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December 30, 1996

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

Mitchell J. Kassoff, Esq.
2 Foster Court
S. Orange, New Jersey 07079

Re: In the Matter of Mitchell J. Kassoff
Docket No. DRB 96-182
District Docket No. VB-93-084E

LETTER OF ADMONITION

Dear Mr. Kassoff:

The Disciplinary Review Board has reviewed the above matter, and, following hearing, has concluded that your conduct was improper. Specifically, you were involved in a motor vehicle accident on June 5, 1993. The insurance carrier for Albert W. Caviness, the other driver, advised you that, given its belief that you were at fault for the accident, it was not willing to compensate you for damages. On that same date, June 18, 1993, you directed a letter to Caviness, indicating your intent to file criminal charges against him for assault, based on his actions towards you at the time of the accident. This letter was interpreted by Caviness as a threat that if he failed to share the expenses from the accident, you would "drag (him) through the court system". Within four days of the June 18 letter, you filed four motor vehicles charges against Caviness, as well as a criminal complaint for assault. Thereafter, on or about June 24, 1993, Caviness filed three motor vehicle charges against you. Ultimately, both you and Caviness appeared in court and reached an agreement to

drop all charges.

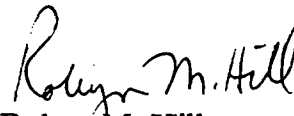
Although the DEC found several violations of the Rules of Professional Conduct, the Board concluded that your misconduct was limited to a violation of RPC 3.4(g), which provides that a lawyer shall not "present, participate in presenting, or threaten to present criminal charges to obtain an improper advantage in a civil matter." In the Board's view, both your letter and the subsequent filing of the complaint violated that rule. The Board did not accept your contention that you filed the charges in question because you believed Caviness was at fault and only after legal proceedings were commenced against you.

Your conduct was improper and in violation of RPC 3.4(g). 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

/ghv

cc: Chief Justice Deborah T. Poritz
Associate Justices
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Kenneth J. Cesta, Esq., Chair
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District VB Ethics Committee
Albert W. Caviness