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May 22, 2025

**VIA CERTIFIED, REGULAR, AND ELECTRONIC MAIL**

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**Re: In the Matter of Michael A. Lupolover**  
Docket No. DRB 25-058  
District Docket No. XIV-2022-01119E  
**LETTER OF ADMONITION**

Dear Mr. Lupolover:

The Disciplinary Review Board (the Board) has reviewed the motion for discipline by consent (censure or such lesser discipline as the Board deems appropriate) filed by the Office of Attorney Ethics (the OAE), pursuant to R. 1:20-10(b). Following a review of the record, the Board granted the motion and determined to impose an admonition for your violation of RPC 1.2(a) (failing to abide by a client's decisions regarding the scope and objectives of the representation); RPC 1.3 (lacking diligence); RPC 1.4(b) (failing to keep a client reasonably informed about the status of a matter and failing to promptly comply with reasonable requests for information); RPC 1.4(c) (failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions about the representation); and RPC 1.16(d) (failing to protect a client's interests upon termination of the representation).

Specifically, in March 2018, Georgia resident Aline Hall retained you to represent her in connection with potential violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681, and other claims related to Profit Service Group's (PSG) alleged unlawful debt collection practices. Hall informed you that she wanted to bring a lawsuit against PSG for harassing her and causing the debt to be posted on her credit report. She was unaware, however, that she could file litigation against a consumer credit reporting agency directly, which is why, in her initial contact with you, she only mentioned a potential lawsuit against PSG.

In November 2018, you obtained a \$5,000 settlement on Hall's behalf against TransUnion, LLC, a consumer credit reporting agency. Pursuant to 15 U.S.C. § 1681n and your agreement with Hall, she received \$1,000 and you received \$4,000 for attorney's fees. For the 2018 tax year, the IRS issued to Hall a Form 1099, indicating that she had received miscellaneous income from TransUnion in the amount of \$5,000.

Thereafter, for approximately six months, Hall attempted to contact you to assist her in obtaining a corrected tax form; however, you failed to reply. She also wished to pursue a claim against PSG. However, you failed to explain to her that her claim against PSG would have to be handled separately from her claim against TransUnion and, further, you failed to pursue Hall's intended claim against PSG.

Subsequently, you informed the OAE that, beginning in 2019, you had started to wind down your law practice in New Jersey after having moved to Florida. Thus, in August 2019, you transferred Hall's file to another New Jersey attorney who was neither "of counsel" nor associated with your firm. At no point, however, did you inform Hall that you had transferred her file to another attorney.

Based on the foregoing, the Board found that you violated RPC 1.2(a) by failing to pursue a claim against PSG, as Hall had desired, and, further, by failing to obtain her consent prior to transferring her matter to another attorney. The Board found that you violated RPC 1.3 by failing to advance Hall's claim against PSG with reasonable diligence and failing to reply to Hall's inquiries about the claim against PSG. Additionally, you violated RPC 1.4(b) and (c) by failing to keep Hall reasonably informed about the status of her matter, failing to advise her that you transferred her file to another attorney, and failing to explain to her that you did not intend to pursue her claim against PSG. Finally, you violated

RPC 1.16(d) by failing to give Hall reasonable notice that you were terminating the representation and transferring her matter to another attorney.

In imposing only an admonition, the Board weighed, in mitigation, your lack of prior discipline in eighteen years at the bar and your admission to wrongdoing by entering into a stipulation of discipline by consent, thereby conserving judicial resources. In further mitigation, your misconduct was not for personal gain.

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 cost 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  
Heather Joy Baker, Clerk  
Supreme Court of New Jersey  
Hon. Mary Catherine Cuff, P.J.A.D. (Ret.), Chair  
Disciplinary Review Board (e-mail)  
Johanna Barba Jones, Director  
Office of Attorney Ethics (e-mail and interoffice mail)

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Jennifer L. Iseman, Assistant Ethics Counsel

Office of Attorney Ethics (e-mail)

Aline Hall, Grievant (regular mail)