

SUPREME COURT OF NEW JERSEY
D-52 September Term 2021
086559

In the Matter of

Richard J. Pepsny,

An Attorney At Law

(Attorney No. 023341993)

FILED ORDER

JUL 14 2022

Heather J. Baker
CLERK

The Disciplinary Review Board having filed with the Court its decision in DRB 21-142, concluding that **Richard J. Pepsny of West Long Branch**, who was admitted to the bar of this State in 1993, should be disciplined for violating RPC 1.7 (a) (2) (conflict of interest), RPC 1.8 (a) (prohibited business transaction with a client), and RPC 1.15 (a) (misappropriation of escrow funds);

And the members of the Disciplinary Review Board who found that respondent's misappropriation of escrow funds was knowing rather than negligent and therefore warranted disbarment having found that respondent also violated RPC 1.15 (b) (failure to promptly deliver funds to a third party) and RPC 1.15 (c) (failure to safeguard funds);

And the Court having determined from its review of the matter that a three-month suspension from practice is the appropriate quantum of discipline for respondent's unethical conduct;

And good cause appearing;

It is ORDERED that **Richard J. Pepsny** be suspended from the practice of law for a period of three months, effective August 15, 2022, and until the further Order of the Court; and it is further

ORDERED that respondent comply with Rule 1:20-20 dealing with suspended attorneys; and it is further

ORDERED that pursuant to Rule 1:20-20(c), respondent's failure to comply with the Affidavit of Compliance requirement of Rule 1:20-20(b)(15) may (1) preclude the Disciplinary Review Board from considering respondent's petition for reinstatement for a period of up to six months from the date respondent files proof of compliance; (2) be found to constitute a violation of RPC 8.1(b) and RPC 8.4(d); and (3) provide a basis for an action for contempt pursuant to Rule 1:10-2; and it is further

ORDERED that the entire record of this matter be made a permanent part of respondent's file as an attorney at law of this State; and it is further

ORDERED that respondent reimburse the Disciplinary Oversight Committee for appropriate administrative costs and actual expenses incurred in the prosecution of this matter, as provided in Rule 1:20-17.

WITNESS, the Honorable Stuart Rabner, Chief Justice, at Trenton, this 12th day of July, 2022.

A handwritten signature in cursive script, reading "Heather J. Baker". The signature is written in black ink and is positioned above the printed title.

CLERK OF THE SUPREME COURT