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OF THE

SUPREME COURT OF NEW JERSEY



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November 2, 2001

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

R. Tyler Tomlinson  
Mylotte David & Fitzpatrick  
306 W. Somerdale Road  
Voorhees, New Jersey 08043

Re: In the Matter of R. Tyler Tomlinson  
Docket No. DRB 01-284  
**LETTER OF ADMONITION**

Dear Mr. Tomlinson:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, in July 1999 Rita and Daniel Murray retained your law firm to represent them in a Pennsylvania action seeking the return of \$950 for allegedly defective repair work done by a roofing contractor, Richard Eckert. Ms. Murray was an employee of your law firm. After Pennsylvania entered a default judgment against the defendant in the amount of \$963.50, you filed a motion in New Jersey to reduce the foreign judgment to a New Jersey judgment. That motion was denied because an application had been filed in the Pennsylvania courts to reconsider or reopen the judgment against the defendant. On the return date of the motion, at which your clients were not present, the court held a settlement conference instead. During settlement negotiations, you conditioned the resolution of the case to the dismissal of a grievance filed against you by the defendant's parents. Because they refused, no settlement was reached at the time. Your conduct in not taking an opportunity to discuss the settlement with your clients and, furthermore, in conditioning the settlement to the dismissal of the grievance against you, violated *RPC* 1.7(b).

I/M/O R. Tyler Tomlinson  
DRB 01-284

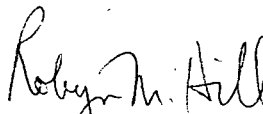
In imposing only an admonition, the Board considered that the record contains an affidavit from Ms. Murray stating that, under no circumstances, would she have settled the case unless the grievance against you were dismissed and, moreover, that as your co-worker she had the opportunity to discuss the case with you on numerous occasions.

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

RMH:ms

- c. Chief Justice Deborah T. Poritz  
Associate Justices  
Stephen W. Townsend, Clerk, Supreme Court of New Jersey  
Rocky L. Peterson, Chair, Disciplinary Review Board  
David E. Johnson, Jr., Director, Office of Attorney Ethics  
Juan Perez, Chair, District IV Ethics Committee  
Mark Kancher, Secretary, District IV Ethics Committee  
John Fitzpatrick, Respondent's Counsel  
Kathleen Eckert, Grievant