

2008
2008

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

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ASSISTANT COUNSEL

October 1, 2008

VIA CERTIFIED MAIL & R.R.R.

Brian J. Muhlbaier, Esq.
c/o Philip B. Seaton, Esq.
Blank & Rome, LLP
301 Carnegie Center - 3rd floor
Princeton, New Jersey 08540

In the Matter of Brian J. Muhlbaier

Docket No. DRB 08-165
District Docket No. I-06-033E
LETTER OF ADMONITION

Dear Mr. Muhlbaier:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. After a careful review of the record, the Board has determined to impose an admonition.

Specifically, in 2005 you represented Om Singhal in a number of collection cases. After the termination of the representation, you refused, for a period of months in 2006, to turn those files over to subsequent counsel, who had requested their return. You did so in an attempt to compel Mr. Singhal to pay about \$20,000 in outstanding legal fees. In so doing, you violated RPC 1.16(d). The Board dismissed the remaining charges against you for lack of clear and convincing evidence.

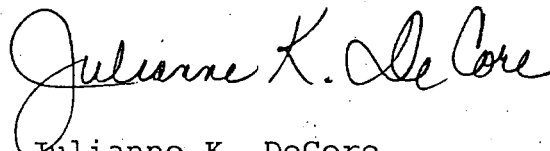
In mitigation, the Board considered that no disciplinary infractions have been sustained against you since your admission to the bar in 1999.

Your conduct has 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

JKD/sj

c: Chief Justice Stuart Rabner
Associate Justices
Stephen W. Townsend, Clerk, Supreme Court of New Jersey
Gail G. Haney, Deputy Clerk, Supreme Court of New Jersey
(w/ethics history)
Louis Pashman, Chair, Disciplinary Review Board
David E. Johnson, Jr., Director, Office of Attorney Ethics
Om Singhal, Grievant