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February 4, 2010

VIA CERTIFIED MAIL, R.R.R.; REGULAR MAIL

Fernando Iamurri, Esq.
Fernando Iamurri, PC
289 Stuyvesant Avenue
Lyndhurst, NJ 07071

Re: **In the Matter of Fernando Iamurri**
Docket No. DRB 09-334
District Docket No. XIV-08-460E
LETTER OF ADMONITION

Dear Mr. Iamurri:

The Disciplinary Review Board reviewed the motion for discipline by consent (reprimand or lesser discipline), filed by the Office of Attorney Ethics in the above matter. Following a review of the record, the Board determined to grant the motion and to impose an admonition.

Specifically, you agreed to provide legal services to Abreu Trucking Company ("Abreu"), collecting outstanding bills from the company's customers. In January 2007, you negotiated a settlement with Jorge Montez to pay his outstanding bill through incremental payments. Eight of the nine payments Montez made were mistakenly deposited into your business account, rather than your trust account. Abreu's funds were not disbursed to him from those eight payments.

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Between April and November 2007, your business account balance fell below the amounts due to Abreu from Montez, thereby causing a negligent misappropriation of Abreu's funds. Because you did not reconcile your trust account during that time, you did not notice the error until the Office of Attorney Ethics brought it to your attention. Your conduct was improper and a violation of RPC 1.15(a) and (d) and R. 1:21-6.


In determining to impose only an admonition, the Board took into account the numerous personal difficulties that you were experiencing during the time in question, as well as staff problems. The Board also noted the changes you have made in your office procedures to ensure that similar errors do not occur again in the future and your lack of prior discipline.

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,

By 
Julianne K. DeCore
Chief Counsel

JKD/sj

c: Chief Justice Stuart Rabner
Associate Justices
Louis Pashman, Chair
Disciplinary Review Board
Mark Neary, 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
Telmo Abreu, Grievant