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July 26, 1995

Certified Mail R.R.R.
and Regular Mail

Thomas A. Harley, Esq.
11 Commerce Street
Newark, New Jersey 07102

RE: In the Matter of Thomas A. Harley
Docket No. DRB 95-215

Dear Mr. Harley::

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, you represented a defendant, Lincoln Insurance Co., in an action titled United Crane & Shovel Service Co., Inc., v. Metcorp, Inc., et al. Lincoln Insurance was the insurer of Metcorp. On November 5, 1990, and prior to that time, you participated in settlement negotiations with all of the parties and represented to them that you had full authority to do so. In fact, you had been discharged from representation. On November 5, 1990, a settlement of the matter was placed on the record in open court. At that time, you represented that you had full authority to enter into the settlement. It was only on February 15, 1991, when a motion to enforce the settlement was filed, that you admitted that you did not have your client's authorization to settle the case on November 5, 1990. Your misrepresentations violated RPC 4.1, RPC 3.3, RPC 8.4(c) and RPC 8.4(d). In addition, your failure to turn over the file and to withdraw from the case after you were discharged violated RPC 1.16.

In imposing only an admonition, the Board considered that you were suffering from psychological problems at the time of your misconduct. The Board also noted your candor and quick admission of wrongdoing.

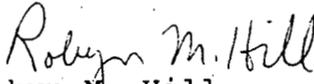
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Your conduct adversely reflected not only upon you as an attorney but also upon all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. R. 1:20-15(f)(4).

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 cost of the disciplinary proceedings be assessed against you. An affidavit of costs will be forwarded under separate cover.

Very truly yours,


Robyn M. Hill

RMH/IF/dm

c: Chief Justice Robert N. Wilentz
Associate Justices
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Counsel for Respondent