

# DISCIPLINARY REVIEW BOARD

## OF THE SUPREME COURT OF NEW JERSEY

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ASSISTANT COUNSEL

May 27, 2015

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

Eric Salzman, Esq.  
c/o Frederick D. Miceli, Esq.  
1129 Bloomfield Avenue  
Suite 202  
West Caldwell, New Jersey 07006

RE: In the Matter of Eric Salzman  
Docket No. DRB 15-064  
District Docket No. XIV-2013-0333E  
**LETTER OF ADMONITION**

Dear Mr. Salzman:

The Disciplinary Review Board has reviewed the above-referenced matter filed by the Office of Attorney Ethics (OAE), pursuant to R. 1:20-6(c)(1). Following a review of the record, the Board determined to impose an admonition.

Specifically, the OAE's investigation of an overdraft revealed that you seldom used your trust account and maintained a balance of only \$1 in it. On June 18, 2013, you deposited a \$200 check, an earned fee, into your trust account because your business account had been closed due to an overdrawn balance. As the client had insufficient funds in his account to cover the check, when you withdrew funds against the \$200 deposit, you overdrew your trust account. The bank generated a \$200 deposit return chargeback and

I/M/O Erik Salzman, DRB 15-064

May 27, 2015

Page 2 of 3

assessed a \$20 deposit return fee charge, leaving a negative balance in your trust account of \$219. Thereafter, the bank assessed a \$35 overdraft fee, which increased the negative balance in the account to \$254.

The resulting OAE demand audit revealed that you (1) did not maintain trust or business receipts or disbursements journals, or client ledger cards; (2) made disbursements from the trust account against uncollected funds; (3) withdrew cash from the trust account; (4) did not properly designate the trust account; and (5) did not maintain a business account. Your conduct was unethical and violated RPC 1.15(d) and R. 1:21-6 (recordkeeping).

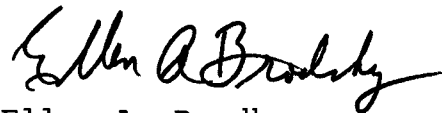
In mitigation, the Board considered your lack of a disciplinary history and your cooperation with ethics authorities by admitting your conduct in this matter.

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).

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,



Ellen A. Brodksy  
Chief Counsel

EAB/sl

c: See attached list

I/M/O Erik Salzman, DRB 15-064

May 27, 2015

Page 3 of 3

Chief Justice Stuart Rabner

Associate Justices

Bonnie C. Frost, 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

Jason D. Saunders, Deputy Ethics Counsel

Office of Attorney Ethics