Supreme Court of New Jersey
Disciplinary Review Board
Docket No. DRB 19-208
District Docket Nos. IV-2015-0042E;
IV-2016-0006E; IV-2016-0007E;
IV-2016-0008E; and IV-2016-0025E

In the Matter of

Adam Luke Brent

An Attorney at Law

Decision

Argued: October 17, 2019

Decided: January 15, 2020

Anne T. Picker and Gilbert J. Scutti appeared on behalf of the District IV Ethics Committee.

Respondent did not appear, despite proper notice.

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey.

This matter was before us on a recommendation for a three-month suspension filed by the District IV Ethics Committee (DEC). The formal ethics

complaint charged respondent with having violated RPC 1.1(a) and (b) (gross neglect and pattern of neglect); RPC 1.2(a) (failure to abide by the client's decisions regarding the scope of the representation); RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to keep the client reasonably informed or to reply to reasonable requests for information); RPC 1.5(b) (failure to set forth in writing the basis or rate of the attorney's fee); RPC 1.7(a) and (b) (conflict of interest); RPC 1.16(a)(1) (failure to withdraw from a representation to avoid a violation of the Rules) and (d) (failure to protect the client's interests upon termination of the representation); RPC 3.4(c) (disobeying the rules of a tribunal); RPC 5.5(a) (unauthorized practice of law); RPC 7.1(a)(2) (false communication about the lawyer or the lawyer's services that is likely to create an unjustified expectation about results the lawyer can achieve); RPC 8.1(a) (false statement to disciplinary authorities); RPC 8.1(b) (failure to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter and failure to cooperate with disciplinary authorities); RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and RPC 8.4(d) (conduct prejudicial to the administration of justice).

For the reasons set forth below, we determine to impose a one-year suspension, with a condition.

Respondent was admitted to the New Jersey and Pennsylvania bars in 2003. On March 6, 2019, he was temporarily suspended for failure to cooperate with disciplinary authorities. In re Brent, 237 N.J. 90 (2019). On October 21, 2019, respondent was again temporarily suspended, this time for failure to comply with a fee arbitration determination. In re Brent, __ N.J. __ (2019). To date, respondent remains suspended in respect of both Orders.

On December 5, 2019, the Supreme Court suspended respondent for three months for misconduct including gross neglect, lack of diligence, failure to communicate with the client, failure to set forth in writing the basis or rate of a legal fee, failure to protect the client's interest upon termination of the representation, and misrepresentations to the client about fictitious settlement offers. In that case, respondent had provided his clients two fabricated documents: a general release that falsely stated that the matter had settled for $140,000, and a bogus release of a deed. In re Brent, __ N.J. __ (2019), 2019 N.J. LEXIS 1630.

We now turn to the facts of these matters.

Count one of the complaint charged respondent with practicing law while ineligible, caused by his failures to comply with three separate requirements of the attorney registration system: (1) failure to pay the annual attorney assessment to the New Jersey Lawyers' Fund for Client Protection (CPF); (2)

failure to timely submit the registration form to the Interest On Lawyers Trust Accounts (IOLTA) program; and (3) failure to comply with the reporting requirements of the Board on Continuing Legal Education (CLE).

In his answer to the complaint and through his testimony at the ethics hearing, respondent admitted having practiced law while ineligible during five ineligibility periods, between November 5, 2008 and November 18, 2014, in multiple client matters, as follows.

In respect of IOLTA, respondent practiced law during three periods of ineligibility. In the first instance (IOLTA I), effective November 5, 2008, respondent was declared ineligible. For the next six months, until he corrected the deficiency on May 29, 2009, he practiced law while ineligible.

Next, on October 21, 2011, respondent was declared IOLTA ineligible (IOLTA II) and remained ineligible for three months, until February 2, 2012, during which time he practiced law while ineligible. Specifically, in Professional Benefit Consultants, Inc. & National Alliance of Associations v. Prostar Satellite Inc., et al, Docket 10-civ-04962-RMB-AMD (D.N.J.), respondent represented the plaintiffs in federal court, from September 28, 2010 until December 1, 2011.

Further, respondent admitted that, during a third period of IOLTA ineligibility, from November 4, 2013 to January 30, 2014 (IOLTA III), he

practiced law while ineligible. He submitted attorney response forms in two separate fee arbitration matters, dated November 26, 2013 and January 24, 2014, respectively. On the January 24, 2014 form, he stated that the representation of the client had been completed on December 11, 2013, while he was ineligible.

From September 9, 2011 through December 16, 2013, during the IOLTA II and IOLTA III ineligibilities, respondent represented the plaintiffs in federal court in FlagsForYou.com, LLC v. Makun, Inc., et al, Docket 11-civ-05218-JHR-KMW (D.N.J.). While ineligible to practice law, he sent several letters to the court, and filed an answer, a motion, a proposed form of order, and a stipulation of dismissal.

In connection with the ethics investigation underlying these charges, respondent prepared a list of matters that he worked on during his IOLTA III period of ineligibility. Those matters included having served in his capacity as the public defender for Delran Township for four sessions and as the municipal prosecutor for Franklin Township for ten sessions. In respect of his private law practice, respondent's list included forty client matters, including the FlagsForYou.com litigation, a murder trial, and two matters (BE and Meyer), detailed below. A third matter discussed below (the Bradshaw matter) did not appear on respondent's list.

In respect of CPF ineligibility, on August 25, 2014, respondent was declared ineligible to practice law for failing to pay the 2014 annual attorney assessment. Respondent admittedly continued to practice law until August 29, 2014, when his name was removed from the list of ineligible attorneys. Respondent disclosed that, from 2005 through 2014, he routinely paid the CPF at least six months after the deadline, but just prior to the deadline for being declared ineligible.

Respondent also was declared ineligible to practice law on November 17, 2014, after he failed to submit proof of completion of CLE requirements for his 2012 and 2014 reporting periods. His name was removed from the list of ineligible attorneys one day later, on November 18, 2014. Respondent admitted that he had continued to practice law, despite that ineligibility.

Respondent conceded having had a general awareness that he was required to comply with CPF, IOLTA, and CLE requirements on an annual basis, but also claimed to have been "unaware" of the above-detailed ineligibility periods at the time they occurred. In two of them, judges before whom he appeared had called his attention to his ineligibility. Respondent acknowledged that his repeated practice of law while ineligible violated RPC 5.5(a)(1) and RPC 3.4(c), inasmuch as he had disobeyed Court Orders of ineligibility. He denied, however, that his misconduct constituted conduct prejudicial to the administration of

justice (RPC 8.4(d)), including his service as a municipal public defender and municipal prosecutor during periods of ineligibility to practice law. During the ethics hearing, no additional evidence was introduced to demonstrate that the administration of justice was quantifiably prejudiced, in any matter, by respondent having served as public defender or prosecutor during the ineligibility periods in question.

The BE Matter – District Docket No. IV-2016-0006E

In November 2013, BE retained respondent to defend her against a domestic violence charge brought by her adult daughter, and to take such legal action necessary to evict her daughter from her house. BE paid respondent an $800 fee for the criminal matter and a $450 fee for the eviction action. Although respondent claimed a belief that he had prepared a fee agreement for BE's matters, he was unable to produce it. BE's only documentation in respect of the representation was her canceled check to respondent for the aggregate $1,250 fee. BE also provided respondent all the documentation that she had for the domestic violence case, and he failed to make copies of the documents.

During BE's first meeting with respondent, in November 2013, he assured her that (1) he could defend the domestic violence case; (2) the police had committed misconduct during BE's arrest, for which they would "retire badges;"

and (3) “cases like this make the news.” Respondent and BE only briefly discussed the eviction matter that day.

The original court date for the domestic violence matter was scheduled for a few weeks after the representation began, but neither respondent nor his staff informed BE that it had been postponed to January 2014. Rather, she learned about the adjournment when she received a notice from the court. On the January 2014 hearing date, respondent was late, so BE texted him from the courtroom. Only then did she learn that respondent had arranged for his wife, Nancy Brent, Esq., to appear in his stead. Nancy obtained a dismissal of the charges that day, conditioned on BE’s completion of a therapy session. Although BE sent the court proof of her completion of the required therapy session, she never received confirmation of the dismissal from respondent or the court. She learned that her charges had been dismissed during the ethics proceedings.

Neither Nancy nor respondent explained to BE that Nancy had appeared because respondent had been appointed as prosecutor in a municipality in the same county, which created a conflict of interest for him. Similarly, respondent failed to inform BE that, for the same reason, he could not represent her in the eviction matter. Nancy acknowledged that she was ineligible to practice law on the date that she appeared in court for BE and asserted that, had she been aware of her ineligibility, she would not have made the appearance. Ultimately, Nancy

received a reprimand for practicing law while ineligible. In re Brent, 231 N.J. 131 (2017).

During a January 26, 2014 telephone conversation, respondent told BE that all the necessary paperwork had been completed in respect of the eviction action, and that, the following week, her daughter would be served at BE's home by the sheriff's office. Because no such service occurred, BE contacted respondent, requesting answers or the return of her $450 fee. Respondent failed to reply to those inquiries. Ultimately, BE filed the necessary eviction forms herself, and paid the required $75 filing fee. The eviction did not require the sheriff's participation, and the court ordered BE's daughter to vacate BE's house. Afterward, BE concluded that respondent had lied to her, inasmuch as he had never filed an eviction complaint, and because the sheriff's participation had not been necessary to complete the eviction.

BE denied having received a February 16, 2014 letter from respondent, which stated that his law firm could not represent her in the eviction, because respondent had a conflict of interest and because Nancy was not experienced in eviction cases. Likewise, the original DEC investigator, Christine S. Orlando, Esq., denied having seen the February 16, 2014 letter prior to the disciplinary

hearing.[1] She was certain that respondent had not produced the letter during her investigation, remarking that it would have been relevant to the allegation that respondent failed to inform BE about the conflict of interest. Moreover, respondent had not referred to the letter in his answer to the complaint.

Further, BE denied that respondent had kept her informed about events in the two matters, adding that she was frustrated by his failure to reply to her e-mails and telephone calls to his office, where she claimed no one answered the phone. In a June 21, 2014 letter to Orlando, respondent conceded that "communications with [BE] were not what [they] should have been," due to a January 2014 office relocation from Franklinville to Vineland, at which time respondent's office phone number had changed.

By letter to ethics investigators dated September 3, 2014, BE countered that respondent's June 21, 2014 letter to Orlando had "really stretch[ed] the truth" when he attributed his failed communications to his office relocation, inasmuch as he had called and texted her on January 26, 2014, never mentioning his appointment as a prosecutor and the resulting conflict of interest.

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[1] After Orlando was appointed a Superior Court judge, Gilbert J. Scutti, Esq. was assigned to investigate BE's matter.

After BE filed the ethics grievance, respondent returned her $450 fee. He never returned her file for the domestic violence matter.

Based on these facts, the complaint charged respondent with gross neglect, lack of diligence, failure to communicate with the client, failure to set forth in writing the basis or rate of the legal fee, unwaivable conflict of interest by a public entity, failure to withdraw from a representation to avoid a violation of the RPCs, failure to protect the client's interests upon termination of the representation, the ineligible practice of law, misleading communications about the lawyer's services, failure to cooperate with disciplinary authorities, and misrepresentation.

In his answer, respondent admitted that he had been ineligible to practice law during portions of the BE representation, in violation of RPC 5.5(a)(1). He also admitted never having filed a complaint for eviction. He denied having committed the remaining charges.

The Meyer Matter – District Docket No. IV-2016-0007E

In April 2013, Gary Meyer retained respondent to prepare and file an action against Kennedy Hospital, alleging wrongful debt collection practices. Meyer signed a fee agreement for the representation and paid respondent a

$2,000 legal fee plus $200 toward costs for the matter. Respondent did not provide Meyer with a copy of the fee agreement.

At the inception of the ethics hearing, in respect of the gross neglect and lack of diligence charges, respondent's counsel stated, "we agree . . . that [respondent] failed in his duties as an attorney to file [a complaint], to pursue this case for Mr. Meyer." During his testimony, respondent conceded that he never pursued a lawsuit for Meyer; had lacked diligence and failed to abide by the client's decisions concerning the scope and objectives of the representation by failing to file the lawsuit for which he had been retained; failed to communicate with Meyer; failed to have a written fee agreement; practiced law while ineligible; and made misrepresentations to Meyer.

In respect of the RPC 8.4(c) allegation in this client matter, respondent admitted, through counsel, that he had misled Meyer during an October 9, 2014 telephone conversation, which Meyer had recorded. In that conversation, respondent falsely stated that the hospital's insurance carrier had made several settlement offers. His counsel stated:

> There are some issues, and I spoke with [the presenter], whether [respondent] informed [Meyer] that there was a $25,000 offer. The recording that we have says he didn't say that, but the object here is to deal with what's before us. So as to the, the count three of the complaint,

> there was never an offer apparently to settle, and Mr. Meyer was misled to believe there were offers to settle.
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> [1T14-9 to 16.][2]

As to the charge that respondent failed to protect Meyer's claim upon termination of the representation, respondent asserted that, when Meyer terminated the representation, four years remained within which to file an action. Although respondent claimed that he returned to Meyer between five and ten "pieces of paper" from his original client file, which Meyer acknowledged, Meyer complained that respondent failed to return other items, including notices from a collection agency.

Further, Orlando denied that respondent had replied to her letter requests for information in Meyer's matter, the last of which was dated December 3, 2014. Respondent admitted that he had not provided the DEC with a copy of Meyer's file, a violation of RPC 8.1(b).

Neither respondent nor Meyer was questioned at the hearing about the allegation that respondent made misleading communications about his legal services, in violation of RPC 7.1(a)(2), allegations that respondent denied in his answer.

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[2] 1T refers to the transcript of the April 5, 2018 ethics hearing.

Similarly, neither respondent nor Orlando was questioned about the allegation that respondent made a false statement of material fact to the DEC investigator by denying that he had told Meyer that he had filed a lawsuit on Meyer's behalf. This allegation is a reference to the recorded October 9, 2014 telephone call between respondent and Meyer, wherein respondent stated, "I want to file a motion with the court to see if we could get this off your credit record . . . ." In that call, respondent repeatedly referred to "the court" and to alleged settlement proposals that he and the insurance carrier had discussed. Although respondent did not explicitly tell Meyer that he already had filed a motion or a complaint, Meyer concluded from respondent's statements that a matter was pending with the court. The alleged lie to Orlando was respondent's claim that he had not told Meyer that a complaint or motion had been filed. Respondent's only version of events in respect of RPC 8.1(a) is contained in his answer, in which he denied the charge.

Finally, respondent also admitted in his answer that he had represented Meyer during a period of ineligibility to practice law. Respondent, thus, admitted, on his own or through counsel, having violated RPC 1.2(a), RPC 1.3, RPC 1.4(b), RPC 5.5(a)(1), RPC 8.1(b), and RPC 8.4(c) in this client matter.

The Bradshaw Matter – District Docket No. IV-2015-0042E

In November 2014, Ann Bradshaw-Reynolds and her brother, Marlon Bradshaw, Sr.,[3] retained respondent to file a petition seeking post-conviction relief (PCR) from Marlon's 1993 murder conviction, and to prepare a power of attorney (POA) for Ann to act in her brother's behalf. Between November and December 2014, Ann paid respondent $7,000 toward the representation.

Marlon had served twenty-two years of a thirty-year-to-life sentence when he and Ann retained respondent. Ann denied that respondent had provided her with copies of any court documents during the representation. Specifically, although respondent had given the DEC copies of an April 24, 2015 letter to the Clerk, Superior Court of Atlantic County, a notice of motion, and a letter-brief, Ann denied having seen those documents prior to the hearing.

Ann testified that respondent met with Marlon at least twice during the representation, that Marlon had given respondent "a stack of paperwork" about his criminal matter, and that respondent may have sent letters to at least two hospitals seeking Marlon's medical records from the time of his arrest.

The complaint alleged that respondent had made unrealistic promises about the results that he could achieve for Marlon, given that more than twenty

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[3] Also referred to in the record as "Marvin" Bradshaw.

years had transpired since the conviction, Marlon had been denied relief on direct appeal, and two prior PCR attempts had been unsuccessful. Ann conceded, however, that respondent had not guaranteed a particular result, such as a new trial or a new sentence.

For his part, respondent criticized Marlon's trial attorney for having failed to present medical records about psychological issues from which Marlon may have suffered, which could have prevented his conviction or reduced his sentence. Therefore, respondent sent letters to two psychiatric hospitals and to the Atlantic County Office of the Public Defender. During the investigation, respondent provided the DEC with unsigned copies of those letters. Respondent had received no replies to any of them. In addition, respondent claimed to have received verbal confirmation that the "Transcript Department of the Superior Court in Atlantic County" had been unable to locate the transcripts from Marlon's 1993 criminal trial. Respondent neither sent other letters requesting information nor followed up about the lack of replies to his inquiries.

Ann received an April 6, 2015 text from respondent about an upcoming hearing on a motion purportedly filed in Marlon's matter. That text stated, "[l]eft you have [sic] a message please let me know when you are free to meet up so I can give you the documents also they are looking to schedule marlons [sic] hearing the first week in May if you are planning on attending, let me know what

day works it will be the afternoon but it will not be monday may 4." Subsequently, Ann repeatedly texted and e-mailed respondent requesting an update on the status of the matter. Because respondent failed to reply, she contacted the court clerk and learned that respondent had not filed any documents in Marlon's case.

At the ethics hearing, respondent conceded that he had not filed a motion in behalf of Marlon. Rather, he claimed that, on April 24, 2015, he had hand-delivered the motion papers to the clerk's office for filing, but did not request a "filed" or "received" copy of the documents. Moreover, he had not provided an indictment or a case number to assist the clerk in identifying Marlon's underlying criminal matter. Respondent admitted that, without that information, it was unlikely that his motion was docketed. Nevertheless, because his documents were not returned to him unfiled, he assumed that they had been accepted. Beyond his testimony, respondent provided no evidence that he had hand-delivered the April 24, 2015 documents to the clerk's office for filing or had given his clients a copy of the motion papers.

Respondent also conceded that, although a public terminal is available at the courthouse for searching New Jersey's criminal court records, he had not

tried to identify Marlon's indictment or case number before he attempted to file the motion.[4]

Respondent testified that, during the ethics investigation, he had followed up with the clerk's office and learned that his motion, submitted without any identifying information, had not been accepted for filing. Respondent failed to inform the DEC that the motion had not been accepted. Indeed, the DEC investigator obtained a February 13, 2017 letter from Jill Houck, Criminal Division Manager for the Atlantic/Cape May Vicinage, confirming that the most recent filing in Marlon's matter had been his January 11, 2011 pro se appeal of the denial of a PCR petition, filed before respondent had been retained.

In respect of the alleged misrepresentation contained in his April 6, 2015 text message to Ann, that a hearing had been scheduled for the first week of May 2015, respondent explained that it had been his "hope" that the matter would be scheduled for early May 2015, even though (1) no one at the clerk's office had told him that it would be scheduled for that time, and (2) his motion papers did not set forth a proposed return date.

Respondent also sought to explain his October 22, 2015 letter to Orlando, in which he stated, "the motion for post conviction [sic] relief is currently

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[4] The same system (PROMIS/Gavel) is also readily available to the general public via the internet.

pending." He conceded that the statement turned out to be untrue, but claimed that he had made that representation because he "never received anything [from the clerk] that said it wasn't going to be filed."

During the investigation, Orlando sent several letters to respondent seeking information about the Bradshaw matter, resulting in respondent's October 22, 2015 reply. By letter dated November 30, 2015, Orlando requested respondent's entire file, including the written fee agreement, invoices for billing, and his trust account ledger. She received nothing. After several postponements, granted at respondent's request, they met, in June 2016, for the first time. During that meeting, Orlando asked respondent about Marlon's pending motion. She testified as follows regarding respondent's explanation for failing to file the motion:

> then the conversation began to change and [respondent] then stated that there was not an attempt to file the motion but rather that he went to the clerk's office and was speaking with someone there in an attempt to file the motion, but that nothing was ever done at that time.
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> . . .
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> When I went into the meeting, it was my impression that the motion was filed, but by the time I left the meeting -- and I had asked follow-up questions of Mr. Brent that he was unable to answer, was evasive in answering, or had all together changed his answer, it

> was then my impression after the meeting that a motion was never filed.
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> [3T14-25 to 3T15-14.][5]

In respect of the POA component of the representation, according to Ann, respondent never provided her with a copy of the instrument executed by Marlon.

Respondent conceded that he did not return any of the $7,000 fee that Ann paid toward the representation, ostensibly because Marlon, the primary client, never terminated the representation. Respondent never communicated with Marlon or Ann about returning the unearned portion of the fee.

Although the complaint did not charge respondent with practicing law while ineligible in Marlon's matter, respondent admitted, through counsel, that he was ineligible to practice law during portions of the representation.

The complaint charged respondent with lack of diligence, failure to communicate with the client, failure to return the unearned portion of the legal fee, misleading communications about the attorney, false statements to disciplinary authorities, failure to correct a misapprehension known to have arisen in the matter, failure to cooperate with disciplinary authorities, and misrepresentation.

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[5] 3T refers to the transcript of the April 9, 2018 ethics hearing.

The Pattern of Neglect Allegation

Count five of the complaint alleged that respondent's neglect in respect of the BE, Meyer, and Bradshaw matters constituted a pattern of neglect, in violation of RPC 1.1(b). In his answer, respondent denied the charge.

* * *

In respect of count one, which alleged that respondent repeatedly practiced law while ineligible, the panel found that respondent routinely had waited "well beyond the time frame required to submit his Attorney Registration payment and forms." As a result, as he had admitted, during five separate periods of time, he practiced law while ineligible in numerous client matters. The DEC rejected as not credible respondent's explanation that he was "somehow unaware" of his ineligibility periods, given his admission that he was generally aware that he must comply with attorney registration requirements on an annual basis. The panel found respondent guilty of having violated RPC 5.5(a)(1) as well as RPC 3.4(c), inasmuch as he violated ineligibility Orders issued by the Court. Finally, the DEC concluded that respondent's "repetitive and cavalier attitude . . . relating to his professional responsibilities toward his clients and the administration of justice . . . lead the panel to conclude that Respondent believes the rules do not apply to him," and that he had, thus, violated RPC 8.4(d).

In respect of the BE matter, the DEC found respondent's "total mishandling" of the matter constituted a violation of RPC 1.1(a). The panel further found him guilty of a conflict of interest by virtue of his continuance of the representation after being appointed as a municipal prosecutor within the same county, a violation of RPC 1.7(a). Because RPC 1.7(b)(1) precludes public entities from waiving conflicts of interest, the conflict was unwaivable by the public entity client. Respondent admittedly failed to adequately communicate with BE, in violation of RPC 1.4(b), and failed to set forth in writing the basis or rate of his fee, a violation of RPC 1.5(b). For his admitted failure to turn over a copy of the client file to the DEC, he violated RPC 8.1(b).

In respect of the eviction matter, the DEC found that respondent sent a misleading and false communication to BE, stating that sheriff's officers would be "coming the following week to do the eviction." Because respondent had not filed a complaint for eviction, the communication violated RPC 7.1(a)(2) and RPC 8.4(c).

The DEC found that respondent violated RPC 1.16(a)(1) by failing to inform BE that he was ineligible to practice law and had developed a conflict of interest due to his appointment as a municipal prosecutor. According to the DEC, that Rule required respondent to forego the representation or to withdraw

from the representation. Without explanation, the DEC found a lack of clear and convincing evidence that respondent violated RPC 1.16(d).

In the Meyer matter, the DEC found all but one of the charged violations, as follows: RPC 1.1(a), RPC 1.2(a), RPC 1.3, RPC 1.4(b), RPC 3.4(c), RPC 5.5(a)(1), RPC 8.1(b) and RPC 8.4(c). The panel also found that respondent failed to decline the representation in the face of his ineligibility to practice law, a violation of RPC 1.16(a).[6] Also, respondent misled Meyer about the services that he was providing, in violation of RPC 7.1(a)(2) and RPC 8.4(c), having communicated multiple times that a lawsuit had been filed, and that offers to settle the matter had been received. Respondent failed to take reasonable steps to protect Meyer's interests upon the termination of representation and failed to return the client file, in violation of RPC 1.16(d).

The panel concluded that respondent had lied to Orlando by indicating to her that he had "filed the lawsuit," and later acknowledging in his testimony that he had not filed "any such lawsuit," a violation of RPC 8.1(a). He also failed to provide the DEC with documents requested during the investigation, in violation of RPC 8.1(b).

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[6] The complaint did not charge respondent with having violated RPC 1.16(a) or RPC 3.4(c) in respect of the Meyer matter.

The DEC dismissed the RPC 1.5(b) charge, inasmuch as Meyer and respondent testified that respondent had prepared a written fee agreement for the representation, although neither party was able to produce a copy of it.

In the Bradshaw matter, the panel found that respondent lacked diligence by failing to file a motion for post-conviction relief, and had failed to adequately communicate with the client, in violation of RPC 1.3 and RPC 1.4(b), respectively. He failed to return the legal fee, none of which was earned, in violation of RPC 1.16(d). By misleading Ann that he had filed a motion and that a hearing had been scheduled by the court, respondent violated RPC 7.1(a)(2) and RPC 8.4(c).

In respect of the RPC 8.1(a) charge, that respondent knowingly made false statements of material fact during the ethics investigation, the panel concluded that respondent fabricated the Bradshaw motion:

> Here, it appears from the testimony given by [Orlando] and the Respondent, as well as [Ann], that the Respondent created a document that he presented as being something that he had filed with the Court on behalf of Marlon Bradshaw. The record reveals confirmation from the Atlantic County Clerk's Office and the Prosecutor's Office of Atlantic County that their records reveal that no document was ever filed with the Court.
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> Respondent's explanation was that he "tried" to file the document by personally visiting the Clerk's office but was unable to do so because he could not find the original Indictment Number. Respondent admitted that

> he was aware of the Promis/Gavel system utilized by the Courts and knew how to utilize same. His credibility was found lacking as to when the document was actually prepared, and the efforts he allegedly took to file same.
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> [HPR26.][7]

The panel also found a violation of RPC 8.1(b) for respondent's failure to comply with Orlando's several written demands for information. In addition, after the new investigator, Scutti, took over the investigation, respondent failed to correct the misapprehension that a motion had been filed, a further violation of RPC 8.1(b).

Finally, the panel concluded that respondent's mishandling of the BE, Meyer, and Bradshaw matters constituted a pattern of neglect, inasmuch as he failed to take the actions that he promised and for which he had been retained, a violation of RPC 1.1(b). The panel recommended a three-month suspension for the totality of respondent's "multiple and pervasive acts of serious misconduct."

Following a de novo review of the record, we are satisfied that the DEC's finding that respondent's conduct was unethical is fully supported by clear and convincing evidence.

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[7] "HPR" refers to the DEC's hearing panel report, dated February 25, 2019.

Specifically, during five periods of time between November 5, 2008 and November 18, 2014, respondent practiced law while ineligible. He did so in at least forty matters, including the BE and Meyer matters detailed herein, and while serving as a municipal prosecutor and as a municipal public defender. His ineligibilities spanned three components of the attorney registration system: failure to pay the annual attorney assessment to the CPF; failure to complete and return IOLTA forms; and failure to comply with CLE requirements. Like the DEC, we reject respondent's flimsy excuse, that he was somehow unaware of his ineligibilities at the time that they occurred. He had constructive knowledge that the attorney registration system required his attention on an annual basis, and was well-acquainted with the timing of the Court's annual CPF ineligibility orders.

Respondent admitted in his answer and his testimony that, by practicing while ineligible, he had repeatedly violated RPC 5.5(a). However, in respect of the additional charge (which respondent admitted), that he also violated Court Orders by practicing law while suspended, the essential misconduct is adequately addressed by our RPC 5.5(a) finding. We, thus, determine to dismiss the RPC 3.4(c) charges as duplicative.

Likewise, as to the allegation that respondent prejudiced the administration of justice simply by serving as a municipal prosecutor and public

defender during periods of ineligibility, the record is devoid of facts that any actual prejudice was suffered due to respondent's misconduct. For lack of clear and convincing evidence, we determine to dismiss the RPC 8.4(d) charge.

In the BE matter, respondent was retained to defend a domestic violence charge brought by BE's adult daughter and to evict the daughter from BE's house. BE paid respondent an $800 fee for the domestic violence matter and a $450 fee for the eviction. Respondent claimed that he had prepared a fee agreement for the matter, but could not produce it in connection with the ethics proceedings. BE testified that respondent never gave her a written fee agreement. The DEC found BE credible, and concluded that respondent had failed to set forth the fee in writing. We, too, find that respondent failed to set forth in writing the basis or rate of his fee, and, thus, violated RPC 1.5(b).

During their first meeting in November 2013, respondent told BE that the police had acted improperly, that badges would be "retired," and that cases like hers make the news – puffery that had no basis in fact. Although respondent denied the charge, the DEC found BE to be entirely credible in her dealings with ethics authorities. Respondent's simple denial aside, we find that his comments constituted misleading communications about his services and that his comments were likely to create unjustified expectations about the results he could achieve, a violation of RPC 7.1(a)(2).

In respect of RPC 1.4(b), the domestic violence hearing was postponed to January 2014, but respondent failed to inform BE of that fact. She testified that respondent had no communications with her after November 2013. On the hearing date, respondent's wife, Nancy Brent, appeared instead of respondent and obtained a dismissal of the charges. Respondent had not informed BE that another attorney would appear that day. After the hearing, respondent did not contact BE to confirm that the complaint had been dismissed, and she received nothing further from him in that regard.

Respondent also failed to inform BE that, due to a newly-acquired conflict of interest, he could not represent her in the domestic violence and eviction matters. Rather, BE expressed frustration that respondent had failed to reply to her e-mails and frequent calls to his office. For his part, respondent conceded that communications with BE were not what they should have been, a tacit admission that he failed to adequately communicate with BE. We find that his failure to do so violated RPC 1.4(b).

In respect of the eviction matter, on January 26, 2014, respondent told BE that he had filed papers, and that the sheriff's office would serve her daughter with an eviction notice the following week, both representations were untrue. He had filed nothing. BE later handled the eviction on her own, without sheriff involvement. For respondent's failure to file a complaint, we find him guilty of

gross neglect and lack of diligence, violations of RPC 1.1(a) and RPC 1.3, respectively. For respondent's lies to BE that he filed a complaint in the eviction matter and that the sheriff would serve it on her daughter the following week, he is guilty of violations of RPC 8.4(c).

BE denied having received a February 16, 2014 letter that respondent purportedly had sent, in which he explained that he could not represent her due to a conflict. Orlando also denied having seen that letter prior to the ethics hearing. She remarked that, although such a letter would have been relevant to the allegation that respondent had failed to inform BE about his conflict of interest, respondent neither produced it during her investigation nor mentioned it in his answer to the formal ethics complaint. Despite a suspicion that respondent fabricated the letter to exonerate himself, he was not charged with having prepared that false document. Thus, we make no finding in that regard.

Respondent purportedly sent BE a letter on February 16, 2014, about two weeks after the domestic violence hearing was held. He knew he had a conflict of interest at the time, but did not withdraw as counsel. Moreover, on January 26, 2014, respondent had called and texted BE that he had completed preparation of a complaint in the eviction matter, but made no effort in those communications to withdraw from the representation. He waited until February 16, 2014, two days after BE filed her ethics grievance, to prepare the conflict

letter. Accordingly, we find that respondent engaged in an unwaivable public entity conflict of interest, a violation of RPC 1.7(a). We dismiss the RPC 1.7(b) charge because that Rule lists circumstances whereby an attorney may engage in dual representation and does not prohibit the conflict itself, which is addressed by RPC 1.7(a).

By failing to withdraw from the representation in January 2014, when it was apparent that the continued representation would violate the conflict Rules, respondent violated RPC 1.16(a)(1). He also failed to return BE's client file, a violation of RPC 1.16(d).

In respect of the Meyer matter, in April 2013, respondent was retained to file a complaint against Kennedy Hospital for wrongful debt collection practices. Meyer signed a fee agreement and paid respondent $2,200 toward the representation. During the ethics hearing, respondent admitted that he failed to pursue the matter for the client, and, thus, violated of RPC 1.1(a).

Respondent further admitted that he failed to abide by the client's decisions concerning the objectives of the representation and lacked diligence, violations of RPC 1.2(a), and RPC 1.3, respectively; failed to reply to Meyer's numerous requests for information, and when he did reply, the communications "were not necessarily truthful," a violation of RPC 1.4(b); practiced law while ineligible, a violation of RPC 5.5(a)(1); failed to provide the DEC with the client

file, despite numerous requests for that information, a violation of RPC 8.1(b); and made affirmative misrepresentations to Meyer in an October 9, 2014 telephone conversation, whereby he led his client to believe that a complaint had been filed and that a number of settlement offers had been made, none of which was true, violations of RPC 8.4(c).

In respect of the charge that respondent made a false statement to Orlando, the record supports the conclusion that respondent led Meyer to believe that his matter was pending, using vague references to "the court" and a motion that he planned to file, as though Meyer's matter were pending in court. Respondent later shaded the truth with Orlando by denying that he told Meyer that his matter was pending. In the same way that respondent used oblique language to mislead Meyer, his dealings with Orlando were meant to obscure the truth – that he had filed nothing in any court and had accomplished nothing for his client. We find that respondent violated RPC 8.1(a). Finally, respondent failed to provide Orlando with the client file, a violation of RPC 8.1(b).

In the Bradshaw matter, in November 2014, respondent was retained to file a PCR motion for Marlon, as well as to complete a POA for Ann to act in his behalf. To that end, Ann paid respondent $7,000 toward the representation. On April 6, 2015, respondent sent Ann a text message representing that the court was "looking to schedule Marlon's hearing the first week of May." Respondent

claimed to have handed a set of motion papers to the clerk's office for filing. The motion did not contain a return date, let alone a date during the first week of May 2015. Respondent acknowledged in his testimony that his motion never was filed.

By August 2015, it was apparent to Ann that respondent had not performed the legal work for which he had been retained. He had provided her with no documentation for the PCR. Although he had prepared the POA, respondent never gave her an executed copy of it. Ann called the court and learned that respondent had filed nothing pertaining to her brother's matter. Although respondent claimed that his lack of an indictment number for Marlon's criminal matter made the case more difficult, he also acknowledged that he could have located that information in the court's public database prior to filing the motion, but failed to do so. For respondent's failure to file the motion and to complete the power of attorney, he is guilty of a lack of diligence, in violation of RPC 1.3.

Ann also testified that she spent much of her time "chasing" respondent in an attempt to obtain the status of Marlon's matter. After respondent's April 6, 2015 text about an early May return date for a motion, she heard nothing from him. She called and texted him to no avail, and ultimately contacted the court on her own. Respondent's failure to keep Ann informed about the status of the

case and to reply to her reasonable requests for information violated RPC 1.4(b).

The DEC found credible Ann's testimony that respondent did not provide her with any court documents and had not given her a copy of the motion papers that he purportedly hand-delivered to the clerk in Marlon's behalf, for which we find a violation of RPC 1.16(d).

Respondent admittedly did not return any of the $7,000 fee, claiming that Marlon never terminated the representation. However, respondent accomplished nothing for Marlon. He neither filed a motion for PCR nor provided Ann with an enforceable power of attorney. We find an additional violation of RPC 1.16(d) for respondent's failure to return the $7,000 unearned retainer and require respondent to disgorge it to Ann.

Respondent's explanation for his misrepresentations to his clients — that he had "hoped" for an early May 2015 return date on his motion — is meritless. He purportedly handed to someone at the clerk's office motion papers that contained no indictment number or case number. He did not request a "filed" or "received" copy of his documents. The documents contained no proposed return date. Under those facts, it was disingenuous for respondent to then claim an expectation that the motion was filed and would be heard in early May 2015. Simply put, he lied to his client about the status of the case, in violation of RPC 8.4(c).

Similarly, respondent's statement to Orlando, that he had a motion pending in Marlon's matter, was patently false. He never attempted to obtain the information from PROMIS/Gavel that would have enabled him to file a motion for PCR. The DEC concluded, from Orlando's testimony, that respondent had not even left a copy of his motion papers with anyone at the clerk's office. The DEC was in the best position to gauge respondent's lack of credibility on the issue, and it found that he had fabricated the documents in support of a brazenly false claim that a motion was pending in the case. We adopt the finding that respondent fabricated documents, in violation of RPC 8.1(a).

The complaint further charged respondent with a violation of RPC 8.1(b) for failing to disclose a fact necessary to correct a misapprehension known by him to have arisen in the matter — that a motion was pending. Respondent could not have reasonably believed, during the entirety of the ethics investigations by both Orlando and Scutti (2016 through 2018), that an April 24, 2015 motion was still pending in court. Yet, in all that time, respondent never disabused the DEC investigators of the notion that a matter was pending, in further violation of RPC 8.1(b).

Yet another RPC 8.1(b) charge addressed respondent's alleged failure to cooperate with ethics investigators. Orlando testified that she sent several letters to respondent seeking information about Marlon's matter. The only information

she received from him prior to their June 2016 meeting was his October 22, 2015 reply to the grievance. Although respondent produced some documents to Orlando at their June 2016 meeting, he never provided the remainder of the documents she requested, a violation of RPC 8.1(b).

The complaint also charged a violation of RPC 7.1(a)(2) for respondent's acceptance of the representation twenty years after Marlon's conviction, although Marlon's direct appeal and two prior PCRs had been denied. However, Ann did not testify about any false or misleading communications from respondent regarding the potential outcome of his legal services. Rather, she conceded that respondent had not guaranteed any particular result, other than his representation that he would pursue the case. In the absence of clear and convincing evidence that respondent made false claims to Ann about his legal services, we determine to dismiss the RPC 7.1(a)(2) charge.

Finally, when the gross neglect in the BE and Meyer matters is combined with the lack of diligence in the Bradshaw matter, as well as the gross neglect found in the matter for which respondent received a three-month suspension, a pattern emerges, for which respondent is guilty of having violated RPC 1.1(b).

In sum, respondent is guilty of practicing law while ineligible in dozens of client matters and during his tenure as a municipal prosecutor and municipal public defender, during five discrete ineligibility periods spanning from 2008 to

2014. Respondent, thus, is guilty of having repeatedly violated RPC 5.5(a). In three additional client matters, he violated the following Rules of Professional Conduct: RPC 1.1(a) and (b) in BE and Meyer; RPC 1.3 in BE, Meyer, and Bradshaw; RPC 1.4(b) in BE, Meyer, and Bradshaw; RPC 1.5(b) in BE; RPC 1.7(a) in BE; RPC 1.16(a) in BE; RPC 1.16(d) in BE, Meyer, and Bradshaw; RPC 7.1(a)(2) in BE; RPC 8.1(a) in Meyer and Bradshaw; RPC 8.1(b) in BE, Meyer, and Bradshaw, and RPC 8.4(c) in BE, Meyer, and Bradshaw. We determine to dismiss the RPC 1.5(b) charge in Meyer; the RPC 1.7(b) charge in BE; the allegations that respondent's practice of law while ineligible further violated RPC 3.4(c) and RPC 8.4(d); and the RPC 7.1(a)(2) charge in Bradshaw. The sole issue left for our determination is the appropriate quantum of discipline to be imposed for respondent's misconduct.

For respondent's most serious misconduct, lies to clients and fabricating documents to conceal his mishandling of legal matters, attorneys have received discipline ranging from a short-term suspension to disbarment. See, e.g., In re Smith, 228 N.J. 22 (2016) (three-month suspension for attorney who fabricated an order and forged a judge's signature, a criminal act, to mislead the client that a motion for summary judgment had been granted against the client; the attorney also made misrepresentations to the client and a misrepresentation to the court, conduct prejudicial to the administration of justice; violations of RPC 1.2(a),

RPC 1.3, RPC 1.4(b) and (c) also found); In re Brollesy, 217 N.J. 307 (2014) (three-month suspension for attorney who misled his client, a Swedish pharmaceutical company, that he had obtained visa approval for one of the company's top executives to begin working in the United States; although the attorney had filed an initial application for the visa, he took no further action and failed to keep the client informed about the status of the case; in order to conceal his inaction, the attorney lied to the client, fabricated a letter from the United States Embassy, and forged the signature of a fictitious United States Consul, in violation of RPC 8.4(c); the attorney also violated RPC 1.1(a), RPC 1.3, and RPC 1.4(b); mitigation included the attorney's twenty years at the bar without prior discipline and his ready admission of wrongdoing by entering into a disciplinary stipulation); In re Yates, 212 N.J. 188 (2012) (three-month suspension for attorney who, after a client's personal injury matter had been assigned to him, neglected to file a complaint prior to the expiration of the statute of limitations; when the attorney realized what had happened, he panicked and hid the information from the firm and from the client for nearly a year; the attorney fabricated a settlement agreement, which falsely stated that a complaint had been filed on a date that preceded the firm's representation of the client, and misrepresented that the defendant had filed an answer and had agreed to settle the matter for $600,000; about six weeks later, the attorney confessed

his misconduct to the client; the attorney violated RPC 1.1(a), RPC 1.3, RPC 1.4(b), and RPC 8.4(c)); In re Morell, 180 N.J. 153 (2004) (Morell I) (reciprocal discipline matter; one-year suspension for attorney who, over the course of several months, told elaborate lies to his clients about the status of their personal injury cases; he also fabricated documents, including a court notice and release; in another case, he led his creditor client to believe, for a period of several months, that he had located the debtor's assets); In re Katsios, 185 N.J. 424 (2006) (two-year suspension for attorney who improperly released escrow funds to his cousin, a party to the escrow agreement, and then falsified bank records and trust account reconciliations to mislead disciplinary authorities that the funds had remained in escrow; we noted the special master's comment that the coverup was worse than the crime); and In re Morell, 184 N.J. 299 (2005) (Morell II) (disbarment, in a default matter, for attorney who, after he had neglected to file a medical malpractice complaint, misled the client about the status of the case for four years, culminating in the false claim that a $1 million settlement offer had been made, which the client accepted and then signed a release that the attorney had fabricated).

We must also consider respondent's repeated practice of law while ineligible to do so. Respondent was constructively aware of his duty to comply with all annual attorney registration requirements. Attorneys who know of their

ineligibility and continue to practice law receive at least a reprimand. See, e.g., In re Moskowitz, 215 N.J. 636 (2013) (reprimand for attorney who practiced law for more than seven months knowing that he was ineligible to do so) and In re (Queen) Payton, 207 N.J. 31 (2011) (attorney practiced law for eleven months, while aware that she was ineligible; prior admonition for the same violation).

Similarly, a reprimand is typically imposed on an attorney who engages in a conflict of interest. In re Berkowitz, 136 N.J. 134, 148 (1994). If the conflict involves egregious circumstances or results in serious economic injury to the clients involved, discipline greater than a reprimand is warranted. Ibid. See also In re Guidone, 139 N.J. 272, 277 (1994) (reiterating Berkowitz and noting that, when an attorney's conflict of interest causes economic injury, discipline greater than a reprimand is imposed).

Generally, in matters involving misrepresentations to ethics authorities, the discipline ranges from a reprimand to a term of suspension, depending on the gravity of the offense, the presence of other unethical conduct, and aggravating or mitigating factors. See, e.g., In re DeSeno, 205 N.J. 91 (2011) (reprimand for attorney who misrepresented to the district ethics committee the filing date of a complaint on the client's behalf; the attorney also failed to adequately communicate with the client and failed to cooperate with the investigation of the grievance; prior reprimand); In re Otlowski, 220 N.J. 217

(2015) (censure for attorney who made misrepresentations to the OAE and the client's lender by claiming that funds belonging to the lender, which had been deposited into the attorney's trust account, were frozen by a court order; to the contrary, they had been disbursed to various parties); In re Freeman, 235 N.J. 90 (2018) (three-month suspension for pool attorney with the Office of the Public Defender (OPD); the attorney failed to communicate with his client about an upcoming hearing on a petition for post-conviction relief; the attorney appeared at the hearing without the client, took actions that were contrary to the client's wishes, and made misrepresentations to the court and the OPD; those statements would later negatively impact the client's ability to pursue an appeal; during the ethics investigation, the attorney lied to the DEC investigator, and later to the hearing panel; violations of RPC 1.2(a), RPC 1.4(b), RPC 3.3(a), RPC 4.1(a), RPC 8.1(a), and RPC 8.4(c) found); In re Brown, 217 N.J. 614 (2014) (three-month suspension, in a default matter, for an attorney who made false statements to a disciplinary authority; failed to keep a client reasonably informed about the status of the matter; charged an unreasonable fee; failed to promptly turn over funds; failed to segregate disputed funds; failed to comply with the recordkeeping rule; and failed to cooperate with disciplinary authorities); In re Silberberg, 144 N.J. 215 (1996) (two-year suspension imposed on attorney who, in a real estate closing, allowed the buyer to sign the name of

the co-borrower; the attorney then witnessed and notarized the "signature" of the co-borrower; the attorney stipulated that he knew at the time that the co-borrower was deceased; after the filing of the ethics grievance against him, the attorney falsely stated that the co-borrower had attended the closing; on another occasion, the attorney sent a false seven-page certification to the district ethics committee in order to cover up his improprieties); and In re Penn, 172 N.J. 38 (2002) (three-year suspension for attorney who failed to file an answer in a foreclosure action, thereby causing the entry of default against the client; thereafter, to placate the client, the attorney lied that the case had been successfully concluded, fabricated a court order, and signed the name of a judge; the attorney then lied to his adversary and to ethics officials; the attorney also practiced law while ineligible).

Finally, admonitions typically are imposed for failure to cooperate with disciplinary authorities, if the attorney does not have an ethics history. See, e.g., In the Matter of Michael C. Dawson, DRB 15-242 (October 20, 2015) (attorney failed to reply to repeated requests for information from the district ethics committee investigator regarding his representation of a client in three criminal defense matters, a violation of RPC 8.1(b)); In re Gleason, 220 N.J. 350 (2015) (attorney did not file an answer to the formal ethics complaint and ignored the district ethics committee investigator's multiple attempts to obtain a copy of his

client's file, a violation of RPC 8.1(b); the attorney also failed to inform his client that a planning board had dismissed his land use application, a violation of RPC 1.4(b)); and In the Matter of Raymond A. Oliver, DRB 12-232 (November 27, 2012) (attorney failed to submit a written, formal reply to the grievance and a copy of the filed pleadings in the underlying case, despite repeated assurances that he would do so, a violation of RPC 8.1(b)).

Here, respondent repeatedly lied to his clients in the BE, Meyer, and Bradshaw matters in order to conceal his inaction in advancing their cases. In the Bradshaw matter, respondent went even further. Like the attorney in Yates (three-month suspension), he fabricated a motion and supporting documents to mislead disciplinary authorities that he had filed a motion, and that it was currently pending in court. Respondent's additional RPC violations do not affect the appropriate quantum of discipline to be imposed.

Were that the extent of respondent's misconduct, a short suspension may have sufficed.

In crafting the appropriate discipline to be imposed, we also consider relevant aggravating and mitigating factors. There are no mitigating factors for our consideration. There are, however, a number of highly aggravating factors. Respondent knowingly practiced law while ineligible, repeated misconduct spanning five discrete ineligibility periods, from 2008 to 2014. He improperly

practiced law in both the private sphere and as a public servant. In so doing, he displayed a chronic disdain for his obligations as a New Jersey attorney.

Additionally, during the ethics hearing, respondent was unwilling to accept blame for his own wrongdoing. He took responsibility only in the Meyer matter, where his lies were captured in an audio recording. In other matters, he continued to offer untenable excuses for his actions. For example, rather than admit at the hearing that he had not filed the Bradshaw motion, he clung to the ridiculous story that he had "hoped for" an early May 2015 hearing date in the matter. Respondent's explanations simply did not add up, for which the panel below correctly found him not credible. Respondent expressed no real contrition or remorse for his actions.

Worse, respondent's misconduct caused demonstrable harm to his clients. As an example, after failing to perform the legal work for which he was retained in the Bradshaw matter, he failed to return the unearned $7,000 fee. Respondent also has displayed a troubling pattern of deceit and misrepresentation, warranting the imposition of discipline greater than a short suspension.

Worse yet, the three-month suspension that the Court recently imposed on respondent was based on precisely the same sort of misconduct found here, including a five-year-long course of wild misrepresentations and deception

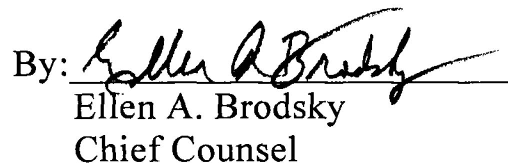
about non-existent settlement negotiations to conceal the mishandling of a client's matter, and fabrication of documents to mask his wrongdoing.

Therefore, in light of the significant aggravation present in this case, we determine that a one-year suspension is the quantum of discipline necessary to protect the public and preserve confidence in the bar. Moreover, as a condition, we also require respondent to disgorge his entire fee in the Bradshaw matter within thirty days of the Court's issuance of the Order in this case.

Vice-Chair Gallipoli voted to disbar respondent. Member Joseph did not participate.

We further determine to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs and actual expenses incurred in the prosecution of this matter, as provided in R. 1:20-17.

Disciplinary Review Board
Bruce W. Clark, Chair

By: 
Ellen A. Brodsky
Chief Counsel

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

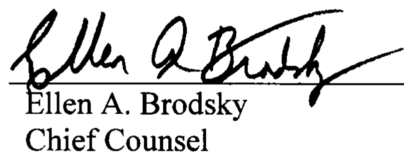
In the Matter of Adam Luke Brent
Docket No. DRB 19-208

Argued: October 17, 2019

Decided: January 15, 2020

Disposition: One-Year Suspension

Members	One-Year Suspension	Disbar	Recused	Did Not Participate
Clark	X			
Gallipoli		X		
Boyer	X			
Hoberman	X			
Joseph				X
Petrou	X			
Rivera	X			
Singer	X			
Zmirich	X			
Total:	7	1	0	1



Ellen A. Brodsky
Chief Counsel