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September 23, 2025

VIA CERTIFIED, REGULAR, AND ELECTRONIC MAIL

Brandon James Broderick, Esq.
c/o Jason R. Finkelstein, Esq.
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Re: **In the Matter of Brandon James Broderick**
Docket No. DRB 25-174
District Docket No. IIA-2023-0008E
LETTER OF ADMONITION

Dear Mr. Broderick:

The Disciplinary Review Board (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 3.2 (failing to treat all persons involved with the litigation process with courtesy and consideration). However, the Board determined to dismiss the charged violations of RPC 8.4(b) (committing a criminal act that reflects adversely on a lawyer's honesty, trustworthiness, or fitness as a lawyer) and RPC 8.4(d) (engaging in conduct prejudicial to the administration of justice).

Specifically, on May 24, 2022, Robert Monahan, D.C. (the grievant), a chiropractor affiliated with Fort Lee Health Center, contacted you, via text message, regarding payment for medical services rendered to a mutual client who had sustained injuries in a motorcycle accident. Previously, Monahan also had provided treatment to other clients represented by you.

On or about March 9, 2022, the client's matter settled for \$15,000, the maximum amount available under the at-fault driver's insurance policy. The record contains no evidence that you initiated litigation before the matter settled.

From the limited recovery, you attempted to resolve the bills submitted to you by Monahan and other providers. In April 2022, after the client approved your proposed accounting, you sent Monahan a check for \$1,500, roughly thirty percent of the fee for his services. However, due to an administrative error, your firm issued the check to the wrong payee.

On May 24, 2022, after receiving the erroneous check, Monahan initiated an exchange of text messages with you, indicating he had not been paid for the medical services rendered to the client. You initially responded courteously but, when he texted you again (after you had stated you were unavailable but would speak to him the next morning) and asked you to "make it right," you retorted, "Are you f**king out of your f**king mind?" In reply to Monahan's further messages, you made other derogatory statement and, referring to the conversation planned for the next day, wrote, "Let's hope I'm still not bugging out about your text to me. I feel like ripping your face off."

The following day, you and Monahan addressed the payment issue by telephone. Monahan alleged that, during the call, you and called him "a piece of sh*t;" made a highly offensive statement regarding Monahan's recent loss of a family member; and threatened to go to his office (located in the same building as his residence) and smash his head with a baseball bat. He further testified that your text messages and statements on the telephone caused him emotional stress and anxiety and that he feared you would cause him bodily harm. However, he did not file a police report, seek a restraining order, or initiate proceedings against you.

You acknowledged the above exchange of text messages and admitted engaging in a heated exchange with Monahan the next day, too, as you remained

excited from the prior evening's communications. Although you said you could not recall the particulars of the telephone conversation, you accepted responsibility for your statements and expressed regret that you let the argument escalate. Regarding your alleged threat to attack Monahan with a baseball bat, you did not recall saying this but added that, if you did make such a statement, you did so as an expression of frustration, not a threat.

The day after you spoke with Monahan, your firm sent him a corrected check, which he accepted as his share of the settlement.

RPC 3.2 provides that a lawyer "shall make reasonable efforts to expedite litigation consistent with the interests of the client and shall treat with courtesy and consideration all persons involved in the legal process." Your responses to Monahan's inquiries were laced with profanity, derogatory in nature, and threatened or at least at least intimidated violence. During the disciplinary proceedings, you argued that Monahan did not qualify as a "person[] involved in the legal process." However, in the Board's view, disbursing settlement funds is part and parcel of the legal process of handling a client's matter (if it yields any such settlement), whether the parties resolve their dispute without litigation or take the matter to court. In addition, Monahan observed and treated the client's injuries, making him a potential fact witness.

In asserting that you violated RPC 8.4(b), the DEC argued that your conduct constituted the petty disorderly persons offense of harassment, contrary to N.J.S.A. 2C:33-4. A conviction under that statute requires a showing that the accused acted "with purpose to harass another." Weighing your statements in context, the Board determined that the evidence falls short of establishing that you acted with such purpose and, consequently, determined to dismiss the RPC 8.4(b) charge.

The Board further determined to dismiss the charged violation of RPC 8.4(d). The DEC contended that you violated that Rule by attempting to intimidate Monahan into accepting the \$1,500 payment. However, the evidence does not clearly establish that you made the statements at issue in order to force him to accept a reduced payment. Nor does the record otherwise reflect that your conduct compromised the administration of justice or wasted judicial resources.

In imposing only an admonition, the Board accorded mitigating weight to your lack of formal disciplinary history in nineteen years at the bar and to the fact that, during the hearing, you apologized to Monahan. The Board also weighed that, as harsh as your communications were, you directed them to a seasoned professional with whom you shared an established working relationship and, shortly after the argument (which reflected a mutual misunderstanding), you looked into and corrected the error in your initial attempt to pay him, thereby ensuring that he received the payment owed him.

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/knd
Enclosures

c: (w/o enclosures)
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
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Johanna Barba Jones, Director

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Ryan J. Moriarty, Statewide Ethics Coordinator

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District IIA Ethics Committee (e-mail)

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District IIA Ethics Committee (e-mail and regular mail)

Matthew S. Rogers, Esq., Presenter

District IIA Ethics Committee (e-mail)

Robert Monahan, D.C., Grievant (regular mail)