

SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 06-290
District Docket No. X-05-014E

_____ :
IN THE MATTER OF :
THEODORE F. KOZLOWSKI :
AN ATTORNEY AT LAW :
_____ :

Decision

Argued: January 18, 2007

Decided: April 18, 2007

J. Michael Riordan appeared on behalf of the District X Ethics Committee.

Respondent appeared pro se.

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

This matter came before us on a recommendation for discipline by the District X Ethics Committee ("DEC"). The complaint charged respondent with gross neglect, lack of diligence, failure to expedite litigation, and failure to communicate with clients.¹ We determine to impose a one-year suspension to run concurrently with any suspension imposed in In

¹ At the DEC hearing, the complaint was amended to include a charge of a violation of RPC 1.15(b) for respondent's failure to refund a fee to his clients, as directed by a court order.

the Matter of Theodore F. Kozlowski, DRB 06-211, presently pending with the Court.

Respondent was admitted to the New Jersey bar in 1978. He has an extensive ethics history:

(1) Private reprimand (May 28, 1992) for lack of diligence and failure to cooperate with ethics authorities. In the Matter of Theodore Kozlowski, DRB 92-104.

(2) Admonition (February 18, 1998) for lack of diligence and failure to communicate with the client in two matters. In the Matter of Theodore Kozlowski, DRB 96-460.

(3) Reprimand (October 27, 2003), in a default matter, for practicing law while ineligible for failure to pay the annual assessment to the New Jersey Lawyers' Fund for Client Protection ("CPF"). In re Kozlowski, 178 N.J. 3 (2003).

(4) Reprimand (January 27, 2004), in a default matter, for failure to cooperate with disciplinary authorities. In re Kozlowski, 178 N.J. 326 (2004).

(5) Reprimand (September 13, 2004), in a default matter, for lack of diligence in a bankruptcy matter. In re Kozlowski, 181 N.J. 309 (2004).

(6) Three-month suspension (October 13, 2004) for misconduct in two separate, but procedurally consolidated, default matters comprising three client matters; the misconduct included gross neglect, lack of diligence, failure to communicate with clients, failure to cooperate with ethics authorities in the investigation of the matter and forgery of clients' signatures on two bankruptcy petitions. In re Kozlowski, 181 N.J. 307 (2004).

(7) One-year suspension (May 3, 2005, effective January 1, 2005), in a default matter, for pattern of neglect, lack of diligence, failure to communicate with the client, misrepresenting to the client the status of the case, and failure to cooperate with ethics authorities in the investigation of the matter. In re Kozlowski, 183 N.J. 224 (2005). Respondent remains suspended to date.

(8) A recommendation for a two-year suspension, in a default matter (respondent's sixth), for failure to file an affidavit of compliance with R. 1:20-20, dealing with suspended attorneys. We denied respondent's motion to vacate the default in that matter, noting that his "repeated indifference toward the ethics system and the Court is beyond forbearance." In the Matter of Theodore F. Kozlowski, DRB 06-211 (November 16, 2006).

The facts are as follows:

In September 2001, John and Donna Hackett filed a chapter 13 bankruptcy petition with the aid of their then-attorney, Nicholas Brandisi. The bankruptcy filing was precipitated by the serious illness of their son and the spiraling medical costs associated with his treatment.

Brandisi filed a chapter 13 plan for the Hacketts, but they proved unable to meet their obligations under the plan. Therefore, in August 2002, their case was dismissed for failure to make the required payments.

Shortly after the dismissal, the Hacketts retained respondent to file a second chapter 13 petition, which he did on September 5, 2002. After the Hacketts once again were unable to make their payments, that matter was dismissed.

Soon after the dismissal of the second petition, the Hacketts' financial status improved. They, therefore, planned a third attempt at a fresh start. Toward that end, they agreed to pay respondent a \$2,000 fee to file a third petition. They made a series of small payments to respondent until April 2003, when the balance was paid in full. In June 2003, the Hacketts met with respondent, at which time they gave him updated financial information for the new filing.

Having heard nothing from respondent after the June meeting, the Hacketts grew concerned about the status of their matter. When Mrs. Hackett called respondent, she learned that he had unilaterally filed a "bare-bones," or incomplete, petition on July 8, 2003, despite having been given the information necessary to make a complete filing.² In her later opinion in the case, the bankruptcy judge, the Honorable Novalyn Winfield, explained that

[t]he July 8, 2003 bare petition which commenced the Hacketts' third case was not even a typical bare petition. Although the information was known to him, [respondent] did not set forth on page two of the petition the prior bankruptcy cases filed by the Hacketts, did not include a full list of the Hacketts' creditors, and did not even date the petition. Most importantly, the petition did not even contain the Hacketts' signatures. It does not appear that it was necessary to file a bare petition.

[Ex.G-1,4.]³

Respondent explained at the DEC hearing, as he had in the matter before Judge Winfield, that his purpose in filing the

² A bare-bones petition is a rarely used emergency filing, employed to prevent an immediate, irreparable harm, such as a sheriff's sale of a property in foreclosure, or to temporarily forestall the seizure of other property by a creditor.

³ Ex.G-1 is a group of documents from the underlying action, including a January 10, 2005 opinion by Judge Winfield, who found respondent guilty of violations of the bankruptcy code and of ethics rules, during his representation of the Hacketts.

incomplete petition was simply to protect the Hacketts from a sheriff's sale. He recalled that Mrs. Hackett had been concerned about a sale, but he conceded that she had not given him any documents regarding a sheriff's sale and that had not investigated or contacted the sheriff's office to find out if a sale was pending. In fact, no sale had been scheduled.

On July 11, 2003, the bankruptcy court generated a deficiency notice in the third matter. The Hacketts were given fifteen days to cure the deficiencies or risk dismissal of the matter. Although respondent received the notice, he did not file the required documents or contact his clients about the impending dismissal of their case.

Having taken no further action to protect the Hacketts' claims during July and August 2003, and believing that the third petition had been dismissed for failure to file the schedules, respondent filed a fourth bankruptcy petition on September 2, 2003. Like the third one, this was a bare-bones petition, although no known emergency existed. The fourth petition, too, was not signed by the Hacketts and did not contain the debtors' statement of financial affairs and schedules. Once again, respondent had not discussed with the Hacketts the need to file an incomplete petition and had not obtained their authorization to file an incomplete, unsigned petition.

Unbeknownst to respondent, due to a clerical error, the bankruptcy court had not dismissed the July 2003 petition before he filed the fourth one in September 2003. Therefore, on the premise that multiple petitions pending for the same debtors suggested an abuse of the bankruptcy process, Judge Winfield ordered the Hacketts to show cause why their petitions should not be dismissed.

Faced with the order to show cause, respondent finally met with his clients, on September 25, 2003.⁴ At that meeting, respondent had the Hacketts sign various documents in blank, including a statement of financial affairs and various schedules.⁵ Those documents were ultimately filed - out of time - on September 29, 2003.

The United States Trustee's Office, which oversees the administration of chapter 13 bankruptcy cases, filed a motion for sanctions, also returnable on September 29, 2003, alleging

⁴ A deficiency notice gave the Hacketts until September 19, 2003 to file the documents, or risk dismissal of the matter.

⁵ In a footnote to her opinion, Judge Winfield explained the purpose behind the signature requirement:

[t]he declarations which a debtor makes by affixing his or her signature on the declaration pages is aimed at insuring that the financial information set forth is complete and accurate. Thus, the declarations are made under penalty of perjury, state that the debtor has read the document, and state that the information is true and correct.

[Ex.G-1,9.]

that (a) the bare bones petitions violated the bankruptcy rules, (b) respondent had failed to disclose prior filings in subsequent petitions, (c) respondent had violated a prior order prohibiting him from filing documents without clients' signatures,⁶ and (d) respondent's pattern of conduct was detrimental to the court and his clients.

On January 10, 2005, Judge Winfield found respondent guilty of various bankruptcy code violations and ordered him to refund the \$2000 fee to the Hacketts.⁷ She did not impose a monetary sanction, noting that Judge Gambardella's monetary sanction in the Marte case had not deterred respondent, as he continued to commit the same improprieties. Therefore, the judge recommended (and the District Court later upheld) respondent's one-year suspension from practicing law in bankruptcy courts.

⁶ In a prior bankruptcy matter, respondent had signed the debtors' names to petitions, claiming that he had their authorization to do so. The debtor (Mrs. Marte) testified that she and her husband never authorized respondent to sign their names. The bankruptcy judge in that matter, the Honorable Rosemary Gambardella, U.S.B.C.J., issued an opinion finding respondent guilty of improperly signing the Martes' names to two bankruptcy petitions. Judge Gambardella, the Chief Bankruptcy Judge for the District of New Jersey, ordered respondent to reimburse the chapter 13 trustee for costs and expenses, and then referred the matter to ethics authorities.

⁷ At the time of the DEC hearing, respondent had still not returned the fee. He promised the DEC that he would do so the next day. On the day of oral argument before us, respondent told the DEC presenter that the fee has been refunded.

At the DEC hearing, respondent conceded the above facts, but admitted no wrongdoing. He asserted that Judge Winfield had wrongly decided his case:

My filing of the petition . . . was to protect these people's house . . . so for her to say that it was for an improper purpose doesn't make any sense. And that's exactly what she says in her opinion There is no case law to support that. The judge couldn't find it if she tried, in [my] opinion. She never cites any case law. I went before her with tons of case law, didn't do me any good. These [sic] clearly show that what I did was anticipated by the rules.

[T86-15 to T87-6.]⁸

Respondent also objected to the introduction of the judges' written opinions, citing the hearsay rule. When pressed about that objection, respondent admitted that he had not previously raised it or sought the judges' testimony for the ethics proceedings.

Respondent took particular issue with Judge Winfield's use of Alabama case law to support her finding of guilt, believing that Alabama law "is bad law and it is simply from a bankruptcy court in Alabama that I don't think that is the law in New Jersey."

⁸ "T" refers to the transcript of the March 29, 2006 DEC hearing.

Likewise, respondent gave little weight to Judge Gambardella's order in the Marte litigation, prohibiting him from filing bankruptcy petitions without debtors' signatures. Respondent asserted that he had "made the decision that she was wrong and I relied on the bankruptcy rules which said that I could do it."

Respondent was asked if he had formally challenged Judge Gambardella's opinion, particularly her interpretations of bankruptcy law and the findings adverse to him. He stated that he had filed an appeal, but had allowed its dismissal, while pending in the Third Circuit Court of Appeals.

In his answer and at the DEC hearing, respondent addressed the specific charges of the formal ethics complaint. With respect to charges of violations of RPC 1.1(a), RPC 1.3, and RPC 3.2, respondent offered statements such as, "I was extremely diligent," "[my actions] were permitted by the . . . bankruptcy rules," and "[the Hacketts] were satisfied with my representation [sic] especially given the fact of our long history of working together over the last year."

Respondent had no explanation for the inordinate amount of time (March to late September 2003) that it took him to prepare bare-bones petitions. Instead, he focused the DEC's attention on

late September 2003, when he took steps to correct the deficiencies.

Respondent also sought credit for the progress in the case thereafter, which "then proceeded normally with the debtors attending the first meeting of creditors and their plan . . . eventually confirmed." Respondent, however, had been replaced by another attorney before the case concluded.

Respondent blamed not himself, but the bankruptcy court, for problems in the matter:

My representation was competent and diligent especially since it delayed a foreclosure sale until the debtors were in a position to consummate a successful Chapter 13 Plan. It seems the judge is attempting to micro manage my law practice and do away with the concept of professional discretion.

[1A,9.]⁹

Respondent also asserted that he kept his clients reasonably informed about the status of their matter, and that both he and his wife, Marla, had numerous conversations with Mrs. Hackett during the representation.

Marla Kozlowski testified that she had been her husband's secretary until their son was diagnosed with juvenile diabetes, when she was required to stay close to home. Thereafter, respondent had a call-forwarding system installed in their house

⁹ "1A" refers to count one of respondent's answer to the formal ethics complaint.

so that she could receive the law-office calls at home. She recalled conversations with Mrs. Hackett on ten to twelve occasions during the representation. According to Marla, because both women had an ailing child, they spent many hours on the telephone talking about their children. Although Marla did not say that she informed Mrs. Hackett of the status of her case, she testified that Mrs. Hackett never complained about respondent's communication regarding the case. To the contrary, she claimed, Mrs. Hackett was very complimentary toward respondent.

The Hacketts were not called to testify in the ethics proceedings, but Mrs. Hackett's testimony in the hearings before Judge Winfield was highlighted in her opinion. Mrs. Hackett's testimony made it clear that, as early as July 2003, the Hacketts were concerned about respondent's lack of communication with them.

Respondent had no explanation for his failure to advise the Hacketts, until afterwards, of his two major actions in the case, the July and the September 2003 filings.

Respondent called a fellow bankruptcy practitioner, John Lipowski, to testify as an expert about respondent's handling of the Hackett matter. Respondent asked Lipowski pointed questions relating to this matter, but Lipowski gave generalized answers.

For example, in one instance, Lipowski stated his opinion that an attorney's failure to obtain a debtor's signature on a document filed with the court was not a sanctionable act. He was referring, however, to the occasional missing signature that results from oversight, and to the prompt correction of the problem, not to situations in which an attorney intentionally files multiple documents knowing that the debtors have not signed them.

Lipowski deemed bare-bones petitions acceptable only in emergency situations. According to Lipowski, it would not be "fatal" for an attorney to fail to disclose the existence of information such as prior bankruptcies filed by the debtors, but he noted that, "I think even in a bare bones petition you try to put in as much information as you have."

Lipowski stated that he does not handle cases that might require an emergency bare-bones petition, even if a sheriff's sale had been scheduled "for the next day," because they invite problems for the attorney. However, he would caution any attorney who does accept such cases to verify the sale date, before filing a bare-bones petition.

Finally, Lipowski was asked about the judicial effect of a bankruptcy judge's written opinion. He stated that "the court

order rules until such time as that [sic] is overruled by a higher court."

At the close of the case, the presenter addressed the district court's recommendation that respondent be charged with a violation of RPC 1.15(b) (failure to remit property to a client) for his failure to refund the Hackett fee. Because that charge had not been included in the complaint, the presenter sought to amend the complaint to have it "conform to the evidence."

Respondent objected to the last-minute inclusion of this charge, stating that "if I had known that you were going to come after me for that I would have taken care of it. It wasn't on my mind, to tell you the truth." Over respondent's objection, the DEC deemed the complaint amended to conform to the proofs.

Respondent offered mitigation for his conduct. As in the prior disciplinary matters, respondent testified that his son had been diagnosed with juvenile diabetes in February 2003. Thereafter, he and Marla spent five or six days in training to understand the disease and to prepare for their son's continuing care requirements, which includes four insulin injections per day.

In addition, respondent argued that this matter could have been considered along with other matters for which he has

already been disciplined. Had that been done, respondent contended, no additional discipline would have been imposed for his conduct in this matter.

We note, however, that respondent's conduct in this case pre-dated his son's unfortunate illness. At oral argument before us, respondent stated that he does not intend to continue to practice law. He added:

I do not really have the organizational skills to manage a business, particularly the business end of it . . . and I tried long and hard to reinvent myself as a lawyer, and it seemed to be easier to follow my interests, which were now diabetes related and, as a result, I've been in the nursing program at Raritan Valley Community College for the last two years. I graduate this May 15th, and I'll probably be licensed around June of this year. So my intent is to get into - I'll be an RN, so I should be able to find employment, and I hope to go into emergency or neuron-ICU.

However, I do want my license back. I've always had a little bit of trouble being organized and running the business end of the office, and, as a result, I have like a fairly long history of what I would characterize as minor ethics violations.

[BT12.]¹⁰

The DEC found respondent guilty of violating the following RPCs: RPC 1.1(a), for "lack of candor, and misrepresentations in terms of providing the information to the Bankruptcy Court;" RPC

¹⁰ "BT" refers to the transcript of oral argument before us.

1.3 and RPC 3.2 for his "neglect" of the matter and failure to cure the numerous deficiencies in a timely fashion; RPC 1.4(b) and (c) for his failure to advise the Hacketts of events in the case to the extent reasonably necessary for them to make informed decisions about the representation; and RPC 1.15(b), for his failure to refund the Hacketts' \$2,000 fee, as ordered by Judge Winfield.

The DEC recommended a three-year suspension, without citing supporting case law.

Upon a de novo review of the record, we are satisfied that the DEC's conclusion that respondent was guilty of unethical conduct is fully supported by clear and convincing evidence. Respondent's behavior in this matter violated the charged RPCs, with two exceptions.

Respondent represented the Hacketts from September 2002 to July 2003, without incident. During that time, the Hacketts had a difficult bankruptcy petition dismissed, later saving funds to retain respondent to file another petition. In June 2003, respondent met with the Hacketts and received the revised financial information for them. The following month, he filed a new petition, inexplicably without providing financial information of which he was keenly aware.

Respondent claimed that the petition had been filed on an emergent basis to protect the Hacketts from a foreclosure sale. Yet, if he had verified, he would have learned that none had been scheduled. In addition, he failed to disclose certain information in the petition, such as the Hacketts' prior bankruptcy filings, and failed to append completed debtor schedules. He then missed the fifteen-day deadline to correct the deficiencies, and took no action to comply with the requirements for completed schedules until early September 2003.

On September 2, 2003, respondent filed another faulty petition, purportedly again in an effort to protect the Hacketts from a sale that did not exist. This petition, too, lacked the required information. Later, respondent missed the deadline to cure the deficiencies. Finally, on September 29, 2003, he filed the required documents, albeit still with errors.

All of this action took place between June and September 2003. Our review of respondent's measures during that time, including two meetings with his clients and the filing of two separate petitions, does not suggest to us that respondent grossly neglected the case. He was simply trying to buy time until he had to deal with it. More properly, respondent's misconduct here constituted lack of diligence and failure to

expedite litigation. We, therefore, dismiss the gross neglect charge.

Similarly, the record does not support the finding that respondent failed to communicate with the Hacketts under RPC 1.4(b). Respondent had at least two meetings and several telephone conversations with his clients during the relevant time period, June to September 2003. Respondent's wife, too, was in contact with the Hacketts.

Mere contact with clients, however, does not satisfy all the communication aspects of the rules. RPC 1.4(c) requires more. Here, respondent did not inform the Hacketts that he intended to file the first bare-bones petition in an incomplete fashion. He also failed to tell them that he had "dropped the ball" and had to file a second petition. The Hacketts had no idea that respondent was handling their matter in such a way. He also failed to advise them about documents filed without their signatures. In other instances, he had his clients sign documents in blank, without advising them of his intention to submit them to the court without their final review and approval. In all of these ways, we find, respondent failed to provide his clients with the information reasonably necessary for them to make informed decisions about the representation, a violation of RPC 1.4(c).

The DEC also found a violation of RPC 1.15(b) for respondent's failure to return the Hacketts' fee. Respondent objected to the last-minute amendment, claiming that he had been prejudiced by lack of notice of the charge, and stating that he would have returned the fee immediately, had he known that the DEC intended to formally charge him with an RPC violation. Respondent's argument missed the point. His failure to comply with the bankruptcy court order to refund the Hacketts' fee violated RPC 1.15(b) long before the issue reached the hearing stage, in March 2006.

Before reaching the issue of the appropriate quantum of discipline, we address respondent's argument that this and his prior ethics matters should have been consolidated to prevent duplicate discipline. Respondent presented no evidence tending to show that the matters should – or could – have been heard together. Our own examination of the procedural posture of respondent's disciplinary matters shows that consolidation was not viable. Indeed, the grievance in this case was filed in February 2005. At that time, the grievance in DRB 06-211 (currently with the Court) had not yet been filed (August 2005). DRB 04-317 (one-year suspension), too, could not have been heard in conjunction with this matter; by February 2005, DRB 04-317 had already been heard and transmitted for the Court's review.

Finally, all the other disciplinary matters had already been decided when this grievance was filed.

Furthermore, this is not a case of an attorney who did not tend to his professional responsibilities for a defined and limited period of time, frequently because of personal or family problems. Quite often, those situations are aberrational and temporary. This respondent began his unethical spree in 1990, the year he received a private reprimand. His next disciplinary cases addressed conduct that took place from 1990 to 1994, and then continuously from 1999 to 2005. Under these circumstances, it seems disingenuous for respondent to complain that his matter could easily have been heard with the prior matters, thereby implying that his misbehavior was confined to a "pocket" of improprieties that occurred during a limited period of time. Instead, it spanned some ten years.

We now turn to the issue of the suitable form of discipline, which must be fashioned in the context of respondent's extensive disciplinary record.

Admonitions or reprimands have been imposed for lack of diligence and failure to communicate with clients, sometimes seen with additional violations, including failure to expedite litigation. See, e.g., In the Matter of Jonathan Saint-Preux, DRB 04-174 (July 20, 2004) (attorney engaged in lack of diligence and

failure to communicate in two immigration cases); In the Matter of Carolyn Arch, DRB 01-322 (July 29, 2002) (attorney failed to act promptly in her client's divorce action and failed to communicate with the client; the attorney had a prior private reprimand); In the Matter of Theodore F. Kozlowski, DRB 96-460 (February 18, 1998) (in two separate matters, the attorney engaged in lack of diligence and failure to communicate with his clients; the attorney had a prior private reprimand); and In the Matter of Cornelius W. Daniel, III, DRB 96-394 (January 16, 1997) (attorney engaged in lack of diligence by failing to pay medical bills from the net proceeds of a personal injury settlement for a period of four years, and by failing to adequately communicate with the client); In re Baiamonte, 170 N.J. 184 (2001) (reprimand for attorney who, in two client matters, engaged in lack of diligence, failure to communicate, failure to expedite litigation and failure to turn over the client file); In re Paradiso, 152 N.J. 466 (1998) (reprimand for attorney who, in a personal injury matter, failed to act with diligence and failed to communicate with a client, causing the case to be dismissed with prejudice); and In re Bildner, 149 N.J. 393 (1997) (reprimand for attorney who lacked diligence and failed to communicate for two years after client's matter was dismissed with prejudice).

In cases involving attorneys who fail to properly deliver funds to clients or third parties (RPC 1.15(b)), admonitions are usually imposed. In the Matter of Douglas F. Ortelere, DRB 03-377 (February 11, 2004) (attorney admonished for failure to promptly deliver balance of settlement proceeds to client after her medical bills were paid) and In the Matter of E. Steven Lustig, DRB 02-053 (April 19, 2002) (admonition imposed upon attorney who, for three-and-a-half years, held in his trust account \$4800 earmarked for the payment of a client's outstanding hospital bill.

In mitigation, we noted that the misconduct occurred over a relatively short period of time, no apparent harm befell the Hacketts as a result of respondent's actions, and respondent was adjusting to his son's chronic illness at the time.

In aggravation, we considered that respondent has a lengthy disciplinary history, which includes a private reprimand; an admonition; a reprimand (a default case); a second reprimand, (default); a third reprimand (default); a three-month suspension in two separate default matters; a one-year suspension in another default matter; and a recommendation for a two-year suspension, presently with the Court. In seven of these eight matters, respondent failed to cooperate with disciplinary authorities.

An additional aggravating factor is respondent's failure to admit his mistakes. He insisted, at the DEC level, that he committed no wrongdoing, and is right on the bankruptcy law - even in the face of overwhelming evidence that he is wrong. Respondent's inability or unwillingness to face the truth about his mishandling of this and other bankruptcy cases was at the heart of Judge Winfield's determination that another monetary sanction against him was pointless. A suspension for one year in the bankruptcy court was required to get the point across.

In light of the above, we determine that, although this matter, viewed in isolation, would probably lead to no more than a reprimand, when it is considered against the backdrop of respondent's recidivism it requires a period of suspension. We, therefore, determine to impose a one-year suspension, to run concurrently with any suspension meted out in the matter currently pending with the Court. We also require respondent to submit, prior to his reinstatement, proof of fitness to practice law, as attested by an OAE-approved health professional.

Vice-Chair Pashman would make the suspension consecutive to the suspension in the case before the Court. Member Frost recused herself. Members Lolla and Baugh 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 O'Shaughnessy, Chair

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

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

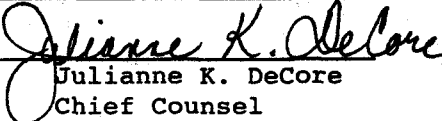
In the Matter of Theodore Kozlowski
Docket No. DRB 06-290

Argued: January 18, 2007

Decided: April 18, 2007

Disposition: One-year concurrent suspension

Members	One-year concurrent Suspension	One-year consecutive suspension	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:	5	1		1	2


Julianne K. DeCore
Chief Counsel