

# DISCIPLINARY REVIEW BOARD

## OF THE SUPREME COURT OF NEW JERSEY

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February 24, 2015

Mark Neary, Clerk  
Supreme Court of New Jersey  
P.O. Box 970  
Trenton, New Jersey 08625-0962

Re: In the Matter of Christopher L. Yannon  
Docket No. DRB 15-001  
District Docket No. XIV-2012-0611E

Dear Mr. Neary:

The Disciplinary Review Board reviewed the motion for discipline by consent (reprimand or such lesser discipline as the Board deems appropriate), filed by the Office of Attorney Ethics (OAE) pursuant to R. 1:20-10(b)(1). Following a review of the record, the Board determined to grant the motion. In the Board's view, a reprimand is the appropriate discipline for respondent's violation of RPC 1.5(b).

Specifically, in December 2010, grievant Susan Eggert retained respondent to represent her in two real estate transactions: (1) to sell her home and (2) to purchase property to subdivide and develop. She paid respondent \$4,000, but did not receive a writing setting forth the basis or rate of the fee, even though respondent had not previously represented her.

Respondent performed various services on Eggert's behalf, including forming a limited liability corporation for the purpose of developing the property and providing notices of Eggert's application to subdivide it. Because of various problems that arose, the parties were not able to close title on the property. Respondent provided no services to Eggert after April 7, 2011 and

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did not charge her additional fees for the services he had provided up to that point.

Typically, an admonition is imposed for failure to prepare a writing setting forth the basis or rate of the fee, even if accompanied by other, ethics offenses. See, e.g., In the Matter of Gerald M. Saluti, DRB 11-358 (January 20, 2012) (attorney failed to communicate his fee in writing); and In the Matter of Myron D. Milch, DRB 11-110 (July 27, 2011) (attorney did not memorialize the basis or rate of his fee in writing; the attorney also lacked diligence in the case and failed to communicate with the client). Here, however, the Board considered respondent's 2013 one-year suspension as an aggravating factor requiring enhanced discipline, that is, a reprimand.

Enclosed are the following documents:

1. Notice of motion for discipline by consent, dated December 12, 2014.
2. Stipulation of discipline by consent, dated December 15, 2014.
3. Affidavit of consent, dated December 8, 2014.
4. Complaint, dated September 11, 2014.
5. Ethics history, dated February 24, 2015.

Very truly yours,



Ellen A. Brodsky  
Chief Counsel

/s/

Encls.

c: Bonnie C. Frost, Chair, Disciplinary Review Board  
Charles Centinaro, Director, Office of Attorney Ethics  
Melissa A. Czartoryski, Deputy Ethics Counsel  
Office of Attorney Ethics  
Christopher L. Yannon, Respondent