

DISCIPLINARY REVIEW BOARD
OF THE
SUPREME COURT OF NEW JERSEY

HON. MAURICE J. GALLIPOLI, A.J.S.C. (RET.), CHAIR
ANNE C. SINGER, ESQ., VICE-CHAIR
PETER J. BOYER, ESQ.
JORGE A. CAMPELO
THOMAS J. HOBERMAN
REGINA WAYNES JOSEPH, ESQ.
STEVEN MENAKER, ESQ.
PETER PETROU, ESQ.
EILEEN RIVERA



RICHARD J. HUGHES JUSTICE COMPLEX
P.O. BOX 962
TRENTON, NEW JERSEY 08625-0962
(609) 815-2920

JOHANNA BARBA JONES
CHIEF COUNSEL

TIMOTHY M. ELLIS
DEPUTY COUNSEL

BARRY R. PETERSEN, JR.
DEPUTY COUNSEL

NICOLE M. ACCHIONE
JESSICA A. CALELLA
ROCCO J. CARBONE, III
ASHLEY KOLATA-GUZYK
RACHEL J. NGUYEN
ASSISTANT COUNSEL

NICHOLAS LOGOTHETIS
ASSOCIATE COUNSEL

September 28, 2021

VIA CERTIFIED MAIL, REGULAR MAIL, & ELECTRONIC MAIL

John F. O'Donnell, Esq.
c/o Robert E. Ramsey, Esq.
2000 Hamilton Avenue
Hamilton, NJ 08619
robertramseylawoffice@gmail.com

Re: In the Matter of John F. O'Donnell
Docket No. DRB 21-081
District Docket No. XIV-2018-0360E and XB-2020-0900E
LETTER OF ADMONITION

Dear Mr. O'Donnell:

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 legal fee), RPC 1.7(a) (conflict of interest – the Mamaronek transaction), and RPC 1.8(a) (improper business transaction with a client). The Board further determined to dismiss the charged violation of RPC 1.7(a) (conflict of interest – the Matawan transaction) and the charged violation of RPC 1.15(a) (commingling and failure to safeguard property).

Specifically, you admitted that you had an attorney-client relationship with a client, Paul Mancuso, wherein you would draft promissory notes for him, and that you represented both Mancuso, as an individual, and Mancuso's business. Although you were performing regular legal work for Mancuso and Mancuso's business, the record demonstrates that you never provided a writing to either that set forth the basis or rate of the legal fee between the parties. Consequently, the Board found that you violated RPC 1.5(b).

Regarding the conflict-of-interest charges, you represented Mancuso with respect to the multiple promissory notes at the same time you represented R&B Property Management (R&B)

in a real estate transaction involving property in Mamaroneck, New York. Mancuso acted as a “broker” in the Mamaroneck transaction, which required you to disburse to Mancuso fees from your attorney trust account on behalf of R&B. This concurrent representation was accomplished without the requisite waivers of the parties and, thus, there was a significant risk that your representation of one client could adversely affect your representation of the other. Accordingly, you violated RPC 1.7(a) in connection with the Mamaroneck transaction.

Finally, you entered into a business transaction with your client, Mancuso, loaning him \$180,000 at a six-percent interest rate. You omitted to provide to Mancuso a written disclosure advising him to seek independent legal counsel concerning the transaction, and did not obtain Mancuso’s written, informed consent to the terms of the loan and your role in the transaction. Your failure to obtain the appropriate written consents and disclosures violated RPC 1.8(a).

However, the Board determined to adopt the DEC’s conclusions that the OAE failed to prove, by clear and convincing evidence, that you violated RPC 1.7(a)(2) in the Matawan transaction and RPC 1.15(a) in connection with Mancuso’s funds, and dismissed those charges.

In imposing only an admonition, the Board considered your longstanding, unblemished legal career of over forty years, and the passage of time since the misconduct.

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,

A handwritten signature in black ink, appearing to read "Johanna Barba Jones". The signature is fluid and cursive, written in a professional style.

Johanna Barba Jones
Chief Counsel

JBj/jm

c: See attached list

Chief Justice Stuart Rabner

Associate Justices

Heather Joy Baker, Clerk

Supreme Court of New Jersey

Hon. Maurice J. Gallipoli, A.J.S.C. (Ret.), 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)

HoeChin Kim, Deputy Ethics Counsel

Office of Attorney Ethics (e-mail)

Pasquale Stiso, Grievant (regular mail)