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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
BARRY R. PETERSEN, JR.
DEPUTY COUNSEL
ROCCO J. CARBONE, III
TIMOTHY M. ELLIS
ELIZABETH L. LAURENZANO
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KATHRYN ANNE WINTERLE
ASSISTANT COUNSEL

September 20, 2019

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

Esther Maria Alvarez, Esq.
c/o Raymond S. Londa, Esq.
Londa & Londa
277 North Broad Street
Elizabeth, NJ 07208
raymondslonda@outlook.com

Re: In the Matter of Esther Maria Alvarez
Docket No. DRB 19-190
District Docket Nos. XII-2016-0051E and XII-2017-0014E
LETTER OF ADMONITION

Dear Ms. Alvarez:

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 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), and RPC 1.4(b) (failure to communicate with the client).¹ The Board further determined to dismiss the charged violation of RPC 3.2 (failure to expedite litigation).

Specifically, in February 2016, Karina Gomez retained you to obtain a divorce for her as soon as possible. Despite your client's directive, for the next nine months, you failed to take any steps to pursue the matter, and you failed to reply to all but one of her requests for information about the status of her case. Your conduct violated RPC 1.1(a) and RPC 1.4(b).

The Board determined to dismiss the RPC 3.2 charge because the RPC applies only to pending litigation, rather than the failure to file a complaint. In re Rochman, 202 N.J. 133 (2010); In the Matter of David S. Rochman, DRB 09-307 (April 20, 2010) (slip. op. at 49).

¹ Although the complaint mistakenly cited RPC 1.4(a), the description of the violation makes it clear that the intended charge was RPC 1.4(b).

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In another matter, you represented Loriann Aucello in the purchase of a residential property, and again violated RPC 1.1(a), as well as RPC 1.3. In that matter, on February 15, 2011, you filed a lawsuit against the seller, arising out of the post-closing discovery of certain problems with the condition of the property. On June 10, 2013, the lawsuit was settled for \$2,500 and the promise of the performance of certain work on the property within sixty days. The settlement also provided that, in the event of the seller's default, a \$7,500 judgment would be entered against him upon the filing of a certification of default.

The seller paid Aucello \$1,100, repaired only "a couple of things," and disappeared. Aucello notified you of these events, both verbally and in six e-mails that she sent to you between January 2014 and July 2015. In an August 6, 2015 e-mail, Aucello informed you that she wanted to enforce the settlement agreement and asked whether she or you should do so. You replied that "it would be best" if you filed it. Yet, you did not file a certification seeking entry of default until March 2017, more than a year-and-a-half later. On April 3, 2017, the court entered judgment against the seller. He filed a motion to vacate the judgment, however, which the court granted, on August 31, 2017. According to Aucello, who attended the hearing, the court determined that, given the passage of time, it was not possible to determine when the damage to the property had occurred.


In imposing only an admonition, the Board considered your unblemished disciplinary record of more than twenty years at the time of the misconduct and the emotional, physical, and financial burden placed on you by the serious health problems of your spouse and his parents, which required you to travel to Spain.

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

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)
Isabel McGinty, Statewide Ethics Coordinator
Office of Attorney Ethics (e-mail)
Richard M. Cohen, Chair
District XII Ethics Committee (e-mail)
Michael F. Brandman, Secretary
District XII Ethics Committee (regular mail and e-mail)
Karina Gomez, Grievant (regular mail)
Loriann Aucello, Grievant (regular mail)