

SUPREME COURT OF NEW JERSEY  
D-31 September Term 2012  
071779


IN THE MATTER OF  
NEIL A. MALVONE,  
AN ATTORNEY AT LAW  
(Attorney No. 049261993)

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ORDER

FILED

OCT 16 2013



CLERK

The Disciplinary Review Board having filed with the Court its decision in DRB 12-139, concluding that **NEIL A. MALVONE** of **MILLTOWN**, who was admitted to the bar of this State in 1993, should be suspended from the practice of law for a period of three years for violating RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation);

And **NEIL A. MALVONE** having been ordered to show cause why he should not be disbarred or otherwise disciplined;

And the Court having determined from its independent review of this matter that the record establishes by clear and convincing evidence that respondent conspired with his client to defraud the client's spouse in divorce proceedings in violation of RPC 8.4(c) and knowingly misappropriated marital funds in which the client and his spouse had an interest by making unauthorized personal use of the funds entrusted to him by his

client, in violation of RPC 1.15(a) and the principles of In re Wilson, 81 N.J. 451 (1979) (failure to safeguard funds and knowing misappropriation), and the Court having concluded that disbarment is required for respondent's unethical conduct;

It is ORDERED that **NEIL A. MALVONE** be disbarred, effective immediately, and that his name be stricken from the roll of attorneys; and it is further

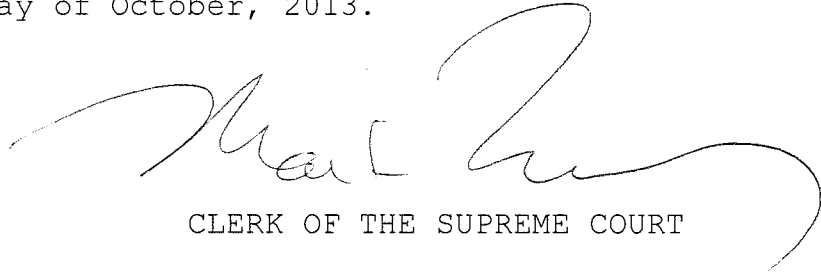
ORDERED that respondent comply with Rule 1:20-20 dealing with disbarred attorneys; and it is further

ORDERED that all funds, if any, currently existing or hereinafter deposited in any New Jersey financial institution maintained by **NEIL A. MALVONE** pursuant to Rule 1:21-6 be restrained from disbursement except on application to this Court, for good cause shown, and shall be transferred by the financial institution to the Clerk of the Superior Court, who is directed to deposit the funds in the Superior Court Trust Fund pending the further Order of this Court; and it is further

ORDERED that the entire record of this matter be made a permanent part of respondent's file as an attorney at law of this State; and it is further

ORDERED that respondent reimburse the Disciplinary Oversight Committee for appropriate administrative costs and actual expenses incurred in the prosecution of this matter, as provided in Rule 1:20-17.


WITNESS, the Honorable Stuart Rabner, Chief Justice, at  
Trenton, this 15th day of October, 2013.



CLERK OF THE SUPREME COURT

JUSTICES ALBIN and HOENS and JUDGES RODRÍGUEZ and CUFF  
(both temporarily assigned) join in this Order. CHIEF JUSTICE  
RABNER and JUSTICES LaVECCHIA and PATTERSON dissent, and would  
impose a three-year suspension as determined by the Disciplinary  
Review Board.

The foregoing is a true copy  
of the original on file in my office.



CLERK OF THE SUPREME COURT  
OF NEW JERSEY