

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

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June 2, 2009

Mark Neary, Clerk
Supreme Court of New Jersey
P.O. Box 970
Trenton, New Jersey 08625-0962

Re: In the Matter of James H. Wolfe, III
Docket No. 09-018
District Docket No. VB-2005-0006E
CORRECTED LETTER

Dear Mr. Neary:

The Disciplinary Review Board reviewed the motion for discipline by consent (reprimand) filed by the District VB Ethics Committee pursuant to R. 1:20-10(b). Following a review of the record, the Board determined to grant the motion and to order respondent to make restitution to his client, Andaiye Foluke. In the Board's view, a reprimand is the appropriate discipline for respondent's violations of RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), and RPC 1.4(b) (failure to communicate with the client). Specifically, respondent filed a civil complaint on behalf of Foluke, but failed to oppose the defendants' motion to dismiss the complaint, resulting in its dismissal. Afterwards, Foluke had difficulty communicating with respondent.


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In granting the motion, the Board considered that, although respondent has an ethics history (an admonition, two reprimands, and a three-month suspension), more than thirteen years have elapsed since he was retained in the present matter, that he disclosed the case's dismissal to Foluke, and that he offered to make restitution to her.

Enclosed are the following documents:

1. Notice of motion for discipline by consent, dated November 6, 2008.
2. Stipulation of discipline by consent, dated October 28, 2008.
3. Affidavit of consent, undated.
4. Ethics history, dated May 8, 2009.

Very truly yours,


Julianne K. DeCore
Chief Counsel

/sw

Encls.

C: Louis Pashman, Chair, Disciplinary Review Board
Charles Centinaro, Director, Office of Attorney Ethics
Rubin M. Sinins, Chair, District VB Ethics Committee
Seth Ptasiewicz, Secretary, District VB
Ethics Committee
James H. Wolfe, III, Respondent
Andaiye Foluke, Grievant