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SUPREME COURT OF NEW JERSEY

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March 15, 2012

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

Paul E. Rusen, Esq.  
Collins, Toner & Rusen  
123 Columbia Turnpike  
Florham Park, NJ 07932

**RE: In the Matter of Paul E. Rusen**  
Docket No. 11-423  
District Docket No. XA-2010-0033E  
**LETTER OF ADMONITION**

Dear Mr. Rusen:

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, in January 2006, you represented Felicia and Martin Fleisher in a transaction involving the sale of four undeveloped lots to a corporation. Under the terms of the contract of sale, you were authorized to pay up to \$10,000 per year for taxes due on the lots. Those payments were to be made out of an initial \$50,000 deposit from the buyer. Responsibility for the total taxes rested both on the sellers and the buyer.

Seemingly, those responsibilities were not fully met. In December 2009, the sellers apprised you of a tax sale scheduled for the following day. In order to avert the sale, you disbursed from the escrow \$16,858.56, the amount of overdue taxes for 2009. Your disbursement of an amount in excess of \$10,000

constituted a failure to safeguard escrow funds and a violation of RPC 1.15(a).

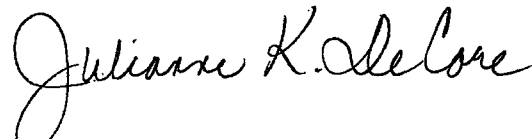
In imposing only an admonition, the Board considered that, in the four years that had elapsed since the date of the contract of sale, you had forgotten about the \$10,000 cap. The Board also considered that you were motivated by the need to act expeditiously to avert the tax sale, admitted your wrongdoing, expressed remorse for your actions, and have not been disciplined since your admission to the New Jersey bar in 1994.

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

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  
Robert M. Vinci, Chair, District XA Ethics Committee  
Caroline Record, Secretary, District XA Ethics Committee  
John Marozzi, Grievant