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July 22, 2019

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

Joseph M. Simantov, Esq.  
c/o Pamela L. Brause, Esq.  
Brause & Ventrice, LLC  
P.O. Box 512  
276 Main Street  
Metuchen, New Jersey 08840

Re: In the Matter of Joseph M. Simantov  
Docket No. DRB 19-150  
District Docket No. XII-2017-0042E  
**LETTER OF ADMONITION**

Dear Mr. Simantov:

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 admitted violation of RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep a client reasonably informed about the status of the matter and promptly comply with reasonable requests for information) and 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).

Specifically, in January 2013, the grievant, Sherri Williams retained you in a personal injury claim resulting from a motor vehicle accident that occurred on December 17, 2002. Ms. Williams' vehicle had been rear-ended by a vehicle driven by a Paterson, New Jersey police officer. Although you timely filed a complaint against the City of Paterson (the City) and the police officer under the New Jersey Tort Claims Act, N.J.S.A. 59:1 to 14 (Title 59), the case languished until the court dismissed it, on January 23, 2017. Prior to the dismissal, you opposed only some of the motions that defense counsel filed. On May 5, 2016, the City filed a motion for

summary judgment, which the police officer joined by way of a certification. You did not receive a copy of the motion, and were not aware of its filing, until June 27, 2016, when you received an order granting the motion, as unopposed.

In the interim, on May 12, 2016, mandatory, non-binding arbitration took place, which Ms. Williams did not attend because she chose to go to work instead. The arbitrator found no liability because Ms. Williams' alleged injuries did not meet the permanency requirements of N.J.S.A. 59:9-2d.

On September 13, 2016, you filed a motion for reconsideration of the summary judgment order, but, on October 11, 2016, withdrew the motion. On November 30, 2016, you filed a motion to vacate the summary judgment order, which the City opposed. At the January 6, 2017 hearing, the court decided that Ms. Williams did not meet the requirements of Title 59. On January 23, 2017, the court sua sponte dismissed the case. You admitted that you failed to file a request for a trial de novo, or to timely file a motion for reconsideration or an appeal of the order granting summary judgment. You also failed to forward to Ms. Williams copies of many of the documents and correspondence relating to her matter and failed to provide her with status reports following the arbitration, until the final order of dismissal.

In imposing only an admonition, the Board considered that you intend to institute measures to keep clients informed about the progress of their cases and the difficulties of succeeding in Title 59 cases; you fully cooperated with disciplinary authorities; you have engaged in extensive community service; you submitted numerous letters attesting to your good reputation and character; you exhibited remorse and contrition; and your ethics history was previously unblemished in more than sixteen years at the bar.

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: See attached list

I/M/O Joseph M. Simantov, DRB 19-150

Date July 22, 2019

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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  
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Michael F. Brandman, Secretary  
District XII Ethics Committee (regular mail and e-mail)  
Sherri Williams, Grievant (regular mail)