

## NOTICE TO THE BAR

### Re: Defaults Scheduled for Review by the Disciplinary Review Board

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

In the Matter of Russell T. Kivler  
Docket No. DRB 06-187  
District Docket No. VII-05-013E

In the Matter of Richard R. Thomas  
Docket No. DRB 06-182  
District Docket Nos. XIV-05-221E; XIV-04-564E

In the Matter of Edward F. Mitchell  
Docket No. DRB 06-198  
District Docket Nos. XIV-05-442E; XIV-05-443E; XIV-05-444E;  
XIV-05-445E; XIV-05-446E; XIV-05-447E; XIV-05-448E;  
XIV-05-449E; XIV-05-450E; XIV-05-490E; XIV-05-491E;  
and XIV-05-525E

In the Matter of Theodore F. Kozlowski  
Docket No. DRB 06-211  
District Docket No. XIV-05-399E

In the Matter of Thomas A. Giamanco  
Docket No. DRB 06-214  
District Docket No. XIV-05-0178E

These matters are scheduled to be reviewed by the Board on Thursday, September 21, 2006. R. 1:20-4(f) provides that an attorney-respondent's failure to timely file an answer "shall be deemed an admission that the allegations of the complaint are true and . . . provide sufficient basis for the imposition of discipline." Although chances for a successful motion are limited, a motion to vacate the default may be filed with the Board by no later than September 11, 2006. **MOTIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED BY THE BOARD.** The motion should specify why the attorney-respondent failed to file a timely answer (including lack of notice) and should set forth any claimed meritorious defenses to the ethics charge. The motion must also be simultaneously served on the Director of the Office of Attorney Ethics and, where appropriate, the district ethics committee responsible for the underlying ethics matter. A certification regarding that service must accompany any documents filed with the Board.

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

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

Dated: August 28, 2006  
Julianne K. DeCore  
Chief Counsel