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SUPREME COURT OF NEW JERSEY

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July 1, 2010

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

Pasquale F. Giannetta, Esq.
36 Mountain View Boulevard
Wayne, NJ 07470

CORRECTED LETTER

Re: In the Matter of Pasquale F. Giannetta
Docket No. DRB 10-138
District Docket No. XIV-2009-0265E
LETTER OF ADMONITION

Dear Mr. Giannetta:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Following a review of the record, the Board determined to impose an admonition.

Specifically, through inadvertence, you transferred \$5,000 from your trust account, instead of your business account, to a personal account. The improper transfer resulted in the negligent misappropriation of \$5,000 in client funds, a violation of RPC 1.15(a).

In addition, from July 2008 to May 2009, you delayed the delivery of two checks, totaling \$3,700, to third party medical providers, a violation of RPC 1.15(b).

Finally, a review of your attorney records uncovered several recordkeeping deficiencies, including failure to use a ledger system and to maintain proper receipts and disbursements journals, violations of RPC 1.15(d). Your failure to reconcile your attorney records allowed both the negligent misappropriation and the late delivery of the \$3,700 checks to go undetected for an extended period of time.


In imposing only an admonition, the Board considered that you have had no final discipline since your 1987 bar admission; you took full responsibility for your acts, which were unintentional and not for personal gain; no client suffered any loss as a result of your actions; and you promptly retained an accountant to bring your attorney books and records into compliance.

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