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February 21, 2018

VIA REGULAR MAIL AND E-MAIL

Lawrence W. Lindsay
c/o Teri S. Lodge, Esq.
10000 Lincoln Drive East
Suite 201
Marlton, New Jersey 08053

Re: In the Matter of Lawrence W. Lindsay

Docket No. DRB 17-419

District Docket No. IV-2016-0021E

LETTER OF ADMONITION

Dear Mr. Lindsay:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Following a review of the record, the Board determined to impose an admonition.

Specifically, on December 8, 2014, Giovanni Esposito and grievant Alfio Sorbello retained you to form a limited liability home improvement company, naming them equal partners. On December 11, 2014, they signed a retainer agreement that outlined the scope of your services. Thereafter, in November 2015, the partners had a disagreement over business operations. Mr. Esposito represented to you that Mr. Sorbello had taken substantially all of the company's funds for his personal use; and that, after Mr. Esposito froze the company account, Mr. Sorbello removed company equipment, books, and records, prompting Mr. Esposito to lock Mr. Sorbello out of the office. Thereafter, Mr. Esposito reported that Mr.

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Sorbello broke into the office to remove the remaining computers and company records.

Based on this information, you believed that, unless you acted immediately, the company would collapse; company contracts would be lost, making it impossible to service customers; and customer deposits would be irretrievably lost, exposing the partners and the company to civil lawsuits and possibly criminal prosecution. As a result, on November 18, 2015, without consulting or warning Mr. Sorbello, you filed a complaint in Superior Court Chancery Division, alleging theft, conversion, and breach of fiduciary duty, and seeking Mr. Sorbello's expulsion from the company, and the return of the property and money he had taken.

On November 20, 2015, the court issued an order to show cause with temporary restraints, enjoining and restraining Mr. Sorbello from destroying company records or documents, and requiring him to surrender immediately such documents to the company's accountant. Thereafter, you failed to return Mr. Sorbello's calls. As you were leaving the state for the Thanksgiving holiday, you instructed your staff to direct Mr. Sorbello to put all communications to you in writing.

On December 11, 2015, prior to the return date of the order to show cause, the parties met in your office to settle the matter. Mr. Esposito appeared with independent legal counsel; Mr. Sorbello appeared pro se. You prepared the settlement agreement, which the parties signed, and, thereafter, the litigation was dismissed.

The Board found that your representation of Mr. Esposito was directly adverse to Mr. Sorbello's interests, a violation of RPC 1.7(a); and that your failure to return Mr. Sorbello's telephone calls, after you filed the complaint, violated RPC 1.4(b).

In imposing only an admonition, the Board considered, in substantial mitigation that: (1) your legal career of thirty-seven years previously was unblemished; (2) you fully cooperated with ethics authorities and readily admitted wrongdoing; (3) you held a good faith belief that immediate action was necessary to protect the business and its customers from imminent and financial harm; (4) you also held a good faith belief that Mr. Esposito would be unable to obtain alternate counsel, around the holidays, in sufficient time to prevent irreparable harm to the company; (5) your conduct was not motivated by pecuniary benefit; (6) Mr. Sorbello was not substantially prejudiced as a result of the

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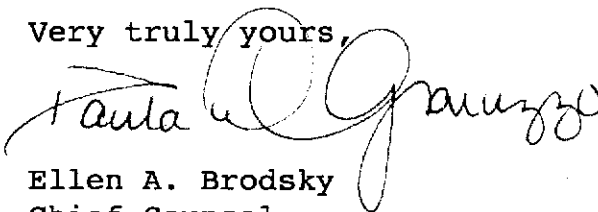
conflict; and (7) there was no evidence that you used confidential information to Mr. Sorbello's detriment.

Your conduct has 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 also has directed that the costs of the disciplinary proceedings be assessed against you. An invoice of costs will be forwarded under separate cover.

Very truly yours,

By: 
Ellen A. Brodsky
Chief Counsel

EAB/sl

c: Chief Justice Stuart Rabner
Associate Justices
Bonnie Frost, Chair, Disciplinary Review Board (e-mail)
Mark Neary, Clerk, Supreme Court of New Jersey
Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)
Charles Centinaro, Director, Office of Attorney Ethics (e-mail)
Isabel McGinty, Statewide Ethics Coordinator
Office of Attorney Ethics (e-mail)
Christopher L. Soriano, Chair, District IV Ethics Committee
Daniel Q. Harrington, Vice-Chair
District IV Ethics Committee (e-mail)
John M. Palm, Secretary
District IV Ethics Committee (regular mail and e-mail)
Ronald M. Katkocin, Presenter
District IV Ethics Committee (e-mail)
Alfio Sorbello, Grievant (regular mail)