

# DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

MARY J. MAUDSLEY, ESQ., CHAIR  
WILLIAM J. O'SHAUGHNESSY, ESQ., VICE-CHAIR  
MATTHEW P. BOYLAN, ESQ.  
ROBERT C. HOLMES, ESQ.  
RUTH JEAN LOLLA  
LOUIS PASHMAN, ESQ.  
BARBARA F. SCHWARTZ  
HON. REGINALD STANTON  
SPENCER V. WISSINGER, III



RICHARD J. HUGHES JUSTICE COMPLEX  
P. O. BOX 962  
TRENTON, NEW JERSEY 08625-0962  
(609) 292-1011

JULIANNE K. DECORE  
CHIEF COUNSEL

ISABEL FRANK  
DEPUTY CHIEF COUNSEL

ELLEN A. BRODSKY  
LILLIAN LEWIN  
DONA S. SEROTA-TESCHNER  
COLIN T. TAMS  
KATHRYN ANNE WINTERLE  
ASSISTANT COUNSEL

February 6, 2004

## CERTIFIED MAIL – R.R.R. AND REGULAR MAIL

Terry J. Finkelstein, Esq.  
6 Cornwall Court, Suite D  
East Brunswick, NJ 08816-3347

RE: In the Matter of Terry J. Finkelstein  
Docket No. DRB 03-420  
**Motion for Discipline by Consent [R.1:20-10(b)]**

Dear Mr. Finkelstein:

The Disciplinary Review Board has reviewed the motion for discipline by consent (admonition) filed by the District VIII Ethics Committee in the above matter. After a review of the record, the Board determined to grant the motion and to issue a letter of admonition.

Specifically, in July 1995, you were retained by James Gieb to represent him in connection with an automobile accident that occurred that same month in New York. You did not provide him with a retainer agreement. After you filed a complaint in the matter, you did not reply to discovery requests. Although the case was eventually settled, you failed to send the appropriate releases to the insurance carrier. Eventually, you paid the settlement from your own funds. You also failed to provide information about the status of the matter, as requested. Your conduct was unethical and a violation of RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), and RPC 1.4(a) (failure to communicate with client).

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).

In the Matter of Terry J. Finkelstein

Docket No. DRB 03-420

Page 2

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  
Chief Counsel

JKD/LL/ns

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  
Timothy J. Little, Chair, District VIII Ethics Committee  
Manny Gerstein, Secretary, District VIII Ethics Committee  
James A. Geib, Grievant