

# DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

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ASSISTANT COUNSEL

August 3, 2010

**CERTIFIED MAIL, R.R.R. & REGULAR MAIL**

Eric S. Pennington, Esq.  
c/o Michael Critchley, Esq.  
75 Livingston Avenue  
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Roseland, NJ 07068

**RE: In the Matter of Eric S. Pennington**  
**Docket No. 10-116**  
**District Docket No. VA-2008-0047E**  
**LETTER OF ADMONITION**

Dear Mr. Pennington:

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, Joseph J. Desmond retained you, in February 2006, to represent him with regard to a harassment claim. Although you had not represented Desmond before, you did not timely set forth in writing the rate or basis of your fee, waiting until June 2009 to do so. Your conduct was improper and a violation of RPC 1.5(b).

In imposing only an admonition, the Board considered that you have had no final discipline since your 1992 bar admission, that you expressed deep remorse for your conduct, and that you have given considerable time and service to your community.

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 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  
Christopher J. Dalton, Chair, District VA Ethics Committee  
Seth Ptasiewicz, Secretary, District VA Ethics Committee  
Joseph J. Desmond, Grievant