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

TIMOTHY M. ELLIS
CHIEF COUNSEL
NICOLE M. ACCHIONE
FIRST ASSISTANT COUNSEL
BARRY R. PETERSEN, JR.
DEPUTY COUNSEL
FRANCES L. BOWDRE
SALIMA ELIZABETH BURKE
NICHOLAS LOGOTHETIS
ASSISTANT COUNSEL
ALISA H. THATCHER
AMY MELISSA YOUNG
ASSOCIATE COUNSEL

April 30, 2024

VIA CERTIFIED, REGULAR & ELECTRONIC MAIL

Lora M. Privetera, Esq.
c/o Robert E. Ramsey, Esq.
2000 Hamilton Avenue
Hamilton, New Jersey 08619
robertramseylawoffice@gmail.com

RE: In the Matter of Lora M. Privetera
Docket No. DRB 24-043
District Docket No. IIIA-2022-0007E
LETTER OF ADMONITION

Dear Ms. Privetera:

The Disciplinary Review (the 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 1.6(a) (failing to maintain confidential client information). The Board further determined to dismiss the charged violation of RPC 1.6(f) (failing to make reasonable efforts to prevent the inadvertent or unauthorized disclosure of information relating to the representation of a client).

Specifically, in 2012, you prepared a last will and testament for your client, Phyllis Walker, who had at least two sons, Brian and Thomas Walker, and at least one daughter, Shelia Greenberg. On January 19, 2012, Phyllis executed the will, retained possession of the original, and allowed you, per your

practice, to retain a copy of the will. Nearly six years later, in late 2017, you prepared a revised will on Phyllis's behalf and, on December 21, 2017, Phyllis executed the revised will, retained possession of the original, and again allowed you to retain a copy.

More than four years later, on February 21, 2022, Brian sent you an e-mail, via your law firm's online messaging portal, identifying himself as Phyllis's son and requesting a copy of her will. Based solely on Brian's request, you directed your office staff to confirm Brian's contact information and to send him a copy of Phyllis's 2017 will. As you conceded during the ethics proceedings below, you violated RPC 1.6(a) by providing Phyllis's will to her son without her express, informed consent. Moreover, at the time you released Phyllis's will to Brian, the will was not a public document and, thus, Phyllis was free to amend or revoke that inoperable instrument. See Michaels v. Donato, 4 N.J. Super. 570, 573 (Ch. Div. 1949) (prior to the death of the testator, a will constitutes a "revocable" and "inoperative" document that does not "create a property interest in the beneficiary"). By releasing Phyllis's private estate planning document to a member of her family, without consent, you improperly divulged confidential information relating to the representation of your client, resulting in a dispute among Phyllis's children concerning the terms of her will.

However, the Board determined to dismiss, for lack of clear and convincing evidence, the related RPC 1.6(f) charge, which was premised on your alleged failure to make reasonable efforts to prevent the inadvertent or unauthorized disclosure of information relating to the representation of a client. Specifically, the record before the Board was devoid of any evidence that you failed to implement reasonable safeguards to prevent the inadvertent or unauthorized disclosure of information relating to your representation of Phyllis or your clients in general. Rather, your improper disclosure of Phyllis's will appeared to have resulted from an isolated decision rather than an indication that you operated your law practice without implementing the appropriate safeguards to protect client information.

In imposing only an admonition, the Board considered, in mitigation, the aberrational nature of your misconduct; your remorse and contrition; the fact that you fully refunded your \$250 legal fee to Phyllis; and your limited disciplinary history, consisting only of a 2012 admonition, for unrelated misconduct, in your thirty-two-year career at the bar.

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,

/s/ Timothy M. Ellis

Timothy M. Ellis
Chief Counsel

TME/akg

c: Chief Justice Stuart Rabner
Associate Justices
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Supreme Court of New Jersey
Hon. Mary Catherine Cuff, P.J.A.D. (Ret.), Chair
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District IIIA Ethics committee (regular mail and e-mail)
Michael A. Paulhus, Esq., Presenter (regular mail and e-mail)
Thomas Walker, Grievant (regular mail)