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OF THE

## SUPREME COURT OF NEW JERSEY

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October 20, 1998

### CERTIFIED MAIL, R.R.R. & REGULAR MAIL

Gerald A. Nunan, Esq.  
10 Persian Court  
Morristown, New Jersey 07960

RE: In the Matter of Gerald Nunan  
Docket No. DRB 98-263  
**LETTER OF ADMONITION**

Dear Mr. Nunan:

The Disciplinary Review Board reviewed the certification of default filed by the District X Ethics Committee in the above matter. The Board also reviewed your motion to vacate the default filed on October 14, 1998, one day before the Board's hearing. The Board determined to deny the motion for lack of a meritorious defense to the charge of failure to answer the formal ethics complaint and to the underlying ethics charges.

Following a review of the record, the Board determined to impose an admonition. Specifically, in August 1996 you were retained by Colleen M. Staats to represent her in a matrimonial matter. Although initially you kept in touch with Ms. Staats and did some work on the file, in early 1997 Ms. Staats made repeated requests to you for a photocopy of the judgment of divorce and other documents. In fact, you returned only one of her telephone calls and promised to "fax" her a copy of the requested documents. When Ms. Staats went to your office to attempt to discuss the matter with you, she discovered that you had vacated the space that was once your office. As of the date of the filing of the ethics complaint, you still had not complied with Ms. Staats' request for the documents. According to Ms. Staats, without the documents she has been unable to purchase real estate, has been responsible for the marital debts and has been unable to verify the appropriateness of using her maiden name. In addition, after the ethics grievance was filed against you, you failed to cooperate with the District Ethics Committee and failed to file an answer to the formal ethics complaint. As a result, this matter proceeded on a default basis. Your conduct in this

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matter violated RPC 1.1(a) (gross neglect), RPC 1.3(lack of diligence), RPC 1.4(a) (failure to keep a client reasonably informed about the status of a matter), RPC 8.4(a) (violation of Rules of Professional Conduct) and RPC 8.1(b) (failure to cooperate with the disciplinary authorities).

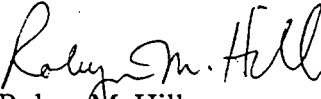
In imposing only an admonition, the Board considered in mitigation that you did take necessary action to alter the judgment of divorce for your client and that you took on the representation of numerous and unrelated matters on her behalf, for which you were not compensated. The Board also noted that no disciplinary infractions have been sustained against you since your admission to the New Jersey bar in 1983.

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. Rule 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/emw

cc: Chief Justice Deborah T. Poritz  
Associate Justices  
Stephen W. Townsend, Esq.  
Clerk, Supreme Court of New Jersey  
Lee M. Hymerling, Esq.  
Chair, Disciplinary Review Board  
David E. Johnson, Jr., Esq.  
Director, Office of Attorney Ethics  
William E. Hinkes, Esq., Chair,  
District X Ethics Committee  
Bonnie C. Frost, Esq., Secretary  
District X Ethics Committee  
Colleen M. Staats