

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

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ASSISTANT COUNSEL

February 4, 2000

Certified Mail - R.R.R. and Regular Mail

Anton Muschal, Esq.
200 Delaware Avenue
Roebling, NJ 08554

Re: In the Matter of Anton Muschal
Docket No. DRB 99-381
LETTER OF ADMONITION

Dear Mr. Muschal:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, on or about August 1, 1994 you incorporated, on behalf of Shirley Bunce, a business known as Fat Rocks Café and Sports Bar, Inc. and listed yourself as registered agent for the corporation. On or about August 30, 1994 you prepared and filed documents with the Division of Alcoholic Beverage Control (ABC) on behalf of Mrs. Bunce, who was purchasing a liquor license from J and A, Inc., a corporation owned by Ayako Knight. One of the documents filed with the ABC, titled "Petition for Renewal of License," bore your name and address on its caption and identified you as "Attorney for Shirley Bunce."

Beginning in May 1995 and continuing through 1996, you wrote a series of letters to Mrs. Bunce about her failure to make payments to Mrs. Knight pursuant to the contract. One of the letters specifically urged Mrs. Bunce to resolve the payment issue, lest you take action to protect Mrs. Knight's interests. Another letter advised Mrs. Bunce that Mrs. Knight was declaring her in default and demanded that "all stock and the license" be transferred to Mrs. Knight. Ultimately, you filed a complaint on behalf of Ayako Knight against Mrs. Bunce. As a result of that lawsuit, you obtained a judgment restraining Mrs. Bunce from operating Fat Rocks Café and Sports Bar, Inc.

Your conduct in representing Mrs. Bunce in the incorporation of the business and in the renewal of the liquor license before ABC and then filing a lawsuit against her on behalf of Mrs. Knight constituted a conflict of interest and violated RPC 1.7 and RPC 1.9(a)(1).

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AT 10:07:11 AM '00

I/M/O Anton Muschal

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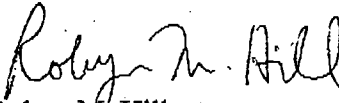
In imposing only an admonition, the Board considered that you have had no disciplinary infractions since your admission to the New Jersey bar in 1976.

Your conduct 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) (4).

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 affidavit of costs will be forwarded under separate cover.

Very truly yours,


Robyn M. Hill

RMH:ms

c. Chief Justice Deborah T. Poritz
Associate Justices
Stephen W. Townsend, Clerk
Supreme Court of New Jersey
Lee M. Hymerling, Chair
Disciplinary Review Board
David E. Johnson, Jr., Director
Office of Attorney Ethics.
Jeffrey Posta, Chair
District VII Ethics Committee
Alan G. Frank, Jr., Secretary
District VII Ethics Committee
Shirley Bunce, Grievant