

NEW YORK STATE BAR ASSOCIATION
Committee on Professional Discipline
January 1 – December 31, 2010

| | | |
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INTRODUCTION

This is a report on lawyer discipline in New York State for the year 2010. Each section of the report is divided into three parts. Each part is intended to explain a different aspect of the disciplinary system.

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 2010 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."

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.

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 court-appointed 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 investigate so-called "minor complaints" and then report them to the dis-

trict committee which makes the ultimate disposition. Such matters, although 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.

PART II

The second part of this report summarizes all disciplinary decisions published by the four departments of the Appellate Division during 2010. 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.

PART III

The third and last part of this report contains various data on the organization of the State's eight official agencies of discipline. It sets forth the names and titles of the professional discipli-

nary staff and their respective volunteer committee members in each of the eight official disciplinary agencies of the State. An Appendix sets forth the disciplinary budget appropriations for fiscal 2006 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 13,000 complaints were processed in each 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.

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Disciplinary Statistics 2010 Tables

Table 1
Appellate Division
January 1, 2010-December 31, 2010

| | 1 st Dept. | 2 nd Dept. | 3 rd Dept. | 4 th Dept. | Total |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-------|
| I. MATTERS PROCESSED:¹ | | | | | |
| Pending at start of period | 1189 | 2532 | 635 | 677 | 5033 |
| New matters received ² | 3182 | 6583 | 1739 | 2212 | 13716 |
| Matters disposed of | 3116 | 6101 | 1643 | 2289 | 13149 |
| Pending at end of period | 1255 | 2974 | 731 | 600 | 5560 |
| II. COMMITTEE DISPOSITIONS: | | | | | |
| Rejected for failing to state complaint | 400 | 2647 | 887 | 1142 | 5076 |
| Referred to other agencies ³ | 444 | 1206 | 159 | 131 | 1940 |
| Dismissed or withdrawn | 1805 | 1084 | 187 | 623 | 3699 |
| Dismissed through mediation | 18 | 34 | 0 | 0 | 52 |
| Letters of caution (education) | N/A | 274 | 74 | 197 | 545 |
| Letters of admonition | 68 | 201 | 36 | 32 | 337 |
| Admonition or reprimand | 0 | 0 | 39 | 0 | 39 |
| Referred to court | 129 | 311 | 261 | 164 | 865 |
| Other | 0 | 344 | 0 | 0 | 344 |
| III. CASES PROCESSED IN COURTS⁴ | | | | | |
| Cases pending at start of period | 38 | 200 | 44 | 26 | 308 |
| Cases received | 142 | 401 | 184 | 69 | 796 |
| CASES CLOSED | | | | | |
| Disbarred | 23 | 43 | 10 | 8 | 84 |
| Resigned | 12 | 20 | 0 | 3 | 35 |
| Suspended | 21 | 48 | 24 | 6 | 99 |
| Censured | 6 | 7 | 5 | 8 | 26 |
| Privately censured | 4 | 0 | 0 | 0 | 4 |
| Remanded to grievance committee | 11 | 11 | 1 | 4 | 27 |
| Discontinued | 3 | 9 | 0 | 4 | 16 |
| Dismissed | 1 | 3 | 1 | 2 | 7 |
| Reinstatements granted | 9 | 16 | 20 | 5 | 50 |
| Reinstatements denied | 5 | 10 | 1 | 1 | 17 |
| Non-Disciplinary Resignations | 0 | 31 | 49 | 18 | 98 |
| Other | N/A | 127 | 72 | 6 | 205 |
| TOTAL CLOSED: | 137 | 325 | 183 | 65 | 710 |
| TOTAL PENDING: | 43 | 218 | 45 | 30 | 336 |

¹ "Matters" refers to the number of complaints, not attorneys.

² Includes complaints received and old matters reactivated.

³ Includes matters referred to other disciplinary committees and to other agencies.

⁴ "Cases" refers to the number of attorneys, not complaints.

Table 2

| | New Matters* | Matters Closed* | Disciplinary Action by Committee | Disciplinary Action by Court |
|----------------------------------|---------------------|------------------------|---|---|
| 1st Department | | | | |
| 2000 | 3004 | 2870 | 63 | 65 |
| 2001 | 2987 | 2587 | 55 | 57 |
| 2002 | 3123 | 3785 | 134 | 55 |
| 2003 | 3133 | 3218 | 88 | 63 |
| 2004 | 3205 | 3313 | 102 | 63 |
| 2005 | 2994 | 3002 | 78 | 63 |
| 2006 | 3939 | 4058 | 90 | 65 |
| 2007 | 3140 | 3212 | 87 | 79 |
| 2008 | 3593 | 3365 | 63 | 55 |
| 2009 | 3697 ¹ | 2957 | 105 | 160 ² |
| 2010 | 2738 | 2672 | 68 | 66 |
| 2nd Department | | | | |
| 2000 | 4032 | 4287 | 395 | 107 |
| 2001 | 4519 | 4650 | 404 | 97 |
| 2002 | 4981 | 4944 | 458 | 98 |
| 2003 | 5928 | 5357 | 445 | 85 |
| 2004 | 4776 | 5044 | 425 | 78 |
| 2005 | 6563 | 6010 | 462 | 97 |
| 2006 | 5199 | 5090 | 407 | 90 |
| 2007 | 4251 | 4826 | 430 | 92 |
| 2008 | 5165 | 4845 | 452 | 85 |
| 2009 | 4309 | 4619 | 469 | 103 |
| 2010 | 5377 | 4895 | 475 | 231 |
| 3rd Department | | | | |
| 2000 | 1588 | 1673 | 239 | 41 |
| 2001 | 1846 | 1548 | 223 | 42 |
| 2002 | 1930 | 1559 | 186 | 30 |
| 2003 | 1579 | 1608 | 141 | 28 |
| 2004 | 1610 | 1500 | 88 | 29 |
| 2005 | 1688 | 1659 | 136 | 29 |
| 2006 | 1566 | 2468 | 91 | 25 |
| 2007 | 1577 | 1483 | 97 | 10 |
| 2008 | 1525 | 1596 | 101 | 52 |
| 2009 | 2903 | 2935 | 109 | 45 |
| 2010 | 1589 | 1484 | 149 | 39 |
| 4th Department | | | | |
| 2000 | 2077 | 2112 | 221 | 23 |
| 2001 | 2206 | 2100 | 283 | 33 |
| 2002 | 2082 | 2084 | 316 | 26 |
| 2003 | 2125 | 2059 | 235 | 28 |
| 2004 | 2072 | 2056 | 219 | 21 |
| 2005 | 2560 | 2365 | 232 | 25 |
| 2006 | 2344 | 2357 | 310 | 28 |
| 2007 | 2108 | 2208 | 209 | 36 |
| 2008 | 2538 | 2762 | 184 | 174* |
| 2009 | 2372 | 2261 | 196 | 33 |
| 2010 | 2212 | 2158 | 229 | 25 |

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

¹ 857 Cases opened for attorney registration default, referral to Appellate Division and closed as suspended.

² This number includes 2 Disciplinary Proceeding numbers assigned for 2 mass suspensions.

Statewide

| | | | | |
|------|-------|-------|------|-----|
| 2000 | 10701 | 10942 | 918 | 236 |
| 2001 | 11558 | 10885 | 965 | 229 |
| 2002 | 12142 | 12372 | 1094 | 209 |
| 2003 | 12765 | 12242 | 909 | 204 |
| 2004 | 11663 | 11913 | 834 | 189 |
| 2005 | 13672 | 13036 | 908 | 214 |
| 2006 | 13040 | 13973 | 898 | 208 |
| 2007 | 11076 | 11729 | 823 | 217 |
| 2008 | 12821 | 12568 | 800 | 366 |
| 2009 | 13196 | 12772 | 879 | 341 |
| 2010 | 11916 | 11209 | 921 | 361 |

Table 3

| | New Matters* | Matters Closed* | Disciplinary Action By Committees | Disciplinary Action by Court |
|--|---------------------|------------------------|--|---|
| Departmental Disciplinary Committee for the First Department | | | | |
| 2000 | 3004 | 2870 | 63 | 65 |
| 2001 | 2987 | 2587 | 55 | 57 |
| 2002 | 3123 | 3785 | 134 | 55 |
| 2003 | 3133 | 3218 | 88 | 63 |
| 2004 | 3205 | 3313 | 102 | 63 |
| 2005 | 2994 | 3002 | 78 | 63 |
| 2006 | 3939 | 4058 | 90 | 65 |
| 2007 | 3140 | 3212 | 87 | 79 |
| 2008 | 3593 | 3365 | 63 | 55 |
| 2009 | 3697 ¹ | 2957 | 105 | 160 ² |
| 2010 | 2738 | 2672 | 68 | 66 |
| Grievance Committee for the Second and Eleventh Judicial Districts, Second Department | | | | |
| 2000 | 1361 | 1402 | 152 | 25 |
| 2001 | 1575 | 1620 | 155 | 44 |
| 2002 | 1609 | 1761 | 212 | 42 |
| 2003 | 2076 | 1966 | 181 | 38 |
| 2004 | 1659 | 1748 | 150 | 37 |
| 2005 | 1748 | 1617 | 168 | 44 |
| 2006 | 1889 | 1716 | 161 | 34 |
| 2007 | 1542 | 1724 | 158 | 36 |
| 2008 | 1742 | 1616 | 156 | 31 |
| 2009 | 1584 | 1649 | 150 | 37 |
| 2010 | 1765 | 2551 | 162 | 36 |
| Grievance Committee for the Ninth Judicial District, Second Department | | | | |
| 2000 | 937 | 963 | 100 | 36 |
| 2001 | 836 | 852 | 90 | 22 |
| 2002 | 1303 | 1104 | 120 | 26 |
| 2003 | 1159 | 1137 | 140 | 26 |
| 2004 | 930 | 914 | 134 | 21 |
| 2005 | 1530 | 1426 | 131 | 22 |
| 2006 | 1381 | 1546 | 134 | 30 |
| 2007 | 1114 | 1198 | 118 | 27 |
| 2008 | 1291 | 1202 | 103 | 20 |
| 2009 | 930 | 1039 | 154 | 21 |
| 2010 | 1467 | 2063 | 126 | 147 |
| Grievance Committee for the Tenth Judicial District, Second Department | | | | |
| 2000 | 1734 | 1922 | 143 | 46 |
| 2001 | 2108 | 2178 | 159 | 31 |
| 2002 | 2069 | 2079 | 126 | 30 |
| 2003 | 2693 | 2254 | 144 | 21 |
| 2004 | 2187 | 2382 | 141 | 23 |
| 2005 | 3243 | 2925 | 163 | 31 |
| 2006 | 1929 | 1828 | 112 | 26 |
| 2007 | 1595 | 1904 | 154 | 29 |
| 2008 | 2132 | 2027 | 141 | 34 |
| 2009 | 1710 | 1931 | 165 | 45 |
| 2010 | 2145 | 3295 | 187 | 48 |

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

¹ 857 Cases opened for attorney registration default, referral to Appellate Division and closed as suspended.

² This number includes 2 Disciplinary Proceeding numbers assigned for 2 mass suspensions.

Committee on Professional Standards, Third Department

| | | | | |
|------|------|------|-----|----|
| 2000 | 1588 | 1673 | 239 | 41 |
| 2001 | 1846 | 1548 | 223 | 42 |
| 2002 | 1930 | 1559 | 186 | 30 |
| 2003 | 1579 | 1608 | 141 | 28 |
| 2004 | 1610 | 1500 | 88 | 29 |
| 2005 | 1688 | 1659 | 136 | 29 |
| 2006 | 1566 | 2468 | 91 | 25 |
| 2007 | 1577 | 1483 | 97 | 10 |
| 2008 | 1525 | 1596 | 101 | 52 |
| 2009 | 2903 | 2935 | 109 | 45 |
| 2010 | 1589 | 1484 | 75 | 39 |

Grievance Committee for the Fifth Judicial District, Fourth Department

| | | | | |
|------|-----|-----|-----|----|
| 2000 | 576 | 600 | 37 | 8 |
| 2001 | 598 | 603 | 101 | 7 |
| 2002 | 574 | 546 | 84 | 4 |
| 2003 | 527 | 521 | 65 | 5 |
| 2004 | 520 | 521 | 39 | 5 |
| 2005 | 537 | 409 | 50 | 3 |
| 2006 | 539 | 543 | 91 | 4 |
| 2007 | 562 | 624 | 55 | 12 |
| 2008 | 584 | 620 | 42 | 10 |
| 2009 | 562 | 549 | 47 | 10 |
| 2010 | 593 | 794 | 71 | 9 |

Grievance Committee for the Seventh Judicial District, Fourth Department

| | | | | |
|------|-----|-----|----|----|
| 2000 | 578 | 562 | 39 | 7 |
| 2001 | 564 | 534 | 48 | 12 |
| 2002 | 589 | 573 | 65 | 11 |
| 2003 | 626 | 608 | 51 | 7 |
| 2004 | 654 | 639 | 51 | 8 |
| 2005 | 686 | 694 | 46 | 8 |
| 2006 | 622 | 639 | 51 | 9 |
| 2007 | 572 | 573 | 55 | 12 |
| 2008 | 584 | 626 | 50 | 5 |
| 2009 | 676 | 660 | 49 | 9 |
| 2010 | 568 | 699 | 69 | 10 |

Grievance Committee for the Eighth Judicial District, Fourth Department

| | | | | |
|------|------|------|-----|-----|
| 2000 | 923 | 950 | 145 | 8 |
| 2001 | 1044 | 963 | 134 | 14 |
| 2002 | 919 | 965 | 167 | 11 |
| 2003 | 972 | 930 | 119 | 16 |
| 2004 | 898 | 896 | 129 | 8 |
| 2005 | 1337 | 1261 | 136 | 14 |
| 2006 | 1183 | 1175 | 168 | 15 |
| 2007 | 974 | 1011 | 99 | 12 |
| 2008 | 1370 | 1516 | 92 | 159 |
| 2009 | 1134 | 1052 | 100 | 14 |
| 2010 | 920 | 1265 | 89 | 6 |

2010 Statistical Reports of Disciplinary Committees

Departmental Disciplinary Committee for the First Department

I. Matters Processed¹

| | | | |
|----|---|--------------|------|
| A. | Matters Pending at Start of Period | 1189 | |
| B. | New Matters Received During Period | 3137 [4783*] | |
| C. | Closed Matters Reactivated During Period | 45 | |
| D. | Total Matters to be Processed During Period | | 4371 |
| E. | Total Matters Disposed of During Period | | 3116 |
| F. | Matters Pending at Close of Period | | 1255 |

II. Matters Disposed of by Committee

| | | CASES | MATTERS |
|--|--|-------|---------|
|--|--|-------|---------|

| | | | |
|----|--|------|-------------|
| A. | Rejected as Failing to State a Complaint | 440 | 400 |
| B. | Referred to Other Disciplinary Committees/Agencies | 450 | 444 |
| C. | Dismissed | 1859 | 1805 |
| D. | Dismissed Through Mediation | 11 | 18 |
| E. | Letter of Admonition | 83 | 68 |
| F. | Reprimand After Hearing | 0 | 0 |
| G. | Referred to Appellate Division | 273 | 129 [1646*] |
| | Total Disposed of During Period | 3116 | 2857 |

III. Cases Processed by Court

| | | | |
|----|---------------------------------------|-----|-----|
| A. | Cases Pending at Start of Period | 38 | |
| | 1. Disciplinary Proceedings | 30 | |
| | 2. Other | 8 | |
| B. | Cases Received During Period | 142 | |
| | 1. Disciplinary Proceedings | 72 | |
| | 2. Other | 70 | |
| C. | Total to be Processed During Period | 180 | |
| D. | Cases Closed | | |
| | 1. Disbarred | 23 | |
| | 2. Resigned/Disciplinary Resignations | 12 | |
| | 3. Suspended*** | 21 | |
| | 4. Censured | 6 | |
| | 5. Privately Censured | 4 | |
| | 6. Remanded to Grievance Committee | 11 | |
| | 7. Discontinued | 3 | |
| | 8. Dismissed | 1 | |
| | 9. Reinstatements Granted | 9 | |
| | 10. Reinstatements Denied | 5 | |
| | 11. Non-Disciplinary Resignations | 0 | |
| | 12. All Other Dispositions | 42 | |
| | 13. Total Closed | | 137 |
| E. | Cases Pending at Close of Period | | 43 |
| | 1. Disciplinary Proceedings | 22 | |
| | 2. Other | 21 | |

2

*Includes 1646 attorneys suspended for nonpayment of registration fees; also included in totals of II-I. (Cases/matters)

² For the purposes of this report, the term "Matter" includes the following: Complaints, Inquires (Excluding telephone inquires) and Sua Sponte investigations

*In the First Department, "matters" does not include inquiries.

**Cases refers to the number of respondent/attorneys. As some attorneys are the subject of multiple complaints, the number of matters may exceed the number of cases.

***Includes (3) definite, (0) interim and (0) indefinite suspensions.

**Grievance Committee for the Second, Eleventh and Thirteenth Judicial Districts,
Second Department**

I. Matters Processed

| | | | |
|----|---|------|------|
| A. | Matters Pending at Start of Period | 786 | |
| B. | New Matters Received During Period | 2222 | |
| C. | Closed Matters Reactivated During Period | 16 | |
| D. | Total Matters to be Processed During Period | | 3024 |
| E. | Total Matters Disposed of During Period | | 2029 |
| F. | Matters Pending at Close of Period | | 995 |

II. Matters Disposed of by Committee

| | | CASES* | MATTERS** |
|----|--|---------------|------------------|
| A. | Rejected as Failing to State a Complaint | 1083 | 1083 |
| B. | Referred to Other Disciplinary Committees/Agencies | 473 | 473 |
| C. | Dismissed or Withdrawn | 210 | 210 |
| D. | Dismissed through Mediation | 5 | 5 |
| E. | Letter of Caution | 82 | 87 |
| F. | Letter of Admonition | 43 | 75 |
| G. | Reprimand After Hearing | 0 | 0 |
| H. | Referred to Appellate Division | 35 | 70 |
| I. | Other*** | 26 | 26 |
| J. | Total Disposed of During Period | 1957 | 2029 |

III. Cases Processed by Court

| | | |
|-----|-------------------------------------|-----|
| A. | Cases Pending at Start of Period | 58 |
| 1. | Disciplinary Proceedings**** | 33 |
| 2. | Other***** | 25 |
| B. | Cases Received During Period | 86 |
| 1. | Disciplinary Proceedings | 32 |
| 2. | Other | 54 |
| C. | Total to be Processed During Period | 144 |
| D. | Cases Closed | |
| 1. | Disbarred | 11 |
| 2. | Resigned | 9 |
| 3. | Suspended***** | 16 |
| 4. | Censured | 0 |
| 5. | Privately Censured | 0 |
| 6. | Remanded to Grievance Committee | 0 |
| 7. | Discontinued | 0 |
| 8. | Dismissed | 0 |
| 9. | Reinstatements Granted | 7 |
| 10. | Reinstatements Denied | 3 |
| 11. | Non-Disciplinary Resignations | 5 |
| 12. | All Other Dispositions | 33 |
| 13. | Total Closed | 84 |
| E. | Cases Pending at Close of Period | 60 |
| 1. | Disciplinary Proceedings | 36 |
| 2. | Other | 24 |

*Cases refers to the number of respondent/attorneys. As some attorneys are the subject of multiple complaints, the number of matters may exceed the number of cases.

**Matters represents individual complaints, inquiries and sua sponte investigations. This does not include telephone inquiries.

***Others for the purposes of Part II includes files closed for any reason not otherwise covered under Section A-1 (e.g., files pending but not included within the disciplinary proceeding at the time of respondent's disbarment; files closed pending outcome of ongoing litigation; files closed due to respondent's death).

****Disciplinary Proceeding includes only those proceedings before the Court which may result in final discipline including: any Court ordered disciplinary proceeding, motion to strike for felony conviction, reciprocal discipline, resignation under investigation.

*****Other for the purposes of Part III includes all other proceedings before the Court which may not result in final discipline (e.g., motion for interim suspension, petition for authorization, application for medical exam, application for conservator, motion to reargue, appeals, application for reinstatement, notification to Court of criminal conviction, voluntary resignation and request for disclosure order).

*****Suspended includes definite, interim, and indefinite suspensions.

Brooklyn Bar Association Committees

| | |
|---------------------------------------|----|
| Total Complaints Received | 54 |
| Withdrawn | 1 |
| Complaints investigated and dismissed | 45 |
| Complaints Pending | 8 |
| Fee Dispute Resolution Files Received | 31 |
| Resolved after mediation/arbitration | 14 |
| Lack of jurisdiction | 14 |
| Withdrawn | 1 |
| Matter Settled Prior to Arbitration | 1 |
| Other disposition | 1 |

Queens County Bar Association Committees

| | |
|--|----|
| Grievance Committee | |
| Dismissed | 21 |
| Dismissed with Advisement | 2 |
| Letter of Caution | 0 |
| Letter of Admonition | 0 |
| Referred to District Grievance Committee | 4 |
| Withdrawn | 0 |
| Tabled | 1 |

Grievance Committee for the Ninth Judicial District, Second Department

I. Matters Processed

| | | | |
|----|---|------|------|
| A. | Matters Pending at Start of Period | 596 | 596 |
| B. | New Matters Received During Period | 1687 | 1687 |
| C. | Closed Matters Reactivated During Period | 55 | 55 |
| D. | Total Matters to be Processed During Period | 2338 | 2338 |
| E. | Total Matters Disposed of During Period | 1501 | 1521 |
| F. | Matters Pending at Close of Period | 837 | 817 |

II. Matters Disposed of by Committee

| | | CASES | MATTERS |
|----|---|-------|---------|
| A. | Rejected as Failing to State a Complaint | 505 | 505 |
| B. | Referred to Other Disciplinary Committees | 234 | 234 |
| C. | Referred to Other Agencies | 41 | 41 |
| D. | Dismissed or Withdrawn | 409 | 409 |
| E. | Dismissed through Mediation | 0 | 0 |
| F. | Letter of Caution | 72 | 72 |
| G. | Letter of Admonition | 54 | 54 |
| H. | Reprimand After Hearing | 0 | 0 |
| I. | Referred to Appellate Division | 100 | 120 |
| J. | Other | 86 | 86 |
| K. | Total Disposed of During Period | 1501 | 1521 |

III. Cases Processed by Court

| | | | |
|----|-------------------------------------|-----|-----|
| A. | Cases Pending at Start of Period | 49 | 162 |
| | 1. Disciplinary Proceedings | 23 | 124 |
| | 2. Other | 26 | 38 |
| B. | Cases Received During Period | 100 | 158 |
| | 1. Disciplinary Proceedings | 32 | 75 |
| | 2. Other | 68 | 83 |
| C. | Total to be Processed During Period | 149 | 320 |
| D. | Cases Closed | | |
| | 1. Disbarred | 11 | 22 |
| | 2. Resigned | 8 | 29 |
| | 3. Suspended | 14 | 95 |
| | 4. Censured | 1 | 1 |
| | 5. Privately Censured | 0 | 0 |
| | 6. Remanded to Grievance Committee | 0 | 0 |
| | 7. Discontinued | 0 | 0 |
| | 8. Dismissed | 1 | 8 |
| | 9. Reinstatements Granted | 4 | 4 |
| | 10. Reinstatements Denied | 2 | 2 |
| | 11. Non-Disciplinary Resignations | 5 | 5 |
| | 12. All Other Dispositions | 43 | 65 |
| | 13. Total Closed | 89 | 231 |
| E. | Cases Pending at Close of Period | 60 | 89 |
| | 1. Disciplinary Proceedings | 23 | 48 |
| | 2. Other | 37 | 41 |

Dutchess County Bar Association Grievance Committee

Second Department, Ninth Judicial District

I. Matters Processed

| | | |
|----|---|----|
| A. | Matters Pending at Start of Period | 4 |
| B. | New Matters Received During Period | 7 |
| C. | Closed Matters Reactivated During Period | 0 |
| D. | Total Matters to be Processed During Period | 11 |
| E. | Total Matters Disposed of During Period | 7 |
| F. | Matters Pending at Close of Period | 4 |

II. Matters Disposed of by Committee

| | | |
|----|---|---|
| A. | Rejected as Failing to State a Complaint | 0 |
| B. | Referred to Other Disciplinary Committees | 0 |
| C. | Referred to Other Agencies | 0 |
| D. | Dismissed | 5 |
| E. | Dismissed with Cautionary Language | 2 |
| F. | Letter of Caution | 0 |
| G. | Letter of Admonition | 0 |
| H. | Reprimand | 0 |
| I. | Total Disposed of During Period | 7 |

Orange County Bar Association Grievance Committee

Second Department, Ninth Judicial District

I. Matters Processed

| | | |
|----|---|----|
| A. | Matters Pending at Start of Period | 7 |
| B. | New Matters Received During Period | 22 |
| C. | Closed Matters Reactivated During Period | 29 |
| D. | Total Matters to be Processed During Period | 58 |
| E. | Total Matters Disposed of During Period | 17 |
| F. | Matters Pending at Close of Period | 12 |

II. Matters Disposed of by Committee

| | | |
|----|---|----|
| A. | Rejected as Failing to State a Complaint | |
| B. | Referred to Other Disciplinary Committees | |
| C. | Referred to Other Agencies | |
| D. | Dismissed | 15 |
| E. | Dismissed with Cautionary Language | 2 |
| F. | Letter of Caution | |
| G. | Letter of Admonition | |
| H. | Reprimand | |
| I. | Total Disposed of During Period | 17 |

Putnam County Bar Association Grievance Committee

Second Department, Ninth Judicial District

I. Matters Processed

| | | |
|----|---|---|
| A. | Matters Pending at Start of Period | 3 |
| B. | New Matters Received During Period | 5 |
| C. | Closed Matters Reactivated During Period | 0 |
| D. | Total Matters to be Processed During Period | 8 |
| E. | Total Matters Disposed of During Period | 2 |
| F. | Matters Pending at Close of Period | 6 |

II. Matters Disposed of by Committee

| | | |
|----|---|---|
| A. | Rejected as Failing to State a Complaint | 0 |
| B. | Referred to Other Disciplinary Committees | 2 |
| C. | Referred to Other Agencies | 0 |
| D. | Dismissed | 0 |
| 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 | 2 |

Rockland County Bar Association Grievance Committee

Second Department, Ninth Judicial District

I. Matters Processed

| | | |
|----|---|----|
| A. | Matters Pending at Start of Period | 18 |
| B. | New Matters Received During Period | 11 |
| C. | Closed Matters Reactivated During Period | 0 |
| D. | Total Matters to be Processed During Period | 29 |
| E. | Total Matters Disposed of During Period | 8 |
| F. | Matters Pending at Close of Period | 21 |

II. Matters Disposed of by Committee

| | | |
|----|---|----|
| A. | 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 |

* Returned to Ninth District—attorney unresponsive

Westchester County Bar Association Grievance Committee

Second Department, Ninth Judicial District

I. Matters Processed

| | | |
|----|---|-----|
| A. | Matters Pending at Start of Period | 36 |
| B. | New Matters Received During Period | 75 |
| C. | Closed Matters Reactivated During Period | 3 |
| D. | Total Matters to be Processed During Period | 114 |
| E. | Total Matters Disposed of During Period | 76 |
| F. | Matters Pending at Close of Period | 38 |

II. Matters Disposed of by Committee

| | | |
|----|---|----|
| A. | Rejected as Failing to State a Complaint | 0 |
| B. | Referred to Other Disciplinary Committees | 4 |
| C. | Referred to Other Agencies | 3 |
| D. | Dismissed | 65 |
| E. | Dismissed with Cautionary Language | 4 |
| F. | Letter of Caution | 0 |
| G. | Letter of Admonition | 0 |
| H. | Reprimand | 0 |
| I. | Withdrawn | 0 |
| J. | Total Disposed of During Period | 76 |

Grievance Committee for the Tenth Judicial District, Second Department

I. Matters Processed

| | | | |
|----|---|------|------|
| A. | Matters Pending at Start of Period | 1150 | |
| B. | New Matters Received During Period | 2569 | |
| C. | Closed Matters Reactivated During Period | 34 | |
| D. | Total Matters to be Processed During Period | | 3753 |
| E. | Total Matters Disposed of During Period | | 2551 |
| F. | Matters Pending at Close of Period | | 1202 |

II. Matters Disposed of by Committee

| | | CASES | MATTERS |
|--|--|-------|---------|
|--|--|-------|---------|

| | | | |
|----|---|------|------|
| A. | Rejected as Failing to State a Complaint | 1059 | 1059 |
| B. | Referred to Other Disciplinary Committees | 343 | 343 |
| C. | Referred to Other Agencies | 115 | 115 |
| D. | Dismissed or Withdrawn | 465 | 465 |
| E. | Dismissed through Mediation | 29 | 29 |
| F. | Letter of Caution | 102 | 115 |
| G. | Letter of Admonition | 59 | 72 |
| H. | Reprimand After Hearing | 0 | 0 |
| I. | Referred to Appellate Division | 47 | 121 |
| J. | Other | 68 | 232 |
| K. | Total Disposed of During Period | 2287 | 2551 |

III. Cases Processed by Court

| | | | |
|----|-------------------------------------|-----|--|
| A. | Cases Pending at Start of Period | 93 | |
| | 1. Disciplinary Proceedings | 47 | |
| | 2. Other | 46 | |
| B. | Cases Received During Period | 157 | |
| | 1. Disciplinary Proceedings | 47 | |
| | 2. Other | 110 | |
| C. | Total to be Processed During Period | 250 | |
| D. | Cases Closed | | |
| | 1. Disbarred | 21 | |
| | 2. Resigned | 3 | |
| | 3. Suspended | 18 | |
| | 4. Censured | 6 | |
| | 5. Privately Censured | 0 | |
| | 6. Remanded to Grievance Committee | 11 | |
| | 7. Discontinued | 9 | |
| | 8. Dismissed | 2 | |
| | 9. Reinstatements Granted | 5 | |
| | 10. Reinstatements Denied | 5 | |
| | 11. Non-disciplinary Resignations | 21 | |
| | 11. All Other Dispositions | 51 | |
| | 12. Total Closed | 152 | |
| E. | Cases Pending at Close of Period | 98 | |
| | 1. Disciplinary Proceedings | 51 | |
| | 2. Other | 47 | |

**Nassau County Bar Association
Second Department, Tenth Judicial District**

| | | |
|----|---------------------------------------|----|
| A. | Cases Referred to Grievance Committee | 49 |
| B. | Cases Referred to Mediation | 14 |
| | Total Cases Referred: | 63 |

**Suffolk County Bar Association
Second Department, Tenth Judicial District**

| | | |
|----|---------------------------------------|----|
| A. | Cases Referred to Grievance Committee | 27 |
| B. | Cases Referred to Mediation | 17 |
| | Total Cases Referred | 44 |

Total Cases Referred to Local Bar Associations: 107

***Numbers do not include "matters" referred to Fee Dispute**

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

I. Matters Processed*

| | | | |
|----|---|------|------|
| A. | Matters Pending at Start of Period | 635 | |
| B. | New Matters Received During Period | 1711 | |
| C. | Closed Matters Reactivated During Period | 28 | |
| D. | Total Matters to be Processed During Period | | 2374 |
| E. | Total Matters Disposed of During Period | | 1643 |
| F. | Matters Pending at Close of Period | | 731 |

II. Matters Disposed of by Committee **CASES**** **MATTERS**

| | | | |
|----|---|------|------|
| A. | Rejected as Failing to State a Complaint | 858 | 887 |
| B. | Referred to Other Disciplinary Committees | 133 | 140 |
| C. | Referred to Other Agencies | 17 | 19 |
| D. | Dismissed or Withdrawn | 177 | 187 |
| E. | Dismissed Through Mediation | 0 | 0 |
| F. | Letter of Caution | 70 | 74 |
| G. | Letter of Admonition | 31 | 36 |
| H. | Reprimand After Hearing | 28 | 39 |
| I. | Referred to Appellate Division | 189 | 261 |
| J. | Total Disposed of During Period | 1503 | 1643 |

III. Cases Processed by Court

| | | | |
|-----|-------------------------------------|-----|-----|
| A. | Cases Pending at Start of Period | | 44 |
| 1. | Disciplinary Proceedings | 44 | |
| 2. | Other | 0 | |
| B. | Cases Received During Period | | 184 |
| 1. | Disciplinary Proceedings | | |
| 2. | Other | 128 | |
| | | 56 | |
| C. | Total to be Processed During Period | | 228 |
| D. | Cases Closed | | |
| 1. | Disbarred | 10 | |
| 2. | Resigned | 0 | |
| 3. | Suspended*** | 24 | |
| 4. | Censured | 5 | |
| 5. | Privately Censured | 0 | |
| 6. | Remanded to Grievance Committee | 1 | |
| 7. | Discontinued | 0 | |
| 8. | Dismissed | 1 | |
| 9. | Reinstatements Granted | 20 | |
| 10. | Reinstatements Denied | 1 | |
| 11. | Non-Disciplinary Resignations | 49 | |
| 12. | All Other Dispositions | 72 | |
| 13. | Total Closed | 183 | |
| E. | Cases Pending at Close of Period | 45 | |
| 1. | Disciplinary Proceedings | 45 | |
| 2. | Other | 0 | |

*Matters represents individual complaints, inquiries and sua sponte investigations. This does not include telephone inquiries.

**Cases refers to the number of respondent/attorneys. As some attorneys are the subject of multiple complaints, the number of matters may exceed the number of cases.

***Includes definite, interim, and indefinite suspensions.

Grievance Committee for the Fifth Judicial District, Fourth Department

I. Matters Processed*

| | | | |
|----|---|-----|-----|
| A. | Matters Pending at Start of Period | 201 | |
| B. | New Matters Received During Period | 634 | |
| C. | Closed Matters Reactivated During Period | 4 | |
| D. | Total Matters to be Processed During Period | | 839 |
| E. | Total Matters Disposed of During Period | | 637 |
| F. | Matters Pending at Close of Period | | 202 |

II. Matters Disposed of by Committee

| | | CASES** | MATTERS |
|----|---|---------|---------|
| A. | Rejected as Failing to State a Complaint | 270 | 318 |
| B. | Referred to Other Disciplinary Committees | 42 | 44 |
| C. | Referred to Other Agencies | 1 | 1 |
| D. | Dismissed or Withdrawn | 117 | 123 |
| E. | Dismissed Through Mediation | 0 | 0 |
| F. | Letter of Caution | 44 | 61 |
| G. | Letter of Admonition | 4 | 10 |
| H. | Reprimand After Hearing | N/A | N/A |
| I. | Referred to Appellate Division | 17 | 80 |
| J. | Total Disposed of During Period | 495 | 637 |

III. Cases Processed in all Courts**

| | | | |
|----|-------------------------------------|----|--|
| A. | Cases Pending at Start of Period | 11 | |
| | 1. Disciplinary Proceedings | 8 | |
| | 2. Other | 3 | |
| B. | Cases Received During Period | 17 | |
| | 1. Disciplinary Proceedings | 9 | |
| | 2. Other | 8 | |
| C. | Total to be Processed During Period | 28 | |
| D. | Cases Closed | | |
| | 1. Disbarred | 2 | |
| | 2. Resigned | 2 | |
| | 3. Suspended*** | 3 | |
| | 4. Censured | 2 | |
| | 5. Privately Censured | 0 | |
| | 6. Remanded to Grievance Committee | 0 | |
| | 7. Discontinued | 2 | |
| | 8. Dismissed | 1 | |
| | 9. Reinstatements Granted | 0 | |
| | 10. Reinstatements Denied | 0 | |
| | 11. Non-Disciplinary Resignations | 0 | |
| | 11. All Other Dispositions | 5 | |
| | 12. Total Closed | 17 | |
| E. | Cases Pending at Close of Period | 11 | |
| | 1. Disciplinary Proceedings | 9 | |
| | 2. Other | 2 | |

*Matters represents individual complaints, inquiries and sua sponte investigations. This does not include telephone inquiries.

**Cases refers to the number of respondent/attorneys. As some attorneys are the subject of multiple complaints, the number of matters may exceed the number of cases.

***Includes definite, interim, and indefinite suspensions.

Grievance Committee for the Seventh Judicial District, Fourth Department

I. Matters Processed*

| | | | |
|----|---|-----|-----|
| A. | Matters Pending at Start of Period | 131 | |
| B. | New Matters Received During Period | 621 | |
| C. | Closed Matters Reactivated During Period | 9 | |
| D. | Total Matters to be Processed During Period | | 761 |
| E. | Total Matters Disposed of During Period | | 659 |
| F. | Matters Pending at Close of Period | | 102 |

II. Matters Disposed of by Committee

| | | CASES** | MATTERS |
|----|---|---------|---------|
| A. | Rejected as Failing to State a Complaint | 310 | 349 |
| B. | Referred to Other Disciplinary Committees | 58 | 59 |
| C. | Referred to Other Agencies | 3 | 3 |
| D. | Dismissed or Withdrawn | 147 | 156 |
| E. | Dismissed Through Mediation | 0 | 0 |
| F. | Letter of Caution | 47 | 62 |
| G. | Letter of Admonition | 5 | 7 |
| H. | Reprimand After Hearing | N/A | N/A |
| I. | Referred to Appellate Division | 18 | 23 |
| J. | Total Disposed of During Period | 588 | 659 |

III. Cases Processed in all Courts**

| | | | |
|----|-------------------------------------|----|--|
| A. | Cases Pending at Start of Period | 11 | |
| | 1. Disciplinary Proceedings | 8 | |
| | 2. Other | 3 | |
| B. | Cases Received During Period | 18 | |
| | 1. Disciplinary Proceedings | 6 | |
| | 2. Other | 12 | |
| C. | Total to be Processed During Period | 29 | |
| D. | Cases Closed | | |
| | 1. Disbarred | 3 | |
| | 2. Resigned | 0 | |
| | 3. Suspended*** | 1 | |
| | 4. Censured | 6 | |
| | 5. Privately Censured | 0 | |
| | 6. Remanded to Grievance Committee | 4 | |
| | 7. Discontinued | 1 | |
| | 8. Dismissed | 0 | |
| | 9. Reinstatements Granted | 2 | |
| | 10. Reinstatements Denied | 1 | |
| | 11. Non-Disciplinary Resignations | 3 | |
| | 12. All Other Dispositions | 0 | |
| | 13. Total Closed | 21 | |
| E. | Cases Pending at Close of Period | 8 | |
| | 1. Disciplinary Proceedings | 2 | |
| | 2. Other | 6 | |

*Matters represents individual complaints, inquiries and sua sponte investigations. This does not include telephone inquiries.

**Cases refers to the number of respondent/attorneys. As some attorneys are the subject of multiple complaints, the number of matters may exceed the number of cases.

***Includes definite, interim, and indefinite suspensions.

Grievance Committee for the Eighth Judicial District, Fourth Department

I. Matters Processed*

| | | | |
|----|---|-----|------|
| A. | Matters Pending at Start of Period | 345 | |
| B. | New Matters Received During Period | 926 | |
| C. | Closed Matters Reactivated During Period | 18 | |
| D. | Total Matters to be Processed During Period | | 1289 |
| E. | Total Matters Disposed of During Period | | 993 |
| F. | Matters Pending at Close of Period | | 296 |

II. Matters Disposed of by Committee

| | | CASES** | MATTERS |
|----|---|---------|---------|
| A. | Rejected as Failing to State a Complaint | 405 | 475 |
| B. | Referred to Other Disciplinary Committees | 24 | 24 |
| C. | Referred to Other Agencies | 0 | 0 |
| D. | Dismissed or Withdrawn | 299 | 344 |
| E. | Dismissed Through Mediation | 0 | 0 |
| F. | Letter of Caution | 63 | 74 |
| G. | Letter of Admonition | 11 | 15 |
| H. | Reprimand After Hearing | N/A | N/A |
| I. | Referred to Appellate Division | 34 | 61 |
| J. | Total Disposed of During Period | 836 | 993 |

III. Cases Processed in all Courts**

| | | |
|----|-------------------------------------|----|
| A. | Cases Pending at Start of Period | 4 |
| | 1. Disciplinary Proceedings | 3 |
| | 2. Other | 1 |
| B. | Cases Received During Period | 34 |
| | 1. Disciplinary Proceedings | 5 |
| | 2. Other | 29 |
| C. | Total to be Processed During Period | 38 |
| D. | Cases Closed | |
| | 1. Disbarred | 3 |
| | 2. Resigned | 1 |
| | 3. Suspended*** | 2 |
| | 4. Censured | 0 |
| | 5. Privately Censured | 0 |
| | 6. Remanded to Grievance Committee | 0 |
| | 7. Discontinued | 1 |
| | 8. Dismissed | 1 |
| | 9. Reinstatements Granted | 3 |
| | 10. Reinstatements Denied | 0 |
| | 11. Non-Disciplinary Resignations | 15 |
| | 12. All Other Dispositions | 1 |
| | 13. Total Closed | 27 |
| E. | Cases Pending at Close of Period | 11 |
| | 1. Disciplinary Proceedings | 7 |
| | 2. Other | 4 |

*Matters represents individual complaints, inquiries and sua sponte investigations. This does not include telephone inquiries.

**Cases refers to the number of respondent/attorneys. As some attorneys are the subject of multiple complaints, the number of matters may exceed the number of cases.

***Includes definite, interim, and indefinite suspensions.

Disciplinary Decisions Reported by Appellate Division in 2010

First Department (2010)

| Attorney (Date of Order) | Discipline Imposed | Disciplinary Rules or Statutes |
|--|--------------------|---|
| Emmanuel Roy, III (2/18/10) 72 AD3d 117 | Resigned | Allegations that he falsified a contract of sale and other mortgage documents; misappropriated escrow funds; engaged in identity theft; testified falsely before the Committee; fabricated documents submitted to the Committee; neglected a client's matter; used a false and misleading name for his law firm; and failed to maintain escrow account records. |
| Marc A. Bernstein (5/28/10) 78 AD3d 94 | Disbarred | Pleaded guilty to 16 counts of grand larceny, two felony counts of a scheme to defraud, and multiple felonies, including tax fraud and failure to file income tax returns. |
| Ronald S. Salomon (10/28/10) 78 AD3d 115 | Public Censure | Suspended for three months for engaging in a pattern of neglect. |
| Samuel Militello (8/10/10) 76 AD3d 364 | Suspended | Suspended three months. |
| Mark Kressner (2/4/10) 76 AD3d 357 | Resigned | Failed to maintain a proper accounting ledger for his escrow account; placed personal funds in his IOLA account, instead of his operating account, to conceal the funds from federal and state tax authorities. |
| Mark S. Pomerantz (9/21/10) 78 AD3d 32 | Suspended | Suspended three months. |
| Louis J. Posner (12/16/10) 80 AD3d 238 | Disbarred | Pleaded guilty to promoting prostitution in the third degree, a felony; falsely reporting an incident in the third degree; and offering a false instrument for filing in the second degree, misdemeanors. |
| Hidetoshi Cho (7/27/10) 77 AD3d 155 | Disbarred | Pleaded guilty to conspiracy to defraud the U.S., making false statements on a loan application and mail fraud. |

| | | |
|--|--------------------|---|
| Samuel Bautista (10/7/10) 78 AD3d 75 | Suspended | Failed to respond to the Committee's investigation into several neglect cases. |
| Clement Francis (10/21/10) 78 AD3d 106 | Public Censure | Violated DR 9-102 by negligently using his escrow account as a personal account, commingling his personal funds with escrow funds, failing to maintain a ledger, and unintentionally misappropriating escrow funds. |
| Robert Barsch (9/30/10) 78 AD3d 1 | Disbarred | Judiciary Law §90(4)(e), grand larceny in the second degree. |
| Jimmie Engram (5/13/10) 75 AD3d 137 | Interim Suspension | Failure to cooperate with the Committee's investigation. 22 NYCRR 603.4(e)(1)(i), and (iii). |
| Allan H. Isaac (6/1/10) 76 AD3d 48 | Suspended | Suspended for six months. |
| David A. Mahler (7/20/10) 76 AD3d 388 | Disbarred | Judiciary Law §90(4)(e), Manslaughter in the second degree. |
| Alireza Dilmaghani (9/28/10) 78 AD3d 39 | Suspended | Suspended for three years. |
| Victor Essien (8/31/10) 77 AD3d 232 | Public Censure | Engaged in misconduct involving neglect, false notarization and sworn misrepresentation to a Court. |
| Hugh A. Zuber (12/14/10) 80 AD3d 148 | Disbarred | 18 USC §1341, federal felony of mail fraud. |
| Frank McClain-Sewer (9/7/10) 77 AD3d 204 | Disbarred | Engaging in and receiving compensation for preparing motions, petitions and memoranda of law for other attorneys in criminal matters while under suspension, holding himself out as a licensed attorney, in violation of the order of suspension, and giving false statements and testimony before the Committee. |
| Bjorn Holubar (4/20/10) 73 AD3d 214 | Interim Suspension | Willful noncompliance designed to impede the Committee's efforts to obtain his cooperation with its investigation, and, for his additional misconduct of refusing to pay a lawful debt owed to a client. |

| | | |
|---|-------------------------------------|--|
| Giselle M. Samuely (11/16/10) 80 AD3d 163 | Suspended | Suspended for two years for engaging in numerous acts of deceit and dishonesty in order to cover-up neglect. |
| Franklin W. Topal (8/24/10) 77 AD3d 152 | Suspended | Suspended for four years due to his long-term pattern of misconduct, including neglect of client matters, and lying to clients and the Committee to conceal his neglect. |
| Robert A. Walters (8/17/10) 77 AD3d 169 | Suspended | Suspended for six months for failure to promptly return a retainer fee. |
| Janeen S. Jones (5/11/10) 74 AD3d 214 | Interim Suspension | |
| Craig J. J. Snyder (1/14/10) 71 AD3d140 (9/23/10) 77 AD3d 373 | Interim Suspension Disbarred | |
| Samuel R. Bautista (10/7/10) 78 AD3d 75 | Interim Suspension | |
| Kenneth J. Auslander (5/6/10) 74 AD3d 93 | Interim Suspension | |
| Kelechi B. Amasike (10/26/10) 78 AD3d 78 | Interim Suspension | |
| Jerrold A. Weinstein (1/7/10) 70 AD3d 256 | Disbarred | 22 NYCRR §603.4[g] |
| John James Bambury (10/19/10) 78 AD3d 118 | Interim Suspension | |
| Barry S. Siskin (10/12/10) 78 AD3d 112 | Disbarred | 22 NYCRR §603.4[g] |
| Steven M. Coren (7/1/10) 76 AD3d 285 | Disbarred | Judiciary Law §90(4): Felony conviction. |
| Francis X. Morrissey (2/18/10) 72 AD3d 255 | Disbarred | Judiciary Law §90(4): Felony conviction. |

| | | |
|---|-----------|--|
| James E. Gansman (3/23/10) 73 AD3d 1 | Disbarred | Judiciary Law §90(4): Felony conviction. |
| Louis W. Zehil (9/28/10) 77 AD3d 25 | Disbarred | Judiciary Law §90(4): Felony conviction. |
| Brien P. Santarlas (11/16/10) 80 AD3d 20 | Disbarred | Judiciary Law §90(4): Felony conviction. |
| Brian C. O'Shaughnessy (9/30/10) 78 AD3d 36 | Disbarred | Judiciary Law §90(4): Felony conviction. |
| Kurt Ligos (5/13/10) 75 AD3d 78 | Disbarred | Judiciary Law §90(4): Felony conviction. |
| Raymond B. Harding (2/23/10) 73 AD3d 148 | Disbarred | Judiciary Law §90(4): Felony conviction. |
| Norman L. Cousins (10/19/10) 80 AD3d 90 | Disbarred | Judiciary Law §90(4): Felony conviction. |
| Todd W. Genger (11/23/10) 79 AD3d 186 | Disbarred | Judiciary Law §90(4): Felony conviction. |
| Max D. Antoine (4/15/10) 74 AD3d 67 | Disbarred | Judiciary Law §90(4): Felony conviction. |
| Karen Jaffe-Nierenberg (9/28/10) | Disbarred | |
| Loren K. Robinson (11/9/10) | Disbarred | |
| Robert A. Kahn (7/1/10) 76 AD3d 266 | Resigned | 22 NYCRR §603.11 |
| Sylvain R. Jakabovics (9/14/10) 77 AD3d 299 | Resigned | 22 NYCRR §603.11 |
| Alan J. Shweky (2/11/10) 72 AD3d 269 | Resigned | 22 NYCRR §603.11 |
| Graham R. Taylor (6/8/10) 75 AD3d 150 | Resigned | 22 NYCRR §603.11 |

| | | |
|---|-----------|---|
| Gail H. Telleys (10/14/10) 78 AD3d 86 | Resigned | 22 NYCRR §603.11 |
| Kehinde O. Jobi (3/2/10) 72 AD3d 285 | Resigned | 22 NYCRR §603.11 |
| Mark E. Kressner (7/27/10) 76 AD3d 357 | Resigned | 22 NYCRR §603.11 |
| Ian D. Girshek (3/11/10) 72 AD3d 292 | Resigned | 22 NYCRR §603.11 |
| Nora S. Markman (1/14/10) 71 AD3d 174 | Resigned | 22 NYCRR §603.11 |
| Robert I. Kalina (10/14/10) 78 AD3d | Suspended | Judiciary Law §90(4)(d) – reciprocal discipline and for misconduct. |
| Nilda M. De Los Santos (8/24/10) 77 AD3d 73 | Suspended | Judiciary Law §90(4)(d) – reciprocal discipline and for misconduct. |
| Martin S. Streit (7/9/10) 76 AD3d 250 | Suspended | Judiciary Law §90(4)(d) – reciprocal discipline and for misconduct. |
| Kenneth P. Sirkin (8/24/10) 77 AD3d 320 | Suspended | Judiciary Law §90(4)(d) – reciprocal discipline and for misconduct. |
| Anthony Chiofalo (9/14/10) 78 AD3d 9 | Suspended | Judiciary Law §90(4)(d) – reciprocal discipline and for misconduct. |
| Brenna L. Stewart (4/15/10) 74 AD3d 51 | Suspended | Judiciary Law §90(4)(d) – reciprocal discipline and for misconduct. |
| Frederick W. Salo (7/27/10) 77 AD3d 30 | Suspended | Judiciary Law §90(4)(d) – reciprocal discipline and for misconduct. |
| Paul S. Block (8/17/10) 77 AD3d 214 | Suspended | Judiciary Law §90(4)(d) – reciprocal discipline and for misconduct. |
| Hugh A. Zuber (1/7/10) | Suspended | |
| William N. Stahl (2/16/10) | Suspended | |

Catherine M. Conrad
(12/9/10)

Suspended

Albert Rudgayzer
(12/9/10)

Suspended

William B. Cairns
(8/31/10)
77 AD3d 165

Public Censure

Richard M. Garbarini
(7/20/10)
76 AD3d 379

Public Censure

Leonard Leibowitz
(9/28/10)
78 AD3d 57

Public Censure

**Second Department
(Second, Eleventh and Thirteenth Judicial Districts)**

| Attorney (Date of Order) | Discipline Imposed | Disciplinary Rules or Statutes |
|---|---------------------------|--|
| Adrien J. Woolley 71 AD3d 258 | Disbarred (resigned) | Fraud; conflicts of interest; mishandling funds entrusted to him as a fiduciary. |
| Edward Murray Fink 71 AD3d 232 | Disbarred | Reciprocal discipline – New Jersey. |
| Dustin J. Dente 72 AD3d 300 | Disbarred (resigned) | Failure to promptly pay or deliver funds to clients and/or third parties; failure to properly safeguard escrow funds. |
| Frank I. Goodman 71 AD3d 241 | Disbarred (resigned) | Escrow irregularities. |
| Edmond S. Berookhim 72 AD3d 280 | Disbarred | Felony conviction – grand larceny in the 3 rd degree. |
| Matthew A. Marino, a suspended attorney 73 AD3d 5 | Disbarred (resigned) | Serious crime conviction – misprision of a felony (18 USC §4). |
| John D. Lewis, a suspended attorney 72 AD3d 288 | Disbarred (resigned) | Serious crime conviction – criminal facilitation in the 4 th degree (Penal Law §115.00). |
| Claude Nelson Stuart, a suspended attorney | Reinstatement denied | |
| David J. Resnick 73 AD3d 75 | Disbarred | Felony conviction – filing false personal income tax returns (Tax Law §1804(b)). |
| Michael S. Goodman 73 AD3d 49 | Disbarred (resigned) | Escrow irregularities. |
| John J. D’Emic | Interim suspension | Serious crime conviction – sharing compensation with a non-lawyer (New York Judiciary Law §491). |
| Serge Y. Binder 74 AD3d 54 | Disbarred | Felony conviction – filing false personal income tax returns (Tax Law §1804(b)). |
| Michael N. Durante | Interim suspension | Conversion; failure to satisfy monetary judgment; commingling. |
| Ganiu O. Ajose | Interim suspension | Failure to cooperate; neglect; failure to refund unearned fee; sharing legal fee with non-lawyer. |

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| Sheldon Cowen | Indefinite suspension | Incapacitated, pursuant to 22 NYCRR 691.13(a) (Mental Hygiene Law §81.02). |
| Alain D. Kodsi 75 AD3d 11 | Disbarred | Felony conviction – insider trading (15 USC §78j(b) and §78ff and 17 CFR §240.10b-5). |
| Neda B. Imasuen 75 AD3d 51 | Disbarred (on default) | Failure to cooperate and neglect. |
| Cesar G. Cardona 75 AD3d 54 | Disbarred (resigned) | Conversion; failure to maintain required escrow records. |
| Russell G. Cheek, a suspended attorney 76 AD3d 132 | Disbarred | Reciprocal discipline – New Jersey. |
| Ronald E. Stoute 76 AD3d 18 | Suspended 2 years | Conversion. |
| Raghubir K. Gupta 75 AD3d 245 | Disbarred | Felony conviction – immigration fraud (18 USC §1546). |
| Adam Keith Serper 76 AD3d 85 | Suspended 6 months | Reciprocal discipline – Florida. |
| Aida Kuperman-Umansky, a disbarred attorney 74 AD3d 1069 | Reinstated | |
| Peter Francis Martin, a suspended attorney 74 AD3d 1071 | Reinstated | |
| Tomas Greenberger, a suspended attorney 74 AD3d 1197 | Reinstated | |
| Stephen T. Mitchell 76 AD3d 269 | Disbarred (resigned) | Failure to satisfy monetary judgments; escrow violations. |
| Yohan Park, a suspended attorney 77 AD3d 275 | Suspended 2 years | Conversion; commingling; failure to maintain required escrow records. |
| Frantz Metellus | Interim suspension | Serious crime conviction – conspiracy to commit wire and bank fraud (18 USC §1349). |
| Jermal A. Deshong, a/k/a Jamal Eloheenatir 86 AD3d 114 | Interim suspension | Serious crime conviction – obstructing governmental administration in the 2 nd degree (Penal Law §195.05); criminal contempt in the 2 nd degree (Penal Law §215.50 (02) and (01)). |

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| Tanya E. Lawrence, a suspended attorney 78 AD3d 28 | Admission revoked | Submitted a materially false and misleading application for admission to the practice of law. |
| Michael A. Napolitano 78 AD3d 18 | Suspended 1 year | Neglect; making false and/or misleading statements to a client; giving false and/or misleading testimony in the investigation; failure to return a file. |
| Damien Semel-DeFeo 78 AD3d 82 | Suspended 6 months | Conviction – aggravated unlicensed operation of a motor vehicle in the 3 rd degree (Vehicle and Traffic Law §511(1)(a)). |
| Barry R. Feerst, a suspended attorney 78 AD3d 51 | Suspended 1 year | Serious crime conviction – conspiracy to defraud the United States (18 USC §371). |
| Andrew McGee 77 AD3d 376 | Disbarred | Felony conviction – driving while intoxicated (Vehicle and Traffic Law §1192.3), a class D felony in light of two prior convictions. |
| Kosten Hui Feng 78 AD3d 123 | Suspended 6 months | Conversion; failure to safeguard funds; use of escrow account for purposes unrelated to practice of law; failure to maintain required escrow records. |
| Rene G. Garcia, a suspended attorney 77 AD3d 750 | Reinstated | |
| Jared Anderson 80 AD3d 23 | Disbarred (on default) | Conversion or failure to safeguard funds; failure to maintain required escrow records; misrepresentation to the Grievance Committee. |
| Nadeen R. Gayle | Interim Suspension | Serious crime conviction – conspiracy to commit wire and bank fraud (18 USC §1349). |
| Violet Allyson Chandler 80 AD3d 17 | Disbarred (resigned) | Failure to safeguard funds; failure to deliver funds, as required. |
| Joseph LoBue | Interim suspension | Failure to cooperate; conversion; disregard of court orders. |
| Russell Carbone, a disbarred attorney | Reinstatement denied | |
| Marie M. Humpherys, a suspended attorney | Reinstatement denied | |

Norman Keith White
80 AD3d 194

Suspended 2 years

Failure to properly safeguard escrow funds; commingling; improper cash withdrawals from escrow account; failure to produce and maintain required escrow records.

Alexei M. Schacht
80 AD3d 157

Suspended 1 year

Conversion; improper loan from client; use of escrow account for purposes unrelated to practice of law; commingling; failure to maintain required escrow records.

Roy Siegel,
a disbarred attorney
79 AD3d 1136

Reinstated

**Second Department
(Ninth Judicial District)**

| Attorney (Date of Order) | Discipline Imposed | Disciplinary Rules or Statutes |
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| Matthew S. Abromowitz | Disbarred Pursuant to Resignation February 23, 2010 | DR 1-102(a)(5): Conduct prejudicial to the administration of justice; DR 1-102(a)(7): Conduct adversely reflecting upon fitness to practice law; DR 6-101(a)(3): Neglect of legal matter(s); DR 9-102(a): Misappropriating funds in attorney escrow account. |
| Gary Ajello Disbarred Attorney | Application for Reinstatement Granted April 20, 2010 | |
| Glenn B. Allyn | Disbarred April 22, 2010 | DR 5-101(a): Impermissible conflict of interests; DR 9-102(a): Commingling and/or misappropriation of funds in attorney escrow account; DR 9-102(d): Failing to maintain required account and client records; DR 9-102(e): Issuance of escrow check payable to "cash"; DR 9-102(d)(9): Failing to record entries of transactions for escrow account. |
| | Motion for Reconsideration Denied October 25, 2010 | |
| Stephen Atkins | Interim Suspension and Disciplinary Proceeding Authorized June 7, 2010 | 22 NYCRR 691.4(1)(1)(I) and (iii): Failure to cooperate and other uncontroverted evidence of misconduct. |
| Nat J. Azznara | Disbarred Pursuant to Felony Conviction May 18, 2010 (Effective January 14, 2010) | Judiciary Law §90(4): Felony Conviction – Penal Law 155.40(1) and 155.35: Grand larceny in the second degree and in the third degree. |
| | Disbarred Pursuant to Resignation February 23, 2010 (vacated pursuant to prior felony conviction, above) | DR 9-102: Breach of fiduciary duty with respect to escrow funds; DR 9-102(c)(3): Failing to account for funds held in attorney escrow account. |
| Paulette R. Bainbridge Suspended Attorney | Disbarred April 20, 2010 | DR 1-102(a)(4): Conduct involving dishonesty, fraud, deceit or misrepresentation; DR 6-101(a)(3): Neglecting legal matter(s). |
| Christian Bernard | Disbarred March 16, 2010 (Effective December 16, 2008) | Judiciary Law §90(4): Felony Conviction – Penal Law 155.40(1): Grand larceny in the second degree. |

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| Robert J. Buonomo | Disbarred Pursuant to Resignation September 27, 2010 | DR 3-101(a): Assisting in unauthorized practice of law; DR 6-101(a)(3): Neglect of legal matter(s); DR 9-102(a): Misappropriating fund in attorney escrow account. |
| Donna A. Campbell Suspended Attorney | Disbarred Pursuant to Resignation February 23, 2010 | DR 6-101(a)(3): Neglect of legal matter(s); DR 9-102: Breach of fiduciary duty with respect to escrow funds. |
| Wynman Chang | Interim Suspension and Disciplinary Proceeding Authorized June 3, 2010 | 22 NYCRR 691.4(1)(1)(i) and (iii): Failure to comply with lawful demands in investigation and other uncontroverted evidence of misconduct. |
| Lisa Cox Suspended Attorney | Disbarred July 13, 2010 | DR 1-102(a)(4): Conduct involving dishonesty, fraud, deceit or misrepresentation; DR 1-102(a)(5): Conduct prejudicial to the administration of justice; DR 1-102(a)(7): Conduct adversely reflecting upon fitness to practice law; DR 5-101(a): Impermissible conflict of interests; DR 9-102(c)(3): Failing to render accounting for funds held in attorney escrow account. |
| Robert John DeMers | Public Censure June 8, 2010 | 22 NYCRR 691.3: Reciprocal Discipline based upon Public Reprimand issued in the State of New Jersey. |
| Andrew DePodwin | Suspension Pending Further Order Pursuant to Incapacity June 16, 2010 | 22 NYCRR 691.13(c)(1) |
| Charles J. Diven, Jr. Suspended Attorney | Application for Renewal/Reargument Granted with Adherence to Original Determination February 24, 2010 | |
| Elyse Hope Diller | Application for Reinstatement Held in Abeyance and matter Referred to Committee on Character and Fitness July 21, 2010 | |
| Lance Falow Suspended Attorney | Application for Reinstatement Granted March 2, 2010 | |
| Edmund Fitzgerald Disbarred Attorney | Application for Reinstatement Granted March 2, 2010 | |

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| Robert V. Fonte | Three Year Suspension May 11, 2010 (Commencing June 10, 2010) | DR 1-102(a)(5): Conduct prejudicial to the administration of justice; DR 1-102(a)(7): Conduct adversely reflecting upon fitness to practice law; DR 1-104: Failure to adequately supervise; DR 9-102: Breach of fiduciary duty with respect to escrow funds; DR 9-102(c)(4): Failing to make prompt disbursement of funds from attorney escrow account due to clients or third parties. |
| Bruce S. Frank | Interim Suspension and Disciplinary Proceeding Authorized October 28, 2010 | 22 NYCRR 691.4(1)(1)(i), (ii) and (iii): Failure to comply with lawful demands in investigation; admissions of misconduct under oath; and, other uncontroverted evidence of misconduct. |
| Robert M. Fuster Suspended Attorney | Application for Reinstatement Held in Abeyance and Matter Referred to Committee on Character and Fitness June 25, 2010 | |
| Mark E. Gold | Suspended Pending Further Order and Imposition of Discipline in New Jersey May 11, 2010 | 22 NYCRR 691.3: Reciprocal Discipline based upon interim suspension imposed in New Jersey. |
| Warren Scott Goodman Suspended Attorney | Three Year Suspension June 8, 2010 Motion Granted to be Credited One Year for Period of Interim Suspension November 5, 2010 | DR 1-102(a)(5): Conduct prejudicial to the administration of justice; DR 1-102(a)(7): Conduct adversely reflecting upon fitness to practice law; DR 6-101(a)(3): Neglecting legal matter(s). |
| Robert R. Groezinger | Disbarred Pursuant to Felony Conviction August 3, 2010 (Effective December 21, 2009) | 18 UCS §2252(a)(5)(B): Possession of child pornography transported in interstate or foreign commerce. |
| Philip Brent Hover | Disbarred April 20, 2010 | 22 NYCRR 691.3: Reciprocal Discipline based upon disbarment in the State of New Jersey. |
| Virginia Iaquinta Snigur Suspended Attorney | Application for Reinstatement Denied January 14, 2010 | |
| William M. Joyce Suspended Attorney | Two Year Suspension with Credit for Interim Suspension January 26, 2010 | DR 1-102(a)(5): Conduct prejudicial to the administration of justice; DR 1-102(a)(7): Conduct adversely reflecting upon fitness to practice law; DR 6-101(a)(3): Neglect of a legal matter. |

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| Stuart N. Kingoff | Interim Suspension and Disciplinary Proceeding Authorized July 21, 2010 | 22 NYCRR 691.4(1)(1)(i), (ii) and (iii): Failure to comply with lawful demands in investigation; admissions of misconduct under oath; and, other uncontroverted evidence of misconduct. |
| Tara Anne Laudonio | Six Month Suspension May 11, 2010 (Commencing June 10, 2010) | DR 1-102(a)(5): Conduct prejudicial to the administration of justice; DR 1-102(a)(7): Conduct adversely reflecting upon fitness to practice law; DR 1-104: Failure to adequately supervise; DR 9-102: Breach of fiduciary duty with respect to escrow funds; DR 9-102(c)(4): Failing to make prompt disbursement of funds from attorney escrow account due to clients or third parties. |
| Andrew G. Maloney | Application for Reinstatement Held in Abeyance and Matter Referred to Committee on Character and Fitness June 25, 2010 | |
| Bruce K. Mogarvero | Disbarred Pursuant to Resignation December 28, 2010 | DR 9-102: Breach of fiduciary duty with respect to escrow funds. |
| Alvin Paternak | Interim Suspension and Disciplinary Proceeding Authorized March 26, 2010 Disbarred Pursuant to Felony Conviction December 17, 2010 | Judiciary Law §90(4): Conviction of Federal Felony/Serious Crime – 18 USC 1341, 1342 and 3551: Mail fraud; 26 USC 7206(1): Filing false tax return. |
| Howard J. Pobiner Disbarred Attorney | Application for Reinstatement Granted October 26, 2010 | |
| Herbert N. Posner | Disbarred Pursuant to Resignation February 23, 2010 | DR 1-102(a)(4): Conduct involving dishonesty, fraud, deceit, or misrepresentation; DR 9-102: Breach of fiduciary duty with respect to escrow funds. |
| Timothy Quinn | Interim Suspension and Disciplinary Proceeding Authorized April 6, 2010 Disbarred Pursuant to Resignation August 3, 2010 | 22 NYCRR 691.4(1)(1)(iii): Uncontroverted evidence of misconduct. DR 9-102(a): Misappropriation of funds in attorney escrow account. |
| Barnett R. Rogers Suspended Attorney | Disbarred Pursuant to Resignation February 23, 2010 | DR 9-102: Breach of fiduciary duty with respect to escrow funds. |

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| Robert Rudolph | Disbarred July 6, 2010 | 22 NYCRR 691.3: Reciprocal Discipline based upon disbarment in Florida. |
| Timothy J. Shea II | Disbarred August 3, 2010 | 22 NYCRR 691.3: Reciprocal Discipline based upon disbarment in Massachusetts. |
| Neil W. Silberblatt | Disbarred Pursuant to Felony Conviction June 22, 2010 (Effective August 21, 2009) | Judiciary Law §90(4): Felony Conviction – Penal Law 155.35: Grand larceny in the third degree. Tax Law 1804(b): Filing false personal income tax return. |
| Eric A. Stewart | Interim Suspension and Disciplinary Proceeding Authorized October 13, 2010 | 22 NYCRR 691.4(1)(1)(i) and (iii): Failure to comply with lawful demands in investigation and other uncontroverted evidence of misconduct. |
| Robert Tambini | Three Year Suspension June 29, 2010 (Commencing July 29, 2010) | DR 1-102(a)(7): Conduct adversely reflecting upon fitness to practice law; DR 1-104: Failure to adequately supervise; DR 3-103(a): Dividing legal fees with non-lawyer; DR 5-101(a): Impermissible conflict of interests; DR 5-105(a) Impermissible conflict of interests by representing adverse parties; DR 5-107: Obtaining financial benefit from party other than client; DR 9-102(a): Commingling and/or misappropriation of funds in attorney escrow account; DR 9-102(c)(1): Failing to notify interested party of receipt of funds; DR 9-102(c)(4): Failing to make prompt disbursement of funds from attorney escrow account due to clients or third parties. |
| Daniel D. Tartaglia Suspended Attorney | Application for Reinstatement Denied with leave to Renew upon Presentation of Additional Records October 1, 2010 | |
| Jeffrey Weinstein Disbarred Attorney | Application for Reinstatement Denied January 14, 2010 | |

**SECOND DEPARTMENT
Tenth Judicial District**

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| <p>Avi J. Kasten</p> | <p>Reinstatement Denied January 14, 2010</p> | |
| <p>James T. Hytner 71 A.D.3d 229</p> | <p>Disbarred January 26, 2010</p> | <p>Judiciary Law §90 – Failure to cooperate with the Grievance Committee’s investigation.</p> |
| <p>Bruce E. Cohen 72 A.D.3d 251</p> | <p>Censured February 23, 2010</p> | <p>DR 1-102(a)(4): Engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation by signing his client’s name on a document and notarizing said document when it had not been shown to the client or sworn to before him; DR 1-102(a)(7): Engaged in conduct adversely reflecting on his fitness as a lawyer; DR 1-102(a)(5): Engaged in conduct prejudicial to the administration of justice.</p> |
| <p>Christopher P. McCarthy 72 A.D.3d 325</p> | <p>Disbarred February 23, 2010</p> | <p>Judiciary Law §90(4)(a): Convicted of a felony – crime of operating a motor vehicle while under the influence of alcohol, aggravated unlicensed operation of a motor vehicle in the second degree, and leaving the scene of an accident.</p> |
| <p>Seth Muraskin 71 A.D.3d 218</p> | <p>Disbarred February 23, 2010</p> | <p>Judiciary Law §90(4)(a): Convicted of a felony – one count of grand larceny in the third degree.</p> |
| <p>Stuart M. Gorman 72 A.D.3d 297</p> | <p>Disbarred (Resigned) March 2, 2010</p> | <p>22 NYCRR 691.9 (resigned under investigation).</p> |
| <p>Warren E. Hamburger 72 A.D.3d 291</p> | <p>Disbarred March 2, 2010</p> | <p>Judiciary Law §90(4)(a): Convicted of a felony – four counts of grand larceny in the second degree, in violation of Penal Law §155.40, a class C felony.</p> |
| <p>Richard B. Claro</p> | <p>Reinstatement Denied March 9, 2010</p> | |
| <p>John R. Hibner 73 A.D.3d 60</p> | <p>Suspended for Four Years March 23, 2010</p> | <p>DR 5-101(a): Allowed his professional judgment on behalf of his clients to be affected by his own financial business, property, or personal interests; DR 1-102(a)(7): Engaged in conduct that adversely reflects on his fitness as a lawyer; DR 5-104(a): Entered into a business transaction with the</p> |

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| Eileen Coen Cacioppo 73 A.D.3d 151 | Censured March 30, 2010 | clients wherein they had differing interests; DR 7-101(a)(3): Intentionally prejudiced or damaged the clients during the course of their professional relationship; DR 1-102(a)(4): Engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation; DR 1-102(a)(5): Engaged in conduct prejudicial to the administration of justice. |
| Scott M. Zucker 73 A.D.3d 97 | Suspended for One Year March 30, 2010 | DR 1-102(a)(4): Engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation by knowingly executing and filing with the Surrogate's Court, Suffolk County, an affirmation and supporting documents containing false or misleading statements in connection with an application for fees for legal services rendered as guardian ad litem; DR 1-102(a)(5): Engaged in conduct prejudicial to the administration of justice; DR 1-102(a)(7): Engaged in conduct that adversely reflects on her fitness as a lawyer. |
| Emanuel A. Towns 75 A.D.3d 93 | Suspended for Six Months April 27, 2010 | DR 6-101(a)(3): Neglected a legal matter entrusted to him; DR 9-102(c)(4): Failed to promptly pay or deliver at his client's request funds in the respondent's possession which the client was entitled to receive; DR 1-102(a)(7): Engaged in conduct that adversely reflects on his fitness as a lawyer. |
| Allan E. Binder 74 A.D.3d 73 | Disbarred May 4, 2010 | DR 2-106(a): Entered into an agreement for, charged, or collected illegal or excessive fees for services of both a legal and nonlegal nature; DR 1-102(a)(7): Engaged in conduct that adversely reflects on his fitness as a lawyer. |
| Michael J. Kaper 74 A.D.3d 64 | Disbarred May 11, 2010 | Judiciary Law §90(4)(a): Convicted of a felony – bribe receiving in the second degree, pursuant to Penal Law §200.11, a class C felony. Judiciary Law §90 – Failure to cooperate with the Grievance Committee's investigation. |

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| Brian M. Rosicky 73 A.D.3d 210 | Disbarred May 11, 2010 | Judiciary Law §90 – Failure to cooperate with the Grievance Committee’s investigation. |
| Thomas E. Wynne 75 A.D.3d 8 | Disbarred May 11, 2010 | Judiciary Law §90 – Failure to cooperate with the Grievance Committee’s investigation. |
| Anthony Emengo 75 A.D.3d 193 | Suspended for Two Years May 18, 2010 | DR 9-102(a): Violated fiduciary obligations by failing to maintain and preserve funds belonging to another person, entrusted to him; DR 1-102(a)(7): Engaged in conduct that adversely reflects on his fitness as a lawyer; DR 9-102(a): Commingled personal funds with funds belonging to another person by depositing them into his attorney trust account; DR 9-102(d)(1),(2) and (8): Failed to adhere to his bookkeeping duties and obligations by failing to maintain the required bookkeeping entries for an attorney trust account concerning his practice of law for seven years after the events which those entries recorded; DR 1-102(a)(7): Engaged in conduct that adversely reflects on his fitness to practice law. |
| Maureen E. Delgado 76 A.D.3d 64 | Disbarred June 8, 2010 | Judiciary Law §90 – Failure to cooperate with the Grievance Committee’s investigation. |
| William L. Netusil 75 A.D.3d 252 | Disbarred June 8, 2010 | Judiciary Law §90 – Engaged in conduct prejudicial to the administration of justice and conduct adversely reflecting on his fitness as a lawyer by failing to comply with the Grievance Committee. |
| J. Kevin Meneilly | Reinstatement Granted June 15, 2010 | |
| Eric G. Oster 76 A.D.3d 53 | Disbarred June 15, 2010 | Judiciary Law §90 – Failure to cooperate with the Grievance Committee’s investigation. |
| Morgan D. Bottehsazan 75 A.D.3d 264 | Censured June 22, 2010 | DR 1-102(a)(3): Engaged in illegal conduct that adversely reflects on her honesty, trustworthiness, or fitness as a lawyer; DR 1-102(a)(7): Engaged in conduct that adversely reflects on her fitness as a lawyer; DR 1-102(a)(5): Engaged in conduct that is prejudicial to the |

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| Eric Carlson | Reinstatement Granted June 22, 2010 | administration of justice by failing to file with the Appellate Division of the Supreme Court a record of her conviction of a serious crime within 30 days after her conviction. |
| Ethan E. Ellner 76 A.D.3d 282 | Disbarred June 22, 2010 | Judiciary Law §90(4)(a): Convicted of a felony – three counts of grand larceny in the second degree, a class C felony, in violation of Penal Law §155.40, and one count of scheme to defraud in the first degree, a class E felony, in violation of Penal Law §190.65. |
| Marc A. Ziropiannis 75 A.D.3d 277 | Disbarred June 22, 2010 | Judiciary Law §90(4)(a): Convicted of a felony – one count of grand larceny in the fourth degree in violation of Penal Law §155.30(1), a class E felony, and scheme to defraud in the first degree in violation of Penal Law §190.65(1)(b), also a class E felony. |
| Phillip D. Miller 76 A.D.3d 258 | Suspended for Six Months July 6, 2010 | DR 1-102(a)(5): Engaged in conduct prejudicial to the administration of justice by failing to maintain and preserve funds entrusted to him in escrow; DR 9-102(a): Failed to maintain and preserve funds entrusted to him as fiduciary by failing to maintain and preserve funds entrusted to him in escrow pursuant to an order of the Bankruptcy Court; DR 1-102(a)(5): Engaged in conduct prejudicial to the administration of justice by withdrawing legal fees related to the debtor ESR from his attorney trust account without court authorization; DR 1-102(a)(7): engaged in conduct that adversely reflects on his fitness to practice law in that he obtained from his client a durable irrevocable power of attorney, coupled with an interest. |
| Mitchell Rachlin | Reinstatement Denied July 6, 2010 | |
| Kathleen A. Scanlon 76 A.D.3d 355 | Disbarred July 6, 2010 | Judiciary Law §90(4)(a): Convicted of a felony – scheme to defraud in the first degree, a class E felony, in violation of Penal Law |

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| | | §190.65. |
| Ira S. Schwartz 76 A.D.3d 247 | Disbarred July 13, 2010 | Judiciary Law §90 – Failure to cooperate with the Grievance Committee’s investigation. |
| Linda M. Dieterich 77 A.D.3d 23 | Disbarred (Resigned) August 3, 2010 | 22 NYCRR 691.9 (resigned under investigation). |
| Edwin Frederick August 3, 2010 | Disbarred August 3, 2010 | Judiciary Law §90(4)(a): Convicted of a felony – making false statements for the purpose of obtaining a HUD – insured loan, in violation of 18 USC §1010. |
| Adam L. Gross 77 A.D.3d 10 | Censured August 3, 2010 | 22 NYCRR 691.3 -- Reciprocal discipline (Ohio). |
| Janice L. Jessup 77 A.D.3d 26 | Disbarred (Resigned) August 3, 2010 | 22 NYCRR 691.9 (resigned under investigation). |
| David C. Weiss 77 A.D.3d 1 | Suspended for Two Years August 3, 2010 | DR 9-102(a): Converted client funds and/or breached his fiduciary duty by failing to preserve client funds entrusted to him; DR 1-102(a)(7): Engaged in conduct adversely reflecting on his fitness to practice law by converting funds and/or breaching his fiduciary duty by failing to preserve client funds entrusted to him. |
| Steven B. Abrams 77 A.D.3d 111 | Suspended for Two Years August 24, 2010 | DR 9-102(a): Violated his fiduciary obligations by misappropriating client funds when he withdrew funds from his attorney trust account for personal use, without the consent of the necessary parties; DR 1-102(a)(5); DR 1-102(a)(5): Engaged in conduct prejudicial to the administration of justice by failing to comply with a court order in a timely manner; DR 9-102(d)(1), (8): Failed to adhere to his bookkeeping duties by failing to maintain for seven years required records for his attorney trust account with respect to his practice of law. |
| Stanley E. Gelzinis 77 A.D.3d 160 | Disbarred August 24, 2010 | DR 9-102(a): Failed to preserve escrow funds entrusted to him as a fiduciary; DR 1-102(a)(7): Engaged in conduct which adversely reflects on his fitness to practice law by failing to preserve funds entrusted to him as a fiduciary; DR 102(a)(4): Engaged in conduct involving dishonesty |

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| Regina M. Waytowich 77 A.D.3d 271 | Suspended for Six Months August 24, 2010 | fraud, deceit, or misrepresentation. 22 NYCRR 691.4(1)(i) and (iii). |
| Michael H. Dorsky 78 A.D.3d 4 | Suspended for Three Years September 14, 2010 | DR 1-102(a)(7): Engaged in conduct that adversely reflects on his fitness as a lawyer by engaging in ex parte conversations with a litigant both before and after she appeared before him in his capacity as an Administrative Law Judge in an administrative hearing; DR 1-102(a)(5): Engaged in conduct prejudicial to the administration of justice by having ex parte conversations with a litigant both before and after she appeared before him in his capacity as an ALJ in an administrative hearing; DR 1-102(a)(4): Engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation by having ex parte conversations with a litigant both before and after she appeared before him in his capacity as an ALJ in an administrative hearing, then later denying that he had any contact with her. |
| Ik C. Kim 77 A.D.3d 296 | Disbarred September 14, 2010 | Judiciary Law §90: Default. |
| Martin K. Lang 77 A.D.3d 326 | Disbarred September 14, 2010 | Judiciary Law §90: Default. |
| William P. Fitzgerald 77 A.D.3d 302 | Disbarred September 28, 2010 | Judiciary Law §90(4)(b): Four counts of grand larceny in the second degree, in violation of Penal Law §155.40, a class C felony; eight counts of grand larceny in the third degree, in violation of Penal Law §155.35, a class D; fraud larceny in the fourth degree, in violation of Penal Law §155.30, a class E felony; and scheme to defraud in the first degree, in violation of Penal Law §190.65, a class E felony. |
| Carl T. Woodyly 78 A.D.3d 89 | Censured October 5, 2010 | DR 1-102(a)(3),(7): Engaged in illegal conduct that adversely reflects on his honesty, trustworthiness, or fitness as a lawyer in that he was convicted of a crime. |

Andrew P. Jones

Reinstatement Granted
October 12, 2010

Gerard P. McLoughlin

Reinstatement Granted
October 12, 2010

Craig S. Heller
80 A.D.3d 30

Disbarred
November 9, 2010

Judiciary Law §90(4)(a):
Convicted of a felony – grand
larceny in the second degree, in
violation of Penal Law § 155.40, a
class C felony.

Third Department

| Attorney (Date of Order) | Disposition | Summary of Charges |
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| Allen, Peter A. 3/4/10 | 1 year Suspension | 22 NYCRR 806.19, reciprocal discipline based upon Massachusetts suspension. |
| Anderson, Aaron R. 10/28/10 | Indefinite suspension | 22 NYCRR 806.4(b) suspension effective 20 days from date of decision pending full compliance with subpoena and until further order of Court. |
| Attorneys in violation of Judiciary Law §468-a. 76 AD3d 744 8/5/10 | Indefinite suspensions | Judiciary Law §468-a; 22 NYCRR Part 118 – failure to file a registration statement and pay the required registration fee. |
| Barrantes, Rachael W. Bradbrooke, Timothy D. Brown, Jidith H. Junco, Jidith L. Peclard, Oliver J. Uyamuda, John C. | | Attorneys suspended effective 30 days from the date or order, until further order of the court. |
| Attorneys in violation of Judiciary Law §468-a. 76 AD3d 746 8/5/10 | Indefinite suspensions | Judiciary Law §468-a; 22 NYCRR Part 118 – failed to file a registration statement prior to taking the constitutional oath of office as required by Judiciary Law §468-a(1) and part 118 of the Rules of the Chief Administrator of the Courts (22 NYCRR 118.1[c]). The failure to register has continued to date. |
| Engels, Carly B. Glynn, John Jackson, Shauna D. Kanet, Rhoda B. Kaye, Jonathan A. Koperdak, Serge Kroener, Lars E. Merino, Fernando Q. Monroy, Marco G. Moody, Thomas H. Novak, Paul S. Rodegra, Juergen Wormuth, Mirko | | Attorneys suspended effective 30 days from the date of order, until further order of the court. |
| Barber, Daniel H. 74 AD3d 1565 6/10/10 | 90 day suspension | 22 NYCRR 806.19 Reciprocal discipline based upon suspension in Connecticut. |

Barber, Patrick E.
69 AD3d 1222
1/26/10

Interim suspension

Immediate suspension pursuant to 22 NYCRR 806.4(f) pending final determination of disciplinary charges. Respondent guilty of professional misconduct immediately threatening the public interest. Admission to charges of neglect – DR 6-101(a)(3); misleading and deceiving clients as to the status of matters – DR 1-102(a)(4)(5)(7); engaging in fraudulent conduct prejudicial to the administration of justice by providing clients with Family Court orders purportedly signed by a judge but which were never issued or signed by the judge – DR 1-102(a)(3)(4)(5)(7); failure to promptly remit and account for funds received on behalf of a client – DR 1-102(a)(5)(7), DR 9-102(c)(3)(4); and failure to cooperate with petitioner's investigation – DR 1-102(a)(5).

Barber, Patrick E.
70 AD3d 1296
2/25/10

Disbarred

DR 6-101(a)(3) neglect; DR 1-102(a)(4)(5)(7) misleading and deceiving clients as to the status of matters; DR 1-102(a)(3)(4)(5)(7) engaging in fraudulent conduct prejudicial to administration of justice by providing clients with Family Court orders purportedly signed by a judge but which were never issued or signed by the judge; DR 1-102(a)(5)(7), DR 9-102(c)(3)(4) failure to promptly remit and account for funds received on behalf of a client; DR 1-102(a)(5). Failure to cooperate with petitioner's investigation.

Bergrin, Paul W.
69 AD3d 1108
1/14/10

Disbarred

Final order pursuant to Judiciary Law §90(4)(g) based upon guilty pleas to two counts of conspiracy in the fifth degree in violation of Penal Law §105.05(1).

Breen, Edward F.
76 AD3d 770
8/19/10

Disbarred

Final order pursuant to Judiciary Law §90(4)(g) based upon guilty plea to petit larceny in violation of Penal Law §155.25, a class A misdemeanor. The conviction resulted from respondent's misappropriation of \$5,442.17 of client funds from his escrow account, which funds were used to pay for his personal expenses. Respondent was sentenced to 200 hours of community

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| Cammarano, Peter J., III 74 AD3d 1699 6/24/10 | Disbarred | service and three years of probation. |
| Clemente, Carmine J. 11/4/10 | Reinstated | Motion pursuant to Judiciary Law §90(4)(a) and (b) to strike name from the roll of attorneys following conviction in USDC of N.J. upon a plea of guilty to the federal felony of conspiracy to obstruct commerce by extortion under color of official right in violation of 18 USC §1951(a) granted. The federal felony to which respondent pleaded is essentially similar to the New York felony of larceny by extortion. |
| Ehrlich, David A. (70 AD3d 1166) 2/11/10 | Interim suspension | Reinstatement application from 2007 two year suspension (44 AD3d 1248) granted. |
| Ehrlich, David A. 72 AD3d 1391 4/23/10 | Disbarred | Immediate suspension pursuant to 22 NYCRR 806.4(f) pending final determination of disciplinary charges. Respondent guilty of professional misconduct immediately threatening the public interest. Petition of charges accuses respondent of falsifying and providing a client with a decision from the US Court of Appeals for the Second Circuit which was never issued and providing another client with a judgment purportedly signed by a judge, but which was never signed by the judge. Respondent has not answered or otherwise appeared with respect to the petition nor has he appeared in response to petitioner's motion. |
| | | DR 6-101(a)(3), Rule 1.3(b) – neglect; DR 1-102(a)(5), Rule 1.4 – failure to respond to client communications; DR 1-102(a)(4)(5)(7), Rule 8.4(c)(d)(h) – attempting to mislead and deceive his clients about the status of their cases and falsifying court documents; DR 1-102(a)(5)(7), Rule 8.4(d)(h) – failure to comply with court orders; Rule 8.4(d) failure to register as an attorney as required by Judiciary Law §468-a; Rules 8.4(d)(h), 1.15 – issuance of a check against insufficient funds from escrow account; DR 1-102(a)(5)(7), Rule 8.4(d)(h) – failure to cooperate with petitioner. |

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| Elbel, Thomas E. 10/28/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law § 468-a. Reinstated upon proof of compliance. |
| Friedman, Loren E. 76 AD3d 759 8/12/10 | 3 years suspension | 22 NYCRR 806.19, reciprocal discipline based upon Illinois suspension finding (1) on his 1999 law school application, respondent did not disclose that he had been dismissed from medical school due to poor scholarship, (2) in 2001, while a second-year law student, respondent applied to a law firm for employment as a summer associate, submitting with his application an altered transcript of his law school grades, and (3) on his application for admission to the bar in Illinois, respondent failed to disclose that he had altered his law school transcripts. |
| Garcia, Jose E.M. 73 AD3d 1275 5/6/10 | Reinstated | Reinstatement application from 2008 one year suspension (53 AD3d 1032) granted. |
| Gourvitz, Elliot H. 69 AD3d 1221 1/21/10 | Censured | 22 NYCRR 806.19, reciprocal discipline based upon New Jersey reprimands. |
| Gross, David R. 76 AD3d 1115 9/9/10 | 3 month suspension | 22 NYCRR 806.19 reciprocal discipline based upon New Jersey suspension. |
| Hackney, William S., III 3/18/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Halbfish, Michael D. 11/4/10 | 6 month suspension | 22 NYCRR 806.19, reciprocal discipline based upon New Jersey censure, with conditions, for gross neglect, lack of diligence, failure to keep his client reasonably informed about the status of a matter, negligent misappropriation of client trust funds, record-keeping violations, and failure to withdraw from representation when his condition materially impaired his ability to represent a client. Respondent was also required, within 90 days after the filing of the Court's order on April 22, 2010, to provide the New Jersey Office of Attorney Ethics with all information previously requested, and was required for a |

period of two years to submit to the Office of Attorney Ethics quarterly reconciliations of his trust account prepared by a certified public accountant.

In light of respondent's misconduct, his failure to comply with the conditions of the New Jersey censure, his failure to file a copy of the aforementioned New Jersey order as required by the rules of the Court (22 NYCRR 806.19 [b]) and his default in the instant matter, respondent has exhibited an apathetic and neglectful approach to remedying his misconduct and, therefore, he should be suspended from the practice of law for a period of six months.

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| Hill, Samuel R. 5/27/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Holliston, Douglas R. 1/28/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Hutson, Horace A. 72 AD3d 1328 4/15/10 | Disbarred | Judiciary Law §90(4)(a)(e) plea of guilty to Penal Law §155.35 grand larceny third degree, a class D felony. |
| Iromuanya, Anthony C. 76 AD3d 743 8/5/10 | 6 month suspension | DR 1-102(a)(5) [rule 8.4(d)], Judiciary Law §468-a, 22 NYCRR part 118 – filing an attorney registration statement accompanied by a check for the registration fee which was returned for insufficient funds and failing to correct the deficiency. DR 1-102(a)(4)(5)(7) [rule 8.4(c)(d)(h)] misleading and deceiving conduct by filing attorney registration statements for two biennial periods which contained false certifications that he was exempt from the continuing legal education requirements. DR1-102(a)(5)(7) [rule 8.4(d)(h)] – failing to correct registration fee delinquency despite requests from the Office of Court Administration and petitioner to do so and failing to answer a Chief Attorney's Inquiry regarding the false certifications. |

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| | | Any application for reinstatement must be accompanied by proof respondent has complied with the attorney registration requirements, has answered the Chief Attorney's inquiry, and has otherwise satisfied the reinstatement requirements set forth in this Court's rules (22NYCRR 806.12[b]). |
| Izquierdo, Jose A., II 74 AD3d 1566 6/10/10 | 2 year suspension | Final order pursuant to Judiciary Law §90(4)(g) for conviction in August 2008 in the United States District Court, District of New Jersey, of the federal felony of knowingly and willfully making false, fictitious and fraudulent statements to agents of the FBI during their interview of him as part of a bribery investigation in violation of 18 USC §1001. |
| Jacobs, Lawrence F. 9/9/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Kalke, Rahul A. 73 AD3d 1276 5/6/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Karnazes, Elizabeth M.B. 76 AD3d 1138 9/23/10 | Censured | 22 NYCRR 806.19, reciprocal discipline based upon California's public reproof arising out of nolo plea to a trespass charge in satisfaction of two shoplifting charges. Respondent shall simultaneously file with petitioner copies of any reports that she is required to file in California pursuant to the conditions attached to the public reproof as set forth in the State Bar Court's decision. Respondent may apply to terminate the reporting requirement upon termination of the reporting conditions in California. |
| Kober, Peter C. 75 AD3d 751 7/1/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Koplovitz, Joshua N. Koplovitz, Sholom B. 11/4/10 | Reinstated | |

Kotsogiannis, Christos P.
76 AD3d 1114
9/9/10

Disbarred

22 NYCRR 806.19, reciprocal discipline based upon New Jersey disbarment by consent.

Koziol, Leon R.
76 AD3d 1136
9/23/10

1 year suspension

DR 1-102(a)(4) dishonesty, fraud, deceit, or misrepresentation with respect to five clients and in his responses to petitioner; DR 1-102(a)(5) conduct prejudicial to the administration of justice with respect to one client and in his responses to petitioner; DR 2-110(a)(2) failure to take steps to the extent reasonably practicable to avoid foreseeable prejudice to the rights of a client; DR 5-104(a)(1)(2)(3) entering into a business transaction with a client and failing to disclose the terms of the agreement in writing, failing to advise the client to seek independent counsel regarding the business transaction, and failing to obtain the client's consent in writing, after full disclosure, to the terms of the transaction and to respondent's inherent conflict of interest in the transaction; DR 6-101(a)(3) neglect of three clients' legal matters; DR 7-102(a)(5) knowingly making a misleading statement of fact to a client; DR 1-102(a)(7) conduct reflects adversely upon fitness as a lawyer with respect to five clients.

Leibowitz, Shamaï
4/1/10

Interim suspension

Judiciary Law §90(4)(f) – immediate suspension pending final order pursuant to Judiciary Law §90(4)(g). Guilty plea in USDC for the District of Maryland to an information charging him with disclosure of classified information, in violation of 18 USC 798(a)(3), a federal felony and serious crimes as defined by Judiciary Law §90(4)(d).

Leibowitz, Shamaï
10/21/10

3 year suspension

Final order pursuant to Judiciary Law §90(4)(g) – guilty plea in USDC for the District of Maryland to an information charging him with disclosure of classified information in violation of 18 USC 798(a)(3), a federal felony and serious crime as defined by Judiciary Law §90(4)(d).

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| Levine, Allen S. 12/30/10 | Reinstated | 11/20/98 suspension (255 AD2d 827) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Mammen, Thomas C. 12/9/10 | Censured | DR 1-102(a)(3)(4)(5)(7) in capacity as a senior administrative law judge employed by the Unemployment Insurance Appeal Board, altered summaries of appeals prepared by two subordinate administrative law judges and affixed their photocopies signatures thereto without their knowledge or consent on 11 occasions. Thereafter submitted the altered documents to the Board concealing the fact that he made these changes, and the Board issued decisions based upon the altered documents. |
| Martinez, Osvaldo T. 7/14/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Matthews, Sam S. 72 AD3d 1268 4/8/10 | Disbarred | 22 NYCRR 806.19 reciprocal discipline based upon New Jersey disbarment. |
| McCallig, William J. 12/9/10 | 1 year suspension stayed | DR 1-102(a)(3)(5)(7) [rule 8.4(b)(d)(h) based upon plea of guilty to Penal Law §132.52, forcible touching, a misdemeanor. Respondent required to be evaluated by Lawyers Concerned for Lawyers, Inc. in Massachusetts or the NYSBA Lawyers Assistance Program and successfully follow its recommendations. Report by Lawyers Concerned for Lawyers, Inc. in Massachusetts or the NYSBA Lawyers Assistance Program to be filed every six months during suspension showing his compliance with its recommendations. |
| McCormick, Mark J. 75 AD3d 1049 7/29/10 | Interim suspension | Motion to suspend pursuant to 22 NYCRR 806.4(b) for failure to comply with subpoena duces tecum granted effective 20 days from date of decision and until further order of the Court, pending compliance. |

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| McDonnell, Mary C. 5/27/10 | Reinstated | 11/20/98 suspension (255 AD2d 827) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Mezey, Joseph W. 75 AD3d 751 7/1/10 | Disbarred | DR 6-101(a)(3) neglect; DR 1-102(a)(5) failure to respond to client communications; DR 1-102(a)(4)(5)(7) misleading and deceiving conduct, prejudicial to the administration of justice, adversely reflecting on fitness as an attorney by converting client funds; DR 9-102(c)(4) failing to remit funds belonging to a client; DR 1-102(a)(5)(7) failure to cooperate with petitioner; Rule 8.4(d) failure to file an attorney registration statement as required by Judiciary Law §468-a. Restitution order entered. |
| Monthly, Jeremy T. 7/22/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Morriseau, Charlene 11/4/10 | 1 year suspension | DR 1-102(A)(3)(5)(7) conduct prejudicial to the administration of justice and reflecting adversely on fitness as an attorney; having engaged in criminal conduct prejudicial to the administration of justice and reflecting adversely on her fitness as an attorney; and failure to cooperate with petitioner. Respondent went to the Clerk's office at the Appellate Division, Second Department and asked for a copy of her application for admission file. She engaged in inappropriate conduct at the office, resulting in her arrest and her being charged with obstruction of governmental administration and disorderly conduct. Two charges of disorderly conduct are still pending in the Criminal Court of the City of New York, Kings County (see People v Morriseau, 19 Misc 3d 59 [2008]). The failure to cooperate charge results from her failure to timely respond to a Chief Attorney's inquiry by petitioner. The Referee described respondent's conduct at the Second Department |

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| | | Clerk's office as "explosive and inexplicable" and criticized her unsubstantiated racist accusations that she leveled at the Second Department Clerk during the incident and in papers she has filed since that time. |
| Navarette, Yolanda 12/2/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Ngoyi, Paul N. 4/6/10 | Appeal dismissed | Appeal dismissed without costs, by the Court sua sponte, upon the ground that the order appealed from does not finally determine the proceeding within the meaning of the Constitution. |
| Papa, Michael (69 AD3d 1296) 1/28/10 | Censured with monitoring | DR 1-102(A)(3) guilty plea to Penal Law §220.03 Criminal Possession of a Controlled Substance in the Seventh Degree (Class A Misdemeanor) and Vehicle and Traffic Law §1192(1) Operating Vehicle – Ability Impaired By Alcohol. Respondent directed to execute, within 30 days of date of decision, a monitoring agreement with the NYSBA Lawyer Assistance Program and to thereafter comply with its terms. Petitioner is directed to inform the Court of any substantial failure by respondent to timely execute such an agreement or to thereafter comply with its terms. |
| Parsons Reul, Cheryl (74 AD3d 1630) 6/17/10 | Motion to vacate stay denied with stayed suspension extended one year | Motion to vacate the stay of respondent's suspension for failure to report existence of a newly established escrow account, which petitioner was made aware of by the Lawyers' Fund for Client Protection, which advised of an overdraft in the account. Under the circumstances presented, respondent's failure to timely disclose the existence of the new escrow account, the inadvertent electronic charge, and asserted deficiencies in her accountant's report concerning this account do not warrant her suspension from the practice of law. Motion denied with stayed suspension extended for one year from the date of decision. Respondent shall continue to submit, in a timely manner, quarterly |

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| | | <p>accountant reports to petitioner as previously required. Respondent is also reminded of her continuing obligation to not only completely comply with the remaining condition of this Court's December 9, 2004 decision, but to adhere to the rules governing the proper maintenance of attorney escrow accounts (see Rules of Professional Conduct [22 NYCRR 1200.0] rule 1.15).</p> |
| Patel, Bhavishah G. 4/15/10 | Reinstated | 6/7/99 suspension (262 AD2d 702) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Place, Richard F. 8/2/10 | Reinstatement denied | Application for reinstatement pursuant to 22 NYCRR 806.12 from 1996 disbarment (225 AD2d 1019) denied. |
| Reich, Perry S. 1/13/10 | Motion denied | Motion by respondent for order modifying the sanction imposed by Court's previous order of disbarment (32 AD3d 1106) denied. |
| Reidy, Patrick M. 10/28/10 | Disbarred | Judiciary law §90(4)(a)(e) felony conviction, Penal Law §155.40(1) grand larceny second degree. Respondent was automatically disbarred and ceased to be an attorney when he entered his guilty plea to a felony. Respondent's name stricken from the roll of attorneys. |
| Rosenberg, Stewart (76 AD3d 1168) 9/10/10 | 1 year suspension | DR 1-102(A)(4)(5)(7), 9-102(A)(B)(1); (C)(D) &(E), Rules 1.15 & 8.4(c),(d) & (h) improper use of escrow account to pay personal bills after operating account was closed by the bank; failure to maintain required escrow account records and books, which may have contributed to other misconduct, such as issuance of checks against insufficient funds from escrow account; inaccurate testimony concerning the escrow account at an examination under oath before petitioner; failure to promptly and completely cooperate with petitioner's investigation; improper issuance of two checks payable to cash from escrow account; failure to pay stenographic bills for examinations under oath pursuant to subpoena (22 NYCRR 806.4 [e]); and failure to comply with the attorney registration |

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| Rosenthal, Louis R. 1/26/10 | Motions denied | requirements Judiciary Law §468-a; 22 NYCRR 118.1). |
| Rothwell, Timothy G. 9/16/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Roosa, David C. 7/12/10 | Action dismissed | Federal Court action claiming violations of the Americans with Disabilities Act, 42 USC§12101, et seq., and also asserting state law claims of the intentional infliction of emotional distress, the negligent infliction of emotional distress, invasion of privacy, defamation, and prima facie tort arising out of his removal from the list of assigned counsel and his indefinite suspension from the practice of law dismissed. |
| Sack, Barry D. (74 AD3d 1697) 6/24/10 | 1 year suspension | DR 1-102(A)(5)(7) and DR 9-102(A) issuance of a check against insufficient funds from escrow account which resulted in a dishonored check notice pursuant to 22 NYCRR Part 1300; DR 1- 102(A)(5)(7) and DR 9-102(A) & Rules 1.15(a) and 8.4(d) and (h) conversion of funds received on behalf of clients and third parties by allowing the balance in his escrow account to fall below the balance he was required to maintain on behalf of his clients (from January through August 2009 with shortages ranging from \$30,590 to \$85,700), by making disbursements from his escrow account on behalf of 15 clients and third parties totaling \$2,578 in excess of the amounts he held on deposit for those clients and third parties (from February 2007 through July 2009), by making 89 disbursements from his escrow account totaling \$367,379 which cleared the account before the corresponding deposits were credited to the account (from January 2007 through February 2009), and disbursing nine checks from his escrow account on behalf of seven clients and third parties totaling \$1,623 without a corresponding |

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| Sheehan, Douglas D. (72 AD3d 1270) 4/8/10 | Interim suspension | deposit (from February 2007 through May 2009); DR 1-102(A)(5)(7) and DR 9-102(C)(D) failure to maintain complete and accurate records for attorney escrow account & Rules 1.15(c) and (d) and 8.4(d) and (h); DR 9-102(E) issuance of a check made payable to cash from escrow account. |
| Sossner, Edward M. (72 AD3d 1268) 4/8/10 | 3 year suspension stayed | DR 1-102(A)(5), Rule 8.4(d) failure to comply with Court's suspension order by failing to submit CPA reports for an escrow account opened in July 2006; Rule 1.15(a) conversion of funds in another escrow account; Judiciary Law §468-a; 22 NYCRR 118.1; Rule 8.4(d) failure to timely comply with the attorney registration requirements. |
| Tabner, James V. (76 AD3d 1167) 9/30/10 | Reinstated | 9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance. |
| Uchenna, Maduka B. (69 AD3d 1220) 1/21/10 | Admission revoked | DR 1-101(A) making a materially false statement on application for admission. Failure to disclose in 2004 admission application his 1997 conviction in England of being knowingly concerned in the fraudulent evasion of a prohibition or restriction on importation of a class A controlled drug, specifically cocaine, for which he was sentenced to eight years imprisonment. Respondent's admission to the bar of the State of New York revoked. |
| Watrous, Elbert H. (75 AD3d 899) 7/14/10 | 5 year suspension | DR 1-102(A)(5), 9-102(C)(D) failure to maintain complete records and account for a portion of his aunt's funds from 1992 until her death in 1995; DR 1-102(A)(4)(5)(7) deceptive conduct, prejudicial to the administration of justice and adversely reflected on his fitness as a lawyer by invading aunt's assets; DR 5-101 conflict of interest; DR 1-102(A)(4)(5)(7), 9-102(A) conversion of estate funds. |

Whiting, Kenneth P., III
12/9/10

3 month suspension

Judiciary Law §90(4)(g) plea of guilty to 26 USC §7203 failure to file an income tax return for the calendar year 2004 suspension effective 20 days from date of decision, a federal misdemeanor, effective 20 days from the date of the decision.

Wilkins, John T.
(70 AD3d 1119)
2/4/10

Censured

DR 5-101(A) accepting employment when the exercise of his professional judgment on behalf of his client was or reasonably could have been affected by his own financial, business, property or personal interests, without consent of the client and full disclosure; DR 5-104(A) entering into a business transaction with a client when he and the client had differing interests therein, without the consent of the client after full disclosure; DR 1-104(C)(D)(2) failure to adequately supervise employee as to client funds deposited into his escrow account; DR 9-102(C)(1)(3)(4) failure to provide notice of receipt of funds, maintain complete records of funds and promptly deliver funds.

Yang, Jiyeon
12/30/10

Reinstated

9/24/09 suspension (65 AD3d 1447) for failure to comply with Judiciary Law §468-a. Reinstated upon proof of compliance.

**Fourth Department
(Fifth Judicial District)**

| Attorney (Date of Order) | Discipline Imposed | Disciplinary Rules or Statutes |
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| Steven B. Alderman 78 AD3d 1634 | Resigned | |
| Walter J. Burkard 78 AD3d 1634 | Censured | <p>DR 1-102(A)(5) – engaging in 75 A.D.3d 242 conduct that is prejudicial to the administration of justice; DR 1-102 (a)(7), and Rules of Professional Conduct Rule 8.4 (h) – engaging in conduct that adversely reflects on his fitness as a lawyer; DR 2-106(C)(2)(ii) – entering into an arrangement for, charging or collecting a fee in a domestic relations matter without a written retainer agreement signed by the lawyer and client setting forth in plain language the nature of the relationship and the details of the fee arrangement; DR 2-106(E) – failing to resolve fee disputes in civil matters by arbitration at the election of a client; DR 2-110(A)(3) – failing to refund promptly any part of a fee paid in advance that has not been earned; and, DR 6-101(A)(3) – neglecting a legal matter entrusted to him. Additionally, respondent violated Judiciary Law §468-a and 22 NYCRR 118.1 by failing to comply with attorney registration requirements.</p> |
| Allan J. Green 72 AD3d 142 | Disbarred | <p>DR 1-102(A)(3) – engaging in illegal conduct that adversely reflects on his honesty, trustworthiness or fitness as a lawyer; and DR 1-102(A)(7) – engaging in conduct that adversely reflects on his fitness as a lawyer. We further conclude that respondent violated the following Rules of Professional Conduct, effective April 1, 2009: Rule 1.3(b) – neglecting a legal matter entrusted to him; Rule 1.4(a)(4) – failing to comply promptly with a client’s reasonable requests for information; and Rule 8.4(h) – engaging in any other conduct that adversely reflects on his fitness as a lawyer. Additionally, respondent violated Judiciary Law §468-a and 22 NYCRR 118.1 by failing to comply</p> |

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| | | with attorney registration requirements. |
| Donald E. Keinz 75 AD3d 1113 | Resigned | |
| James M. Kernan 73 AD3d 219 | Suspended Five Years | Judiciary Law §90(4)(d) Suspended five years or until the termination of his federal term of probation, whichever period is longer. |
| Leon R. Koziol 70 AD3d 1516 | Suspended | Judiciary Law §90(2-a)(b) and (d). |
| Steven P. Mancuso 75 AD3d 1113 4 Dept. 2010) | Interim Suspension | Judiciary Law §90(4)(f) and (g). |
| Steven P. Mancuso 80 AD3d 204 | Disbarred | Judiciary Law §90(4)(f) and (g). |
| Hurlee Maye 79 AD3d 1831 | Interim Suspension | 22 NYCRR 102.20(c)(3). Order to Show Cause after failure to file an answer. |
| Christine A. Scofield 75 AD3d 280 | Censured | DR 1-102(A)(7) – engaging in conduct that adversely reflects on her fitness as a lawyer; DR 9-102(A) – commingling and misappropriating client funds with personal funds; DR 9-102(C)(3) – failing to maintain complete records of all funds, securities and other properties of a client or third person coming into her possession and to render appropriate accounts to the client or third person regarding them; DR 9-102(D)(2) – failing to maintain a record for special accounts, showing the source of all funds deposited in such accounts, the names of all persons for whom the funds are or were held, the amount of such funds, the description and amounts, and the names of all persons to whom such funds were disbursed; and DR 9-102(J) – failing to produce any such records as specified and required by the disciplinary rules. |
| Bonnie Strunk 75 AD3d 1656 | Disbarred | Judiciary Law §90(4)(a) and (e). Convicted of criminal tax fraud in the fourth degree. |

**Fourth Department
(Seventh Judicial District)**

| Attorney (Date of Order) | Discipline Imposed | Disciplinary Rules or Statutes |
|-------------------------------------|---------------------------|---|
| Dale M. Abbott 74 AD3d 1876 | Reinstatement Denied | |
| Lisa A. Blair 72 AD3d 1656 | Reinstatement Granted | |
| Andrew M. Campbell 70 AD3d 1517 | Resigned | 22 NYCRR 1022(b) |
| Frank B. Cegelski 79 AD3d 78 | Censured | <p>DR 1-102(a)(3) (22 NYCRR 1200.3[a][3]) – engaging in illegal conduct that adversely reflects on his honesty, trustworthiness or fitness as a lawyer; DR 1-102(a)(4) (22 NYCRR 1200.3[a][4]) and Rule 8.4(c) of the Rules of Professional Conduct (22 NYCRR 1200.0) – engaging in conduct involving dishonesty, fraud, deceit or misrepresentation; DR 1-102(a)(5) (22 NYCRR 1200.3[a][5]) and Rule 8.4(d) of the Rules of Professional Conduct (22 NYCRR 1200.0) – engaging in conduct that is prejudicial to the administration of justice; DR 1-102(a)(7) (22 NYCRR 1200.3[a][7]) and Rule 8.4(h) of the Rules of Professional Conduct (22 NYCRR 1200.0) – engaging in conduct that adversely reflects on his fitness as a lawyer; DR 2-110(b)(2) (22 NYCRR 1200.15[b][2]) – failing to withdraw from employment when he knows or it is obvious that continued employment will result in violation of a disciplinary rule; DR 5-101(a) (22 NYCRR 1200.20[a]) – accepting or continuing employment if the exercise of professional judgment on behalf of the client will be or reasonably may be affected by his own personal interests; DR 6-101(a)(3) (22 NYCRR 1200.30[a][3]) – neglecting a legal matter entrusted to him; and DR 7-101(a)(3) (22 NYCRR 1200.32[a][3]) – intentionally prejudicing or damaging a client during the course of the professional relationship.</p> |

Peter J. Craig
80 AD3d 251

Censured

DR 1-102(a)(4) (22 NYCRR 1200.3[a][4]) – engaging in conduct involving dishonesty, fraud, deceit or misrepresentation; DR 1-102(a)(7) (22 NYCRR 1200.3[a][7]) – engaging in conduct that adversely reflects on his fitness as a lawyer; DR 9-102(a) (22 NYCRR 1200.46[a]) – misappropriating client funds and commingling client funds with personal funds; DR 9-102(b)(1) (22 NYCRR 1200.46[b][1]) – failing to maintain client funds in a special account separate from his business or personal accounts; and DR 9-102(e) (22 NYCRR 1200.46[e]) – making withdrawals from a special account payable to cash and not to a named payee.

Gerald J. D'Ambrosio
78 AD3d 72

Disbarred

22 NYCRR 1022.22 – reciprocal discipline – Florida.

Ralph J. Esposito
74 AD3d 1877

Reinstatement Granted

Vinta Goel
80 AD3d 95

Disbarred

DR 1-102(a)(3) (22 NYCRR 1200.3[a][3]) – engaging in illegal conduct that adversely reflects on her honesty, trustworthiness or fitness as a lawyer; DR 1-102(a)(4) (22 NYCRR 1200.3[a][4]) – engaging in conduct involving dishonesty, fraud, deceit or misrepresentation; DR 1-102(a)(5) (22 NYCRR 1200.3[a][5]) – engaging in conduct that is prejudicial to the administration of justice; DR 1-102(a)(7) (22 NYCRR 1200.3[a][7]) – engaging in conduct that adversely reflects on her fitness as a lawyer; DR 3-101(b) (22 NYCRR 1200.16[b]) – practicing law in a jurisdiction where to do so would be in violation of regulations of the profession in that jurisdiction; DR 9-102(a) (22 NYCRR 1200.46[a]) – misappropriating funds belonging to another person that are in her possession incident to her practice of law; DR 9-102(b)(1) (22 NYCRR 1200.46[b][1]) – failing to maintain client funds in a special account separate from her business or personal account; DR 9-102(c)(3) (22 NYCRR 1200.46[c][3]) – failing to maintain complete records of all funds of a client coming into her possession and to render appropriate accounts to her client regarding them; DR 9-102(d)(1)

| | | |
|-------------------------------------|-----------|---|
| | | (22 NYCRR 1200.46[d][1]) – failing to maintain required records of bank accounts; and DR 9-102(e) (22 NYCRR 1200.46[e]) - making withdrawals from a special account payable to cash and not to a named payee. |
| David M. Iocolano 79 AD3d 1830 | Suspended | 22 NYCRR 1022.23 |
| Harry A. Inman 78 AD3d 1634 | Resigned | 22 NYCRR 1022(b). |
| Nat Owens Lester, III 76 AD3d 22 | Censured | DR 1-102(a)(3) (22 NYCRR 1200.3[a][3]) – engaging in illegal conduct that adversely reflects on his honesty, trustworthiness or fitness as a lawyer; and DR 1-102(a)(7) (22 NYCRR 1200.3[a][7]) – engaging in conduct that adversely reflects on his fitness as a lawyer. |
| Margaret A. Sciano 74 AD3d 1877 | Resigned | 22 NYCRR 1022(b). |
| Steven J. Seidman 75 AD3d 267 | Censured | DR 1-102(a)(3) (22 NYCRR 1200.3[a][3]) – engaging in illegal conduct that adversely reflects on his honesty, trustworthiness or fitness as a lawyer; and DR 1-102(a)(7) (22 NYCRR 1200.3[a][7]) – engaging in conduct that adversely reflects on his fitness as a lawyer. |
| Charles D. Tolbert 78 AD3d 1702 | Disbarred | Felony Conviction – Grand Larceny in the Third Degree. |
| D. Scott Young 73 AD3d 58 | Censured | DR 1-102(a)(3) (22 NYCRR 1200.3[a][3]) – engaging in illegal conduct that adversely reflects on his honesty, trustworthiness or fitness as a lawyer; and DR 1-102(a)(7) (22 NYCRR 1200.3[a][7]) – engaging in conduct that adversely reflects on his fitness as a lawyer. |

**Fourth Department
(Eighth Judicial District)**

| Attorney (Date of Order) | Discipline Imposed | Disciplinary Rules or Statutes |
|--|---------------------------|---|
| Kenneth P. Bernas 77 AD3d 1455 | Interim Suspension | 22 NYCRR 1022.20(d)(3)(d). |
| Kenneth P. Bernas 77 AD3d 1455 | Disbarred | Grand Larceny in the Second Degree conviction. |
| James P. Davis 74 AD3d 1877 | Reinstated | |
| Robert L. Furst 79 AD3d 1831 | Reinstated | |
| Robert R. Goods 77 AD3d 1455 | Disbarred | Grand Larceny in the Second Degree and Grand Larceny in the Third Degree convictions. |
| Harold W. Rathbun, III 71 AD3d 1546 | Reinstated | |
| Michael W. Rickard, II 77 AD3d 1454 | Interim Suspension | |
| Michael W. Rickard, II 79 AD3d 1830 | Disbarred | Grand Larceny in the Second Degree and Grand Larceny in the Third Degree convictions. |
| Timothy J. Toohey 77 AD3d 1454 | Resigned | |

Departmental and District Grievance Committees

DEPARTMENTAL AND DISTRICT GRIEVANCE COMMITTEES

FIRST DEPARTMENT

Departmental Disciplinary Committee

Roy L. Reardon, Esq.

Chair

Haliburton Fales, 2d., Esq.

Charlotte Moses Fischman, Esq.

Martin R. Gold, Esq.

Robert L. Haig, Esq.

Myron Kirschbaum, Esq.

William Francis Kuntz, II, Esq.

Stephen L. Weiner, Esq.

Special Counsel

Catherine M. Abate, Esq.

James M. Altman, Esq.

Dominic F. Amorosa, Esq.

Eugene F. Bannigan, Esq.

Patrick H. Barth, Esq.

Peter A. Bellacosa, Esq.

Nina Beattie, Esq.

George Berger, Esq.

Sheila S. Boston, Esq.

David Buksbaum

John F. Cambria, Esq.

Nicholas M. Cannella, Esq.

Giorgio Caputo

Aurora Cassirer, Esq.

Christopher E. Chang, Esq.

Ernest J. Collazo, Esq.

Jean E. Davis

Ralph C. Dawson, Esq.

Sheldon Elsen, Esq.

Rosalind S. Fink, Esq.

Thomas Fitzpatrick, Esq.

Katherine B. Forrest, Esq.

William L. Freeman

Ruth W. Friendly

David R. Gelfand, Esq.

Joseph Steven Genova, Esq.

Robert J. Giuffra, Esq.

Robert E. Godosky, Esq.

John D. Gordan, III, Esq.

Richard M. Greenberg, Esq.

Maura Barry Grinalds, Esq.

Patricia Handal

James W. Harbison, Jr., Esq.

Gerard E. Harper, Esq.

Patricia Hatry, Esq.

Seymour W. James, Jr., Esq.

Pamela Jarvis, Esq.

Alan R. Kaufman, Esq.

Stephen E. Kaufman, Esq.

Alfreida B. Kenny, Esq.

Ronald Law

Andrew M. Lawler, Esq.

Marvin Leffler

Frank J. Loverro, Esq.

Nancy B. Ludmerer, Esq.

William A. Maher, Esq.

Rogert Juan Maldonado, Esq.

Robert P. McGreevy, Esq.

Robert J. McGuire, Esq.

Harold F. McGuire, Jr., Esq.

Fitzgerald Miller

Charles G. Moerdler, Esq.

Robert G. Morvillo, Esq.

Mercedes A. Nesfield

Lynn K. Neuner, Esq.

Frederic S. Newman, Esq.

Jacob Pultman, Esq.

Robin Stratton Rivera

Martin S. Rothman, Esq.

Karla G. Sanchez, Esq.

Augustin J. San Filippo, Esq.

Karen Patton Seymour, Esq.

John S. Siffert, Esq.

Hon. Joseph P. Sullivan

Ronald J. Sylvestri, Jr.

Christine Collins Tomas

Natica von Althann

John L. Warden, Esq.

Susan Welsner

Milton L. Williams, Jr., Esq.

Sarah E. Zgliniec, Esq.

SECOND DEPARTMENT

Grievance Committee for the Second and Eleventh Judicial Districts

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Joseph F. DeFelice
Madaleine S. Egelfeld
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Richard M. Gutierrez
Francis A. Kahn

Leardo Luis Lopez
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Donald Cappillino
Katharine Wilson Conroy
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Glenn W. Kelleher
Stephen B. Lowe
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Jerold R. Ruderman
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Walter Schwartz
Mona D. Shapiro
Theodore A. Strauel, Jr.*
Barbara J. Strauss

Grievance Committee for the Tenth Judicial District

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Kenneth Weinstein, Esq., Vice-Chair
Leonard I. Ackerman, Esq.
Gilbert L. Balanoff, Esq.
Ilene Sherwyn Cooper, Esq.
Linda Devin-Sheehan*
Steven J. Eisman, Esq.
William T. Ferris III, Esq.
Raymond J. Furey, Esq.
Joseph A. Gentile, Esq.

Thecla S. Johnides*
Frederick C. Johs, Esq.
Rev. Nicholas J. Magoulias*
Alan J. Reardon, Esq.
Kenneth M. Seidell, Esq.
Kathleen Maurer Smith, Ph.D*
Barry M. Smolowitz, Esq.
M. David Tell, Esq.
Arlene Zalayet, Esq.
John B. Zollo, Esq.

THIRD DEPARTMENT

James W. Bendall, Esq.
John R. Casey, Esq.
Joseph M. Curtin*
Monica A. Duffy, Esq.
Leonard A. Govern*
David S. Hartnett, Esq.
Samantha M. Holbrook, Esq.
William J. Keniry, Esq., Vice-Chairperson
William E. Lorman, Esq.
Edward R. Marinstein, Esq.

Michael D. McCormick, Esq.
Lisa M. Mills, Esq.
John F. Niles, Esq.
Alan J. Pope, Esq.
Gail B. Rubenfeld, Esq.
John G. Rusk, Esq.
John J. Ryan, Jr., Esq.
Michael G. St. Leger, Esq.
John A. Stevens, Esq., Chairperson
Richard D. Wickerham, Esq.

FOURTH DEPARTMENT

Grievance Committee for the Fifth Judicial District

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Robert W. Applegate
Robert A. Barrer
William A. Chambers*
John D. Conners
Keith A. Eisenhut
Deborah K. Field
Philip I. Frankel
Catherine A. Gale
Joseph P. Giruzzi
Lawrence W. Golden

Cindy A. Granger
Joseph F. Grant, Jr.*
Amy L. Hallenbeck
Christopher J. Harris*
Eugene J. Langone, Jr.
Kathlene M. Loconti
Gary L. Outtrim
Roy D. Pinsky
Kathy L. Quencer
Steven A. Smith

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Richard E. Alexander
Robert E. Barry
Alan S. Biernbaum
Garry Brower*
June Castellano
Timothy Dennis*
James A. Gabriel
Riccardo T. Galbato
Valerie G. Gardner
Michael T. Harren

LaMarr J. Jackson
Mary Jo S. Korona
John M. Lockhart, III
Judith A. Palumbo
Paul E. Richardson
Martha A. Roberts
Elizabeth A. Sammons
Jeffrey E. Squires
Mary Walpole-Lightsey
Michael G. Wiedemer*

Grievance Committee for the Eighth Judicial District

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Laurie Styka Bloom
Benjamin J. Bonarigo
David G. Brock
Thomas R. Cassano
John J. DelMonte
Wesley L. Hicks, Jr.*
Nicholas G. Jonas
Thomas F. Keefe
Joseph L. Leone, Jr.
Valerie A. Leuthe*

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Jeffrey R. Martin
James A. Musacchio
David H. Nelson
John R. Nuchereo
John J. Ottaviano
Dale C. Robbins
Raymond F. Shirtz, Jr.*
Ellen Swartz Simpson
Sheldon K. Smith

*Denotes Non-lawyer Member

Professional Disciplinary Staffs

Professional Disciplinary Staffs

FIRST DEPARTMENT

Departmental Disciplinary Committee

First Judicial Department
61 Broadway, 2nd Floor
New York, NY 10006
212-401-0800

Alan W. Friedberg, Chief Counsel
Sherry K. Cohen, First Deputy Chief Counsel
Jorge Dopico, Deputy Chief Counsel
Mady J. Edelstein, Deputy Chief Counsel
Naomi F. Goldstein, Deputy Chief Counsel
Mary Louise A. Biunno, Staff Counsel
Angela Christmas, Staff Counsel
Nicole Corrado, Staff Counsel
Kevin P. Culley, Staff Counsel
Jeremy S. Garber, Staff Counsel
Joseph J. Hester, Staff Counsel
Roberta N. Kolar, Staff Counsel
Jun Hwa Lee, Staff Counsel
Vitaly Lipkansky, Staff Counsel
Stephen P. McGoldrick, Staff Counsel
Kevin E. F. O'Sullivan, Staff Counsel
Elisabeth A. Palladino, Staff Counsel
Kim Petersen, Staff Counsel
Orlando Reyes, Staff Counsel
Ann E. Scherzer, Staff Counsel
Eileen J. Shields, Staff Counsel
Scott D. Smith, Staff Counsel
Raymond Vallejo, Staff Counsel
Vincent C. Raniere, Chief Investigator

George Cebisch, Investigator
Virgil Cruz, Clerk
John E. Puglise, Investigator
Martin Schwinger, Investigator
Michael Vega, Investigator
Leonard Zarrillo, Investigator
Rebeca V. Taub, Chief Paralegal
Donna M. Killian, Paralegal
Eileen McNerney, Paralegal
Joel A. Peterson, Paralegal
Marcy Sterling, Paralegal
Carol Scheuer, Office Manager
Anna Abbate, Secretary
Francine N. L. Ali, Secretary
Nancy K. De Leon, Secretary
Eartha Hobot, Secretary
Monique Hudson, Secretary
Tennille Millhouse, Secretary
Celina Nelson, Secretary
Hermine Otto, Secretary
Gloria Rodriguez, Secretary
Maria L. Vera, Secretary
Michele Y. Wang, LAN Administrator
Charles Sauer, Computer Analyst

SECOND DEPARTMENT

Grievance Committee for the Second and Eleventh Judicial Districts

335 Adams Street – Suite 2400
Brooklyn, NY 11201-3745
718-923-6300

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Diana J. Szochet, Assistant Counsel
Melissa D. Broder, Assistant Counsel
Susan Korenberg, Assistant Counsel
Colette M. Landers, Assistant Counsel
Sharon Gursen Ades, Assistant Counsel

Susan B. Master, Assistant Counsel
Myron C. Martynetz, Assistant Counsel
Kathryn Donnelly Gur-Arie, Assistant Counsel
Thomas Graham Amon, Assistant Counsel
Erika Edinger, Paralegal
Joan Drabczyk, Accountant
Louis Romaine, Investigator

Grievance Committee for the Ninth Judicial District

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914-949-4540

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Faith Lorenzo, Deputy Chief Counsel
Gloria J. Anderson, Staff Counsel
Antonia Cipollone, Staff Counsel
Fredda Fixler-Fuchs, Staff Counsel
Matthew Renert, Staff Counsel
Glenn E. Simpson, Staff Counsel
Forrest Strauss, Staff Counsel
Anthony Wynne, Staff Counsel
Patrick Smith, Principal Court Analyst

Virginia E. Mordiglia, Court Analyst
Maryellen Horan, Assistant Court Analyst
Ellen M. Tallevi, Senior Court Analyst
Joanne Roncallo, Senior Court Analyst
Patricia Marucci, Secretary
Claire Zeppieri, Secretary
Denise Santamarena, Secretary (Job Share)
Rita Passidomo, Secretary
Anita Bellenchia, Secretary

Grievance Committee for the Tenth Judicial District

150 Motor Parkway – Suite 102
Hauppauge, NY 11788
631-231-3775

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Mitchell T. Borkowsky, Deputy Chief Counsel
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Elizabeth A. Grabowski, Assistant Counsel
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Michael J. Kearse, Assistant Counsel
Leslie B. Anderson, Assistant Counsel
Michael Fuchs, Assistant Counsel
Michele Filosa, Assistant Counsel
Robert C. Cabble, Assistant Counsel
Daniel M. Mitola, Assistant Counsel

Ian P. Barry, Assistant Counsel
Christopher Kern, Principal Court Analyst
Douglas K. Kronenberg, Senior Court Analyst
Kerry E. Smith, Court Analyst
Patricia Lumley, Law Stenographer
Noreen Johnston, Law Stenographer
Phyllis Carusillo, Law Stenographer
Mera Maharaj-Panan, Law Stenographer
Elizabeth Secondino, Secretary
Joann McLaughlin, Secretary

THIRD DEPARTMENT

**Grievance Committee for the Third Judicial District
Committee on Professional Standards**

40 Steuben Street – Suite 502
Albany, NY 12207-2109
518-285-8350

Mark S. Ochs, Chief Attorney
Michael Philip, Jr., Deputy Chief Attorney
Michael K. Creaser, Staff Attorney
Jevon L. Garrett, Staff Attorney
Michael G. Gaynor, Staff Attorney
Steven D. Zayas, Staff Attorney
Christine Adams, Assistant Court Analyst
Joseph L. Legnard, Investigator

Vincent M. Tepedino, Investigator
Teresa Van Alstyne, Secretary
Samantha Adams, Secretary
Josephine Rimmer, Secretary
Debbie Faragon, Secretary
Carol Macica, Secretary
Matthew Karpovich, Principle Appellate Office
Assistant

FOURTH DEPARTMENT

Grievance Committee for the Fifth Judicial District

224 Harrison Street – Suite 408
Syracuse, NY 13202
315-471-1835

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Sheryl M. Crankshaw, Investigator
M. Susan Roland, Assistant Court Analyst
Tamra L. Cary, Secretary

Grievance Committee for the Seventh Judicial District

50 East Avenue – Suite 404
Rochester, NY 14604
585-530-3180

Gregory J. Huether, Chief Counsel
Daniel A. Drake, Principal Counsel
Andrea E. Tomaino, Principal Counsel
Janet A. Montante, Investigator
Karen C. Malbone, Secretary
Cheryl L. Thompson, Secretary

Grievance Committee for the Eighth Judicial District

438 Main Street – Suite 800
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716-845-3630

Gregory J. Huether, Chief Counsel
Roderick Quebral, Principal Counsel
Margaret C. Callanan, Principal Counsel
Susan M. Eagan, Associate Counsel
Guy C. Giancarlo, Associate Counsel
Mary E. Davis, Investigator
Carolyn M. Stachura, Investigator
Craig E. Semple, Investigator
Anna M. Hunt, Court Analyst
Carol A. Cherry, Assistant Court Analyst
Kathleen J. Kasperek, Secretary
Misty A. White, Junior Court Analyst

**Appendix:
Attorney Discipline Budget
Appropriations and
Salaries of Disciplinary Staff**

FIRST DEPARTMENT

| <u>Title</u> | <u>Grade</u> | <u>Salary</u> |
|---------------------------|--------------|---------------|
| Dep Chf Ap Court Attorney | 560 | \$126,764 |
| Deputy Chief Attorney | 532 | \$133,549 |
| Deputy Chief Attorney | 532 | \$137,629 |
| Deputy Chief Attorney | 532 | \$137,629 |
| Deputy Chief Attorney | 532 | \$137,629 |
| Principal Attorney | 531 | \$99,599 |
| Principal Attorney | 531 | \$112,232 |
| Principal Attorney | 531 | \$99,599 |
| Principal Attorney | 531 | \$137,498 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$99,599 |
| Principal Attorney | 531 | \$116,911 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$115,281 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$133,287 |
| Principal Attorney | 531 | \$112,232 |
| Principal Attorney | 531 | \$116,443 |
| Principal Attorney | 531 | \$106,603 |
| Associate Attorney | 528 | \$84,897 |
| Associate LAN Admin. | 525 | \$99,445 |
| Principal Court Analyst | 523 | \$84,735 |
| Sr. Appellate Court Asst. | 521 | \$78,465 |
| Sr. Court Analyst | 521 | \$84,227 |
| Sr. Court Analyst | 521 | \$68,642 |
| Sr. Court Analyst | 521 | \$81,346 |
| Sr. Court Analyst | 521 | \$78,465 |
| Court Analyst | 518 | \$65,639 |
| Court Analyst | 518 | \$72,529 |
| Court Analyst | 518 | \$72,529 |
| Court Analyst | 518 | \$52,305 |
| Court Analyst | 518 | \$70,001 |
| Administrative Secretary | 517 | \$66,345 |
| Assistant Court Analyst | 516 | \$60,583 |
| Assistant Court Analyst | 516 | \$62,880 |
| Assistant Court Analyst | 516 | \$60,583 |
| Assistant Court Analyst | 516 | \$50,209 |
| Assistant Court Analyst | 516 | \$59,079 |
| Law Stenographer | 514 | \$55,748 |
| Law Stenographer | 514 | \$41,873 |
| Secretary | 514 | \$39,771 |
| Secretary | 514 | \$54,485 |
| Secretary | 514 | \$54,485 |

2010-2011 Appropriations:

| | |
|---------------------|----------------|
| Personal Service | \$4,684,674 |
| Nonpersonal Service | <u>340,200</u> |

Total: \$5,024,874

**SECOND DEPARTMENT
(Second & Eleventh District)**

| <u>Title</u> | <u>Grade</u> | <u>Salary</u> |
|-------------------------|--------------|---------------|
| Chief Attorney | 560 | \$140,038 |
| Deputy Chief Attorney | 532 | \$141,840 |
| Principal Attorney | 531 | \$120,654 |
| Principal Attorney | 531 | \$133,287 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$129,076 |
| Attorney | 523 | \$67,969 |
| Sr. LAN Administrator | 523 | \$89,914 |
| Sr. Court Analyst | 521 | \$81,346 |
| Sr. Court Analyst | 521 | \$66,941 |
| Court Analyst | 518 | \$67,473 |
| Assistant Court Analyst | 516 | \$59,079 |
| Assistant Court Analyst | 516 | \$60,583 |
| Secretary | 514 | \$48,179 |

**SECOND DEPARTMENT
(Ninth District)**

| <u>Title</u> | <u>Grade</u> | <u>Salary</u> |
|-------------------------|--------------|---------------|
| Chief Attorney | 560 | \$142,899 |
| Deputy Chief Attorney | 532 | \$139,901 |
| Principal Attorney | 531 | \$133,287 |
| Principal Attorney | 531 | \$137,498 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$133,287 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$117,288 |
| Principal Court Analyst | 523 | \$89,914 |
| Sr. Court Analyst | 521 | \$66,941 |
| Court Analyst | 518 | \$67,703 |
| Assistant Court Analyst | 516 | \$60,984 |
| Secretary | 514 | \$58,689 |
| Secretary | 514 | \$58,689 |
| Secretary | 514 | \$50,281 |
| Secretary | 514 | \$46,077 |
| Secretary | 514 | \$46,077 |

**SECOND DEPARTMENT
(Tenth District)**

| <u>Title</u> | <u>Grade</u> | <u>Salary</u> |
|-------------------------|--------------|---------------|
| Deputy Chief Attorney | 532 | \$134,068 |
| Deputy Chief Attorney | 532 | \$135,559 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$112,232 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$137,498 |
| Principal Attorney | 531 | \$116,443 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$133,284 |
| Principal Attorney | 531 | \$124,865 |
| Principal Attorney | 531 | \$112,232 |
| Asc. Attorney | 528 | \$88,689 |
| Sr. Attorney | 526 | \$90,343 |
| Principal Court Analyst | 523 | \$93,049 |
| Sr. Court Analyst | 521 | \$78,465 |
| Court Analyst | 518 | \$70,001 |
| Assistant Court Analyst | 516 | \$60,583 |
| Law Stenographer | 514 | \$56,587 |
| Secretary | 514 | \$54,485 |
| Secretary | 514 | \$43,975 |
| Sr. App. Office Assnt. | 509 | \$34,397 |
| Sr. App. Office Assnt. | 509 | \$35,753 |

**SECOND DEPARTMENT
(Special Grievance Counsel – 2nd Department)**

| <u>Title</u> | <u>Grade</u> | <u>Salary</u> |
|-----------------------|--------------|---------------|
| Special Counsel | 560 | \$142,232 |
| Deputy Chief Attorney | 532 | \$144,243 |
| Secretary | 514 | \$50,281 |

2010-2011 Appropriations:

| | |
|---------------------|----------------|
| Personal Service | \$6,168,641 |
| Nonpersonal Service | <u>961,328</u> |
| Total: | \$7,129,969 |

THIRD DEPARTMENT

| <u>Title</u> | <u>Grade</u> | <u>Salary</u> |
|-------------------------|--------------|---------------|
| Chief Attorney | 560 | \$126,555 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$129,076 |
| Principal Attorney | 531 | \$129,076 |
| Asc. Attorney | 528 | \$87,316 |
| Asc. Attorney | 528 | \$111,441 |
| PRN Court Analyst | 523 | \$93,049 |
| Ast. Court Analyst | 516 | \$54,212 |
| Assistant Court Analyst | 516 | \$59,302 |
| Secretary | 514 | \$43,975 |
| Secretary | 514 | \$43,975 |
| Secretary | 514 | \$41,873 |
| Secretary | 514 | \$46,077 |
| Secretary | 514 | \$50,281 |
| Pr. App. Office Assnt. | 513 | \$45,325 |

2010-2011 Appropriations:

| | |
|---------------------|----------------|
| Personal Service | \$1,268,014 |
| Nonpersonal Service | <u>221,172</u> |
| Total: | \$1,489,186 |

FOURTH DEPARTMENT

| <u>Title</u> | <u>Grade</u> | <u>Salary</u> |
|-------------------------|--------------|---------------|
| Chief Attorney | 560 | \$126,555 |
| Principal Attorney | 531 | \$137,498 |
| Principal Attorney | 531 | \$137,498 |
| Principal Attorney | 531 | \$133,287 |
| Principal Attorney | 531 | \$133,287 |
| Principal Attorney | 531 | \$129,076 |
| Associate Attorney | 528 | \$91,108 |
| Associate Attorney | 528 | \$111,441 |
| Sr. Court Analyst | 521 | \$78,465 |
| Sr. Court Analyst | 521 | \$78,465 |
| Sr. Court Analyst | 521 | \$84,227 |
| Court Analyst | 516 | \$66,791 |
| Assistant Court Analyst | 516 | \$59,887 |
| Assistant Court Analyst | 516 | \$58,286 |
| Jr. Court Analyst | 512 | \$43,147 |
| Secretary | 514 | \$54,485 |
| Secretary | 514 | \$54,485 |
| Secretary | 514 | \$46,077 |
| Junior Court Analyst | 512 | \$43,147 |

2010-2011 Appropriations:

| | |
|---------------------|----------------|
| Personal Service | \$1,876,957 |
| Nonpersonal Service | <u>359,911</u> |
| Total: | \$2,236,868 |