

# DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

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

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

March 10, 2010

**VIA CERTIFIED MAIL & R.R.R.**

Neil George Duffy, III, Esq.  
c/o Edward J. Kologi, Esq.  
Kologi & Simitz  
923 N. Wood Avenue  
Linden, NJ 07036

**In the Matter of Neil George Duffy, III**

Docket No. DRB 09-311

District Docket Nos. XII-2008-0006E, XII-2008-0015E  
and XII-2008-0032E

**LETTER OF ADMONITION**

Dear Mr. Duffy:

The Disciplinary Review Board has reviewed your conduct in the above matters and has concluded that, in one instance, it was improper.

Specifically, in 2004, Rocshon Green sought your services to represent him in a civil action. You initially filed tort claim notices to preserve his claim but, shortly thereafter, orally advised Green, in a telephone conversation, that you would not represent him.

Over the next two years, Green sporadically called your office late at night, leaving messages requesting information about his case. You did not take sufficient steps, such as a letter reiterating your earlier decision, to dispel his misunderstanding that you were still representing him. Your conduct was unethical and a violation of RPC 1.4(c).

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The Board dismissed the charges of gross neglect (RPC 1.1(a)) and disobeying an obligation of a tribunal (RPC 3.4(c)) for lack of clear and convincing evidence. Similarly, the Board dismissed the charges in the Russo (XII-2008-0006E) and Baez (XII-2008-0032E) matters for lack of clear and convincing evidence that you violated the charged RPCs.

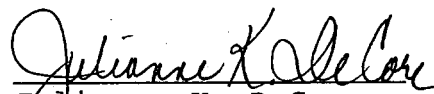
In imposing only an admonition, the Board considered that you have had no prior discipline since your admission to the New Jersey bar in 1983. The Board also considered documentation of your in-patient treatment at Bowling Green, Brandywine, confirming the extensive steps that you have taken to address your alcohol addiction and struggle with depression.

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  
Mark Neary, 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  
Bruce H. Bergen, Chair, District XII Ethics Committee  
William B. Ziff, Secretary, District XII Ethics Committee  
Cynthia Russo, Grievant  
Rocshon Green, Grievant  
Rosa Baez, Grievant