

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 Robert James Stack

Docket No. DRB 21-173
District Docket No. XIV-2021-0030E

In the Matter of Laurence H. Olive

Docket No. DRB 21-179
District Docket No. XIV-2020-0442E

In the Matter of Marc A. Spielberg

Docket No. DRB 21-181
District Docket No. XIV-2020-0443E

In the Matter of Brian Le Bon Calpin

Docket No. DRB 21-185
District Docket No. XIV-2020-0376E

In the Matter of Michele S. Austin

Docket No. DRB 21-191
District Docket No. XIV-2020-0219E

In the Matter of Brian J. Smith

Docket No. DRB 21-194
District Docket No. IV-2020-0012E

In the Matter of David Richard Cubby, Jr.

Docket No. DRB 21-205
District Docket No. XIV-2021-0016E

In the Matter of Donald William Becker

Docket No. DRB 21-207
District Docket No. IIA-2019-0020E

These matters are scheduled to be reviewed by the Board on **Thursday, November 18, 2021**. 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 **Tuesday, October 12, 2021**. 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

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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, E-Mail: DRB.MBX@njcourts.gov.



Dated: September 27, 2021

Johanna Barba Jones
Chief Counsel
Disciplinary Review Board