SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 07-242
District Docket No. XIV-07-196E

IN THE MATTER OF	:
LEONARD N. ROSS	:
AN ATTORNEY AT LAW	:

Decision

Argued: November 15, 2007

Decided: December 20, 2007

Richard J. Engelhardt appeared on behalf of the Office of Attorney Ethics.

Respondent did not appear.[1]

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey.

This matter came before us on a motion for reciprocal discipline filed by the Office of Attorney Ethics (OAE), pursuant to R. 1:20-14(a). The motion is based on respondent's disbarment in Pennsylvania, following his guilty plea to an

[1] Respondent is currently incarcerated at the Fort Dix Correctional Institution.

information filed in the United States District Court for the Eastern District of Pennsylvania, charging him with one count of Honest Services Wire Fraud, 18 U.S.C. §§ 1343 and 1346; two counts of Honest Services Mail Fraud, 18 U.S.C. §§ 1341 and 1346; and one count of conspiracy to commit extortion, 18 U.S.C. § 1951(a). The OAE recommends respondent's disbarment. We agree with that recommendation.

Respondent was admitted to the New Jersey bar in 1992, and to the Pennsylvania bar in 1972. He was temporarily suspended in New Jersey, effective April 20, 2007, after his guilty plea to the above charges. In re Ross, 2007 (2007). He has no record of final discipline in New Jersey.

Respondent's ethics history in Pennsylvania includes a June 15, 1998 informal admonition for gross neglect and lack of diligence in two matters, and a May 4, 2004 private reprimand for improperly making a partial distribution to an estate's beneficiaries, after he settled a medical malpractice case on behalf of the estate.

The New Jersey Lawyers' Fund for Client Protection report shows that respondent has been ineligible to practice law since September 26, 2005, for failure to pay the annual attorney assessment. He had previously been on the ineligible list from September 30, 2002 to November 5, 2004.

The conduct that gave rise to respondent's guilty plea is described in the information filed in the federal district court.

COUNT I - BACKGROUND

For approximately three decades, Penn's Landing Corporation (PLC), a non-profit corporation organized by the City of Philadelphia, "engaged in various efforts" with the City of Philadelphia (the City) and the Commonwealth of Pennsylvania in the development, rehabilitation, and renewal of the multi-acre historic site owned by the City and Pennsylvania known as Penn's Landing.

Between December 2002 and October 2004, PLC and the City solicited, obtained and evaluated proposals from real estate development firms to develop the main Penn's Landing site. In December 2002, the City issued a request for qualifications (RFQ), inviting real estate developers to submit their qualifications and "expressions of interest" to develop the site.

In January 2003, PLC's board of directors established a selection sub-committee to review the proposal to develop the site and to recommend a developer to PLC's board. By January 2003, nine developers had submitted responses to the RFQ. Seven of the nine were pre-qualified and eligible to reply to a request for proposals (RFP).

Respondent operated his own law firm and was "of counsel" to the firm of Greenberg Traurig, LLP, which paid him for obtaining legal and other work from the City and its related agencies. Respondent was also a close friend and political associate of Philadelphia Mayor John F. Street, was a member of the mayor's campaign finance committees, and had employed the mayor at his own law firm. Respondent's employment with Greenberg Traurig was contingent on Street's remaining in office.

In October 2002, the mayor appointed respondent to the PLC board and, in January 2003, as chairman of the PLC selection sub-committee.

Pennsylvania attorney Ronald White was a "long-time supporter and political associate" of the mayor, was on the mayor's campaign finance committee, and had raised hundreds of thousands of dollars for two of the mayor's campaigns. Because of his close relationship with the mayor, White was influential in determining who received certain business from the City and its related agencies. White was also a paid consultant to Commerce Bank/PA, N.A., and served on its board of directors from June 2002 to October 2003.

Tower Investments, Inc., a Philadelphia real estate development company, was one of four developers ultimately selected from the group of seven to submit a proposal to develop

the main Penn's Landing site. White was listed in Tower's proposal as its legal counsel. [2]

The RFP for the development of the site required each of the seven developers to submit a proposal deposit of $50,000, only $25,000 of which would be refundable to those developers not selected. Each of the final four developers expended substantial money and resources putting together a development team to create and design a detailed plan (including written and visual depictions) for the development of Penn's Landing.

On September 15 and 17, 2003, each of the four developers made private presentations of the proposals to the PLC sub-committee and to other members of the board. On September 23, 2003, each developer attended a public forum to describe its proposal. PLC and the City spent substantial resources and money to hire consultants and others to analyze and evaluate the proposals.

In February 2004, the PLC sub-committee, which included respondent, eliminated two developers, leaving only Brandywine Realty Trust and Tower to compete for the right to develop the site. Each was encouraged to submit revised proposals. However, on October 14, 2004, the mayor recommended to the PLC board that neither developer be chosen because of their respective requirements for public monies. PLC accepted the mayor's

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[2] Barton I. Blatstein was Tower's president, chief executive officer, and sole shareholder.

recommendation. On October 15, 2004, PLC disbanded its sub-committee.

THE SCHEME

From about October 2002 to October 2004, respondent "devised and intended to devise a scheme to defraud PLC of the right to [respondent's] honest services, and to obtain money and property by means of false and fraudulent pretenses, representations and promises." As a "PLC director," under Pennsylvania law, respondent owed PLC a duty to:

> (a) refrain from the use of his position on the PLC Board for private gain; (b) disclose conflicts of interest and other material information in matters over which he had authority and discretion that resulted in his direct or indirect personal gain; (c) refrain from holding or developing financial interests that conflicted with the conscientious performance of his duties, or recuse himself from matters in which his financial interest may be affected; (d) refrain from soliciting or accepting any item of monetary value, including gifts and loans, with the intent to be influenced, from any person seeking action from, doing business with, or whose interests may be affected by the performance or nonperformance of his duties; (e) act impartially and give preferential treatment to any private individual or entity seeking to conduct or conducting business with PLC; and (f) disclose waste, fraud, abuse, and corruption to the PLC board and the appropriate authorities.
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> [Ex.B6-B7.]

The information alleged that respondent violated those duties by, among other things:

> (a) secretly providing non-public information of PLC to Ronald A. White about the process for selecting a developer so that White could pass this information to Tower, thus improperly enhancing Tower's prospects of being selected as the developer of the main site; (b) telling Tower's representatives, and allowing White to tell Tower's representatives, that its proposal would not likely succeed – and that [respondent] would not support it – if Tower did not give White an equity interest in the development; (c) soliciting White to arrange for a $150,000 line of credit to [respondent] from Commerce Bank so that [respondent] could pay a client of his law firm and others to whom he owed more than $100,000 (at the time, a court had ordered [respondent] to pay his client and others this money and, by obtaining this loan, [respondent] was able to pay the debt and avoid serious consequences of non-payment, including being held in contempt of court); (d) using his position to attempt to obtain business for Person A, a person known to the United States Attorney with whom [respondent] had a financial relationship, from prospective PLC developers whose proposals were then pending before the [PLC sub-committee]; and (e) using the process PLC and the City established for selecting a PLC developer to raise funds for the Mayor's re-election from prospective PLC developers, thus securing his continued employment with Greenberg Traurig.
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> [Ex.B7.]

"MANNER AND MEANS"

According to the information, respondent "believed that he should benefit financially from his close relationship with

Mayor Street." He used his association with the mayor to attempt to develop business opportunities for himself, "Person A, and his clients." When the mayor appointed respondent to the PLC board, respondent decided to use his position to improve his own financial circumstances. Respondent used the United States mail and other commercial interstate carriers to further his scheme to defraud PLC of his "duty of honest services."

Respondent "aggressively marketed" his relationship with the mayor by telling prospective clients that he could provide them with access to the mayor and other high-ranking city officials. As a result, he obtained hundreds of thousands of dollars in fees from clients who retained him "dependent on Mayor Street remaining as Mayor."

Respondent obtained his "of counsel" position with Greenberg Traurig by touting his close personal and professional relationship with the mayor and by informing them that, based on this relationship, he could obtain legal and other business for them. Thus, in March 2000, the firm hired him at a retainer of $10,000 per month plus incentive payments for business he brought to the firm that exceeded certain levels. In 2002, respondent received approximately $168,000 and, in 2003, approximately $225,000. The employment agreement remained in effect "for so long as John Street is the Mayor of Philadelphia." Four other

clients continued their relationship with respondent because of his relationship with or access to the mayor. "Virtually all" of respondent's income for 2003 was dependent on Street's remaining in office.

In 2003, Street was running for re-election. Respondent served on the Finance Committee of the Friends of John Street, the mayor's campaign committee. During the spring of that year, the PLC sub-committee had been working to establish deadlines for developers to be included in the RFP for the development of Penn's Landing. Respondent urged the PLC sub-committee to set a later deadline for selecting a developer to permit Street's campaign committee to raise funds from the competing developers by having them attend his fundraisers. Respondent shared this information with White and also told him that Tower was "going to be okay." The prospective developers raised and contributed more than $50,000 for the mayor's re-election bid.

Respondent did not disclose to the PLC sub-committee members or to the PLC board members that he was using the developer selection process to raise re-election funds for the mayor. As a non-profit corporation, federal law prohibited PLC from engaging in partisan political activity, such as fund raising, an activity that could jeopardize its federal tax status.

TOWER'S RETENTION OF WHITE'S SERVICES

In November 2002, Tower retained White to lobby city officials and to serve as its legal counsel in connection with Tower's bid to develop the main Penn's Landing site. As part of the agreement, among other fees, if White were successful in securing the bid, White would have the opportunity to participate as a partner in the project, with an equity interest of between fifteen and twenty percent, to be negotiated at a later time.

From November 2002 through at least October 2003, White repeatedly pressed Tower principal Blatstein for a written agreement specifying White's equity interest in Tower's development of the main site. White also kept respondent apprised of his continuing efforts to secure his contingent equity interest in Tower's proposal, during which time respondent served as PLC sub-committee chairman.

RESPONDENT'S NEED FOR A LOAN

In October 1993, respondent was retained to represent the plaintiff/victim and his estate in a wrongful death, dental, and pharmaceutical malpractice matter. In October 2001, respondent agreed to settle the matter for $530,000. Under Pennsylvania law, respondent was required to deposit the settlement proceeds

into an attorney escrow account and to obtain court approval for the distribution of the proceeds.

Although respondent did not seek court approval, beginning in December 2001, he began making partial distributions to himself for fees and expenses. He did not distribute proceeds to the minor child of the decedent.

On June 6, 2002, respondent filed a petition with the court for "authorization of settlement seeking permission to distribute the settlement proceeds." The petition did not comply with Pennsylvania law because "it did not provide for proper distributions to the beneficiaries of the settlement." Respondent did not timely reply to the court's requests for additional information, before ruling on respondent's petition. Although the court did not rule on the petition until May 29, 2003, respondent continued to make partial distributions of the settlement proceeds and "continued to make payments to the wrong beneficiaries."

As of December 2002, respondent was aware that he had improperly paid out settlement proceeds and that there were insufficient funds left to pay the proper beneficiaries. As a result, respondent agreed to make up the shortfall from his own funds. When respondent did not do so and did not file an amended petition, as directed by the court, the court scheduled a May

28, 2003 hearing to resolve the matter. After the hearing, the court ordered respondent to make specific distributions.

Respondent needed more than $80,000 to make the court-ordered payments. He, therefore, sought White's assistance in obtaining a loan. As mentioned above, White was a paid consultant to and a member of the board of directors of Commerce Bank. He assisted respondent in obtaining a $150,000 loan. The bank loaned respondent funds, even though he was ineligible for it because of the debt he had incurred from the lawsuit. He had not disclosed that information to the bank, however.

After respondent received the loan, in September 2003, he properly disbursed the funds. In the interim, the plaintiff had filed an ethics complaint with the Pennsylvania Disciplinary Board. Respondent's payment to the beneficiaries resulted in the dismissal of a contempt petition filed against him in state court, and assured respondent that his Pennsylvania law license would not be suspended or revoked.[3]

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[3] As noted in respondent's ethics history, he was only privately reprimanded for this conduct. Apparently, he was not charged with any offenses relating to his early and improper release of escrow funds. The Government's guilty plea memorandum explained that respondent had paid some family members more than they were entitled to receive and that, since it would be difficult to have the funds refunded, respondent had agreed to make up the shortfall.

RESPONDENT'S DISCLOSURE OF INSIDE INFORMATION TO WHITE

During the time that White provided respondent with assistance in obtaining the loan, respondent gave White inside information about the Penn's Landing developer selection process to the detriment of other bidders and the PLC. From April through September 2003, respondent told White how Tower could improve its prospects of securing the project, information that White passed on to Tower. In July 2003, White arranged for respondent to meet with high-ranking Commerce Bank representatives about the loan.

Respondent did not disclose to the PLC sub-committee or to the PLC board that he had obtained White's assistance in obtaining a loan or that he had given White information about the development project.

From September 2003 to February 2004, respondent worked to get the PLC sub-committee to declare the proposal of one of Tower's competitors unresponsive and to have that developer stricken from the competition. Respondent informed White of his efforts. Respondent also described the competing proposals to White and told him how Tower's proposal compared, and how to address problems with Tower's proposal, when Tower presented it to the PLC sub-committee. Respondent agreed to assist White in obtaining an equity interest in the Tower project by using his official position to "reel in" Tower's president, Blatstein, and

by giving Tower officials a "signal" that it would be disturbing if White were no longer a part of the deal.

On September 15, 2003, Tower and two other prospective developers made their private presentations to the PLC sub-committee. Afterwards, in a telephone conversation with White, respondent told him who he thought would be Tower's strongest competitor. Furthermore, on September 30, 2003, respondent told White about the public comments that PLC had received on each of the four competing proposals. White used that information to pressure Blatstein for a written agreement memorializing White's equity interest in Tower's project.

The information that respondent provided to White about the status and merits of all the developer's proposals was not public information. Respondent did not provide that information to the competing developers.

RESPONDENT'S USE OF THE PLC SELECTION PROCESS TO OBTAIN BUSINESS FOR "PERSON A" AND OTHER IMPROPRIETIES

In September 2003, while presentations were being made before the PLC sub-committee, respondent tried to use his position on the sub-committee to encourage the competing developers to hire Person A, the owner of a real estate management firm. Respondent had a financial relationship with Person A. In September 2003, respondent met with a lobbyist

retained by Brandywine Realty Trust and "expressed his availability to support Brandywine's bid to be chosen as the developer of the main site of Penn's Landing." Respondent suggested that Brandywine give business to Person A, who was in the real estate development business.

Respondent did not disclose to the PLC sub-committee or the PLC board that he was soliciting the prospective Penn's Landing developers for a position for Person A.

According to the information, as to count one, on or about September 5, 2003, for the purpose of executing the above scheme, respondent "caused to be transmitted by means of wire communication in interstate commerce an interstate telephone call between [respondent] through White's office in Philadelphia, and Ronald A. White, in New Jersey in which [respondent] and White discussed [respondent's] loan from Commerce and the Penn's Landing developer selection process," in violation of Title 18, U.S.C. §§ 1343 and 1346.

As to counts two and three, the information provided:

> [Respondent] having devised a scheme to defraud the PLC of the right to [respondent's] honest services, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing the scheme to defraud, and attempting so to do, knowingly caused to be delivered by the United States Mail or by a commercial interstate carrier [certain information].

Count two refers to the April 25, 2003 Federal Express delivery of the RFP with developer deadlines to Atlantis New York Group; count three refers to the September 30, 2003 letter to "Person A" from Brandywine's Chief Executive Officer regarding business opportunities (18 U.S.C. §§ 1341 and 1346).

Count four (conspiracy to commit extortion) relates to the periods from October 2002 through October 15, 2004, when respondent

> conspired and agreed, together with Ronald A. White and others known and unknown to the United States Attorney, to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce and attempt to do so, by extortion, that is, through the use of actual threat or threatened fear of economic harm, and under color of official right, in that [respondent] and White attempted to condition the ability of [Tower], a developer doing business in Philadelphia, to receive fair consideration of its bid to develop the main site of Penns Landing on Tower's granting of an equity interest in Tower's development to White (18 U.S.C. § 1951(c)).
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> [Ex.B26.]

On October 11, 2006, respondent was sentenced to thirty-months' imprisonment and three years' supervised release, and ordered to pay a $25,000 fine. Respondent is incarcerated at the Fort Dix Correctional Institution.

Following a review of the record, we determine to grant the OAE's motion for reciprocal discipline.

Pursuant to R. 1:20-14(a)(5), another jurisdiction's finding of misconduct shall establish conclusively the facts on which we rests for purposes of disciplinary proceedings. We, therefore, adopt the order of the Supreme Court of Pennsylvania accepting respondent's disbarment on consent based on his guilty plea to the four-count information.

Reciprocal disciplinary proceedings in New Jersey are governed by R. 1:20-14(a)(4), which provides:

> The Board shall recommend the imposition of the identical action or discipline unless the respondent demonstrates, or the Board finds on the face of the record on which the discipline in another jurisdiction was predicated that it clearly appears that:
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> (A) the disciplinary or disability order of the foreign jurisdiction was not entered;
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> (B) the disciplinary or disability order of the foreign jurisdiction does not apply to the respondent;
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> (C) the disciplinary or disability order of the foreign jurisdiction does not remain in full force and effect as the result of appellate proceedings;
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> (D) the procedure followed in the foreign disciplinary matter was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or
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> (E) the unethical conduct established warrants substantially different discipline.

According to the OAE, a review of the record does not reveal any conditions that fall within the scope of subparagraphs (A)

through (D). As to paragraph [E], however, the OAE noted that, although disbarment in New Jersey is permanent, in Pennsylvania a disbarred attorney may apply for reinstatement after five years. Pa.R.D.E. 218(b).

The existence of a criminal record is conclusive evidence of respondent's guilt. R. 1:20-13(c)(1); In re Gipson, 103 N.J. 75, 77 (1986). Only the quantum of discipline remains at issue. R. 1:20-13(c)(2)(ii); In re Lunetta, 118 N.J. 443, 445 (1989). Respondent's guilty plea to a federal information clearly and convincingly demonstrates that he has committed a criminal act that reflects adversely on his honesty, trustworthiness or fitness as a lawyer (RPC 8.4(b)), and that he engaged in conduct involving dishonesty, fraud, deceit or misrepresentation (RPC 8.4(c)).

The level of discipline imposed in disciplinary matters involving the commission of a crime depends on numerous factors, including the "nature and severity of the crime, whether the crime is related to the practice of law, and any mitigating factors such as respondent's reputation, his prior trustworthy conduct, and general good conduct." Id. at 445-46. That a respondent's offenses do not relate directly to the practice of law does not negate the need for discipline. Even a minor violation of the law tends to lessen public confidence in the legal profession as a whole. In re Addonizio, 95 N.J. 121, 124 (1984).

We find the following cases helpful, in assessing the proper quantum of discipline. In In re Yim, 188 N.J. 257 (2006), the attorney was disbarred after entering a guilty plea to the collection of extensions of credit by extortionate means (18 U.S.C.A. §894(a)(1) and (2)). Yim attempted to hire an individual to cause bodily injury, possibly death. In one instance, he attempted to have someone deported for failure to repay loans he had made to them. In the Matter of Eric Yim, DRB 06-078 (2006) (slip op. at 8). Although Yim's conduct was not identical to respondent's, both were found guilty of a type of extortion. In Yim, we determined that the attorney's criminal conduct was "utterly incompatible with the standard of honesty and integrity that we require of attorneys." Id. at 17, citing In re Hasbrouk, 152 N.J. 336, 372-73 (1998).

In 1984, the Court imposed a significant suspension, seven years (time served), on an attorney who attempted to persuade a witness to testify falsely before a grand jury. In re Verdiramo, 96 N.J. 183 (1984). As part of a plea agreement, other charges against the attorney were dropped. He pleaded guilty only to influencing a witness (18 U.S.C. §371). In finding certain conduct unworthy of lawyers, the Court stated:

> Professional misconduct that takes deadly aim at the public-at-large is as grave as the misconduct that victimizes a lawyer's individual clients. Because such a

> transgression directly subverts and corrupts the administration of justice, it must be ranked among the most egregious of ethical violations.
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> We have not, in the past, been uniform in our approach to appropriate sanctions for serious ethical violations of this kind -- those that involve criminal acts of dishonesty that directly impact the administration of justice. Compare In re Rosen, supra, 88 N.J. 1 [1981] (respondent's conviction of attempted subornation of perjury resulted in suspension of three years in view of mitigating factors) and In re Mirabelli, 79 N.J. 597 (1979) (respondent's guilty plea to accusation charging bribery warranted three year suspension and not disbarment due to mitigating circumstances) with In re Hughes, 90 N.J. 32 (1982) (respondent's guilty plea to charges of bribing public official and forging public documents warrants disbarment despite mitigating factors). We believe that ethical misconduct of this kind -- involving the commission of crimes that directly poison the well of justice -- is deserving of severe sanctions and would ordinarily require disbarment. See, e.g., In re Hughes, supra, 90 N.J. 32.
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> [In re Verdiramo, 96 N.J. at 187.]

Verdiramo was not disbarred because the Court determined that the events calling for his discipline had occurred more than eight years earlier. The Court remarked that "the public interest in proper and prompt discipline is necessarily and irretrievably diluted by the passage of time," and that disbarment would have been "more vindictive than just."

In In re Giordano, 123 N.J. 362 (1991), the Court found that crimes of dishonesty touch on an attorney's central trait of character. The Court confirmed that R. 1:20-13(b)(2) defines a "serious crime" as

> "any crime of the first or second degree as defined by the New Jersey Code of Criminal Justice . . . or any felony of the United States . . . or any state involving interference with the administration of justice, false swearing, misrepresentation, fraud, deceit, bribery, extortion, misappropriation, [or] theft . . . ." *Ibid.*
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> Although that definition is contained in a provision dealing with automatic temporary suspension of attorneys convicted of crimes, it reflects our belief that crimes of dishonesty touch on a central trait of character.
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> [In re Giordano, 123 N.J. at 366.]

Thus, attorneys who "participate in criminal conduct designed to subvert fundamental objectives of government, objectives designed to protect the health, safety, and welfare concerns of society, the offense will ordinarily require disbarment." Id. at 370 (citation omitted). Unquestionably, respondent's criminal conduct falls within this category.

Moreover, the Court has found that attorneys who commit serious crimes or crimes that evidence a total lack of "moral fiber" must be disbarred in order to protect the public, the integrity of the bar, and the confidence of the public in the

legal profession. It matters not that the crimes were unrelated to the practice of law. See, e.g., In re Seltzer, 169 N.J. 590 (2001) (attorney working as a public adjuster committed insurance fraud by taking bribes for submitting falsely inflated claims to insurance companies and failed to report the payments as income on his tax returns; attorney guilty of conspiracy to commit mail fraud, mail fraud, and conspiracy to defraud the Internal Revenue Service); In re Lurie, 163 N.J. 83 (2000) (attorney convicted of eight counts of scheming to commit fraud, nine counts of intentional real estate securities fraud, six counts of grand larceny, and one count of offering a false statement for filing); In re Chucas, 156 N.J. 542 (1999) (attorney convicted of wire fraud, unlawful monetary transactions, and conspiracy to commit wire fraud; attorney and co-defendant used for their own purposes $238,000 collected from numerous victims for the false purpose of buying stock); In re Hasbrouk, 153 N.J. 336 (1998) (attorney pleaded guilty plea to several counts of burglary and theft by unlawful taking to support her continuing addiction to pain-killing drugs); In re Goldberg, 142 N.J. 557 (1995) (two separate convictions for mail fraud and conspiracy to defraud the United States); In re Messinger, 133 N.J. 173 (1993) (attorney convicted of conspiracy to defraud the United States by engaging in fraudulent

securities transactions to generate tax losses, aiding in the filing of false tax returns for various partnerships, and filing a false personal tax return; the attorney was involved in the conspiracy for three years, directly benefited from the false tax deductions, and was motivated by personal gain); In re "X", 120 N.J. 459 (1990) (attorney convicted of three counts of second-degree sexual assault against his minor daughters); In re Mallon, 118 N.J. 663 (1990) (attorney convicted of conspiracy to defraud the United States and aiding and abetting the submission of false tax returns; attorney directly participated in the laundering of funds to fabricate two transactions reported on two tax returns in 1983 and 1984); In re Goldberg, 105 N.J. 278 (1987) (attorney convicted of conspiracy to distribute Schedule II controlled dangerous substance; the Court determined that the object of the conspiracy was a direct threat to society); and In re Alosio, 99 N.J. 84 (1985) (attorney pleaded guilty to one count of presenting a false and fraudulent claim to his insurance company and six counts of receiving stolen property (high-end automobiles)).

Here, we find that the totality of respondent's multiple offenses — particularly (1) his flagrant abuse of his public position for his own benefit as well as the benefit of others by, among other methods, secretly providing non-public

information to White, and (2) his helping White to obtain a security interest in Tower, in return for assistance in obtaining a loan for which he would not otherwise qualify — demonstrates criminal conduct that is "utterly incompatible with the standard of honesty and integrity that we require of attorneys." In re Hasbrouck, supra, 152 N.J. at 372-73. We, therefore, recommend respondent's disbarment.

Member Lolla did not participate.

We further determine to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs and actual expenses incurred in the prosecution of this matter, as provided in R. 1:20-17.

Disciplinary Review Board
William J. O'Shaughnessy
Chair

By: Julianne K. DeCore
Julianne K. DeCore
Chief Counsel

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

In the Matter of Leonard N. Ross
Docket No. DRB 07-242

Argued: November 15, 2007

Decided: December 20, 2007

Disposition: Disbar

Members	Disbar	Suspension	Reprimand	Dismiss	Disqualified	Did not participate
O'Shaughnessy	X					
Pashman	X					
Baugh	X					
Boylan	X					
Frost	X					
Lolla						X
Neuwirth	X					
Stanton	X					
Wissinger	X					
Total:	8					1

Julianne K. DeCore
Julianne K. DeCore
Chief Counsel