SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 18-032
District Docket No. XIV-2017-0246E

IN THE MATTER OF	:
EDWARD P. McKENZIE	:
AN ATTORNEY AT LAW	:

Decision

Argued: April 19, 2018

Decided: July 20, 2018

Hillary K. Horton appeared on behalf of the Office of Attorney Ethics.

Jonathan D. Clemente appeared on behalf of respondent.

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

This matter was before us on a motion for final discipline filed by the Office of Attorney Ethics (OAE), pursuant to R. 1:20-13(c), following respondent's entry of an "Alford Plea" in the United States Virgin Islands to one count of compounding a

crime, in violation of 14 Virgin Islands Code (VIC) §521(a)(3).[1]

Although we determine to grant the OAE's motion, we are unable to reach a consensus on the proper quantum of discipline. Three members vote for a six-month prospective suspension. The remaining three members vote for a one-year prospective suspension.

Respondent was admitted to the New Jersey and New York bars in 1983, and to the South Carolina bar in 1994. He has no prior discipline or pending matters. He has been in retired status since 2008.

Respondent's counsel, Jonathan D. Clemente, Esq. filed a March 5, 2018 brief with us containing a jurisdictional snapshot of the within matter, as follows:

> [Respondent's] case was brought in the Virgin Islands Superior Court, which is the trial court of general jurisdiction in the territory, and is distinct from the District Court of the United States Virgin Islands (DVI), a federal court which is part of the Third Circuit. Prosecutions brought by the Attorney General in the Superior Court are initiated by the filing of an Information;

[1] An Alford plea permits a defendant to avoid directly pleading guilty, while admitting that enough evidence exists to persuade a fact-finder of the defendant's guilt beyond a reasonable doubt. North Carolina vs. Alford, 400 U.S. 25 (1970).

> there is no right to indictment by grand jury in the Territory of the Virgin Islands.

According to a September 1, 2016 amended Information, the Virgin Islands Office of the Lieutenant Governor (OLG) is responsible for the attachment and sale of real estate for non-payment of real estate taxes. That function is conducted by the Tax Collector's Office of the Division of Real Property within the OLG.

From July 1, 2012 to September 30, 2013, Calford Charleswell was the Chief Enforcement Officer of the tax division within the OLG. His duties included serving notices of attachment, auctioning real property for delinquent taxes, and issuing titles to properties sold at auction. The procedures for auctions are established by statute, rules, and regulations, but Charleswell and others made certain changes that enabled him and a group of individuals to manipulate the bidding process. Specifically, they devised a scheme whereby the highest bidder purposefully made a substantially inflated high bid, then failed to post the required ten percent deposit, so that another bidder or individual would acquire the property for a substantially lower price.

A group of individuals including respondent, Charleswell, Paul Sabers, and Sylvester Warner, in concert with each other,

were alleged to have manipulated the bidding process, thereby engaging in numerous criminal acts, including forgery; obtaining money by false pretenses; conversion of government property; conspiracy; recording false documents; making fraudulent claims on the government; larceny; and embezzlement. The alleged purpose of the enterprise was to circumvent the previously established auction process, in order to enrich or facilitate the enrichment of certain individuals.

At respondent's March 17, 2017 plea and sentencing hearing in the Superior Court of the Virgin Islands, Division of St. Thomas and St. John (SCVI), Assistant Attorney General John Tolud moved to amend the amended Information against respondent, to add one count of compounding a crime, a violation of 14 VIC §521(a)(3), titled Punishment for Compounding Crime:

> (a) Whoever, having knowledge of the actual commission of a crime, takes money or property of another or any gratuity or reward, or an engagement or promise therefor, upon any agreement or understanding, express or implied, to compound or conceal such crime, or a violation of this title or other law, or to abstain from, discontinue, or delay, a prosecution therefor, or to withhold any evidence thereof, except in a case provided for by law in which the crime may be compromised by leave of court, shall be imprisoned not more than —

> (1) five years, where the agreement or undertaking relates to a crime punishable by life imprisonment; or
>
> (2) three years, where the agreement or understanding relates to any other felony; or
>
> (3) ninety days or fined not more than $100, or both, where the agreement or understanding relates to a misdemeanor.

Here, under subsection (3), the agreement or understanding related to a misdemeanor, carrying a maximum ninety-day term of imprisonment and $100 fine. The Office of the Attorney General and respondent agreed to seek a ninety-day term of incarceration, with all time suspended, and credit for any time served, one year of probation, and 100 hours of community service.

In exchange for respondent's guilty plea, the Office of the Attorney General agreed to dismiss the four remaining charges against respondent: (1) conspiracy; (2) obtaining money by false pretense; (3) conversion of government property; and (4) one count of Criminally Influenced Corrupt Organizations (CICO) conspiracy.

During the plea phase of respondent's hearing before the Honorable Michael C. Dunston, PJSCVI, Assistant Attorney General Tolud recited the factual basis for respondent's plea. Had the matter gone to trial, the government would have proven

that, on August 30, 2012, respondent was listed as bidder number one at a government real property auction conducted by the OLG. Respondent was listed as number one on the "1, 2, 3 sheet with the [bid] amount of $75,000." Although respondent was the winning bidder, he did not make the required ten percent deposit within the time designated to do so, ultimately affording a co-defendant, Paul Sabers, the opportunity to purchase the property for $10,000. Respondent provided the funds to another co-defendant, Sylvester Warner, to pay the OLG for the purchase. The government further would have proven that, as a result of his acts, respondent knowingly concealed the crime of obtaining property under false pretenses, concerning the co-defendant's purchase of the property, in collaboration with three co-defendants, thereby defrauding the People of the Virgin Islands and the true owner of the property.

Although respondent pleaded guilty to the compounding crime, he was unwilling to admit that he participated in the acts that constituted the offense. His attorney, Treston E. Moore, Esq. placed the following on the record:

> [M]y client is pleading guilty but pursuant to the provisions of North Carolina vs Alford at 400 U.S. 25, 1970, and that a plea of guilty is based upon the ability of the

> Government to state more significant charges against him, that by going to trial he would face more significant charges. The particular counts, I believe, are 5, 10, 10, and 80, are the more severe charges for the RICO -- the CICO statute which we challenged at pretrial, which Your Honor upheld the ability of the Government to go forward on that particular count as well.
>
> In a discussion with my client and we've agreed, I'm allowed to waive just this portion of attorney/client. I went over those charges with him. I recommended that this was a better deal and a better opportunity, and he's pleading guilty not because he believes he's guilty, but he's doing it pursuant to Alford. I think that's all I would need to say on that particular part, Your Honor.
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> [OAEbEx.D at 9-24 to 10-20.][2]

Judge Dunston then found "an independent factual basis" for respondent's guilty plea. He further concluded that respondent "knowingly, voluntarily, and understandingly" pleaded guilty and consented to the imposition of sentence, "despite his unwillingness to admit his participation in the underlying offense." The judge also found "a valid explanation for the apparent conflict between the defendant's waiver of his right to trial and his claim of innocence," and, therefore, accepted the plea.

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[2] OAEb refers to the January 30, 2018 brief in support of the motion for final discipline.

Respondent waived the preparation of a pre-sentence report and consented to the court's sentencing him that same day. Prior to sentencing respondent, however, Judge Dunston stated:

> I understand that substantial charges in this instance are being dismissed, that being Counts One through Four of the original Information, and that [respondent] is presenting an Alford plea to the Court for a misdemeanor offense of compounding the crime – compounding a crime, excuse me, but find that sentencing in accordance with the plea agreement in this instance, given the fact that [respondent] is making restitution through the arrangement in the civil CICO settlement, is sufficient impetus for the court to justify the sentence as agreed.
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> [OAEbEx.D,22-14 to 25.]

Judge Dunston then sentenced respondent to (1) ninety days' incarceration with credit for one day served, with the remainder of the sentence suspended; (2) one year of probation; (3) 100 hours of community service; and (4) a probationary fee of $500 and court costs.

In order to facilitate payment of the CICO restitution, the court ordered $100,000 of respondent's $140,000 cash bail to be turned over to defense counsel, to be held in escrow pending finalization of a restitution agreement. The amount of respondent's restitution is not a part of the record.

Respondent reported his criminal conviction to the OAE, as R. 1:20-13(a)(1) requires.

Noting that no New Jersey discipline cases are directly on point, the OAE cited a number of cases in support of an eighteen-month suspension, focusing on three cases involving attorneys convicted of a somewhat analogous crime, misprision of felony (18 U.S.C. §4), which states:

> [w]hoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

In In re Fishman, 177 N.J. 600 (2003), the attorney pleaded guilty to one count of misprision of felony, after creating charitable trusts for clients who were committing securities fraud. Despite knowledge of the fraud, the attorney decided not to report the information to authorities, and to assist his clients in the perpetration of the fraud. The criminal activity extended over a substantial period of time, and Fishman held a financial interest in the underlying enterprise. He was sentenced to two years' probation and a $5,000 fine.

In In re Primavera, 157 N.J. 459 (1999), the attorney represented a couple in the sale of their house. Prior to closing, the attorney learned that the buyer and buyer's attorney sought to submit a HUD-1 settlement statement to the

lender that contained a false purchase price. Knowing that the HUD-1 had been falsified, Primavera continued with the settlement, but refused to show the HUD-1 to the real estate brokers in attendance, in order to lessen the likelihood that they or the lender would uncover the fraud. Primavera was sentenced to three years' probation, 200 hours of community service, restitution of $50,000, and a $3,000 fine. When the borrower defaulted on the mortgage loan, the lender lost more than $650,000. We noted that the sentencing court had found that the attorney was otherwise reputable; had been 'ensnared' into the crime, which had taken place over a brief time period; and had been motivated not by greed, but by a desire to help his clients sell their house.

In In re Felmeister, 186 N.J. 1 (2006), the attorney represented two clients in their purchase of "Universal Windows," a business operation for which they received a $1,750,000 Small Business Administration (SBA) loan guarantee. The SBA required them to contribute $700,000 toward the purchase price of the business. The attorney, knowing that the business partners had not provided those funds and had misrepresented that fact to the SBA, prepared and submitted a HUD-1 settlement statement to their lender, misrepresenting that the clients had made the required $700,000 contribution. After the closing, the

attorney learned that his clients had also placed a "silent second," $700,000 first purchase money mortgage from the sellers, on the property. Yet, the attorney recorded the lender's mortgage without regard to that knowledge and failed to report the loan fraud or mortgage concealment to authorities. Felmeister was sentenced to three years' probation and six months' house arrest, restitution of $106,000, and $5,100 in fines. When meting out the sanction, we noted that Felmeister knowingly participated in the fraud and was aware that he had placed public (SBA) funds at risk. Moreover, the amount of the fraud was substantial. Aside from his legal fee, Felmeister did not profit from the scheme.

The OAE also cited a disbarment case involving misprision of felony, In re Marino, 217 N.J. 351 (2014). Marino was sentenced to a twenty-one month prison term and ordered to pay $60 million in restitution for his role in the fraudulent scheme, which involved a $309 million fraud on hundreds of investors. The OAE conceded that Marino was more serious than the instant case.

Finally, the OAE cited In re May, 230 N.J. 56 (2017) and In re Stein, 230 N.J. 57 (2017), companion cases involving a widespread conspiracy to rig bids in municipal tax lien sales. The decade-long scheme included numerous co-conspirators

throughout New Jersey, for which the attorneys were found guilty of Sherman Act violations. May and Stein were each sentenced to one year of probation and a $20,000 fine. The OAE conceded that, although the May, Stein, and within matters all involve tax-sale fraud, respondent's misconduct was less serious than that for which May and Stein each received a three-year suspension.

In his brief, respondent's counsel sought a three-month suspension for respondent, retroactive to March 17, 2017, the date of his plea agreement in the SCVI.

Counsel summarized the underlying fraudulent scheme as follows:

> [t]he misdemeanor count against [respondent] arose out of a broader investigation by the Office of the Inspector General into real property auctions conducted by the [OLG] to collect unpaid property taxes. The OLG's Chief Enforcement Officer was charged with manipulating the public auction process to ensure that properties went to designated coconspirators for a price under the high bid. This was allegedly achieved by having a sham high bidder win the property at auction, but then fail to make the required deposit to secure the property. In addition to the Chief Enforcement Officer, three other individuals were also charged, including [respondent].
>
> [Rb2-3.][3]

[3] Rb refers to respondent's counsel's brief, dated March 5, 2018.

Counsel's brief also set forth several alleged facts that would tend to exonerate respondent from any criminal wrongdoing. Specifically, respondent and Paul Sabers were business associates – Sabers as the owner of a marina on St. Thomas, and respondent as the marina manager. Sabers sought to purchase, at government auction, a parcel of land that abutted his marina, and asked respondent to bid on it for him, because Sabers would be "off island" on the auction date. Respondent did so. After respondent entered the winning bid ($75,000), the auctioneer and Sabers told respondent that he need not make the required ten percent deposit to hold the bid, because it was being "taken care of." Thereafter, "[a]s far as [respondent] was concerned, his involvement was over."

Counsel asserted that Sabers, not respondent, failed thereafter to make the deposit (although respondent was the bidder of record), thereby forfeiting the property. On a date not in the record, OLG Chief Enforcement Officer Charleswell apparently inserted a phony $10,000 bid into the process. A month later, Sabers "purchased the winning bid for the property from another individual." Counsel claims that respondent was unaware of the fraudulent scheme involving Charleswell, Sabers, Warner, and others to manipulate the auction process. Respondent paid for Sabers' purchase using a check from Sabers'

marina checking account, which he was authorized to use in his role as Sabers' marina manager. He further asserted that respondent has no recollection of drafting or delivering that check, because of his many management activities at the time (three shopping centers, two self-storage facilities, a parking lot, and the marina).

Finally, respondent's counsel stated that the property was ultimately returned to its original owner, but counsel did not elaborate on the circumstances surrounding its return.

Respondent's counsel argued that the cases that the OAE relied on in support of an eighteen-month suspension (Fishman, Primavera, and Felmeister) involved far more serious misconduct than presented here. Fishman, in his attorney role, formed offshore charitable trusts for clients involved in securities fraud, the fraud was committed over a lengthy period of time, and he benefitted from the activity. Respondent, on the other hand, in his role as a property manager, appeared for a business associate one time, to make a tax-sale bid, with no economic interest in the transaction, and without compensation.

In respect of Primavera, the attorney actively participated with his client in defrauding the lender, in a real estate matter, by submitting false documents. He did so in

his role as an attorney. Likewise, in Felmeister, the attorney actively participated, in his role as an attorney, in perpetrating a fraud on the SBA, along with his client. Thus, respondent's counsel argued, this case is distinguishable, because respondent was unaware of his co-defendants' scheme "as it unfolded," and was not serving as an attorney when he bid on the property for Sabers, a business associate. Rather, he maintained, this case is more akin to In re DiBiasi, 102 N.J. 152 (1986), where the attorney received a three-month suspension.

In that case, a young attorney, who, at the time, had no experience in real estate closings, was assigned, on an emergent basis, the substantial responsibility of handling a $2.1 million commercial real estate transaction. Id. at 155. Prior to closing, DiBiasi learned that his clients had characterized a lease on a portion of the building as a binding one, when it had not yet been finalized, a fact of which the lender was unaware. The attorney yielded to client pressure not to divulge that fact to the lender, when they told him that the lease was soon to be consummated and that the lender was adequately secured by personal guarantees from the clients' principals. Id. at 153. Although the mortgage amount was

substantial, DiBiasi was permitted to plead guilty to the misapplication of a sum not in excess of $100, a misdemeanor punishable under federal law by a maximum $1,000 fine, confinement of one year, or both. Id. at 156. Although the judge sentenced DiBiasi to confinement of one year, that sentence was suspended. The judge ordered DiBiasi to pay a $1,000 fine. Id. at 153. The Court remarked that a number of the clients were unprincipled, and that their representations to DiBiasi "were a significant factor in contributing to this result." Id. at 155.

According to counsel, respondent, like DiBiasi,

> believed that he was doing nothing more than standing in for one of his clients to bid for a property that was being sold at public auction. There is no indication that he knew that there were corrupt government officials involved in the bidding process. Nor was he acting in the capacity as an attorney. While we acknowledge that for purposes of this proceeding [respondent's] plea to one count misdemeanor [sic] establishes conclusively his acknowledgement of, and willingness to accept, his guilt, a modest discipline such as that imposed in the DiBiase [sic] case should be considered.
>
> [Rb6.]

Finally, counsel argued that an eighteen-month suspension would be unduly harsh because respondent had not practiced law for more than a decade at the time of the misconduct. Moreover,

respondent "was used as an unwitting pawn in a scheme masterminded by a corrupt government official," for which a three-month, retroactive suspension should suffice.

* * *

Following a review of the record, we determine to grant the OAE's motion for final discipline. Final discipline proceedings in New Jersey are governed by R. 1:20-13(c). Under that Rule, a criminal conviction is conclusive evidence of guilt in a disciplinary proceeding. R. 1:20-13(c)(1); In re Magid, 139 N.J. 449, 451 (1995); In re Principato, 139 N.J. 456, 460 (1995). Respondent's guilty plea to one count of misdemeanor compounding a crime establishes a violation of RPC 8.4(b). Pursuant to that Rule, it is professional misconduct for an attorney to "commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer." Respondent's conduct also violated RPC 8.4(c). Hence, the sole issue is the extent of discipline to be imposed. R. 1:20-13(c)(2); In re Magid, 139 N.J. at 451-52; In re Principato, 139 N.J. at 460.

In determining the appropriate measure of discipline, we must consider the interests of the public, the bar, and the respondent. "The primary purpose of discipline is not to punish the attorney but to preserve the confidence of the public in the bar." Ibid. (citations omitted). Fashioning the appropriate

penalty involves a consideration of many factors, including the "nature and severity of the crime, whether the crime is related to the practice of law, and any mitigating factors such as respondent's reputation, his prior trustworthy conduct, and general good conduct." In re Lunetta, 118 N.J. 443, 445-46 (1989).

That an attorney's conduct did not involve the practice of law or arise from a client relationship will not excuse an ethics transgression or lessen the degree of sanction. In re Musto, 152 N.J. 165, 173 (1997). Offenses that evidence ethics shortcomings, although not committed in the attorney's professional capacity, may, nevertheless, warrant discipline. In re Hasbrouck, 140 N.J. 162, 167 (1995). The obligation of an attorney to maintain the high standard of conduct required by a member of the bar applies even to activities that may not directly involve the practice of law or affect his or her clients. In re Schaffer, 140 N.J. 148, 156 (1995).

Here, respondent pleaded guilty to misdemeanor compounding a crime, for which he was sentenced to ninety days in prison, with the sentence suspended, one year's probation, and 100 hours of

community service.[4] Respondent conceded that the government would have proven at trial that he had knowingly concealed the crime of obtaining property under false pretenses, in collaboration with three co-defendants, thereby defrauding the people of the Virgin Islands and the true property owner.

Although respondent's "Alford plea" enabled him to plead guilty to the crime without admitting the underlying facts, Judge Dunston accepted his guilty plea, and found an independent reason to do so – respondent's willingness to indemnify the property owner and the People of the Virgin Islands through restitution in a related civil (CICO) matter, which had not been finalized at the time of sentencing.

Respondent's argument, through counsel, that he was unaware of the conspiracy among Sabers, Charleswell, and the others "as it unfolded," is directly at odds with respondent's admission that he "knowingly concealed the crime of obtaining property under false pretenses." Respondent may not offer new, conflicting facts in a disciplinary proceeding based on a motion for final discipline. R. 1:20-13(c) states, in relevant part, as follows:

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[4] According to counsel, respondent has completed the community service through My Brother's Workshop, a Virgin Islands non-profit serving at-risk and high-risk young people.

> In any disciplinary proceeding instituted against an attorney based on criminal or quasi-criminal conduct, the conduct shall be deemed to be conclusively established by . . . the transcript of a plea of guilty to a crime . . . whether the plea results in a judgment of conviction or admission to a diversionary program, a plea of no contest, nolo contendere, or the transcript of the plea. . . .
>
> The Board and Court may consider any relevant evidence in mitigation that is not inconsistent with the essential elements of the criminal matter for which the attorney was convicted or has admitted guilt as determined by the statute defining the criminal matter.

Thus, respondent is bound by the facts as they were stated during the plea phase of his hearing before Judge Dunston, wherein he admitted that he had knowingly concealed the crime of obtaining property under false pretenses.

We now turn to consideration of the appropriate discipline for respondent's misconduct. We agree that the eighteen-month suspension cases the OAE cited are distinguishable from the facts in this case, and that the discipline imposed there would be unduly harsh when applied to these facts. Specifically, in Fishman, the attorney served in an attorney capacity when creating charitable trusts for his clients, who were committing securities fraud. Fully aware of their criminal conduct, he failed to alert authorities to it, and actively helped the clients perpetrate

their fraud, which took place over a substantial period of time. In the Matter of Yale M. Fishman, DRB 03-090 (July 21, 2003) (slip op. at 2-3).

In Primavera, the sellers' attorney aided the buyers' fraud in a real estate transaction by ignoring the buyers' false HUD-1 statement. He compounded this conduct by evading the real estate brokers' attempts to review the HUD-1 at the closing, in order to hide the fraud from them and the lender. As a result of the fraud, the lender lost over $650,000. In the Matter of Thomas E. Primavera, DRB 98-295 (February 1, 1999) (slip op. at 2-3).

In Felmeister, the attorney knew that his clients had misrepresented to the SBA that they had contributed the required $700,000 in order to secure an SBA loan for $1,750,000. Indeed, Felmeister prepared a false HUD-1 in his attorney role, misrepresenting to the lender that the deposit had been made. After the closing, Felmeister learned that the clients had secured a secret first purchase money mortgage from the sellers, but he failed to alert authorities to that fraud, and recorded the new deed without reference to the sellers' prior mortgage. In the Matter of Robert A. Felmeister, DRB 05-283 (December 22, 2005) (slip op. at 2-3). Felmeister's extensive breach of the public

trust is significantly more serious than respondent's more limited acts.

Here, respondent placed a $75,000 bid, ostensibly for Sabers, in respondent's own name, and failed to make the ten percent deposit, for reasons that were not elicited at the plea hearing. Rather, it is only now that respondent claims that the auctioneer and Sabers told him that the deposit would be made.

Further, respondent wrote a $10,000 check to a co-defendant, after respondent's bid was rejected. The record contains no evidence about respondent's knowledge of that specific transaction. Again, respondent only now claims that he was unaware of the auction fraud occurring all around him, and that he did not recall writing or delivering that check to his co-defendant. We are, however, bound by the facts established to support his conviction.

That notwithstanding, respondent was convicted of only a misdemeanor for his involvement in the enterprise, which, in our view, signals the government's and the court's acknowledgement that his involvement was more limited than that of his co-defendants.

In this context, respondent's reliance on DiBiasi, at first blush, appears appropriate. There, a novice attorney was assigned

a complex commercial real estate transaction for which he had no experience. In addition, he was cajoled by his clients to keep their fraudulent behavior a secret, having been convinced by them that the lender was amply protected from harm by personal guarantees.

If we were to accept respondent's assertion that he had no knowledge of his co-defendants' underlying scheme, we would then question why he would risk $75,000 of his own money, bidding in his own name, on a property that he did not intend to buy. Why would he accept, as true, Sabers' and an auctioneer's statement that he need not worry about the required-by-law deposit? Respondent is a trained attorney, and must have known that he, not Sabers, was liable to the government in respect of his $75,000 bid. Thus, in this context, and despite similarities with DiBiasi, in our view, a three-month suspension is insufficient to address respondent's overall misconduct.

On the other hand, an eighteen-month suspension seems too severe for a single misdemeanor offense that is based on these limited facts. In addition, there is mitigation: respondent has no prior discipline since 1983 (albeit he has been in retired status since 2008), and appears to have caused no permanent harm, as the property was apparently returned to its original owner.

For these reasons, Members Clark, Hoberman, and Singer vote to impose a six-month prospective suspension. Members Gallipoli, Rivera, and Zmirich vote to impose a one-year prospective suspension.

Chair Frost was recused. Members Boyer and Joseph 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
Bruce W. Clark, Vice-Chair

By: Ellen A. Brodsky
Ellen A. Brodsky
Chief Counsel

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

In the Matter of Edward P. McKenzie
Docket No. DRB 18-032

Argued: April 19, 2018

Decided: July 20, 2018

Disposition: Six-month Suspension
One-year Suspension

Members	Six-month Suspension	One-Year Suspension	Recused	Did Not Participate
Frost			X	
Boyer				X
Clark	X			
Gallipoli		X		
Hoberman	X			
Joseph				X
Rivera		X		
Singer	X			
Zmirich		X		
Total:	3	3	1	2

Ellen A. Brodsky
Chief Counsel