

DISCIPLINARY REVIEW BOARD  
OF THE  
SUPREME COURT OF NEW JERSEY



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ASSISTANT COUNSEL

February 25, 2010

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

Morton S. Minsley, Esq.  
101 Fayette Street, 10th Floor  
New York, NY 10013

Re: In the Matter of Morton S. Minsley  
Docket No. DRB 09-360  
District Docket No. XIV-2008-0373E  
LETTER OF ADMONITION

Dear Mr. Minsley:

The Disciplinary Review Board reviewed the motion for discipline by consent (reprimand or such lesser discipline as the Board deems appropriate), 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, in November 1999, Raphael Gabriel retained you to represent him in a civil action against the City of East Orange and the East Orange Police Department. You filed a complaint on Gabriel's behalf approximately three weeks after the May 26, 2000 expiration of the statute of limitations, despite having Gabriel's file from his prior counsel that contained a letter advising Gabriel of when the statute of limitations would expire. Gabriel's case was dismissed in March 2001, presumably because of your late filing. Your conduct was unethical and in violation of RPC 1.1(a).

In the Matter of Morton S. Minsley

Gabriel asked you to pay him \$100,000 in restitution, but eventually lowered his request to \$60,000. You ultimately agreed on a settlement amount of \$10,000. You gave Gabriel a check for \$10,000, drawn on your attorney business account and had Gabriel sign a release. Prior to negotiating the settlement with Gabriel and having him sign a release, you did not advise him to seek independent legal advice. Your conduct was unethical and a violation of RPC 1.8(h)(2).

In determining to impose only an admonition, the Board noted that you have not been previously disciplined 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  
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  
Raphael Gabriel, Grievant