

Back

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ASSISTANT COUNSEL

February 26, 2009

VIA CERTIFIED MAIL & R.R.R.

Michael P. Otto, Esq.
c/o Michael E. Quiat, Esq.
USCHER QUIAT USCHER & RUSSO, PC
433 Hackensack Avenue
Hackensack, NJ 07601

In the Matter of Michael P. Otto

Docket No. DRB 08-294

District Docket No. XIV-06-426E

LETTER OF ADMONITION

Dear Mr. Otto:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, you failed to oversee the law firm trust account over which you had full authority and control as a partner and signatory. By ignoring your duty to ensure the safety of your clients' funds, you unwittingly enabled your partner, Thomas Iszo, to repeatedly misappropriate trust account funds. Your conduct was unethical and a violation of RPC 1.15(a). In addition, your failure to ensure that your office complied with the recordkeeping requirements of R. 1:21-6 violated RPC 1.15(d).

In the Matter of Michael P. Otto

Page Two

The Board dismissed the charge that you violated RPC 5.1(a), as there was no evidence in the record that you either supervised or were supervised by Mr. Izso.

In mitigation, the Board considered that no disciplinary infractions have been sustained against you since your admission to the New Jersey bar in 1994.

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
Charles Centinaro, Director, Office of Attorney Ethics