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September 28, 2004

Via Certified Mail – R.R.R. and Regular Mail

Neal M. Pomper, Esq.
611 South Park Avenue
Highland Park, New Jersey 08904

Re: In the Matter of Neal M. Pomper
Docket No. DRB 04-216, District Docket No. VIII-03-015E
LETTER OF ADMONITION

Dear Mr. Pomper:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, in August 2001, you were retained by D. Esther Marcus in a post-dissolution matrimonial matter. You failed to prepare a written fee agreement, a violation of RPC 1.5(b) and Rule 5:3-5. In addition, after determining that the matter should be venued in New York, you consulted a New York attorney, with whom you agreed to share the legal fees from your client. Your failure to inform Ms. Marcus that you would be sharing your legal fees with that attorney violated RPC 1.5(e).

In imposing only an admonition, the Board considered that you believed that, because Ms. Marcus was a family friend, and because you had performed services for her in the past, you were not required to prepare a written fee agreement. Although the Board is aware that you received a private reprimand in 1986, the Board considered that that discipline is too remote in time and nature to warrant discipline stronger than an admonition.

In the Matter of Neal M. Pomper

Docket No. DRB 04-216

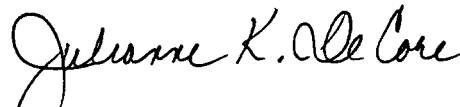
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Your conduct adversely reflected not only upon you as an attorney, but also upon all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. Rule 1:20-15(f)(4).

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 invoice of costs will be forwarded under separate cover.

Very truly yours,


Julianne K. DeCore
Chief Counsel

JKD:hs

c. Chief Justice Deborah T. Poritz
Associate Justices
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Mary J. Maudsley, Chair, Disciplinary Review Board
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Barry A. Weisberg, Chair, District VIII Ethics Committee
Manny Gerstein, Secretary, District VIII Ethics Committee
David Rubin, Esq., Respondent's Counsel
D. Esther Marcus, Grievant