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January 23, 2018

**VIA CERTIFIED MAIL, R.R.R.; REGULAR MAIL;
And E-MAIL**

Joseph Gachko, Esq.
c/o Raymond S. Londa, Esq.
277 North Broad Street
Elizabeth, NJ 07208

Re: In the Matter of Joseph Gachko

Docket No. DRB 17-359

District Docket Nos. XIV-2016-0259E;

XIV-2016-0293E; and XIV-2016-0374E

LETTER OF ADMONITION

Dear Mr. Gachko:

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, during a June 21, 2016 demand audit, the Office of Attorney Ethics (OAE) determined that your three attorney trust accounts held more than \$160,000 in unidentified, unclaimed funds. Not only had you failed to disburse those monies as of that date, but also, you failed, for nearly a year, to comply with the OAE's requests that you identify and account for the outstanding balances. It was only after the OAE filed the formal ethics complaint, in April 2017, that you "delivered funds to clients that the clients were entitled to receive and addressed the unidentified trust account balances."

Based on the above conduct, you violated RPC 1.15(b), which requires an attorney to "promptly deliver to [a] client or third person any funds or other property that the client or third person

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is entitled to receive." You also violated RPC 8.1(b), which prohibits an attorney from knowingly failing to reply to a lawful demand for information from a disciplinary authority. Here, you neither complied with the OAE's requests that you identify the balances of the unclaimed/unidentified funds nor resolved those balances until after the formal ethics complaint was filed against you, nearly a year later.

Finally, you violated RPC 1.15(d), which obligates an attorney to comply with the recordkeeping requirements imposed by R. 1:21-6. Specifically, you maintained unidentified, unclaimed balances in your trust accounts, in violation of R. 1:21-6(d) and (j). In addition, you made electronic transfers without proper authorization (R. 1:21-6(c)(1)(A)), maintained an improper attorney business account designation on your bank statements, checks, and deposit slips (R. 1:21-6(a)(2)), and accepted from your financial institution improper digital images of canceled business account checks (R. 1:21-6(b)).

In imposing only an admonition, the Board considered, in mitigation, your unblemished disciplinary history in more than thirty years at the bar.

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)(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 also has directed that the costs of the disciplinary proceedings be assessed against you. R. 1:20-17. An invoice of costs will be forwarded under separate cover.

Very truly yours,



Ellen A. Brodsky
Chief Counsel

EAB/sl

c: See attached list.

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c: Chief Justice Stuart Rabner
Associate Justices
Bonnie Frost, Chair
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