

Bank

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

LOUIS PASHMAN, ESQ., CHAIR
BONNIE C. FROST, ESQ., VICE-CHAIR
EDNA Y. BAUGH, ESQ.
MATTHEW P. BOYLAN, ESQ.
BRUCE W. CLARK, ESQ.
JEANNE DOREMUS
RUTH JEAN LOLLA
HON. REGINALD STANTON
SPENCER V. WISSINGER, III



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

February 26, 2009

JULIANNE K. DeCORE
CHIEF COUNSEL

ISABEL FRANK
DEPUTY CHIEF COUNSEL

ELLEN A. BRODSKY
FIRST ASSISTANT COUNSEL

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

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

Edward S. Kahn, Esq.
c/o M. Daniel Cantor, Esq.
Law Offices of Daniel Cantor
132 Franklin Corner Road
Lawrenceville, NJ 08648

RE: In the Matter of Edward S. Kahn
Docket No. DRB 08-364
District Docket No. XIV-06-511E
LETTER OF ADMONITION

Dear Mr. Kahn:

The Disciplinary Review Board reviewed the motion for discipline by consent (admonition), filed by the Office of Attorney Ethics in the above matter, pursuant to R. 1:20-10. Following a review of the record, the Board determined to grant the motion and to impose an admonition.

Specifically, on several occasions, you failed to promptly pay medical bills after your clients' cases were settled and also failed to promptly disburse funds belonging to your clients. Your conduct was unethical and a violation of RPC 1.15(b). You also violated RPC 1.15(a) when you commingled client and personal funds by not promptly removing earned legal fees from your trust account. Although you stipulated to a violation of R. 1:21-6(a)(2), RPC 1.15(a) is the applicable rule.

Page Two

In the Matter of Edward S. Kahn

In addition, you advanced personal funds to nineteen clients, albeit, in substantially all instances, the cases had already been settled and the settlement checks had already been endorsed by the clients. Your conduct was improper and a violation of RPC 1.8(e).

In imposing only an admonition, the Board considered that all funds have now been properly disbursed, that you have retained a certified public accountant to monitor your trust account, that you have been involved in many charitable activities, that you fully cooperated with the Office of Attorney Ethics, and that this is your first brush with the disciplinary system since your admission to the New Jersey bar in 1980.

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

Page Three

In the Matter of Edward S. Kahn

JKD/sj

c. Chief Justice Stuart Rabner
Associate Justices
Louis Pashman, Chair
Disciplinary Review Board
Stephen W. Townsend, Clerk
Supreme Court of New Jersey
Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)
Charles Centinaro, Director
Office of Attorney Ethics
Brian Schubel, Grievant