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October 21, 1998

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

William C. Herrmann, Esq.
66 Reckless Place
Red Bank, New Jersey 07701

Re: In the Matter of William C. Herrmann
Docket No. DRB 98-276
LETTER OF ADMONITION

Dear Mr. Herrmann:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, in March 1996 you were retained by Diosia Law to represent her before the Middletown Township Planning Board for a subdivision application. After a retainer agreement was signed, you did not file an application for a subdivision. Thereafter, in response to an application filed by the Laws, the Township denied their request for a subdivision and informed them that certain approvals from the Township Board had to be obtained. Once the Laws became aware of the Township's action, for a period of four months Mrs. Law attempted to contact you by phone and by "fax," to no avail. Following a meeting with you in October 1996, the Laws signed a new retainer agreement requiring you to start litigation on their behalf. In total, the Laws paid you \$3,425.00. Despite your duty to represent your clients' interests responsibly, you never filed a lawsuit on their behalf. In addition, even after the October 1996 meeting you did not communicate with Mrs. Law and also failed to promptly turn over her file to another attorney, as requested. Ultimately, the attorney received the file along with a refund for the unearned retainer. Your conduct in this matter was unethical and in violation of RPC 1.3 (lack of diligence), and RPC 1.4(a) (failure to communicate with a client).

In addition, in early 1995 you were retained by David Ruppe to file a malicious prosecution suit. Although the defendant never answered the complaint, you did not request the entry of a

I/M/O William C. Herrmann
DRB 98-276

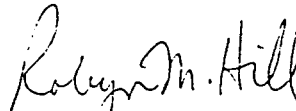
default. Ultimately, the complaint was dismissed for lack of prosecution. You failed to communicate this development to your client and also failed to reply to his numerous attempts to determine the status of the case. Your conduct in this matter was improper and in violation of RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence) and RPC 1.4(a) (lack of communication with a client).

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).

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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Lee M. Hymerling, Chair
Disciplinary Review Board
David E. Johnson, Jr., Director
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District IX Ethics Committee
Jamie S. Perri, Secretary
District IX Ethics Committee
Diosa Law
David K. Ruppe