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June 21, 2011

CERTIFIED, R.R.R. and REGULAR MAIL

Richard Russo, Esq.
c/o Catherine M. Brown, Esq.
41 Mt. Kemble Avenue, Unit 103
Morristown, NJ 07963

Re: **In the Matter of Richard Russo**
Docket No. DRB 11-079
District Docket No. XIII-2010-0001E
LETTER OF ADMONITION

Dear Mr. Russo:

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 a strong admonition.

Specifically, in April 2009, while you were acting as the attorney for an estate, you counseled one of the beneficiaries to disclaim a bequest, which was clearly against her interest and which inured to the benefit of the estate. You also prepared the disclaimer for the beneficiary's signature. Although you did not represent the beneficiary, by engaging the beneficiary in a discussion about the possibility of disclaiming the bequest and then preparing the disclaimer on her behalf, it was reasonable for the beneficiary to believe that you were representing her interests. See, e.g., In re Gold, 149 N.J. 23 (1997) (in the absence of a formal attorney-client relationship, conflict of interest rules applied when it was reasonable for the putative clients "to assume that [the attorney] was representing their

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interests;" the wife of one of the putative clients was the attorney's secretary). Your conduct was unethical and a violation of RPC 1.7(a)(1).

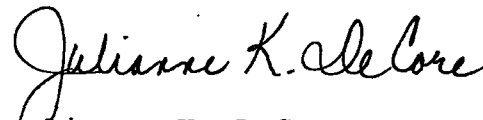
In imposing only an admonition, albeit strong, the Board took into consideration your unblemished career of twenty-three years at the time of the misconduct.

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/paa

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