

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 Richard Brett Kelly

Docket No. DRB 18-104

District Docket No. XIV-2017-0143E

In the Matter of James H. Wolfe, III

Docket No. DRB 18-107

District Docket No. XIV-2016-0776E

In the Matter of Cheri S. Robinson Williams

Docket No. DRB 18-111

District Docket No. XIV-2017-0162E

In the Matters of James Peter Byrne

Docket Nos. DRB 18-112 and DRB 18-127

District Docket Nos. XIV-2017-0165E, VI-2017-0010E

In the Matter of Marc Z. Palfy

Docket No. DRB 18-113

District Docket No. IX-2016-0002E

In the Matter of Jack Barry Phillips

Docket No. DRB 18-119

District Docket No. XIV-2017-0501E

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Scheduled: June 21, 2018

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These matters are scheduled to be reviewed by the Board on **Thursday, June 21, 2018**. 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 **May 24, 2018**. **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 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: 609-815-2920

Dated: April 27, 2018


Ellen A. Brodsky, Chief Counsel
Disciplinary Review Board