Supreme Court of New Jersey
Disciplinary Review Board
Docket No. DRB 22-155
District Docket No. XIV-2022-0090E

In the Matter of	:
Robert Arthur Plagmann	:
An Attorney at Law	:

Corrected Decision

Argued: November 17, 2022

Decided: February 10, 2023

Hillary K. Horton appeared on behalf of the Office of Attorney Ethics.

Respondent appeared pro se.

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

This matter was before us on a motion for reciprocal discipline filed by the Office of Attorney Ethics (the OAE), pursuant to R. 1:20-14(a), following the Supreme Court of Arizona's issuance of an October 30, 2018 order revoking respondent's license to practice law in that jurisdiction. The OAE asserted that

respondent's misconduct constituted violations of RPC 8.1(a) (making a false statement of material fact in a bar admission application) and RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation).

For the reasons set forth below, we determine to grant the OAE's motion and conclude that a one-year suspension, with conditions, is the appropriate quantum of discipline for respondent's misconduct.

Respondent earned admission to the New Jersey bar in 2006, the District of Columbia bar in 2009, and the Arizona bar in 2017. Previously, he served as a Deputy Station Judge Advocate in the United States Marine Corps (USMC).

According to the Court's Central Attorney Management System, on January 25, 2019, respondent retired from the practice of law in New Jersey.[1] When he appeared before us for oral argument, respondent remained in retired status. However, on November 30, 2022, thirteen days after oral argument before us, respondent returned to active status.

Effective February 24, 2022, the District of Columbia Court of Appeals imposed reciprocal discipline, disbarring respondent for the misconduct

[1] Pursuant to R. 1:28-2(b), an attorney may request an exemption from payment to the New Jersey Lawyers' Fund for Client Protection by submitting a certification of retirement indicating that they are "retired completely from the practice of law." At any time, however, an attorney on retired status can reactivate their law license by updating their registration status and paying the attorney registration fee for the current year.

underpinning the instant matter. In re Plagmann, 273 A.3d 837 (2022). Further, in its order, the court stated:

> To the extent respondent argues that he was previously disciplined for this misconduct in this jurisdiction, he is incorrect because the informal admonition was in response to the disciplinary action taken by the Navy, not the Arizona Bar. To the extent respondent urges us to consider certain mitigating factors, he concedes that these factors were presented to the Arizona Bar during its investigation. Finally, to the extent he argues that imposition of reciprocal discipline would result in grave injustice, we disagree. Any negative impacts to his medical applications do not rise to this standard, and respondent has no clients or office in the District of Columbia and no plans to practice law here.
>
> [Id. (citations omitted).]

We now turn to the facts of this matter.

On September 10, 2018, respondent and the State Bar of Arizona filed an Agreement for Revocation by Consent (the Agreement) with the Supreme Court of Arizona. Pursuant to the Agreement, respondent admitted to having violated Ariz. Sup. Ct. Rule 46(a), which provides, in relevant part, that "[a]ny fraudulent misstatement or material misrepresentation made by an applicant for admission to the practice of law may result in revocation of the member's admission to the state bar."

In exchange for respondent's admission of wrongdoing and the consensual revocation of his law license, the State Bar agreed it would not pursue separate

disciplinary charges. The parties acknowledged that no formal disciplinary complaint had been filed.

Respondent admitted the following facts in support of the Agreement.

On April 4, 2017, respondent was admitted to the Arizona bar, on motion, based upon his August 8, 2016 application filed with the Supreme Court of Arizona's Committee on Character and Fitness. Respondent swore, under penalty of perjury, that the answers he provided in support of his application were true and correct.

In relevant part, the application required respondent to answer the following four questions:

> **Question 65**: "In the past seven years, have any charges, complaints, or grievances (formal or informal) been filed against you?"
>
> **Question 69**: "Have you ever been accused of or charged with fraud, perjury, misrepresentation, or false swearing in a judicial or administrative proceeding?"
>
> **Question 71**: "In the past seven years, have you ever been involved as a party, directly or indirectly, in any disciplinary proceeding, formal or informal?"
>
> **Question 108**: "Is there any other information, incident(s), or occurrence(s), which is not otherwise referred to in your response to this application which, in your opinion, may have a bearing, either directly or indirectly, positively or negatively, upon your ability to practice law actively and continuously?"

On August 8, 2016, respondent answered "no" to each of the foregoing questions.

Respondent's answers were false. He had been notified, on at least three occasions prior to his submission of the bar application, that he was being investigated by the USMC on various charges of misconduct.

Specifically, on January 28, 2016, nearly seven months before he had submitted his bar application, respondent had been notified by the USMC that a Board of Inquiry (BOI) was being convened to investigate charges of misconduct, including adultery and unlawful drug involvement. The drug charges stemmed from an allegation that respondent had stolen prescription pain killers from the woman with whom he was allegedly having an affair.

Subsequently, on May 31, 2016, more than two months prior to the submission of his Arizona bar application, respondent was notified by the USMC that he was being investigated on additional charges. The additional charges included respondent's false statements to military personnel at the military detention facility where his brother was being detained, as detailed below. Respondent also was charged with benefits fraud for seeking a housing enhancement for married personnel when he and his estranged wife no longer lived together and, in fact, he had rented out the home for which he sought the housing enhancement. The additional charges also pertained to unauthorized

absences on dates respondent was required to be on base but, according to his social media pages, was in Italy, Morocco, and Colorado.

On July 13, 2016, less than a month before he submitted his bar application, respondent submitted an "Acknowledgment of Notice" to the USMC, acknowledging that a BOI would be convened to address the pending charges against him. Respondent was appointed counsel and acknowledged having received notice of his rights.

Respondent, with counsel, participated in the BOI proceedings, including an April 7, 2017 hearing at which testimony and evidence was presented. The Agreement stated that, following the hearing, the relevant Judge Advocate General had concluded:

> [r]espondent had violated the Rules of Professional Conduct of Attorneys Practicing Under the Cognizance and Supervision of the Judge Advocate General, 32 C.F.R. Part 775, specifically Rule 8.4(a)(3). The Judge Advocate General agreed with the investigating officer's finding that clear and convincing evidence established misconduct "involving dishonesty, fraud, deceit, or misrepresentation related to [Respondent] falsely telling Marine Corp corrections personnel at the Pretrial Confinement Facility in Iwakuni, Japan, that [Respondent was] defense counsel for [his] brother (a Marine Staff Sergeant) who was being detained there, in order to have non-audio-recorded conversations with [his] brother, an act reflecting adversely on [Respondent's] honesty, trustworthiness, and fitness as an attorney."

[OAEbp5-6;ExA¶10.][2]

As a result, on March 1, 2018, respondent's license to practice law in any proceeding under the supervision of the Judge Advocate General of the Navy was indefinitely suspended. On March 8, 2018, the Navy notified the State Bar of Arizona of respondent's indefinite suspension. Respondent failed to notify the State Bar of Arizona of this discipline, as Ariz. R. Sup. Ct. 57(b)(1) requires.[3]

On October 30, 2018, the Supreme Court of Arizona accepted the parties' Agreement and revoked respondent's admission to practice law in that state. On May 5, 2022, the District of Columbia Court of Appeals disbarred respondent as a matter of reciprocal discipline.

Following the revocation of his license in Arizona, respondent failed to notify the OAE, as R. 1:20-14(a)(1) requires.

The OAE recommended that respondent receive a six-month suspension for his violations of RPC 8.1(a) and RPC 8.4(c). The OAE correctly observed

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[2] "OAEb" refers to the OAE's September 13, 2022 brief in support of its motion for reciprocal discipline; "ExA" refers to the September 10, 2018 Agreement for Revocation by Consent, filed by the State Bar of Arizona.

[3] Ariz. R. Sup. Ct. 57(b)(1) states, in relevant part:

> Upon being disciplined in another jurisdiction, a lawyer admitted to practice in the State of Arizona, whether active, inactive, retired, or suspended, shall, within thirty (30) days of service of the notice of imposition of discipline from the other jurisdiction, inform the disciplinary clerk of such action, and identify every court in which the lawyer is or has been admitted to practice.

that discipline for New Jersey attorneys who make false statements in connection with their bar admissions typically ranges from a reprimand to a term of suspension, discipline that is substantially different than that meted out in Arizona. Although respondent's conduct was deceitful and fell short of the high standards to which an attorney is held, the OAE distinguished the misconduct from that of the attorney in In re Broderick, __ N.J. __ (2022), 2022 N.J. LEXIS 184 (February 25, 2022), who received a one-year suspension for making multiple misrepresentations on his bar application. The facts of Broderick are discussed in detail below.

In aggravation, the OAE noted that respondent failed to report the disciplinary action taken by the Supreme Court of Arizona or the District of Columbia Court of Appeals.

In mitigation, the OAE acknowledged respondent's lack of a disciplinary record in New Jersey but stated that this fact should be accorded little weight considering he had not regularly practiced in this jurisdiction and had been in retired status since 2019. The OAE also noted respondent's consent to the revocation of his license in Arizona, thereby "possibly conserving disciplinary resources in that jurisdiction."

At oral argument before us, respondent accepted full responsibility for his misconduct. He candidly explained that he had been using drugs and alcohol as

a means to cope with trauma caused by several events, including years of childhood sexual abuse; his experiences while deployed, on multiple occasions, over the course of his twenty-year military career; the murder of his sister when he was twenty-one years old, and his resulting survivor's guilt; and an undiagnosed brain injury.

Following his 2016 suicide attempt, respondent was assigned to a military treatment facility, where, in 2017, he began his path toward recovery. Respondent explained to us that he now has taken ownership of his choices, and embraced accountability, responsibility, and self-love. In mitigation, respondent stated that he currently provides training and assistance to veterans who, like himself, are suffering from trauma or otherwise in need. He intends, if permitted to practice law again in this state, to provide pro bono service to veterans. In further mitigation, respondent emphasized that no client was harmed by his misconduct.

Following our review of the record, we determine to grant the motion for reciprocal discipline. Pursuant to R. 1:20-14(a)(5), "a final adjudication in another court, agency or tribunal, that an attorney admitted to practice in this state . . . is guilty of unethical conduct in another jurisdiction . . . shall establish conclusively the facts on which it rests for purposes of a disciplinary proceeding in this state." Thus, with respect to motions for reciprocal discipline, "[t]he sole

issue to be determined . . . shall be the extent of final discipline to be imposed." R. 1:20-14(b)(3).

In Arizona, as in New Jersey, the standard of proof in attorney disciplinary matters is clear and convincing evidence. In re Wolfram, 847 P.2d 94, 97 (Ariz. 1993) (the court "must be persuaded by clear and convincing evidence that [r]espondent committed the violations charged"); In re Petrie, 742 P.2d 796, 798 (Ariz. 1987) ("evidence of unprofessional conduct must be clear and convincing to justify disciplinary action"). Evidence will satisfy the clear and convincing standard if its truth is "highly probable." In re Neville, 708 P.2d 1297, 1302 (Ariz. 1985) (citations and quotations omitted). Notably, here, respondent stipulated to his misconduct.

Reciprocal discipline proceedings in New Jersey are governed by R. 1:20-14(a)(4), which provides in pertinent part:

> The Board shall recommend the imposition of the identical action or discipline unless the respondent demonstrates, or the Board finds on the face of the record on which the discipline in another jurisdiction was predicated that it clearly appears that:
>
> (A) the disciplinary or disability order of the foreign jurisdiction was not entered;
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> (B) the disciplinary or disability order of the foreign jurisdiction does not apply to the respondent;
>
> (C) the disciplinary or disability order of the foreign jurisdiction does not remain in full force and effect as

the result of appellate proceedings;

(D) the procedure followed in the foreign matter was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or

(E) the unethical conduct established warrants substantially different discipline.

In our view, subsection (E) applies in this matter because respondent's unethical conduct warrants substantially different discipline in New Jersey. Specifically, pursuant to New Jersey disciplinary precedent, his violations of RPC 8.1(a) and RPC 8.4(c) warrant the imposition of a term of suspension, not a permanent bar on his ability to practice law in New Jersey.

RPC 8.1(a) prohibits a lawyer from knowingly making "a false statement of material fact" in connection with a bar admission application. RPC 8.4(c) prohibits a lawyer from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation. It is well-settled that a violation of RPC 8.4(c) requires intent. See In the Matter of Ty Hyderally, DRB 11-016 (July 12, 2011). Here, respondent admittedly violated both Rules by knowingly making false statements, material misrepresentations, and material omissions in his application for admission to the Arizona bar.

Specifically, respondent failed to disclose the pending criminal and disciplinary charges brought against him by the USMC, of which he was aware. Under penalty of perjury, respondent falsely answered "no" in reply to questions

that explicitly asked him to disclose (1) whether, in the past seven years, any charges, complaints, or grievances (formal or informal) had been filed against him; (2) whether he ever had been accused or charged with fraud, perjury, misrepresentation, or false swearing in a judicial or administrative proceeding; and 3) whether, in the past seven years, he had been involved, directly or indirectly, with a disciplinary proceeding.

Compounding matters, in response to the question inquiring, generally, whether there was any additional information that may have bearing upon his ability to practice law, respondent answered "no."

At the time respondent completed his Arizona bar application, he was well aware of the pendency of the criminal and disciplinary charges that the USMC had brought against him, having received at least two notices describing the charges, which included adultery; unlawful drug involvement; false statements to personnel at a military detention center; benefits fraud; and unauthorized absences from the military base. Further, nearly a month before he submitted his bar application, respondent formally acknowledged that an administrative hearing would be convened to address these charges. Thus, by answering "no" to the four questions intended to solicit this very information, respondent knowingly made false statements of material fact on his bar application.

In sum, we determine to grant the motion for reciprocal discipline and find that respondent violated RPC 8.1(a) and RPC 8.4(c). The sole issue left for our determination is the proper quantum of discipline for respondent's misconduct.

As the OAE correctly observed, discipline for conduct involving false statements in connection with bar admissions ranges from a reprimand to a suspension, depending on the severity of the misconduct and the presence of other Rule violations or aggravating factors. See In re Thyne, 214 N.J. 107 (2013) (reprimand for an attorney who failed to disclose in his application for admission to the United States Court of Appeals for the Second Circuit that he was no longer in good standing in Minnesota, where he had ceased paying his annual fee; the attorney also failed to disclose a pending OAE investigation for dishonest conduct; the attorney knowingly withheld the details of the OAE investigation because, in his view, it was irrelevant to his admission to the Second Circuit; in mitigation, the attorney had no prior discipline in his more than twenty years at the bar); In re Duke, 207 N.J. 37 (2011) (censure for an attorney who failed to disclose to the Board of Immigration Appeals that he had been disbarred in New York, in violation of RPC 3.3(a)(5) (lack of candor toward a tribunal); the attorney also deposited his fee in his personal bank account, rather than in his attorney business or trust account, failed to communicate with his client by not providing the client with copies of his

submissions to the Board of Immigration Appeals, and failed to return his client's numerous phone calls, in violation of RPC 1.4(b) (failure to communicate) and RPC 1.15(d) (failure to comply with the recordkeeping requirements of R. 1:21-6); the attorney had a prior reprimand for negligent misappropriation and recordkeeping infractions; in mitigation, we weighed the attorney's sincere contrition and significant efforts in rehabilitation); In re Solvibile, 156 N.J. 321 (1998) (six-month suspension for attorney who passed the Pennsylvania bar examination after three attempts, but whose application to the Pennsylvania bar was returned because it was received after the filing deadline; the attorney misrepresented to the Pennsylvania Board of Law Examiners that the money order accompanying the application was misdated and that the application had been mailed prior to the closing deadline; in furtherance of her lie, the attorney drafted a false document that she had signed by an employee of the post office (a friend of her boyfriend); in mitigation, we weighed her youth, inexperience, and remorse; in aggravation, the attorney involved another party; we determined that the misconduct called her integrity and honesty into question and warranted a six-month suspension); In re Guilday, 134 N.J. 219 (1993) (six-month suspension for attorney who failed to disclose on his New Jersey, Pennsylvania, and Delaware bar applications that he had been arrested five times for driving while under the influence of alcohol and

once for disorderly conduct, when he was between the ages of seventeen and twenty-seven; his misconduct came to light when he applied for admission to the Delaware bar; shortly before a hearing in Delaware, the attorney notified the New Jersey Board of Bar Examiners of his prior arrests; although we recommended that the attorney's license be revoked, the Court imposed a six-month suspension); In re Broderick, __ N.J. __ (2022), 2022 N.J. LEXIS 184 (2022) (one-year suspension for an attorney, in a reciprocal discipline matter, who, in his application for admission to the Washington State bar, failed to disclose (1) that he had filed bankruptcy petitions, (2) that he had been subject to ethics investigations in Washington D.C., (3) that he had been a party in a federal civil lawsuit, (4) that sanctions had been imposed on him for discovery violations, and (5) that the Oregon Department of Consumer Services had investigated his company; the attorney made similar misrepresentations in his application for admission to the California bar; additionally, in his correspondence with Washington D.C. disciplinary authorities, the attorney failed to disclose his unethical conduct in Connecticut; in imposing a one-year suspension, we weighed, in aggravation, the attorney's numerous false answers on two state bar applications, which appeared to be intentional, and his prior censure for violating RPC 1.17(c)(2) (improper sale of a law office)); In re Bernstein, 249 N.J. 357 (2022) (two-year suspension, in a reciprocal discipline

matter, for an attorney who concealed, in two pro hac vice applications to the United States District Court for the Eastern District of Virginia (the EDVA), the fact that: (1) in 2015, the Supreme Court of Florida had reprimanded him for a myriad of ethics violations, (2) in 2016, just two months before his pro hac vice applications to the EDVA, the United States District Court for the District of Kansas had admonished him for his failure to adequately disclose his Florida reprimand, and (3) two clients had filed civil malpractice lawsuits against him; despite his testimony before the EDVA that he did not see the question regarding prior discipline, the attorney offered contradictory testimony at the ethics hearing that he did, in fact, see the question, and that his paralegal was altering the form to allow him to answer the question; in a separate matter, the attorney misrepresented to his client that he was a "national" attorney who could represent his client in a post-conviction relief proceeding in Alabama, where he was not licensed to practice law; the attorney incompetently handled the representation, foreclosing his client's ability to obtain future post-conviction relief; the attorney had no prior discipline; although we recommended that the attorney be disbarred for the totality of his misconduct, the Court imposed a two-year suspension); In re Bernardino, 198 N.J. 377 (2009) (three-year suspension, in a reciprocal discipline matter, for an attorney who failed to disclose in his application to practice before the United States Patent and Trademark Office

(USPTO) that he was under criminal and disciplinary investigation for conduct with respect to his former employer, who had terminated him for dishonest conduct; the attorney also failed to provide complete information and documentation regarding an outstanding tax liability to the federal government; the attorney actively misled the USPTO, on four successive occasions, spanning eight months, regarding the status of the disciplinary investigation and the tax matter; the attorney had a prior one-year suspension).

Here, respondent intentionally provided false responses for four questions on his Arizona bar application, despite the pendency of a multitude of criminal and disciplinary charges against him by the USMC. Respondent's failure to disclose the ongoing military disciplinary proceedings to the Arizona bar was not simply an oversight on his part; rather, respondent knowingly swore under penalty of perjury that there were no pending charges or proceedings pertaining to his fitness to practice law, despite admittedly having received notice of same. Respondent was well aware of the then-pending criminal and disciplinary charges by the USMC and should have disclosed them on his Arizona bar application.

Respondent's misconduct is most similar to that of the attorneys in Solvibile and Guilday, who were both suspended for six-months for making false statements in furtherance of their admission to a state bar. Unlike

respondent, however, the attorney in Guilday engaged in a pattern of deception by making false statements on three bar applications (respondent made false statements on only one bar application) and, when given the opportunity to rectify his wrongdoing, he chose to perpetuate it. In this respect, respondent's misconduct is slightly less egregious than that of Guilday. Unlike Solvibile and Guilday, however, respondent was not a newly admitted attorney when he made false statements on his Arizona bar application. In this respect, respondent's misconduct is more serious than that of Solvibile and Guilday, who each had less time at the bar.

As the OAE correctly pointed out, respondent's misconduct is less severe than that of the attorney in Broderick, who received a one-year suspension. In the Matter of Robert Geoffrey Broderick, DRB 20-239 (June 2, 2021). In Broderick, we determined that the attorney had violated RPC 8.1(a) (three instances) and RPC 8.4(c) (three instances) by falsely replying to questions posed by the Washington and California authorities on each state's bar application. Regarding the Washington bar authorities, the attorney failed to disclose that (1) he had filed two bankruptcy petitions; (2) he had been subject to an ethics investigation in D.C.; (3) he had been a party to litigation; (4) sanctions had been imposed against him for discovery violations; and (5) the

Oregon Department of Consumer Services had investigated his company. Id. at 10.

Regarding the California bar authorities, Broderick failed to disclose one of his two bankruptcies; that he had been a party to litigation; the ethics investigations in the District of Columbia and Connecticut; his admission to the District of Columbia bar; certain business relationships; and the Attorneys General lawsuits that were pending in Florida and Connecticut. Id. at 6-7, 11.

Broderick also made false representations to D.C. disciplinary counsel by denying any findings of misconduct against him, when he previously had admitted to ethical violations in Connecticut. Id. at 7.

We viewed Broderick's misconduct, which spanned two bar authorities and included his false statements to disciplinary authorities, as more serious than the misconduct of attorneys who have been reprimanded or censured. However, in determining that a one-year suspension was the appropriate quantum of discipline, we reasoned that Broderick's misconduct was less serious than the attorney in Bernardino, who received a three-year suspension for, among other misconduct, failing to disclose that he was under criminal and disciplinary investigation on his application to practice law before the USPTO. We also weighed, in mitigation, Broderick's cooperation with the OAE and the fact that his misconduct, like respondent's, had not harmed any clients.

Based upon the foregoing disciplinary precedent, and the Solvibile, Guilday, and Broderick cases in particular, we conclude that a six-month suspension is the baseline discipline for respondent's misconduct. In crafting the appropriate discipline, we also consider mitigating and aggravating factors.

In mitigation, respondent expressed remorse and contrition for his wrongdoing.

In aggravation, respondent failed to notify the OAE that his license to practice law in Arizona had been revoked. In re Ragucci, 112 N.J. 40 (1988) (failure to report out-of-state suspension acts as an aggravating factor in New Jersey).

In further aggravation, respondent has demonstrated a penchant for dishonesty. In re Forrest, 158 N.J. 428, 438 (1999) (considering, in aggravation, that the attorney had engaged in a continuing course of dishonesty, deceit, and misrepresentation). Respondent's dishonesty allowed him to obtain admission to the Arizona bar under false pretenses. This, however, was not respondent's first act of dishonesty as an attorney. He previously lied to military officers by representing that, as a Deputy Station Judge Advocate, he represented his brother who, was being detained on criminal charges. Respondent's false statements in this respect allowed him to gain access to his brother and permitted him to speak with his brother, in private, on multiple occasions, conditions that

would not have occurred but for respondent's misrepresentations that he was his brother's attorney.[4]

Based upon the severity of respondent's misconduct and the presence of multiple aggravating factors, we determine that a one-year suspension is the quantum of discipline necessary to protect the public and preserve confidence in the bar.

As condition precedents to his reinstatement, we further recommend that respondent be required to provide to the OAE (1) proof of his continued treatment for drug and alcohol addiction, and (2) proof of his fitness to practice law, as attested to by a medical doctor approved by the OAE.

Because respondent's law license in New Jersey was in a retired status at the time he appeared before us for oral argument, we determined to delay the imposition of the suspension until he no longer satisfied the requirements for retired status. The Court previously has delayed the imposition of a disciplinary suspension under similar circumstances. See In re Broderick, __ N.J. __ (2022),

[4] Respondent's failure to disclose on his Arizona bar application the investigation into his false statements to USMC personnel resulted in the revocation of his law license in that state. The Agreement that resulted in the revocation of his Arizona law license recited some of the underlying facts, the violations found, and the discipline imposed by the Navy. Thus, here, it is appropriate for us to consider in aggravation the facts underpinning that matter, despite the Court previously having dismissed the OAE's motion for reciprocal discipline stemming from the discipline imposed upon respondent by the Navy. In re Plagmann, 240 N.J. 206 (2019). We cannot, however, consider the prior matter under principles of progressive discipline.

2022 N.J. LEXIS 115 (2022) (one-year suspension for attorney who committed misconduct while on retired status; the Court ordered the suspension be deferred until such time as respondent no longer satisfied the requirements of retired status).[5]

Members Campelo and Menaker voted to impose a censure, with the same conditions.

Member Hoberman was absent.

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

By: **/s/ Timothy M. Ellis**
Timothy M. Ellis
Acting Chief Counsel

[5] Effective February 25, 2022, Broderick's one-year suspension commenced, following the Court's confirmation that Broderick had submitted his 2022 annual attorney registration and, thus, had re-activated his law license from retired status. In re Broderick, __ N.J. __ (2022), 2022 N.J. LEXIS 184.

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

In the Matter of Robert Arthur Plagmann
Docket No. DRB 22-155

Argued: November 17, 2022

Decided: February 10, 2023

Disposition: One-year suspension

Members	One-year suspension	Censure	Absent
Gallipoli	X		
Boyer	X		
Campelo		X	
Hoberman			X
Joseph	X		
Menaker		X	
Petrou	X		
Rivera	X		
Total:	5	2	1

/s/ Timothy M. Ellis
Timothy M. Ellis
Acting Chief Counsel