

**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 Eugene M. La Vergne**  
Docket No. DRB 12-087  
District Docket No. XIV-2010-0665E

**In the Matter of Kenneth Harry Kell**  
Docket no. DRB 12-100  
District Docket No. IV-2011-0035E

**In the Matter of Terence John Dahl**  
Docket No. DRB 12-108  
District Docket No. IIA-2012-0002E

**In the Matter of Stuart David Felsen**  
Docket No. DRB 12-119  
District Docket No. XA-2011-0017E

These matters are scheduled to be reviewed by the Board on **Thursday, June 21, 2012**. 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 by filed with the Board **by no later than June 4, 2012. MOTIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED BY THE BOARD.** The motion should specify why the attorney-respondent failed to file a timely answer (including lack of notice) and should set forth any claimed meritorious defenses to the ethics charge. The motion must also be simultaneously served on the Director of the Office of Attorney Ethics and, where appropriate, the district ethics committee responsible for the underlying ethics matter. A certification regarding that service must accompany any documents filed with the Board.

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**Scheduled: June 21, 2012**

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

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

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

Dated: May 16, 2012

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Julianne K. DeCore  
Chief Counsel  
Disciplinary Review Board