

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

LOUIS PASHMAN, ESQ. CHAIR
BONNIE C. FROST, ESQ. VICE-CHAIR
EDNA Y. BAUGH, ESQ.
BRUCE W. CLARK, ESQ.
JEANNE DOREMUS
HON. MAURICE J. GALLIPOLI
SPENCER V. WISSINGER, III
MORRIS YAMNER, ESQ.
ROBERT C. ZMIRICH



RICHARD J. HUGHES JUSTICE COMPLEX
P.O. BOX 962
TRENTON, NEW JERSEY 08625-0962
(609) 292-1011

JULIANNE K. DECORE
CHIEF COUNSEL
ISABEL FRANK
DEPUTY CHIEF COUNSEL
ELLEN A. BRODSKY
FIRST ASSISTANT COUNSEL
LILLIAN LEWIN
DONA S. SEROTA -TESCHNER
COLIN T. TAMS
KATHRYN ANNE WINTERLE
ASSISTANT COUNSEL

January 22, 2013

VIA CERTIFIED MAIL, R.R.R. AND REGULAR MAIL

Dan S. Smith, Esq.
c/o Bernard K. Freamon, Esq.
Seton Hall Law School
One Newark Center, Room 520
Newark, New Jersey 07102

Re: **In the Matter of Dan S. Smith**
Docket No. DRB 12-277
District Docket No. VB-2010-0025E
LETTER OF ADMONITION

Dear Mr. Smith:

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, supplemented by oral argument, the Board determined to impose an admonition.

Specifically, in 2009, you represented Lee Bradford in a personal injury action against the City of Asbury Park, which was dismissed on summary judgment. Although you filed an appeal, the Appellate Division granted the defendants' motion to dismiss. You failed to notify Bradford of both the motion and of its disposition, a violation of RPC 1.4(b).

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).

I/M/O Dan S. Smith, DRB 12-277

January 18, 2013

Page 2 of 2

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

JDK:lgn

- 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
- Andrew M. Contreras, Chair
- District VB Ethics Committee
- Paula I. Getty, Secretary
- District VB Ethics Committee
- Lee Bradford, Grievant