#### New York State Bar Association Committee on Professional Discipline 2002-2003

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#### INTRODUCTION

This report is divided into three parts. Each part is intended to explain a different aspect of the disciplinary system. V

Although each part of our report is complete and self-contained, by way of introduction we offer a summary of the report's various parts and a brief overview of the report as a whole so that the reader can better understand how these parts relate to each other.

In general, our report is intended to serve a dual purpose. It is, in one sense, a compilation of data, reflecting the immediate past in relation to the last ten years. It is also an expression of our hope for progress in the future development of professional discipline as a constructive means for regulating the practice of law.

#### PART I

The first part contains a statistical compilation of all disciplinary matters processed in New York State during 2002 and includes three tables. The last two of these tables compare disciplinary activity over the preceding ten years.

To those unfamiliar with the nomenclature of professional discipline in New York State, some of the terms used in the tables may be confusing. The practice has been initially to consider each intended complaint of misconduct or supposed cause for investigation as an "inquiry." When it appears that the "inquiry" does not allege conduct, which, even if true, would constitute professional misconduct, it is rejected for "failure to state a complaint." Otherwise, where a cognizable complaint has been alleged, the file is assigned for investigation.

All inquiries in the form of a written complaint that come to the attention of a disciplinary committee, whether or not subsequently dismissed for "failure to state a complaint," are deemed "matters" for reporting purposes. Simple requests for information about an attorney's conduct or telephonic accusations are not reported as "matters." Often several "matters" will involve the same attorney; and all matters involving that attorney which are considered simultaneously will be deemed one "case."

A new category included in the grievance committees' statistical reports is "dismissed through mediation." Under 22 NYCRR part 1220, the disciplinary offices may identify certain complaints as appropriate for mediation; as noted in the guidelines for mediation, "[t]he types of cases that will be referred to mediation generally are those in which there has been a breakdown in the attorney-client relationship and where the complaint could be resolved best through conciliation and not formal disciplinary proceedings." In 2002, more than 170 matters were resolved through mediation.

The disciplinary procedures employed vary in some respects among the four Departments. Understandably, some of the terminology used to describe those differing procedures will also vary. Often the same procedures will be described differently by the various Departments of the Appellate Division and even functionally equivalent agencies of discipline will be known by different names. In the First Department, we refer to the "Departmental Disciplinary Committee" as the principal agency of professional discipline; in the Third Department, its functional equivalent is known as the "Committee on Professional Standards"; in the Second and Fourth Departments, there are three district "Grievance Committees" which serve as the principal agencies of discipline in each of those two Departments.

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The multiplicity of disciplinary committees operating throughout the State results in each committee receiving a substantial number of inquiries and complaints that fall within the jurisdiction of other committees and which must then be referred out. Sometimes this is a consequence of the complainant having chosen the wrong forum; other times it is as a consequence of judicial policy requiring official staff review of all complaints relating to attorney conduct. For example, in the Second and Fourth Departments, all complaints received by county bar association grievance committees (with the sole exception of those received by one association in the Fourth Department) are routinely referred to the professional staff of one of the district grievance committees. Even if the complaint appears to be nothing more than a fee dispute, by court rule in these Departments, a policy has been established to refer all inquiries to the district grievance committee's professional staff. Upon review, the district grievance committee, in turn, will refer a large portion of these matters to county bar association committees for further processing and investigation. Often a matter that was initially referred to the district committee will be referred back to the same county bar association. Such matters would be reported by the district committee as both "new matters received" and "referred to other disciplinary committees."

The statistics from the Second Department represent the total number of actions taken by the various courtappointed district committees and include the reports of county bar association grievance committees. The reports of the district committees, as well as those of the local bar association committees (including the respective grievance committees of the Brooklyn, Queens, Richmond, Dutchess, Orange, Putnam, Rockland and Westchester Bar Associations), are separately reproduced. In the Tenth Judicial District, the grievance committees of the Nassau and Suffolk County Bar Associations only so-called investigate "minor complaints" and then report them to the district committee which makes the ulti-Such matters, almate disposition. though for the most part processed by the local bar association committees, are incorporated in the report of the district committee.

In the Third Department, relatively few matters are processed by local bar associations. It is estimated that less than 10% of the total number of matters are handled by such associations. However, no statistics are available that separately reflect such bar association activity.

Finally, in the Fourth Department, a substantial number of so-called "minor complaints" are processed by local bar associations. The local processing of such matters is included, without differentiation, in the statistics furnished by the district committees.

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#### PART II

The second part of this report summarizes all disciplinary decisions published by the four departments of the Appellate Division during 2002. Although these decisions are important in terms of expressing the judiciary's treatment of serious misconduct, it should be remembered that they represent only a small portion of the matters which pass through the disciplinary system each year, and that most cases which involve some form of professional misconduct are not referred to the courts for imposition of discipline.

The lists of cases contained in this part are intended to summarize the disciplinary decisions issued by the four departments of the Appellate Division during the year just ended. There are eight lists, one for each of the official agencies of discipline. Each list is divided into three columns. The first column contains the respondent's name and, where available, the citation; the second column contains a brief statement of the action taken by the court; and the last column summarizes the charges, where relevant to the proceedings.

As with all summaries, the need to condense a large body of information results in a loss of substantial detail. Accordingly, the reader who is interested in obtaining information about a particular case or respondent is cautioned not to rely on the summary presentation contained in these lists. Instead, such reader is urged to refer to the full text of the court's decision. The third and last part of this report contains various data on the organization and budget of the State's eight official agencies of discipline. It is comprised of two sections. The first section sets forth the names and titles of the professional disciplinary staff and their respective volunteer committee members in each of the eight official disciplinary agencies of the State. The second section sets forth the disciplinary budget appropriations for fiscal 2002-2003 and the salaries of disciplinary staff.

#### A NOTE OF APPRECIATION

In reviewing these statistics, the reader is urged to consider the number of complaints processed in the course of a year as against the resources and personnel available to do the job. The tables contained in Part I of this report reveal that over 14,000 complaints were processed last year.

Available to do the job were less than 400 staff members and volunteers. It is to them, in recognition of their unflagging devotion to their duties, that this report is respectfully dedicated. viii

# Disciplinary Statistics 2002 Tables

#### Table 1 **Appellate Division** January 1, 2002-December 31, 2002

I.	MATTERS PROCESSED:1	1 <sup>st</sup> Dept.	2 <sup>nd</sup> Dept.	3 <sup>rd</sup> Dept.	4 <sup>th</sup> Dept.	Total
	Pending at start of period	2093	2093	1171	575	5932
	New matters received <sup>2</sup>	3535	6223	2061	2225	14044
	Matters disposed of	4197	6186	1690	2227	14300
	Pending at end of period	1431	2130	1542	573	5676
II.	COMMITTEE DISPOSITIONS:					
	Rejected for failing to state complaint	769	2321	922	810	4822
	Referred to other agencies <sup>3</sup>	412	1242	131	143	1928
	Dismissed or withdrawn	2663	1314	311	826	5114
	Dismissed through mediation	48	120	0	8	176
	Letters of caution (education)	N/A	255	85	270	610
	Letters of admonition	133	203	38	46	420
	Admonition or reprimand	1	0	63	N/A	64
	Referred to court	171	256	140	124	691
	Other	0	475	0	0	475
III	. CASES PROCESSED IN COURTS <sup>4</sup>					
	Cases pending at start of period	20	167	47	13	247
	Cases received	131	164	117	55	467
	CASES CLOSED					
	Disbarred	20	47	9	8	84
	Resigned	6	14	0	6	26
	Suspended	21	28	18	8	75
	Censured	7	9	3	4	23
	Privately censured	1	0	0	0	1
	Remanded to grievance committee	16	3	3	0	22
	Discontinued	5	0	0	2	7
	Dismissed	0	0	0	0	0
	Reinstatements granted	11	7	4	1	23
	Reinstatements denied	3	9	4	4	20
	Other	33	65	92	17	207
	TOTAL CLOSED:	123	182	133	50	488
	TOTAL PENDING:	28	149	31	18	227

<sup>1</sup> 

<sup>2</sup> 

<sup>&</sup>quot;Matters" refers to the number of complaints, not attorneys. Includes complaints received and old matters reactivated. Includes matters referred to other disciplinary committees and to other agencies. "Cases" refers to the number of attorneys, not complaints. 3

<sup>4</sup> 

	New Matters <sup>*</sup>	Matters Closed*	Disciplinary Action By Committees	Disciplinary Action by Court
1 <sup>st</sup> Department				
1993	2782	2766	157	69
1994	2946	3034	114	79
1995	3227	3120	111	74
1996	3399	3263	101	94
1997	3953	3964	117	81
1998	4797	5087	100	91
1999	4143	3742	76	92
2000	3004	2870	63	65
2000	2987	2587	55	57
2001	3123	3785	134	55
2002	5125	5765	134	55
2 <sup>nd</sup> Department				
1993	4049	3585	378	85
1994	4438	4404	419	99
1995	4202	4360	444	99
1996	4715	4570	442	102
1997	5772	5130	442	102
1998	4712	5306	662	106
1999	4557	4759	518	107
2000	4032	4287	395	107
2001	4519	4650	404	97
2001	4981	4944	458	98
2002	1701	1711	100	
3 <sup>rd</sup> Department				
1993	1467	1557	149	44
1994	1414	1355	151	63
1995	1367	1434	147	62
1996	1413	1406	178	24
1997	1388	1437	203	30
1998	1795	1600	173	36
1999	1792	1602	172	28
2000	1588	1673	239	41
2001	1846	1548	223	42
2002	1930	1559	186	30
4 <sup>th</sup> Demant				
4 <sup>th</sup> Department	20/0	2204	107	24
1993	2060	2204	136	26
1994	1825	2131	193	31
1995	1815	1802	178	29
1996	1704	1906	159	38
1997	2262	1967	196	18
1998	2224	2208	200	19
1999	2078	2084	222	17
2000	2077	2112	221	23
2001	2206	2100	283	33
2002	2082	2084	316	26

#### Table 2

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\*

These figures are reduced by the number of complaints referred to other committees for action.

Statewide				
1993	10358	10112	820	224
1994	10623	10924	877	272
1995	10611	10716	880	264
1996	11231	11145	950	252
1997	13375	12498	958	231
1998	13528	14201	1135	252
1999	12570	12187	988	244
2000	10701	10942	918	236
2001	11558	10885	965	229
2002	12142	12372	1094	209

## Table 3

	New Matters <sup>*</sup>	Matters Closed*	Disciplinary Action By Committees	Disciplinary Action by Court
Departmental Dis	ciplinary Committe	e for the First Dep	artment	
1993	2782	2766	157	69
1994	2946	3034	114	79
1995	3227	3120	111	74
1996	3399	3263	101	94
1997	3953	3964	117	81
1998	4797	5087	100	91
1999	4143	3742	76	92
2000	3004	2870	63	65
2001	2987	2587	55	57
2002	3123	3785	134	55
Grievance Commit	tee for the Second a	and Eleventh Judici	al Districts, Second De	epartment
1993	1238	1308	182	36
1994	1325	1391	202	36
1995	1333	1369	191	52
1996	1436	1483	246	37
1997	1653	1533	211	31
1998	1517	1586	346	31
1999**	1502	1304	226	19
2000	1361	1402	152	25
2001	1575	1620	155	44
2002	1609	1761	212	42
Grievance Commit	tee for the Ninth Ju	dicial District, Seco	ond Department	
1993	1017	853	77	21
1994	963	1168	97	23
1995	888	1003	118	17
1996	919	896	79	33
1997	1391	1175	110	37
1998	1116	1171	136	33
1999**	1081	1070	90	39
2000	937	963	100	36
2001	836	852	90	22
2002	1303	1104	120	26
	tee for the Tenth Ju			
1993	1794	1424	119	28
1994	2150	1845	120	40
1995	1969	2002	135	30
1996	2360	2191	117	32
1997	2728	2422	121	34
1998	2079	2548	140	44
1999	2070	2385	187	49
2000	1734	1922	143	46
2001	2108	2178	159	31
2002	2069	2079	126	30

These figures are reduced by the number of complaints referred to other committees for action.
 Corrected figures.

	rofessional Standards	· •		
1993	1467	1557	149	44
1994	1414	1355	151	63
1995	1367	1434	147	62
1996	1413	1406	178	24
1997	1388	1437	203	30
1998	1795	1600	173	36
1999	1792	1602	172	28
2000	1588	1673	239	41
2001	1846	1548	223	42
2002	1930	1559	186	30
Grievance Comr	nittee for the Fifth Ju	dicial District, Fourt	h Department	
1993	423	364	13	4
1994	366	397	28	7
1995	415	366	24	11
1996	412	513	48	6
1997	533	468	28	6
1998	644	650	39	3
1999	618	597	43	2
2000	576	600	37	8
2000	598	603	101	7
2001	574	546	84	4
2002	574	540	01	т
	nittee for the Seventh	ı Judicial District, Fo	ourth Department	
1993	647	741	32	7
1993 1994	647 652	741 746	32 70	7 11
1993 1994 1995	647 652 601	741	32 70 52	-
1993 1994 1995 1996	647 652 601 536	741 746 630 575	32 70	11 6 11
1993 1994 1995 1996 1997	647 652 601 536 716	741 746 630 575 645	32 70 52 53 64	11 6 11 3
1993 1994 1995 1996 1997 1998	647 652 601 536 716 591	741 746 630 575 645 608	32 70 52 53	11 6 11
1993 1994 1995 1996 1997 1998 1999	647 652 601 536 716 591 529	741 746 630 575 645 608 566	32 70 52 53 64 47 36	11 6 11 3 4 4
1993 1994 1995 1996 1997 1998 1999 2000	647 652 601 536 716 591 529 578	741 746 630 575 645 608 566 566 562	32 70 52 53 64 47	11 6 11 3 4 4 7
1993 1994 1995 1996 1997 1998 1999	647 652 601 536 716 591 529	741 746 630 575 645 608 566	32 70 52 53 64 47 36	11 6 11 3 4 4
1993 1994 1995 1996 1997 1998 1999 2000	647 652 601 536 716 591 529 578	741 746 630 575 645 608 566 566 562	32 70 52 53 64 47 36 39	11 6 11 3 4 4 7
1993 1994 1995 1996 1997 1998 1999 2000 2001 2001 2002	647 652 601 536 716 591 529 578 564 589	741 746 630 575 645 608 566 562 534 573	32 70 52 53 64 47 36 39 48 65	11 6 11 3 4 4 7 12
1993 1994 1995 1996 1997 1998 1999 2000 2001 2001 2002 Grievance Comr	647 652 601 536 716 591 529 578 564 589 nittee for the Eighth J	741 746 630 575 645 608 566 562 534 573 [udicial District, Fou	32 70 52 53 64 47 36 39 48 65 <b>rth Department</b>	11 6 11 3 4 4 7 12 11
1993 1994 1995 1996 1997 1998 1999 2000 2001 2001 2002 <b>Grievance Comr</b> 1993	647 652 601 536 716 591 529 578 564 589 nittee for the Eighth J 990	741 746 630 575 645 608 566 562 534 573 [udicial District, Fou 1099	32 70 52 53 64 47 36 39 48 65 <b>rth Department</b> 91	11 6 11 3 4 4 7 12 11 15
1993 1994 1995 1996 1997 1998 1999 2000 2001 2001 2002 <b>Grievance Comr</b> 1993 1994	647 652 601 536 716 591 529 578 564 589 nittee for the Eighth J 990 807	741 746 630 575 645 608 566 562 534 573 [udicial District, Fou 1099 988	32 70 52 53 64 47 36 39 48 65 <b>rth Department</b> 91 95	11 6 11 3 4 4 7 12 11 11 15 13
1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 <b>Grievance Comr</b> 1993 1994 1995	647 652 601 536 716 591 529 578 564 589 nittee for the Eighth J 990 807 799	741 746 630 575 645 608 566 562 534 573 Judicial District, Fou 1099 988 806	32 70 52 53 64 47 36 39 48 65 <b>rth Department</b> 91 95 102	11 6 11 3 4 4 7 12 11 11 15 13 12
1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 <b>Grievance Comr</b> 1993 1994 1995 1996	647 652 601 536 716 591 529 578 564 589 nittee for the Eighth J 990 807 799 756	741 746 630 575 645 608 566 562 534 573 [udicial District, Fou 1099 988 806 820	32 70 52 53 64 47 36 39 48 65 <b>rth Department</b> 91 95 102 128	11 6 11 3 4 4 7 12 11 11 15 13 12 15
1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 <b>Grievance Comr</b> 1993 1994 1995 1996 1997	647 652 601 536 716 591 529 578 564 589 nittee for the Eighth J 990 807 799 756 913	741 746 630 575 645 608 566 562 534 573 Judicial District, Fou 1099 988 806 820 854	32 70 52 53 64 47 36 39 48 65 <b>rth Department</b> 91 95 102 128 104	11 6 11 3 4 4 7 12 11 11 15 13 12 15 9
1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 <b>Grievance Comr</b> 1993 1994 1995 1996 1997 1998	647 652 601 536 716 591 529 578 564 589 mittee for the Eighth J 990 807 799 756 913 989	741 746 630 575 645 608 566 562 534 573 [udicial District, Fou 1099 988 806 820 854 942	32 70 52 53 64 47 36 39 48 65 <b>rth Department</b> 91 95 102 128 104 114	$ \begin{array}{c} 11\\ 6\\ 11\\ 3\\ 4\\ 4\\ 7\\ 12\\ 11\\ 15\\ 13\\ 12\\ 15\\ 9\\ 12\\ \end{array} $
1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 <b>Grievance Comr</b> 1993 1994 1995 1996 1997 1998 1999	647 652 601 536 716 591 529 578 564 589 mittee for the Eighth J 990 807 799 756 913 989 931	741 746 630 575 645 608 566 562 534 573 [udicial District, Fou 1099 988 806 820 854 942 921	32 70 52 53 64 47 36 39 48 65 <b>rth Department</b> 91 95 102 128 104 114 143	11 6 11 3 4 4 7 12 11 11 15 13 12 15 9 12 11
1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 <b>Grievance Comr</b> 1993 1994 1995 1996 1997 1998 1999 2000	647 652 601 536 716 591 529 578 564 589 nittee for the Eighth J 990 807 799 756 913 989 931 923	741 746 630 575 645 608 566 562 534 573 Judicial District, Fou 1099 988 806 820 854 942 921 950	$\begin{array}{r} 32 \\ 70 \\ 52 \\ 53 \\ 64 \\ 47 \\ 36 \\ 39 \\ 48 \\ 65 \end{array}$ <b>rth Department</b> $\begin{array}{r} 91 \\ 95 \\ 102 \\ 128 \\ 104 \\ 114 \\ 143 \\ 145 \end{array}$	11 6 11 3 4 4 7 12 11 11 15 13 12 15 9 12 11 8
1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 <b>Grievance Comr</b> 1993 1994 1995 1996 1997 1998 1999	647 652 601 536 716 591 529 578 564 589 mittee for the Eighth J 990 807 799 756 913 989 931	741 746 630 575 645 608 566 562 534 573 [udicial District, Fou 1099 988 806 820 854 942 921	32 70 52 53 64 47 36 39 48 65 <b>rth Department</b> 91 95 102 128 104 114 143	11 6 11 3 4 4 7 12 11 11 15 13 12 15 9 12 11

# Statistical Reports of Disciplinary Committees

#### Departmental Disciplinary Committee for the First Department

#### I. Matters Processed<sup>1</sup>

	А.	Matters Pending at Start of Period	2093	
	B.	New Matters Received During Period	3458	
	C.	Closed Matters Reactivated During Period	77	
	D.	Total Matters to be Processed During Period		5628
	E.	Total Matters Disposed of During Period		4197
	F.	Matters Pending at Close of Period		1431
II.	Matt	ers Disposed of by Committee	CASES	MATTERS
	A.	Rejected as Failing to State a Complaint	741	769
	B.	Referred to Other Disciplinary Committees/Agencies	412	412
	C.	Dismissed	2500	2663
	D.	Dismissed Through Mediation	48	48
	D.	Letter of Admonition	118	133
	E.	Reprimand After Hearing	1	1
	F.	Referred to Appellate Division	104	171
	G.	Total Disposed of During Period	3924	4197
III.	Case	es Processed by Court		
	A.	Cases Pending at Start of Period		20
		1. Disciplinary Proceedings	17	
		2. Other	3	
	В.	Cases Received During Period		131
		1. Disciplinary Proceedings	67	
		2. Other	64	
	C.	Total to be Processed During Period		151
	D.	Cases Closed		
		1. Disbarred	20	
		2. Resigned	6	
		3. Suspended	21 <sup>2</sup>	
		4. Censured	7	
		5. Privately Censured	1	
		6. Remanded to Grievance Committee	16	
		7. Discontinued	5	
		8. Dismissed	0	
		9. Reinstatements Granted	11	
		10. Reinstatements Denied	3	
		11. All Other Dispositions	33	
		12. Total Closed	123	
	E.	Cases Pending at Close of Period	28	
		1. Disciplinary Proceedings	19	
		2. Other	9	

1 For purposes of this report, "Matters" represents the number of complaints telephone calls which initiate an investigation, inquiries and sua sponte investigations, while "Cases" refers to the number of respondentattorneys against whom proceedings have been instituted or action has been taken. As some attorneys are the subject of multiple complaints, the number of matters exceeds the number of cases. 2

Includes 12 definite, 8 interim and 1 indefinite suspensions.

#### I. Matters Processed

C.Closed Matters Roactivated During Period26D.Total Matters to be Processed During Period2222F.Matters Disposed of During Period561II.Matters Disposed of by CommitteeCASESMATTERSA.Rejected as Failing to State a Complaint977977B.Referred to Other Disciplinary Committees369369C.Referred to Other Agencies9292D.Dismissed of Withdrawn421421E.Dismissed through Mediation2020F.Letter of Caution113125G.Letter of Caution113125G.Letter of Admonition5987H.Reprimand After Hearing00I.Referred to Appellate Division46121J.Tabled Pending Litigation99K.Other111L.Total Disposed of During Period21072222III.Cases Processed by CourtA.A.Cases Procesed by CourtA.Cases Received During Period841DDisciplinary Proceedings462.Other3838C.Total to be Processed During Period157D.Cases Closed125I.Disbarred16392.Resigned9363.Suspended4444.Censure		A.	Matters Pending at Start of Period	713	
D.Total Matters Disposed of During Period2783E.Total Matters Disposed of During Period2222F.Matters Pending at Close of Period221II.Matters Disposed of by CommitteeCASESMATTERSA.Rejected as Failing to State a Complaint97797B.Referred to Other Displinary Committees369369C.Referred to Other Agencies9292D.Dismissed of Withdrawn'421421E.Dismissed through Mediation2020F.Letter of Caution113125GLetter of Admonition5987H.Reprimand After Hearing00I.Referred to Appellate Division46121J.Tabled Pending Litigation99K.Other111L.Total Disposed of During Period21072222III.Cases Processed by Court335B.Cases Received During Period157257J.Cases Received During Period157257D.Cases Closed12031.Disciplinary Proceedings461212.Other383838C.Total to be Processed During Period157257D.Cases Closed142004.Censured006.Remanded to Griveance Committee337.Discontinued <th></th> <th>B.</th> <th>New Matters Received During Period</th> <th>2044</th> <th></th>		B.	New Matters Received During Period	2044	
E.Total Matters Disposed of During Period2222F.Matters Pending at Close of Period561II.Matters Disposed of by CommitteeCASESMATTERSA.Rejected as Failing to State a Complaint977977B.Referred to Other Disciplinary Committees369369C.Referred to Other Disciplinary Committees36992D.Dismissed or Withdrawn'421421E.Dismissed through Mediation2020F.Letter of Caution113125G.Letter of Admonition5987H.Reprimand After Hearing00I.Referred to Appellate Division46121J.Tabled Pending Litigation99K.Other111L.Total Disposed of During Period21072222III.Cases Processed by Court3335B.Cases Received During Period157257D.Cases Closed14201.Disciplinary Proceedings461212.Other383838C.Total to be Processed During Period157257D.Cases Closed14204.Censured3633.Suspended404041.All Other Dispositions31312.Resigned93633.Suspended4<			0	26	0700
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B.Referred to Other Disciplinary Committees369369C.Referred to Other Agencies9292D.Dismissed or Withdrawn421421E.Dismissed through Mediation2020F.Letter of Cattion113125GLetter of Cattion113125GLetter of Admonition5987H.Reprimand After Hearing000I.Referred to Appellate Division46121J.Tabled Pending Litigation99K.Other11L.Total Disposed of During Period21072222III.Cases Processed by CourtA.Cases Processed by CourtA.Cases Received During Period73981.Disciplinary Proceedings40632.Other333535B.Cases Received During Period157257D.Cases Closed14201.Disciplinary Proceedings46212.Other3333.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee3667.Discontinued0008.Dismissed0009.Re	II.	Matt	ters Disposed of by Committee	CASES	MATTERS
C.Referred to Other Agencies929292D.Dismissed or Withdrawn421421421E.Dismissed through Mediation20F.Letter of Caution113125GLetter of Caution113125GLetter of Admonition5987H.Reprimand After Hearing00I.Referred to Appellate Division46121J.Tabled Pending Litigation99K.Other11L.Total Disposed of During Period21072222III.Cases Processed by Court3335B.Cases Pending at Start of Period73981.Disciplinary Proceedings40632.Other3335B.Cases Received During Period841591.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed14204.Censured3335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismisseed009.Reinstatements Granted2210.Reinstatements Granted2210.Reinstatements Granted2211.Disci					
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GLetter of Admonition5987H.Reprimand After Hearing00I.Referred to Appellate Division46121J.Tabled Pending Litigation99K.Other11L.Total Disposed of During Period21072222III.Cases Processed by CourtA.Cases Pending at Start of Period73981.Disciplinary Proceedings40632.Other3335B.Cases Received During Period841591.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed1201.Disbarred16392.Resigned9363.Suspended14204.Censured3335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Granted2211.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180 <td></td> <td></td> <td></td> <td></td> <td></td>					
H.Reprimand After Hearing00I.Referred to Appellate Division46121J.Tabled Pending Litigation99K.Other11L.Total Disposed of During Period21072222III.Cases Processed by CourtA.Cases Pending at Start of Period73981.Disciplinary Proceedings40632.Other3335B.Cases Received During Period841591.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed111.Disbarred16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Granted313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180					
I.Referred to Appellate Division46121J.Tabled Pending Litigation99K.Other11L.Total Disposed of During Period21072222III.Cases Processed by Court7398A.Cases Pending at Start of Period73981.Disciplinary Proceedings40632.Other3335B.Cases Received During Period841591.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed14204.Censured333.Suspended14204.Censured367.Discontinued006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Granted4411.All Other Dispositions313112.Total Closed82141					
J.Tabled Pending Litigation99K.Other11L.Total Disposed of During Period21072222III.Cases Processed by CourtA.Cases Pending at Start of Period73981.Disciplinary Proceedings40632.Other3335B.Cases Received During Period841591.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180					
K.Other111L.Total Disposed of During Period21072222III.Cases Processed by Court7398A.Cases Pending at Start of Period73981.Disciplinary Proceedings40632.Other3335B.Cases Received During Period841591.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180					
L. Total Disposed of During Period 2107 2222 III. Cases Processed by Court           A. Cases Pending at Start of Period         73         98           1. Disciplinary Proceedings         40         63           2. Other         33         35           B. Cases Received During Period         84         159           1. Disciplinary Proceedings         46         121           2. Other         38         38           C. Total to be Processed During Period         157         257           D. Cases Closed         1         10         157         257           D. Cases Closed         14         20         3         3           3. Suspended         14         20         4         20           4. Censured         3         3         3         3           5. Privately Censured         0         0         0         0           6. Remanded to Grievance Committee         3         3         6           7. Discontinued         0         0         0         0           8. Dismissed         0         0         0         0         0           9. Reinstatements Granted         2         2         2         14         14         14         14			Tabled Pending Litigation	9	9
III. Cases Processed by Court          A. Cases Pending at Start of Period       73       98         1. Disciplinary Proceedings       40       63         2. Other       33       35         B. Cases Received During Period       84       159         1. Disciplinary Proceedings       46       121         2. Other       38       38         C. Total to be Processed During Period       157       257         D. Cases Closed       11       16       39         2. Resigned       9       36         3. Suspended       14       20         4. Censured       3       3         5. Privately Censured       0       0         6. Remanded to Grievance Committee       3       6         7. Discontinued       0       0         8. Dismissed       0       0         9. Reinstatements Granted       2       2         10. Reinstatements Granted       2       2         10. Reinstatements Denied       4       4         11. All Other Dispositions       31       31         12. Total Closed       82       141					
A.Cases Pending at Start of Period73981.Disciplinary Proceedings40632.Other3335B.Cases Received During Period841591.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Close of Period751161.Disciplinary Proceedings4180		L.	Total Disposed of During Period	2107	2222
1.Disciplinary Proceedings40632.Other3335B.Cases Received During Period841591.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed751161.Disciplinary Proceedings4180	III.	Case	es Processed by Court		
2.Other3335B.Cases Received During Period841591.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed751161.Disciplinary Proceedings4180		А.	Cases Pending at Start of Period	73	98
B.Cases Received During Period841591.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed751161.Disciplinary Proceedings4180			1. Disciplinary Proceedings	40	
1.Disciplinary Proceedings461212.Other3838C.Total to be Processed During Period157257D.Cases Closed16391.Disbarred16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180				33	35
2.Other3838C.Total to be Processed During Period157257D.Cases Closed16391.Disbarred16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Close of Period751161.Disciplinary Proceedings4180		В.	Cases Received During Period	84	159
C.Total to be Processed During Period157257D.Cases Closed16391.Disbarred16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180			1. Disciplinary Proceedings	46	121
D.Cases Closed1.Disbarred16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180			2. Other	38	38
1.Disbarred16392.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180		C.	Total to be Processed During Period	157	257
2.Resigned9363.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180		D.	Cases Closed		
3.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed751161.Disciplinary Proceedings4180			1. Disbarred	16	39
3.Suspended14204.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed751161.Disciplinary Proceedings4180			2. Resigned	9	36
4.Censured335.Privately Censured006.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180				14	20
6.Remanded to Grievance Committee367.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180			-	3	3
7.Discontinued008.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180			5. Privately Censured	0	0
8.Dismissed009.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180			6. Remanded to Grievance Committee	3	6
9.Reinstatements Granted2210.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180			7. Discontinued	0	0
10.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180			8. Dismissed	0	0
10.Reinstatements Denied4411.All Other Dispositions313112.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180			9. Reinstatements Granted	2	2
12.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180			10. Reinstatements Denied	4	
12.Total Closed82141E.Cases Pending at Close of Period751161.Disciplinary Proceedings4180			11. All Other Dispositions	31	31
1.Disciplinary Proceedings4180			1		
1.Disciplinary Proceedings4180		E.	Cases Pending at Close of Period	75	116
<b>2.</b> Ould 54 00			2. Other	34	36

\*

Includes "Dismissals with Advisements."

#### **Richmond County Bar Association Grievance Committee**

I.	Matte	rs Processed	
	А.	Pending at Start of Period	18
	В.	New Matters received During Period	73
	C.	Closed Matters Reactivated During Period	1
	D.	Total Matters to be Processed During Period	92
	E.	Total Matters Disposed of During Period	71
	F.	Matters Pending at End of Period	19
II.	Matte	rs Disposed of During Period	
	А.	Rejected as Failing to State a Complaint	0
	В.	Retained by District Grievance Committee	38
	C.	Referred to Fee Conciliation Committee	0
	D.	Settled by Fee	0
	E.	Judicially Settled	0
	F.	In Litigation	0
	G.	Closed by Appellate Division	6
	H.	Dismissed	20
	I.	Letter of Caution	1
	J.	Withdrawn	7
	K.	Letter of Education	2
	L.	Mediation	3
	М.	Total Disposed of During Period	71

#### Brooklyn Bar Association Grievance Committee

Total Complaints Received	65
Dismissed	45
Withdrawn	1
Returned as fee dispute matter	1
Returned to District Grievance Committee	1
Complaints Pending	21
Arbitration Complaints Received	48
Resolved between attorney and client	2
Resolved by arbitration	3
Resolved by court	2
Attorneys declined arbitration	12
Files rescheduled to next hearing date	20
Closed/Withdrawn	2
Pending	7
Mediation Complaints Received	15
Withdrawn	2
Resolved between attorney and complainant	3
Complainant declined mediation	1
Returned to grievance committee	2
Complainant failed to appear	1
Attorney failed to appear	1
Files scheduled to next hearing date	3
Pending	2

#### Queens County Bar Association Grievance Committee

Dismissed	35
Dismissed with Advisement	8
Letter of Caution	1
Letter of Admonition	2
Referred to District Grievance Committee	4
Resolved	1
Withdrawn	1
Pending	42
Fee Disputes Committee	
No Consent from Respondent	10
No Consent from Complainant	12
Matter Settled Prior to Arbitration	3
No Response from Either Complainant or Respondent	4
Declination of Arbitration by Complainant/Respondent	11
Withdrawn by complainant	4
Decisions by committee	12
Matters pending in court	4
Matters pending in committee	8

## Grievance Committee for the Ninth Judicial District, Second Department

	А.	Matters Pending at Start of Period	490	
	B.	New Matters Received During Period	1697	
	C.	Closed Matters Reactivated During Period	33	
	D.	Total Matters to be Processed During Period		2220
	E.	Total Matters Disposed of During Period		1531
	F.	Matters Pending at Close of Period		689
	1.	matters i chang at close of i crista		007
II.	Matt	ers Disposed of by Committee	CASES	MATTERS
	А.	Rejected as Failing to State a Complaint		526
	B.	Referred to Other Disciplinary Committees		392
	C.	Referred to Other Agencies		35
	D.	Dismissed or Withdrawn		381
	E.	Letter of Caution		59
	F.	Letter of Admonition		61
	G.	Reprimand After Hearing		0
	H.	Referred to Appellate Division	40	77
	I.	Total Disposed of During Period		1531
III.	Case	s Processed by Court		
	А.	Cases Pending at Start of Period		
	11.	1. Disciplinary Proceedings	40	68
		2. Other	0	0
	B.	Cases Received During Period	0	0
	D.	1. Disciplinary Proceedings	40	77
		2. Other	0	0
	C.	Total to be Processed During Period	80	145
	P			
	D.	Cases Closed	-	0
		1. Disbarred	7	9
		2. Resigned	5	23
		3. Suspended	11	26
		4. Censured	3	3
		5. Privately Censured	0	0
		6. Remanded to Grievance Committee	0	0
		7. Discontinued	0	0
		8. Dismissed	0	0
		9. Reinstatements Granted	3	3
		10. Reinstatements Denied	2	2
		11. All Other Dispositions	20	23
		12. Total Closed	51	89
	E.	Cases Pending at Close of Period		
		1. Disciplinary Proceedings	29	56
		2. Other	0	0

#### **Dutchess County Bar Association Grievance Committee**

#### Second Department, Ninth Judicial District

#### I. Matters Processed

II.

II.

А.	Matters Pending at Start of Period	10
B.	New Matters Received During Period	16
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	26
E.	Total Matters Disposed of During Period	11
F.	Matters Pending at Close of Period	15
Matt	ters Disposed of by Committee	

А.	Rejected as Failing to State a Complaint	0
B.	Referred to Other Disciplinary Committees	1
C.	Referred to Other Agencies	0
D.	Dismissed	10
E.	Dismissed with Cautionary Language	0
F.	Letter of Caution	0
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Total Disposed of During Period	11

#### **Orange County Bar Association Grievance Committee**

#### Second Department, Ninth Judicial District

A.	Matters Pending at Start of Period	12
B.	New Matters Received During Period	35
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	47
E.	Total Matters Disposed of During Period	37
F.	Matters Pending at Close of Period	10
Matt	ers Disposed of by Committee	
A.	Rejected as Failing to State a Complaint	0
п		0

B.	Referred to Other Disciplinary Committees	8
C.	Referred to Other Agencies	0
D.	Dismissed	22
E.	Dismissed with Cautionary Language	4
F.	Letter of Caution	2
G.	Letter of Admonition	1
H.	Reprimand	0
I.	Total Disposed of During Period	37

#### Putnam County Bar Association Grievance Committee

#### Second Department, Ninth Judicial District

I.	Matters	Processed

II.

II.

А.	Matters Pending at Start of Period	3
В.	New Matters Received During Period	4
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	7
Е.	Total Matters Disposed of During Period	5
F.	Matters Pending at Close of Period	2
Mat	ters Disposed of by Committee	
А.	Rejected as Failing to State a Complaint	0
В.	Referred to Other Disciplinary Committees	0
C.	Referred to Other Agencies	0
D.	Dismissed	5

E.	Dismissed with Cautionary Language	0
F.	Letter of Caution	0
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Total Disposed of During Period	5

#### **Rockland County Bar Association Grievance Committee**

#### Second Department, Ninth Judicial District

A.	Matters Pending at Start of Period	17
B.	New Matters Received During Period	25
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	42
E.	Total Matters Disposed of During Period	25
F.	Matters Pending at Close of Period	17
Matte	rs Disposed of by Committee	
A.	Rejected as Failing to State a Complaint	8
B.	Referred to Other Disciplinary Committees	4
C.	Referred to Other Agencies	0
D.	Dismissed	8
E.	Dismissed with Cautionary Language	3
F.	Letter of Courtier	2
1.	Letter of Caution	2
G.	Letter of Admonition	2 0
		_

## Westchester County Bar Association Grievance Committee

#### Second Department, Ninth Judicial District

#### I. Matters Processed

II.

A.	Matters Pending at Start of Period	61
В.	New Matters Received During Period	136
C.	Closed Matters Reactivated During Period	3
D.	Total Matters to be Processed During Period	200
Е.	Total Matters Disposed of During Period	132
F.	Matters Pending at Close of Period	$68^*$
Matt	ers Disposed of by Committee	
А.	Rejected as Failing to State a Complaint	0
В.	Referred to Other Disciplinary Committees	7
C.	Referred to Other Agencies	0
D.	Dismissed	114
Е.	Dismissed with Cautionary Language	2
F.	Letter of Caution	2
G.	Letter of Admonition	7
H.	Reprimand	0
I.	Withdrawn	0
J.	Total Disposed of During Period	132

Includes 22 fee dispute files.

\*

## Grievance Committee for the Tenth Judicial District, Second Department

	А.	Matters Pending at Start of Period	890	
	B.	New Matters Received During Period	2379	
	C.	Closed Matters Reactivated During Period	44	
	D.	Total Matters to be Processed During Period		3313
	E.	Total Matters Disposed of During Period		2433
	F.	Matters Pending at Close of Period		880
II.	Matt	ers Disposed of by Committee	CASES	MATTERS
	А.	Rejected as Failing to State a Complaint	818	818
	В.	Referred to Other Disciplinary Committees	159	159
	С.	Referred to Other Agencies	195	195
	D.	Dismissed or Withdrawn	512	512
	E.	Dismissed through Mediation	100	100
	F.	Letter of Caution	64	71
	G.	Letter of Admonition	41	55
	H.	Reprimand After Hearing	0	0
	I.	Referred to Appellate Division	26	58
	J. K.	Other Total Dispaged of During Pariod	465	465
	К.	Total Disposed of During Period	2380	2433
III.	Case	s Processed by Court		
	А.	Cases Pending at Start of Period	54	127
		1. Disciplinary Proceedings	37	110
		2. Other	17	17
	B.	Cases Received During Period	40	68
		1. Disciplinary Proceedings	19	47
		2. Other	21	21
	C.	Total to be Processed During Period	94	195
	D.	Cases Closed		
		1. Disbarred	24	79
		2. Resigned	0	0
		3. Suspended	3	5
		4. Censured	3	3
		5. Privately Censured	0	0
		6. Remanded to Grievance Committee	0	0
		7. Discontinued	0	0
		8. Dismissed	0	0
		<ol> <li>Reinstatements Granted</li> <li>Reinstatements Denied</li> </ol>	2 3	2 3
		<ol> <li>All Other Dispositions</li> <li>Total Closed</li> </ol>	14 49	16 108
		12. Total Closeu	49	108
	E.	Cases Pending at Close of Period	46	89
		1. Disciplinary Proceedings	25	68
		2. Other	21	21

# **Committee on Professional Standards, Third Department** (Third, Fourth and Sixth Judicial Districts)

#### I. Matters Processed

	А. В. С.	Matters Pending at Start of Period New Matters Received During Period Closed Matters Penetiyated During Period	1171 2002 59	
	C. D.	Closed Matters Reactivated During Period Total Matters to be Processed During Period	59	3232
	D. E.	Total Matters Disposed of During Period		1690
	F.	Matters Pending at Close of Period		1542
	1.	Matters Ferding at close of Feriod		1012
II.	Matt	ers Disposed of by Committee	CASES	MATTERS
	А.	Rejected as Failing to State a Complaint	842	922
	В.	Referred to Other Disciplinary Committees	105	105
	C.	Referred to Other Agencies	26	26
	D.	Dismissed or Withdrawn	293	311
	E.	Dismissed Through Mediation	0	0
	F.	Letter of Caution	81	85
	G.	Letter of Admonition	35	38
	Η.	Reprimand After Hearing	36	63
	I.	Referred to Appellate Division	126	140
	J.	Total Disposed of During Period	1544	1690
III.	Case	s Processed by Court		
	A.	Cases Pending at Start of Period	47	65
		1. Disciplinary Proceedings	44	62
		2. Other	3	3
	B.	Cases Received During Period	117	148
		1. Disciplinary Proceedings	55	86
		2. Other	62	62
	C.	Total to be Processed During Period	164	213
	D.	Cases Closed		
		1. Disbarred	9	12
		2. Resigned	0	0
		3. Suspended	18	23
		4. Censured	3	4
		5. Privately Censured	0	0
		6. Remanded to Grievance Committee	3	15
		7. Discontinued	0	0
		8. Dismissed	0	0
		9. Reinstatements Granted	4	4
		10. Reinstatements Denied	4	4
		11. Non-Disciplinary Resignations	50	50
		12. All Other Dispositions	42	40
		13. Total Closed	133	152
	E.	Cases Pending at Close of Period	31	61
		1. Disciplinary Proceedings	28	58
		2. Other	3	3

## Grievance Committee for the Fifth Judicial District, Fourth Department

	А. В. С.	Matters Pending at Start of Period New Matters Received During Period Closed Matters Reactivated During Period	112 593 17	
	D.	Total Matters to be Processed During Period		722
	E.	Total Matters Disposed of During Period		582
	F.	Matters Pending at Close of Period		140
II.	Matt	ters Disposed of by Committee	CASES	MATTERS
	А.	Rejected as Failing to State a Complaint	214	232
	B.	Referred to Other Disciplinary Committees	27	28
	C.	Referred to Other Agencies	8	8
	D.	Dismissed or Withdrawn	183	213
	E.	Dismissed Through Mediation	1	1
	F. G.	Letter of Caution	40 7	66 18
	G. H.	Letter of Admonition	-	
	п. I.	Reprimand After Hearing Referred to Appellate Division	N/A 4	N/A 16
	ı. J.	Referred to Appellate Division Total Disposed of During Period	484	582
			FOF	502
III.	Case	s Processed by Court		
	А.	Cases Pending at Start of Period		2
		1. Disciplinary Proceedings	2	
		2. Other	0	
	B.	Cases Received During Period		4
		1. Disciplinary Proceedings	4	
		2. Other	0	
	C.	Total to be Processed During Period		6
	D.	Cases Closed		
		1. Disbarred	1	
		2. Resigned	1	
		3. Suspended	1	
		4. Censured	1	
		5. Privately Censured	0	
		6. Remanded to Grievance Committee	0	
		7. Discontinued	0	
		8. Dismissed	0	
		9. Reinstatements Granted	0	
		10. Reinstatements Denied	0	
		11. Non-Disciplinary Resignations	0	
		11. All Other Dispositions	1	
		12. Total Closed	5	
	E.	Cases Pending at Close of Period		1
		1. Disciplinary Proceedings	1	
		2. Other	0	

## Grievance Committee for the Seventh Judicial District, Fourth Department

	А.	Matters Pending at Start of Period	126			
	В.	New Matters Received During Period	617			
	<ul><li>C. Closed Matters Reactivated During Period</li><li>D. Total Matters to be Processed During Period</li></ul>		46			
				789		
	E.	Total Matters Disposed of During Period		647		
	F.	Matters Pending at Close of Period		142		
II.	Matt	ters Disposed of by Committee	CASES	MATTERS		
	А.	Rejected as Failing to State a Complaint	241	257		
	В.	Referred to Other Disciplinary Committees	70	72		
	C.	Referred to Other Agencies	2	2		
	D.	Dismissed or Withdrawn	154	184		
	<ul><li>E. Dismissed Through Mediation</li><li>F. Letter of Caution</li><li>G. Letter of Admonition</li></ul>		7	7		
			37	57		
			4	8		
	H.	Reprimand After Hearing	N/A	N/A		
	I.	Referred to Appellate Division	34	60		
	J.	Total Disposed of During Period	549	647		
III.	Case	Cases Processed by Court				
	А.	Cases Pending at Start of Period		3		
		1. Disciplinary Proceedings	1			
		2. Other	2			
	B.	Cases Received During Period		34		
		1. Disciplinary Proceedings	13			
		2. Other	21			
	C. Total to be Processed During Period			37		
	D.	Cases Closed				
		1. Disbarred	4			
		2. Resigned	3			
		3. Suspended	3			
		4. Censured	1			
		5. Privately Censured	0			
		6. Remanded to Grievance Committee	0			
		7. Discontinued	2			
		8. Dismissed	0			
		9. Reinstatements Granted	0			
		10. Reinstatements Denied	3			
		11. Non-Disciplinary Resignations	5			
		12. All Other Dispositions	6			
		13. Total Closed	27			
	E.	Cases Pending at Close of Period		10		
		1. Disciplinary Proceedings	7			
		2. Other	3			

## Grievance Committee for the Eighth Judicial District, Fourth Department

	А. В.	Matters Pending at Start of Period New Matters Received During Period	337 909			
	C. Closed Matters Reactivated During Period		43	1.000		
	D.	Total Matters to be Processed During Period		1289		
	E.	Total Matters Disposed of During Period		998 201		
	F.	Matters Pending at Close of Period		291		
II.	Matt	ters Disposed of by Committee	CASES	MATTERS		
	А.	Rejected as Failing to State a Complaint	292	321		
	В.	Referred to Other Disciplinary Committees	29	29		
	C.	Referred to Other Agencies	4	4		
	D.	Dismissed or Withdrawn	345	429		
	E.	Dismissed Through Mediation	0	0		
	F.	Letter of Caution	110	147		
	G.	Letter of Admonition	12	20		
	Η.	Reprimand After Hearing	N/A	N/A		
	I.	Referred to Appellate Division	17	48		
	J.	Total Disposed of During Period	809	998		
III.	Case	Cases Processed by Court				
	А.	Cases Pending at Start of Period	_	8		
		1. Disciplinary Proceedings	7			
		2. Other	1			
	В.	Cases Received During Period		17		
		1. Disciplinary Proceedings	10			
		2. Other	7			
	C. Total to be Processed During Period			25		
	D.	Cases Closed				
		1. Disbarred	3			
		2. Resigned	2			
		3. Suspended	4			
		4. Censured	2			
		5. Privately Censured	0			
		6. Remanded to Grievance Committee	0			
		7. Discontinued	0			
		8. Dismissed	0			
		9. Reinstatements Granted	1			
		10. Reinstatements Denied	1			
		11. Non-Disciplinary Resignations	1			
		12. All Other Dispositions	4			
		13. Total Closed	18			
	Е.	Cases Pending at Close of Period	_	7		
		1. Disciplinary Proceedings	7			
		2. Other	0			

# Disciplinary Decisions Reported by Appellate Division in 2002

#### FIRST DEPARTMENT

James L. Hubbert 290 AD2d 122	Suspended 6 months effective 2/1/02	DR 1-102(A)(5)(engaging in prejudicial conduct); DR 1-102 (A)(7), DR 2-110(A)(3)(failing to promptly return unearned fee); DR 6-101(A)(3)(neglect).
Mitchell A. Rothken 290 AD2d 108	Resigned nunc pro tunc to 8/27/01	22 NYCRR 603.11.
Dan M. de la Rosa 290 Ad2d 134	Censured	DR 1-102(A)(3)(fitness); DR 1- 102(A)(4)(dishonesty, fraud, deceit or misrepresentation).
George Edelstein 290 AD2d 189	Disbarred	22 NYCRR 603.3 (U.S.D.C., Southern District).
Andrew L. Singer 290 AD2d 197	Disbarred nunc pro tunc to 2/4/99	Serious crime – aggravated sex- ual battery (§18.2-7.3, Code of Virginia); indecent exposure (§18.2-370, Code of Virginia).
Mitchell L. Leavitt 291 AD2d 37	Suspended 18 months effective 3/21/02	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresenta- tion); DR 1-102(A)(5)(prejudicial conduct); DR 1- 102(A)(7)(fitness); DR 6- 101(A)(3)(neglect).
Mark L. Fishbein 291 AD2d 34	Resigned nunc pro tunc to 11/13/01	22 NYCRR 603.11.
Charles A. Grutman 291 AD2d 148	Disbarred nunc pro tunc to 12/11/01	Felony conviction – stealing government monies (18 USC §641) (Penal Law §155.35 – grand larceny 3d degree).
Michael J. Nelson 291 AD2d 136	Disbarred nunc pro tunc to 10/30/01	Felony conviction - falsifying business records (N.Y. Banking Law §72).
Nicholas Khoudary 291 AD2d 152	Interim suspension	Serious crime – structuring a currency transaction (31 USC §§5322[b], 5324[b]).
Joseph F. Muto 291 AD2d 188	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresenta- tion); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness to practice law); DR 3-101(A) (aid- ing unauthorized practice of law); DR 6-101(A)(2), (3) (in- adequate preparation, neglect);

		DR 7-101(A)(1), (3)(failing to seek client's lawful objectives, intentionally damaging client); DR 7-106(A)(disregarding rul- ing of tribunal); DR 9-102(A), (B), (C) (4), (D), (E), (I), (J) (commingling, improper main- tenance of trust account, failing to promptly deliver property to client, failing to keep property bookkeeping records and pro- duce records required by law, writing check payable to "cash."
Agustinho D. Reis 291 AD2d 185	Disbarred	22 NYCRR 603.4(g)(failure to appear or apply in writing to committee or court for hearing or reinstatement within six months of suspension date).
Orlando I. Balcacer 293 AD2d 107	Suspended 6 months effective 5/16/02	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresenta- tion); DR 2-101(A), 2-105(B) (false and deceptive advertis- ing).
Howard B. Adler 292 AD2d 81	Disbarred nunc pro tunc to 12/5/01	Felony conviction – Grand lar- ceny, 2d degree (Penal Law §155.40[1]), Grand Larceny 3d degree (Penal Law §155.35), Forgery 2d degree (Penal Law §170.10[1]), Criminal possession of a forged instrument 2d de- gree (Penal Law §170.25).
Neal S. Factor 292 AD2d 103	Interim suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with committee's investigation).
Herbert M. Jacobi 293 AD2d 77	Disbarred nunc pro tunc to 10/17/01	Felony conviction – 18 USC §§ 371, 641 (conspiracy to receive and retain stolen FBI records (Penal Law §165.45[1]); 18 USC §1001(a)(2)(making false state- ments to FBI).
Jocelyn Bloomfield 292 AD2d 144	Disbarred nunc pro tunc to 10/5/01	Felony conviction – criminal possession of a weapon 3d de- gree (Penal Law §265.02).
Edwin L. Eubank 293 AD2d 41	Indefinite suspension	22 NYCRR 603/16(c)(1)(mental infirmity).
Mark I. Adelman 293 AD2d 62	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresenta- tion); DR 1-102(A)(5)(conduct

		prejudicial to administration of justice); DR 9-102(B)(failure to maintain funds belonging to a person incident to his practice); DR 9-102(D)(failure to maintain bookkeeping records of attor- ney escrow account).
Curt Meltzer 293 AD2d 202	Censured	DR 1-102(A)(7)(conduct adversely reflecting on fitness to practice law); DR 1-104(D)(2) (neglect resulting from failure to supervise non-lawyer); DR 3-101 (aiding non-lawyer in unauthorized practice of law); DR 3-102 (sharing fee with non-lawyer); DR 3-103 (forming corporation with non-lawyer); DR 6-101(A)(3) (neglect).
Howard A. Benick 293 AD2d 176	Suspended 18 months effective 5/14/02	DR 1-102(A)(5)(conduct preju- dicial to administration of jus- tice); DR 1-102(A)(7)(conduct adversely reflecting on fitness to practice law); DR 2-110(A)(3) (failure to promptly return ad- vance fee); DR 6-101(A)(3) (ne- glect).
Chico F. Gibbons 294 AD2d 53	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresenta- tion); DR 9-102(C)(1)(failure to promptly notify client of receipt of funds); DR 9-102(C)(3)(failure to keep records of client funds); DR 9-102(C)(4)(failure to promptly return client funds); DR 9-102(D)(failure to maintain accurate escrow account re- cords).
Richard Stevens 294 AD2d 1	Disbarred	DR 1-102(A)(4)(conversion, mis- representation); DR 1-102(A)(7) (conduct adversely reflecting on fitness to practice law); DR 7- 101(A)(3)(conduct damaging to client); DR 9-102(A), (B)(failure to preserve identity of client funds); DR 9-102(E)(cash and ATM withdrawals from escrow account); DR 9-102(A), (D) (commingling).
Jeanette G. Stewart 296 AD2d 1	Interim suspension	22 NYCRR 603.4(e)(I)(i)(willful failure to cooperate with committee's investigation).

Robert M. Fisher 295 AD2d 95	Interim suspension	22 NYCRR 603.4(e)(1)(i), (iii) (willful failure to cooperate with committee's investigation, uncontested evidence of profes- sional misconduct).
Henry Welt 296 AD2d 154	Resigned nunc pro tunc to 4/10/02	22 NYCRR 603.11.
Robert R. Race 296 AD2d 168	Suspended 3 months effective 7/25/02	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresenta- tion); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(6)(conduct adversely reflecting on fitness as a lawyer).
Robert G. Harley 298 AD2d 49	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresenta- tion); DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 2-106(A) (ex- cessive fee).
Robert E. Porges 297 AD2d 1	Disbarred nunc pro tunc to 2/11/02	Felony conviction – 18 USC §1962(d)(racketeering conspir- acy); 18 USC §1962(c) (racket- eering); 18 USC §371, 26 USC §§7201, 7206(1)(conspiracy to defraud the U.S. and I.R.S.).
Bart L. Nason 297 AD2d 10	Interim suspension	22 NYCRR 603.4(e)(1)(i), (ii) and (iii)(willful failure to cooperate with committee's investigation, substantial admissions under oath, and uncontested evidence of professional misconduct).
Lewis H. Eslinger 296 AD2d 212	Suspended 5 years	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresenta- tion); DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 2-106(A) (ex- cessive fees); DR 9-102(D) (bookkeeping).
Mark L. Hankin 296 AD2d 238	Censured	DR 1-102(A)(5)(conduct preju- dicial to administration of jus- tice); DR 2-103(B)(compensating and rewarding a person to ob- tain employment).
Donald B. Stein 296 AD2d 232	Disbarred	22 NYCRR 603.4(g)(failure to appear or apply in writing to committee or court for hearing

		or reinstatement within six months of suspension date).
Sitro De La Cruz 298 AD2d 45	Disbarred	22 NYCRR 603.4(g)(failure to appear or apply in writing to committee or court for hearing or reinstatement within six months of suspension date).
Robert T. Wolf 298 AD2d 39	Indefinite suspension	22 NYCRR 603.16(c)(1)(mental and/or physical infirmity).
Edward S. Cowen 299 Ad2d 61	Resigned	22 NYCRR 603.11.
Marc S. Lawrence 299 AD2d 101	Interim suspension	22NYCRR 603.4(e)(1)(i), (iii) (willful failure to cooperate with committee's investigation, uncontested evidence of profes- sional misconduct).
Edward Land 299 AD2d 83	Censured	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresenta- tion); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness to practice law); DR 9-102(A), (B) (failure to preserve identity of client funds); DR 9-102(D) (commingling).
Eden Shaw 299 AD2d 99	Interim suspension	22NYCRR 603.4(e)(1)(i), (iii) (willful failure to cooperate with committee's investigation, uncontested evidence of profes- sional misconduct).
Salvidor Collazo 299 AD2d 96	Censured	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresenta- tion); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness to practice law).
Salvatore J. Maiorino 750 NYS2d 264	Censured	22 NYCRR 603.3 (reciprocal dis- cipline – New Jersey).
Dennis A. Maycher 2002 NY App. Div. Lexis 10625	Censured	Serious crime – 12 USC §1956 (U.S.D.C., New Jersey) – failure to maintain records (misde- meanor); N.J. 3-month suspen- sion.
Richard H. Siegel	Suspended 3 months effective	DR 1-102(A)(5)(conduct preju-

2002 NY App. Div. Lexis 10626	12/9/02	dicial to administration of jus- tice); DR 6-101(A)(3)(neglect).
Richard J. Calle 749 NYS2d 528	Disbarred	Felony conviction – 18 USC §1503 (obstruction of justice) (Penal Law §175.35 – offering false instrument for filing, 1 <sup>st</sup> degree).
David N. Brockett 749 NYS2d 529	Disbarred	Felony conviction – grand lar- ceny 3d degree (Penal Law §155.35); forgery 2d degree (Pe- nal Law §170.10[1]).
Anthony N. Verni 750 NYS2d 585	Suspended 3 months effective 12/16/02	22 NYCRR 603.3 (reciprocal dis- cipline – New Jersey).
James Lloyd Grant 749 NYS2d 138	Resigned nunc pro tunc to 8/7/02	22 NYCRR 603.11.
James Santalone 750 NYS2d 272	Suspended 3 months effective 12/19/02	DR 1-102(A)(5)(conduct preju- dicial to administration of jus- tice); DR 2-103(B)(third-party payment for client referral).
Michael P. Bach 750 NYS2d 64	Interim suspension	22 NYCRR 603.4(e)(i) (willful failure to cooperate with committee's investigation).
Martin G. Vulaj 749 NYS2d 870	Resigned nunc pro tunc to 9/20/02	22 NYCRR 603.11
Mitchell L. Singer 750 NYS2d 65	Interim suspension	22 NYCRR 603.4(e)(i), (iii) and (iv)(willful failure to cooperate with committee's investigation; uncontested evidence of profes- sional misconduct; willful fail- ure or refusal to may money owed to a client).
David V. Muraskin 751 NYS2d 191	Disbarred nunc pro tunc to 1/10/02	Felony conviction – 18 USC §1343 (wire fraud)(Penal Law §155.40).
Richard E. Gray 752 NYS2d 44	Disbarred nunc pro tunc to 7/24/02	Felony conviction – 18 USC §152 (False statement under oath)(Penal Law §210.15 [Per- jury]).
Gino Josh Singer 752 NYS2d 655	Suspended 1 year nunc pro tunc to 2/4/02	22 NYCRR 603.3 (reciprocal dis- cipline – U.S. District Court, Southern District).

## SECOND DEPARTMENT

## (Second and Eleventh Judicial Districts)

Jamie C. Rodriguez 290 AD2d 138	Disbarred	Failure to cooperate; failure to maintain sufficient funds in IOLA account; failure to main- tain bookkeeping records for es- crow account; violation of order of suspension.
Dorothy F. (anonymous)	Disbarred	Serious crime conviction – wit- ness tampering (18 USC §1512[b]).
Nora Z. Ramos	Reinstatement denied	
Chi-Yaun Hwang 291 AD2d 99	Disbarred	Felony conviction – Offering false instrument for filing, 1 <sup>st</sup> de- gree (Penal Law §175.35).
William J. Breuer 291 AD2d 79	Suspended 1 year	Failure to cooperate.
Harold A. Hall 291 AD2d 104	Disbarred on default	Escrow violations.
Marie M. Humphreys 291 AD2d 138	Suspended 5 years	Commingling; conversion; im- proper IOLA transactions; failure to satisfy judgment; failure to maintain escrow records; filing false attorney registration form with OCA.
Jason J. Ashley	Interim suspension	Failure to cooperate.
Robert Levy	Reinstatement denied	
Israel Weinstock 292 AD2d 1	Disbarred	Coercion; overreaching; conduct prejudicial to administration of justice.
Frank P. Gangemi 292 AD2d 13	Disbarred (resigned)	Conversion; neglect; failure to account for and distribute set- tlement funds; failure to cooper- ate; lack of communication.
Peter W. Birkett 292 AD2d 57	Suspended 1 year	Neglect.
Allen C. Rolle 292 AD2d 96	Disbarred	Impermissible conflict of interest; fraud, dishonesty, deceit, misrep- resentation; conduct prejudicial to administration of justice.

Thomas P. Lynaugh 292 AD2d 96	Disbarred	Reciprocal discipline – New Jer- sey.
Onel Alfaro 293 AD2d 110	Disbarred on default	Failure to cooperate.
P. Adam Kimmell 293 AD2d 71	Suspended 1 year	Reciprocal discipline – Oregon.
Thomas Boccieri 293 AD2d 17	Suspended 1 year	Reciprocal discipline – New Jer- sey.
James Ciccone 293 AD2d 151	Suspended 5 years	Failure to satisfy judgment; ne-glect.
Barbara E. Hoppmann	Reinstated	
Kenroy E. Samuel 295 AD2d 84	Disbarred on default	Failure to cooperate.
William Simms 296 AD2d 171	Suspended 2 years	Failure to satisfy judgments; fail- ure to cooperate; failure to return unearned fees.
Thomas C. Monaghan 295 AD2d 92	Suspended 1 year	Serious crime conviction – har- assing U.S. postal inspector (18 USC §§1512[c][4], 3551).
Thomas C. Monaghan 295 AD2d 38	Censured	Reciprocal discipline – U.S. Dis- trict Court for Southern District of New York.
Stephen M. Moskowitz 296 AD2d 5	Censured	Reciprocal discipline – Califor- nia.
Alan David Lasher 296 AD2d 163	Suspended 5 years	Conversion; commingling; im- proper use of attorney escrow account.
Ames D. Ressa 296 AD2d 215	Disbarred (resigned)	Fraud; conflict of interest.
Anne O. Gilde	Reinstatement denied	
Anthony Winston Agard	Interim suspension	Failure to cooperate.
Antonio Duval, Jr. 298 AD2d 18	Disbarred (resigned)	Conversion.
Ormond N. Smith	Interim suspension	Failure to cooperate.
Alexander Galkovich 298 AD2d 42	Disbarred (resigned)	Solicitation.
Edward M. McGowan 299 AD2d 1	Disbarred (resigned)	Conversion.

Charles F. Darlington	Reinstatement denied	
Edgar E. Jordan, III 299 AD2d 34	Disbarred	Pattern of conflicts of interest.
Teddy Israel Moore 299 Ad2d 38	Disbarred	Reciprocal discipline – U.S. Su- preme Court, U.S. District Court for Southern District of New York.
Helene R. Jaffa 299 Ad2d 44	Censured	Neglect; misrepresentation; false statements to committee.
Steven J. Nechamkus	Interim suspension	Substantial admissions under oath – neglect; failure to commu- nicate; abandonment of practice.
Lung-Fong Chen 299 AD2d 53	Disbarred	Felony conviction – making false statements on bank records (18 USC §1005); misapplication of bank funds (18 USC §656); con- spiracy (18 USC §371).
Charles A. Fontana	Interim suspension	Failure to cooperate.
Jason J. Ashley 299 AD2d 105	Disbarred (resigned)	Conversion; neglect.
John H. Wynne 301 AD2d 87	Disbarred (resigned)	Fraud; misrepresentation.
Jeruchom Bergstein 301 AD2d 84	Disbarred (resigned)	Improprieties in escrow account; insufficient funds on deposit in escrow account.
Dawn M. Varsalona 301 AD2d 99	Disbarred (resigned)	Neglect; conversion; failure to safeguard client funds; misuse of attorney special account.
Joseph A. Kirschenbaum 301 Ad2d 317	Disbarred	Reciprocal discipline – Illinois.
Victor Barron 751 NYS2d 563	Disbarred	Felony conviction – bribe receiv- ing, 2 <sup>nd</sup> degree (Penal Law §200.11).
Ronald James D'Angelo	Reinstated	
Sebastian Ragusa 753 NYS2d 111	Disbarred on default	Federal felony conviction – pre- paring false income tax returns (26 USC §7206[2]), impeding administration of Internal Reve- nue Code (26 USC §7212).

Glen J. Koch 753 NYS2d 112	Disbarred on default	Neglect; abandonment of prac- tice.
	(Ninth Judicial District)	
Franklin M. Boykoff	Disbarred (resigned)	Judiciary Law §90(d), 22 NYCRR 691.7(b)(serious crime convic- tion).
Patricia Cavanaugh 296 AD2d 234	Suspended 1 year	DR 1-102(A)(4), (5), (7)(conduct involving dishonesty, fraud, de- ceit, or misrepresentation; con- duct prejudicial to administra- tion of justice; conduct adversely reflecting on fitness to practice law); DR 6-101(A)(3)(neglect); 22 NYCRR 691.20(a), (b)(failure to file retainer and closing state- ments with OCA).
Joseph Cerbone 295 AD2d 66	Suspended 1 year	DR 1-102(A)(7)(conduct ad- versely reflecting on fitness to practice law).
Walter F. Ciacci	Reinstatement granted	
Dona Curtis-Thomas 296 AD2d 157	Disbarred (resigned)	DR 1-102(A)(7)(conduct ad- versely reflecting on fitness to practice law).
Robert C. D'Alvia	Reinstatement denied	
Frank T. D'Onofrio	Reinstatement granted	
Kevin Dwyer 292 Ad2d 146	Disbarred	DR 1-102(A)(4), (7)(conduct in- volving dishonesty, fraud, deceit or misrepresentation; conduct adversely reflecting on fitness to practice law).
Michael Scott Felman 299 AD2d 15	Disbarred	DR 1-102(A)(7)(conduct ad- versely reflecting on fitness to practice law); DR 5-103(B) (ad- vancing or guaranteeing financial assistance to client while litiga- tion pending); DR 9-102(A) (commingling); DR 9-102(B)(2) (failure to maintain duly consti- tuted escrow account).
Michelle P. Ferguson 296 AD2d 63	Censured	DR 1-102(A)(5), (7)(conduct prejudicial to administration of justice; conduct adversely reflect-

		ing on fitness to practice law).
Jeffrey D. Grant	Disbarred (resigned)	DR 1-102(A)(3), (4), (5), (7) (ille- gal conduct adversely reflecting on lawyer's honesty, trustwor- thiness or fitness as a lawyer; conduct involving dishonesty, fraud, deceit or misrepresenta- tion; conduct prejudicial to ad- ministration of justice; conduct adversely reflecting on fitness to practice law); DR 5-101(A) (con- flict of interest – lawyer's own interests); DR 5-104(A) (entering into business transaction with client); DR 9-102(A), (C)(2), (C)(4) (failure to notify client of receipt of funds; failure to safeguard client funds; failure to promptly pay or deliver fund to client after demand).
Lawrence Kalkstein 298 AD2d 21	Disbarred	Judiciary Law §90(4)(a)(felony conviction).
Shmuel Klein	Reinstatement denied	
Mark A. Kovler 296 AD2d 229	Disbarred (resigned)	DR 1-102(A)(4), (5), (7) (conduct involving dishonesty, fraud, de- ceit or misrepresentation; con- duct prejudicial to administra- tion of justice; conduct adversely reflecting on fitness to practice law).
Richard J. Lambert 296 AD2d 151	Censured	Judiciary Law §90(4)(d)(serious crime conviction – criminal pos- session of controlled substance); Judiciary Law §90(4)(c)(failure to file record of conviction); DR 1- 102(A)(7)(conduct adversely re- flecting on fitness to practice law).
Leslie Ira Levine	Reinstatement granted	
Charles B. Linn	Reinstatement granted	
Harry V. Lynch	Suspended	22 NYCRR 691.13(b)(1) (mental infirmity; conservator appointed to inventory files).
Ralph Palladino 291 AD2d 127	Disbarred	Judiciary Law §90(4)(a)(felony conviction – sodomy 1 <sup>st</sup> degree [Penal Law §130.50], disseminat- ing indecent materials to minors

1<sup>st</sup> degree [Penal Law §235.22]). Robert J. Ponzini Reinstatement granted Arthur Pulley Disbarred (resigned) DR 9-102(A), DR 6-101(A)(3) (failure to safeguard escrow; failure to diligently pursue legal matter). Michael A. Schub Disbarred Judiciary Law §90(4)(a)(felony conviction - attempted enterprise corruption). Daniel J. Shapiro Resignation rejected Resignation in good standing rejected based on prior history. Censured Jerrold Shenkman Judiciary Law §90(4)(d) (serious 291 AD2d 194 crime conviction - failure to file tax return). Matthew A. Siegel Reinstatement denied Michael H. Sussman Suspended 1 year DR 1-102(A)(7)(conduct ad-296 AD2d 139 versely reflecting on fitness based on failure to safeguard funds); DR 9-102(A), (B)(2), (3), (4)(commingling, failure to properly identify escrow account records, failure to account for bank charges, failure to maintain disputed funds in escrow). Michael H. Sussman Request to permit continued representation of certain clients during suspension denied Timothy Tamsen Motion for reargument denied Disbarred (resigned) DR 6-101(A)(3), DR 1-102(A)(7), Joseph J.A. Tringali 298 AD2d 838 Judiciary Law §468-a. Douglas M. Tween Reinstatement granted Wayne White Reinstated; prior disbarment and suspension vacated **Richard Williams** Motion for reargument denied John Wirth Suspended 3 years DR 1-102(A)(7)(failure to ade-298 AD2d 36 quately protect client's interests); DR 5-101 (conflict of interest).

## (Tenth Judicial District)

Martin B. Ashare	Reinstatement denied	
Joel R. Brandes 292 AD2d 129	Disbarred	DR 5-101(A), DR 1-102(A)(4), (5), (8)(conflict of interest; conduct involving dishonesty, fraud, de- ceit or misrepresentation).
Joel R. Brandes	Motion to appeal/reargue de- nied	
Charles D. Briggins 292 AD2d 46	Disbarred	Failure to properly register as an attorney.
Charles S. Butin 750 NYS2d 619	Disbarred	DR 9-102(A), (C)(3, (4); DR 1- 102(A)(4), (5), (7); DR 6-101(A)(3); DR 7-101(A)(2), (3)(conversion; failure to maintain records and promptly deliver funds; neglect).
Sydney J. Chase	Reinstatement denied	
Sydney J. Chase	Motion for leave to renew denied	
Richard Bruce Claro 750 NYS2d 120	Disbarred (resigned)	Failure to maintain and preserve client funds; commingling.
David W. Clayton 290 AD2d 177	Censured	Federal conviction – failure to file tax returns (26 USC §7203).
Jamie K. Cohen-Scher 299 Ad2d 56	Disbarred	Felony conviction – perjury (Pe- nal Law §210.15).
Walter T. Darrah 296 AD2d 113	Disbarred	Felony conviction – Criminal possession of a forged instru- ment (Penal Law §§170.25, 110/170.25).
Edward DeVerna 291 AD2d 113	Disbarred (resigned)	Commingling; failure to main- tain bookkeeping records; ne- glect.
Albert D. Diamond 296 AD2d 40	Disbarred	Reciprocal discipline – imper- missibly using client funds.
James S. Frazer 290 AD2d 68	Disbarred (resigned)	Conversion.
Timothy D. Garille 749 NYS2d 182	Censured	State conviction – attempted as- sault (Penal Law §110.120.00).
Gilbert Greenberg 296 AD2d 160	Disbarred	Failure to answer petition; for- gery; failure to turn over or ac- count for client proceeds.

James T. Gucciardo	Reinstatement granted	
Terence P. Higginson 298 AD2d 8	Disbarred (resigned)	Conversion; failure to maintain and preserve bookkeeping re- cords.
Edward L. Howlette	Reinstatement denied	
Bruce A. Hoyt 298 AD2d 47	Disbarred	Failure to answer petition; ne-glect; failure to cooperate.
Rick T. Hubbard 292 AD2d 100	Disbarred	Failure to answer petition; ne-glect; failure to cooperate.
Susan G. Jamiolkowski 297 AD2d 15	Disbarred	State felony – VTL §1192(2) (op- erating motor vehicle under the influence of alcohol); failure to file conviction with court.
William L. Kadish 299 AD2d 78	Disbarred	DR 9-102(A), (D)(1), (2), (9); DR 1-102(A)(7); DR 5-104(A)(3) (commingling and misappropria- tion of escrow funds; failure to maintain and preserve bookkeep- ing records; failure to reduce loan agreement to writing).
Adam R. Kidan <sup>*</sup> 276 AD2d 234	Disbarred (resigned)	Failure to properly maintain and preserve escrow funds.
Ben Kinzler 750 NYS2d 614	Suspended 2 years	DR 9-102(A); DR 1-102(A)(7) (commingling and misappropria- tion of escrow funds; conver- sion).
Kevin J. Meneilly 293 AD2d 169	Disbarred (resigned)	Federal conviction – serious crime – conspiracy to defraud US (18 USC §371; 26 USC §7206).
Keith M. Merriwether III	Motion to appeal denied	
Peter M. Napolitano	Reinstatement granted	
Eric G. Oster 292 AD2d 78	Censured	Failure to properly register as an attorney.
Michael J. Schlussel 291 AD2d 101	Disbarred (resigned)	Failure to properly maintain and preserve escrow funds.
Robert N. Schutz 299 AD2d 41	Disbarred (resigned)	Failure to properly maintain and preserve escrow funds; failure to maintain bookkeeping records; failure to cooperate.

Matter omitted in previous statistics

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Jeffrey Paul Segal 752 NYS2d 98	Disbarred	State felony – grand larceny (Pe- nal Law §§155.35, 155.40).
Darren M. Shapiro 299 AD2d 58	Suspended 1 year	State conviction – Obstructing governmental investigation (Pe- nal Law §195.05), operating mo- tor vehicle under influence of alcohol or drugs (VTL §1192[3]).
Kenneth Sirlin 291 AD2d 150	Disbarred	State felony conviction – grand larceny (Penal Law §155.35).
Hilton Soba 751 NYS2d 276	Disbarred (resigned)	Failure to satisfy a judgment; failure to preserve and promptly deliver escrow funds; conver- sion; failure to cooperate.
Edward Thompson, Jr. 290 AD2d 144	Disbarred (resigned)	Neglect; failure to maintain and preserve escrow funds.
Glenn O. Vickers	Motion for leave to appeal de- nied	
Gerard A. Wisla 291 AD2d 196	Suspended 1 year	DR 1-102(A)(5), (7) (conduct prejudicial to administration of justice; conduct adversely reflect- ing on fitness as a lawyer).

### THIRD DEPARTMENT

Lara P. Andrew 290 AD2d 571	Suspended 1 year	DR 1-102(A)(3), (4), (5), (7) (sub- mission of false insurance claim).
Deborah L. Ashe	Indefinite suspension	22 NYCRR 806.4(b), (e) (suspen- sion pending compliance with court's subpoena).
Attorneys in violation of Judici- ary Law §468-a (Barad, Robert A.; Chepaitis, Daniel J.; Devitt, Peter L.; O'Hern, Charles T.; Schickel, Norbert H., III) 291 AD2d 631	Indefinite suspensions	Judiciary Law §468-a, 22 NYCRR part 118 (suspended until further order of the court for failure to file registration statement and pay required registration fee).
William C. Behrndt, III 296 AD2d 654	Reinstated	Reinstated upon proof of compli- ance with Judiciary Law §468-a.
Richard L. Bjelde 297 AD2d 838	Reinstated	Reinstated upon proof of compli- ance with Judiciary Law §468-a.
Kevin J. Brown 297 AD2d 860	Indefinite suspension	22 NYCRR 806.4(b), (e) (sus- pended pending compliance with court's subpoena, payment of stenographic fees and compli-

		ance with registration require- ments of Judiciary Law §468-a).
Steven A. Buchyn	Suspended 2 years	DR 5-104(A)(conflict of interest).
Kenneth H. Cohn	Reinstatement denied	Application denied without prejudice to renewal upon sub- mission of additional documen- tation.
Daniel J. Chepaitis 739 NYS2d 651	Reinstated	Reinstated upon proof of compli- ance with Judiciary Law §468-a.
Philip J. Devine 290 AD2d 931	Censured	DR 1-104(C) (failure to ade- quately supervise a non-lawyer employed by the attorney.
Michael D. Donovan	Reinstated	Reinstated upon proof of compli- ance with Judiciary Law §468-a.
Richard A. Dudley, Jr. 296 AD2d 651	Suspended 6 months	DR 3-101(B), 22 NYCRR 806.9(a) (engaging in unauthorized prac- tice of law while suspended).
Richard A. Dudley, Jr. 298 AD2d 700	Suspended 6 months	DR 3-101(B), 22 NYCRR 806.9(a) (engaging in unauthorized prac- tice of law while suspended); DR 1-102(A)(7)(failing to disclose in sworn application for reinstate- ment that he was a party in pending litigation).
Thomas W. Farstad 293 AD2d 866	Disbarred	Judiciary Law §90(4)(b) (felony conviction – grand larceny 4 <sup>th</sup> degree (Penal Law §155.30[1]).
Wayne C. Felle	Reinstated	Reinstated upon proof of compli- ance with Judiciary Law §468-a.
Lawrence F. Finley	Disbarred (resigned)	22 NYCRR 806.8 (resignation accepted admitting to willful misappropriation or misapplica- tion of client money or property. Respondent to cooperate in for- mulation of order of restitution pursuant to Judiciary Law §90[6- a][e]).
Edward P. Finnerty 296 AD2d 820	Suspended 2 years	DR 6-101(A)(3)(neglect of con- servatorship); DR 1-102(A)(4), (5), (7), DR 9-102 (conversion); DR 1-102(A)(4), (5), (7) (attempt- ing to mislead and deceive peti- tioner, giving false testimony before petitioner and filing ac- countings as conservator contain-

		ing false information).
Andrew M. Goldberg 298 AD2d 612	Censured	22 NYCRR 806.19 (reciprocal dis- cipline – Vermont).
Hyath B. Gross 291 AD2d 579	Censured	DR 6-101(A)(3)(neglect of matter by failing to appropriately re- spond to motion for summary judgment).
Stanley J. Gulkin 295 AD2d 803	Disbarred	Judiciary Law §90(4)(a), (b) (fel- ony convictions in New Jersey – second degree conspiracy to commit theft by deception and second degree theft by deception [NJSA 2C:20-4, 2C:2-6] [essen- tially similar to conspiracy 4 <sup>th</sup> degree (Penal Law §105.10] and grand larceny 1 <sup>st</sup> degree (Penal Law §155.42)]).
Stuart E. Hendin 295 AD2d 696	Disbarred	22 NYCRR 806.19 (reciprocal dis- cipline base on resignation from Law Society of Upper Canada).
Matthew S. Hogan 294 AD2d 707	Reinstated	
William B. Jensen	Indefinite stayed suspension con- tinued	Indefinite suspension continued with added condition that re- spondent fully participate in an out-patient program and comply with its requirements.
Deborah R. Kenneally 296 AD2d 652	Indefinite suspension	22 NYCRR 806.4(b), (e) (sus- pended pending compliance with subpoena duces tecum).
Kap-You Kim 748 NYS2d 285	Reinstated	Reinstated upon proof of compli- ance with Judiciary Law §468-a.
Sergei N. Klimow 299 AD2d 723	Disbarred	Judiciary Law §90(4)(a) (auto- matic disbarment for Federal fel- ony – false swearing (18 USC §1001)(essentially similar to of- fering false instrument for filing 1 <sup>st</sup> degree [Penal Law §175.35]).
Gerald G. Kramer 97 NY2d 697	Motion to Court of Appeals de- nied	Motion for leave to appeal from Appellate Division order of dis- barment denied as untimely. Mo- tion insofar as it seeks leave to appeal from other Appellate Di- vision orders dismissed on the ground that such orders do not finally determine the proceeding

		within the meaning of the Con- stitution.
Marcel J. Lajoy 293 AD2d 866	Reinstated	
Paul G. Madison 294 AD2d 705	Stayed suspension vacated; re- mainder of two-year suspension reinstated	2/16/01 suspension had been stayed upon condition that (1) respondent not be the subject of any further disciplinary action, proceeding or application by Committee arising from his pro- spective conduct and (2) he sub- mit quarterly reports by a CPA confirming he is maintaining es- crow account and preserving client funds in accordance with applicable rules.
		Letter of admonition issued 3/12/02 for failure to appear on behalf of a client at a scheduled hearing. Respondent sanctioned \$500, which was paid late. In another matter, respondent failed to appear at a preliminary conference and failed to provide timely notice of inability to attend. Respondent ordered to may \$462.50 in counsel fees.
		Respondent's compliance with CPA reporting requirement marred by late reports submitted after letters by petitioner to court advising that respondent was not in compliance.
Sheldon M. Markel 296 AD2d 653	Indefinite suspension	Suspended based upon transfer to disability inactive status in Nevada.
Norman J. Mordkofsky	Appeal from dismissal of Federal action dismissed	Appeal from 6/6/01 dismissal of Federal court action to overturn suspension, restore respondent's license to practice law and for monetary damages dismissed sua sponte as frivolous.
Norman J. Mordkofsky	Motion for reconsideration of dismissal of appeal dismissed	
Thomas C. Nicotera	Custodian appointed	Schenectady County Bar Associa- tion appointed pursuant to 22 NYCRR 806.11 as custodian of files and property of respon-

		dent's clients in storage. County Bar shall inventory and take ap- propriate action to protect cli- ents' interests.
Charles T. O'Hern 739 NYS2d 651	Reinstated	Reinstated upon proof of compli- ance with Judiciary Law §468-a.
David J. Orticelli 296 Ad2d 712	Reinstated	Reinstated upon proof of compli- ance with Judiciary Law §468-a.
James I. Peck, IV 298 AD2d 614	Disbarred	Judiciary Law §90(4)(a)(Federal felony – possession of child por- nography [18 USC §2252(a)(4)(B)] [essentially similar to Penal Law §263.16]).
Robert L. Roth 299 AD2d 722	Disbarred	22 NYCRR 806.19 (reciprocal dis- cipline – Florida).
David L. Rummell	Reinstated	Reinstated upon proof of compli- ance with Judiciary Law §468-a.
Roberta S. Schwartz 290 AD2d 802	Disbarred	22 NYCRR 806.19 (reciprocal dis- cipline – Connecticut resigna- tion).
Desmond P. Sullivan 290 AD2d 875	Suspended 6 months, stayed	DR 6-101(A)(3)(neglect); DR 7- 101 (failure to comply with court directives); DR 1-102(A)(5), (7) (failure to respond to client communications); DR 2-106(B), (F), 22 NYCRR part 1400 (failure to provide divorce client with written retainer agreement or statement of client's rights and responsibilities, therefore im- properly charging and collecting a fee; failure to bill the client at least every 60 days); Judiciary Law §468-a, DR 1-102(A)(5), (7) (failure to timely file attorney registration statement and pay \$300 fee); DR 1-102(A)(5), (7) (failure to respond to inquiries from petitioner). Suspension stayed upon condi- tion that respondent pay the costs and counsel fee (\$1,622.33) as directed by USDC by 6/1/02 and submit proof of same to peti- tioner and court.
Desmond P. Sullivan 298 AD2d 762	Suspended 6 months	DR 6-101(A)(3)(failure to prepare separation agreement); DR 1-

		102(A)(5)(failure to respond to communications from client); DR 2-110(A)(1)(failure to move to withdraw); DR 1-102(A)(5) (fail- ure to cooperate with petitioner's investigation). On any reinstatement application respondent shall submit a medi- cal opinion that he is fit to prac- tice law.
Jay J. Szuba 290 AD2d 643	Suspended 2 years	22 NYCRR 806.19 (reciprocal dis- cipline – Louisiana). On any ap- plication for reinstatement re- spondent must submit proof of reinstatement in Louisiana.
Philip E. Van Riper 290 AD2d 572	Suspended 1 year	Judiciary Law §90(4)(g) (serious crime – offering false instrument for filing $2^{nd}$ degree [Penal Law §175.30]). Suspension retroactive to $11/30/01$ .
Eric P. von Wiegen 297 AD2d 838	Reinstatement denied	
Kevin P. Wheatley 297 AD2d 872	Disbarred	DR 6-101(A)(3)(neglect); DR 1- 102(A)(4), (5) (misleading and deceiving conduct); DR 1-102(A) (5), DR 9-102(A), (C)(dishonesty, fraud, deceit and misrepresenta- tion by removing clients' and employers' property and thereaf- ter knowingly failing to return such property); DR 1-102(A)(4), (5)(misleading conduct by falsely representing the status of a case before Supreme Court, mislead- ing clients and misleading a state agency why he was discharged from his employer).
Jesse T. Wilkins 296 AD2d 586	Reinstated	Reinstated upon proof of compli- ance with Judiciary Law §468-a.
Martin P. Winsor 290 AD2d 876	Reinstated upon condition	Reinstatement granted, condi- tioned upon submission to peti- tioner of semiannual reports from treating psychiatrist assess- ing continuing capacity to prac- tice law until further order of court.

## FOURTH DEPARTMENT

## (Fifth Judicial District)

David B. Grossman 293 AD2d 82	Suspended 3 years	DR 1-102(A)(5)(conduct prejudi- cial to administration of justice); DR 1-102(A)(7)(conduct ad- versely reflecting on fitness as a lawyer); DR 2-110(A)(2) (with- drawing from employment without taking steps to avoid foreseeable prejudice to client's rights); DR 6-101(A)(3)(neglect); DR 7-101(A)(1)(intentionally fail- ing to seek clients' lawful objec- tives); DR 7-101(A)(3) (intention- ally engaging in conduct causing prejudice to clients); DR 9- 102(B)(1)(failing to maintain cli- ent funds is special account sepa- rate from business/personal ac- counts); DR 9-102(B)(4)(failing to maintain client funds in appro- priate account); DR 9-102 (C)(3)(failing to maintain com- plete records of client funds and render appropriate accounts); DR 9-102(C)(4)(failing to deliver promptly to clients property in his possession that clients were entitled to receive).
Alison A. Bukata 296 AD2d 142	Censured	DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 9-102(A) (commingling); DR 9-102(B)(1)(failing to maintain client funds is special account separate from business or personal accounts); DR 9-102(C)(3)(failing to maintain complete records of client funds and render appropriate accounts).
Neal J. Cunningham 295 AD2d 1014	Disbarred	22 NYCRR 1022.26(a)(resigned pending disciplinary proceed-ings).
James A. Resti 298 AD2d 1001	Disbarred (restitution ordered)	Judiciary Law §90(4)(felony con- viction – Penal Law §155.35); 22 NYCRR 1022.26(a)(resigned pending disciplinary proceed- ings).

## (Seventh Judicial District)

Cynthia M. Kellner 291 AD2d 937	Disbarred	22 NYCRR 1022.26(a) (resigned under investigation).
Charles R. Testa 291 AD2d 937	Disbarred (restitution ordered)	22 NYCRR 1022.26(a)(resigned under investigation).
William A. Argentieri 291 AD2d 937	Leave to appeal to Court of Appeals denied	22 NYCRR 500.11(d).
Willie R. Felton 291 AD2d 937	Request for reconsideration of denial of reinstatement denied	22 NYCRR 1022.28(a).
Stephen A. Levine 290 AD2d 154	Suspended 6 months, effective December 14, 2001	22 NYCRR 1022.22 (reciprocal discipline).
Roy C. Hopkins 294 AD2d 961	Interim suspension	22 NYCRR 1022.20(e)(defaulted in filing answer and failed to appear).
Roy Alan Brubaker 293 AD2d 129	Disbarred	Judiciary Law §90(4)(felony con- viction – Indiana Code 35-48-4-1).
Willie R. Felton 294 AD2d 961	Reinstatement denied	22 NYCRR 1022.28(a).
William J. Sedor, Jr. 293 AD2d 74	Suspended 2 years, effective May 13, 2001	22 NYCRR 1022.27 (violated rules governing conduct of dis- barred, suspended or resigned attorneys); DR 1-102(A)(4) (con- duct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer).
Michael E. Bryant 743 NYS2d 771	Interim suspension	Judiciary Law §90(4)(felony con- viction – Massachusetts General Law c. 274, sec. 7).
Roy C. Hopkins 295 AD2d 1014	Disbarred (restitution ordered)	22 NYCRR 1022.20(d)(unexcused failure to appear or answer the petition, constituting a default.
A. Thomas Hunt 295 AD2d 1014	Disbarred	22 NYCRR 1022.26(a)(resigned while under investigation related to California Bar resignation).
Michael B. Rudin 296 AD2d 118	Criminal contempt; 30-day im- prisonment, \$1,000 fine	Judiciary Law §§90(2)(b), 750(A) (3)(violated order of suspension by engaging in practice of law, collecting legal fees and holding himself out as an attorney).

Michael B. Rudin 296 AD2d 871	Disbarred	Judiciary Law §90(4)(felony con- viction – Penal Law §§155.40(1), 155.35).		
Kenneth L. Bennett 2002 WL 31548112	Reinstatement denied; criminal contempt, \$250 fine	Judiciary Law §§90(2)(b), 750(A) (3)(violated suspension order by continuing to maintain attorney trust account and continuing to represent clients).		
Michael E. Bryant 2002 WL 31548115	Disbarred	Judiciary Law §90(4)(felony con- viction – Mass. General Law c. 274, sec. 7).		
Mary E. Feindt 2002 WL 31548113	Censured	DR 1-102(A)(3)(illegal conduct adversely reflecting on honesty, trustworthiness or fitness as a lawyer); DR 1-102(A)(4)(conduct involving dishonesty, fraud, de- ceit or misrepresentation); DR 1- 102(A)(7)(conduct adversely re- flecting on fitness as a lawyer).		
Willie R. Felton 299 AD2d 971	Reinstatement denied	22 NYCRR 1022.28(a).		
(Eighth Judicial District)				
Robert William Hysert 291 AD2d 937	Disbarred	Unexcused failure to appear or answer the supplemental petition constitutes a default.		
Andrew A. Ligammari 290 AD2d 175	Censured	DR 8-102(B)(knowingly making false accusations against a judge).		
D. Michael Murray 294 AD2d 961	Indefinite suspension	22 NYCRR 1022.23(b) (incapaci- tation).		
Ronald W. Plewniak 294 AD2d 961	Reinstatement denied	22 NYCRR 1022.28(a).		
Thomas J. Przybyla 293 AD2d 80	Suspended 1 year	DR 9-102(A)(misappropriating client funds); DR 9-102(B)(1) (fail- ing to maintain client funds in		
		special account separate from business/personal accounts); DR 9-102(C)(4)(failing to deliver promptly to client funds that cli- ent was entitled to receive).		
Marina K. Whitfield 743 NYS2d 771	Interim suspension	special account separate from business/personal accounts); DR 9-102(C)(4)(failing to deliver promptly to client funds that cli-		

		tion constitutes default).
Alan D. Goldstein 299 AD2d 32	Censured	DR 1-102(A)(5)(conduct prejudi- cial to administration of justice); DR 1-102(A)(7)(conduct ad- versely reflecting on fitness as a lawyer); DR 6-101(A)(3)(neglect); DR 9-102(B)(4)(failing to keep in special account funds partly be- longing to client and partly be- longing to him); DR 9-102(C)(1) (failing to notify client or third party promptly of receipt of funds in which client or third person has an interest); DR 9-102 (C)(4)(failing to pay or deliver promptly to client or third per- son as requested funds that client or third person is entitled to re- ceive).
Roger A. Olson 298 AD2d 1001	Disbarred (restitution ordered)	22 NYCRR 1022.26(a)(resigned pending disciplinary proceed-ings).
Douglas William Rhodes 301 AD2d 190	Suspended 1 year	22 NYCRR 1022.22 (reciprocal discipline).
Russell J. Sciandra 299 AD2d 971	Reinstated	22 NYCRR 1022.28(b).
Roger C. Scott 301 AD2d 166	Disbarred	Judiciary Law §90(4)(Federal fel- ony – 18 USC §371, 26 USC §7206[1]).
Richard L. Baumgarten 2002 WL 31889962	Suspended 19 months effective 6/8/01 (restitution ordered)	DR 2-110(A)(3)(failing to return unearned fees); DR 6-101(A)(3) (neglect); DR 7-101(A)(2) (failing to carry out contract of employ- ment); DR 7-101(A)(3) (intention- ally damaging a client during course of professional relation- ship).
William S. Gordon	Disbarred (restitution ordered)	22 NYCRR 1022.26(a)(resigned pending disciplinary proceed-ings).
Samuel A. Marino 2002 WL 31889970	Criminal contempt, \$100 fine	Judiciary Law §§90(2)(b), 750(A) (3)(violated suspension order by accepting retainer fee and engag- ing in practice of law).

# Professional Disciplinary Staffs and Departmental and District Grievance Committees

#### **Professional Disciplinary Staffs**

#### FIRST DEPARTMENT

#### Departmental Disciplinary Committee

First Judicial Department 61 Broadway, 2<sup>nd</sup> Floor New York, NY 10006 (212) 401-0800

Thomas J. Cahill, Chief Counsel Sarah Jo Hamilton, First Deputy Chief Counsel Andral N. Bratton, Deputy Chief Counsel Christine C. Anderson, Associate Attorney Roberta N. Berkwits, Associate Attorney Angela Christmas, Associate Attorney Sherry K. Cohen, Principal Attorney Nicole Corrado, Associate Attorney Jorge Dopico, Associate Attorney Mady J. Edelstein, Associate Attorney Jeremy S. Garber, Associate Attorney Naomi F. Goldstein, Associate Attorney Joseph J. Hester, Associate Attorney Jun H. Lee, Associate Attorney Vitaly Lipkansky, Associate Attorney Stephen P. McGoldrick, Associate Attorney James T. Shed, Associate Attorney Eileen J. Shields, Associate Attorney Judith N. Stein, Associate Attorney Raymond Vallejo, Associate Attorney LaTricia A. Wilson, Associate Attorney

#### SECOND DEPARTMENT

Grievance Comm. for the 9<sup>th</sup> Judicial District

399 Knollwood Road, Suite 200 White Plains, NY 10603 (914) 949-4540

Gary L. Casella, Chief Counsel Faith Lorenzo, Deputy Counsel Gloria A. Bunze, Staff Counsel Antonia Cipollone, Staff Counsel Gary D. Egerman, Staff Counsel Fredda Fixler-Fuchs, Staff Counsel Matthew Renert, Staff Counsel

Vincent C. Raniere, Chief Investigator Virgil Cruz, Investigator George Cebish, Investigator John E. Pugliese, Investigator Kenneth Van Lew, Investigator Leonard Zarrillo, Investigator Martin Schwinger, Investigator Rebecca V. Taub, Chief Paralegal Donna M. Killian, Paralegal Marcy Sterling, Paralegal Joseph G. Wigley, Paralegal Orlando Reyes, Paralegal Carol Scheuer, Office Manager Anna Abbate, Secretary Francine N.L. Ali, Secretary Nancy K. DeLeon, Secretary Eartha Hobot, Secretary Monique Hudson, Secretary Tennille Millhouse, Secretary Gloria Rodriguez, Secretary Maria L. Vera, Secretary Michelle Y. Wang, Support Staff Mgmt. Charles Sauer, Computer Operator Romyna Serra, Receptionist

Forrest Strauss, Staff Counsel Anthony Wynne, Staff Counsel Patrick Smith, Senior Court Analyst Virginia E. Mordiglia, Managing Secretary Maryellen Horan, Secretary Patricia Marucci, Secretary Ellen M. Tallevi, Secretary Maria J. Mangione, Secretary Denise Santamorena, Secretary Claire Zeppieri, Secretary Susan Rooney, Clerk *Grievance Comm. for the* 2<sup>nd</sup> & 11<sup>th</sup> *Judicial Districts* 335 Adams Street, Suite 2400 Brooklyn, NY 11201 (718) 923-6300

Diana Maxfield Kearse, Chief Counsel Robert J. Saltzman, Deputy Counsel Mark F. DeWan, Assistant Counsel

*Grievance Comm. for the* 10<sup>th</sup> *Judicial District* 6900 Jericho Turnpike Syosset, NY 11791 (516) 364-7344

Robert P. Guido, Chief Counsel Muriel L. Gennosa, Deputy Chief Counsel Catherine A. Sheridan, Deputy Chief Counsel Nancy A. Bolger, Assistant Counsel Dianne M. Saccone, Assistant Counsel Elizabeth A. Grabowski, Assistant Counsel Stacey J. Sharpelletti, Assistant Counsel Mitchell Borkowsky, Assistant Counsel Mary J. Lieblang, Assistant Counsel

#### THIRD DEPARTMENT

*Committee on Professional Standards* 40 Steuben Street, Suite 502 Albany, NY 12207-2109 (518) 474-8816

#### FOURTH DEPARTMENT

*Grievance Comm. for the* 5<sup>th</sup> *Judicial District* 465 South Salina Street, Suite 106 Syracuse, NY 13202 (315) 471-1835

Grievance Comm. for the 7<sup>th</sup> Judicial District

50 East Avenue, Suite 404 Rochester, NY 14604 (585) 530-3180 Diana J. Szochet, Assistant Counsel Melissa D. Broder, Assistant Counsel Susan Korenberg, Assistant Counsel Colette Landers, Assistant Counsel Sharon F. Gursen, Assistant Counsel Michele Gaynor, Assistant Counsel Lisa Monteleone, Accountant Erika Edinger, Paralegal Louis Romaine, Investigator

Michael J. Kearse, Assistant Counsel Leslie B. Anderson, Assistant Counsel Douglas Kronenberg, Investigator Christopher Kern, Investigator Barbara Maniscalco, Secretary Joan M. Pace, Secretary Phyllis Carusillo, Secretary Kerry E. Pitre, Secretary Elizabeth A. Secondino, Secretary Noreen M. Johnston, Secretary

Mark S. Ochs, Chief Attorney Michael Philip, Jr., Deputy Chief Attorney Michael G. Gaynor, Staff Attorney Michael K. Creaser, Staff Attorney Geoffrey E. Major, Staff Attorney Steven D. Zayas, Staff Attorney Joseph L. Legnard, Investigator Vincent M. Tepedino, Investigator

David L. Edmunds, Jr., Chief Counsel Anthony J. Gigliotti, Principal Counsel Sheryl M. Crankshaw, Investigator M. Susan Roland, Secretary

David L. Edmunds, Jr., Chief Counsel Daniel A. Drake, Principal Counsel Andrea E. Tomaino, Associate Counsel Anna Marie Peters, Investigator Alana Dione Archer, Secretary *Grievance Comm. for the 8<sup>th</sup> Judicial District* 295 Main Street, Room 1036 Buffalo, NY 14203 (716) 858-1190 David L. Edmunds, Jr., Chief Counsel Vincent L. Scarsella, Deputy Chief Counsel Roderick Quebral, Associate Counsel Margaret C. Callanan, Associate Counsel Kathleen M. Boyd, Associate Counsel Susan M. Eagan, Associate Counsel Joanne Walsh, Investigator William P. Zenosky, Investigator Mary E. Davis, Investigator Brian L. Marshall, Asst. Court Analyst Kathleen E. Caprio, Asst. Court Analyst Kathleen E. Pierce, Secretary Anna M. Hunt, Secretary

#### **Departmental and District Grievance Committees**

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#### FIRST DEPARTMENT

#### **Departmental Disciplinary Committee**

Paul J. Curran, Chair Lawrence J. Banks<sup>\*</sup> Sally W. Berg\* Douglas W. Brandrup Christopher E. Chang Ann J. Charters\* Brian M. Cogan Denis F. Cronin Telesforo Del Valle, Jr. Charles E. Dorkey, III Paul F. Doyle Justin E. Driscoll, III Marion T. Etheredge\* Haliburton Fales, 2d, Sp. Counsel Patricia Farren Steven N. Feinman Rosalind S. Fink Charlotte Moses Fischman Beatrice S. Frank Maranda E. Fritz

Thomas B. Galligan, Sp. Counsel William A. Gallina Martin R. Gold, Sp. Counsel Robert L. Haig Richard J. Holwell Susan M. Karten John J. Kenney David G. Keyko Myron Kirschbaum Lenore Kramer William Francis Kuntz, III Michael A. Lacher Deborah E. Lans Marvin Leffler\* Burton N. Lipshie Henrietta Lyle\* Mary B. Maguire\* Douglass B. Maynard Charles C. Marino\* Lawrence D. McGovern

Denis McInerney Charles G. Moerdler Mathias E. Mone Mercedes A. Nesfield\* Jane W. Parver Anthony M. Radice Roy L. Reardon, Sp. Counsel Andrew W. Regan Timothy G. Reynolds Michael J. Rosenberg\* Reuben Samuel Augustin J. San Filippo Samuel W. Seymour Daniel E. Siff Marian E. Silber Eugene P. Souther John L. Warden Eric J. Warner Stephen L. Weiner, Sp. Counsel Susan Welsher\*

#### SECOND DEPARTMENT

#### Grievance Committee for the 2<sup>nd</sup> & 11<sup>th</sup> Judicial Districts

Mark A. Longo, Chair Anthony P. Barone Rose Ann C. Branda Maurice Chayt James W. Crowley\* John V. DiBlasi Lawrence F. DiGiovanna David Doyaga Linda Fedrizzi Israel Goldberg

#### **Grievance Committee for the 9<sup>th</sup> Judicial District**

Alan Steiner, Chair William D. Bavoso Isabel L. Becker Paul B. Bergins Patrick J. Burke Antoinette D'Orazio\* Minna J. Edelman Richard M. Gardella Richard B. Golden Bryan Fielder Levinson George J. Nashak, Jr. Joseph J. Risi Natalie P. Katz Rogers\* Dennis Shields\* George A. Sieghardt James P. Slattery Howard D. Stave Dominic A. Villoni Muriel D. Wanderman

Eric Lamar Harris Ann Conyers Healey\* Ellen P. Holtzman Joseph Maraia\* James H. Mellion Sheila C. O'Donnell Luis Andrew Penichet Jo-Ann R. Schlesinger\* Joseph L. Spiegel

Non-lawyer member.

#### Grievance Committee for the 10<sup>th</sup> Judicial District

Douglas R. Rothkopf, Chair Nicholas V. Campasano Donna England Gustave Fishel, III Doris French\* Paul Gianelli Gregory H. Hammill Hon. H. William Hodges Frank A. Isler

#### THIRD DEPARTMENT

#### **Committee on Professional Standards**

Nelson E. Roth, Chair Eli B. Basch Jopseh M. Brennan Philip S. Caponera Kathleen Keegan Cloonan\* Anne Reynolds Copps John M. Keefe\* Isabelle Rawich Peter M. Saidel\* James P. Bessette

#### FOURTH DEPARTMENT

#### Grievance Committee for the 5<sup>th</sup> Judicial District

James E. Sparkes, Chair Patricia S. Bobrow Keith Bowers Dom Cambareri Floyd J. Chandler William F. Dowling G. Gerald Fiesinger Gary A. Hall Peter M. Hobaica Richard K. Hughes C. Earl Ledden

- Frederick C. Johs John L. Juliano William F. Levine Christopher McGrath James M. O'Brien Edward T. Robinson, III David S.J. Rubin Thomas Schuette, D.C.\* Kenneth J. Weinstein
- Jopseh R. Brennan Timothy J. Horigan Trinidad M. Martin Kevin L. Peryer Paul F. Eaton, Jr. James A. Haynes, Jr. Cynthia S. Hutchinson Peter W. Mitchell Jeffrey A. Tait

John McCullough\* John G. McGowan Edgar S.K. Merrell 3<sup>rd</sup> Brian M. Miga Daniel J. Murphy\* Lisa A. Proven Thomas A. Reynolds M. Catherine Richardson William P. Schmitt Philip C. Stein\*

#### Grievance Committee for the 7<sup>th</sup> Judicial District

Peter T. Rodgers, Chair Bernetta Bourcy Lynn M. Carleton\* David A. Contiguglia John N. Dagon Matthew M. DiMuro\* Robert A. Feldman Frank R. Fisher Robert B. Gitlin William H. Helferich, III Charles P. Inclima

Stanley D. Konopko<sup>\*</sup> Charles A. Marangola Hillary Merkel McMillan Lucien A. Morin, II Eric Shults Elisabeth Toole John W. Vogel Jeffrey Wicks Robert W. Zimmerman

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#### **Grievance Committee for the 8<sup>th</sup> Judicial District**

E. Michael Semple, Chair John M. Aversa Richard G. Berger Leonard Berkowitz W. Douglas Call Victoria L. D'Angelo Adrian Dedecker, III\* Jeffrey E. Erickson Sue M. Evans Raymond L. Fink Leslie J. Haggstrom Norma I. Higgs\* Judy L. Johnson Mark Lillenstein Andrew D. Merrick Erin M. Peradotto John R. Samelson Victoria J. Saxon David C. Schubel Susan Villiers\*

Denotes non-lawyer member

Attorney Discipline Budget Appropriations (Fiscal 2002-2003) and Salaries of Disciplinary Staff (February 2003)

FIRST DEPARTMENT Title	Grade	2/03 Salary	SECOND DEPARTMEN Title C	IT Grae	
Chief Attorney NS S		\$116,118	(Second and Eleventh Ju	dic	
Deputy Chief Attorney	532	84,568			
Principal Attorney	531	110,796	Chief Attorney	Ν	
Principal Attorney	531	110,796	Dep. Chief Attorney	5	
Principal Attorney	531	103,962	Principal Attorney	5	
Principal Attorney	531	103,690	Principal Attorney	5	
Principal Attorney	531	103,322	Principal Attorney	5	
Principal Attorney	531	95,425	Principal Attorney	5	
Principal Attorney	531	95,929	Principal Attorney	5	
Principal Attorney	531	92,801	Principal Attorney	5	
Principal Attorney	531	92,801	Principal PC Analyst	5	
Principal Attorney	531	90,294	Sr. PC Analyst	5	
Principal Attorney	531	86,884	Sr. Court Analyst	5	
Principal Attorney	531	83,169	Sr. Court Analyst	5	
Principal Attorney	531	80,043	Court Analyst	5	
Prin. App. Ct. Atty.	531	80,043	Asst. Court Analyst	5	
Associate Attorney	528	77,353	Asst. Court Analyst	5	
Associate Attorney	528	72,962	Secretary	5	
Associate Attorney	528	68,125	Secretary	5	
Associate Attorney	528	37,138	Jr. Court Analyst	5	
Senior Attorney	526	54,400	5		
Principal Court Analyst		69,652	2002-2003 Appropriation	s:	
Principal Court Analyst		68,109	Personal Service		
Sr. LAN Administrator	523	65,968	Nonpersonal Service		
Senior Court Analyst	521	47,101	1		
Sr. App. Court Asst.	521	46,549	Total:		
Court Analyst	518	56,042			
Court Analyst	518	53,992			
Court Analyst	518	52,502	(Ninth Judicial District)		
Court Analyst	518	51,147	-		
Court Analyst	518	51,031	Chief Attorney	Ν	
Court Analyst	518	47,842	Dep. Chief Attorney	5	
Court Analyst	518	41,692	Principal Attorney	5	
Admin. Secretary	517	46,181	Principal Attorney	5	
Asst. Court Analyst	516	44,266	Principal Attorney	5	
Asst. Court Analyst	516	42,815	Associate Attorney	5	
Asst. Court Analyst	516	37,229	Associate Attorney	5	
Asst. Court Analyst	516	35,367	Associate Attorney	5	
Law Stenographer	514	43,456	Attorney	5	
Law Stenographer	514	39,669	Sr. Court Analyst	5	
Law Stenographer	514	33,232	Asst. Court Analyst	5	
Law Stenographer	514	31,528	Secretary	5	
Secretary	514	40,994	Secretary	5	
Secretary	514	31,528	Secretary	5	
Secretary	514	31,528	-		
Prin. App. Office Asst.	513	38,249	2002-2003 Appropriation	s:	
Sr. Office Assistant	508	22,161	Personal Service		
2002-2003 Appropriatio	ons:		Nonpersonal Service		
Personal Service		\$3,184,700	Total:		
Nonpersonal Service	_	342,012			
Total:		\$3,526,712			

I I II C	Glaue	2/05 Salary
Second and Eleventh ]	Judicial D	istricts)
Chief Attorney	NS	\$112,854
Dep. Chief Attorney	532	107,423
Principal Attorney	531	103,690
Principal Attorney	531	103,322
Principal Attorney	531	90,294
Principal Attorney	531	86,877
Principal Attorney	531	83,460
Principal Attorney	531	69,501
Principal PC Analyst	523	62,693
Sr. PC Analyst	521	51,223
Sr. Court Analyst	521	53,564
Sr. Court Analyst	521	43,742
Court Analyst	518	41,692
Asst. Court Analyst	516	37,229
Asst. Court Analyst	516	35,367
Secretary	514	36,640
Secretary	514	31,528
r. Court Analyst	512	40,489
ý		10,107
2002-2003 Appropriatio	ons:	
Personal Service		\$1,349,419
Nonpersonal Service		226,000
Total:		\$1,575,419
Ninth Judicial Distric	t)	
Chief Attorney	NS	\$115,174
Dep. Chief Attorney	532	95,965
Principal Attorney	531	103,690
Principal Attorney	531	95,230
Principal Attorney	531	90,294
Associate Attorney	528	77,443
Associate Attorney	528	77,353
Associate Attorney	528	72,958
Attorney	523	56,942
Sr. Court Analyst	521	62,908
Asst. Court Analyst	516	50,263
Secretary	514	46,864
Secretary	514	46,012
Secretary	514	42,319
2002-2003 Appropriatio	ons:	
Personal Service		\$1,166,814
Nonpersonal Service		366,750
Гotal:		\$1,533,564

Grade

2/03 Salary

#### SECOND DEPARTMENT

Title	Grade	2/03 Salary			
(Tenth Judicial District)					
Chief Attorney	NS	\$110,295			
Dep. Chief Attorney	532	100,437			
Principal Attorney	531	103,322			
Principal Attorney	531	90,615			
Principal Attorney	531	86,877			
Principal Attorney	531	80,043			
Principal Attorney	531	80,043			
Principal Attorney	531	80,043			
Associate Attorney	528	74,277			
Associate Attorney	528	72,962			
Associate Attorney	528	69,882			
Princ. Court Analyst	523	68,314			
Sr. Court Analyst	521	48,886			
Court Analyst	518	49,544			
Asst. Court Analyst	516	48,401			
Law Stenographer	514	46,864			
Law Stenographer	514	40,994			
Law Stenographer	514	31,528			
Secretary	514	33,232			

\$1,501,455

390,500

\$1,891,955

# FOURTH DEPARTMENT

Title	Grade	2/03 Salary
Chief Attorney	NS	\$112,004
Deputy Chief Attorney	532	109,222
Principal Attorney	531	103,962
Principal Attorney	531	102,408
Principal Attorney	531	96,490
Principal Attorney	531	94,968
Associate Attorney	528	86,524
Associate Attorney	528	78,890
Sr. Court Analyst	521	62,908
Sr. Court Analyst	521	62,908
Sr. Court Analyst	521	62,908
Sr. Court Analyst	521	62,908
Court Analyst	518	45,792
Court Analyst	518	39,642
Asst. Court Analyst	516	48,401
Asst. Court Analyst	516	39,091
Secretary	514	43,456
Secretary	514	43,456
Secretary	514	41,734
Secretary	514	40,994

# 2002-2003 Appropriations: Personal Service

2002-2005 Appropriations:	
Personal Service	\$1,413,907
Nonpersonal Service	248,480
Total:	\$1,662,387

#### THIRD DEPARTMENT

**2002-2003 Appropriations:** Personal Service

Nonpersonal Service

Total:

Title	Grade	2/03 Salary		
Chief Attorney	NS	\$111,962		
Dep. Chief Attorney	532	109,222		
Associate Attorney	528	75,097		
Associate Attorney	528	72,962		
Associate Attorney	528	72,958		
Associate Attorney	528	71,201		
Princ. Court Analyst	523	69,652		
Sr. Court Analyst	521	62,908		
Asst. Court Analyst	516	48,401		
Secretary	514	43,456		
Secretary	514	41,847		
Secretary	514	39,202		
Secretary	514	37,565		
Secretary	514	31,528		
2002-2003 Appropriations:				
Personal Service		\$909,109		
Nonpersonal Service		<u>178,972</u>		
Total:		\$1,088,081		