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SUPREME COURT OF NEW JERSEY



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September 25, 2000

Certified Mail - R.R.R. and Regular Mail

Frederick M. Testa, Esq.
704 Passaic Avenue
West Caldwell, New Jersey 07006

Re: In the Matter of Frederick M. Testa
Docket No. DRB 00-218
LETTER OF ADMONITION

Dear Mr. Testa:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, you were retained to represent Weichert Realty ("Weichert") in connection with its various claims for real estate commissions. One of the matters, Sitar Company and Williams Real Estate Co., Inc. v. Quinlan Properties, L.P. et al. ("Sitar"), was the subject of an appeal filed by you on February 23, 1998. Notwithstanding your representation to Weichert that the appellate brief was finished and ready to be filed, you unilaterally decided not to file it, without first consulting with your client. Your conduct was unethical and in violation of RPC 1.2(a) and RPC 1.3.

In imposing only an admonition, the Board considered that no disciplinary infractions have been sustained against you since your admission to the New Jersey bar in 1973.


Your conduct adversely reflected not only upon you as an attorney, but also upon all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. R. 1:20-15 (f) (4).

I/M/O Frederick M. Testa
DRB 00-218

A permanent record of this occurrence has been filed with the Clerk of the Supreme Court and the Board's office. Should you become the subject of any further discipline, it will be taken into consideration.

The Board has also directed that the costs of the disciplinary proceedings be assessed against you. An affidavit of costs will be forwarded under separate cover.

Very truly yours,



Robyn M. Hill

RMH:ms

c. Chief Justice Deborah T. Poritz
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Jeffrey M. Garrod, Esq., Respondent's counsel
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