

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
DOCKET NO. DRB 97-269

IN THE MATTER OF :
 :
MANOS M. LAMPIDIS, :
 :
AN ATTORNEY AT LAW :
 :

Decision
Default [R.1:20-4(f)(1)]

Decided: March 19, 1998

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey.

Pursuant to R.1:20-4(f)(1), the District IIB Ethics Committee ("DEC") certified the record in this matter directly to the Board for the imposition of discipline, following respondent's failure to file an answer to the formal ethics complaint. Notice of the proceeding was published in the New Jersey Lawyer on February 17, 1997.

Respondent was admitted to the New Jersey bar in 1972. During the times relevant to this matter, respondent maintained law offices in Teaneck and West New York, New Jersey. Respondent has no history of discipline.

The complaint charged that Christina Topouzis retained respondent in June 1992 to file a personal injury suit in her behalf. Respondent filed a complaint on May 27, 1995. The complaint was served on the defendant, who filed an answer. Thereafter, respondent failed to pursue discovery in the matter.

According to the complaint, on various occasions from November 1994 through May 1995 Topouzis unsuccessfully attempted to contact respondent to obtain information on the status of the lawsuit. Although she telephoned respondent, she was unable to reach him because his telephone number had been changed to a "non-published" number. Topouzis also wrote to respondent, but received no reply. Topouzis subsequently retained another attorney to represent her.

In June 1995 the DEC investigator forwarded a copy of Topouzis' grievance to respondent at both of his New Jersey offices. The letters were returned undelivered. According to a statement of procedural history contained in the record, respondent had moved and left no forwarding address.

The DEC investigator later learned that respondent had relocated to New York. In July 1995, the investigator forwarded a copy of the grievance to respondent at his New York address. According to the complaint and the statement of procedural history, respondent wrote to the investigator in August 1995 about the status of the case. Respondent stated that, because of illness, he was not practicing law and did not intend to resume his practice until he fully recovered. Thereafter, in October and November 1995, the presenter sought

additional information from respondent, to no avail.

As a result of the foregoing, the complaint charged that (1) respondent's failure to pursue discovery and otherwise protect his client's interest in the lawsuit violated RPC 1.1(a) (gross neglect) and RPC 1.3 (lack of diligence); (2) respondent's failure to keep his client informed about the status of the matter violated RPC 1.4(a) (failure to communicate); and (3) respondent's failure to reply to the investigator violated RPC 8.1(b) (failure to respond to a lawful demand for information from a disciplinary authority).

* * *

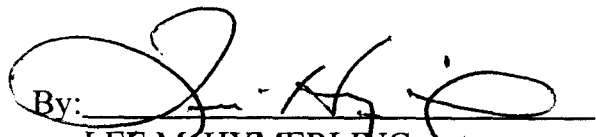
Following a de novo review of the record, the Board deemed the allegations of the complaint admitted. The record contains sufficient evidence to support a finding of unethical conduct.

Respondent filed suit in behalf of his client and then failed to take any further action. For approximately six months, respondent failed to reply to Topouzis' letters. She was also unable to contact respondent because his number had been changed to an unpublished number. She was, therefore, required to retain new counsel. Respondent's conduct, thus, violated RPC 1.1(a), RPC 1.3 and RPC 1.4(a). Also, respondent's failure to reply to the DEC investigator's requests for information violated RPC 8.1(b).

Generally, in matters involving similar violations, absent egregious circumstances, reprimands have been imposed. See In re Bildner, 149 N.J. 393 (1997) (reprimand for lack of diligence and failure to communicate for two years after client's matter was dismissed with prejudice); In re Hamilton 147 N.J. 459 (1997) (reprimand for failure to act diligently, failure to keep a client reasonably informed about the status of the matter and failure to cooperate with disciplinary authorities; respondent had been privately reprimanded for similar conduct); In re Wildstein, 138 N.J. 48 (1994) (reprimand for gross neglect and lack of diligence in two matters and failure to communicate in a third matter) and In re Gordon, 121 N.J. 400 (1990) (reprimand for gross neglect and failure to communicate in two matters). Here, too, a reprimand is adequate discipline for respondent's ethics offenses. The Board unanimously determined to impose a reprimand.

The Board further determined to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs.

Dated: 3/9/98

By: 
LEE M. HYMERLING
Chair
Disciplinary Review Board

SUPREME COURT OF NEW JERSEY

**DISCIPLINARY REVIEW BOARD
VOTING RECORD**

**In the Matter of Manos M. Lampidis
Docket No. DRB 97-269**

Decided: March 19, 1998

Disposition: Reprimand

Members	Disbar	Suspension	Reprimand	Admonition	Dismiss	Disqualified	Did not Participate
Hyerling			X				
Zazzali			X				
Brody			X				
Cole			X				
Lolla			X				
Maudsley			X				
Peterson			X				
Schwartz			X				
Thompson			X				
Total:			9				

By Robyn M. Hill 4/31/98
Robyn M. Hill
Chief Counsel