## 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 John A. Misci, Jr. Docket No. DRB 10-222 District Docket No. IV-2008-0047E

In the Matter of Samuel Rak Docket no. DRB 10-246 District Docket No. IIB-2010-0001E

In the Matter of Daniel N. Shapiro Docket No. DRB 10-237 District Docket No. IIB-2009-0020E

In the Matter of Michele M. Simms Parris Docket No. DRB 10-251 District Docket Nos. XIV-2009-0252E & XIV-2010-0153E

In the Matter of Samuel Rak Docket No. DRB 10-260 District Docket No. IIB-2010-0002E

In the Matter of Saul A. Berkman Docket No. DRB 10-278 District Docket No. XIV-2008-0447E

These matters are scheduled to be reviewed by the Board on R. 1:20-4(f) provides that Thursday, October 21, 2010. an attorney-respondent's failure to timely file an answer "shall be deemed an admission that the allegations of the complaint are true . . . provide sufficient basis for the imposition of and discipline." Although chances for a successful motion are limited, a motion to vacate the default may be by filed with the Board by later than October 12, 2010. MOTIONS RECEIVED AFTER THE no 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.

Notice to the Bar Scheduled: October 21, 2010 Page Two

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

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

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

Dated: 9/23/10

/s/

Julianne K. DeCore Chief Counsel Disciplinary Review Board