

# DISCIPLINARY REVIEW BOARD

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SUPREME COURT OF NEW JERSEY

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February 25, 2019

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

Robert J. Stack, Esq.  
c/o Thomas R. King, Esq.  
11 Kiel Avenue, Suite C-3  
Kinnelon, New Jersey 07405

Re: In the Matter of Robert James Stack  
Docket No. DRB 18-393  
District Docket No. XA-2016-0017E  
**LETTER OF ADMONITION**

Dear Mr. Stack:

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, on October 18, 2014, you entered into a retainer agreement with Christine Conte, to represent her in connection with the sale of property that she had purchased with her then husband, Denis Hynes. Although the agreement was between only you and Conte, your actions in connection with the sale demonstrated that you also represented Hynes in the transaction. Moreover, Hynes believed that you also were representing him in the sale. Previously, you had represented both Conte and Hynes in a foreclosure action on the property. Afterwards, you represented Conte in a divorce proceeding that had been instituted by Hynes, pro se, for which you had prepared a property settlement agreement at Conte's direction.

At the uncontested divorce hearing, it came to light that you had not discussed with Conte and Hynes the conflict of interest resulting from your representation of Conte in the divorce action, following your representation of both of them in (1) the foreclosure action; and (2) the subsequent

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sale of the marital residence. Further, you did not obtain their written waiver to the conflicts. Your conduct was unethical and in violation of RPC 1.7(a)(2) (concurrent conflict of interest) and RPC 1.9(a) (representing a client in a matter and, thereafter representing another client in a substantially related matter where their interests are adverse).

In imposing only an admonition, the Board considered, in mitigation, your full cooperation with the investigation, including entering into a stipulation of facts; your admission of wrongdoing; your expressed contrition for your conduct; your otherwise unblemished record in your twenty-three years at the bar; and the absence of economic harm to Hynes.

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 has also 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/rs

c: Chief Justice Stuart Rabner  
Associate Justices  
Heather Joy Baker, Clerk  
Supreme Court of New Jersey  
Bonnie C. Frost, Chair  
Disciplinary Review Board (e-mail)  
Gail G. Haney, Deputy Clerk  
Supreme Court of New Jersey (w/ethics history)  
Charles Centinaro, Director  
Office of Attorney Ethics (interoffice mail and e-mail)  
Diana C. Manning, Chair, District XA Ethics Committee (e-mail)  
Caroline Record, Secretary, District XA Ethics Committee (e-mail)  
Hon. Maryann L. Nergaard, J.S.C., (regular mail)