

Book

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April 19, 1996

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

Mark D. Cubberley, Esq.
1701 Nottingham Way
Hamilton, New Jersey 08619

RE: In the Matter of Mark D. Cubberley
Docket No. DRB 96-090
LETTER OF ADMONITION

Dear Mr. Cubberley:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, after Elsbeth Lade filed a grievance against you with the district ethics committee, you failed to reply to the investigator's requests for information about the matter. It was only after the committee issued a subpoena duces tecum that you submitted the requested documents. In addition, you failed to reply to the investigator's two requests for a response to a grievance filed by Patricia A. Pavlov. Your conduct was unethical and in violation of RPC 8.1(b). The Board dismissed the balance of the allegations of the formal ethics complaint for lack of clear and convincing evidence of misconduct.

In imposing only an admonition, the Board considered that you filed an answer to the complaint and that you appeared at the committee hearing.

Your conduct adversely reflected not only upon you as an attorney but also upon all members of the bar. Accordingly, the

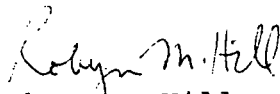
I/M/O Mark D. Cubberley
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Board has directed the issuance of this admonition to you. R.1:20-15(f)(4).

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/dm

c: Chief Justice Robert N. Wilentz
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Stephen J. Zielinski, Jr., Esq.,
Counsel for respondent
Elsbeth Lade, Grievant
Patricia A. Pavlov, Grievant