

SUPREME COURT OF NEW JERSEY
D-71 September Term 2024
090383

In the Matter of :
Charly Gayden :
An Attorney at Law :
(Attorney No. 007531998) :

O R D E R

The Disciplinary Review Board, in DRB 24-264, having granted a motion for discipline by consent, pursuant to Rule 1:20-10(b), of **Charly Gayden** of **New Brunswick**, who was admitted to the bar of this State in 1998; and

The Office of Attorney Ethics and respondent having signed a stipulation of discipline by consent in which the parties agreed that respondent violated RPC 1.4(b) (failing to keep a client reasonably informed about the status of a matter and to comply with reasonable requests for information), RPC 1.15(a) (committing negligent misappropriation and commingling) (two instances), RPC 1.15(b) (failing to promptly disburse funds to a client or third party) (two instances), RPC 1.15(c) (failing to segregate property in which both the attorney and another party have an interest until there is an accounting), and RPC 1.15(d) (failing to comply with the recordkeeping requirements of Rule 1:21-6), and

that respondent's conduct warrants a censure or such lesser discipline as the Disciplinary Review Board deems appropriate; and

The Office of Attorney Ethics and respondent having further agreed that respondent should be required to (1) attend a trust and business course offered by the Office of Attorney Ethics on a date certain to be scheduled by the Office of Attorney Ethics; (2) provide proof to the Office of Attorney Ethics, within thirty days of respondent signing the stipulation of discipline by consent, that the remaining \$163,224.20 in Respondent's attorney trust account from the Garcia matter has been distributed or that respondent has initiated a legal action to resolve the dispute regarding the remaining funds; and (3) submit quarterly reconciliations that comply with Rule 1:21-6 to the Office of Attorney Ethics for a period of two years, with the first quarter beginning on the day the Court's order is filed; and

The Disciplinary Review Board having determined that respondent violated RPC 1.4(b), RPC 1.15(a) (two instances), RPC 1.15(b) (two instances), RPC 1.15(c), and RPC 1.15(d), and that a censure is the appropriate discipline for respondent's unethical conduct; and

The Disciplinary Review Board having submitted the record of the proceedings to the Clerk of the Supreme Court for the entry of an order of discipline in accordance with Rule 1:20-16(e);

And good cause appearing;

It is ORDERED that **Charly Gayden** is hereby censured; and it is further ORDERED that respondent shall (1) attend a trust and business course offered by the Office of Attorney Ethics on a date certain to be scheduled by the Office of Attorney Ethics and (2) submit quarterly reconciliations to the Office of Attorney Ethics that comply with Rule 1:21-6 for a period of two years; 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 20th day of March, 2025.

A handwritten signature in blue ink, appearing to read "Heather J. Bate". The signature is written in a cursive style with a large initial "H".

CLERK OF THE SUPREME COURT