

# DISCIPLINARY REVIEW BOARD

OF THE

## SUPREME COURT OF NEW JERSEY

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ASSISTANT COUNSEL

April 25, 2018

**VIA REGULAR MAIL and E-MAIL**

**CORRECTED LETTER**

S. Michael Musa-Obregon  
c/o Kim D. Ringler, Esq.  
167 Franklin Turnpike  
Waldwick, New Jersey 07463

**Re: In the Matter of S. Michael Musa-Obregon**  
Docket No. DRB 18-063  
District Docket No. XI-2016-0007E  
**LETTER OF ADMONITION**

Dear Mr. Musa-Obregon:

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.<sup>1</sup>

Specifically, although you primarily represent clients in federal matters in New York, at the relevant time, you maintained a New Jersey law office staffed by a full-time New Jersey-licensed attorney. In May 2008, Natalie Ortega retained your law firm for a child support enforcement application against her former husband. You met with Ortega at your Garfield, New Jersey law office and signed the retainer agreement because the New Jersey lawyer associated with your office was not available at the time. The

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<sup>1</sup> The Board found that, pursuant to RPC 8.5(a), as a New York attorney, not admitted in New Jersey, you were subject to the jurisdiction of New Jersey disciplinary authorities for legal services you undertook in this State.

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Board found that the retainer agreement did not comply with the Rules of Professional Conduct because the agreement, which pertained to a family court action, provided that twenty-five percent of the fee was non-refundable. The Board found that this term in the agreement violated RPC 1.5(a), which requires a lawyer to charge a reasonable fee. The provision also violated R. 5:3-5(b), which prohibits the inclusion of a non-refundable retainer provision in a civil family action fee agreement. Although the retainer agreement violated the Court Rule in other respects, the Board determined that those Rule violations did not rise to the level of ethics violations. The Board dismissed the remaining violations charged in the complaint (RPC 1.15, presumably (a), RPC 5.5(b) and (c), RPC 7.5(b), RPC 8.4(a), and RPC 8.4(d)), as inapplicable.

In imposing only an admonition, the Board considered that you had no history of discipline in New Jersey, closed your New Jersey office, and presented evidence of your good character.

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. 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  
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Disciplinary Review Board (e-mail)  
Mark Neary, Clerk  
Supreme Court of New Jersey  
Gail G. Haney, Deputy Clerk  
Supreme Court of New Jersey (w/ethics history)  
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Natalie Ortega, Grievant (regular mail)