against pending disciplinary charges of the knowing misappropriation of clients' trust funds in excess of $145,000.

This case was discovered solely as a result of the Trust Overdraft Notification Program. The respondent was also licensed as a Certified Public Accountant in New Jersey and the Board of Accountancy has been notified of these proceedings.

LAWRENCE J. FINNEGAN

Admitted: 1972; Middletown (Monmouth County)
Disbarment By Consent - *118 N.J. 438 (1990)*
Decided: 3/20/1990

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Wilbur J. Van Houten for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges of the knowing misappropriation of clients' trust funds.

This matter was discovered solely as a result of the Trust Overdraft Notification Program.

RICHARD A. FIORE

Admitted: 1967; Hackensack (Bergen County)
Disbarment By Consent - *118 N.J. 439 (1990)*

Decided: 3/20/1990

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Frank J. Cuccio for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of $45,000 of clients' trust funds.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

JOHN F. FOX

Admitted: 1970; Totowa (Passaic County)
Public Reprimand - *118 N.J. 467 (1990)*
Decided: 2/20/1990

APPEARANCES BEFORE REVIEW BOARD
Thomas R. Raimondi for District XI
Robert B. Cherry for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who, as trustee of a testamentary trust, made an unsecured loan of $30,000 in trust assets to a roofing company-client of his without disclosing the nature of the loan to the beneficiary of the trust or to the Surrogates' Court and without obtaining consent to the loan on behalf of the trust. The Disciplinary Review Board pointed out that:

> "Respondent had a fiduciary duty as trustee of the trust, which he violated. True, under the terms of the trust, respondent had the power to invest and reinvest trust assets. However, RPC 1.7 clearly required the consent of both clients before these transactions took place. This, respondent failed to do."

MARY C. GARCIA

Admitted: 1979; Jersey City (Hudson County)
Public Reprimand - *119 N.J. 86 (1990)*
Decided: 5/18/1990

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
George B. Campen for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who, while not criminally prosecuted, was proven to have willfully failed to file federal income tax returns for the tax years 1980, 1981 and 1982 in violation of *26 U.S.C.A. <185>7203*. The Court stated that, while a suspension from practice was the usual result in these cases where the respondent has been criminally convicted, a public reprimand is appropriate discipline in this case of first impression "because we have not heretofore made it clear that a finding of willful failure to file income tax returns would merit the same discipline absent a criminal conviction."

JOSEPH R. GIANNINI

Admitted: 1984; Santa Monica (California)
Public Discipline - *118 N.J. 439 (1990)*
Decided: 3/201990

APPEARANCES BEFORE REVIEW BOARD
Charles R. Ianuzzi for District IV
Respondent waived appearance

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for a respondent who, in a divorce matter, engaged in a predetermined course of action designed to gain an advantage in pending litigation by demeaning, insulting, intimidating and harassing the trial judge.

The respondent was admitted to the Bar of the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of these proceedings. Respondent is also a licensed New Jersey Certified Public Accountant and the Secretary of that Board has also been notified of these proceedings.

Thereafter, by order dated December 4, 1990 the Supreme Court granted respondent's Motion to Vacate Its Order of Public Reprimand dated March 20, 1990. The Court set the matter down for oral argument on the merits for January 14, 1991.

RONALD C. GOLDFARB

Admitted: 1977; Englewood Cliffs (Bergen County)
Public Reprimand - *120 N.J. 335 (1990)*
Decided: 7/17/1990

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Frank J. Cuccio for respondent

The Supreme Court of New Jersey, without oral argument, accepted the recommendation and adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who engaged in flagrant violations in maintaining a law firm trust account and who, for a year and a half, negligently misappropriated clients' funds due to an $8,900 over-disbursement at a real estate closing. Since no quarterly reconciliations were performed as required by court rules, the over-disbursement was not discovered until an overdraft on the trust account occurred and the Office of Attorney Ethics investigated.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

JORGE R. GONZALEZ

Admitted: 1979; North Bergen (Hudson County)
Disbarment By Consent - *121 N.J. 403 (1990)*
Decided: 10/16/1990

REPRESENTATIONS
David E. Johnson, Jr. for Attorney Ethics
Robert M. Mayerovic for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend pending disciplinary charges that he knowingly misappropriated $137,000 in connection with a mortgage financing for a client and who then, for a two year period, made interim mortgage payments on a prior first mortgage in order to conceal his acts.

Respondent had been temporarily suspended from the practice of law in New Jersey since September 4, 1990.

MARC J. GORDON

Admitted: 1959; Springfield (Union County)
Public Reprimand - *121 N.J. 399 (1990)*
Decided: 10/16/1990

APPEARANCES BEFORE REVIEW BOARD
Harvey Schwartzberg for District XII
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who grossly neglected two personal injury cases by failing to complete interrogatories, the answers to which had been drafted by his clients, as a result of which both complaints were dismissed. The respondent also failed to communicate with his clients and to keep them reasonably informed of the status of their matters, nor did he make any attempt to have the cases restored.

JOSEPH P. GRABLER

Admitted: 1964; Middletown (Monmouth County)
Suspension 1 Year - *119 N.J. 83 (1990)*
Decided: 5/30/1990 Effective: 2/1/1989

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Geoffrey M. Greenberg for District IX
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a one-year suspension from the practice of law was the appropriate discipline for an attorney who grossly neglected a real estate matter and failed to safeguard an escrow check.

Respondent had previously been suspended for a period of one year for his gross neglect of four other matters during the same time period [*In re Grabler, 114 N.J. 1 (1989)]* and the Court ordered that his present suspension run concurrently with the prior suspension. Moreover, respondent was ordered to reimburse the grievant and, prior to reinstatement he was ordered to complete the core courses for the Skills and Methods Program given by the New Jersey Institute for Continuing Legal Education. The Court also conditioned any restoration to practice upon a two-year proctorship.

FRANK J. GRIFFIN

Admitted: 1982; Atlantic City (Atlantic County)
Suspension 1 Year - *121 N.J. 245 (1990)*
Decided: 9/26/1990 Effective: 10/15/1990

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Mary J. Maudsley for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who entered into a business relation with a client, whom he knew to be an alcoholic and with whom he was cohabitating, whereby the client pledged her home as collateral for a $20,000 loan, three-fourths of which was paid to respondent. Full disclosure of the consequences of the transaction was not made and no independent counsel was secured to advise the client. Respondent later ceased repaying the loan, as he had agreed to do, resulting in the client's being forced to sell the real estate in order to avoid foreclosure. The respondent was admitted to practice law in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

GEORGE H. HAHM

Admitted: 1967; Newark (Essex County)
Disbarment - *120 N.J. 691 (1990)*
Decided: 8/3/1990

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Martin S. Livingston for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for a respondent who knowingly misappropriated $15,500 in real estate proceeds. In so doing the Court again rejected the attempt of a rehabilitated alcoholic attorney to avoid the automatic disbarment rule in these cases. The court held that "(W)e disbar because we are convinced that nothing less will be consistent with our view of the devastating effect of misappropriation on the public's confidence in the bar and in this Court."

The respondent had been temporarily suspended from the practice of law since November 22, 1982.

CLIFTON E. HALL, JR.

Admitted: 1972 New Jersey
1965 New York
Budd Lake (Morris County)
Disbarment - *119 N.J. 193 (1990)*
Decided: 6/7/1990

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who was disciplined by disbarment in the state of New York for the knowing misappropriation of client trust funds.

The respondent was previously suspended for a period of one year as the result of a criminal conviction for failing to file federal income tax returns. *In re Hall, 117 N.J. 675 (1989)*.

ROBERT F. HENN

Admitted: 1966; Midland Park (Bergen County)
Public Reprimand - *121 N.J. 517 (1990)*
Decided: 12/4/1990

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Thomas W. Dunn for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, accepted the report and recommendation of the Disciplinary Review Board and publicly reprimanded a respondent who failed to maintain proper trust and business account records in accordance with *R.1:21-6* and who, in response to a random audit, failed to cooperate and correct cited deficiencies, and, in another matter, failed to act with diligence, failed to communicate with a client and then misrepresented the status of a case as being pending when, in fact, it had been dismissed.

Respondent was previously privately reprimanded on October 2, 1985 for failure to give a timely accounting of funds held in trust for a client and to disburse those funds promptly when requested to do so by his client.

WILLIAM B. HIBLER

Admitted: 1966; Hackettstown (Warren County)
Disbarment By Consent - *118 N.J. 430 (1990)*
Decided: 2/6/1990

REPRESENTATIONS
William R. Wood for Attorney Ethics
William J. McGovern for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent submitted while final oral argument was pending on a Decision and Recommendation for disbarment by the Disciplinary Review Board. The Board found that respondent misappropriated over $9,000 in client trust funds when he disbursed them without authorization to another client on eleven separate occasions. Although respondent claimed these disbursements were authorized by the client, there was no documentary evidence whatsoever produced to substantiate respondent's loan claim. As a result the Board concluded that respondent knowingly misappropriated client trust funds.

OLLEN B. HINNANT

Admitted: 1963; Newark (Essex County)
Public Reprimand - *121 N.J. 395 (1990)*
Decided: 10/2/1990

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Solomon Rosengarten for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for a respondent who overreached his clients by attempting to collect approximately $21,000 in fees for his representation in a $91,000 real estate transaction. Respondent attempted to collect fees in the form of a commission on the purchase price, an additional fee on the amount of a negotiated reduction of the purchase price and a further fee in the form of a share of the real estate broker's commission. In a separate fee arbitration proceeding the District Fee Arbitration Committee reduced respondent's legal fee to $2,500 and concluded that respondent "entered into an agreement to charge and did charge a fee so excessive as to evidence an intent to overreach his client." The Supreme Court also found respondent guilty of a conflict of interest in that he acted in multiple and incompatible capacities as attorney, consultant, negotiator and as real estate broker.

The respondent was also admitted to practice law in the Commonwealth of Kentucky and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

WILLIAM E. HOGAN, JR.

Admitted: 1968; Highland Lakes (Sussex County)
Suspension for 6 Months - *118 N.J. 425 (1990)*
Decided: 1/23/1990 Effective: 9/19/1990

APPEARANCES BEFORE REVIEW BOARD
Murray J. Laulicht for District X
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the decision of the Disciplinary Review Board and held that a suspension from practice of six months

was the appropriate discipline for an attorney who, in two personal injury matters, was guilty of gross neglect and failure to communicate with clients. The respondent was previously suspended for a period of one year on September 19, 1989 for engaging in an extensive pattern of neglect and failing to maintain proper trust and business account records pursuant to *R.1:21-6*. *In re Hogan, 117 N.J. 672 (1989)*. The Supreme Court ordered that the current six month suspension "run consecutive to the one year suspension" previously imposed."

DONALD G. HOWARD

Admitted: 1968; Browns Mills (Burlington County)
Disbarment - *121 N.J. 173 (1990)*
Decided: 9/7/1990 Effective: 9/21/1990

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, while in severe financial difficulties, knowingly misappropriated clients' trust funds to pay over $15,000 in personal debts.

BARRY L. KANTOR

Admitted: 1963; Morristown (Morris County)
Suspension for 1 Year - *118 N.J. 434 (1990)*
Decided: 3/15/1990 Effective: 4/2/1990

APPEARANCES BEFORE SUPREME COURT
Paula T. Granuzzo for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension from the practice of law for one year was the appropriate discipline for a respondent who was grossly negligent in failing to file an appellate brief, failed to act with due diligence to secure the reinstatement of that appeal and who then misrepresented the status of the appeal to his client. In view of respondent's exhibited lack of candor the Court conditioned any reinstatement to the practice of law upon psychiatric proofs that respondent is fit to return to practice and proof of the successful completion of the Skills and Methods core courses and the Professional Responsibility course offered by the Institute for Continuing Legal Education. Moreover, the Court ruled that for a period of one year after reinstatement respondent shall be under the supervision of a proctor.

The respondent was previously privately reprimanded in 1985 for his failure to communicate with a client.

GERALD C. KELLY

Admitted: 1967; Westfield (Union County)
Disbarment - *120 N.J. 679 (1990)*
Decided: 8/3/1990 Effective: 9/12/1990

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Justin P. Walder for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for a respondent who, while executor of a decedent's estate, engaged in the pre-*Wilson* misappropriation of shares of a partnership, submitted an altered check to cover up an impropriety in connection with an estate accounting and engaged in a conflict of interest by acting as an executor and also as attorney for a creditor of the estate.

The Court held that "Although the pattern (of misconduct) was confined to this one estate, the breach of fiduciary duty was too broad and the instances too numerous to allow for less than the most serious discipline."

At the request of respondent the Supreme Court stayed the effectiveness of its decision pending filing of a motion for reconsideration. That motion was denied and the stay vacated by order dated September 11, 1990, which became effective September 12, 1990.

The respondent had been practicing under a restricted license since March 5, 1984 when the Supreme Court ordered that he "be restrained from making disbursal of funds in the Business and Trust Accounts maintained by the law firm... pending final disposition of the ethics complaints against him."

RONALD V. KENDERIAN

Admitted: 1973; Alpine (Bergen County)
Disbarment By Consent - *119 N.J. 85 (1990)*
Decided: 5/30/1990

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Melvyn H. Bergstein for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of a respondent who admitted that he could not successfully defend himself against pending charges involving the knowing misappropriation of clients' trust funds.

Respondent had been admitted to practice in the state of New York and Chief Disciplinary Counsel there was notified of the results of these proceedings.

STEPHEN P. KERNAN

Admitted: 1981; Bridgeton (Cumberland County)
Suspension for 3 Months - *118 N.J. 361 (1990)*
Decided: 3/30/1990 Effective: 4/16/1990

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
John P. Morris for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for three months was the appropriate discipline for a respondent who, in his own

matrimonial matter, failed to inform the court of the fact that he had transferred real property for no consideration which he had previously certified to the court as an asset. That concealed conveyance, the court noted, was "purported fraud, a seemingly dishonest act and plainly destructive of the sound and proper administration of justice." Moreover, the Court held that respondent knowingly made a false certification when he "failed to amend the certification of his assets to disclose the transfer" because "he imperiled the ability of the court to determine the truth and reach a just result." In this regard he obviously failed in his duty of candor owed to the court.

The Supreme Court cited as an aggravating factor respondent's prior discipline on December 2, 1986 of a private reprimand for his dual representation of a buyer and seller in the sale of a business without full disclosure to both parties of the potential conflict of interest inherent in such representations and the risks involved. The respondent was reinstated to the practice of law by order of the Supreme Court, effective September 25, 1990.

MATTHEW A. LEAHEY

Admitted: 1977; Toms River (Ocean County)
Suspension 6 Months - *118 N.J. 578 (1990)*
Decided: 5/1/1990 Effective: 5/22/1990

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
John C. Whipple for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a six month suspension from the practice of law was the appropriate discipline for a respondent who pled guilty in the United States District Court for the District of New Jersey to willfully failing to file a personal income tax return in 1984, in violation of *26 U.S.C.A. <185>7203*.

WILLIAM N. LEVY

Admitted: 1966; Cherry Hill (Camden County)
Public Reprimand - *121 N.J. 398 (1990)*
Decided: 10/16/1990

APPEARANCES BEFORE REVIEW BOARD
Cosmo A. Giovinazzi, III for District I
Jeffrey C. Zucker for respondent

The Supreme Court of new Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who participated in an illegal undertaking by representing the borrower in a usurious transaction.

VICTOR LIBRIZZI, JR.

Admitted: 1967; Cedar Grove (Essex County)
Suspension for 6 Months - *117 N.J. 481 (1990)*
Decided: 2/16/1990 Effective: 3/2/1990

APPEARANCES BEFORE SUPREME COURT
Paula T. Granuzzo for Attorney Ethics
Frank P. Lucianna for respondent

The Supreme Court of New Jersey held that a suspension from practicing law for six months was the appropriate discipline for an attorney who failed to maintain proper trust and business accounting records as a result of which he negligently misappropriated $25,000 in client trust funds.

This case was discovered solely as a result of the Random Audit Compliance Program.

The respondent was reinstated to practice on October 16, 1990 upon the condition that, for three years, he submit a certified annual audit of his trust account.

PHILIP J. LIVOLSI

Admitted: 1974; Berlin (Camden County)
Disbarment By Consent - *121 N.J. 401 (1990)*
Decided: 10/25/1990

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
John Morelli for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who pled guilty in the United States District Court for the District of New Jersey to one count of an indictment charging him with conducting a racketeering enterprise through mail fraud in violation of *18 U.S.C.A. <185>1962(c)(2)*.

The respondent had been temporarily suspended from the practice of law since April 30, 1990.

Respondent was admitted to practice law in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

THOMAS A. LUNN

Admitted: 1960; Camden (Camden County)
Suspension for 3 Years - *118 N.J. 163 (1990)*
Decided: 3/16/1990 Effective: 3/31/1990

APPEARANCES BEFORE SUPREME COURT
Paula T. Granuzzo for Attorney Ethics
Harry D. Ambrose, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for three years was the appropriate discipline for a respondent who submitted a false written statement by a witness in support of his own claim for personal injuries and deliberately lied about the authenticity of

the statement under oath in a civil action pursued for his own benefit.

THOMAS A. LUNN

Admitted: 1960; Camden (Camden County)
Disbarment By Consent - *121 N.J. 190 (1990)*
Decided: 9/4/1990

REPRESENTATIONS
William R. Wood for Attorney Ethics
Harry D. Ambrose, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against charges involving the knowing misappropriation of trust funds during the five year period from 1982 through 1987.

SIXTO L. MACIAS

Admitted: 1980; Union City (Hudson County)
Public Reprimand - *121 N.J. 243 (1990)*
Decided: 9/18/1990

APPEARANCES BEFORE REVIEW BOARD
William R. Wood for Attorney Ethics
Amarilis Albuerme-Diaz for respondent

The Supreme Court of New Jersey, without oral argument, adopted the Report and Recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who failed to cooperate with the Random Audit Compliance Program by correcting accounting deficiencies required to bring him into compliance with the record keeping rule (*R.1:21-6*) and who failed to file a formal answer to an ethics complaint in violation of *R.1:20-3(i)*.

The respondent was also admitted to practice law in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there have been notified of the results of these proceedings.

JOHN J. MAHONEY

Admitted: 1981; New Providence (Union County)
Public Reprimand - *120 N.J. 155 (1990)*
Decided: 7/20/1990

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who engaged in a pattern of neglect in four real estate matters, which included the failure to conclude a simple real estate closing for two years and the failure to pursue a quiet title action for more than one year. Additionally, the respondent failed to maintain his trust account records properly, failed to communicate with his client and misrepresented the status of his work. The Court further ordered that respondent practice under the proctorship of another attorney for a period of one year.

The respondent was also admitted to practice law in the District of Columbia and the State of New York (3rd Department) and Chief Disciplinary Counsel there have been notified of the results of this proceeding.

ANTHONY F. MALFITANO

Admitted: 1970; Edison (Middlesex County)
Suspension 1 Year - *121 N.J. 194 (1990)*
Decided: 9/17/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of one year was the appropriate discipline for a respondent who engaged in a pattern of neglect in three client matters. In one matrimonial case the respondent failed to file a motion for *pendente lite* support which ultimately led to his clients' giving up custody of her son. In a second matrimonial matter he took no action to file for a divorce and, although reimbursed by the husband for fees paid by his client, he failed to return the $500 fee to her. Finally, in a criminal case respondent failed to make a bail reduction motion, as directed by his elderly client, which resulted in the client's expenditure of $1,500 for a bondsman's services. In this case the respondent also lied to the client by advising him that he had made an unsuccessful motion when, in truth, the motion was never filed. The respondent's lack of cooperation with the District Ethics Committee in the processing of this matter was considered an aggravating factor.

ROBERT J. MALLON

Admitted: 1974; Hillside (Union County)
Disbarment - *118 N.J. 663 (1990)*
Decided: 5/21/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who was convicted in the United States District Court for the Eastern District of New York of one count of conspiracy to defraud the United States in violation of *18 U.S.C.A. <185>371 and <185>3623*, and two counts of aiding and abetting the submission of materially false tax returns in violation of *26 U.S.C.A. <185>7206 (1) and 18 U.S.C.A.<185>2 and <185>3623*. In effect, respondent

directly participated in the laundering of funds in order to fabricate two transactions which were reported on two tax returns in 1983 and 1984. Respondent's convictions were affirmed on appeal. *United States v. Attanasio, et al, 870 F.2d 809 (2nd Cir., 1989)*.

The respondent had been previously temporarily suspended from practicing law since April 29, 1988.

FREDERICK S. MARGULIES

Admitted: 1987 New Jersey
1964 District of Columbia
Little Falls (Passaic County)
Public Reprimand - *120 N.J. 309 (1990)*
Decided: 7/17/1990

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that an order of reciprocal public reprimand was the appropriate discipline for an attorney who had been publicly reprimanded by the District of Columbia Court of Appeals for misrepresenting facts to Bar Counsel in the District of Columbia during an investigation of disciplinary charges alleging neglect in failing to pursue a criminal appeal.

ALAN H. MARLOWE

Admitted: 1971; Hackensack (Bergen County)
Public Reprimand - *Unreported (1990)*
Decided: 1/10/1990

APPEARANCES BEFORE REVIEW BOARD
Marc Joseph for District IIIB
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the Decision and Recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who, in order to obtain an adjournment in a domestic violence matter in which he was a party, sent a letter to a trial judge which contained a deliberate misrepresentation that opposing counsel consented to the adjournment. In mitigation the Board noted that the misstatement did not adversely affect his wife's case.

ALAN M. MARLOWE

Admitted: 1971; Fort Lee (Bergen County)
Suspension 3 Months - *121 N.J. 236 (1990)*
Decided: 9/17/1990

APPEARANCES BEFORE REVIEW BOARD
Anthony G. Rathe for District IIB
Respondent failed to appear

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of three months was the appropriate discipline for a respondent who engaged in a pattern of neglect in two cases. In one personal injury matter respondent failed to take any action after being retained by the client, which resulted in the client's rights being barred by the statute of limitations. In a criminal case respondent simply abandoned the case after accepting the client. In both cases he also failed to communicate adequately with the clients. Moreover, in the personal injury case respondent made misrepresentations to clients by telling them that everything was proceeding normally when, in fact, he failed to file a complaint. Finally, the Disciplinary Review Board cited as an aggravating factor respondent's lack of cooperation with the District Ethics Committee in the processing of the matters.

Respondent had been previously publicly reprimanded for sending a letter to a trial court that contained deliberate misrepresentations. *In re Marlowe, Unreported (1990)*.

In addition to the three month suspension given respondent, he was temporarily suspended upon application of the Office of Attorney Ethics as a result of his failure to produce trust and business records regarding an unrelated matter. The Court ordered that respondent's three months suspension "continue until such time as respondent demonstrates full compliance with the requirements of *Rule 1:21-6 and RPC 1.15*."

ARTHUR N. MARTIN, JR.

Admitted: 1973; Newark (Essex County)
Suspension for 6 Months - *118 N.J. 239 (1990)*
Decided: 3/23/1990 Effective: 4/9/1990

APPEARANCES BEFORE SUPREME COURT
John J. Janasie Attorney Ethics
Theodore V. Wells, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from practice for six months was the appropriate discipline for a respondent who engaged in a pattern of neglect in seven matters from 1980 through 1985 by routinely failing to take discovery or to answer interrogatories, failing to keep clients informed of the status of their cases and, in two matters, entering into settlement agreements without obtaining authorizations from his clients.

WILBERT J. MARTIN, JR.

Admitted: 1953; Toms River (Ocean County)
Public Reprimand - *120 N.J. 443 (1990)*
Decided: 7/17/1990

APPEARANCES BEFORE REVIEW BOARD
William R. Wood for Attorney Ethics
Frank A. Louis for respondent

The Supreme Court of New Jersey, without oral argument, accepted the findings and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who displayed a pattern of neglect in six matters in addition to misrepresenting to a client in one of those cases that her case was pending when respondent knew the case had been dismissed.

The respondent was previously temporarily suspended from practice on September 8, 1969 and was restored to practice on November 28, 1969.

ARTHUR J. MAURELLO

Admitted: 1976; Hillsdale (Bergen County)
Disbarment By Consent - *121 N.J. 466 (1990)*
Decided: 10/16/1990

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
Arthur J. Maurello for pro se

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent, which was tendered after a Decision and Recommendation for disbarment was issued by the Disciplinary Review Board and the case was pending final oral argument before the Supreme Court. In so doing the respondent admitted that he could not successfully defend himself against pending disciplinary findings that he (1) disregarded a previous public reprimand [*In re Maurello, 102 N.J. 622 (1986)]* by continuing to make illegal use of his ex-spouses' credit cards, (2) interfered with a District Ethics Committee's investigation by illegally tampering with a witness, (3) made false statements of material facts and submitted a false affidavit to a District Ethics Committee investigator during the course of the ethics investigation, and (4) submitted a false certification and made false statements of material fact in his answering papers to a pre-hearing motion to enforce a subpoena before a Superior Court Assignment Judge.

STEPHEN P. MCCARTHY

Admitted: 1954; Bayonne (Hudson County)
Suspension 27 Months - *119 N.J. 437 (1990)*
Decided: 6/20/1990 Effective: 3/16/1988

APPEARANCES BEFORE SUPREME COURT
William R. Wood Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from the practice of law for 27 months was the appropriate discipline for a respondent who was found guilty in the Superior Court of New Jersey, Law Division, Hudson County, of illegally dispensing controlled prescription drugs in violation of *N.J.S.A. 24:21-19(a)(1)* and obtaining by misrepresentation controlled prescription drugs for himself in violation of *N.J.S.A. 24:21-22(a)(3)*. That conviction was affirmed by the Superior Court of New Jersey, Appellate Division on June 12, 1989 in an unreported opinion. During his period of criminality, respondent was a practicing psychiatrist.

ANTHONY L. MEZZACCA

Admitted: 1962; Edison (Middlesex County)
Public Reprimand - *120 N.J. 162 (1990)*
Decided: 7/7/1990

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who engaged in a pattern of overreaching by charging fees to personal injury clients based upon the gross recovery and by failing to provide clients with written contingent fee agreements, both in violation of *R.1:21-7*.

Respondent was also found to have improperly delayed the return of $1,650 of his client's funds in violation of *RPC 1.15*. Respondent was previously publicly reprimanded for his over-zealous representation of a client before an administrative review board. *In re Mezzacca, 67 N.J. 387 (1975)*.

JOHN P. MICHAELS

Admitted: 1963; Asbury Park (Monmouth County)
Disbarment - *118 N.J. 665 (1990)*
Decided: 5/21/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated more than $25,000 from a client by falsely promising to double the client's money in a real estate investment. In fact, the respondent used the money for personal purposes.

The respondent had been temporarily suspended from practicing law since May 30, 1989. He was also admitted to practice law in the state of Vermont and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

ELLIOTT D. MOORMAN

Admitted: 1977; Maple Shade (Burlington County)
Public Reprimand - *118 N.J. 422 (1990)*
Decided: 1/10/1990

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who failed to maintain proper time records to support a legal fee in an estate matter and who failed to preserve the identity of client funds. Respondent was also found to have egregiously failed to cooperate with a District Ethics Committee in the processing of several matters. Of this conduct the Disciplinary Review Board observed:

> "(W)hat emerges is a pattern of contumacious conduct to the district ethics committees and, consequently, to the Court of which the committees are an arm. (Citation omitted). Respondent's repetitive failure to cooperate with the disciplinary authorities leads to the inescapable conclusion that he harbored nothing short of contempt for the ethics system."

WILLIAM L. MUCKELROY

Admitted: 1975; Trenton (Mercer County)
Public Reprimand - *118 N.J. 451 (1990)*
Decided: 1/10/1990

APPEARANCES BEFORE REVIEW BOARD
Hal K. Haveson for District VII
Michael Critchley for respondent

The Supreme Court of New Jersey, without oral argument, adopted the Decision and Recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who attempted to collect a legal fee from an indigent client whom he was assigned by a court to represent) in violation of *R.1:13-2(b)*.

WILLIAM J. MULKEEN

Admitted: 1974; Elizabeth (Union County)
Suspension 3 Months - *121 N.J. 192 (1990)*
Decided: 9/17/1990 Effective: 10/1/1990

REPRESENTATIONS
William R. Wood for Attorney Ethics
Anthony D. Rinaldo, Jr. for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for a period of three months was the appropriate discipline for a respondent who grossly neglected eleven real estate cases in two separate grievances. The respondent, in these cases had failed to record deeds and mortgages, failed to pay over $3,600 in title insurance premiums and failed to keep clients reasonably informed about their matters.

In imposing discipline the Supreme Court cited as aggravating factors the respondent's previous private reprimand in 1988 for neglect, as well as respondent's failure to cooperate in the present case with the District Ethics Committee by not filing answers to several formal complaints as required by Supreme Court rules. The respondent was admitted to the Bar of the District of Columbia and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

JEROME E. OKONIEWSKI

Admitted: 1960; Millville (Cumberland County)
Suspension for 7 Years - *118 N.J. 468 (1990)*
Decided: 3/13/1990 Effective: 3/16/1983

REPRESENTATIONS
William R. Wood for Attorney Ethics
Respondent represented himself
Americo Antonelli was appointed Receiver

The Supreme Court of New Jersey accepted the recommendation of the Disciplinary Review Board and held that a suspension from practice for seven years (retroactive to March 16, 1983, the date of his original temporary suspension from practice) was the appropriate discipline for a respondent who abandoned his law practice, grossly neglected the handling of two estate matters, failed to maintain appropriate financial records and failed to cooperate with the ethics process.

The Court further ordered that any application for reinstatement be conditioned on his submission of medical proofs that he is mentally and physically fit to return to the practice of law and upon the successful completion of the Skills and Methods core courses offered by the Institute for Continuing Legal Education.

GLORIA L. PAMM

Admitted: 1973; Holmdel (Monmouth County)
Public Reprimand - *118 N.J. 556 (1990)*
Decided: 4/19/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Michael D. Schottland for respondent

The Supreme Court of New Jersey adopted the findings and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who improperly caused a client to sign a blank certification and who then filled in the body (the facts of which were true), who engaged in gross negligence and improper withdrawal from employment as well as improper practice of law in Oklahoma without following required regulations there, and who improperly engaged in *ex parte* communication with a judge in a custody matter.

Respondent had been previously privately reprimanded in 1984. The respondent was also admitted to the Bar of the District of Columbia and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

JAMES E. PANNY

Admitted: 1977; Marmora (Cape May County)
Disbarment By Consent - *121 N.J. 192 (1990)*
Decided: 9/4/1990

REPRESENTATIONS
William R. Wood for Attorney Ethics
Joseph J. Rodgers for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of $500,000 in clients' trust funds.

The respondent had previously received three private reprimands in 1988 for failure to keep clients reasonably informed and for failure to cooperate with the ethics system. Moreover, at the time that the misappropriation was discovered respondent was the subject of a Decision and Recommendation by the Disciplinary Review Board recommending a three month suspension as the result of a pattern of neglect in two unrelated matters.

RONALD IRVING PARKER

Admitted: 1984; Orange (Essex County)
Suspension 6 Months - *119 N.J. 398 (1990)*
Decided: 6/7/1990 Effective: 6/29/1990

APPEARANCES BEFORE REVIEW BOARD
District VB waived appearance
Respondent failed to appear

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a six-month suspension from the practice of law was the appropriate discipline for an attorney who accepted $100 from a client to institute a divorce action and then did nothing, failed to communicate with the client and failed to return her money. The Disciplinary Review Board cited as an aggravating factor "respondent's cavalier disregard of his ethical responsibilities... his indifference to the (district ethics) committee's request for information; his failure to file an answer (to the formal ethics complaint),... and his failure to appear at the ethics hearing."

ROBERT V. PASCHON

Admitted: 1968; Toms River (Ocean County)
Public Reprimand - *118 N.J. 430 (1990)*
Decided: 2/9/1990

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Arthur E. Ballen and Robert N. Agre for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for respondent who improperly arranged for a loan from one of his clients to another. In another matter respondent failed to reveal to a borrower that respondent's children were members of a group of lenders and, in a third matter, he engaged in a conflict of interest by representing clients before two Dover Township Boards at a time when he was the attorney for the Dover Municipal Utilities Authority.

HOWARD PITT

Admitted: 1974; Greenwood Lake (Passaic County)
Public Reprimand - *121 N.J. 398 (1990)*
Decided: 10/16/1990

APPEARANCES BEFORE REVIEW BOARD
Thomas J. Barrett for District IIA
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the report and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who failed to maintain a bona fide office in violation of *R.1:21-1(a)* and failed to cooperate with a District Ethics Committee during its investigation of the matter.

Respondent was admitted to practice law in the state of New York and Chief Disciplinary Counsel there has been notified of the result of these proceedings.

RAYMOND L. POLING

Admitted: 1972; Sea Isle City (Cape May County)
Suspension for 14 Months - *121 N.J. 392 (1990)*
Decided: 10/2/1990 Effective: 7/20/1989

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Joseph J. Rodgers for respondent

The Supreme Court of New Jersey, without oral argument, adopted the decision of the Disciplinary Review Board and held that a suspension from the practice of law for fourteen months was the appropriate discipline for a respondent who pled guilty in Superior Court of New Jersey, Law Division, to one count of filing a false financial statement in violation of *N.J.S.A. 2C:21-4(b)(2)* and *N.J.S.A. 2C:2-6*. Respondent submitted a closing statement to a lender which misrepresented the fact that there was no secondary financing on the transaction when he had prepared a second mortgage for $4,000 from the purchasers to the sellers. Additionally, respondent notarized an affidavit wherein the purchasers swore that they did not have any secondary financing.

Respondent had been temporarily suspended from the practice of law since July 20, 1989.

EDWARD G. REISDORF

Admitted: 1968; Chatham (Morris County)
Suspension for 1 Year - *121 N.J. 518 (1990)*
Decided: 12/4/1990 Effective: 1/1/1991

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the decision of the Disciplinary Review Board and held that a suspension from the practice of law for a period of one year was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of Connecticut to an information charging him with the wilful failure to supply tax information to the Internal Revenue Service, in violation of *26 U.S.C.A. <185>7203*.

Respondent was previously suspended from practice in 1979 for overreaching a widow in an estate matter. *In re Reisdorf, 80 N.J. 319 (1979)*.

NORMAN ROBBINS

Admitted: 1960; Woodbridge (Middlesex County)
Public Reprimand - *121 N.J. 454 (1990)*
Decided: 10/30/1990

APPEARANCES BEFORE REVIEW BOARD
Gary M. Schwartz for District VIII
Richard A. Norris for respondent

The Supreme Court of New Jersey, without oral argument, adopted the Decision and Recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who, for expediency, affixed the signature of two grantors to a deed and then notarized the signatures.

The respondent had previously been suspended from the practice of law in 1971 as the result of (1) creating a conflict of interest when he represented a client before the Woodbridge Municipal Court, while acting as prosecutor and (2) thwarting the prosecution of criminal charges by arranging for the payment of money conditioned on the dismissal of charges. *In re Friedland, Querques and Robbins, 59 N.J. 209 (1971)*.

The respondent was also admitted to the practice of law in the state of New York and in the District of Columbia and Chief Disciplinary Counsel there have been notified of the results of these proceedings.

STEPHEN N. ROBINSON

Admitted: 1970; Matawan (Monmouth County)
Disbarment By Consent - *118 N.J. 434 (1990)*
Decided: 3/7/1990

REPRESENTATIONS BEFORE SUPREME COURT
Thomas J. McCormick and Paula T. Granuzzo
for Attorney Ethics
Pasquale Menna for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against pending charges involving the knowing misappropriation of $50,000 of client's trust funds.

WILLIAM M. ROSENBLATT

Admitted: 1961; Camden (Camden County)
Public Reprimand - *118 N.J. 559 (1990)*
Decided: 5/1/1990

APPEARANCES BEFORE REVIEW BOARD
David E. Johnson, Jr. for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey, without oral argument, adopted the Disciplinary Review Board's recommendation and held that a public reprimand was the appropriate discipline for an attorney who failed to act with reasonable diligence and promptness in protecting his client's interest in a personal injury matter and who failed to return the client's file within a reasonable period of time after his representation was terminated by that client.

The respondent had been previously publicly reprimanded on two occasions for similar misconduct. In 1989 respondent was reprimanded for grossly neglecting a personal injury case and then failing to respond to the client's requests for information. *In re Rosenblatt, 114 N.J. 610 (1989)*. Seventeen years earlier respondent was again publicly reprimanded for neglecting two personal injury cases. *In re Rosenblatt, 60 N.J. 505 (1972)*.

RICHARD L. ROSENTHAL

Admitted: 1965; Morris Plains (Morris County)
Suspension for 1 Year - *118 N.J. 454 (1990)*
Decided: 2/9/1990 Effective: 2/26/1990

APPEARANCES BEFORE REVIEW BOARD
Donald S. McCord, Jr. for District X
Respondent did not appear

The Supreme court of New Jersey, without oral argument, adopted the findings and recommendation of the Disciplinary Review Board and held that a suspension from the practice of law for one year was the appropriate discipline for a respondent who engaged in a pattern of neglect in four matters including misrepresentations to clients as well as a failure to cooperate in the ethics proceedings.

The Board cited as an aggravating factor respondents previous public reprimand for his failure to act competently and to represent two clients zealously. *In re Rosenthal, 90 N.J. 12 (1982)*.

STANLEY A. ROSNER

Admitted: 1979; Lindenwold (Camden County)
Suspension 3 Years - *120 N.J. 370 (1990)*
Decided: 7/27/1990 Effective: 8/10/1990

APPEARANCES BEFORE SUPREME COURT
Paula T. Granuzzo for Attorney Ethics
Respondent failed to appear

The Supreme Court of New Jersey held that a suspension from the practice of law for three years was the appropriate discipline for a respondent who essentially sold his license to practice law to a client by allowing the client to use letterhead signed by respondent in blank. As a result, the respondent permitted the client to perpetuate fraud upon third parties. The Court ordered that, in addition to a suspension, respondent must provide medical proof of his fitness to practice law as a condition to reinstatement.

LEONARD RUBIN

Admitted: 1955; Watchung (Somerset County)
Disbarment By Consent - *121 N.J. 461 (1990)*
Decided: 11/16/1990

REPRESENTATIONS
William R. Wood for Attorney Ethics
Gerald A. Flanzbaum for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against pending disciplinary charges that he knowingly misappropriated clients' trust funds.

The respondent had been temporarily suspended from the practice of law since October 26, 1990.

JOHN P. RUSSELL

Admitted: 1964; Jersey City (Hudson County)
Disbarment - *121 N.J. 249 (1990)*
Decided: 9/21/1990 Effective: 10/15/1990

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
John P. Doran for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated $8,000 in clients' trust funds being held for a real estate closing in order to purchase an automobile.

Respondent had been the subject of prior discipline on three occasions: In 1971 he was publicly reprimanded for having advised witnesses in Grand Jury proceedings to avail themselves of their Fifth Amendment privilege to remain silent, knowing that their attorney had counseled them to testify fully and truthfully. *In re Russell 59 N.J. 315 (1971)*. In 1976 respondent received a letter of private reprimand. On May 24, 1988 respondent was publicly reprimanded for improperly withdrawing as counsel and for failing to carry out a contract of employment. *In re Russell, 110 N.J. 329 (1988)*.

ROBERT SOLANO

Admitted: 1977; Passaic (Passaic County)
Disbarment - *119 N.J. 1 (1990)*
Decided: 5/21/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who was convicted of two separate serious criminal offenses: (1) in the United States District Court for the District of Puerto Rico respondent pled guilty to one count of encouraging the entry of an alien into the United States in violation of *8 U.S.C.A. <185>1324 (a)(4)* and (2) in the Superior Court of New Jersey, Law Division, Passaic County respondent was convicted on one count of misapplication of entrusted property in violation of *N.J.S.A. 2C: 21-15* and theft by failure to make required disposition of property received in violation of *N.J.S.A. 2C: 20-9*, both counts involving a total of $67,676.10 in proceeds from a client real estate closing. Both criminal convictions were upheld on appeal.

The respondent had been previously temporarily suspended from the practice of law in New Jersey since February 25, 1985.

GEORGE C. SPINA

Admitted: 1977; Maplewood (Essex County)
Disbarment - *121 N.J. 378 (1990)*
Decided: 9/21/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Stephen R. Knox for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who pled guilty in the District of Columbia Court of Appeals to the misdemeanor charge of taking property without right, in contravention of *22 D.C. Code <185>1211*, in the amount of $15,000. As part of the plea agreement respondent also admitted to converting an additional $32,000. These monies were converted when respondent, employed by the International Law Institute (ILI) of Georgetown University Law School, deposited ILI donations and other funds to his own personal account.

Upon initial discovery by ILI respondent attempted to alter a copy of a check and submitted forged invoices in an attempt to thwart the investigation. Moreover, during the

investigation respondent concocted five different stories in order to attempt to avoid responsibility for his theft. The Supreme Court concluded that:

> "There is no escaping the fact that Spina knowingly misused substantial amounts of his employer's funds over a two and one-half year period, taking quantities of money when his personal checking account ran low, and then lied when confronted by his employer. No discipline short of disbarment can be justified."

MORRIS J. STERN

Admitted: 1937; Maplewood (Essex County)
Suspension 6 Months - *118 N.J. 592 (1990)*
Decided: 5/1/1990 Effective: 5/22/1990

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Justin P. Walder for respondent

The Supreme Court of New Jersey, without oral argument, accepted the findings of the Disciplinary Review Board and held that a six month suspension from practicing law was the appropriate discipline for respondent who was grossly negligent in supervising an accountant who reviewed firm records, with the result that client's funds were negligently invaded at various times up to $40,000.

This case was discovered solely as a result of the Random Audit Compliance Program.

The respondent was reinstated to the practice of law in New Jersey on December 20, 1990 with the condition that he submit annual certified audits of his trust account records for the next three years.

ROBERT A. STEWART

Admitted: 1969; Pennsville (Salem County)
Public Reprimand - *118 N.J. 423 (1990)*
Decided: 1/23/1990

APPEARANCES BEFORE REVIEW BOARD
William R. Wood for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the decision of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for a respondent who grossly neglected an estate matter and failed to keep his client reasonably informed about the status of the case.

The respondent had been previously privately reprimanded in 1980 for personally paying monies towards the settlement of an insurance claim and offering to pay monies toward the resolution of a matrimonial settlement. Respondent's prior discipline served as an aggravating factor in determining the sanction in this matter.

MARC J. TERNER

Admitted: 1976; Wayne (Passaic County)
Suspension 3 Years - *120 N.J. 706 (1990)*
Decided: 8/8/1990 Effective: 8/22/1990

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Peter R. Willis, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for a period of 3 years was the appropriate discipline for a respondent who engaged in a pattern of neglect, failure to communicate and lack of diligence in representing 16 separate clients over several years while addicted to cocaine. Additionally, respondent was found to have totally failed to maintain required and appropriate trust and business accounting records in accordance with *R.1:21-6*; however, no misappropriation of clients' funds was found. In again rebutting an attempt to use drug addiction to lower a disciplinary sanction the Court stated:

> "Nor can we ignore the different legal consequences attendant on the abuse of cocaine as distinguished from alcohol. Attorneys who use cocaine or other controlled dangerous substances necessarily violate the law. We would be remiss in condoning such activity, even to the extent of allowing it to ameliorate the penalty in a disciplinary proceeding."

The Court ordered that, prior to seeking reinstatement, the respondent must produce proof "that he has not used drugs during the period of suspension, that he is competent to practice law, and that he has satisfactorily completed the skills and methods courses." The respondent had been practicing law since July 19, 1988 under a restricted license, which required that his practice be supervised by Arthur Kamine, Esq.

KEVIN F. WALL

Admitted: 1976; Oaklyn (Camden County)
Public Reprimand - *Unreported (1990)*
Decided: 1/10/1990

APPEARANCES BEFORE REVIEW BOARD
Charles W. Heuisler for District IV
Anthony F. DeMento for respondent

The Supreme Court of New Jersey, without oral argument, adopted the Decision and Recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who, in two matters, failed to act with reasonable diligence and failed to communicate adequately with clients, in a third matter acted with gross negligence, and in a fourth case improperly shared a legal fee with a non-attorney.

HARVEY L. WEISS

Admitted: 1963; Maplewood (Essex County)
Suspension 6 Months - *118 N.J. 592 (1990)*
Decided: 5/1/1990 Effective: 5/22/1990

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Justin P. Walder for respondent

The Supreme Court of New Jersey, without oral argument, accepted the findings of the Disciplinary Review Board and held that a six month suspension from practicing law was the appropriate discipline for respondent who was grossly negligent in supervising an accountant who reviewed firm records, with the result that client's funds were negligently invaded at various times up to $40,000.

This case was discovered solely as a result of the Random Audit Compliance Program.

Respondent was admitted to the Bars of Florida and New York and Chief Discipline Counsel there have been notified of the results of these proceedings.

The respondent was reinstated to the practice of law in New Jersey on December 20, 1990 with the condition that he submit annual certified audits of his trust account records for the next three years.

STEVEN J. WESTON

Admitted: 1977; Ocean Township (Ocean County)
Suspension 2 Years - *118 N.J. 477 (1990)*
Decided: 4/12/1990 Effective: 5/1/1990

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Daniel M. Waldman for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law for two years was the appropriate discipline for an attorney who engaged in fraudulent misconduct by signing a deed and affidavit of title in the name of a client without authorization and who then misrepresented to the purchaser's attorney that the documents were in fact genuine. The Court pointed out, in imposing discipline, that

> "Conveyancing, like so many aspects of the practice of law, depends greatly on mutual trust between lawyers. A lawyer's word must be a bond."

The respondent was also admitted to the practice of law in the state of Maryland and Chief Disciplinary Counsel has been notified of these proceedings.

IVAN V. WHITE, JR.

Admitted: 1971; Morristown (Morris County)
Disbarment By Consent - *121 N.J. 393 (1990)*
Decided: 10/2/1990

REPRESENTATIONS
William R. Wood for Attorney Ethics
Richard J. Schachter for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of respondent who admitted that he could not successfully defend himself against pending disciplinary charges that he improperly engaged in a business venture with a client and fraudulently induced the client to pay him in excess of $160,000.

GEORGE G. WHITMORE

Admitted: 1970; Red Bank (Monmouth County)
Public Reprimand - *117 N.J. 472 (1990)*
Decided: 2/16/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Thomas A. Deakin for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for a respondent who failed in his duty to be candid to the court in a municipal court matter. Respondent failed to advise the court that a police officer absented himself from a D.W.I. prosecution with the knowledge or definite suspicion that the officer was seeking to do the defendant a favor. The Court held that:

> "(W)hen a municipal prosecutor becomes aware of an improper motive directly affecting the administration of justice on the part of a police officer... which, if undisclosed, could mislead the court,... or could contribute to an improper or illegal result that benefits the witness, the failure to disclose such information constitutes a violation of the Rules of Professional Conduct."

FREDERICK WOECKENER

Admitted: 1972; Jersey City (Hudson County)
Public Reprimand - *119 N.J. 273 (1990)*
Decided: 6/11/1990

APPEARANCES BEFORE REVIEW BOARD
Michael L. Kingman for District IIB
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted in part and held that a public reprimand was the appropriate discipline for an attorney who, while city attorney, also represented his wife in a real estate development matter in the same city and who, during subsequent litigation arising out of the same matter, met with the opposing party and discussed the matter without that party's counsel being present or consenting to the communications.

ATTORNEY X

Admitted: 1967
Disbarment - *120 N.J. 459 (1990)*
Decided: 7/27/1990

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Alfred F. Avignone for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Essex County, to three counts of second degree sexual assault with his three minor children in violation of *N.J.S.A. 2C:14-2*.

The respondent had been temporarily suspended from the practice of law since October 19, 1988.

LOUIS B. YOUMANS

Admitted: 1977; Manasquan (Monmouth County)
Suspension 2 Years - *118 N.J. 622 (1990)*
Decided: 5/18/1990 Effective: 5/18/1990

APPEARANCES BEFORE SUPREME COURT
Paula T. Granuzzo for Attorney Ethics
Respondent appeared pro se
Giordano, Halleran and Cielsa appointed Attorney/Trustee in accordance with R.1:20-12.

The Supreme Court of New Jersey held that a suspension from the practice of law for two years was the appropriate discipline for an attorney who, (a) in two cases solicited and obtained unsecured loans from clients at a time when his ability to pay them was in doubt due to bankruptcy without so advising the clients and without advising them to secure independent legal counsel (b) in two other cases engaged in deceitful conduct towards clients (c) grossly neglected a federal discrimination matter and (d) failed to deposit a retainer for legal fees into his trust account pursuant to a written retainer agreement. The Court further ordered that the Office of Attorney Ethics' audit of respondent's accounts continue.

The respondent had been temporarily suspended from the practice of law since January 24, 1990. Nevertheless, the Supreme Court, held that the two years suspension imposed run from May 18, 1990, the date of its decision.

Respondent was previously privately reprimanded on October 2, 1985 for conduct involving deceit. The respondent was also admitted to practice law in the state of New York and in the District of Columbia and Chief Disciplinary Counsel there have been notified of the results of these proceedings.

IRA L. ZALEL

Admitted: 1975; Hackensack (Bergen County)
Disbarment By Consent - *118 N.J. 420 (1990)*
Decided: 1/10/1990

REPRESENTATIONS BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Stephen S. Weinstein for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of a respondent who admitted that he could not successfully defend himself against ethics charges of the knowing misappropriation of clients' trust funds. At the time respondent tendered his consent disciplinary charges were pending before the Supreme Court based upon a decision of the Disciplinary Review Board recommending disbarment and finding respondent to have been out of trust an average of a minimum of $25,000 per month over a ten month period. This shortage was occasioned by respondent's systematic practice of withdrawing anticipated legal fees for particular clients without having any funds on deposit for those clients in his trust account. In order to cover these misappropriations respondent consistently delayed payments of client funds when they were received in order to provide temporary coverage for the "advanced fees" he took.

This case was discovered solely as a result of the Trust Overdraft Notification Program.

1989

RICHARD D. BARKER

Admitted: 1975; Trenton (Mercer County)
Public Reprimand - *115 N.J. 30 (1989)*
Decided: 4/28/1989

APPEARANCES BEFORE SUPREME COURT
Robyn M. Hill for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey publicly reprimanded the respondent who, through improper trust account record keeping practices, negligently misappropriated client trust funds on one occasion. The respondent's part time bookkeeper had failed to regularly reconcile the balance in the trust account with the individual client trust ledgers, leading the attorney to withdraw greater legal fees then were earned. The Supreme Court noted that "it is well-established that an attorney has the ultimate responsibility for maintaining proper trust accounts." The Court went on to point out that:

> An attorney cannot avoid this responsibility by claiming reliance on his or her staff, Respondent totally failed to exercise any reasonable supervision over his part time bookkeeper.

This matter was discovered solely as a result of the Trust Overdraft Notification Program. The respondent was previously privately reprimanded in 1982 for using an improper trade name in the practice of law.

CHARLES A. BARTLETT

Admitted: 1949; Fort Lee (Bergen County)
Suspension for 1 year - *114 N.J. 623 (1989)*
Decided: 2/28/1989 Effective: 3/20/1989

APPEARANCES BEFORE REVIEW BOARD
Frank L. Brunetti for District IIB
Peter E. Doyne for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings and recommendations of the Disciplinary Review Board and suspended for a period of one year the respondent who improvidently signed a client's name to a mortgage and then had his secretary acknowledge the signature to the document. The respondent then falsely certified to the lenders in an affidavit of title, on whivch he again signed the client's name, that the property offered as security was free of liens and encumbrances when he in fact knew that there was a prior lien, and, in a separate matter engaged in an improper attorney-client business transaction regarding a loan of money from a client without requiring the client to seek independent counsel.

JOHN P. BREEN

Admitted: 1961; Plainfield (Union County)
Disbarred - *113 N.J. 522 (1989)*
Decided: 1/9/1989

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for respondent who fraudulently prepared, executed and recorded four mortgages against his house in an attempt to defraud a judgment creditor, committed a repeated fraud upon a court in as tenancy matter and in a bankruptcy case, and who, in 12 separate cases, ignored his clients' requests for information agout the status of their matters and grossly neglected clients' cases during which time he repeatedly misrepresented the status of these matters.

The respondent had been previously temporarily suspended from practicing law since February 4, 1986.

DONALD R. BRYANT, JR.

Admitted: 1948; Pennington (Mercer County)
Disbarment By Consent - *117 N.J. 675 (1989)*
Decided: 9/19/1989

REPRESENTATIONS
William R. Wood Attorney Ethics
John F. McCarthy, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against pending disciplinary charges that he knowingly misappropriated $9,000 in clients' trust funds.

This case was discovered solely as a result of the Random Compliance Audit Program.

VICTOR J. CAOLA

Admitted: 1980; Brick Township (Ocean County)
Public Reprimand - *117 N.J. 108 (1989)*
Decided: 9/6/1989

APPEARANCES BEFORE REVIEW BOARD
Israel D. Dubin for Attorney Advertising.
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the decision and recommendation of the Disciplinary Review Board and publicly reprimanded respondent for sending out to a prospective client a solicitation letter containing misrepresentations of respondent's background and experience as a criminal defense attorney. Specifically, respondent sent a solicitation letter to an individual under criminal indictment. The letter misrepresented that respondent had "defended indictments in all major drug cases in the last nine yuears, as well as representing the Bricktown Fire Department in their recent arson indictment." The letter also stated that "We have also defended the Bricktown Police Department in their extortion and theft matters." These representations were false since (1) respondent had only been admitted seven years at the time; (2) respondent at the time had represented only three, not all, of the drug related cases in Monmouth and Ocean Counties and (3) respondent had never represented the Brick Township Police Department or the Fire Department.

JEROME JAY COHEN

Admitted: 1965; Cherry Hill (Camden County)
Suspension for 1 Year - *114 N.J. 51 (1989)*
Decided: 1/30/1989 Effective: 2/15/1989

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a one-year suspension from practice was the appropriate discipline for an attorney who, in a series of five separate matters during the period from late 1980 through 1986, engaged in conflicts of interest by twice suing a former client, recklessly prepared a statement of legal services which amounted to a knowing misrepresentation, paid for a transcript of a court proceeding improperly with a trust account check, was grossly negligent in preparing for signature an affidavit which contained an untrue statement and was grossly negligent in failing to represent a client in pursuing a property damage claim. The attorney was previously privately reprimanded in 1979.

CHARLES L. COMBES

Admitted: 1973; Ridgewood (Bergen County)
Disbarment By Consent - *116 N.J. 778 (1989)*
Decided: 7/25/1989

REPRESENTATIONS
David E. Johnson, Jr. for Attorney Ethics
Respondent represented himself

The Supreme Court of New Jersey accepted the respondent's consent to his disbarment. The basis for the Court's action was respondent's admission, after consultation with counsel, that he could not successfully defend himself from disciplinary charges involving the knowing misappropriation of $1,900 of clients' funds in connection with a real estate escrow.

This case was discovered solely as a result of the Random Audit Compliance Program.

ERNEST R. COSTANZO

Admitted: 1974; Bellmawr (Camden County)
Public Reprimand - *115 N.J. 428 (1989)*
Decided: 6/13/1989

APPEARANCES BEFORE REVIEW BOARD
Arthur J. Mac Donald, Jr. for District IV
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, accepted the findings of the Disciplinary Review Board, and publicly reprimanded respondent for improperly practicing law during 1984 and 1985 while on the ineligible list due to nonpayment of his annual attorney registration fee and for failing to properly pursue the case of a civil client and to keep the client reasonably informed of the status of the matter.

JOHN DRURY CROWLEY, JR.

Admitted: 1980; Oakhurst (Monmouth County)
Disbarment By Consent - *117 N.J. 683 (1989)*
Decided: 10/17/1989

REPRESENTATIONS
David E. Johnson, Jr. Attorney Ethics
Thomas J. Smith, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend pending disciplinary charges of the knowing misappropriation of clients' trust funds.

The Respondent had been temporarily suspended from the practice of law since October 24, 1988.

THOMAS T. CUTCHALL

Admitted: 1977; Trenton (Mercer County)
Suspension for 6 months - *117 N.J. 677 (1989)*
Decided: 9/6/1989 Effective: 10/2/1989

APPEARANCES BEFORE REVIEW BOARD
David M. Botwinick for District VII
James A. Shafranski for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings and recommendations of the Disciplinary Review Board and suspended for 6 months an attorney who exhibited a pattern of gross neglect in connection with six different client matters, failed to communicate adequately with these clients and failed to maintain proper attorney trust and business accounting records. The Court further determined that any restoration to practice law in the future must be conditioned on a two-year supervised proctorship of his law practice.

KENNETH J. DAWES

Admitted: 1955; Lawrenceville (Mercer County)
Disbarment By Consent - *117 N.J. 688 (1989)*
Decided: 11/9/1989

REPRESENTATIONS BEFORE SUPREME COURT
William R, Wood for Attorney Ethics
Respondent represented himself

While the matter was pending oral argument upon final discipline before the Supreme Court of New Jersey the respondent consulted with counsel, James K. McLaughlin (McLaughlin and Cooper) and determined to consent to disbarment. In so doing respondent submitted an affidavit in which he admitted that he could not successfully defend himself against findings of the Disciplinary Review Board that in fourteen separate cases spanning a decade respondent engaged in a pattern of neglect and gross neglect including numerous misrepresentations to clients and negligent misappropriation of client trust funds.

Respondent had been temporarily suspended from practicing law since February 1, 1986.

L. GILBERT FARR

Admitted: 1977; Somerville (Somerset County)
Bifurcated Suspension for 2 ½ Years - *115 N.J. 231 (1989)*
Decided: 5/26/1989 Effective: 6/19/1989

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Justin P. Walder for respondent

The Supreme Court of New Jersey held that a 2 ½ year suspension from practicing law was the appropriate discipline for an assistant prosecutor who became infatuated with a female informant and stole drugs from the prosecutor's evidence room and then smoked marijuana with her. When she and her boyfriend subsequently became defendants in

connection with separate drug charges, respondent used his official position in an attempt to insure that the boyfriend was denied bail and stayed in jail,. During the period that criminal charges remained pending against the female informant, respondent, while continuing his social relationship with her, also improperly provided her with information helpful to the defense of criminal charges against both the female informant and her boyfriend,

The Court held that, since the ethics transgressions here were remote in time, having occurred nine years ago, the respondent was given credit on his sanction for a two year voluntary suspension from practice from February 1982 until January 1984, except for the performance of *pro bono* work for a county legal service organization. Respondent was ordered to undergo a prospective six month suspension, effective June 19, 1989.

The respondent was also admitted to practice in Florida, Pennsylvania and the District of Columbia and Chief Disciplinary Counsel in these jurisdictions have been notified of these proceedings.

STEPHEN H. FEUERSTEIN

Admitted: 1973; Englishtown (Monmouth County)
Suspension for 6 Months - *115 N.J. 278 (1989)*
Decided: 5/16/1989 Effective: 6/7/1989

APPEARANCES BEFORE REVIEW BOARD
Edward C. Eastman, Jr. for District IX
Respondent failed to appear

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board, and held that a six month suspension from practice was the appropriate discipline for an attorney who improperly withdrew from representation of a client in a pending matter, which withdrawal and subsequent inattention to trial notices resulted in the dismissal of the client's cause. That dismissal was subsequently vacated. The respondent was previously publicly reprimanded for exhibiting a pattern of neglect and for failing to carry out contracts of employment in three separate matters. *In re Feuerstein, 93 N.J. 441 (1983).*

The respondent was also admitted to practice in New York and the Chief Disciplinary Counsel for Manhattan has been notified of these proceedings.

JAMES J. GALLO

Admitted: 1978; Jersey City (Hudson County)
Suspension For Three Months - *117 N.J.365 (1989)*
Decided: 12/15/1989 Effective: 1/2/1990

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Jan K. Seigel for respondent

The Supreme Court of New Jersey, held that a suspension for three months was the appropriate discipline for respondent who engaged in a pattern of negligent misappropriation of clients' funds resulting from inattention to proper record keeping practices. This case was discovered solely as a result of the Random Audit Compliance Program.

Respondent was also admitted to practice law in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel has been notified of these proceedings.

JAMES J. GANNON

Admitted: 1975; Camden(Camden County)
Disbarment By Consent - *114 N.J. 625 (1989)*
Decided: 3/8/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Respondent represented himself

The Supreme Court of New Jersey, accepted the Disbarment By Consent of respondent who pled guilty in United States District Court for the District of New Jersey to one count of forging endorsements on at least 15 United States Treasury checks having a face value of less than $500 in violation of *18 U.S.C.A. §510(a)(c)*. Mr. Gannon had also pleaded guilty in 1987 in the Superior Court of New Jersey, Law Division, Camden County, to an indictment charging him with possession of cocaine and methamphetamine.

The respondent had been temporarily suspended from practice since May 18, 1981. Respondent was also admitted to practice in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of this action.

DREW W. GELLIEN

Admitted: 1983; Blenheim(Camden County)
Disbarment By Consent - *115 N.J. 664 (1989)*
Decided: 6/13/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Francis J. Hartman for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of Respondent who pled guilty in Superior Court of New Jersey, Law Division, Camden County, to misappropriation of a total of $41,323 from six clients.

The respondent had been temporarily suspended from the practice of law since June 2, 1988.

JOHN GEORGE

Admitted: 1953; South Plainfield (Middlesex County)
Suspension for 1 year - ____ *N.J.* ____ *(1989)*
Decided: 9/19/, 1989 Effective: 10/9/1989

APPEARANCES BEFORE REVIEW BOARD
James E. Stahl for District VIII
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a suspension for one year was the appropriate discipline for a respondent who engaged in a pattern of neglect and gross neglect in four matters involving divorce, civil, and real estate matters, and who improperly took an acknowledgement and failed to maintain proper trust and business accounting records. The Court cited as an aggravating factor the respondent's "lack of cooperation with the (disciplinary) authorities in the course of the disciplinary proceedings." The Supreme Court conditioned respondent's future application for restoration to practice upon a one-year proctorship.

JOHN V. GILL

Admitted: 1974; Bayonne (Hudson County)
Suspension for 5 Years - *114 N.J. 246 (1989)*
Decided: 3/3/1989 Effective: 1/9/1984

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
F. Gerald Fitzpatrick for respondent

The Supreme Court of New Jersey held that a suspension from practice for a period of five years, retroactive to the date of his temporary suspension, was the appropriate discipline for an attorney who deliberately lied to two clients that lawsuits had been filed and served when they had not and by further advising them that he had secured large cash settlements for them when he had not. Respondent was also found guilty of violating his fiduciary duty to another client by negligently misappropriating $500 due to a complete absence of proper trust and business records.

The respondent had been temporarily suspendedf from the practice of law since January 9, 1984.

JOSEPH F. GILLEN

Admitted: 1978; Ridgewood (Bergen County)
Disbarment By Consent - *114 N.J. 616(1989)*
Decided: 2/21/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Raymond F. Flood for respondent
Barbara E. Gardner appointed Attorney/Trustee in accordance with R.1:20-12

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted he could not successfully defend himself in connection with pending criminal charges of theft of clients' funds in Bergen County.

The respondent had been temporarily suspended from practicing law in New Jersey since November 20, 1987.

STEPHEN GOLD

Admitted: 1966; Flemington (Hunterdon County)
Suspension for 5 Years - *115 N.J. 239(1989)*
Decided: 5/26/1989 Effective: 6/14/1984

APPEARANCES BEFORE SUPREME COURT
Robyn M. Hill for Attorney Ethics
Thomas J. Beetel for respondent

The Supreme Court of New Jersey held that a five year suspension from practice, retroactive to June 14, 1984 (the date of his temporary suspension), was the appropriate discipline for an attorney who pled guilty in Superior Court of New Jersey Law Division, Hunterdon County, to embezzlement in violation of *N,J,S,A. 2A:102-2*. Respondent admitted aiding and abetting his brother, disbarred attorney Michael Gold, in misappropriating client funds. Since, however, the underlying events occurred prior to the Supreme Court's pronouncement in *In re Wilson, 81 N.J. 451 (1979)* and since there was insufficient evidence that respondent knew of his brother's thefts after the *Wilson* decision (December 19, 1979), the Court held that disbarment was not mandated in this case.

The respondent was reinstated to the practice of law by order of the Supreme Court effective October 17, 1989. The Court, qualified the respondent's reinstatement by the requirement that if he engages in a practice that requires the maintenance of an attorney trust account, he is to submit a certified annual audit of his accounting books and records to the Office of Attorney Ethics within thirty days following the first year of such practice and for two years thereafter.

JOSEPH P. GRABLER

Admitted: 1964; Middletown (Monmouth County)
Suspension for 1 year - *114 N.J. 1 (1989)*
Decided: 1/11/1989 Effective: 2/1/1989

APPEARANCES BEFORE REVIEW BOARD
Carl J. Palmisano for District VIII
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the Decision and Recommendation of the Disciplinary Review Board and suspended the respondent for a period of one year for grossly neglecting clients in four matters, for failing to communicate with two of them and misrepresenting the status of the cases to two other clients and grossly neglecting his attorney trust and business accounting record keeping system.

CLIFTON E. HALL, JR.

Admitted: 1972 New Jersey
1965 New York
Budd Lake (Morris County)
Suspension for 1 Year - *117 N.J. 675 (1989)*
Decided: 9/6/1989 Effective: 10/2/1989

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a one-year suspension was the appropriate discipline for respondent who pled guilty in the United States District Court for the Southern District of New York to one count of an information charging the willful failure to file a federal income tax return for calendar you 1976 in violation of *26 U.S.C.A. §7203*.

The respondent has also been disbarred from practicing before the Internal Revenue Service where he was also admitted to practice law. Respondent was also admitted to practice law in the state of New York and Chief Disciplinary Counsel there has been advised of this action.

STEPHEN J. HALPERN

Admitted: 1983; Red Bank (Monmouth County)
Public Reprimand - *117 N.J. 678 (1989)*
Decided: 9/19/1989

APPEARANCES BEFORE REVIEW BOARD
Joel N. Kreizman for District IX
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the report of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for respondent who was grossly negligent in failing for a period of 13 months to remit real estate proceeds to pay off an existing mortgage and who failed to maintain proper trust and business account records in accordance with *Rule 1:21-6*.

Respondent was also admitted to practice law in the state of New York and Chief Disciplinary Counsel there has been advised of this action.

LEON SOL HARRIS

Admitted: 1975 New Jersey
1958 New York
Brooklyn, New York
Suspension for 2 years - *115 N.J. 181 (1989)*
Decided: 5/2/1989 Effective: 9/12/1988

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey held that a two-year suspension from practice was the appropriate discipline for respondent who, while a New York practitioner, induced one client to make a risky loan to another client whom he knew to be financially unstable. The loan was made without any appropriate disclosures; on the contrary, respondent made affirmative representations as to the safety of the loan. Respondent also gave false testimony before the Departmental Disciplinary Committee in Manhattan, New York when prosecuted for his misdeeds. Respondent was subsequently suspended for a period of two years in New York for his misconduct. The effective date of respondent's suspension in New Jersey was made to coincide with the identical suspension in New York.

WILLIAM E. HOGAN, JR.

Admitted: 1968; Highland Lakes (Morris County)
Suspension for 1 Year - *117 N.J. 672 (1989)*
Decided: 9/19/1989

APPEARANCES BEFORE REVIEW BOARD
Robert Hollingsdhead for District X
Respondent did not appear

The Supreme Court of New Jersey, without oral argument, adopted the decision and recommendation of the Disciplinary Review Board and suspended the respondent for a period of one year for engaging in a pattern of neglect and gross neglect in handling five separate matters involving real estate, divorce and worker's compensation cases. In addition, the respondent also failed to properly maintain trust and business accounting records in accordance with *Rule 1:21-6*.

JOEL B. HOPMAYER

Admitted: 1974; East Roselle Park (Union County)
Disbarment By Consent - *114 N.J. 617 (1989)*
Decided: 2/21/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
A. William Sala, Jr. for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted he could no successfully defend himself against pending disciplinary charges of knowingly misappropriating funds from the trust account of his law firm.

The respondent was admitted to practice in the District of Columbia and Chief Disciplinary Counsel there was notified of this action.

RICHARD H. HUGHES

Admitted: 1953; Newton (Sussex County)
Public Reprimand - *114 N.J. 612 (1989)*
Decided: 1/24/1989

APPEARANCES BEFORE REVIEW BOARD
Appearance by the District X was waived
William J. McGovern for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings and recommendations of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who improperly caused a client, with whom he was socially intimate, to make a loan to a business venture in which respondent had a personal economic interest. The purpose of the venture was to harvest and package humus before subdividing the real estate into residential lots. The respondent failed to make full disclosure to the client of the potential adverse consequences of the transaction or to urge her to seek independent legal advise prior to entering into the venture.

DENNIS J. IULO

Admitted: 1972; Clifton(Passaic County)
Disbarred - *115 N.J. 498 (1989)*
Decided: 7/7/1989

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
John Vincent Saykanic for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who was convicted in Superior Court of New Jersey, Law Division, Passaic County, of two counts of misapplication of entrusted property in the amount of $40,548.97 in violation of *N.J.S.A. 2C:21-15*. The Court found that conviction of this criminal offense established a situation that "amounted to nothing less than the knowing invasion of the funds of one client to pay another client."

The respondent had been temporarily suspended from practicing law since December 17, 1982.

FRANK R. JENKINS

Admitted: 1975; Elizabeth (Union County)
Suspension for 1 Year - *117 N.J. 679 (1989)*
Decided: 9/19/1989

APPEARANCES BEFORE REVIEW BOARD
Kenneth F. Lay for District VI
Respondent did not appear

The Supreme Court of New Jersey, without oral argument, adopted the decision and recommendation of the Disciplinary Review Board and suspended the respondent for a period of one year as a result of his gross negligence in handling two cases which involved multi-party, complex, civil litigation resulting in dismissal of the cases and for misrepresenting the status of these two matters to clients. The Court cited as an aggravating factor the respondent's "disregard of the ethics system, as evidenced by his failure to file an answer to the ethics complaint and his failure to appear before the district ethics panel and the Disciplinary Review Board."

MARCIA S. KASDAN

Admitted: 1978; Englewood Cliffs (Bergen County)
Suspension for 3 Months - *115 N.J. 472 (1989)*
Decided: 6/19/1989 Effective: 7/17/1989

APPEARANCES BEFORE REVIEW BOARD
George J. Cotz for District IIA
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and suspended the respondent from the practice of law for a period of three months as the result of unethical conduct in six matters. In one lawsuit for the return of a security deposit in a tenancy case respondent did not disclose to her client that the case was dismissed due to her failure to answer interrogatories. Respondent then engaged in numerous subsequent misrepresentations regarding the status of the case, including the fabrication of trial dates intended to mislead the client. In two other cases, a real estate closing and a custody matter, the respondent ignored her clients' numerous requests for information; and in a commercial matter respondent made numerous misrepresentations to her client that she had filed suit when in fact she had not, including preparing and delivering to the client a false pleading. In two other real estate matters respondent was grossly negligent in closing title without securing payment of the purchase price from her clients and in knowingly delivering an insufficient trust account check for the balance of the proceeds of sale of realty to seller's attorney, which check was subsequently dishonored.

The respondent was admitted to practice in the State of New York and Disciplinary Counsel for the First Department (Manhattan) has been notified of these proceedings.

MATTHEW A. KLEIN

Admitted: 1972; Asbury Park (Monmouth County)
Disbarred - *117 N.J. 686 (1989)*
Decided: 11/8/1989

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for a respondent who grossly neglected two matters by failed to file civil lawsuits on behalf of clients and then failing to keep the clients informed of the status of the cases, grossly neglected a third matter by not forwarding client funds to pay property taxes and title insurance premiums after a real estate closing, failed to respond to notices in connection with disciplinary proceedings and misappropriated client trust funds.

The respondent had been temporarily suspended from the practice of law in New Jersey since September 5, 1986.

ARTHUR B. KRAMER

Admitted: 1976; Union (Union County)
Disbarred - *113 N.J. 553 (1989)*
Decided: 1/10/1989

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Joseph W. Spagnoli for respondent and waived appearance

The Supreme Court of New Jersey accepted the Decision and Recommendation of the Disciplinary Review Board and disbarred the respondent, who had pled guilty in Superior Court of New Jersey, Law Division, Union County, to misapplication of $25,000 of client's funds entrusted to his care (*N.J.S.A. 2C:21-15*) and falsifying and tampering with records (*N.J.S.A. 2C:21-4(a)*).

Respondent's misappropriation of trust funds was initially detected by the Random Audit Compliance Program. The respondent was thereupon temporarily suspended from the practice of law on September 8, 1986 and the matter turned over to the Union County Prosecutor's Office.

Mr. Kramer was also admitted to practice law in the State of Florida and Chief Disciplinary Counsel there has been notified of these proceedings.

JERRIL J. KROWEN

Admitted: 1972; Boston, Massachusetts
Disbarment By Consent - *115 N.J. 655 (1989)*
Decided: 4/19/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Michael Kendall for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who pled guilty in United State District Court for the District of Massachusetts to fifteen counts of mail fraud in violation of *18 U.S.C.A. 1341 and 2*. That conviction was affirmed on appeal on January 14, 1987. *United States v. Krowen, 809 F.2d 144 (1st Cir. 1987)*.

The respondent had been temporarily suspended from practice in New Jersey since March 9, 1989. Respondent was also admitted to practice law in the Commonwealth of Massachusetts and Chief Disciplinary Counsel there was notified of this action.

ALTHEAR A. LESTER

Admitted: 1969; Newark (Essex County)
Public Reprimand - *116 N.J. 774 (1989)*
Decided: 7/13/1989

APPEARANCES BEFORE REVIEW BOARD
John B. LaVecchia for District VA
Respondent appeared pro se

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who grossly neglected two separate matters (a workers compensation case and a disability benefits case) and who submitted untimely answers to formal ethics complaints when they were filed against him, which answers were not candid in that respondent denied responsibility for his neglect in both cases even though there was substantial documentary evidence and clear and convincing evidence that he was responsible for mishandling both cases. The Supreme Court noted with disapproval respondent's "recalcitrant cavalier (attitude) towards the ethics committee in both matters."

LARRY S. LOIGMAN

Admitted: 1977; Middletown (Monmouth County)
Public Reprimand - *117 N.J. 222 (1989)*
Decided: 10/18/1989

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
James M. Andrews for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who (1) filed an unwarranted criminal complaint against his client because of his failure to pay the $60 balance of a $160 legal fee (2) continued to represent a client after being privately reprimanded due to the fact that his representation constituted an unethical conflict on his part and (3) grossly neglected a client matter and then failed to communicate with the client.

The respondent was also admitted to the practice of law in the District of Columbia and Chief Disciplinary Counsel there has been notified of these proceedings.

ANTHONY J. LUGARA

Admitted: 1977; Milford (Hunterdon County)
Suspension for 22 Months - *115 N.J. 660 (1989)*
Decided: 5/2/1989 Effective: 1/20/1986

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a twenty-two month suspension from the practice of law was the appropriate discipline for an attorney who pled guilty to the offense of child abuse and crulty toward a nine year old girl while he was a teacher's assistant at an elementary school, in violation of *N.J.S.A. 9:6-1, 9:6-3 and 9:6-8.9*. Following an original conviction on more serious charges, respondent was temporarily suspended from the practice of law on January 28, 1986. That conviction was reversed by the Appellate Division of Superior Court following which respondent was reinstated on December 8, 1987. The respondent was given credit against final discipline for this twenty-two month interim period of suspension.

CARMINE P. LUNETTA

Admitted: 1966; Morristown (Morris County)
Disbarred - *118 N.J. 443 (1989)*
Decided: 7/21/1989

APPEARANCES BEFORE SUPREME COURT
Robyn M. Hill for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for a respondent who pled guilty in United States District Court for the District of New Jersey to knowingly and willfully conspiring to receive, sell and dispose of $200,000 worth of stolen bonds. As the attorney, respondent laundered and shielded funds from known criminal activities. As a result the Supreme Court held that respondent's misconduct "seriously detracted from the 'honesty, integrity and dignity that are the hallmarks of the legal profession.'" The Court's opinion stated that such a result mandates disbarment.

Respondent had been temporarily suspended from the practice of law since May 11, 1984.

NICHOLAS J. MARINO

Admitted: 1966; Verona (Essex County)
Disbarment By Consent - *117 N.J. 689 (1989)*
Decided: 11/13/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Michael S. Washor, a member of the New York Bar, for respondent

The Supreme Court of New Jersey accepted the consent to disbarment of a respondent who was convicted in the United States District Court for the District of New Jersey of conspiracy to transport stolen securities in interstate commerce and receiving, selling and disposing of stolen securities in violation of *18 U.S.C.A. 371 and 2316 and 2*. That conviction was affirmed on appeal. *U.S. vs. Marino, 868 F.2d 549 (3rd Cir. 1989), cert.den 108 S.Ct. 1590 (1989)*.

The respondent had been temporarily suspended from the practice of law in this state since October 9, 1986.

WILLIAM J. O'BYRNE

Admitted: 1969; Mount Holly (Burlington County)
Disbarment By Consent - *114 N.J. 617(1989)*
Decided: 2/21/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Francis J. Hartman for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of the respondent who was found guilty in July 1986 in the United States District Court for the District of New Jersey of 11 counts of criminal conduct including one count of conspiracy to defraud the United States Department of Housing and Urban Development (*18 U.S.C.A. §371*), seven counts of knowlingly using false documents to defraud the United States Department of Hosing and Urban Development (*18 U.S.C.A. §1001 and 1002*), one count of knowingly bribing a public official (*18 U.S.C.A. §291(f)*) and two counts of knowingly making false statements on a loan application (*18 U.S.C.A. §1014 and 1012*). The respondent was thereafter temporarily suspended from practicing law in New Jersey on July 29, 1986. On November 3, 1987 the Court of Appeals for the Third Circuit affirmed the conviction and in June 1988 the United States Supreme Court denied *certiorari*.

DONALD A. ORLOVSKY

Admitted: 1977 New Jersey
1976 Florida
West Palm Beach (Florida)
Suspension for 3 Months - *117 N.J. 113(1989)*
Decided: 9/6/1989 Effective: 3/27/1989

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent waived appearance

The Supreme Court of New Jersey, without oral argument, adopted the findings and recommendations of the Disciplinary Review Board and held that a suspension for 60 days, retroactive to March 27, 1989 (the date of an identical term suspension imposed upon respondent by the Supreme Court of Florida), was the appropriate discipline for a respondent who entered a conditional guilty plea in Broward County, Florida to one count of possession of cocaine. The respondent had voluntarily disclosed his cocaine activities to the Office of Attorney Ethics pursuant to his reporting obligations under *R. 1:20-6(a)*.

The respondent was reinstated to the practice of law by order of the Supreme Court effective October 31, 1989.

VINCENT J. PAGLIONE

Admitted: 1966; Camden (Camden County)
Disbarment By Consent - *115 N.J. 656(1989)*
Decided: 4/19/1989

REPRESENTATIONS
Thomas J. McCormick for Attorney Ethics
John McFeeley for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself in connection with pending grievances charging the knowing misappropriation of client trust funds. The grievances charged respondent with misappropriating over $66,000 from one estate and over $54,000 in another estate case.

This matter was initiated as a result of the Trust Overdraft Notification Program.

JOHN S. POWER

Admitted: 1966; Brielle (Monmouth County)
Suspension for 3 Years - *114 N.J. 540(1989)*
Decided: 4/12/1989 Effective: 5/1/1989

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Robert F. Novins for respondent

The Supreme Court of New Jersey held that a suspension from practice for three years was the appropriate discipline for a respondent who pled guilty in Superior Court Law Division, Monmouth County to the disorderly persons offense of obstructing the administration of law in violation of *N.J.S.A. 2C:29-1* in that he advised a criminal defendant-client not to disclose any information to law enforcement authorities concerning a stock fraud investigation because respondent feared that he, himself, was also a target in the fraud investigation and assisted another client in filing false insurance claims.

The respondent had been previously twice publicly disciplined. In 1977 he was suspended for three months for violating a fiduciary obligation with respect to an escrow account, giving false testimony in a Superior Court action and improperly invading funds in his trust account. *In re Power, 72 N.J. 452 (1977)*. Five years later, respondent was publicly reprimanded for his unauthorized disbursement of escrow funds to a client. *In re Power, 91 N.J. 408 (1982)*.

THOMAS P. QUALIANO

Admitted: 1978; West New York (Hudson County)
Disbarment By Consent - *115 N.J. 658 (1989)*
Decided: 5/2/1989

REPRESENTATIONS
William R. Wood for Attorney Ethics
Respondent represented himself
Joel A. Leyner appointed Custodial Receiver
in accordance with R. 1:28-2

The Supreme Court of New Jersey accepted the Consent to Disbarment of a respondent who admitted he could not successfully defend himself against pending disciplinary charges of the knowing misappropriation of client trust funds in excess of $60,000.

FREDERIC C. RITGER, JR.

Admitted: 1950; Newark (Essex County)
Suspension for 6 Months - *115 N.J. 50 (1989)*
Decided: 5/5/1989 Effective: 5/29/1989

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension for 6 months from the practice of law was the appropriate discipline for respondent who engaged in a pattern of neglect and misrepresentations to a client in an estate matter over a period of several years. During this period of time the respondent was practicing under a restriction by Supreme Court Order that was "limited to working in a partnership with, or for and under the supervision of, other attorneys," This restriction resulted from respondent's reinstatement following a two year suspension from practice for the misappropriation of $34,000 in clients trust funds to his own use. *In re Ritger, 80 N.J. 1 (1979).*

THOMAS A. RODGERS

Admitted: 1977; Cherry Hill(Camden County)
Disbarment By Consent - *117 N.J. 685 (1989)*
Decided: 10/31/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Carl D. Poplar for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who was found guilty after trial in Superior Court of New Jersey, Law Division, Camden County, of fifteen counts f theft by deception and one count of conspiracy in violation of *N.J.S.A. 2C:20-4, 2C:2-6 and 2C:5-2*, all second degree crimes. His conviction was affirmed by the Superior Court of New Jersey, Appellate Division in *State v. Rodgers, 23 N.J. Super 593 (App. Div. 1989)*. Respondent also pled guilty in Superior Court of New Jersey, Law Division, Burlington County, to two counts of a third degree crime of theft by failure to make required disposition of property in violation of *N.J.S.A. 2C:20-9 and 2C:2-6*.

Respondent was also admitted to practice in the State of Pennsylvania and Chief Disciplinary Counsel there has been advised of these proceedings.

WILLIAM H. ROSENBLATT

Admitted: 1961; Camden (Camden County)
Public Reprimand - *114 N.J. 610 (1989)*
Decided: 1/17/1989

APPEARANCES BEFORE REVIEW BOARD
Leslie J. Jandoli for District IV
Carl D. Poplar for respondent

The Supreme Court of New Jersey, without oral argument, modified the Decision and Recommendation of the Disciplinary Review Board and ordered that respondent be publicly reprimanded for accepting a personal injury action and then grossly neglecting it for four years during which he failed

repeatedly to respond to the client's numerous requests for information on the status of the matter. Respondent had been publicly reprimanded seventeen years earlier for neglecting two personal injury matters. *In re Rosenblatt, 60 N.J. 505 (1972)*.

RONALD W. SAGE

Admitted: 1986; Freehold (Monmouth County)
Public Discipline - *121 N.J. 239(1989)*
Decided: 12/14/1989

APPEARANCES BEFORE REVIEW BOARD
Joel N. Kreizman for District IX
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who improperly requested that a doctor in a personal injury matter alter his report by de,letting references to relevant medical information on respondent's client. The Disciplinary Review Board cited as an aggravating factor respondent's previous private reprimand in 1976 for improper trial conduct and making false accusations against a judge.

The respondent is both a Certified Civil Trial Attorney as well as a Certified Criminal Trial Attorney. The respondent was also admitted to the practice of law in the State of Florida and the District of Columbia. Chief Disciplinary Counsel in these jurisdictions have been notified of the result of these proceedings.

SAMUEL SAGETT

Admitted: 1985; Marlton (Burlington County)
Disbarment By Consent - *114 N.J. 614 (1989)*
Decided: 2/7/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Robert Aaron Greenberg represented respondent
William John Kearns, Jr. appointed Custodial Receiver in accordance with R.1:28-8

The Supreme Court of New Jersey accepted the Consent to Disbarment of respondent, who admitted that he could not successfully defend himself against pending disciplinary charges of knowingly misappropriating $71,000 in client's trust funds. The respondent had been temporarily suspended from the practice of law since October 24, 1988. The respondent was also admitted to the practice of law in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there has been notified of this action.

TIMOTHY J. SHEEHAN, JR.

Admitted: 1973; Princeton (Mercer County)
Disbarment By Consent - *115 N.J. 663 (1989)*
Decided: 5/30/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Salvatore T. Alfano for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who pled guilty in Superior Court of New Jersey, Law Division, Hudson County, to an indictment charging him with the misapplication of entrusted property in violation of *N.J.S.A. 2C:21-15*.

The respondent had been temporarily suspended from the practice of law since September 30, 1986 as a result of his failure to produce trust and business accounting records to the Office of Attorney Ethics in connection with a demand audit for cause resulting from a grievance concerning his handling of trust funds.

GEORGE S. SKOKOS

Admitted: 1945; Asbury Park (Monmouth County)
Public Reprimand - *113 N.J. 389 (1989)*
Decided: 1/17/1989

APPEARANCE BEFORE SUPREME COURT
Robyn M. Hill for Attorney Ethics
Nicholas G. Skokos for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for respondent who failed to communicate and to cooperate with the District Ethics Committee during the investigation and hearing of an ethics complaint against him and who failed to appear at a duly scheduled ethics hearing in his case.

MICHAEL H. SMOLLER

Admitted: 1966; Newark (Essex County)
Disbarment By Consent - *115 N.J. 668 (1989)*
Decided: 6/27/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Paul Greenfield, admitted in New York only, for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted he could not successfully defend himself in pending disciplinary proceedings alleging that he knowingly misappropriated client trust funds in a real estate matter.

The respondent had been temporarily suspended from the practice of law in New Jersey since February 21, 1989.

CHARLES W. SOMMERS

Admitted: 1969; Hackensack (Bergen County)
Disbarred - *114 N.J. 209 & 616 (1989)*
Decided: 2/17/1989

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who knowingly misappropriated almost $1,500 being held in his Attorney Trust Account in a divorce matter. These funds were used to cover respondent's personal expenses after the Internal Revenue Service levied upon the Attorney Business Account. While the respondent maintained that the entire amount of trust funds held was due to him as legal fees, on remand hearing before a district ethics committee hearing panel he was unable to offer any evidence in support of his claim of right. The Court therefore concluded that this theory was developed as "an *ad hoc* justification for his actions." Also in defense respondent had advanced his alcohol dependency at the time of the underlying events. While acknowledging this fact, as well as respondent's domestic and financial problems during this period, the Court concluded that:

> The evidence falls short of suggesting that when respondent used the trust funds for his personal expenditures, he was unable to comprehend the nature of his act or lacked the capacity to form the requisite intent. (Quoting *In re Hein, 104 N.J. 297, 303 (1986)*).

The respondent was also found guilty of gross neglect and a pattern of neglect in six separate cases between 1978 and 1983 which included his failure to carry out contracts of employment as well as allowing the Statutes of Limitations to run on various client's claims. The respondent had been temporarily suspended from the practice of law since March 1, 1985.

JAMES V. SPAGNOLI

Admitted: 1969; Elizabeth (Union County)
Disbarred - *115 N.J. 504 (1989)*
Decided: 7/7/1989

APPEARANCES BEFORE SUPREME COURT
David E. Johnson, Jr. for Attorney Ethics
Richard H. Kress for respondent
Ross R. Anzaldi appointed Attorney/ Trustee
in accordance with R.1:20-12

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for an attorney who, in a series of 14 cases over a period of four years, consistently accepted money from clients to perform legal services and failed to do so, misrepresented to many clients the status of their cases and refused to respond to most clients' requests for information, On account of this attorney's dishonest retention of unearned retainers, the Clients' Security Fund has paid or authorized clients' reimbursements totaling $17,685.50. The Supreme Court held that:

> In view of the severity of the multiple ethical violations committed, combined with respondent's failure to appear before the Disciplinary Review Board and participate fully in the district ethics committee proceedings, we order that respondent be disbarred.

The respondent had been previously publicly disciplined in 1982 for signing a clients' name on three separate affidavits filed with the Court. *In re Spagnoli, 89 N.J. 128 (1982)*. Respondent had been temporarily suspended from the practice of law in New Jersey since March 30, 1987 as a result of a motion filed by the Office of Attorney Ethics to protect the public due to findings of unethical conduct in several matters by the District XII (Union County) Ethics Committee.

RICHARD M. STEINHOFF

Admitted: 1981; South Orange (Essex County)
Disbarred - *114 N.J. 268 (1989)*
Decided: 3/17/1989

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Patrick T. Collins for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for a respondent who knowingly misappropriated $5,400 arising out of several real estate closings. Responding to a proffered drug defense to dispute the knowingness of the misappropriations which occurred, the Court addressed the question of "whether he suffered such a loss of competency, comprehension, or will of such magnitude as would excuse conduct that was otherwise knowing or purposeful." The Court found, however, that:

> (W)e have been unable to rationalize the qualitative differences that would excuse the violation in the case of one suffering disease or defeat, or one suffering from drugs or other dependency from one suffering the anguish of collapsing home life or marriage due to economic or other strains. Consequently, we have chosen to resolve the choice of professional discipline by maintaining our primary focus on the public interest.

The respondent had been temporarily suspended from the practice of law since January 1984. The respondent had passed the examination for the Bar of the State of Washington and Chief Disciplinary Counsel there has been notified of the results of these proceedings.

JOHN C. TARANTINO

Admitted: 1973; East Orange (Essex County)
Disbarment By Consent - *114 N.J. 621 (1989)*
Decided: 2/21/1989

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Respondent represented himself

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who was convicted in March 1985 in the United States District Court for the District of Columbia of one count of conspiracy to distribute cocaine (*21 U.S.C.A. §846*) and four counts of unlawful interstate travel to aid a racketeering enterprise (*18 U.S.C.A. §1952*). This conviction centered around the respondent's activities in a nationwide drug trafficking and money laundering scheme from 1980 through 1983. The respondent was thereafter temporarily suspended from practice in New Jersey on September 5, 1985. Upon direct appeal to the Court of Appeals for the District of Columbia, respondent's conviction was affirmed in April 1988 in the case of *United States v. Tarantino, 846 F.2d 1384 (D.C. Cir. 1988)*.

JOSEPH W. URBANICK

Admitted: 1971; Gladstone (Morris County)
Public Reprimand - *117 N.J. 300 (1989)*
Decided: 12/1/1989

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Stephen Horn, a member of the Maryland Bar, for respondent

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for respondent who, while acting solely as a businessman-non-lawyer, accepted a deposit on a lot in a real estate development which was in dire financial straits without making any disclosure of those facts to the purchasers who lost their deposit when the development subsequently failed. Moreover, respondent misused $751.75 of purchasers deposit monies in violation of the statutory trust imposed upon developers by *N.J.S.A. 2A:29A-1* to utilize deposit funds solely for advancement of the development in which residential lots are sold.

The Supreme Court pointed out that:

> (L)awyers who embark on speculative business ventures expose themselves to risks not borne by members of the bar who confine themselves to the practice of law,
>
> * * *
>
> A lawyer who acts dishonestly discredits the reputation of all lawyers.

LESTER T. VINCENTI

Admitted: 1971; Elizabeth (Union County)
Suspension for 3 Months - *114 N.J. 275 (1989)*
Decided: 3/10/1989 Effective: 4/3/1989

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Nancy Iris Oxfeld for respondent

The Supreme Court of New Jersey held that a three – month suspension from the practice of law was the appropriate discipline for an attorney who, in a civil personal injury action, verbally threatened opposing counsel, challenged him to a fight, engaged in vulgar name-calling (including racial innuendo) of opposing counsel and his investigator and who used threatening, abusive and vulgar language directed to the trial judge's law clerk. In imposing discipline the Court cautioned that:

> There cannot be genuine respect of the adversary system without respect for the adversary, and disrespect for the adversary system bespeaks disrespect for the court and the proper administration of justice.

Concerning respondent's use of racial innuendo in the trial setting, the Court found it to be particularly intolerable.

> Any kind of conduct of verbal oppression or intimidation that projects offensive and invidious discriminatory distinctions, be it based on race or color, as in this case, or, in other contexts, on gender, or ethnic or national background or handicap, is especially offensive. In the context of either the practice of law or the administration of justice, prejudice both to the standing of this profession and the administration of justice will be virtually conclusive if intimidation, abuse, harassment, or threats focus or dwell on invidious discriminatory distinctions.

The respondent had been previously disciplined by suspension from practice for one year in 1983 for similar behavior, *In re Vincenti, 92 N.J. 591 (1983)*. The respondent was reinstated to practice by order of the Supreme Court of New Jersey, effective August 22, 1989.

TIMOTHY WEEKS

Admitted: 1972; Newark (Essex County)
Indefinite Suspension - *114 N.J. 622 (1989)*
Decided: 2/21/1989 Effective: 11/28/1988

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Respondent represented himself
William B. McGuire appointed Attorney/Trustee
in accordance with R.1:20-12

The Supreme Court of New Jersey held that an indefinite suspension from the practice of law was the appropriate discipline for a respondent who engaged in a pattern of neglect in five separate matters, accepted fees for which no services were rendered, failed to make reasonable efforts to expedite litigation, provided false or misleading communications about legal services, failed to file an answer to a formal ethics complaint filed against him and failed to attend ethics hearings before a District Ethics Committee or before the Disciplinary Review Board.

The respondent had been previously temporarily suspended from practice since November 28, 1988.

KENNETH H. WILLIAMS

Admitted: 1971; East Orange (Essex County)
Disbarment By Consent - *117 N.J. 686 (1989)*
Decided: 10/31/1989

REPRESENTATIONS
David E. Johnson, Jr. for Attorney Ethics
Melvyn H. Bergstein for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend himself against pending disciplinary charges that he knowingly misappropriated in excess of $10,000 of clients' funds.

This matter was discovered solely as a result of the Random Audit Compliance Program.

LEONARD J. WILLIAMS

Admitted: 1951; Trenton (Mercer County)
Public Reprimand - *115 N.J. 667 (1989)*
Decided: 6/13/1989

APPEARANCES BEFORE REVIEW BOARD
David M. Botwinick for District VII
Jerome A. Sweeney for respondent

The Supreme Court of New Jersey, without oral argument, accepted the findings of the Disciplinary Review Board and publicly reprimanded respondent for grossly neglecting a paternity case, failing to respond to a client's reasonable requests for information in a foreclosure action and for failing to cooperate with an ethics investigation and not filing an answer to a formal ethics complaint as required by court rules.

PETER R. WILLIS

Admitted: 1970; Jersey City (Hudson County)
Suspension for Six Months - *114 N.J. 42 (1989)*
Decided: 1/13/1989 Effective: 2/1/1989

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Alan J. Karcher for respondent

The Supreme Court of New Jersey held that a suspension from the practice of law was the appropriate discipline for an attorney who (1) pled guilty in the United States District Court for New Jersey to one count of willfully failing to file an income tax return, (2) engaged in a pattern of neglect and gross neglect of 6 separate clients over a five year period between 1980 and 1984, (3) during this same time, engaged in a pattern of overreaching by charging unreasonable fees to clients in eight separate matters (4) knowingly issuing a check to a client drawn on insufficient funds in 1982, and (5) admittedly using illegal drugs (cocaine and marijuana). While noting that normally this variety of misconduct would justify a sugst5antial suspension, the Court held that the record in this case was clear that at the relevant period of respondent's misconduct he "was in the throes of alcoholism" from which he has now been recovering and abstinent since 1984. Consequently, since the respondent had "gained control of his life," his alcoholism mitigated the punishment which would ordinarily be imposed. The Court concluded:

> That suspension is long enough, we believe, to remind the bar of its special obligation to file personal tax returns and to act ethically with respect to clients, yet not so long as to dissuade other alcoholic lawyers from seeking the help they need for their own good and that of their clients.

The respondent was reinstated to the practice of law by order of the Supreme Court of New Jersey on August 29, 1989.

THOMAS L. YACCARINO

Admitted: 1961; Wayside (Monmouth County)
Disbarred - *117 N.J. 175 (1989)*
Decided: 10/13/1989

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Michael D. Schottland for respondent

The Supreme Court of New Jersey held (by a vote of 5-2) that disbarment was the appropriate discipline for a Judge who had previously been removed from judicial office. *In re Yaccarino, 101 N.J. 342 (1985).* Based upon that removal finding the Office of Attorney Ethics filed an attorney disciplinary complaint.

In determining that respondent must be disbarred the Court found two primary violations. In the first matter respondent attempted to use the power and prestige of his office as a Superior Court Judge to influence the disposition of pending municipal court charges against respondent's daughter and to deter other public officials from performing their lawful duties. In the second matter respondent conspired with others to acquire real property belonging to litigants in an ongoing matter before him. He also suborned perjury. The Court held that unethical acts of this kind poisoned the well of justice and rendered respondent unworthy to hold a license in the profession of law.

KENNETH F. YATES

Admitted: 1965; Glen Gardner (Hunterdon County)
Disbarment By Consent - *115 N.J. 663 (1989)*
Decided: 5/30/1989

REPRESENTATIONS

William R. Wood for Attorney Ethics
Francis X. Hermes for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of respondent who admitted that he was unable to successfully defend himself against pending disciplinary charges of the knowing misappropriation of client trust funds.

This matter was discovered as a result of the Trust Overdraft Notification Program.

JOHN P. YETMAN, JR.

Admitted: 1976; Mt. Holly (Burlington County)
Public Reprimand - *113 N.J. 556 (1989)*
Decided: 1/12/1989

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
R. Barry Strosnider for District IIIB
Jerome A. Sweeney for respondent

The Supreme Court, without oral argument, adopted the findings and recommendations of the Disciplinary Review Board and publicly reprimanded the respondent for gross negligence, lack of diligence, and lack of communication in his representation in an estate matter and for failing to comply with his promise made at an ethics committee hearing to turn over the estate file to a new attorney without delay. The respondent was also admitted to the practice of law in the Commonwealth of Pennsylvania and Chief Disciplinary Counsel there was notified of these proceedings.

1988

PAUL ALONGI

Admitted: 1965; Bloomfield (Essex County)
Disbarred By Consent - *110 N.J. 695(1988)*
Decided: 5/24/1988

REPRESENTATIONS
David E. Johnson, Jr. for Attorney Ethics
H. Curtis Meanor for respondent

The Supreme Court of New Jersey accepted the respondent's Disbarment By Consent when he admitted he could not successfully defend himself against charges of the knowing misappropriation of client's trust funds. The misappropriation was discovered as a result of the Random Audit Compliance Program. The respondent had been temporarily suspended since October 23, 1987.

RICHARD L. BARBOUR

Admitted: 1970; Toms River (Ocean County)
Suspension for 6 Months - *109 N.J. 143 (1988)*
Decided: 1/15/1988 Effective: 2/1/1988

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Herbert J. Stern for respondent

The Supreme Court of New Jersey held that suspension for a period of six months was the appropriate discipline for an attorney who engaged in gross neglect and a pattern of neglect in three cases, two estates and the handling of the finances of an elderly client. The attorney was also found to have overreached two clients by charging excessively high fees. The Court determined, however, that at the time of these events respondent's professional capacity was seriously and detrimentally affected by medial illness (Reiter's Syndrome) which was itself exacerbated by alcoholism. The Court specifically noted:

> We do not believe this condition would excuse dishonesty or misappropriation. Similarly, his alcoholism, standing alone, would not serve to mitigate any ethics breaches involving dishonesty or misappropriation. Such a condition, however, may serve to explain ethics breaches involving inadequate professional performance. While alcoholism as such will rarely excuse any ethics transgressions, the exacerbation of his physical disease by alcoholism can be relevant in assessing ethical guilt. [citations omitted.]

Respondent has now rehabilitated himself from his alcoholism, which condition, together with Reiter's Syndrome, afford respondent mitigation in this disciplinary matter. Mr. Barbour was also admitted to practice law in the State of Virginia and Chief Disciplinary Counsel in that jurisdiction has been notified of this action. Upon the conclusion of his six-month suspension, the respondent was reinstated to practice on November 7, 1988.

HERBERT B. BIERMAN

Admitted: 1953; Parlin (Middlesex County)
Disbarment By Consent - *112 N.J. 613(1988)*
Decided: 9/9/1988

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
JoAnne C. Adlerstein for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of respondent who pled guilty in United States District Court for the District of New Jersey to an information charging mail fraud in violation of *18 U.S.C.A. §1341 & 1342*. The federal charge cited Bierman with

knowingly and willfully devising a scheme to drfraud the State of New Jersey of a Driving While Intoxicated Conviction when, as municipal court judge, he improperly reduced the charges against a defendant to careless driving in 1983. The respondent had been temporarily suspended from practicing law since June 21, 1988.

PETER T. BONGIORNO

Admitted: 1963; Paterson (Passaic County)
Disbarred - *110 N.J. 696 (1988)*
Decided: 6/7/1988

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that respondent's guilty pleas to two counts of misappropriation of entrusted property ($8,064.70) to clients [*N.J.S.A. 2C:21-15*] in Superior Court, Law Division, Passaic County, evidenced knowing misappropriation and, under *In re Wilson, 81 N.J. 451 (1979)*, mandated disbarment. The respondent had been temporarily suspended from practice since September 18, 1984.

HOWARD S. BORDEN, JR.

Admitted: 1958; Toms River (Ocean County)
Public Reprimand - *112 N.J. 620 (1988)*
Decided: 10/18/1988

APPEARANCES BEFORE REVIEW BOARD
Thomas J. McCormick for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey, without oral argument, adopted the findings and report of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who grossly neglected a wrongful death action resulting in its dismissal. Thereafter, the attorney repeatedly misrepresented the status of the case to his client. There was no permanent damage to the client who, through new counsel, was able to reinstate and pursue the tort matter. Respondent had been previously privately reprimanded in 1982 for failing to complete his client's case and failing to communicate with his client for more than four years. The respondent was also admitted to practice law in the State of Florida and Chief Disciplinary Counsel there was notified of this action.

ANDREAS A. BOYADJIS

Admitted: 1964; Morristown (Morris County)
Disbarment By Consent - *112 N.J. 618(1988)*
Decided: 10/4/1988

REPRESENTATIONS
William R. Wood for Attorney Ethics
Larry Blumenstyk for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend himself against pending disciplinary charges of misappropriation of trust funds. This case was discovered through the Random Audit Compliance Program.

EDWARD J. BRADY

Admitted: 1951; Haddon Heights (Camden County)
Suspension for 3 Months - *110 N.J. 217 (1988)*
Decided: 5/6/1988 Effective: 6/1/1988

APPEARANCES BEFORE SUPREME COURT
Robyn M. Hill for Attorney Ethics
Richard E. Brennan for respondent

The Supreme Court of New Jersey held that suspension for three months was the appropriate discipline for an attorney who (1) refused in two cases to be discharged by clients and instead took serious unauthorized actions, (2) while representing three beneficiaries filed suit by one against the others, and (3) made an ex parte application to a judge for a "consent order" without notice to any of the parties. Upon conclusion of his suspension Mr. Brady was reinstated to the practice of law by order of the Supreme Court on June 11, 1988.

BARRY C. BRECHMAN

Admitted: 1970; Cranbury (Middlesex County)
Disbarment By Consent - *111 N.J. 655 (1988)*
Decided: 7/8/1988

APPEARANCES BEFORE REVIEW BOARD
Manny Gerstein for District VIII
Respondent appeared pro se

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who knowingkly misdappropriated clients trust funds (2) by allowing his bank to liquidate a certificate of depodit being held in trust for a client in order to pay off an outstanding $14,000 balance on a personal loan and (2) by intentionally taking and using $10,000 from a real estate deposit which was to be held in escrow.

He was also found by the Disciplinary Review Board to have "intentionally attempted to perpetuate a fraud upon the (district ethics) committee and ultimately the Supreme Court by creating false banjk statements to support his contentions in one of the natters," He obtained blank forms, fabricated evidence, entered these documents as evidence before the district ethivcs committee and then lied under oath about the theft. The Disciplinary Review Board then concluded:

> The Board has rarely been confronted with such overwhelming dishonesty and venality. Respindent's misconduct is so immoral and

corrupt as ":to destroy totally any vestige of confidence that the individual could ever again practice in conformity with the standards of the profession." *Matter of Templeton, 99 N.J. 365, 376 (1985)*. It illusdtrates "the kind of shocking disregard of professional standards, the kind of amoral arrogance" that demands the imposition of the strongest sanction. *Matter of Edson, 108 N.J. 464, 472 (1987)*.

ADOLPH V. CARBONE, SR.

Admitted: 1971; Toms River (Ocean County)
Disbarment By Consent - *109 N.J. 647 (1988)*
Decided: 3/8/1988

REPRESENTATIONS
John J. Janasie for Attorney Ethics
Salvatore T. Alfano for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against pending ethics charges involving improprieties in the handling of trust funds, commingling personal funds with client trust fundsm failing to keep proper trust and business accounting records which are required by Supreme Court rule and making misstatements to a Superior Court Judge in a litigated matter to the effect that $35,000 of client's funds remained in his trust account when, in fact, they were not so maintained.

JORGE E. CASTRO

Admitted: 1983; Lyndhurst (Bergen County)
Disbarment By Consent - *109 N.J. 644 (1988)*
Decided: 2/9/1988

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Justin Levine for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who pled guilty in Superior Court of New Jersey, Law Division, Bergen County, to a two-count accusation charging theft by failure to make required disposition of property received in the amount of $7,500 in violation of *N.J.S.A. 2C:20-9*. The respondent had been temporarily suspended from the practice of law since April 20, 1987. Mr. Castro was also admitted to practice law in the District of Puerto Rico and Chief Disciplinary Counsel in that jurisdiction has been notified of this action.

PAUL COLVIN

Admitted: 1933; Dover (Morris County)
Suspension for 6 Months - *110 N.J. 699 (1988)*
Decided: 6/14/1988 Effective: 9/15/1987

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a six month suspension from practice [retroactive to September 15, 1987 the date of his automatic temporary suspension] was the appropriate discipline for respondent, who pled guilty in Superior Court of New Jersey, Law Division, Morris County, to the fourth degree crime of endangering the welfare of a chikd [*N.J.S.A. 2C:24-4(a)*] and to the third degree crime of witness tampering [*N.J.S.A. 2C:28-5(a)(1)*].

In evaluating the discipline to be imposed in this case, the Disciplinary Review Board considered what it found to be the very "unusual circumstances" surrounding the case. These circumstances involved an extortion of a total of $11,000 from the respondent by the mother of the endangered child. While the exchange of this "hush money" unquestionably demonstrated active witness tampering by respondent (in order to avoid the mother's reporting the child endangerment charges to the prosecutor), the same facts also led to the criminal conviction of the mother for her extortionate conduct in blackmailing the respondent. Thus, without condoning the conduct, the Disciplinary Review Board observed that in this unusual case the respondent, the perpetrator, also became the victim.

JOHN J. CULLEN

Admitted: 1973; Hackensack (Bergen County)
Suspension for 6 Months - *112 N.J. 13 (1988)*
Decided: 9/27/1988 Effective: 10/11/1988

APPEARANCES BEFORE REVIEW BOARD
George L. Garrison for District XI
John E. Selser, III for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that suspension from practice for a period of six months was the appropriate discipline for an attorney who was guilty of grossly neglecting a personal injury matter and a wrongful death case and who thereafter ignored his clients requests for information, thus misrepresenting the status of these matters, The Court conditioned any application for reinstatement upon a satisfactory psychiatric examination and practice for two years thereafter under the proctorship of another attorney. Respondent was also admitted to practice law in the State of New York and Chief Disciplinary Counsel for Manhattan was notified of these proceedings.

HARRY N. DEVLIN

Admitted: 1973; Westfield (Union County)
Disbarred - *109 N.J. 135 (1988)*

Decided: 1/15/1988

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
J. Michael Nolan for respondent

The Supreme Court of New Jersey held that the post-Wilson knowing misappropriation of $13,000 of client funds which were to be held in an interest bearing trust account mandates disbarment. In response to respondent's contention that any misuse was attributable to "sloppy record keeping practices," the Court noted that:

> (P)oor accounting procedures are no excuse for using clients' funds and poor record keeping cannot be used to camouflage attorney theft or misuse.

Moreover, the Court rejected a defense of general alcoholism, saying:

> Respondent's reliance on a general alcoholism defense is unavailing. . . Alcoholism cannot excuse attorney theft or mitigate misuse of clients' funds. In any event, respondent was not so impaired that he sis not know what he was doing.

The respondent had been temporarily suspended since March 9, 1984.

JOSEPH A. FERRANTE

Admitted: 1973; West Orange (Essex County)
Indefinite Suspension - *113 N.J. 670 (1988)*
Decided: 12/13/1988 Effective: 3/26/1984

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
William C. Carey for District VB
Michael Critchley for respondent

The Supreme Court, without oral argument, adopted the report of the Disciplinary Review Board and held that an indefinite suspension from the practice of law was the appropriate discipline for respondent who neglected three client matters (allowing the Statute of Limitations to run in two cases), failed to repay a District Fee Arbitration Committee ordered refund, repeatedly failed to cooperate with disciplinary officials and who was guilty of the pre-Wilson negligent misappropriation of client's funds. The respondent had been temporarily suspended from the practice of law since March 26, 1984. The Court ordered that, prior to his reinstatement to the practice of law, respondent complete the core portion of the Skills & Methods Training Course. Further, respondent's post-reinstatement is to be conditioned upon: (a) completion of the second and third-year requirements of the Skills & Methods Training Course, and (b) Supervision by a preceptor approved pursuant to Administrative Guideline No. 28.

WILLIAM J. FLAHERTY

Admitted: 1977; Freehold (Monmouth County)
Public Reprimand - *112 N.J. 613 (1988)*
Decided: 9/7/1988

APPEARANCES BEFORE REVIEW BOARD
Frank Dupignac for District IIIA
William P. Cunningham for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and publicly reprimanded an attorney who, on one occasion, affirmatively misrepresented to his clients that a lawsuit had been instituted when, in fact, it had not. The statute of limitations had not run in the case and the clients were not permanently prejudiced.

KALMAN H. GEIST

Admitted: 1966; Paterson (Passaic County)
Public Reprimand - *110 N.J. 1 (1988)*
Decided: 3/21/1988

APPEARANCES BEFORE REVIEW BOARD
Harold C. Goldman for District XI
Harvey Brown for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings and conclusions of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who, during a criminal trial, engaged in conduct degrading to a tribunal by contemptuously disregarding the judge's admonition not to refer to certain counts of the indictment as having been dismissed by the Court, alluding to a matter that could not be supported by admissible evidence by making misleading remarks concerning the introduction of certain transcripts, and intentionally violating an established rule of procedures.

JOHN V. GETCHIUS

Admitted: 1973; Morristown (Morris County)
Disbarred By Consent - *110 N.J. 700 (1988)*
Decided: 6/21/1988

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Walter J. Hunziker for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who pled guilty in the Superior Court of New Jersey, Law Division, Passaic County, to four counts of theft by deception (*N.J.S.A. 2C:20-4*) and to a violation of the Motor Vehicle Dealer's Act (*N.J.S.A. 39:10-19 & 24*) in connection with a fraudulent automobile scheme. At the time of his disbarment respondent had been under suspension from practicing law since January 29, 1982 as a

result of neglecting several client matters. *In re Getchius, 88 N.J. 269 (1982)*.

HARVEY GOLDBERG

Admitted: 1960; Clifton (Passaic County)
Disbarred - *109 N.J. 163 (1988)*
Decided: 1/22/1988

APPEARANCES BEFORE SUPREME COURT
Robyn M. Hill for Attorney Ethics
Zulima V. Farber for respondent

The Supreme Court of New Jersey held that disbarment was the appropriate discipline for respondent , who was convicted in Superior Court of New Jersey, Law Division, Passaic County, of eleven counts of misapplication of entrusted property (*N.J.S.A. 2C:20-15*) and eleven counts of theft by failing to make required disposition of property received (*N.J.S.A. 2C:20-9*), involving clients' funds totaling $291,727.88. In this case of first impression the Court held that respondent's attempt to utilize compulsive gambling as a mitigating factor in a knowing misappropriation case was unsuccessful, since the "record does not reflect an impairment of respondent's will sufficient to excuse" knowing misconduct involving clients' trust funds. Respondent had been temporarily suspended from practice since August 18, 1980.

SEYMOUR GOLDSTAUB

Admitted: 1960; Guttenberg (Hudson County)
Indefinite Suspension - *112 N.J. 621 (1988)*
Decided: 10/19/1988 Effective: 6/16/1982

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Libero D. Marotta for respondent

The Supreme Court of New Jersey held that indefinite suspension [retroactive to June 16, 1982, the date of respondent's original suspension for neglect in an earlier case, *In re Goldstaub, 90 N.J. 1 (1982)*] was the appropriate discipline for additional instances of neglectful conduct occurring during the same time period encompassed by the original suspension. In addition to the respondent's most current suspension in 1982, he was previously suspended from the practice of law a decade earlier for a period of one year, from November 23, 1971 to November 14, 1972. *In re Goldstaub, 59 N.J. 604 (1971)*. At that time Mr. Goldstaub failed to respond to a consolidated statement of charges filed against him by the Hudson County Ethics Committee as it was his obligation to do. In its 1982 decision the Supreme Court observed:

> The thread running through respondent's ethical history is a failure to attend to his basic responsibilities to his clients, to the profession, and to this court.

In the 1982 decision the Court required as a condition of any application for reinstatement that respondent be required to present medical evidence of his capability of returning to the practice of law. Additionally, in the 1988 matter the Court added the following conditions to the respondent's reinstatement to practice of law: a two year proctorship approved by the Office of Attorney Ethics, reimbursement of $4,000 to the Clients' Security Fund and respondent's completion of six courses in basic legal education offered by the Institute for Continuing Legal Education within 12 months of his readmission.

RICHARD H. HAHNE

Admitted: 1980; South Orange (Essex County)
Disbarred By Consent - *110 N.J. 701 (1988)*
Decided: 6/21/1988

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
J. Patrick Roche for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend himself against a pending disciplinary complaint charging him with the knowing misappropriation of client trust funds in the amount of approximately $16,000. Respondent had been temporarily suspended from practicing law since November 30, 1987. This case was discovered solely as a result of the Random Audit Compliance Program.

LAURENCE A. HECKER

Admitted: 1965; Toms River (Ocean County)
Suspension for 6 Months - *109 N.J. 539 (1988)*
Decided: 3/18/1988 Effective: 5/1/1988

APPEARANCES BEFORE SUPREME COURT
Thomas J. McCormick for Attorney Ethics
Francis X. Crahay for respondent

The Supreme Court of New Jersey found respondent guilty of multiple ethical violations including overcharging a municipal client by overbilling, duplicating charges and failing to credit items in the client's account as the result of a grossly inadequate and inefficient billing system, filing a meritless appeal for the purpose of delay, acquiring tax sale certificates while serving as municipal attorney without filing a disclosure statement as required by a municipal code of ethics, withholding files for sixteen months after he "resigned" as municipal attorney, suing township officials just before a general election to force them to rehire him, and hiding assessts so that the municipality had difficulty in recovering on a $110,000 judgment against him for a return of overcharged legal fees. Concerning the overreaching charge the Court stated:

> (W)e have held that an attorney cannot deliberately design, fashion, or maintain a bookkeeping system in such a way as to confound determination of whether he has intentionally misused a client's accounts or intentionally overcharged a client.

The Court held that, while normally conduct of this kind would require an extended period of suspension from practice, such as the two year period recommended by the Disciplinary Review Board, the extended delay in imposition of discipline in this case (the underlying conduct occurred almost fifteen years ago) coupled with respondent's unblemished record are substantial mitigation factors peculiar to this case, and thus a suspension of six months is the appropriate discipline. Upon the conclusion of his suspension the respondent was reinstated to practice on November 9, 1988.

PERRY T. HELFANT

Admitted: 1983; Margate (Atlantic County)
Public Reprimand - *111 N.J. 656 (1988)*
Decided: 7/8/1988

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Steven I. Kaplan for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for respondent, who pled guilty in Superior Court, Law Division, Atlantic County, to one count of possession of cocaine in violation of *N.J.S.A. 24:21-20a(1)*. In so doing the Court considered a myriad of mitigating medical factors which reduced what would ordinarily be a six-month suspension under *In re McLaughlin, 105 N.J. 457 (1987)*. Respondent was admitted to practice in the State of Pennsylvania and Chief Disciplinary Counsel has been notified of this action.

JOSEPH J. HIGGINS

Admitted: 1958; Pompono Beach, Florida
Disbarment By Consent - *110 N.J. 690 (1988)*
Decided: 4/26/1988

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
John J. Hughes for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who pled guilty in United States District Court for the District of New Jersey to two counts of mail fraud (*18 U.S.C.A. §1341*), filing false statements with the ERISA Pension Fund (*18 U.S.C.A. §1027*) and one count of perjury (*18 U.S.C.A. §1623*). The respondent has been temporarily suspended from the practice of law since January 28, 1986. The respondent was also admitted to practice in the State of Florida and Chief Disciplinary Counsel in that jurisdiction has been notified of this action.

CHARLES H. JAMES

Admitted: 1959; Wildwood (Cape May County)
Suspension for 3 Months - *112 N.J. 580 (1988)*
Decided: 10/14/1988 Effective: 11/1/1988

APPEARANCES BEFORE SUPREME COURT
Robyn M. Hill for Attorney Ethics
Joseph J. Rodgers for respondent

The Supreme Court of New Jersey held that a three month suspension from the practice of law was the appropriate discipline for respondent who, through gross negligence, perpetuated an inadequate record keeping system for 24 years which led to negative balances in his trust account. No client's funds were ever lost or delayed in payment. This case was detected through the Random Audit Compliance Program.

CASSANDRA JOHNSON

Admitted: 1976; Silver Springs, Maryland
Indefinite Suspension - *110 N.J. 702 (1988)*
Decided: 6/21/1988

APPEARANCES BEFORE SUPREME COURT
John J. Janasie for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that an indefinite suspension from practice was the appropriate discipline for an attorney who failed to answer or otherwise appear before the District Ethics Committee, Disciplinary Review Board and Supreme Court to respond to findings of gross neglect and failure to communicate with clients.

ROBERT J. KANTOR

Admitted: 1972; Asbury Park (Monmouth County)
Disbarment By Consent - *109 N.J. 647 (1988)*
Decided: 3/8/1988

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
John R. Ford for respondent

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend himself against pending charges that he failed to make required disposition of client trust funds.

RAYMOND H. LEAHY

Admitted: 1959; Sea Girt (Monmouth County)
Suspension for 1 year - *111 N.J. 127 (1988)*
Decided: 7/15/1988 Effective: 8/1/1988

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Thomas J. Smith, Jr. for respondent

The Supreme Court of New Jersey held that a suspension from practice for one year was the appropriate discipline for respondent, who knowingly misappropriated $6,000 in funds being held in a divorce matter. While ordinarily disbarment would be required, the underlying conduct occurred in 1978 and thus predated the automatic disbarment mandate of *In re Wilson, 81 N.J. 451 (1979)*.

ARTHUR J. LOBBE

Admitted: 1976; Bayonne (Hudson County)
Disbarred - *110 N.J. 59 (1988)*
Decided: March 25, 1988

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
William F. Maderer for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for respondent who knowingly misappropriated over $21,000 in clients' trust funds. The respondent asserted that he sufferesd from the disease of compulsive gambling. The Supreme Court concluded, however, that disbarment was required and underlined its rationale as follows:

> [D]ependent attorneys retain an area of volition sufficient that (the Court) cannot distinguish these attorneys from those who yield to the equally human impulse to avert shame, loss of respect, or family suffering.

The respondent had been temporarily suspended from the practice of law since May 6, 1982.

STEPHEN W. LUSARDI

Admitted: 1978; Stratford (Camden County)
Disbarred By Consent - *112 N.J. 616 (1988)*
Decided: 9/27/1988

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
M. W. Pinsky for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of respondent, who admitted that he could not successfully defend himself against pending charges of misappropriation of clients' funds in the amount of $4,800. The respondent was also admitted to practice in the State of Pennsylvania and Chief Disciplinary Counsel in that jurisdiction has been notified of this action.

JOHN H. MC CANN, III

Admitted: 1974; York, Pennsylvania
Disbarred - *110 N.J. 496 (1988)*
Decided: 6/7/1988

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for respondent, who pled guilty in the United States District Court, Southern Division, Eastern District of Michigan to multiple counts of two federal indictments charging him with five counts of possession of cocaine with intent to distribute [*21 U.S.C. §841(a)(1)*], aiding and abetting such possession with intent to distribute [*18 U.S.C. §2*], one count of engaging in a continuing criminal enterprise [*21 U.S.C. §848*], three counts of income tax evasion [*21 U.S.C. §7201*], two counts of conspiracy to defraud and commit offenses against the United States by impeding, impairing, obstructing and defrauding the lawful functions of the Internal Revenue Service, the Department of Justice and the Custom Service [*18 U.S.C. §371*], two counts of subscribing a false income tax return [*26 U.S.C. §1701*], one count of concealment of income from the I.R.S. [*18 U.S.C. §2*] and two counts of filing false corporate income tax returns [*26 U.S.C. §7206(1)*].

The respondent had been temporarily suspended from the practice of law since May 21, 1987. He was also admitted to the bar of the Commonwealths of Maryland and Pennsylvania and Chief Disciplinary Counsel in both jurisdictions have been notified.

DAVID A. NIMMO, JR.

Admitted: 1968; Lincroft (Monmouth County)
Disbarment By Consent - *112 N.J. 618 (1988)*
Decided: 10/4/1988

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Francis X. O'Brien for respondent

The Supreme Court of New Jersey accepted the Disbarment by Consent of respondent, who admitted that he could not successfully defend himself against pending disciplinary charges involving the knowing misappropriation of client funds in excess of $27,000. The respondent had been temporarily suspended from the practice of law since January 4, 1988.

LOUIS J. NITTI

Admitted: 1956; Livingston (Essex County)
Disbarred - *110 N.J. 321 (1988)*
Decided: 5/27/1988

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Stephen D. Cuyler for respondent

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for respondent, a compulsive gambler, who knowingly misappropriated clients' trust funds over a period of several years. Nitti drew gambling markers against his law firm's trust account to cover advances made to him by a casino. When some of the markers were not paid on time they were presented by the casino for payment to the bank holding respondent's trust account. In rejecting respondent's plea for a sanction less than disbarment due to compulsive gambling, the Supreme Court noted that the respondent had the ability to distinguish right from wrong and to understand the nature and quality of his acts. The Court concluded that:

> (A) lawyer who misappropriates clients funds knowing that the conduct is wrong breaches a public and professional trust that cannot be repaired by discipline less than disbarment.

The respondent's misappropriation was discovered as a result of the Random Audit Compliance Program. The respondent had been temparily suspended from practice since September 29, 1982.

RONALD OWENS

Admitted: 1962; Newark (Essex County)
Disbarred By Consent - *112 N.J. 614 (1988)*
Decided: 9/7/1988

REPRESENTATIONS
Richard J. Engelhardt for Attorney Ethics
Maurice R. Strickland for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment of respondent, who pled guilty in United States District Court for the District of New Jersey to an information charging him with embezzlement of $47,515.10 from law clients in 1984, in violation of *18 U.S.C.A. §153*. The respondent had been temporarily suspended from practice since July 25, 1988.

WILLIAM PASCOE

Admitted: 1951; Collingswood (Camden County)
Suspension for 1 Year - *113 N.J. 299 (1988)*
Decided: 11/18/1988

APPEARANCES BEFORE SUPREME COURT
Robyn M. Hill for Attorney Ethics
Thomas J. Hagner for respondent

The Supreme Court of New Jersey held that a suspension from practice for one year was the appropriate discipline for an attorney who induced former clients to loan his corporation $10,000 at 35% per annum interest under the guise of a personally guaranteed investment. Respondent never invested the money in a business opportunity but, rather, deposited it in his firm account for personal use. Respondent offered no opportunity for his clients to secure independent counsel, nor did he offer the client any security. The Supreme Court conditioned the respondent's application for reinstatement on making full restitutuion to the clients, who have not yet been reimbursed.

ALBERT L. PEIA

Admitted: 1981; West Orange (Essex County)
Suspension for 9 Months - *111 N.J. 318 (1988)*
Decided: 8/5/1988 Effective: 8/22/1988

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent appeared pro se

The Supreme Court of New Jersey held that a suspension for nine months was the appropriate discipline for an attorney who pled guilty in Superior Court of New Jersey, Law Division, Monmouth County, to possession of cocaine in violation of *N.J.S.A. 24:21-20*. The Court found that respondent's drug use was not haphazard or accidental but, rather, that he was a long time drug user. Combined with an attitude evidencing hostility and insensitivity to the standards of ethical conduct, the totality of respondent's actions warranted suspension from practice.

ROMAN PITIO

Admitted: 1972; Irvington (Essex County)
Disbarred By Consent - *112 N.J. 615 (1988)*
Decided: 9/20/1988

REPRESENTATIONS
David E. Johnson, Jr. for Attorney Ethics
Thomas A. DeClemente for respondent

The Supreme Court of New Jersey accepted the Consent to Disbarment by respondent, who admitted that he could not successfully defend himself against pending ethics charges of misappropriation of $98,000 in clients' trust funds. Respondent was discovered through the Trust Overdraft Notification Program. He had been temporarily suspended from the practice of law since September 1, 1988.

FREDERICK E. POPOVITCH

Admitted: 1967; Point Pleasant (Ocean County)
Public Reprimand - *109 N.J. 641 (1988)*
Decided: 2/1/1988

APPEARANCES BEFORE REVIEW BOARD
Anna Maria Pitella for District IIIA
John J. Pribish for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings and recommendations of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who grossly neglected two matters: one involving a small estate that took over six years to resolve and the other involving a quiet title action where two years of inaction passed before respondent took any substantial steps and where he also took substantial fees from his retainer before the performance of any significant services and without prior notification to his client.

CHRISTOPHER T. RAGUCCI

Admitted: 1987; Staten Island, New York
Suspension for 2 Years - *112 N.J. 40 (1988)*
Decided: 10/12/1988 Effective: 10/29/1987

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that a suspension from practice for two years [retroactive to October 29, 1987, the date of his disciplinary suspension in New York] was the appropriate discipline for respondent who discovered a pension check for $194 in New York, forged an endorsement of the true payee and then converted those funds to his own use. The case was referred to the Office of Attorney Ethics by Chief Disciplinary Counsel for the Appellate Division, First Department (Manhattan) for reciprocal discipline.

EDWARD J. ROSNER

Admitted: 1975; Princeton (Mercer County)
Public Reprimand - *113 N.J. 2 (1988)*
Decided: 11/7/1988

APPEARANCES BEFORE REVIEW BOARD
Patricia Slane Voorhees for District VII
John A. Schaff for District XIII
Rrespondent appeared pro se

The Supreme Court of New Jersey, without oral argument, adopted the findings and determinations of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who grossly negelected a legal malpractice case for one client, and who, in another case, was impermissibly involved in a conflict of interest in an Alaskan gold mine in which he and several clients had an interest.

In the latter business venture the attorney failed to make a full disclosure of his personal interests in the gold mine to his clients and further failed to explain either the potential conflicts of interest or why the clients required independent legal advise in order for their interests to be properly protected. Moreover, the respondent failed to abide by the legal instruments that he had prepared and executed regarding the business transaction.

Respondent was admitted to practice law in the State of New York and Chief Disciplinary Counsel for the Second Department was notified of these proceedings.

JOHN P. RUSSELL

Admitted: 1965; Jersey City (Hudson County)
Public Reprimand - *110 N.J. 329 (1988)*
Decided: 5/24/1988

APPEARANCES BEFORE REVIEW BOARD
William R. Wood for Attorney Ethics
John P. Doran for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for respondent who abandoned his client after commencing an appeal of a litigated matter, as a result of which the appeal was dismissed.

SALVATORE R. SCILLIERI

Admitted: 1954; Elmwood Park (Bergen County)
Public Reprimand - *109 N.J. 649 (1988)*
Decided: 3/14/1988

APPEARANCES BEFORE REVIEW BOARD
Edward F. Seavers, Jr. for District IIA
Irving C. Evers for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings and recommendations of the Disciplinary Rweview Board and held that a public reprimand was the appropriate discipline for an attorney who represented adverse interests in two separate matters, acted as the mortgagee and both attorney for the mortgagees and for the mortgagors in the same transaction and who also represented clients in an estate closing at the same time as he had a claim against them and failed to pay over funds due and owing at the closing.

LOUIS SERTERIDES

Admitted: 1970; Jersey City (Hudson County)
Public Reprimand - *113 N.J. 477 (1988)*
Decided: 12/8/1988

APPEARANCES BEFORE REVIEW BOARD
Frank W. Jablonski for District VI
Morris M. Schnitzer for respondent

The Supreme Court of New Jersey, without oral argument, adopted the findings and recommendations of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for respondent for engaging in a pattern of neglect and misrepresentations in four cases. The respondent had been practicing under a proctorship (first with

Konstantine Kotsopoulos, Esq. and then Ronald H. Shaljian, Esq.) for the past five years. The Court further ordered that the respondent provide 100 hours of *pro bono* community service to the Hudson County Legal Services agency under terms and conditions approved and monitored by the Disciplinary Review Board.

GERARD J. SHAMEY

Admitted: 1985; Elizabeth (Union County)
Public Reprimand - *110 N.J. 703 (1988)*
Decided: 6/21/1988

APPEARANCES BEFORE REVIEW BOARD
John J. Janasie for Attorney Ethics
Leigh R. Walters for respondent

The Supreme Court of New Jersey adopted the findings and report of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for respondent who, although accepted into a Pretrial Intervention Program, was found in ethics proceedings to have been in possession of cocaine for personal use in violation of *N.J.S.A. 24:21-20*. Since the ethical infraction occurred prior to the Court's decision in *In re McLaughlin, 105 N.J. 457 (1987)*, a public reprimand, rather than a term suspension, was imposed.

MELVIN K. SILVERMAN

Admitted: 1970; Clifton (Passaic County)
Suspension for 6 Years - *113 N.J. 193 (1988)*
Decided: 10/28/1988 Effective: 6/24/1982

APPEARANCES BEFORE SUPREME COURT
William R. Wood for Attorney Ethics
Roger A. Lowenstein for respondent

The Supreme Court of New Jersey held that a six year suspension from practice [retroactive to June 24, 1982, the date of his temporary suspension from practice] was the appropriate discipline for an attorney whom, in an attorney-client business transaction, made knowing misrepresentations of highly material facts, altered a financial statement submitted to a lender and engaged in false swearing in a civil action instituted by the client's estate. In view of respondent's prior unblemished record as an attorney, the attorney's fraudulent misconduct was limited to a single transaction and the fact that the misconduct occurred eight years ago, disbarment was not warranted.

Respondent is admitted as a patent attorney with the United States Office of Patent and Trademarks and has applied for admission to the Florida Bar and Chief Disciplinary Counsel in both jurisdictions have been notified of this action.

ANDREW D. SOLOMON

Admitted: 1985; Livingston (Essex County)
Suspension for 2 Years - *110 N.J. 56 (1988)*
Decided: 4/8/1988 Effective: 7/1/1986

REPRESENTATIONS BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics
Steven S. Radin for respondent

The Supreme Court of New Jersey held that a two year suspension from practice, retroactive to July 1, 1986 (the date of the attorneys automatic temporary suspension from practice in New Jersey), was the appropriate discipline for an attorney who pled guilty in United States District Court for the Southern District of New York to one count of conspiracy to defraud the United States in violation of *18 U.S.C.A. §371* by trading upon confidential securities information obtained from the New York law firm of Paul, Weiss, Rifkind, Wharton and Garrison. The Court pointed out that:

> Because this is the first time that we have addressed the problem of disciplining attorneys for committing fraud on unknown and perhaps unidentifiable victims. . . we caution the Bar that such conduct manifests an indifference to the essence of the character that we have deemed essential to the licensure of every member of the Bar. In the future, such conduct will result in a lengthy suspension or disbarment.

The respondent was admitted to practice in the State of New York and Chief Disciplinary Counsel for Manhattan was notified of these proceedings.

MARK L. STANTON

Admitted: 1960; Piscataway (Middlesex County)
Suspension for 6 Months - *110 N.J. 356 (1988)*
Decided: 5/24/1988 Effective: 6/15/1988

APPEARANCES BEFORE REVIEW BOARD
Richard J. Engelhardt for Attorney Ethics
Stephen S. Weinstein for respondent

The Supreme Court of New Jersey, without oral argument, adopted the Disciplinary Review Board's decision and recommendation and held that suspension from practice for six months was the appropriate discipline for respondent, who pled guilty in Superior Court of New Jersey, Law Division, Middlesex County, to possession of less than one gram of cocaine, contrary to *N.J.S.A. 24:21-20(a)(1)*. The respondent was admitted to practice law in the State of Florida and Chief Disciplinary Counsel was notified of this action.

NORMAN STIER

Admitted: 1976; Elizabeth (Union County)
Suspension for 7 Years - *112 N.J. 22 (1988)*
Decided: 9/30/1988 Effective: 6/21/1988

APPEARANCES BEFORE SUPREME COURT
Richard J. Engelhardt for Attorney Ethics

Richard F.X. Regan for respondent

The Supreme Court of New Jersey held that a seven year suspension (retroactive to June 21, 1988 the date of his temporary suspension from practice) was the appropriate discipline for respondent who was convicted in disciplinary proceedings in New York (First Department) of systematically breaching an agreement with the widow of his legal mentor to pay the estate a percentage of legal fees received and then engaging in a pattern of dishonesty, fraud, deceit and misrepresentation in concealing his breach.

PATRICK J. TANSEY

Admitted: 1959; Leonia (Bergen County)
Indefinite Suspension - *110 N.J. 703 (1988)*
Decided: 6/21/1988

APPEARANCES BEFORE SUPREME COURT
John J. Janasie Attorney Ethics
Respondent did not appear

The Supreme Court of New Jersey held that an indefinite suspension from practice was the appropriate discipline for an attorney who failed to answer or otherwise appear before the District Ethics Committee, Disciplinary Review Board and Supreme Court to respond to findings of gross neglect and failure to communicate with clients.

GEORGE T. TIERNEY

Admitted: 1969; Hawthorne (Passaic County)
Indefinite Suspension - *111 N.J. 659 (1988)*
Decided: 7/8/1988 Effective: 1/8/1979

REPRESENTATIONS
William R. Wood for Attorney Ethics
Salim J. Balady for respondent

The Supreme Court of New Jersey held that an indefinite suspension from the practice of law was the appropriate discipline for respondent who, while an alcoholic, knowingly misappropriated in excess of $12,000 in clients' funds prior to the decision of *In re Wilson, 81 N.J. 451 (1979)*. The respondent had been temporarily suspended since January 8, 1979. This matter had been previously orally argued to the Supreme Court, which remanded it in 1984 for a hearing before a District Ethics Committee on the effect of respondent's alcoholism. Due to respondent's serious medical condition no hearing was held and this matter was ultimately submitted to the Supreme Court by joint stipulation in 1988.

PETER J. TOTH

Admitted: 1976; Burlington (Burlington County)
Public Reprimand - *110 N.J. 686 (1988)*
Decided: 3/28/1988

APPEARANCES BEFORE REVIEW BOARD
D. Neil Manuel for District IIIB
David M. Freeman for respondent

The Supreme Court of New Jersey, without oral argument, adopted the decision and recommendation of the Disciplinary Review Board and held that a public reprimand was the appropriate discipline for an attorney who, while an alcoholic, exhibited gross neglect in three separate matters and failed to communicate adequately with one client while improperly withdrawing from representation of another. Respondent had received a private reprimand in 1985 when he improperly withdrew from representing a bankruptcy client. The Court conditioned respondent's further practice upon the supervision of a proctor for two years and on attendance at weekly meetings of Alcoholics Anonymous.

1987

CHARLES S. ADUBATO

Admitted: 1980; Vineland (Cumberland County)
Suspension for 6 Months and Transfer to Disability Inactive - *106 N.J. 655 (1987)*
Decided: 5/28/1987 Effective: 6/17/1986

The Supreme Court held that an attorney who pled guilty in Superior Court, Law Division, Monmouth County, to one count of attempting to obtain possession of a controlled dangerous substance (Dilaudid) by fraud in violation of *N.J.S.A. 24:21-22a(3)* should be suspended from practice for six months. In view of his past history of drug abuse he is transferred to "disability inactive" status and ordered to continue drug counseling until medically discharged; any restoration to practice is conditioned upon an independent medical report and a six month proctorship. The respondent had been automatically temporarily suspended from practice since June 17, 1986 upon his conviction for a "serious" crime.

PHILIP APOVIAN

Admitted: 1984; Englewood Cliffs (Bergen County)
Suspension for 6 Months - ___ *N.J.* ___ *(1987)*
Decided: 10/20/1987 Effective: 11/4/1987

The Supreme Court of New Jersey held that suspension from the practice of law for six months was the appropriate discipline for respondent, who pled guilty in Superior Court, Law Division, Bergen County, to the fourth degree offense of criminal sexual contact in violation of *N.J.S.A. 2C:14-3b*. At the time of the offense respondent was employed as an Assistant Prosecutor. Respondent was also admitted to the New York Bar and Chief Disciplinary Counsel

for the Third Judicial Department (Albany) has been notified of this action.

JOHN A. BALDINO

Admitted: 1976; Newark (Essex County)
Disbarred - *105 N.J. 453 (1987)*
Decided: 4/3/1987

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for respondent, who was convicted after a jury trial in Superior Court of New Jersey of conspiracy to commit official misconduct and receiving compensation for past official behavior in violation of *N.J.S.A. 2C:5-2, 2C:27-4 and 2C:30-2*. The lawyer engineered a scheme to have his client (who was then sitting on a grand jury and himself under criminal investigation) vote to indict a defendant and then ask for a kickback from the indicted defendant in exchange for the information that the client had been under criminal investigation at the time the indictment was returned. The respondent had been temporarily suspended from the practice of law since September 28, 1982.

JOHN F. BRISCOE

Admitted: 1973; Lakewood (Ocean County)
Disbarment By Consent - *___ N.J. ___ (1987)*
Decided: 12/17/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend himself against pending disciplinary charges of misappropriation of trust funds exceeding $100,000. This case was discovered solely as a result of the Random Audit Compliance Program.

BARRY N. CHASE

Admitted: 1962; Hamburg (Susses County)
Disbarment By Consent - *105 N.J. 613 (1987)*
Decided: 3/30/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who pled guilty in Superior Court of New Jersey, Law Division, Sussex County, to one count of failure to make required disposition of trust funds in violation of *N.J.S.A. 2C:20-9* and who was ordered to make restitution to the Clients' Security Fund in the amount of $23,184 as a result of misappropriation of trust funds from clients in five cases. The respondent had been temporarily suspended from practice since April 10, 1985.

NORMAN J. CHIDIAC

Admitted: 1970; Paterson (Passaic County)
Indefinite Suspension - *109 N.J. 84 (1987)*
Decided: 11/20/1987 Effective: 12/14/1987

The Supreme Court of New Jersey held that an indefinite suspension from practice was the appropriate discipline for respondent, who negelected an estate matter, misrepresented the status of that case to a client and who then, in order to cover up his actions, forged a New Jersey Inheritance Tax Waiver and delivered it to a bank in order to effectuate a transfer of stock in the bank which the decedent had owned.

JUSTINIAN G. CONNORS, JR.

Admitted: 1971; Howell (Monmouth County)
Disbarment By Consent - *108 N.J. 689 (1987)*
Decided: 10/6/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who pled guilty in Superior Court, Law Division, Monmouth County, to second degree aggravated theft of more than $75,000 in violation of *N.J.S.A. 2C:20-4, N.J.S.A. 2C:20-9 and N.J.S.A. 2C:20-2b(4)*. Respondent was previously disciplined for misuse of trust funds and trust record keeping violations and on December 16, 1976 his practice was limited to that of an employee of another attorney. Respondent had been temporarily suspended from the practice of law since March 10, 1987, solely as a result of the Trust Overdraft Program. Respondent was also admitted to the New York Bar and Chief Disciplinary Counsel for the Grievance Committee of the Second and Eleventh Judicial Districts (Brooklyn) has been notified of this action.

DONALD R. CONWAY

Admitted: 1960; Hackensack (Bergen County)
Disbarred - *107 N.J. 168 (1987)*
Decided: 6/10/1987

The Supreme Court of New Jersey disbarred respondent, who was found guilty in the Superior Court of New Jersey, Law Division, Ocean County, of conspiracy (*N.J.S.A. 2C:5-2*), and tampering with a witness (*N.J.S.A. 2C:2-5a(1)(2)* and *N.J.S.A. 2C:2-6*), involving his active participation in a scheme to have a police officer falsify a police report and to then give false identification testimony. The Court held that:

> Certain types of ethical violations are, by their very nature, so patently offensive to the elementary standards of a lawyer's professional duty that they *per se* warrant disbarment.
>
> * * *
>
> In (such cases) consisting of the perversion of justice, the prospect of rehabilitation is, and will always remain, speculative. Society cannot be expected to become a stakeholder in the rehabilitation of an attorney who has demonstrated such a profound defect of professional character.

He had been temporarily suspended since February 16, 1984.

EDWARD T. COSGROVE

Admitted: 1962; Union City (Hudson County)
Public Reprimand - *108 N.J. 684 (1987)*
Decided: 9/11/1987

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for respondent, who failed to maintain proper attorney trust and business account records pursuant to *R.1:21-6* and failed to promptly disburse clients' funds accumulated over a number of years beginning in the 1960's. To insure compliance with record keeping rules the Supreme Court ordered that respondent's practice be supervised by a proctor for a period of two years and that, during this period, the Office of Attorney Ethics conduct inspections of respondent's financial records at his cost and expense.

JOHN DOUGLAS CROWLEY

Admitted: 1957; Surf City (Ocean County)
Disbarred - *105 N.J. 89 (1987)*
Decided: 1/16/1987

The Supreme Court of New Jersey held that disbarment is the only appropriate discipline for five instances of post-*Wilson* misappropriation of clients funds totaling $17,684. Citing its recent decision *In re Hein, 104 N.J. 297 (1986)*, the Court again rejected alcoholism as a mitigating factor in these cases.

> We do not dispute that there is a relationship between the respondent's alcoholism and the unethical behavior. There may even be a "but for" relationship between the disease and the conduct. (Citation omitted.) But, as we have noted in *Hein*, a similar effect on character and perception may be caused by financial reverses and hardship in one's family. For now, we shall continue to adhere to our belief that disbarment is the appropriate sanction in such matters.

The respondent had been temporarily suspended from the practice of law since January 11, 1982.

A. DAVID DASHOFF

Admitted: 1976; Voorhees (Camden County)
Public Reprimand - *108 N.J. 690 (1987)*
Decided: 10/6/1987

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for respondent, who engaged in a pattern of neglect exhibited by his failure to complete legal matters for three clients during the period from 1979 through 1985.

GEORGE LINCOLN EDSON

Admitted: 1980; Wrightstown (Burlington County)
Disbarred - *108 N.J. 464 (1987)*
Decided: 9/25/1987 Effective: 10/13/1987

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for respondent, who in two cases suggested to clients that they fabricate an extrapolation defense to drunk driving charges by altering the timing and strength of alcoholic drinks which they consumed. Echoing the Disciplinary Review Board's characterization as a "Liar for hire," the Court held:

> (R)arely have we encountered in our colleagues at the bar the kind of shocking disregard of professional standards, the kind of amoral arrogance, that is illustrated by this record. There could hardly be a plainer case of dishonesty touching the administration of justice and arising out of the practice of law.

He was also admitted to the Pennsylvania Bar and Chief Disciplinary Counsel was notified for reciprocal action.

STEVEN S. EZON

Admitted: 1977; East Brunswick (Middlesex County)
Disbarment By Consent - *106 N.J. 650 (1987)*
Decided: 5/12/1987

The Supreme Court Disbarred By Consent the respondent, who admitted that he could not successfully defend himself against pending disciplinary charges involving the mishandling of an attorney trust account. At the time of his disbarment respondent was under order of the Superior Court of New Jersey, Law Division, Monmouth County, pursuant to *R. 1:9-6(b)*, to comply with a subpoena duces tecum issued by the Office of Attorney Ethics to produce all attorney trust and business account records required to be maintained pursuant to *R. 1:21-6*. The respondent had been temporarily suspended from the practice of law since August 1, 1986. He was also admitted to the New York Bar and the Chief Disciplinary Counsel for the First Judicial Department (Manhattan) was notified for appropriate reciprocal action.

JEFFREY S. FELDMAN

Admitted: 1976; Livingston (Essex County)
Disbarment By Consent - ___ *N.J.* ___ *(1987)*
Decided: 12/14/1987 Effective: 12/30/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of Respondent, who admitted in his tendered consent that he could not successfully defend himself against pending disciplinary charges of knowing misappropriation of client trust funds. Respondent was admitted to practice law in the State of New York and Chief Disciplinary Counsel for the Third Judicial Department (Albany) has been notified of this action.

STEVEN S. FRIEDMAN

Admitted: 1970; Elmwood Park (Bergen County)
Indefinite Suspension - *106 N.J. 1 (1987)*
Decided: 4/7/1987 Effective: 2/13/1986

The Supreme Court of New Jersey held that indefinite suspension (retroactive to the date of respondent's automatic temporary suspension on February 13, 1986) was the appropriate discipline for respondent, who pled guilty in Superior Court of New Jersey, Law Division, Passaic County, to three counts of a fourth degree crime, falsifying records, in violation of *N.J.S.A. 2C:21-4(a)*. Respondent improperly affixed his jurat to three affidavits prepared for clients when these persons had not personally appeared before him. The affidavits were in fact not signed by the clients, but were submitted by others for the purpose of defrauding an insurance company.

LORENZO D. GILLIAM

Admitted: 1970; Mt. Holly (Burlington County)
Disbarred - *106 N.J. 537 (1987)*
Decided: 5/1/1987

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for respondent, who misappropriated retainers from nine clients and misappropriated trust monies from six other personal injury and real estate clients. The Clients' Security Fund reimbursed these 15 clients a total of $23,817.57. While proffering alcoholism as a defense, the Court found that the record did not establish impairment which met the standard set forth in *In re Hein, 104 N.J. 297 (1986)*. Respondent had been temporarily suspended from practice since November 9, 1982. Respondent was admitted to the District of Columbia Bar in 1967 and Chief Disciplinary Counsel was notified of the outcome of these proceedings.

GERALD M. GOLDBERG

Admitted: 1969; Parsippany (Morris County)
Disbarred - *105 N.J. 278 (1987)*
Decided: 2/20/1987

The Supreme Court of New Jersey held that disbarment was the only appropriate remedy for an attorney who pled guilty in United States District Court for the District of New Jersey to conspiracy to distribute and to possession with intent to distribute phenylacetone (the main ingredient for "speed"), in violation of *21 U.S.C.A. §846*. The Supreme Court commented:

> That a lawyer, a representative of the profession sworn to honor and uphold our laws, would participate and profit from the illicit drug trade is unconscionable. Both the public and the bar are entitled to be assured that such an attorney will never return to the profession.

Respondent was temporarily suspended from the practice of law on September 5, 1985. He was also admitted to the New York Bar in 1966 and Chief Disciplinary Counsel for the First Judicial Department (Manhattan) was notified of these proceedings for reciprocal disciplinary action.

HENRY S. GORDON

Admitted: 1967; Morristown (Morris County)
Disbarment By Consent - ___ *N.J.* ___ *(1987)*
Decided: 10/20/1987

The Supreme Court of New Jersey accepted the Consent to Disbarment of respondent, who pled guilty in United States District Court for the District of New Jersey to an information charging two counts of bankruptcy fraud (*18 U.S.C. §153*) by embezzling $6,500 from two bankruptcy debtors and one count of bank robbery (*18 U.S.C. §2113(b) and 2*) by stealing $60,000. Respondent had been temporarily suspended from the practice of law since September 26, 1984.

SANFORD R. GUDGER

Admitted: 1972; Newark (Essex County)
Disbarred - *105 N.J. 246 (1987)*
Decided 1/30/1987

The Supreme Court of New Jersey disbarred respondent for post-*Wilson*, knowing misappropriation of clients' trust funds. Respondent had been temporarily suspended from the practice of law since January 30, 1980. He was also indicted and convicted in Superior Court of New Jersey, Law Division, Essex County, for theft by deception, as a result of practicing law after the date of his temporary suspension.

M. GENE HAEBERLE

Admitted: 1957; Camden (Camden County)
Disbarment By Consent - *105 N.J. 606 (1987)*
Decided: 1/20/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend himself against pending disciplinary charges alleging that he knowingly misappropriated $17,000 in clients' trust funds. This case was discovered solely as the result of the Random Audit Compliance Program. The respondent had been temporarily suspended from the practice of law since November 18, 1986.

STEVEN ALLEN HERMAN

Admitted: 1978; East Brunswick (Middlesex County)
Suspension for 3 Years - *108 N.J. 66 (1987)*
Decided: 7/17/1987 Effective: 9/18/1984

The Supreme Court of New Jersey held that suspension for 3 years was the appropriate discipline for respondent, who pled guilty in Superior Court of New Jersey, Law Division, Mercer County, to an accusation charging him with one count of sexual assault upon a ten year-old boy in violation of *N.J.S.A. 2C:14-2b* (a crime of the second degree). The respondent had been temporarily suspended from the practice of law since November 20, 1985. Respondent was admitted to the practice of law in the State of New York and Chief Disciplinary Counsel there was notified of this disciplinary action.

PAUL M. JANKOWSKI

Admitted: 1975; Old Bridge (Middlesex County)
Disbarment By Consent - *107 N.J. 663 (1987)*
Decided: 6/9/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend himself against pending disciplinary charges of misappropriation of clients' trust funds in the amount of $12,000. The respondent had been transferred to Disability Inactive Status since an April 30, 1984 order of the Supreme Court of New Jersey.

HUBERT T. JOHNSON

Admitted: 1973; Newark (Essex County)
Indefinite Suspension - *105 N.J. 249 (1987)*
Decided: 1/30/1987 Effective: 12/16/1982

The Supreme Court of New Jersey held that indefinite suspension from the practice of law was the appropriate discipline for an attorney who negligently misappropriated approximately $20,000 in funds belonging to two infants and one estate. In addition, the Court found that in four other matters the respondent engaged in a pattern of neglecting client matters, failing to carry out contracts of employment and keeping retainers without performing services. The Clients' Security Fund paid out $29,501.68 on account of respondent's conduct. Respondent had been temporarily suspended from the practice of law since December 16, 1982.

WILLIAM J. KANE

Admitted: 1970; Montclair (Essex County)
Suspension for 8 Years - *105 N.J. 604 (1987)*
Decided: 1/21/1987 Effective: 10/24/1978

The Supreme Court of New Jersey held that a suspension of over 8 years (retroactive to the date of respondent's temporary suspension on October 24, 1978) was the appropriate discipline for an attorney who failed to represent clients zealously and who engaged in a pattern of neglect of clients' matters between 1973 and 1978. The Report of the Disciplinary Review Board, which was adopted by the Court, noted that at the time of the misconduct respondent was suffering from acute alcoholism from which he is now completely rehabilitated. The respondent was ordered to complete six legal education courses within one year of the date of the Court's order to remain in good standing.

STEVEN L. KATZ

Admitted: 1971; Rockaway (Morris County)
Suspension for 2 Years - *109 N.J. 17 (1987)*
Decided: 10/30/1987

The Supreme Court of New Jersey held that suspension from the practice of law for two years was the appropriate discipline for respondent, who pled guilty in New York State to promoting prostitution, a misdemeanor of the fourth degree (*N.Y. Penal Law §230.20*), arising out of respondent's co-ownership of the Melody Burlesque Theater in Times Square, New York City. The Court observed that:

> Respondent, as a member of the bar, and by his own admission, realized that morally reprehensible acts were occurring at the Melody and that such acts were illegal. Nevertheless, he continued to allow the acts and profit from them.

Respondent's co-owner, a New York attorney, was also suspended from practice for 2 years in that State. *In re Cincotti, 115 A.D. 2d 24, 499 N.Y.S. 2d 736 (App. Div. 1 Dept. 1986)*.

SHERMAN L. KENDIS

Admitted: 1964; Atlantic City (Atlantic County)
Disbarment By Consent - *105 N.J. 611 (1987)*
Decided: 3/10/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who pled guilty in the United States District Court for the District of New Jersey to bank fraud in violation of *18 U.S.C. §1344*. The respondent had been temporarily suspended from practice of law since September 2, 1986.

WALTER M. D. KERN, JR.

Admitted: 1962; Ridgewood (Bergen County)
Disbarment By Consent - *109 N.J. 634 (1987)*
Decided: 12/1/1987 Effective: 12/21/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent who admitted that he could not successfully defend himself against pending disciplinary charges of the knowing misappropriation of client trust and escrow funds in the total amount of $87,000. This matter was discovered solely as a result of the Random Audit Compliance Program.

RICHARD T. KINNEAR

Admitted: 1972; Manasquan (Monmouth County)
Suspension for 1 Year - *105 N.J. 391 (1987)*
Decided: 3/20/1987 Effective: 4/10/1987

The Supreme Court of New Jersey held that suspension for a period of one year was the appropriate discipline for respondent, who pled guilty in the Superior Court of New Jersey, Law Division, Monmouth County, to one count of distribution of a controlled dangerous substance (cocaine) in violation of *N.J.S.A. 24:21-19a(1)*. The Court stated that "in most cases an attorney convicted of distribution of controlled dangerous substances would be disbarred." However, in the instant case the respondent obtained cocaine at the behest of a purported good friend (a police informant) who claimed to be unable to secure drugs. The respondent did not profit from his criminal conduct; rather than sell drugs he shared or gave them to his purported friend.

LAWRENCE M. KOENIG

Admitted: 1967; East Orange (Essex County)
Disbarment By Consent - *108 N.J. 685 (1987)*
Decided: 9/11/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend pending disciplinary charges alleging misappropriation of clients' trust funds in excess of $100,000. The respondent had been temporarily suspended from the practice of law since April 7, 1987.

LESTER KOTOK

Admitted: 1977; Bridgeton (Cumberland County)
Probation for 1 Year - *108 N.J. 314 (1987)*
Decided: 8/11/1987

The Supreme Court of New Jersey found that respondent (1) engaged in impermissible dual representation in 1977 without full disclosure, (2) falsely concealed his 1974 arrest for armed robbery and weapons violations and his indictment for possession of a pistol without a permit to carry and for assault, in connection with filing his 1976 bar application, and (3) falsely stated on a 1983 application for permit to purchase a handgun that he had been convicted of possession of a weapon without a permit when in fact he pled guilty in 1975 to the disorderly persons offense of possession of a weapon with intent to assault. Probation was imposed in view of the remoteness in time of the first two offenses. Had these offenses occurred concurrently the Court stated that they would justify a one year suspension, revocation of license and public reprimand, respectively.

CHARLES R. LOMBARDO, JR.

Admitted: 1974; Hasbrouck Heights (Bergen County)
Disbarment By Consent - *109 N.J. 626 (1987)*
Decided: 11/17/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who pled guilty in Superior Court of New Jersey, Law Division, Bergen County, to six counts of theft by failure to make the required disposition of property received in violation of *N.J.S.A. 2C:20-9*. This case was discovered solely as a result of the Trust Overdraft Notification Program. The respondent had been temporarily suspended from practice since September 3, 1987.

FRANK MALLOY

Admitted: 1963; Trenton (Mercer County)
Indefinite Suspension - ___ *N.J.* ___ *(1987)*
Decided: 10/20/1987

The Supreme Court of New Jersey held that an indefinite suspension from the practice of law was the appropriate discipline for an attorney who failed to appear before either the District Ethics Committee, the Disciplinary Review Board or the Supreme Court to answer or otherwise respond to the charges against him alleging that he neglected one real estate matter and failed to communicate with the client about the status of the case.

KEVIN A. MC LAUGHLIN, ELIZABETH SZYMANCZYK AND LAURA A. SCOTT

Admitted: 1983, 1983 and 1984, respectively
of Matawan, Newark and Clifton
(Monmouth, Essex and Passaic Counties)
Public Reprimand - *105 N.J. 457 (1987)*
Decided: 4/3/1987

The Supreme Court held that public reprimand was the appropriate discipline for the respondents, who, while law secretaries to members of the judiciary, engaged together in a single and private incident of the personal use of a small amount of cocaine (less than one gram). The Court noted that, while a public reprimand was appropriate in this instance involving the first time that it had spoken to the question of discipline for a private drug incident:

> (S)imilar conduct henceforth will ordinarily call for suspension (from the practice of law).

THOMAS G. MORRO

Admitted: 1979; Newton (Sussex County)
Disbarment By Consent - *108 N.J. 691 (1987)*
Decided: 10/6/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend himself in pending disciplinary charges of misappropriation of approximately $30,000 in clients' trust funds and law firm fees. The respondent had been

temporarily suspended from the practice of law since February 8, 1986. Respondent was admitted to practice law in the State of New York and Chief Disciplinary Counsel for the First Judicial Department (Manhattan) has been notified of this action.

GILBERT L. NELSON

Admitted: 1968; New Brunswick (Middlesex County)
Disbarment By Consent - *108 N.J. 685 (1987)*
Decided: 9/11/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of the respondent, who pled guilty in Superior Court of New Jersey, Law Division, Middlesex County, to 16 counts of an indictment, including six counts of official misconduct [*N.J.S.A. 2C:30-2(a)*], two counts of theft by failure to make required disposition of property received [*N.J.S.A. 2C:20-9*], and three counts of misapplication of government property [*N.J.S.A. 2C:21-15*]. As a result of a petition by the Office of Attorney Ethics respondent's license to practice law had been restricted since May 23, 1986, by placing respondent under the proctorship of another attorney who was required to co-sign trust account checks. Subsequently, on June 15, 1987 the respondent was temporarily suspended from the practice of law and remained so until the date of his final disbarment.

LEON NIGOHOSIAN

Admitted: 1972; Haworth (Bergen County)
Suspension for 3 Months - *107 N.J. 666 (1987)*
Decided: 6/23/1987

The Supreme Court of New Jersey held that suspension for 3 months and a $500 monetary sanction was the appropriate discipline for respondent who, after a 1982 suspension for six months [See *In re Nighosian, 88 N.J. 308 (1982)*], intentionally failed to obey the Supreme Court's order to comply with Regulation 13 (now Administrative Guideline 23) requiring suspended attorneys to notify all clients by certified mail of their suspension so clients could claim their files and pursue their cases. As a result of respondent's failure one client's pending patent application was dismissed. Respondent was admitted to practice law in the State of New York and Chief Disciplinary Counsel for the Third Judicial Department (Albany) has been notified.

EMIL OXFELD

Admitted: 1940; South Orange (Essex County)
Resignation With Prejudice - *105 N.J. 606 (1987)*
Decided: 1/28/1987

The Supreme Court of New Jersey accepted the Resignation with Prejudice (now changed by court rule to Disbarment By Consent) of an attorney who, in connection with pending disciplinary proceedings, admitted that he could not successfully defend himself against charges that he acceded to the request of a client and sought to obtain a claimed fee of $10,000 by deception.

GEORGE L. PAUK

Admitted: 1961; New Brunswick (Middlesex County)
Suspension for 4 Years - *107 N.J. 295 (1987)*
Decided: 6/19/1987 Effective: 1/18/1983

The Supreme Court of New Jersey held that suspension for 4 years (retroactive to January 18, 1983, the date of his temporary suspension from practice) was the appropriate discipline for respondent who, in 5 separate matters, engaged in a pattern of gross neglect, misrepresentation, overreaching in the charging of legal fees, conflict of interest and improperly entering into an attorney-client business venture. The Court further held that any application for reinstatement be conditional upon supervision by a preceptor approved by the Disciplinary Review Board in accordance with terms established by the Office of Attorney Ethics pursuant to Administrative Guideline No. 28.

DAVID J. PLEVA

Admitted: 1968; Parsippany (Morris County)
Suspension for 9 Months - *106 N.J. 637 (1987)*
Decided: 6/4/1987 Effective: 6/22/1987

The Supreme Court of New Jersey held that a nine month suspension from the practice of law was the appropriate discipline for an attorney who pled guilty in Superior Court of New Jersey, Law Division, Morris County, to charges of possession of cocaine, hashish and marijuana in violation of *N.J.S.A. 24:21-20(a)(1) and (4)* and to two counts of giving false information by denying he was an unlawful drug user on a Federal Firearms Transaction Record in violation of *N.J.S.A. 2C:39-10C*.

NICHOLAS E. REMONDELLI

Admitted: 1965; West Caldwell (Essex County)
Disbarment By Consent - ___ *N.J.* ___ *(1987)*
Decided: 3/24/1987

The Supreme Court of New Jersey accepted the Consent to Disbarment of a respondent who admitted that he could not successfully defend himself against pending ethics charges demonstrating gross neglect and a pattern of neglect in two real estate matters, one matrimonial case and a personal injury matter.

VINCENT P. RIGOLOSI

Admitted: 1959; Hackensack (Bergen County)
Disbarred - *107 N.J. 192 (1987)*
Decided: 6/10/1987 Effective: 7/1/1987

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who, knowing that $5,000 had been paid to bribe a state police officer to file a false police report, counseled other co-conspirators on how to arrange through improper means for the dismissal of the criminal charges that were the subject of the resport. The attorney had been previously acquitted in the Superior Court of New Jersey, Law Division, Ocean County, of criminal charges of conspiracy and tampering with a witness. Disciplinary charges were nevertheless prosecuted by the Office of Attorney Ethics before the Honorable Charles S. Joelson, J.A.D., Special Ethics Master.

WILLIAM J. ROSS

Admitted: 1970; Totowa (Passaic County)
Public Reprimand - *105 N.J. 602 (1987)*
Decided: 1/15/1987

The Supreme Court of New Jersey held that public reprimand was the appropriate discipline for an attorney who engaged in gross negelect and a pattern of neglect in three matters, by failure to answer interrogatories in two personal injury matters leading to dismissals in both cases, and by permitting the statute of limitations to run in a third tort matter. The respondent was also found to have misrepresented the status of several matters to clients. The Supreme Court further ordered that respondent make quarterly repayments of all obligations to these former clients beginnintg April 1, 1987 or face further disciplinary action.

DION F. RYLE

Admitted: 1972; Moorestown (Burlington County)
Disbarred - *105 N.J. 10 (1987)*
Decided: 1/9/1987

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for an attorney who knowingly misappropriated $2,240 in clients' trust funds between February 1980 and June 1981. Where a post-*Wilson* misappropriation is concerned the Court held that alcoholism is unavailing as a mitigating factor to forestall disbarment unless respondent can prove insanity at the time he committed each act of knowing misappropriation. In so ruling the Court again followed its recent holding in *In re Hein, 104 N.J. 297 (1986)*. This case was discovered solely as a result of the Random Audit Compliance Program. The respondent had been temporarily suspended from the practice of law since October 8, 1985.

DANIEL J. SCAVONE

Admitted: 1984; Waldwick (Bergen County)
Revocation of License - *106 N.J. 542 (1987)*
Decided: 5/6/1987

The Supreme Court of New Jersey held that revocation of an attorney's license to practice was the appropriate discipline for respondent who, on his Statement of Candidate which was submitted to the Committee on Character, falsely stated that he had not been "disciplined, reprimanded, suspended, expelled or asked to resign from any educational institution." In fact respondent had been requested by the University of Pennsylvania School of Law to withdraw or be expelled after the administration discovered respondent had knowingly and deliberately falsified his admission application by indicating that he was a minority student when he was not and by altering his LSAT score.

ELAINE H. SEDERLUND

Admitted: 1978; Jersey City (Hudson County)
Disbarment By Consent - *106 N.J. 651 (1987)*
Decided: 5/12/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that she could not successfully defend herself against disciplinary charges of knowing misappropriation of over $7,000 in clients' funds and creating false and fraudulent documents for review in a disciplinary audit in order to cover up the misappropriations. This case was discovered solely through the Random Audit Compliance Program. The respondent had been temporarily suspended from the practice of law since January 8, 1985.

RICHARD F. SIMONE

Admitted: 1958; Union City (Hudson County)
Suspension for 6 ½ Years - *108 N.J. 515 (1987)*
Decided: 10/9/1987 Effective: 12/23/1980

The Supreme Court of New Jersey held suspension for a period of 6 ½ years (retroactive to December 23, 1980, the date of respondent's original temporary suspension from the practice of law) was the appropriate discipline for respondent, who negligently misappropriated $10,000 in a single instance involving one real estate matter, misused $25,000 in the capacity of executor of an estate and engaged in multiple instances of misconduct involving neglect of several clients and misrepresentation of the status of other clients' cases.

PAUL S. SLOTKIN

Admitted: 1974; Cherry Hill (Camden County)
Disbarment By Consent - *107 N.J. 664 (1987)*
Decided: 6/9/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who pled guilty in Superior Court of New Jersey, Law Division, Camden County, to one count of misapplication of entrusted property of approximately $100,000 while acting as executor of an estate, in violation of *N.J.S.A. 2C:21-15*. The respondent had been

temporarily suspended from the practice of law since March 22, 1985.

ROGER E. SMYZER

Admitted: 1974; Parlin (Middlesex County)
Disbarred - *108 N.J. 47 (1987)*
Decided: 7/10/1987

The Supreme Court of New Jersey held that disbarment was the appropriate sanction for respondent who induced clients to invest monies in two financially troubled companies in which the lawyer had an interest by making limited disclosures about the companies, the investment, the income to be generated thereon (10% interest per month) and the lawyer's interest in the companies, that were so misleading as to amount to false, fraudulent and deceptive representations. The Clients' Security Fund paid out $91,000 on account of respondent's conduct. The respondent had been temporarily suspended from the practice of law since April 15, 1981.

AARON R. STIER

Admitted: 1969; Linden (Union County)
Probation for 1 Year - *108 N.J. 455 (1987)*
Decided: 9/4/1987

The Supreme Court of New Jersey held that probation for 1 year, consisting of community service one day per week for Legal Services, was the appropriate sanction for an attorney who pled guilty in 1981 in Superior Court of New Jersey to the disorderly persons offense of tampering with public records by making false entries in a document of record received and kept by the government (i.e. inflating the purchase prices of realty in two deeds) in violation of *N.J.S.A. 2C:28-7(a)(1)*. The Court stated that while such offense would normally warrant severe discipline, considerations of remoteness (the false entries were made between 1971 and 1973, some 14 years ago) warranted a suspended one-year sentence with a probationary disposition.

IRVING TABMAN

Admitted: 1962; Old Bridge (Middlesex County)
Disbarment By Consent - *105 N.J. 614 (1987)*
Decided: 4/7/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend himself in pending disciplinary proceedings, charging him with misappropriation of some $30,000 in clients' trust funds. The respondent had been temporarily suspended from the practice of law effective April 27, 1982. Respondent's temporary suspension and disbarment were reported to Chief Disciplinary Counsel for the New York Grievance Committee for the Second and 11th Judicial Districts (Brooklyn) where respondent was also admitted to practice.

ARNOLD M. WARHAFTIG

Admitted: 1968; Union (Union County)
Disbarred - *106 N.J. 529 (1987)*
Decided: 4/21/1987 Effective: 5/21/1987

The Supreme Court of New Jersey held that disbarment under the doctrine of *In re Wilson, 81 N.J. 451 (1979)* was the appropriate discipline for an attorney who knowingly engaged in a pattern of taking "advanced fees" in real estate matters up to four months prior to the closing when they would be earned. These "advanced fees" in fact invaded trust funds of other clients, since there were no funds in the trust account standing to the credit of the client for whose work fees were purportedly "advanced." This matter was discovered solely as a result of the Random Audit Compliance Program After receiving notice of the audit the respondent immediately deposited $11,125 to cover the immediate cash shortage created by his "advanced fee" scheme.

PAUL M. WEINSTOCK

Admitted: 1974; Toms River (Ocean County)
Disbarment By Consent - *108 N.J. 686 (1987)*
Decided: 9/11/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend pending ethics charges alleging that he grossly neglected clients matters in four separate cases and, in 1984 and 1985, misappropriated in excess of $2,500 in clients' trust funds. Respondent had been temporarily suspended from the practice of law since August 16, 1985.

JOSEPH R. WITKOWSKI

Admitted: 1974; Rahway (Union County)
Disbarment By Consent - *109 N.J. 626 (1987)*
Decided: 11/17/1987

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who pled guilty in Superior Court of New Jersey, Law Division, Union County to one count of second degree theft by failure to make required disposition of property received (*N.J.S.A. 2C:20-4*) and one count of third degree falsifying records (*N.J.S.A. 2C:21-4*) in a total amount exceeding $400,000. The respondent had been temporarily suspended from the practice of law since December 22, 1986.

1986

DON X. BANCROFT

Admitted: 1968; Kinnelon (Morris County)

Public Reprimand - *102 N.J. 114 (1986)*
Decided: 3/18/1986

The Supreme Court of New Jersey held that permitting a client's civil appeal to be dismissed without cause constituted gross neglect , failure to carry out a contract and knowingly prejudicing and damaging a client. In view of the fact that the conduct in question pre-dated that which resulted in two prior private reprimands to respondent, the Supreme Court determined that a public reprimand was the appropriate measure of discipline.

THOMAS J. BARRY

Admitted: 1974; Woodbury (Gloucester County)
Disbarment By Consent - *102 N.J. 646 (1986)*
Decided: 5/6/1986

The Supreme Court of New Jersey Disbarred By Consent a respondent who admitted that he could not successfully defend himself against a pending disciplinary matter charging him with knowingly misappropriating clients' funds in the amount of approximately $8,000. The respondent had previously been suspended for 3 months [*In re Barry, 90 N.J. 286 (1982)*] for neglect and misrepresentations to clients in the handling of several matters, in view of mitigating psychiatric evidence.

GORDON L. BELMONT

Admitted: 1970; Butler (Morris County)
Disbarment By Consent - *104 N.J. 602(1986)*
Decided: 12/22/1986

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend post-*Wilson* charges of knowing misappropriation of clients' trust funds.

ROBERT H. BISCAMP

Admitted: 1965; Elmwood Park (Bergen County)
Disbarment By Consent - *102 N.J. 643 (1986)*
Decided: 3/25/1986

The Supreme Court of New Jersey Disbarred By Consent a respondent who pled guilty in Superior Court, Law Division, Bergen County, to 30 out of 86 counts in an indictment charging him with the theft (post-*Wilson*) of $368,000 from 29 clients.

C. KENT BLANCHARD

Admitted: 1976; Red Bank (Monmouth County)
Disbarment By Consent - *104 N.J. 601 (1986)*
Decided: 12/4/1986

The Supreme Court of New Jersey accepted the Consent to Disbarment of an attorney who pled guilty in Superior Court of New Jersey, Law Division, Monmouth County to a seventeen-count Accusation charging theft by failure to make required disposition of $300,000 of clients' trust funds, in violation of *N.J.S.A. 2C:20-9*. This matter was discovered as a result of the Trust Overdraft Notification Program, and resulted in an emergent temporary suspension on September 5, 1985.

EDWIN B. BORISON

Admitted: 1965; Oklahoma City, Oklahoma
Suspension for 6 Months - *102 N.J. 648 (1986)*
Decided: 6/10/1986

The Supreme Court of New Jersey determined that suspension for 6 months was the appropriate sanction for an attorney who was found guilty, in the Superior Court of New Jersey, of making a false statement in connection with corporate activities in violation of *N.J.S.A. 2A:111-2*, arising from his signing a financial report in 1970 that contained a false income figure.

ARNOLD E. BROWN

Admitted: 1957; Englewood (Bergen County)
Disbarred - *102 N.J. 512 (1986)*
Decided: 5/22/1986

The Supreme Court of New Jersey held that post-*Wilson* misappropriation of $28,000 of clients' funds for a four year period mandates disbarment. The fact that respondent's problems originated with a client who passed a bad check did not excuse his conduct under *Wilson*, since once the shortage became known he did not take immediate steps to rectify the situation, but rather commenced a "lapping" procedure (i.e. robbing from one client to pay another) for a period of four years. Only when the shortages were discovered and a motion for temporary suspension was pending did respondent personally make an effort to replace the misused funds.

MICHAEL R. CANFIELD

Admitted: 1973; Trenton (Mercer County)
Disbarred - *104 N.J. 314 (1986)*
Decided: 11/12/1986

The Supreme Court of New Jersey held that automatic disbarment under the *Wilson* rule was the only appropriate discipline for an attorney who pled guilty in the Superior Court of New Jersey, Law Division, Mercer County, to theft by failure to make required disposition of property received, contrary to *N.J.S.A. 2C:20-9*. Citing *In re Hein, 104 N.J. 297 (1986)* decided that same day, the Supreme Court held that:

> (A)lcoholism is not a mitigating factor sufficient to overcome the presumption of disbarment in a misappropriation case.

LLOYD M. COHEN

Admitted: 1968; Teaneck (Bergen County)
Disbarment By Consent - *103 N.J. 712 (1986)*
Decided: 9/16/1986

The Supreme Court of New Jersey accepted the Disbarment By Consent of the respondent, who admitted that he could not successfully defend pending disciplinary charges alleging misappropriation of over $100,000 in client's trust funds as well as an elaborate check-kiting scheme. This matter was discovered as the result of the Trust Overdraft Notification Program.

THEODORE J. CRIARES

Admitted: 1971; Martinville (Somerset County)
Disbarment By Consent - *102 N.J. 641 (1986)*
Decided: 2/13/1986

The Supreme Court of New Jersey Disbarred By Consent a respondent who admitted that he could not successfully defend pending ethics charges of post-*Wilson* misappropriations of clients' trust funds in excess of $40,000.

THOMAS S. DIBIASI

Admitted: 1972; Nutley (Essex County)
Suspended 3 Months - *102 N.J. 152 (1986)*
Decided: 4/2/1986 Effective: 4/15/1986

The Supreme Court of New Jersey held that lawyer who submitted, on behalf of his clients, a false lease to a mortgage lender, and subsequently pleaded guilty to a federal misdemeanor charging him with misapplication of bank funds (*18 U.S.C. § 657*) would be suspended from the practice for three months. The Court reiterated that crimes of dishonesty which touch upon the administration of justice will ordinarily warrant disbarment and crimes of dishonesty, especially those which relate to the practice of law, will ordinarily warrant extended suspension.

THOMAS J. DONOVAN

Admitted: 1970; Voorhees (Camden County)
Disbarred - *104 N.J. 602 (1986)*
Decided: 12/22/1986

The Supreme Court of New Jersey held that the post-*Wilson* misappropriation of over $8,000 held in escrow for a tenant's association warranted disbarment.

RICHARD L. FAHERTY

Admitted: 1975; Elmwood Park (Bergen County)
Disbarment By Consent - *102 N.J. 649(1986)*
Decided: 6/10/1986

The Supreme Court of New Jersey held that Disbarment By Consent was the appropriate sanction for a respondent who pled guilty in Superior Court, Law Division, Bergen County , to 30 counts of misapplication of entrusted property ($109,000) under *N.J.S.A. 2C:21-15*.

JOSEPH L. FERRARO

Admitted: 1949; Paterson (Passaic County)
Disbarment By Consent - *102 N.J. 643 (1986)*
Decided: 3/25/1986

The Supreme Court of New Jersey Disbarred By Consent a respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging pre-*Wilson* misappropriation of $29,803.02 from two clients. The respondent had previously been suspended for six months for misuse of trust funds. *In re Ferraro, 53 N.J. 183 (1969)*.

EDWARD L. FLEISCHER, H. BARRY SHULTZ AND JAY L. SCHWIMER

Admitted: 1969, 1966 and 1973, respectively
all of Morganville (Monmouth County)
Disbarred - *102 N.J. 440 (1986)*
Decided: 5/28/1986

The Supreme Court of New Jersey held that respondents, all members of a 3-person law firm, should be disbarred for post-*Wilson* misappropriations of client's trust funds which resulted from a conscious firm decision to combine business and trust monies in one account. Thereafter, overdrafts occurred which were attributable to the invasion of specific client's funds. The Court stated that, absent an explanation by respondents, overdrafts of a trust account establish misappropriation of specifically identified clients' funds. The Court further held that lawyers have a duty to assure that their accounting practices are sufficient to prevent misappropriations.

LEROY C. GIPSON, JR.

Admitted: 1969; New Brunswick (Middlesex County)
Disbarred - *103 N.J. 75 (1986)*
Decided: 6/12/1986

The Supreme Court of New Jersey held that a guilty plea by respondent to theft by failure to make required disposition of property ($91,143.67) in violation of *N.J.S.A. 2C:20-9*, taken in Superior Court of New Jersey, Law Division, Middlesex County, warranted disbarment. In so doing the Court declined a requested remand to submit proof of alcohol dependency and psychological disability, stating that:

> To the extent that such factors would bear upon respondent's ability to formulate the state of mind necessary to encompass a knowing misappropriation of funds, we

> believe that their consideration is foreclosed by the judgment of conviction itself.

THOMAS L. GOMBAR

Admitted: 1983; Princeton (Mercer County)
Suspension for 1 Year - *103 N.J. 697 (1986)*
Decided: 6/10/1986 Effective: 2/10/985

The Supreme Court of New Jersey held that, in reciprocal disciplinary proceedings, a suspension for 1 year was the appropriate sanction for respondent, who received a 1 year suspension by Virginia disciplinary authorities for altering the date interest was to begin on a Virginia Writ of Execution.

J. ALAN GUMBS

Admitted: 1971; Perth Amboy (Middlesex County)
Disbarred - *104 N.J. 603 (1986)*
Decided: 12/22/1986

The Supreme Court held that under *In re Wilson* disbarment was the only appropriate discipline for the post-*Wilson* knowing misappropriation of clients' trust funds.

EUGENE D. HEIN

Admitted: 1976; Browns Mills (Burlington County)
Disbarred - *104 N.J. 297 (1986)*
Decided: 11/12/1986

The Supreme Court of New Jersey held that an attorney who neglected 5 clients, aided a non-lawyer in the unauthorized practice of law and knowingly misappropriated $1,400 in proceeds he collected for a client on a second mortgage should be disbarred. While acknowledging that alcoholism contributed to the misappropriation, the Court held that it did not warrant diviation from the automatic disbarment rule of *Wilson*. The Court stated that alcoholism would not be treated as a mitigating factor in such cases unless

> (A)t the time the mortgage proceeds were converted to respondent's use, he was unable to comprehend the nature of his act or lacked the capacity to form the requisite intent.

BERT H. HORTON

Admitted: 1977; Atlantic City (Atlantic County)
Disbarment By Consent - *104 N.J. 604 (1986)*
Decided: 12/22/1986

The Supreme Court of New Jersey accepted the Disbarment By Consent of respondent, who admitted that he could not successfully defend post-*Wilson* charges of knowingly misappropriating $21,755 in clients' trust funds.

KURT E. JOHNSON

Admitted: 1969; Hackensack (Bergen County)
Suspension for 3 Months - *102 N.J. 504 (1986)*
Decided: 5/20/1986

The Supreme Court of New Jersey held that a suspension for 3 months was the appropriate discipline for an attorney who attempted to obtain an adjournment of the case by lying to a judge and telling him that an associate, who was trying the litigated matter, was ill. The Court stated that:

> Lying to a judge—no matter how white the lie—can never be lightly passed off. The destructive potential of such conduct to the justice system warrants stern sanction.

LOUIS P. KAUFMAN

Admitted: 1975; Little Falls (Passaic County)
Suspension for 6 Months - *104 N.J. 509 (1986)*
Decided: 11/24/1986 Effective: 12/15/1986

The Supreme Court of New Jersey held that a six month suspension was the appropriate discipline for an attorney who pled guilty in Superior Court, Law Division, Passaic County to possession of methaquaaludes and in Superior Court, Law Division, Bergen County to possession of cocaine, all in violation of *N.J.S.A. 24:21-20*.

CHARLES B. KLITZMAN

Admitted: 1949; Asbury Park (Monmouth County)
Disbarment By Consent - *102 N.J. 650 (1986)*
Decided: 6/10/1986

The Supreme Court of New Jersey held that Disbarment By Consent was the appropriate sanction for respondent, who pled guilty in the United States District Court for the District of New Jersey to an information charging him with conspiring to defraud insurance companies through the use of inflated personal injury claims, in violation of *18 U.S.C.A. §371*.

ALEXANDER KUSHNER

Admitted: 1963; Jersey City (Hudson County)
Suspension for 3 Years - *101 N.J. 397 (1986)*
Decided: 1/8/1986 Effective: 12/20/1984

The Supreme Court of New Jersey held that a three-year suspension, retroactive to the date of his temporary suspension (December 20, 1984), was required for an attorney who pled guilty in Superior Court, Law Division, Bergen County, to false swearing (*N.J.S.A. 2C:28-2a*), a crime of the fourth degree, in connection with a civil action in which he fraudulently denied personally signing promissory notes totalling approximately $40,000 involving a personal business venture.

ANTHONY J. LASALA

Admitted: 1965; Wayne (Passaic County)
Public Reprimand - *102 N.J. 254 (1986)*
Decided: 5/6/1986

The Supreme Court of New Jersey publicly reprimanded respondent for accepting employment when his professional judgment was affected by his own financial, business or personal interests in violation of *DR 5-101(A)* and *DR 5-105(B)*. Respondent was retained by five clients to form a partnership and corporation for the purchase of a country club. When the clients experienced financial difficulty in meeting the club's mortgage payments, respondent undertook representation of a business associate who made a deposit to purchase the club's mortgage at a substantial discount. Respondent at the same time discouraged his original clients from borrowing any additional funds to salvage their investment in the club.

JOHN R. LENNAN

Admitted: 1960; Tenafly (Bergen County)
Disbarred - *102 N.J. 518 (1986)*
Decided: 5/22/1986

The Supreme Court of New Jersey held that disbarment was mandated for post-*Wilson* misappropriation of $13,000 in trust funds from 4 clients, notwithstanding respondent's admissions to the charge throughout the entire disciplinary process. The Court specifically rejected as mitigating circumstances, *inter alia*, (1) severe financial pressures and (2) subsequent ratification of the misappropriation by clients, who submitted affidavits stating that, had they known of respondents' need, they would have loaned him the moneys which he misappropriated. The misappropriations were discovered as the result of a Random Compliance Audit.

DAVID S. LITWIN

Admitted: 1968; Maplewood (Essex County)
Suspension for 5 Years - *104 N.J. 362 (1986)*
Decided: 11/20/1986 Effective: 7/31/1981

The Supreme Court of New Jersey held that suspension for 5 years, effective July 31, 1981 (the date of his temporary suspension from practice), was the appropriate discipline for an attorney who pled guilty in Superior Court of New Jersey, Law Division, Union County, to aggravated arson, a crime of the second degree, in violation of *N.J.S.A. 2C:17-1a*, in view of mitigating psychiatric evidence, his prior unblemished record and the fact that the crime was totally unrelated to the practice of law.

ARTHUR J. MAURELLO

Admitted: 1976; Hillsdale (Bergen County)
Public Reprimand - *102 N.J. 622 (1986)*
Decided: 6/12/1986

The Supreme Court of New Jersey held that public reprimand was the appropriate discipline for engaging in a pattern of neglect and gross neglect in six cases, all occurring some 3 to 4 years ago when he first became a solo practitioner. The Disciplinary Review Board, whose opinion was adopted by the Court, cited respondent's inexperience, inadequate staff and office control, and a high volume litigation practice as mitigating factors.

DONALD H. MINTZ

Admitted: 1954; East Orange (Essex County)
Suspension for 2 Years - *101 N.J. 527 (1986)*
Decided: 1/27/1986 Effective: 2/18/1986

The Supreme Court of New Jersey suspended the respondent for 2 years for a series of incidents of misconduct including discussing with a client the possibility of murdering an individual, discussing the making of a false claim of physicial inability to stand trial, discussing possible arrangements for the sale of cocaine, as well as discussing how the client might jump bail and avoid detection. Only the Court's inability to find by clear and convincing evidence that respondent actually intended to commit, or to have the client commit, any of thwese criminal acts justified withholding the ultimate sanction of disbarment.

PETER J. MONAGHAN

Admitted: 1972; Bergenfield (Bergen County)
Disbarred - *104 N.J. 312 (1986)*
Decided: 11/12/1986

The Supreme Court of New Jersey held that an attorney who knowingly misappropriated over $56,000 from a real estate transaction must be disbarred under *Wilson*. Citing *In re Hein, 104 N.J. 297 (1986)* and *In re Romano, 104 N.J. 306 (1986)* decided the same day, the Court stated that respondent's offer of alcoholism as a mitigating factor was of no avail:

> (B)ecause we conclude that our primary purpose of preserving public confidence in the integrity of the Bar outweighs in significance our desire to rehabilitate and assist attorneys who, like other members of society, suffer from alcohol or drug dependency.

JAY R. MOORE

Admitted: 1969; Bridgeton (Cumberland County)
Suspension for 1 Year - *103 N.J. 702 (1986)*
Decided: 6/18/1986 Effective: 7/3/1985

The Supreme Court of New Jersey held that suspension for 1 year (retroactive to the date of respondent's temporary suspension from practice) was the appropriate discipline for an attorney who pled guilty in the United States District Court for the District of New Jersey to failure to file a personal income tax return in violation of *26 U.S.C.A. § 7203*.

JOHN W. NOONAN

Admitted: 1955; Newark (Essex County)
Suspended for 4 Years, 10 Months - *102 N.J. 157 (1986)*
Decided: 4/3/1986 Effective: 6/3/1981

The Supreme Court of New Jersey held that suspension retroactive to June 3, 1981 (the date of respondent's temporary suspension) was appropriate discipline for an attorney who was grossly negligent in 4 cases and who negligently misappropriated $3,500. The Court reaffirmed the "automatic disbarment" mandate of *In re Wilson* for knowing misappropriation of trust funds, declaring an attorney's good intentions and state of mind to be irrelevant where a lawyer takes a client's money knowing the client had not authorized the taking.

STEPHEN F. ORLANDO, JR.

Admitted: 1968; New Brunswick (Middlesex County)
Indefinite Suspension - *104 N.J. 344 (1986)*
Decided: 11/20/1986 Effective: 9/21/1981

The Supreme Court of New Jersey held that indefinite suspension from September 21, 1981 (the date of temporary suspension) and until present fitness to practice law can be shown was the appropriate sanction for an attorney who pled guilty in Superior Court, Law Division, Middlesex County to a charge of possession of cocaine, and who was found to have negligently mishandled client funds. The Court added that:

> Attorneys must recognize that part of their responsibility to the legal system is the maintenance and supervision of accounting records. There can be no excuse for inadequate recordkeeping particularly in light of the technological and relatively inexpensive means available today.

JOHN PEREZ

Admitted: 1974; Newark (Essex County)
Suspension for 2 Years - *104 N.J. 316 (1986)*
Decided: 11/3/1986 Effective: 11/21/1986

The Supreme Court of New Jersey held that suspension for 2 years was the appropriate discipline for an attorney who, prior to the Court's pronouncement of *In re Hollendonner, 102 N.J. 21 (1985)*, misused a $3,500 real estate escrow deposit, and who failed to maintain trust and business account records required by *R.1:21-6*. The Court reiterated that:

> (I)f such conduct occurred after our *Hollendonner* opinion, it surely would confront the disbarment rule of *In re Wilson*.

This disciplinary decision resulted from a Random Compliance Audit of respondent's trust account.

RICHARD J. PLAZA

Admitted: 1968; Jersey City (Hudson County)
Disbarment By Consent - *101 N.J. 648 (1986)*
Decided: 1/28/1986

The Supreme Court of New Jersey Disbarred By Consent an attorney who pled guilty in Superior Court, Law Division, Hudson County, to an accusation charging him with Theft (over $75,000) by Failure to Make Required Disposition of Property in violation of *N.J.S.A. 2C:20-9*.

ARTHUR D. REISS

Admitted: 1974; Montvale (Bergen County)
Suspension for 1 Year - *101 N.J. 475 (1986)*
Decided: 1/8/1986 Effective: 1/27/1986

The Supreme Court of New Jersey held that a one-year suspension was the appropriate discipline for an attorney who engaged improperly in multiple attorney-client business ventures, was guilty of conflicts of interest including representation of creditor and debtor at same time, communicated with a party to litigation whom he knew to be represented by counsel and failed to maintain proper attorney business and trust records.

HARRY J. ROBINOVITZ

Admitted: 1939; Somerville (Somerset County)
Suspension for 7 Years - *102 N.J. 57 (1986)*
Decided: 3/18/1986 Effective: 4/2/1979

The Supreme Court of New Jersey suspended an attorney retroactively to April 2, 1979 (the date of a temporary suspension entered when he failed to produce his trust and business account records and to file an answer to a formal ethics complaint), finding gross neglect and a pattern of neglect in seven cases extending back to 1978, failure to communicate with clients and failure to provide adequate accountings. Any application for reinstatement will be subject to a supervised practice for one year and a psychiatric evaluation.

JOSEPH T. ROMANO

Admitted: 1975; Jersey City (Hudson County)
Disbarred - *104 N.J. 306 (1986)*
Decided: 11/12/1986

The Supreme Court of New Jersey held that an attorney who, while an admitted cocaine addict, knowingly misappropriated clients trust funds in amounts exceeding

$12,000 to pay for his habit must be disbarred under the *Wilson* automatic disbarment rule. The Court announced that drug addiction will not be treated as a mitigating factor in these cases unless a respondent can prove under M'Naghten test, at the time he engaged in each and every misappropriation, that he suffered from a "disease of the mind that rendered him unable to tell right from wrong or to understand the nature and quality of his acts."

JOHN R. RUTLEDGE, JR.

Admitted: 1959; Toms River (Ocean County)
Public Reprimand - *101 N.J. 493 (1986)*
Decided: 1/13/1986

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline where an attorney, acting in a non-legal capacity as Grand Master of the Grand Lodge of the State of New Jersey, improperly utilized for his own purposes some $18,000 worth of travel agency commissions in 1975 and 1976, which monies rightfully belonged to the Grand Lodge.

EDWIN F. SALTZBERG

Admitted: 1973; Cherry Hill (Camden County)
Disbarment By Consent - *103 N.J. 700 (1986)*
Decided: 7/11/1986

The Supreme Court of New Jersey Disbarred By Consent an attorney who admitted in disciplinary proceedings that he could not successfully defend himself against post-*Wilson* charges of misappropriation of $11,000 of clients' trust funds. The misappropriation was discovered through a Random Compliance Audit in July 1985.

ARTHUR M. SANCHEZ

Admitted: 1978; North Bergen (Hudson County)
Disbarment By Consent - *103 N.J. 698 (1986)*
Decided: 6/27/1986

The Supreme Court of New Jersey Disbarred By Consent the respondent who admitted that he could not successfully defend himself against pending disciplinary charges alleging that he knowingly misappropriated $16,300 of client trust funds. This matter was discovered in part due to theTrust Overdraft Notification Program.

SYLVESTER SERVANCE

Admitted: 1977; Voorhees (Camden County)
Disbarred - *102 N.J. 286 (1986)*
Decided: 5/9/1986

The Supreme Court of New Jersey disbarred the respondent for fraud and misrepresentation in connection with a get-rich-quick scheme. Respondent accepted a total of $40,000 from 3 individuals to invest in the purchase of Nigerian oil, a proposed parcel of Atlantic City casino real estate and an extremely speculative investment in a medical company. Only $2,900 was ever returned to the investors, despite respondent's personal, written guaranty (on his law office stationary) that most investors would double their money in 30 days or would have their principal returned.

JOHN M. SKEVIN

Admitted: 1956; Hackensack (Bergen County)
Disbarred - *104 N.J. 476 (1986)*
Decided: 11/14/1986 Effective: 12/16/1986

The Supreme Court of New Jersey held that disbarment under the *Wilson* rule was the only appropriate discipline for a respondent who knowingly misappropriated over $100,000 in clients' trust funds. The Court concluded that respondent's withdrawal of substantial sums of money in advance of his receipt of settlement proceeds for clients in those matters leads to the unavoidable inference that he knew that he was endangering other funds in a commingled trust account. Since respondent had to know that there was a high probability of misappropriation, but took no reasonable action to avoid it, his "willful blindness" satisfied the knowing requirement behind our automatic disbarment rule in these cases.

JEFFREY B. SMITH

Admitted: 1975; Mount Holly (Burlington County)
Suspension for 3 Months - *101 N.J. 568 (1986)*
Decided: 1/28/1986

The Supreme Court of New Jersey held that a suspension from the practice of law for 3 months was the appropriate sanction for an attorney who grossly neglected an estate matter for 1 year resulting in an interest penalty for late filing of a State Inheritance Tax Return, and then failed to cooperate with the ethics investigation of the matter, and failed to file an answer to the formal ethics complaint against him.

MICHAEL S. SODOWICK

Admitted: 1964; West Caldwell (Essex County)
Disbarment By Consent - *101 N.J. 643 (1986)*
Decided: 1/8/1986

The Supreme Court of New Jersey Disbarred By Consent respondent who pled guilty in Superior Court, Law Division, Mercer County, to eight counts of a criminal accusation involving various state income tax violations, and who also admitted in disciplinary proceedings that he could not successfully defend himself on charges of failure to maintain proper attorney trust and business records and post-*Wilson* misappropriations of clients' trust monies of $82,870.75.

LEWIS C. STANLEY

Admitted: 1954; Rocky Hill (Somerset County)
Public Reprimand - *102 N.J. 244 (1986)*
Decided: 5/6/1986

The Supreme Court of New Jersey held that a public reprimand was appropriate discipline for an attorney who, through his language, constant interruptions, arrogance and retorts to rulings in three separate court proceedings, displayed a contumacious lack of respect. The Court stated that:

> Respect for and confidence in the judicial office are esstential to the maintenance of any orderly system of justice.

LOIS J. STEWARD

Admitted: 1981; Whippany (Morris County)
Disbarment By Consent - *103 N.J. 712 (1986)*
Decided: 9/16/1986

The Supreme Court of New Jersey accepted the respondent's Disbarment By Consent, which admitted that she could not successfully defend pending disciplinary charges alleging misappropriation of client's trust funds approximating $12,000. This misappropriation was discovered as a result of the Trust Overdraft Notification Program. The respondent had been temporarily suspended from the practice of law since February 20, 1986.

JOHN W. SURGENT, II

Admitted: 1967; Clifton (Passaic County)
Disbarred - *104 N.J. 566 (1986)*
Decided: 12/11/1986

The Supreme Court of New Jersey held that disbarment was the only appropriate discipline for respondent, who was convicted in United States District Court, Southern District of New Jersey on 14 felony counts, including conspiracy, stock fraud, sale of unregistered securities and subornation of perjury in connection with a Securities and Exchange Commission investigation, contrary to *15 U.S.C. § 77e, 77x 78j(b) and 78ff; 17 C.F.R. § 240,10b-5* and *18 U.S.C. § 1341 and 1343*, and who pled guilty in Superior Court of New Jersey, Law Division, Passaic County to one count of conspiracy to commit theft by deception, contrary to *N.J.S.A. 2C:5-2 and 2C:20-4*.

THOMAS K. J. TUSO

Admitted: 1960; Vineland (Cumberland County)
Disbarred - *104 N.J. 59 (1986)*
Decided: 9/26/1986

The Supreme Court of New Jersey held that criminal convictions in the Superior Court of New Jersey for conspiracy to commit bribery, solicitation of misconduct and two counts of bribery involving the payoff of a regional school board member to obtain an architectural contract for a client warrants disbarment as the only appropriate discipline.

GERARD J. WALLACE

Admitted: 1974; Clifton (Passaic County)
Suspension for 6 Months - *104 N.J. 589 (1986)*
Decided: 12/12/1986 Effective: 1/5/1987

The Supreme Court of New Jersey held that a six month suspension was the appropriate discipline for an attorney who was grossly negligent in preparing a promissory note for a non-ambulatory elderly woman and who then undertook to collect it but failed to take reasonable precautions to see that it was collected and that proper trust records maintained. The Court further found unethical conduct in the attorney's attempt to limit his ethical liability by personally paying off the promissory note after an ethics grievance had been filed. The Court noted that:

> (P)ublic confidence in the legal profession would be seriously undermined if we were to permit an attorney to avoid discipline by purchasing the silence of (the) complainants.

JOHN J. WINBERRY, SR.

Admitted: 1933; Rutherford (Bergen County)
Suspension for 2 Years - *101 N.J. 557 (1985)*
Decided: 1/30/1986 Effective: 2/15/1986

The Supreme Court of New Jersey held that a two year suspension was the appropriate discipline for an attorney who was the subject of two contempt citations and who, as executor in an estate and as *inter vivos* trustee in a separate matter, failed to account properly to beneficiaries over an extended period of time. In the estate matter, respondent failed to file either state or federal tax returns. Cited as an aggravating factor was respondent's lack of cooperation with various ethics bodies in bringing this case to a conclusion.

1985

RUDOLPH V. ALOSIO

Admitted: 1959; San Diego (California)
Disbarred - *99 N.J. 84 (1985)*
Decided: 4/30/1985

The Supreme Court of New Jersey held that respondent's guilty plea in the Superior Court of Los Angeles County, California, to one count of presenting a false insurance claim of $50,094.50 and six counts of receiving stolen motor vehicles (estimated to be worth $500,000) in connection with

an exotic car theft scam operation, required his disbarment in this State.

HARRY J. CORNISH

Admitted: 1971; Paterson (Passaic County)
Suspension for 5 Years - *98 N.J. 500 (1985)*
Decided: 3/18/1985 Effective: 1/4/1980

The Supreme Court of New Jersey held that, in view of substantial medical evidence of psychiatric illness coupled with complete restitution, suspension for 5 years (retroactive to January 4, 1980, the date of his temporary suspension) was appropriate discipline for an attorney who had committed pre-*Wilson* misappropriations of some $20,000 in two real estate matters.

HARRY M. CREO

Admitted: 1959; Newark (Essex County)
Disbarment By Consent - *100 N.J. 674 (1985)*
Decided: 8/16/1985

The Supreme Court of New Jersey Disbarred By Consent respondent who admitted in disciplinary proceedings that he could not successfully defend himself against charges of post-*Wilson* misappropriation of clients' trust funds.

PHILLIP C. DANIELS, JR.

Admitted: 1953; Cherry Hill (Camden County)
Disbarment By Consent - *98 N.J. 605 (1986)*
Decided: 1/14/1985

The Supreme Court of New Jersey Disbarred By Consent an attorney who admitted in disciplinary proceedings that he could not successfully defend himself against criminal charges then pending in Superior Court, Law Division, Camden County, which charged two counts of embezzlement by agent (*N.J.S.A. 2C:102-5*), two counts of fraudulent disposition of property (*N.J.S.A. 2A:111-21.1*) and five counts of theft by failure to make required disposition of property (*N.J.S.A. 2C:20-9*), totalling $217,000.

ANTHONY F. DE MARCO

Admitted: 1960; Little Falls (Passaic County)
Disbarment By Consent - *___ N.J. ___ (1985)*
Decided: 10/29/1985

The Supreme Court of New Jersey Disbarred By Consent the respondent who admitted that he could not successfully defend himself against pending disciplinary charges that he misappropriated $36,300 in connection with two real estate matters.

GEORGE DOMINGUEZ

Admitted: 1969; Butler (Morris County)
Public Reprimand - *100 N.J. 680 (1985)*
Decided: 10/7/1985

The Supreme Court of New Jersey held that public reprimand followed by transfer to disability inactive status, was appropriate action with respect to an attorney who in one matter, but over a five-year period, failed to represent his client zealously, improperly withdrew from employment, and failed to follow proper accounting procedures, although there was no proof of any loss or misappropriation. Respondent's failure to cooperate with his counsel, although proffering (but not substantiating) a claim of alcoholism, necessitates transfer to disability inactive status.

DAVID C. EDWARDS

Admitted: 1973; Morristown (Morris County)
Disbarred - *100 N.J. 522 (1985)*
Decided: 10/7/1985

The Supreme Court of New Jersey held that disbarment was the appropriate remedy for a pattern of neglect and misconduct including multiple instances of post-*Wilson* misappropriations of clients' trust funds aggregating approximately $34,000.

STEPHEN L. ELLSWORTH

Admitted: 1979; Magnolia (Camden County)
Disbarred - *98 N.J. 400 (1985)*
Decided: 2/4/1985

The Supreme Court of New Jersey disbarred respondent for defrauding his own clients out of a $62,000 home, in addition to engaging in a pattern of neglect, gross neglect and failing to carry out contracts of employment in nine other matters.

MORTON FELDMAN

Admitted: 1967; Atlantic City (Atlantic County)
Public Reprimand - *101 N.J. 37 (1985)*
Decided: 11/18/1985

The Supreme Court of New Jersey held that, in view of respondent's temporary suspension for six months, a public reprimand was the proper measure of final discipline for an attorney who, *inter alia*, engaged in a series of unorthodox and aberrant actions including gross neglect of a divorce case, conflict of interest and failure to withdraw in a litigated matter, as well as making an unscheduled appearance before the Supreme Court in an attempt, during open session, to address the Court after learning that his request for oral argument in a matter was denied.

RALPH FUCETOLA III

Admitted: 1971; North Arlington (Bergen County)
Public Reprimand - *101 N.J. 5 (1985)*
Decided: 10/29/1985

The Supreme Court of New Jersey held that a public reprimand was appropriate discipline for respondent who failed to maintain trust and business account records as required by *R. 1:21-6* and *DR 9-102*. There was no evidence in this case that any clients' funds had been misappropriated.

ALAN D. GODDARD

Admitted: 1970; East Brunswick (Middlesex County)
Disbarment By Consent - *100 N.J. 670 (1985)*
Decided: 7/10/1985

The Supreme Court of New Jersey Disbarred By Consent an attorney who plead guilty in the United States District Court for the District of Virginia to a Federal Criminal Information charge of conspiracy to defraud the United States by impeding, impairing, obstructing and defeating the functions of the Internal Revenue Service by fictitiously titling and concealing assets in violation of *18 U.S.C. §371*, and who also entered a plea in the United States District Court for the District of New Jersey to a Federal Criminal Information charge of filing a false federal income tax return in 1981 in violation of *26 U.S.C. §7206(1)*.

JEROME I. GOER

Admitted: 1971; Morristown (Morris County)
Disbarred - *100 N.J. 529 (1985)*
Decided: 10/7/1985

The Supreme Court of New Jersey held that respondent must be disbarred for misappropriating over $135,000 in clients' trust funds (post-*Wilson*) from eleven clients over a two-year period.

JOHN W. GRADY

Admitted: 1951; Rutherford (Bergen County)
Disbarment By Consent - *100 N.J. 686 (1985)*
Decided: 6/25/1985

The Supreme Court of New Jersey Disbarred By Consent respondent who admitted he could not successfully defend a pending complaint charging failure to maintain required trust records, failure to produce required trust records for a demand audit, issuing checks against uncollected funds, issuing dishonored trust checks, creating trust overdrafts and numerous instances of misappropriation of clients' trust funds aggregating over $70,000, all discovered as the result of a Random Compliance Audit.

GEORGE J. GREGORY

Admitted: 1971; Spring Lake (Monmouth County)
Disbarment By Consent - *99 N.J. 611 (1985)*
Decided: 6/13/1985

The Supreme Court of New Jersey Disbarred By Consent respondent who plead guilty in Superior Court, Law Division, Union County, to four counts of tampering with public records (*N.J.S.A. 2C:28-7a(1) and (2)*), one count of unlawful discharge of pollutants (*N.J.S.A. 58:10A-10f*), one count of unlawful release of a harmful substance (*N.J.S.A. 2C:17-2a*), one count of illegal disposal of a hazardous waste (*N.J.S.A. 13:1E-9e(2)*), four counts of false statement on manifest (*N.J.S.A. 13:1E-9e(3)*), one count of aiding and abetting official misconduct (*N.J.S.A. 2C:30-2b*), and failure to pay New Jersey Gross Income Tax and failure to file (*N.J.S.A. 54A:9-15a*).

DAVID N. HEYWOOD, JR.

Admitted: 1973; East Orange (County)
Disbarred - *98 N.J. 410 (1985)*
Decided: 2/4/1985

The Supreme Court of New Jersey held that respondent's post-*Wilson* misappropriations of clients' funds aggregating $84,000 mandated disbarment. In addition respondent stole monies of one client which were to be applied to taxes and expenses on a 10-unit and a 12-unit apartment building; as a result the client lost both buildings through foreclosure.

JERRY HILLARD

Admitted: 1976; Passaic (Passaic County)
Disbarred - *99 N.J. 479 (1985)*
Decided: 6/13/1985

The Supreme Court of New Jersey disbarred respondent who plead guilty in Superior Court, Law Division, Passaic County, to two counts of misapplication of entrusted property (*N.J.S.A. 2C:21-15*), one in the amount of $2,500 and the other in an unspecified amount, both of which occurred post-*Wilson*.

ANTON J. HOLLENDONNER

Admitted: 1955; North Trenton (Mercer County)
Suspension for 1 Year - *102 N.J. 21 (1985)*
Decided: 10/17/1985 Effective: 11/4/1985

The Supreme Court of New Jersey held that an attorney's use of $2,000 of escrow funds held pursuant to a real estate contract after receiving permission of his client, but without obtaining permission from his adversary or that client, warrants a suspension for one year. Respondent was also found to have violated *R. 1:21-6* (Recordkeeping Rule) in the manner

in which he maintained trust and business records, as well as issuing trust checks against uncollected funds. The attorney's derelictions were discovered during the course of a routine Random Compliance Audit. The Court further found the parallel between escrow funds and trust funds to be so close that "henceforth an attorney found to have knowingly misused escrow funds will confront the disbarment rule of *In re Wilson*".

KARL R. HUBER

Admitted: 1965; Newark (Essex County)
Disbarred - *101 N.J. 1 (1985)*
Decided: 10/21/1985

The Supreme Court of New Jersey disbarred respondent who was convicted in the United States District Court for the Southern District of New York, of conspiracy, false statements, mail fraud, perjury and racketeering. *United States v. Huber, 603 F.2d 387 (2d Cir. 1979), cert den 445 U.S. 927 (1980)*.

CALVIN J. HURD

Admitted: 1954; Elizabeth (Union County)
Disbarment By Consent - *98 N.J. 617 (1985)*
Decided: 3/20/1985

The Supreme Court of New Jersey Disbarred By Consent an attorney who admitted in disciplinary proceedings that he could not successfully defend himself against charges of post-*Wilson* misappropriation of clients' trust funds, discovered as the result of a Random Compliance Audit.

JOHN R. KNOX

Admitted: 1951; Andover (Sussex County)
Resignation With Prejudice - *98 N.J. 605 (1985)*
Decided: 1/14/1985

The Supreme Court of New Jersey accepted the Resignation with Prejudice of respondent who, while already under a three-year suspension for pre-*Wilson* misappropriations of trust funds, admitted that he could not successfully defend himself against post-*Wilson* charges of misappropriating $10,000 held in trust in a real estate matter.

JACK KRAKAUER

Admitted: 1954; Passaic (Passaic County)
Disbarred - *99 N.J. 476 (1985)*
Decided: 6/13/1985

The Supreme Court of New Jersey disbarred respondent who was convicted in Superior Court, Law Division, Passaic County, of extortion (*N.J.S.A. 2A:105-3(b)*) in connection with a scheme to extort $12,500 from a municipal contractor relating to a senior citizen high rise project.

MURRAY DAVID LEVIN

Admitted: 1981; Cherry Hill (Camden County)
Disbarment By Consent - *100 N.J. 671 (1985)*
Decided: 7/24/1985

The Supreme Court of New Jersey Disbarred By Consent the respondent who plead guilty in the Superior Court, Law Division, Camden County, to one count of theft by failure to make required disposition of clients' funds in the amount of $15,820.66 (*N.J.S.A. 2C:20-9*) and one count of forgery (*N.J.S.A. 2C:21-1(a)(2)*).

SHELDON M. LIEBOWITZ

Admitted: 1949; Englewood (Bergen County)
Public Reprimand - *104 N.J. 175 (1985)*
Decided: 12/18/1985

The Supreme Court of New Jersey held that public reprimand was the proper discipline for an attorney who, on the eve of a divorce hearing, took sexual advantage of an indigent *pro bono* client whom he had been assigned by the court to represent. The Supreme Court held such conduct was prejudicial to the administration of justice and adversely reflected on the respondent's fitness to practice law.

EUGENE J. MC DONALD

Admitted: 1978; Matawan (Monmouth County)
Public Reprimand - *99 N.J. 78 (1985)*
Decided: 4/30/1985

The Supreme Court of New Jersey held that a public reprimand was the appropriate discipline for an attorney who knowingly misrepresented facts by concealing or failing to disclose to a municipal court that the criminal defendant he was prosecuting on behalf of a private client for issuing bad checks (*N.J.S.A. 2C:21-5*) had, in fact, made partial restitution on some of the checks which were returned for insufficient funds.

JOSEPH R. MENNA

Admitted: 1976; Clementon (Camden County)
Disbarment By Consent - *99 N.J. 610 (1985)*
Decided: 6/4/1985

The Supreme Court of New Jersey Disbarred By Consent the respondent who plead guilty in the Superior Court, Law Division, Burlington County, to an indictment charging two counts of theft (totalling $75,000) by failure to make required disposition (*N.J.S.A. 2C:20-9*), one count of manufacturing controlled dangerous substances (methamphetamine) (*N.J.S.A. 24:21-19(b)(3)*) and one count of failure to file New Jersey Residential Tax Return (*N.J.S.A. 53A:8-3.1*).

VINCENT JAMES MILITA II

Admitted: 1980; Seaville (Cape May County)
Suspended for 6 Months - *99 N.J. 336 (1985)*
Decided: 5/22/1985 Effective: 6/8/1985

The Supreme Court of New Jersey held that even the suggestion in jest to an assistant prosecutor that a more lenient sentencing recommendation by the State would result in a $1,000 donation to the charity of the assistant prosecutor's choce was unethical and prejudicial to the administration of justice. In a separate incident the Court also found respondent to have engaged in conduct involving misrepresentation and deceit when, in order to obtain information to assist his criminal client, he appeared at a hospital to interview a witness and allowed the witness, through respondent's silence, to believe that he was the attorney whom the witness had requested to see. The attorney was suspended for six months.

ROBERT S. MILLER

Admitted: 1964; Lake Hiawatha (Morris County)
Public Reprimand - *100 N.J. 537 (1985)*
Decided October 1, 1985

The Supreme Court of New Jersey determined that public reprimand was the appropriate discipline for respondent who entered into a business venture with a client without making full disclosure and obtaining informed consent and without the client having obtained independent legal advice; respondent also neglected a separate estate matter and withdrew earned legal fees from an estate account without obtaining the prior permission of the client. More severe discipline would have been imposed but for respondent's contrition and admission of wrongdoing, his cooperation, lack of prior disciplinary record, reimbursement of loss to the client, as well as his close relationship with the client over a number of years.

THOMAS F. O'GORMAN III

Admitted: 1968; Lyndhurst (Bergen County)
Suspended for 3 Years - *99 N.J. 482 (1985)*
Decided: 6/25/1985 Effective: 12/28/1981

The Supreme Court of New Jersey held that suspension for three years, retroactive to the date of respondent's temporary suspension from the practice of law on December 28, 1981, was the appropriate discipline for respondent who engaged in a pattern of neglect, failure to carry out contracts of employment and failure to communicate with clients in a series of nine separate matters spanning a period of eight years.

JOHN J. POWERS

Admitted: 1965; Union City (Hudson County)
Disbarment By Consent - *98 N.J. 608 (1985)*
Decided: 1/29/1985

The Supreme Court of New Jersey Disbarred By Consent an attorney who plead guilty to one count of conspiracy to defraud and who was convicted in another matter in United States District Court in New Jersey on 29 counts, including conspiracy to participate in, and engaging in, a pattern of racketeering, mail fraud, wire fraud, extortion, attempted extortion, interstate travel in aid of racketeering, investing income derived from a pattern of racketeering and filing a false income tax return. The charges surrounding respondent's guilty plea arose out of a schene to obtain more than $440,000 in kickbacks and bribes from the budgets of local housing construction projects and school renovation programs.

NED P. ROGOVOY

Admitted: 1973; Millville (Cumberland County)
Suspended for 2 Years - *100 N.J. 556 (1985)*
Decided: 10/8/1985 Effective: 1/11/1983

The Supreme Court of New Jersey held that an attorney who failed to cooperate with a District Ethics Committee investigator during the preliminary investigation of several ethics grievances, failed to file answers to formal complaints (resulting in his initial temporary suspension from practice on Jaunary 11, 1983), and who engaged in two substantive acts of unethical conduct by failing to respond to inquiries from a client and improperly handling and neglecting a matrimonial matter entrusted to him, warranted a suspension from the practice of law for 2 years, retroactive to the date of his original temporary suspension.

SIDNEY SCHLANGER

Admitted: 1936; Fairview (Bergen County)
Disbarment By Consent - *98 N.J. 615 (1985)*
Decided: 3/12/1985

The Supreme Court of New Jersey Disbarred By Consent an attorney who plead guilty in the Superior Court, Law Division, Union County, to one count of conspiracy to obtain money by false pretenses from various insurance companies in violation of *N.J.S.A. 2C:5-2*.

RONALD SCHWARTZ

Admitted: 1971; Hackensack (Bergen County)
Suspended for 3 Months - *99 N.J. 510 (1985)*
Decided: 6/27/1985 Effective: 7/15/1985

The Supreme Court of New Jersey held that, when an attorney undertook to pursue an appeal in a tenancy-disposess action but failed to do so and to file a brief, and also failed to advise his client of such failure in a timely manner, suspension from practice for 3 months is the appropriate discipline in view of attorney's inexperience in private practice, particularly appellate work, at the time.

SIEGMAR SILBER

Admitted: 1970; Paterson (Passaic County)
Public Reprimand - *100 N.J. 517 (1985)*
Decided: 10/7/1985

The Supreme Court of New Jersey publicly reprimanded respondent for aiding the unauthorized practice of law in violation of Disciplinary Rule 3-101, by failing to take any action to rectify the fact that his law clerk appeared in open court in a matrimonial action and misrepresented her status as a lawyer. Respondent was specifically found to have had several opportunities to correct the misrepresentation (e,g,, when he received a proposed form of order showing the law clerk as an authorized attorney). The attorney's cover-up futhered the misrepresentation before the court, which was prejudicial to the administration of justice.

LESLIE RAY SMITH

Admitted: 1974; Burlington (Burlington County)
Disbarment By Consent - *99 N.J. 611 (1985)*
Decided: 6/13/1985

The Supreme Court of New Jersey Disbarred By Consent the respondent who admitted multiple post-*Wilson* misappropriations of clients' funds in the aggregate amount of approximately $127,000.

HOWARD M. STROGER

Admitted: 1969; Morristown (Morris County)
Disbarred - *100 N.J. 545 (1985)*
Decided: 10/7/1985

The Supreme Court of New Jersey disbarred respondent, who plead guilty in Superior Court, Law Division, Morris County, to embezzlement of $84,600 from an estate in violation of *N.J.S.A. 2A:102-2* and *N.J.S..A 2A:102-5*.

FURMAN L. TEMPLETON, JR.

Admitted: 1966; East Orange (Essex County)
Suspended for 5 Years - *99 N.J. 365 (1985)*
Decided: 6/6/1985 Effective: 9/9/1980

The Supreme Court of New Jersey held that an attorney's pattern of neglect and failure to carry out contracts of employment in 8 cases extending over a prolonged period of time (6 clients having been reimbursed by the Clients' Security Fund a total of $9,150 due to wholly unearned retainers and 2 other matters involving misrepresentation and a malpractice judgment), along with his failure to maintain proper trust and business records in accordance with *R.1:21-6* and his failure to answer formal ethics complaints and to cooperate with the ethics committee, warrants a 5 year suspension from the practice of law retroactive to September 9, 1980, the date of his temporary suspension from practice. Any reistatement application will be granted only upon compliance with stringent requirements designed to protect the public against further transgressions.

ROBERT S. TEMPLIN

Admitted: 1972; Medford (Burlington County)
Suspended for 1 Year - *101 N.J. 337 (1985)*
Decided: 12/10/1985

The Supreme Court of New Jersey held that suspension from the practice of law for one year, and until respondent demonstrates, through medical and psychiatric evidence, that he is capable of practicing law, was the appropriate discipline for respondent who had been found guilty of failure to carry out contracts of employment and a pattern of neglect in his mishandling of four separate cases from 1979 through 1983.

RICHARD K. WEINROTH

Admitted: 1969; Trenton (Mercer County)
Public Reprimand - *100 N.J. 343 (1985)*
Decided: 8/7/1985

The Supreme Court of New Jersey determined that a public reprimand was the proper discipline for an attorney who agreed to return $5,000 out of a total legal fee of $100,000 to his client, knowing that the money was to be paid to a non-lawyer (here, a State Senator) for having brought the client and the law firm together, in violation of disciplinary rules prohibiting fee splitting with non-lawyers. (The State Senator was previously publicly reprimanded for his part in the transaction by the Joint Legislative Committee of the New Jersey Legislature.)

KERRY DAVID WILENSKY

Admitted: 1977; Irvington (Essex County)
Disbarment By Consent - *100 N.J. 678 (1985)*
Decided: 9/5/1985

The Supreme Court of New Jersey Disbarred By Consent an attorney who was convicted in the United States District Court for the District of New Jersey, of conspiracy to obstruct justice, willful obstruction of justice by paying money to the wife of a witness in exchange for that witness' agreement to withhold information, and bribery to obstruct and prevent that witness' communication with agents of the Drug Enforcement Agency in violation of *18 U.S.C. §371, 18 U.S.C. §1503 and 18 U.S.C. §1510*.

ROBERT C. YACAVINO

Admitted: 1974; Pompton Plains (Morris County)
Suspended for 3 Years - *100 N.J. 50 (1985)*
Decided: 7/16/1985 Effective: 8/1/1985

The Supreme Court of New Jersey held that respondent's repeated misrepresentations to clients in order to hide his grossly negligent failure to pursue a contract of employment for a year and a half in securing stepfather adoptions, capped by his preparation and delivery to the clients of two false court orders purporting to grant the adoptions, warranted a suspension from the practice of law for a period of three years. Respondent's reinstatement is to be granted only upon stringent conditions sufficient to protect the public from further transgressions.

HAROLD ZWEIG

Admitted: 1949; North Bergen (Hudson County)
Disbarment By Consent - *98 N.J. 615 (1985)*
Decided: 3/12/1985

The Supreme Court of New Jersey Disbarred By Consent an attorney who plead guilty in the Superior Court, Law Division, Union County, to theft by deception of less than $200 from various insurance carriers in violation of *N.J.S.A. 2C:20-4a* and *N.J.S.A. 2C:2-6*.

1984

NORMAN M. ABRAMS

of Somerdale (Camden County)
Resignation With Prejudice - *97 N.J. 706 (1984)*
Decided: 7/2/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent who (1) pleaded guilty in the Superior Court, Law Division, Camden County to an indictment charging Theft By Failure to Make Required Disposition of $1,500 in client trust funds (*N.J.S.A. 2C:20-9*), (2) pleaded guilty in Montgomery County, Pennsylvania to numerous instances of Theft by Deception and by Unlawful Taking or Disposition in the amount of $256,083.25, forgery and bad checks, and (3) was disbarred on consent by the Pennsylvania Supreme Court.

MONROE ACKERMAN

of Short Hills (Essex County)
Suspension for 2 Years - *95 N.J. 147 (1984)*
Decided: 1/26/1984 Effective: 2/20/1984

The Supreme Court of New Jersey determined that in the practice of law there must be a rational accommodation of a busy trial practice and the legitimate demands of individual clients to the end that the clients' interests do not suffer (the conventional remedies of increasing staff and reducing the volume of business immediately suggest themselves as practical approaches – doubtless there are others.) Here the respondent's failure to have made such an accommodation was demonstrated by ethical infractions, involving a pattern of delay, lack of communication and neglect that suggests a possible medical or psychiatric dysfunction, and respondent was therefore suspended for two years and until he presents medical and psychiatric evidence of his capacity to return to the practice of law.

DENIS G. ADDONIZIO

of Brick (Ocean County)
Suspension for 3 Months - *95 N.J. 121 (1984)*
Decided: 1/6/1984 Effective: 1/30/1984

The respondent entered a plea of guilty to criminal sexual contact, a crime of the fourth degree [*N.J.S.A. 2C:14-3(b)*]. The Supreme Court of New Jersey held that, since such a conviction arose indirectly from a lawyer-client relationship but was not directly related to the practice of law, a three month suspension was warranted where the conviction represented an isolated instance unlikely to reoccur and where the offense was aberrational and not the product of a diseased mind.

MALCOLM L. BLOCK

of Cherry Hill (Camden County)
Resignation With Prejudice - *95 N.J. 632 (1984)*
Decided: 2/16/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent who had been convicted in the United States District Court for the Eastern District of Pennsylvania on charges of aiding and abetting, conspiracy, mail fraud, interstate transportation in aid of racketeering (arson) and racketeer influenced corrupt organizations.

HAROLD A. CAPONE

of Cliffside Park (Bergen County)
Resignation With Prejudice - *96 N.J. 697 (1984)*
Decided: 5/16/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent who admitted that he could not successfully defend pending disciplinary charges alleging misappropriation of $61,000 in client trust funds.

PETER J. CORUZZI

of Haddonfield (Camden County)
Disbarred - *98 N.J. 77 (1984)*
Decided: 12/6/1984 Effective: Immediately

The Supreme Court of New Jersey held that a criminal conviction of a Superior Court Judge for bribery while in office in exchange for his promises not to impose custodial sentences in two criminal cases and, in one other, his promise to change a

custodial sentence to a non-custodial one, warranted disbarment.

ROBERT A. DEL SORDO

of Runnemeade (Camden County)
Suspension for 1 Year - *96 N.J. 133 (1984)*
Decided: 5/23/1984 Effective: 6/11/1984

The Supreme Court of New Jersey held that respondent's guilty plea to accusation charging him with engaging in the business of buying, selling and dealing in motor vehicles without being authorized (*N.J.S.A. 39:10-19*), together with additional proofs, demonstrated that respondent, as Municipal Court Judge, used that office to attempt to obtain an advantage for himself and his clients by establishing a used car business in which he had a financial interest, all in violation of the zoning ordinance of the municipality that he served. The respondent was suspended for a period of one year.

JOHN A. ESPOSITO

of Union City (Hudson County)
Suspension for 6 Months - *96 N.J. 122 (1984)*
Decided: 5/8/1984 Effective: 5/28/1984

The Supreme Court of New Jersey held that a guilty plea to criminal charges of failing to pay federal income and social security taxes on behalf of employees (*26 U.S.C.A. § 7203*) warrants a 6 month suspension from the practice of law in view of the fact that the crime was not marked by any attempt at personal gain.

ALEXANDER FEINBERG

of Cherry Hill (Camden County)
Resignation With Prejudice - *96 N.J. 690 (1984)*
Decided: 4/30/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent who was convicted in federal "ABSCAM" trial of conspiracy, bribery of a public official, receipt of an unlawful gratuity, solicitation of unlawful compensation to members of congress and interstate travel in aid of racketeering enterprises.

DAVID FRIEDLAND

of Jersey City (Hudson County)
Disbarred - *95 N.J. 170 (1984)*
Decided: 1/31/1984 Effective: Immediately

The Supreme Court of New Jersey held that an attorney's conviction on seven federal felony counts, including soliciting $360,000 in kickbacks in return for influencing decisions on investments of his client, a pension fund, income tax violations and attempting to influence a witness mandated disbarment.

JACOB FRIEDLAND

of Jersey City (Hudson County)
Disbarred - *95 N.J. 167 (1984)*
Decided: 1/31/1984 Effective: Immediately

The Supreme Court of New Jersey held that conviction of seven federal felonies, including conspiring to solicit and receive kickbacks, soliciting and receiving $360,000 in kickbacks in return for influencing decisions on investment of assets of client, traveling and causing to travel with intent to promote and facilitate bribery, endeavoring to influence witness, and making and subscribing false joint income tax returns, all in violation of federal law, warrants disbarment.

LAWRENCE M. FRIEDMAN

of Howell (Monmouth County)
Resignation With Prejudice - *97 N.J. 716 (1984)*
Decided: 9/181984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent, who pleaded guilty in the Superior Court, Law Division, Monmouth County to an accusation charging him with Theft By Unlawful Taking or Disposition [*N.J.S.A. 2C:20-1*] of some $300,000, a crime of the second degree.

JOSEPH W. GALLAGHER

of Jersey City (Hudson County)
Disbarred - *96 N.J. 54 (1984)*
Decided: 4/13/1984 Effective: Immediately

The Supreme Court of New Jersey held that multiple pre-*Wilson* instances of misappropriation of client trust funds of more than $52,000 combined with several instances of neglect and failures to carry out contracts of employment requires disbarment.

HAROLD I. GARBER

of Atlantic City (Atlantic County)
Suspension for 1 Year - *95 N.J. 597 (1984)*
Decided: 3/28/1984 Effective: 4/16/1984

The Supreme Court of New Jersey held that respondent engaged in egregious conflict of interest when he represented an eyewitness in a murder case who recanted his identification of the defendant while respondent at the same time represented the defendant in an unrelated municipal court matter. An additional aggravating factor was defendant's reputed organized crime connections and the fact that respondent and defendant's uncle, also a reputed organized crime figure, maintained a public association. Such conduct, the Court found, was prejudicial to the administration of justice and warranted suspension for 1 year from the practice of law.

FRANCIS T. GLEASON, JR.

of Somerville (Somerset County)
Suspension for 18 Months - *96 N.J. 1 (1984)*
Decided: 3/8/1984 Effective: 3/2/1982

The Supreme Court of New Jersey adopted the Disciplinary Review Board's determination that a respondent's pre-*Wilson* misappropriation of trust funds during 1975 and 1976 in an estate matter warranted an 18 month suspension from the practice of law.

MICHAEL GOLD

of Flemington (Hunterdon County)
Disbarred - *98 N.J. 53 (1984)*
Decided: 12/3/1984 Effective: Immediately

The Supreme Court of New Jersey disbarred an attorney who pled guilty to two counts of misapplication of entrusted property (*N.J.S.A. 2C:21-15*) before the Superior Court, Law Division, Mercer County involving over $52,300 of trust funds.

FRANKLIN A. GOLDSTEIN

of Asbury Park (Monmouth County)
Disbarred - *97 N.J. 545 (1984)*
Decided: 11/9/1984 Effective: Immediately

The Supreme Court of New Jersey held that gross neglect and a pattern of neglect in 11 matters, and misrepresentations to clients, coupled with misrepresentations to the District Ethics Committee and to the Disciplinary Review Board regarding respondent's voluntary limitation of his criminal practice pending the outcome of ethics proceedings, in addition to the giving of legal advice to clients after later being temporarily suspended from practice, warrants disbarment.

THOMAS F. GRACE, JR.

of Stratford (Camden County)
Resignation With Prejudice - *97 N.J. 721 (1984)*
Decided: 10/16/1984 Effective: Immediately

The Supreme Court accepted the Resignation With Prejudice of respondent who admitted he could not successfully defend allegations in eleven pending matters charging neglect, gross neglect, pattern of neglect and failure to carry out contracts of employment entered into with clients for professional services.

STEVEN P. HAFT

of Parsippany (Morris County)
Public Reprimand - *98 N.J. 1 (1984)*
Decided: 11/5/1984 Effective: Immediately

The Supreme Court publicly reprimanded an attorney who accepted an assignment from the Office of Public Defender to prepare an appellate brief for a convicted murder in 1976. Despite being directed three times to do so by the Appellate Division in 1977 and being fined three times in a total amount of $175, he failed to file the brief. Respondent failed to reply to a fourth order of the court to appear before it in 1978 without any excuse where upon he was relieved as counsel.

THOMAS J. HOLLERAN

of Newark (Essex County)
Resignation With Prejudice - *94 N.J. 640 (1984)*
Decided: 1/3/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent who admitted that he could not successfully defend pending disciplinary charges alleging misappropriation and misuse of clients' trust funds.

ROBERT A. HOLLIS

of Hackensack (Bergen County)
Suspension for 3 Years - *95 N.J. 253 (1984)*
Decided: 2/3/1984 Effective: 1/21/1982

The Supreme Court of New Jersey held that a respondent's egregious lack of diligence evidenced by repeated failures to prosecute actions on behalf of clients, his failure to record a mortgage, failure to supply inventory of all pending cases to a proctor for his law practice, and his failure to promptly pay client's mortgagee out of trust account warranted suspension from practice of law for period of three years,

LOUIS P. INTROCASO

of Allenhurst (Monmouth County)
Suspension for 1 Year - *96 N.J. 142 (1984)*
Decided: 5/16/1984 Effective: Immediately

The Supreme Court of New Jersey held that respondent's failure to file and to carry through to conclusion a potential litigated matter entrusted to him, together with misrepresentations as to the existence of the matter both to the client and to the district ethics committee, constituted gross neglect, failure to represent a client zealously as well as conduct which adversely reflected upon respondent's fitness to practice law and required suspension from practice for a period of one year.

HOWARD L. JACOB, III

of Springfield (Union County)
Disbarred - *95 N.J. 132 (1984)*
Decided: 1/24/1984 Effective: Immediately

The Supreme Court of New Jersey held that a respondent's continuing and substantial post-*Wilson* misappropriations of clients' funds of approximately $30,000 (for which he made full restitution) were persistent and purposeful, and that his doctor's medical report (alleging a casual connection between thyrotoricosis and theft of funds) did not furnish any basis grounded in firmly established medical facts for a legal excuse or justification; mitigation was unavailing in these circumstances and respondent was disbarred.

THEODORE J. KAZLOW

of Villas (Cape May County)
Disbarred - *98 N.J. 9 (1984)*
Decided: 11/9/1984 Effective: Immediately

The Supreme Court of New Jersey held that the unauthorized and wholly undocumented investment of client funds ($65,000) in a small private corporation which later became insolvent, together with clear evidence of the unauthorized use of almost $2,7,00 for the purpose of running the lawyer's office, constituted post-*Wilson* misappropriations and therefore mandated disbarment.

JOHN R. KNOX

of Andover (Sussex County)
Suspension for 3 Years - *97 N.J. 64 (1984)*
Decided: 7/13/1984 Effective: Immediately

The Supreme Court of New Jersey held that pre-*Wilson* misappropriation of (1) $20,000 (since repaid) from one client, and (2) various trust fund shortages from 1974 – 1979, ranging from $1.38 to $27,859.74, warrants suspension from practice of law for a period of 3 years. The Court noted, however, that had the respondent's transgressions occurred after the *Wilson* decision, he would have been disbarred.

RALPH W. LABENDZ

of Parsippany (Morris County)
Suspension for 1 Year - *95 N.J. 273 (1984)*
Decided: 2/9/1984 Effective: 2/27/1984

The Supreme Court of New Jersey determined that a respondent's knowing participation in an attempt to perpetrate a fraud upon a federally insured savings and loan association by making misrepresentations on a mortgage application in order to obtain a mortgage for his client warranted suspension from practice for one year.

JOHN L. LEHET

of Trenton (Mercer County)
Disbarred - *95 N.J. 466 (1984)*
Decided: 3/9/1984 Effective: Immediately

The Supreme Court held that respondent's flagrant disregard for his responsibility to segregate clients' trust funds from his own and to comply with the recordkeeping requirements of *R. 1:21-6* as well as both pre and post-*Wilson* instances of misappropriation warrents disbarment..

JAMES A. LYNCH, III

of Newark (Essex County)
Resignation With Prejudice - *97 N.J. 708 (1984)*
Decided: 7/12/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent who pleaded guilty in the Superior Court, Law Division, Essex County to an Accusation charging him with Embezzlement (*N.J.S.A. 2A:102-5*) and Third Degree Theft By Failure to Make Required Disposition of Property Received (*N.J.S.A. 2C:20-9*) involving $47,485.88.

MARTIN S. MANDON

of Wayne (Passaic County)
Resignation With Prejudice - *97 N.J. 707 (1984)*
Decided: 7/10/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent who admitted that he could not successfully defend pending disciplinary charges alleging misappropriation over $100,000 of trust funds in an estate matter.

HAROLD L. MARKS

of Englewood (Bergen County)
Disbarred - *96 N.J. 30 (1984)*
Decided: 4/13/1984 Effective: Immediately

The Supreme Court of New Jersey held that a post-*Wilson* misappropriation of nearly $50,000 of client trust funds in a real estate transaction, together with a pattern of utilizing client funds to pay off other client obligations and failing to keep required trust account records, mandates disbarment despite assertions that misappropriations were taken in response to several financial pressures.

JOHN M. MIELE

of Madison (Morris County)
Resignation With Prejudice - *97 N.J. 716 (1984)*
Decided: 9/18/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent who had been found guilty by a district ethics committee in nine separate presentments of gross neglect, pattern of neglect (e.g. allowing statute of limitations to run and allowing default judgments to be entered against clients), failure to communicate with clients

and other counsel, failure to turn over clients' files, failure to protect clients' interests and making misrepresentations to clients and other counsel. Respondent further admitted that he could not successfully defend nine other ethics grievances which had not yet been adjudicated; those grievances alleged misappropriation of clients' funds as well as art works and jewelry, fraud and deceipt in the handling of a client's matter and practicing law while under an Order of Suspension.

WILLIAM V. MUSTO

of Union City (Union County)
Disbarment By Consent - *98 N.J. 600 (1984)*
Decided: 12/10/1984 Effective: Immediately

The Supreme Court of New Jersey Disbarred By Consent an attorney who had been convicted of racketeering, conspiracy, mail fraud, wire fraud, extortion, filing false income tax returns and interstate travel in aid of racketeering in connection with a scheme to obtain more than $440,000 in kickbacks and bribes from the budgets of local housing construction projects and school renovation programs.

JAMES D. NICHOLS

of New Brunswick (Middlesex County)
Public Reprimand - *95 N.J. 126 (1984)*
Decided: 1/10/1984 Effective: Immediately

The Supreme Court of New Jersey held that attempting to purchase property from client and client's estranged wife during divorce proceedings in which wife was separately represented, renting the property without authority of either client or his wife by misrepresenting true ownership to tenants, and failing thereafter to advise wife or her attorney of the rental warrants public reprimand.

PATRICK E. PAVILONIS

of Broomall (Pennsylvania)
Indefinite Suspension - *98 N.J. 36 (1984)*
Decided: 11/27/1984 Effective: Immediately

The Supreme Court of New Jersey held that an attorney who was disbarred in Pennsylvania for fraudulently taking the Pennsylvania bar examination for his wife, who had twice failed the examination, warranted an indefinite suspension from the practice of law in this State with any application for reinstatement here conditioned upon the passage of 5 years plus successful restoration of his license to practice law in Pennsylvania.

JOSEPH S. REYNOLDS

of Forked River (Ocean County)
Resignation With Prejudice - *97 N.J. 721 (1984)*
Decided: 10/9/1984 Effective: Immediately

The Supreme Court accepted the Resignation With Prejudice of respondent who admitted he could not successfully defend allegatons of misuse of trust funds in an estate matter and fraud in the alteration of a title search report.

BARRY A. ROSENSTEIN

of Ventnor (Atlantic County)
Resignation With Prejudice - *95 N.J. 626 (1984)*
Decided: 1/9/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of a respondent who had pleaded guilty in New Jersey to a third-degree crime of promoting prostitution [*N.J.S.A. 2C:34-1b(1), (2) & (3)*], pleaded nolo contendere in Georgia to a felony of financial transaction card theft and a misdemeanor of attempted financial transaction card fraud and who admitted that he could not successfully defend pending disciplinary charges alleging misappropriation of client trust funds and entering into an improper business relationshiop with a client.

SCOTT L. SALIT

of Plainfield (Union County)
Public Reprimand - *95 N.J. 140 (1984)*
Decided: 1/22/1984 Effective: Immediately

The Supreme Court of New Jersey held that the respondent's failure to carry out contracts of employment, failure to maintain business and trust accounts properly, failure to cooperate in ethics proceeding, and all-inclusive listing of services in letter to members of county education association that was likely to create unjustified expectation warrants public reprimand and suspension from private practice of law unless preceptor oversees practice.

CARL J. SLAVINSKI

of Pennsauken (Camden County)
Resignation With Prejudice - *94 N.J. 640 (1984)*
Decided: 1/3/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent who pleaded guilty in the Superior Court, Law Division, Burlington County to an accusation charging possession of various controlled dangerous substances, including methamphetamine, cocaine, diazepam and marijuana, with intent to distribute in violation of *N.J.S.A. 24:21-19B*.

HILTON L. STEIN

of Riverdale (Morris County)
Suspension for 6 Months - *97 N.J. 550 (1984)*
Decided: 11/5/1984 Effective: Immediately

The Supreme Court of New Jersey suspended the respondent from the practice of law for six months when it found him guilty of engaging in a pattern of neglect in three matters over a period of a total of three years, and also found that in a fourth case he negotiated a money settlement with a victim on behalf of the criminal-defendant in exchange for the victim's request to dismiss the criminal charges, without disclosing the true reason for dismissal to the municipal court judge.

VINCENT L. VERDIRAMO

of Jersey City (Hudson County)
Suspension for 7 ½ Years - *96 N.J. 183 (1984)*
Decided: 5/31/1984 Effective: 1/1/1977

The Supreme Court of New Jersey held that a guilty plea to criminal charges of obstruction of justice in attempting to persuade a prospective witness to testify falsely before a grand jury (*18 U.S.C. § 1503*) warrants a suspension from practice for 7 ½ years, retroactive to the date of his original interim temporary suspension, under the special circumstances present in the case.

HARRISON A. WILLIAMS, JR.

of Bedminster (Somerset County)
Resignation With Prejudice - *97 N.J. 712 (1984)*
Decided: 9/14/1984 Effective: Immediately

The Supreme Court of New Jersey accepted the Resignation With Prejudice of respondent who was convicted in federal "ABSCAM" trial of nine (9) federal felonies, including 2 counts each of bribery [*18 U.S.C. §201(c)*], criminal gratuity [*18 U.S.C. §201(9)*], conflict of interest [*18 U.S.C. §203*], interstate travel for an unlawful activity [*18 U.S.C. §1952*] and one count of conspiracy to defraud the United States [*18 U.S.C. §201 and 203*].

NATHAN ZINADER

of Bayonne (Hudson County)
Resignation With Prejudice - *95 N.J. 633 (1984)*
Decided: 2/22/1984 Effective: 3/15/1984

The Supreme Court of New Jersey accepted the Resignation With Prejudice of the respondent who indicated that he could not successfully defend pending disciplinary charges alleging that he altered a will and codicil and then committed perjury in the course of an ensuing will contest proceeding.