# DISCIPLINARY REVIEW BOARD

#### OF THE

### SUPREME COURT OF NEW JERSEY

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RICHARD J. HUGHES JUSTICE COMPLEX P.O. BOX 962 TRENTON, NEW JERSEY 08625-0962 (609) 292-1011

January 23, 2014

ISABEL FRANK ACTING CHIEF COUNSEL

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BARRY R. PETERSEN JR.
DONA S. SEROTA -TESCHNER
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KATHRYN ANNE WINTERLE
ASSISTANT COUNSEL

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

William Robb Graham, Esq. c/o Robyn M. Hill, Esq. P.O. Box 333 Lumberton, NJ 08048

RE: In the Matter of William Robb Graham

Docket No. DRB 13-274
District Docket No. VII-2012-0007E

LETTER OF ADMONITION

Dear Mr. Graham:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Following a review of the record, the Board determined to impose an admonition.

Specifically, in October 2009, Francis Priolo retained you to file a claim with the Veterans' Administration ("VA") for alleged negligence in delaying the beginning of his physical therapy and negligent performance of his shoulder surgery. In March 2011, that claim was dismissed. Although the VA sent a copy of the dismissal letter to Mr. Priolo, you, as his lawyer, did not notify him of the dismissal of the claim or discuss the options available to him, namely, to file a request for reconsideration or to start a lawsuit, within six months of the date of the letter.

Furthermore, despite your duty to keep Mr. Priolo adequately informed of the progress of his claim, his numerous

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attempts to obtain information about his case, since August 2010, were unavailing. He was also unsuccessful in retrieving his file and medical records from you, after he received the dismissal letter.

Your conduct was unethical and a violation of  $\underline{\text{RPC}}$  1.4(b). The Board dismissed the balance of the charges for lack of clear and convincing evidence.

In imposing only an admonition, the Board considered that no disciplinary infractions have been sustained against you since your 1983 admission to the New Jersey bar, that you admitted your wrongdoing, and that you were beset by illness, at the relevant time, for which you sought treatment.

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).

The Board also directed that you submit to the OAE proof of continued medical treatment and that you do not engage in the sole practice of law. Both conditions are to remain in effect until you submit proof of discharge by your doctor.

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 cost of the disciplinary proceedings be assessed against you. An invoice of costs will be forwarded under separate cover.

Very truly yours,

Isabel Frank

Acting Chief Counsel

IF/tk

c: Chief Justice Stuart Rabner
Associate Justices

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Bonnie C. Frost, Chair
Disciplinary Review Board (via email)
Mark Neary, Clerk
Supreme Court of New Jersey
Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)
Jennifer Weisberg Millner, Chair
District VII Ethics Committee
Alan G. Frank, Jr., Secretary
District VII Ethics Committee
Francis Priolo, Grievant

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RICHARD J. HUGHES JUSTICE COMPLEX P.O. BOX 962 TRENTON, NEW JERSEY 08625-0962 (609) 292-1011

June 25, 2015

CERTIFIED MAIL, R.R.R. & REGULAR MAIL

William Robb Graham, Esq. Law Office of Robert I. Segal 71 North Main Street Medford, NJ 08055

RE: In the Matter of William Robb Graham

Docket No. DRB 13-274
District Docket No. VII-2012-0007E

Dear Mr. Graham:

On January 23, 2014, the Disciplinary Review Board issued to you a letter of admonition in the above captioned matter. In addition to the admonition, the Board directed that you submit to the Office of Attorney Ethics (OAE) proof of continued medical treatment and prohibited you from engaging in the solo practice of law. Both conditions were to remain in effect until you submit proof of discharge by your doctor.

On April 15, 2015, Office of Board Counsel (OBC) received correspondence from Dr. Charles P. Waitz, Ph.D. Dr. Waitz opined that you have met the criteria for discharge from his treatment and recommended that you be considered for reinstatement to the "full privileges of the practice of law in New Jersey." Dr. Waitz added, however, that requiring discharge from treatment is counterintuitive as a prerequisite of being made "professionally 'whole'." He believes that, even when there is a good outcome, helpful to continue contact on a supportive prophylactic basis.

Ellen A. Brodsky Chief Counsel

MELISSA URBAN FIRST ASSISTANT COUNSEL

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LILLIAN LEWIN
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ASSISTANT COUNSEL

I/M/O William Robb Graham, DRB 13-274
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Subsequently, in a May 7, 2015 letter to the OBC, the OAE confirmed that it has no objection to the removal of the prohibitions placed on you by the Board.

In light of the above, the Board determined to remove the prohibitions placed on your ability to practice law and remove the requirement that you be discharged in order to continue your professional career. Dr. Waitz' suggestion — that you should be allowed to continue treatment on a supportive basis — appears reasonable.

Very truly yours,

Ellen A. Brodsky

Chief Counsel

## EAB/tk

c: Bonnie Frost, Chair (via email)
 Disciplinary Review Board
Charles Centinaro, Director (via email)
 Office of Attorney Ethics
Hillary Horton, Deputy Ethics Counsel (via email)
 Office of Attorney Ethics