

SUPREME COURT OF NEW JERSEY
D-68 September Term 2022
088158

In the Matter of :
Marcy E. Gendel :
An Attorney at Law :
(Attorney No. 026721977) :

ORDER

The Disciplinary Review Board having filed with the Court a decision in DRB 22-199, concluding that **Marcy E. Gendel** of **Montclair**, who was admitted to the bar of this State in 1977, should be disciplined for having violated RPC 1.15(a) (negligent misappropriation of client funds), RPC 1.15(b) (failing to promptly deliver funds belonging to a client or third party), RPC 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer), and RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation) (two instances);

And the members of the Disciplinary Review Board having split with regard to the appropriate quantum of discipline for respondent's unethical conduct;

And the Court having determined on its own motion pursuant to Rule 1:20-16 (b) to review the decision of the Disciplinary Review Board;

And **Marcy E. Gendel** having been ordered to show cause why respondent should not be disbarred or otherwise disciplined;

And the Court having determined that a one-year suspension from practice is the appropriate quantum of discipline for respondent's unethical conduct;

And good cause appearing;

It is ORDERED that **Marcy E. Gendel** is suspended from the practice of law for a period of one year and until further order of the Court, effective December 8, 2023; and it is further

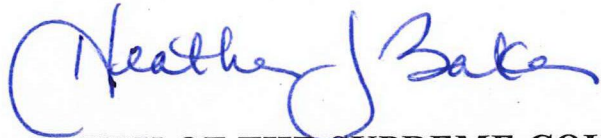
ORDERED that respondent comply with Rule 1:20-20 dealing with suspended attorneys; and it is further

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 6th day of November, 2023.



CLERK OF THE SUPREME COURT