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# DISCIPLINARY REVIEW BOARD

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OF THE

## SUPREME COURT OF NEW JERSEY

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February 22, 2005

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

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c/o Peter Ventrice, Esq.  
Brause, Brause & Ventrice, L.L.C.  
276 Main Street, CN 4001  
Metuchen, New Jersey 08840-4001

Re: In the Matter of Anthony R. Atwell  
Docket No. DRB 05-023  
District Docket No. VB-02-049E  
**LETTER OF ADMONITION**

Dear Mr. Atwell:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, in 1996, you were retained by Rhynita Coram to assist her in the administration of her brother's estate. You promptly obtained letters of administration and a surety bond, and published a notice to creditors.

In late 2000, however, one of your employees lost the estate file. You did not apprise Coram of this circumstance. On five occasions, you had your secretary cancel scheduled appointments with Coram and her son, ostensibly because you were either unavailable or in court. In fact, you testified that you cancelled the meetings because you were looking for the mislaid file.

After Coram filed a grievance against you in August 2002, you finally disclosed the loss of the file to her. Your conduct was unethical and a violation of RPC 1.4(a).

I/M/O Anthony R. Atwell

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In addition, you delayed your attempts to reconstruct the file after its loss. Although the file was misplaced in late 2000, it was not until June 2003 that you undertook any reconstruction efforts. Your conduct in this regard violated RPC 1.3 (lack of diligence).

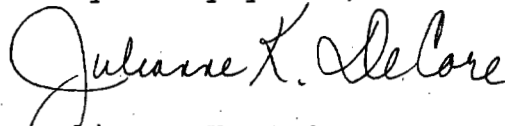
Although the Board considered, in aggravation, that your position as Irvington's Chief Municipal Judge required even stricter adherence to the ethics rules, the Board noted, in mitigation, that you admitted your wrongdoing and that no disciplinary infractions have been sustained against you since your admission to the New Jersey bar in 1979.

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 invoice of costs will be forwarded under separate cover.

Very truly yours,



Julianne K. DeCore  
Chief Counsel

/tk

c. Chief Justice Deborah T. Poritz  
Associate Justices  
Stephen W. Townsend, Clerk, Supreme Court of New Jersey  
Gail G. Haney, Deputy Clerk, Supreme Court of New Jersey  
(w/ethics history)  
Mary J. Maudsley, Chair, Disciplinary Review Board  
David E. Johnson, Jr., Director, Office of Attorney Ethics  
Cynthia M. Craig, Chair, District VB Ethics Committee  
Seth Ptasiewicz, Secretary, District VB Ethics Committee  
Rhynita A. Coram, Grievant