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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
COLIN T. TAMS
KATHRYN ANNE WINTERLE
ASSISTANT COUNSEL

October 22, 2019

VIA CERTIFIED MAIL, R.R.R.; REGULAR MAIL;
AND E-MAIL

Kenyatta K. Stewart
c/o Juliana Blackburn, Esq.
936 Broad Street – Second Floor
Newark, New Jersey 07102
jblackburn@blackburnlawnj.com

Re: In the Matter of Kenyatta K. Stewart
Docket No. DRB 19-228
District Docket No. VA-2018-0002E
LETTER OF ADMONITION

Dear Mr. Stewart:

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 1.5(b) (failure to set forth in writing the basis or rate of the attorney's fee) and RPC 1.7, presumably (a) (concurrent conflict of interest).

Specifically, you represented Monroe Gilbert in three motor vehicle summonses issued to him in Woodland Park in 2013, while he was operating an uninsured vehicle with the permission of the owner, his former wife, Brenda Gilbert. On the April 15, 2014 hearing date, Monroe informed Brenda that he was due in court that evening, prompting her to attend as an observer. During the hearing, Brenda learned that the summonses named her as well as Monroe, inasmuch as she allegedly had permitted him to drive her uninsured vehicle while his license was suspended.

After two adjournments, the hearing was held on May 6, 2014. Although you and Brenda gave divergent versions of events that day, it is undisputed that you entered an appearance in Woodland Park Municipal Court (WPMC) for both of the Gilberts with each of them at your side. During the proceeding, you and the Gilberts reached an arrangement whereby Brenda would plead

October 22, 2019

Page 2 of 3

guilty to the violations in order to prevent Monroe from losing his license and perhaps receiving a custodial sentence. You admitted that, when you agreed to represent Brenda, you did so without a written fee agreement for her, a violation of RPC 1.5(b).

Moreover, you admitted that the Gilberts had adverse interests that day, although you were under a misapprehension that they were a cohesive, married couple with similar interests, having known them and their children for many years. Furthermore, you conceded that you failed to explain to your clients that their adverse interests created a concurrent conflict of interest that required full disclosure to them and their written waivers of the conflict before you could represent both of them. Your failure to explain the conflict of interest to them and to obtain their written waivers violated RPC 1.7(a)(1).

Nevertheless, the Board considered that, at the WPMC hearing, you were trying to prevent Brenda from losing her license while keeping Monroe out of jail – a difficult task, given that both clients had poor driving records. The transcript of the WPMC hearing bore out your even-handed advocacy in that regard.

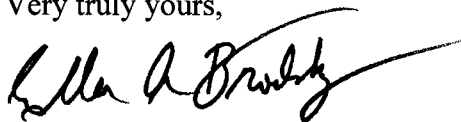
In imposing only an admonition, the Board considered that you have no prior discipline since gaining admission to the New Jersey bar in 2007; did not seek personal, financial gain; admitted the essential facts of the case, thereby saving judicial resources; and produced witness testimony about your good character, charitable work, and other works in the community where you were raised.

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/paa
See Attached List

I/M/O Kenyatta K. Stewart, DRB 19-228

October 22, 2019

Page 3 of 3

c: Chief Justice Stuart Rabner
Associate Justices
Heather Joy Baker, Clerk
Supreme Court of New Jersey
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Disciplinary Review Board (e-mail)
Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)
Charles Centinaro, Director
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Brenda Gilbert, Grievant (regular mail)