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October 22, 2003

(CORRECTED LETTER)

CERTIFIED MAIL, R.R.R. & REGULAR MAIL

Edward D. Fagan, Esq.
301 S. Livingston Avenue
Suite 100
Livingston, New Jersey 07039

RE: In the Matter of Edward D. Fagan
Docket No. DRB 03-286
District Docket No. VC-02-001E
LETTER OF ADMONITION

Dear Mr. Fagan:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was unethical. Specifically, on or about June 1996, you were retained by Christine E. Foley in connection with a personal injury matter arising out of a motor vehicle accident that occurred in May 1996. Notwithstanding your obligation to keep your client informed about the status of the matter, you failed to adequately communicate with her, in violation of RPC 1.4(a).

In addition, prior to the filing of a formal ethics complaint in this matter, you entered into an agreement in lieu of discipline with the District VB Ethics Committee, pursuant to R.1:20-3(i), in which you stipulated that you violated RPC 1.4(a) and agreed to comply with all conditions of the diversionary program. You

failed, however, to attend the Diversionary Legal Education course. After your attorney notified you of the next scheduled course, you took no affirmative steps to attend it. Your conduct was improper and in violation of RPC 8.1(b).

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,



Julianne K. DeCore
Acting Chief Counsel

JKD/IF/paa

C: Chief Justice Deborah T. Poritz
Associate Justices
Stephen W. Townsend, Clerk, Supreme Court of New Jersey
Mary J. Maudsley, Chair, Disciplinary Review Board
David E. Johnson, Jr., Director, Office of Attorney Ethics
Judith D. Musser, Esq., Chair, District VC Ethics Committee
Angela A. Iuso, Esq., Secretary, District VC Ethics Committee
Kim Ringler, Esq., Respondent's Counsel
Christine Foley, Grievant