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**OF THE**  
**SUPREME COURT OF NEW JERSEY**

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May 24, 2021

Heather Joy Baker, Clerk  
Supreme Court of New Jersey  
P.O. Box 970  
Trenton, New Jersey 08625-0962

**Re: In the Matter of Greg G. Mordas**  
Docket No. DRB 21-009  
District Docket No. XIV-2019-0656E

Dear Ms. Baker:

The Disciplinary Review Board has reviewed the motion for discipline by consent (reprimand or such lesser discipline as the Board deems appropriate) filed by the Office of Attorney Ethics in the above matter, pursuant to R. 1:20-10(b). Following a review of the record, the Board granted the motion and determined to impose a reprimand for respondent's violation of RPC 5.5(a)(1) (engaging in the unauthorized practice of law).

Effective November 4, 2019, the Court declared respondent ineligible to practice law based upon his failure to comply with New Jersey continuing legal education (CLE) requirements. The Court sent respondent correspondence regarding his ineligible status in early November.

On November 18, 2019, despite awareness of his administrative ineligibility, respondent appeared before the Honorable Guy Ryan, J.S.C. for the arraignment of his client, Joseph Lewandowski. Respondent entered his appearance and entered a not guilty plea on behalf of Lewandowski. That same date, respondent reviewed and signed the arraignment conference order on his client's behalf.

On December 9, 2019, respondent appeared before Judge Ryan in the same matter a second time for an early disposition conference. Respondent entered an appearance on behalf of Lewandowski at that proceeding. The following colloquy ensued:

THE COURT: This is listed as an early disposition conference as well as now an S-1. We were here previously in November for an arraignment. May I please have counsel enter their appearances.

MS. PRESSMAN: Kristin Pressman for the State.

[RESPONDENT:] Greg Mordas, M-O-R-D as in David -A-S here for Mr. Lewandowski.

THE COURT: So Mr. Mordas, no easy way to say this, you're not eligible to appear in court.

[RESPONDENT:] **Correct.**

THE COURT: You're administratively ineligible. You're not even supposed to come to court with a client and now I find out you did that in November without disclosing it to me, and then you're continuing to do it today.

[RESPONDENT:] I called up the prosecutor and I am also appearing to tell Your Honor that it's a CLE situation.

THE COURT: I'm aware of it. I had to look it up.

[RESPONDENT:] Okay.

THE COURT: But the definition of administratively ineligible, as promulgated by the Supreme Court, is that you are not permitted to appear in court. So I've already contacted the assignment judge as a result of the November incident, and now I'm – I don't have any discretion here. I'm not permitted to just ignore these things. So your attorney – your client needs to get a new attorney who's eligible to appear in court.

\* \* \*

THE COURT: So Mr. Mordas, I don't know what you knew when you knew it, but my understanding is before today, you knew you weren't supposed to be in court.

[RESPONDENT:] I called. I called the prosecutor and I also talked to the clerk before I stood up here today, and that's why I'm not putting my appearance on the record.

THE COURT: No, but you're here representing a client.

[emphasis added.]

The Court, prosecutor, and clerk proceeded to discuss rescheduling the matter and Lewandowski's potential eligibility for a public defender. Respondent represented that he was "going to send my paperwork in to CLE." Respondent offered "if Your Honor directs me, I will get another attorney to put an appearance in for Mr. Lewandowski."

Judge Ryan refused to speculate about how much time it would take respondent to achieve eligibility and concluded that he could not continue to appear. The proceeding ended with Judge Ryan committing to relist the case "for the arraignment that we had previously done in November."

Beyond his court appearances, respondent also stipulated that his subpoenaed bank records revealed his unauthorized practice of law through active use of his attorney trust account (ATA) between November 6 and November 26, 2019. Particularly, respondent conducted a minimum of five transactions in his ATA in that period, related to a minimum of three client matters.

According to the Central Attorney Management System, the Board on Continuing Legal Education (BCLE) deemed respondent compliant with his CLE obligations on December 15, 2019. On February 5, 2020, BCLE issued a Notice to the Bar announcing the removal of certain attorneys, including respondent, from the list of ineligible attorneys. Notice to the Bar, "Attorneys Reinstated from the CLE Ineligible List" (February 5, 2020).

On March 17, 2020, respondent admitted to the OAE investigator that he had been advised by the Court, in early November of 2019, that he was ineligible to practice law. Accordingly, respondent was "fully aware" of his ineligibility during his two appearances before Judge Ryan and in connection with his improper ATA activity.

Based on the foregoing facts, respondent stipulated to having violated RPC 5.5(a)(1) by knowingly practicing law while administratively ineligible. The parties agreed that the appropriate quantum of discipline for respondent's misconduct would be a reprimand or such lesser discipline we deem warranted.

Concerning mitigation, the parties agreed that respondent was contrite and readily admitted his wrongdoing. Although the parties also stipulated that respondent had no prior discipline, the Board observed that respondent received a private reprimand in 1992, a fact to which the Board accorded no weight. The parties agreed that there are no applicable aggravating factors.

Based on the above facts, the Board determined that respondent's misconduct violated RPC 5.5(a)(1). The Board concluded that respondent was both constructively and actually aware of his ineligibility to practice law, having received correspondence from the Court concerning his CLE ineligibility. Despite knowing of his administrative ineligibility, he made two court appearances and conducted five ATA transactions, thereby actively representing clients.

The Board noted that, during the December 9, 2019 hearing, respondent appeared to angle to stall Lewandowski's criminal case until he could cure his ineligibility. Particularly, respondent implied that his advance call to the prosecutor to discuss his ineligibility somehow mitigated or excused his appearance in court. Respondent also implied that Judge Ryan had the discretion to allow him to remain attorney of record for Lewandowski, indicating that he would find substitute counsel "if Your Honor directs me . . . [.]". Those gestures were not effective to cure or mitigate the underlying problem: respondent's knowing disregard for his ineligible status.

Respondent's unethical conduct needlessly consumed judicial resources. Judge Ryan interfaced with the assignment judge concerning respondent's November appearance, and was also required to relist the November and December hearings concerning Lewandowski's criminal matter. Accordingly, the Board determined to impose a reprimand. See In re Perez, 240 N.J. 173 (2019), and In re Fell, 219 N.J. 425 (2014).

Enclosed are the following documents:

1. Notice of motion for discipline by consent, dated January 31, 2021.
2. Stipulation of discipline by consent, dated December 23, 2020.
3. Affidavit of consent, dated December 23, 2020.
4. Ethics history, dated May 24, 2021.

Very truly yours,



Johanna Barba Jones  
Chief Counsel

JBj/res  
Enclosures

c: (see attached list)

I/M/O Greg G. Mordas, DRB 21-009

May 24, 2021

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(w/o enclosures)

Hon. Maurice J. Gallipoli, A.J.S.C. (Ret.), Chair  
Disciplinary Review Board (e-mail)

Colleen Burden, Presenter

Office of Attorney Ethics (e-mail)

Greg G. Mordas, Respondent (e-mail and regular mail)

Joseph Lewandowski, Grievant (regular mail)