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SUPREME COURT OF NEW JERSEY**

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RICHARD J. HUGHES JUSTICE COMPLEX
P.O. BOX 962
TRENTON, NEW JERSEY 08625-0962
(609) 815-2920

ELLEN A. BRODSKY
CHIEF COUNSEL

MELISSA URBAN
DEPUTY COUNSEL
BARRY R. PETERSEN, JR.
DEPUTY COUNSEL

TIMOTHY M. ELLIS
LILLIAN LEWIN
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KATHRYN ANNE WINTERLE
ASSISTANT COUNSEL

May 30, 2019

VIA CERTIFIED MAIL, R.R.R. & REGULAR MAIL
Alan M. Kamel, Esq.
c/o Justin A. Marchetta, Esq.
Inglesino, Webster, Wyciskala & Taylor LLC
600 Parsippany Road, Suite 204
Parsippany, New Jersey 07054

Re: In the Matter of Alan Monte Kamel
Docket No. DRB 19-086
District Docket No. XII-2018-0029E
LETTER OF ADMONITION

Dear Mr. Kamel:

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 for your violation of RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions about the representation), RPC 1.5(b) (failure to communicate in writing the basis or rate of the fee), and RPC 1.5(c) (failure to communicate the method by which the fee is to be determined in a contingent fee matter).

Specifically, in September 2015, Kenneth Davis, D.M.D. retained you to represent him in a collection action against his former tenant. Although you undertook the representation on a contingent fee basis, you did not provide Dr. Davis with a writing setting forth the method by which the fee would be calculated. Thereafter, the defendant filed an answer and counterclaim against Dr. Davis, seeking \$15,000 in damages, the monetary limit in Special Civil Part. Although you offered to represent Dr. Davis on the counterclaim for a \$1,500 fee, you failed to provide him with a writing communicating the basis or rate of the fee for defense of the counterclaim or for an additional fee relating to the filing of an amended complaint. Further, prior to settling the matter, you failed to advise Dr. Davis of the amount of your outstanding fees, or that the additional fees

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would be paid from the settlement. Dr. Davis, therefore, accepted the \$4,000 settlement offer, without being informed that he would net only \$550.

In imposing only an admonition, the Board considered the significant passage of time since your prior disciplinary matters occurred; that they were for unrelated violations; and that you were candid and cooperative with disciplinary authorities in this matter.

Your conduct has adversely reflected not only on you as an attorney but also on 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, this admonition 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 to you under separate cover.

Very truly yours,



Ellen A. Brodsky
Chief Counsel

EAB/jm

c: Chief Justice Stuart Rabner
Associate Justices
Heather Joy Baker, Clerk
Supreme Court of New Jersey
Bruce W. Clark, 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)
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Glen J. Vida, Chair
District XII Ethics Committee (e-mail)
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District XII Ethics Committee (regular mail and e-mail)
Kenneth Davis, D.M.D., Grievant (regular mail)