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New York State Bar Association

**Committee on
Professional Discipline**

The State of Discipline in New York State

Annual Report for the Year 1992

One Elk Street, Albany, New York 12207

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Committee on Professional Discipline

1992-1993

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INTRODUCTION

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

The first part contains a statistical compilation of all disciplinary matters processed in New York State during 1992 and includes three tables. The last two of these tables compare disciplinary activity over the preceding ten years.

The second part of this report summarizes all disciplinary decisions published by the four departments of the Appellate Division during 1992. 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 more than 90% of the cases that involve some form of professional misconduct are not referred to the court for imposition of discipline.

The third and last part of this report contains various data on the organization and budget of the State's eight official agencies of discipline. It reflects appropriations made for those agencies during fiscal 1992-93, as well as the professional staff's salaries as of January 1993.

Some Significant Statistics

Our statistics are generally intended to speak for themselves, with interpretation and analysis of the figures set forth in this report being left to its readers. However, by way of introduction, there are a few apparently significant statistics that bear some comment.

First, as indicated by Table 1, the gap between the number of matters opened and the number of matters closed is narrowing. Although the number of complaints filed in 1992 exceeds the number filed in 1991, overall, there were fewer matters in process at the close of

1992 than at the close of 1991. This is generally a sign that the disciplinary system is better coping with its caseload.

Second, as indicated by Table 2, the number of attorneys being disciplined by the courts has generally risen. Statewide, the number of proceedings resulting in the imposition of serious discipline has increased by 21% over the previous year. Every department of the Appellate Division experienced some increase during the year just ended; and, in the Fourth Department, the number of proceedings resulting in serious discipline doubled.

Finally, the figures stated as of the close of 1992 reflect a notable difference between the disciplinary committees of the various departments in their imposition of private sanctions. The number of private sanctions imposed by the disciplinary committees has fallen in the First and Second Departments, while rising in the Third and Fourth Departments. In two of the Departments, the differences are pronounced; in the Second Department, the number of private sanctions has fallen by 22%, while in the Fourth Department the number has risen by 35%. It is too soon to say whether these differences mark a developing trend and philosophy (of referring more or less cases to the courts for public discipline) or are just a statistical inconsistency produced by an irregular or dissimilar cycle of prosecutions.

Understanding the Statistics

To those unfamiliar with the nomenclature of professional discipline in New York State, some of the terms used in this report may be confusing. The most basic unit used for statistical reporting purposes is a "matter;" but, even that seemingly uncomplicated term requires a word of explanation.

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 as "failing 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 mere telephonic accusations are no longer reported as "matters." Prior to 1990, for a time, such requests were reported as "matters" in at least two of the Departments, and that lack of uniformity had made statistical comparisons exceedingly difficult. 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 widely among the four Departments. Understandably, some of the terminology used to describe those differing procedures will also vary. What is remarkable about New York is that 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. For example, all four Departments use so-called "Letters of Caution." In the First, Second and Fourth Departments, such letters are not considered professional discipline; however, in the Third Department, where there are "Letters of Education" as well as Letters of Caution, the former are the functional equivalent of Letters of Caution in the other three Departments and the latter are considered a form of professional discipline.

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 "Griev-

ance Committees" which serve as the principal agencies of discipline in each of those two Departments.

The amount of committee consultation and review also varies widely among the Departments; and assessing the workload of the respective disciplinary agencies in terms of the statistics reported is complicated by the wide variation in procedures. For example, before formal proceedings may be instituted in the Second, Third and Fourth Departments, the full committee must be consulted and the court must approve issuance of the charges. However, in the First Department, only one member of the committee need be consulted and the staff is authorized to issue charges without further consultation of the committee or approval by the court. The procedures on closing files reflect a similar degree of diversity in the amount of committee consultation and review.

Local Bar Association Activity

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 the Monroe County Bar 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."

Statistics from the First Department include matters that are referred by the departmental disciplinary committee to the so-called "complaint mediation panels" operated pursuant to court order by members of the Association of the Bar of the City of New York, the Bronx County Bar Association and the New York County Lawyers' Association. Other matters, more properly regarded as "fee disputes," are referred to the joint committee on fee disputes for New York and Bronx Counties, consisting of members appointed by the same three local bar associations. Occasionally, matters that have been referred out to the mediation panels or the joint committee are referred back to the departmental disciplinary committee for further investigation.

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 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 district 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. But, 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 committee.

Addressing the Need for Greater Uniformity

It has been nine years since this Association undertook a comprehensive study of the attorney disciplinary system in New York State. The study concluded with the submission of a report to the Association's House of Delegates in June 1985. Although the House approved all but one of the recommendations contained in that report, only two of its remaining ten recommendations have been adopted in practice and virtually all of the problems then observed persist.

Part of the difficulty in gaining widespread support for the recommendations contained in the 1985 report may be attributable to the Association's profound dissatisfaction with one of the report's key proposals: that New York State move to a system of public discipline. The debate in the House came to focus on that proposal; and although the balance of the report was approved, approval of the balance was truly an afterthought. The overall reaction to the report remained essentially negative, and little attention was paid to issues other than maintaining the confidentiality of disciplinary proceedings.

This year, the Association's Executive Committee determined to renew our Committee's effort to improve the disciplinary system. The House of Delegates' recent reaffirmation of its position on maintaining confidentiality was seen to afford us an opportunity to focus on a wide variety of other issues that challenge the system.

Principal among these other issues is the need to bring about far greater uniformity and efficiency in the handling of disciplinary matters. At present, the policies and procedures of the State's official agencies of discipline are significantly different. Regrettably, one of the few points of uniformity among these various agencies is the inordinate delay that each has experienced in processing complaints of misconduct.

The fact that, historically, each of the Appellate Division's four departments has exercised autonomous authority over matters of professional discipline does not inevitably condemn the system to widely varying standards. It makes no sense, for example, for the terminology used to describe the same level of sanction to vary from department to department. It makes even less sense for the same language to be used to describe functionally different sanctions. A so-called "Letter of Caution" should not be considered a form of discipline in one department but not in another. An "Admonition" should not be reserved to the official agencies of discipline in one department and issued by private bar associations in another.

It is obvious to the most casual observer that the system has been allowed to develop patchwork, with little regard for consistent statewide standards. The Appellate Division's recent efforts to adopt various procedures by joint order, though helpful and clearly pointed in the right direction, do not undo the decades of autonomous departmentalized development.

We know that any study to address the nature and extent of change necessary to accomplish significant improvement in New York will perforce be obliged to address the historical allocation of authority among the four departments of the Appellate Division. If it is proposed that departmentalization be compromised in any way, to be credible, such proposals must be grounded in experience. Theory,

symbolism and assumptions about the public's distaste for the current system are not substitutes for a critical analysis of our actual experience in New York.

We are also keenly aware of the fact that the issue of confidentiality will persist, regardless of its intrinsic merit. There are significant forces within the organized bar, as well as the media, that will not be satisfied until the process is stripped of what they perceive to be an inappropriate element of secrecy. There are still others, of a somewhat more cynical bent, who will seek to divert the public's attention by bringing back some semblance of the pillory. However, to most of us who have been closely associated with professional discipline in New York, the continuing debate on confidentiality poses a false issue. The real issue is not whether we should publicize unproven allegations, but how we can make the system work more efficiently to determine with far greater alacrity than at present whether those allegations have merit.

To continue with our study, it has been necessary to enlist the assistance of the courts, local bar associations, and the various disciplinary staffs throughout the State. All have given unstintingly of their time and are cooperating fully as we enter the last phase of our study — one that will involve sending an inspection team to each of the State's eight disciplinary offices.

In the meantime, we are pleased to present this report reflecting the operations of our current disciplinary system during the preceding year.

Frank R. Rosiny
Chair

Disciplinary Statistics 1992

Tables

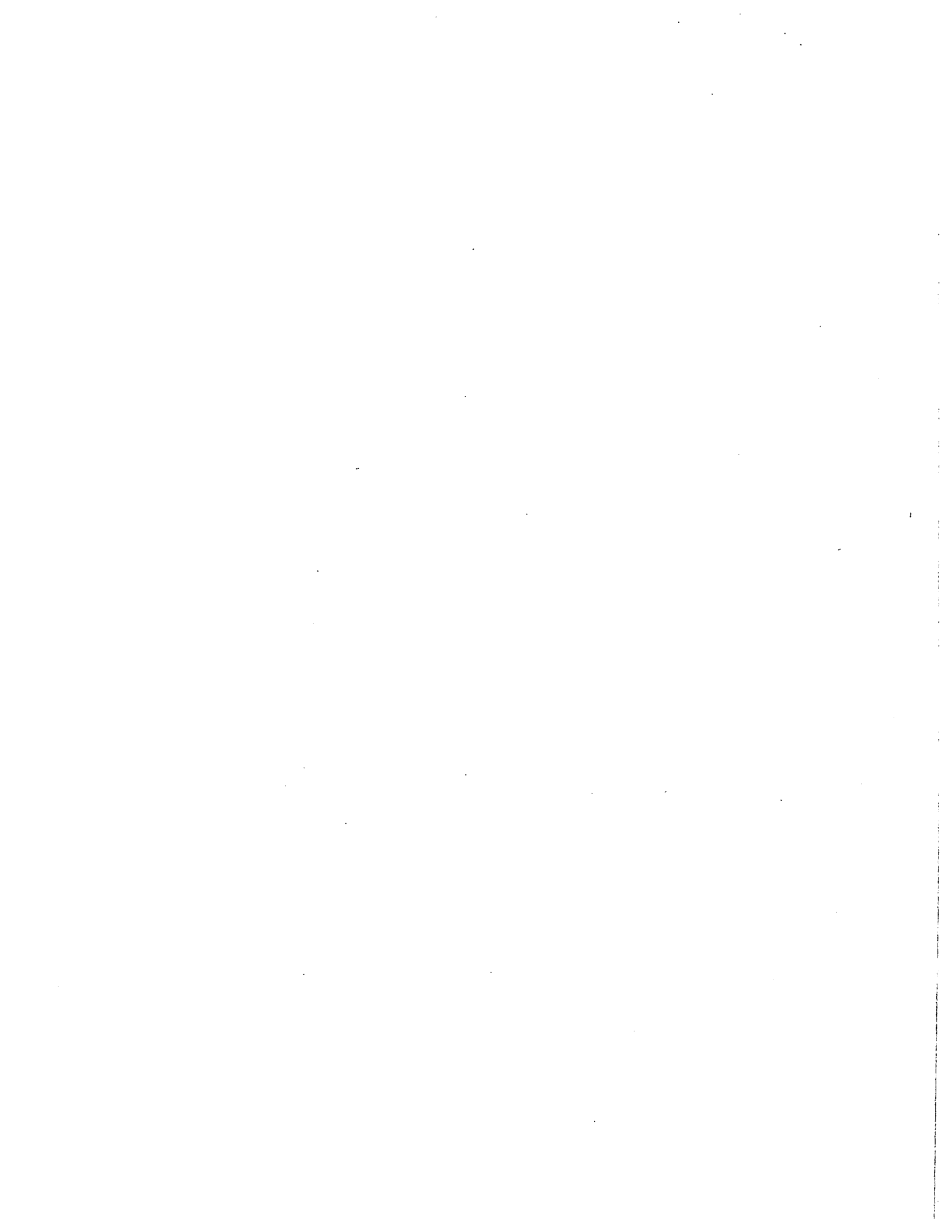


Table 1
Appellate Division
(January 1, 1992 - December 31, 1992)

	1st Dept.	2d Dept.	3d Dept.	4th Dept.	Total
I. MATTERS PROCESSED:*					
Pending at start of period	1277	2089	639	1056	5061
New matters received**	3239	5194	1552	2054	12039
Matters disposed of	3228	5133	1478	2155	11994
Pending at end of period	1288	2150	713	955	5106
II. COMMITTEE DISPOSITIONS:					
Rejected for failing to state complaint	1045	1729	813	1033	4620
Referred to other agencies***	420	1675	102	115	2312
Dismissed or withdrawn	1532	1029	316	808	3685
Letters of caution	31	192	43	65	331
Letters of admonition	115	115	70	40	340
Admonition or reprimand	0	2	29	N/A	31
Referred to court	85	389	105	94	673
Other	0	2	0	0	2
TOTAL DISPOSED OF:	3228	5133	1478	2155	11994
III. CASES PROCESSED IN COURTS:					
Cases pending at start of period****	46	189	24	37	296
Cases received	145	149	67	42	403
CASES CLOSED:					
Disbarred	24	47	8	8	87
Resigned	8	18	16	3	45
Suspended	30	37	19	12	98
Censured	7	10	4	1	22
Censured privately	2	0	0	0	2
Remanded to Grievance Committee	11	6	13	2	32
Reinstatements granted	12	6	3	7	28
Reinstatements denied	5	15	0	5	25
Discontinued	6	5	0	1	12
Dismissed	6	1	1	0	8
All other dispositions	30	47	8	13	98
TOTAL CLOSED:	141	192	72	52	457
TOTAL PENDING:	50	146	19	27	242

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

** This includes complaints received and reactivated.

*** This includes matters referred to other disciplinary committees and other agencies.

**** Number of attorneys, not number of complaints.

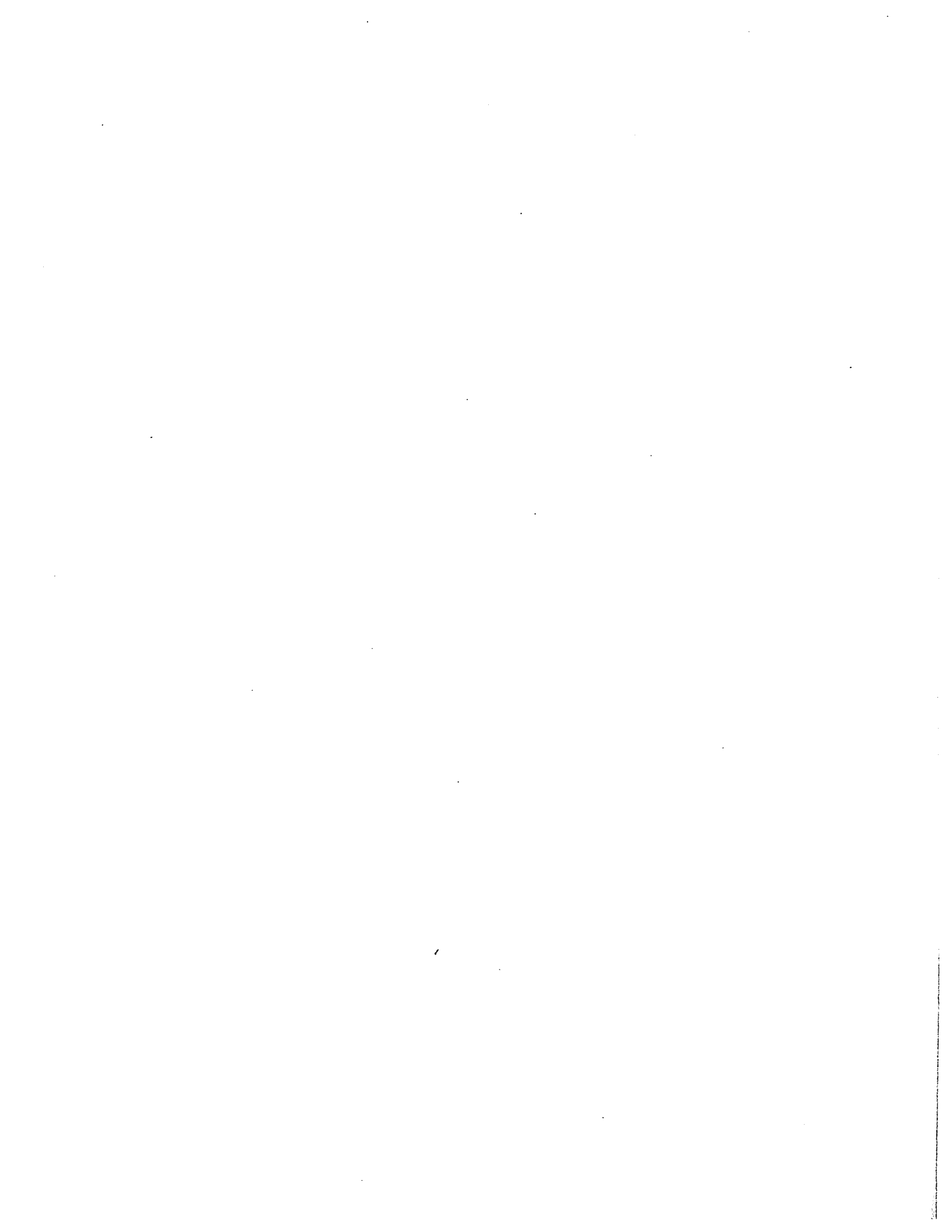


Table 2

	New Matters*	Matters Closed*	Disciplinary Action by Committees	Disciplinary Action by Court
1st Department				
1983	2547	2511	152	72
1984	3011	2693	123	39
1985	2869	2867	198	41
1986	2477	2838	194	38
1987	2328	2111	94	56
1988	4996	5087	86	45
1989	5278	5174	144	39
1990	2247	2408	175	40
1991	2343	2288	155	44
1992	2819	2808	146	71
2nd Department				
1983	2204	1970	187	79
1984	2646	2702	269	61
1985	2990	2966	290	64
1986	3452	3064	264	36
1987	3325	3465	282	49
1988	3119	3049	247	80
1989	3535	3170	291	75
1990	3275	3459	415	74
1991	3770	3672	395	105
1992	3519	3458	309	112
3rd Department				
1983	760	750	64	14
1984	662	746	57	24
1985	950	794	71	12
1986	976	986	96	16
1987	979	983	96	16
1988	1079	925	95	20
1989	1235	1237	63	13
1990	1374	1322	89	28
1991	1411	1326	121	40
1992	1450	1376	142	47
4th Department				
1983	2171	2056	30	15
1984	2083	1904	26	5
1985	2166	1934	42	5
1986	1895	1645	60	14
1987	2181	1992	51	19
1988	2631	2653	34	14
1989	2307	2368	26	14
1990	1659	2116	68	20
1991	1930	1775	77	12
1992	1939	2040	105	24

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

Statewide

1983	7682	7287	433	180
1984	8402	8045	475	129
1985	8975	8516	601	160
1986	8800	8310	614	104
1987	8813	8551	523	140
1988	11825	8929	462	159
1989	12355	11949	524	141
1990	8555	9305	747	162
1991	9454	9061	748	201
1992	9727	9682	702	254

Table 3

	New Matters*	Matters Closed*	Disciplinary Action by Committees	Disciplinary Action by Court
Departmental Disciplinary Committee for the First Department				
1983	2547	2511	152	72
1984	3011	2693	123	39
1985	2869	2867	198	41
1986	2477	2838	194	38
1987	2328	2111	94	56
1988	4996	5087	86	45
1989	5278	5174	144	39
1990	2247	2408	175	40
1991	2343	2288	155	44
1992	2819	2808	146	71
Grievance Committee for the Second and Eleventh Judicial Districts, Second Department				
1983	506	506	37	65
1984	519	453	49	24
1985	802	672	66	17
1986	867	716	55	6
1987	1019	916	56	18
1988	992	1017	92	33
1989	1142	941	102	12
1990	1122	1201	220	26
1991	1211	1134	210	34
1992	1104	1147	142	41
Grievance Committee for the Ninth Judicial District, Second Department				
1983	443	470	64	6
1984	604	534	38	20
1985	567	612	40	11
1986	826	598	24	18
1987	829	894	41	10
1988	825	732	63	22
1989	915	900	101	34
1990	733	938	92	28
1991	1042	1030	48	34
1992	915	802	45	27
Grievance Committee for the Tenth Judicial District, Second Department				
1983	962	753	70	8
1984	1180	1411	164	17
1985	1070	1156	173	20
1986	826	1138	173	9
1987	829	1355	169	21
1988	1302	1300	92	25
1989	1478	1329	88	29
1990	1420	1320	103	20
1991	1517	1508	137	37
1992	1500	1509	116	44

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

Committee on Professional Standards, Third Department

1983	760	750	64	14
1984	662	746	57	24
1985	950	794	71	12
1986	976	986	96	16
1987	979	983	96	16
1988	1079	925	95	20
1989	1235	1237	63	13
1990	1374	1322	89	28
1991	1411	1326	121	40
1992	1450	1376	142	47

Grievance Committee for the Fifth Judicial District, Fourth Department

1983	373	389	5	5
1984	420	430	6	0
1985	568	566	0	2
1986	448	442	11	3
1987	385	382	1	5
1988	435	419	7	3
1989	406	404	2	8
1990	423	439	9	6
1991	453	400	12	0
1992	356	418	41	3

Grievance Committee for the Seventh Judicial District, Fourth Department

1983	418	400	14	5
1984	528	451	20	2
1985	424	441	24	2
1986	355	413	10	5
1987	602	467	14	5
1988	571	535	12	7
1989	535	566	17	6
1990	516	469	19	5
1991	486	472	15	3
1992	609	585	28	10

Grievance Committee for the Eighth Judicial District, Fourth Department

1983	1380	1267	8	5
1984	1136	1024	0	3
1985	1174	927	18	1
1986	1092	790	39	6
1987	1194	1143	36	9
1988	1625	1699	15	4
1989	1366	1398	7	0
1990	720	1208	40	9
1991	991	903	50	9
1992	972	1037	36	11

Statistical Reports of Disciplinary Committees

Grievance Committee for the Second and Eleventh Judicial Districts of the Second Department

I. Matters Processed:

A. Matters Pending on Jan. 1, 1992	880	
B. New Matters Received During Period	1637	
C. Closed Matters Reactivated During Period	28	
D. Total Matters To Be Processed During Period		2545
E. Total Matters Disposed of During Period		1708
F. Matters Pending on Dec. 31, 1992		837

CASES:

MATTERS:

II. Matters Disposed of by Committee:

A. Rejected as Failing to State a Complaint	509	509
B. Referred to Other Disciplinary Committees	540	540
C. Referred to Other Agencies	21	21
D. Dismissed or Withdrawn	350	350
E. Letter of Caution (or Education)	96	96
F. Letter of Admonition	43	50
G. Admonition (or Reprimand)	2	2
H. Referred to Appellate Division	34	138
I. Tabled Pending Litigation	2	2
J. Total Disposed of During Period	1597	1708

III. Cases Processed in All Courts:

A. Cases Pending on Jan. 1, 1992	84	190
1. Disciplinary Proceedings	55	161
2. Other	29	29
B. Cases Received During Period	41	137
1. Disciplinary Proceedings	24	120
2. Other	17	17
C. Total To Be Processed During Period	125	327
D. Cases Closed		
1. Disbarred	15	64
2. Resigned	7	36
3. Suspended	16	44
4. Censured	3	3
5. Privately Censured	0	0
6. Remanded to Grievance Committee	2	2
7. Discontinued	2	14
8. Dismissed	0	0
9. Reinstatements Granted	2	2
10. Reinstatements Denied	9	9
11. All Other Dispositions	18	18
12. Total Closed	74	192
E. Total Cases Pending at End of Period	51	135
1. Disciplinary Proceedings	39	123
2. Other	12	12

Richmond County Bar Association Grievance Committee

I. Matters Processed:

A.	Matters Pending on Jan. 1, 1992	15
B.	New Matters Received During Period	43
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	58
E.	Total Matters Disposed of During Period	47
F.	Matters Pending on Dec. 31, 1992	11

II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	0
B.	Retained by District Disciplinary Committee	16
C.	Referred to Fee Conciliation Committee	5
D.	Settled by Fee	1
E.	Judicially Settled	0
F.	In Litigation	0
G.	Referred to Commn. on Judicial Conduct	0
H.	Closed by Appellate Division	1
I.	Dismissed	24
J.	Letter of Caution	0
K.	Withdrawn	0
L.	Admonition (by district committee)	0
M.	Suspension (by district committee)	0
N.	Reprimand (by district committee)	0
O.	Disbarred	0
P.	Total Disposed of During Period	47

Brooklyn Bar Association Grievance Committee

Grievance Files Received in 1992:	116
Matters disposed of:	42
Matters pending on December 31, 1992:	74
Fee Dispute Files Received in 1992:	62
Scheduled for hearings:	7
Resolved:	12
Pending:	43

Queens County Bar Association Grievance Committee

Dismissed:	53
Withdrawn:	1
Letter of Caution:	3
Letter of Advisement:	1
Admonition:	2
Referred to District Committee:	4
Referred to Fee Disputes Committee:	1
Tabled:	8
Total Matters Disposed of During Period:	73

Grievance Committee for the Ninth Judicial District of the Second Department

I. Matters Processed:

A. Matters Pending on Jan. 1, 1992	381	
B. New Matters Received During Period	1341	
C. Closed Matters Reactivated During Period	17	
D. Total Matters To Be Processed During Period		1739
E. Total Matters Disposed of During Period		1245
F. Matters Pending on Dec. 31, 1992		494

CASES: MATTERS:

II. Matters Disposed of by Committee:

A. Rejected as Failing to State a Complaint		373
B. Referred to Other Disciplinary Committees		416
C. Referred to Other Agencies		27
D. Dismissed or Withdrawn		293
E. Letter of Caution (or Education)		23
F. Letter of Admonition		22
G. Admonition (or Reprimand)		0
H. Referred to Appellate Division	39	91
I. Total Disposed of During Period		1245

III. Cases Processed in All Courts:

A. Cases Pending on Jan. 1, 1992		
1. Disciplinary Proceedings	48	100
2. Other	0	0
B. Cases Received During Period		
1. Disciplinary Proceedings	39	91
2. Other	0	0
C. Total To Be Processed During Period	87	191
D. Cases Closed		
1. Disbarred	12	40
2. Resigned	6	18
3. Suspended	5	12
4. Censured	4	4
5. Privately Censured	0	0
6. Remanded to Grievance Committee	2	5
7. Discontinued	0	0
8. Dismissed	1	1
9. Reinstatements Granted	2	2
10. Reinstatements Denied	2	2
11. All Other Dispositions	10	13
12. Total Closed	44	97
E. Total Cases Pending at End of Period		
1. Disciplinary Proceedings	43	94
2. Other	0	0

Dutchess County Bar Association Grievance Committee

Appellate Division, Second Department, Ninth Judicial District

I. Matters Processed:

A.	Matters Pending on Jan. 1, 1992	6
B.	New Matters Received During Period	21
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	27
E.	Total Matters Disposed of During Period	22
F.	Matters Pending on Dec. 31, 1992	5

II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	0
B.	Referred to Other Disciplinary Committees	2
C.	Referred to Other Agencies	5
D.	Dismissed	14
E.	Dismissed with Cautionary Language	1
F.	Letter of Caution	0
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Total Disposed of During Period	22

Orange County Bar Association Grievance Committee

Appellate Division, Second Department, Ninth Judicial District

I. Matters Processed:

A.	Matters Pending on Jan. 1, 1992	48
B.	New Matters Received During Period	32
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	80
E.	Total Matters Disposed of During Period	67
F.	Matters Pending on Dec. 31, 1992	13

II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	16
B.	Referred to Other Disciplinary Committees	2
C.	Referred to Other Agencies (White Plains handling)	0
D.	Dismissed	39
E.	Dismissed with Cautionary Language	8
F.	Letter of Caution	2
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Total Disposed of During Period	67

Putnam County Bar Association Grievance Committee

Appellate Division, Second Department, Ninth Judicial District

I. Matters Processed:

A.	Matters Pending on Jan. 1, 1992	1
B.	New Matters Received During Period	10
C.	Closed Matters Reactivated During Period	1
D.	Total Matters to be Processed During Period	12
E.	Total Matters Disposed of During Period	8
F.	Matters Pending on Dec. 31, 1992	4

II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	1
B.	Referred to Other Disciplinary Committees	1
C.	Referred to Other Agencies	0
D.	Dismissed	6
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	8

Rockland County Bar Association Grievance Committee

Appellate Division, Second Department, Ninth Judicial District

I. Matters Processed:

A.	Matters Pending on Jan. 1, 1992	21
B.	New Matters Received During Period	52
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	73
E.	Total Matters Disposed of During Period	45
F.	Matters Pending on Dec. 31, 1992	28

II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	2
B.	Referred to Other Disciplinary Committees	4
C.	Referred to Other Agencies	0
D.	Dismissed	38
E.	Dismissed with Cautionary Language	1
F.	Letter of Caution	0
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Total Disposed of During Period	45

Westchester County Bar Association Grievance Committee

Appellate Division, Second Department, Ninth Judicial District

I. Matters Processed:

A.	Matters Pending on Jan. 1, 1992	84
B.	New Matters Received During Period	168
C.	Closed Matters Reactivated During Period	1
D.	Total Matters to be Processed During Period	253
E.	Total Matters Disposed of During Period	161
F.	Matters Pending on Dec. 31, 1992	92

II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	0
B.	Referred to Other Disciplinary Committees	0
C.	Referred to Other Agencies	7
D.	Dismissed	129
E.	Dismissed with Cautionary Language	7
F.	Letter of Caution	1
G.	Letter of Admonition	2
H.	Reprimand	0
I.	Withdrawn	15
J.	Total Disposed of During Period	161

Grievance Committee for the Tenth Judicial District of the Second Department

I. Matters Processed:

A. Matters Pending on Jan. 1, 1992	828	
B. New Matters Received During Period	2097	
C. Closed Matters Reactivated During Period	74	
D. Total Matters To Be Processed During Period		2999
E. Total Matters Disposed of During Period		2180
F. Matters Pending on Dec. 31, 1992		819

CASES:

MATTERS:

II. Matters Disposed of by Committee:

A. Rejected as Failing to State a Complaint	847	847
B. Referred to Other Disciplinary Committees	661	661
C. Referred to Other Agencies	10	10
D. Dismissed or Withdrawn	386	386
E. Letter of Caution (or Education)	69	73
F. Letter of Admonition	39	43
G. Admonition (or Reprimand)	0	0
H. Referred to Appellate Division	36	160
I. Total Disposed of During Period	2048	2180

III. Cases Processed in All Courts:

A. Cases Pending on Jan. 1, 1992	57	99
1. Disciplinary Proceedings	54	96
2. Other	3	3
B. Cases Received During Period	69	162
1. Disciplinary Proceedings	42	135
2. Other	27	27
C. Total To Be Processed During Period	126	261
D. Cases Closed		
1. Disbarred	20	27
2. Resigned	5	10
3. Suspended	16	69
4. Censured	3	9
5. Privately Censured	0	0
6. Remanded to Grievance Committee	2	3
7. Discontinued	3	5
8. Dismissed	0	0
9. Reinstatements Granted	2	2
10. Reinstatements Denied	4	4
11. All Other Dispositions	19	33
12. Total Closed	74	162
E. Total Cases Pending at End of Period	52	99
1. Disciplinary Proceedings	49	96
2. Other	3	3

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

I. Matters Processed:

A. Matters Pending on Jan. 1, 1992	639	
B. New Matters Received During Period	1511	
C. Closed Matters Reactivated During Period	41	
D. Total Matters To Be Processed During Period		2191
E. Total Matters Disposed of During Period		1478
F. Matters Pending on Dec. 31, 1992		713

CASES:

MATTERS:

II. Matters Disposed of by Committee:

A. Rejected as Failing to State a Complaint	757	813
B. Referred to Other Disciplinary Committees	93	93
C. Referred to Other Agencies	9	9
D. Dismissed or Withdrawn	231	316
E. Letter of Caution (or Education)	36	43
F. Letter of Admonition	56	70
G. Admonition (or Reprimand)	32	29
H. Referred to Appellate Division	56	105
I. Total Disposed of During Period	1270	1478

III. Cases Processed in All Courts:

A. Cases Pending on Jan. 1, 1992		
1. Disciplinary Proceedings	17	61
2. Other	7	10
B. Cases Received During Period		
1. Disciplinary Proceedings	42	82
2. Other	25	25
C. Total To Be Processed During Period	91	178
D. Cases Closed		
1. Disbarred	8	21
2. Resigned	16	16
3. Suspended	19	45
4. Censured	4	8
5. Privately Censured	0	0
6. Remanded to Grievance Committee	13	27
7. Discontinued	0	0
8. Dismissed	1	1
9. Reinstatements Granted	3	3
10. Reinstatements Denied	0	0
11. All Other Dispositions	8	8
12. Total Closed	72	129
E. Total Cases Pending at End of Period	19	19
1. Disciplinary Proceedings	14	14
2. Other	5	5

Grievance Committee for the Fifth Judicial District of the Fourth Department

I. Matters Processed:

A. Matters Pending on Jan. 1, 1992	153	
B. New Matters Received During Period	437	
C. Closed Matters Reactivated During Period	7	
D. Total Matters To Be Processed During Period		597
E. Total Matters Disposed of During Period		504
F. Matters Pending on Dec. 31, 1992		93

CASES: MATTERS:

II. Matters Disposed of by Committee:

A. Rejected as Failing to State a Complaint	166	169
B. Referred to Other Disciplinary Committees	63	63
C. Referred to Other Agencies	23	23
D. Dismissed or Withdrawn	194	202
E. Letter of Caution (or Education)	17	18
F. Letter of Admonition	9	23
G. Admonition (or Reprimand)	N/A	N/A
H. Referred to Appellate Division	6	6
I. Total Disposed of During Period	478	504

III. Cases Processed in All Courts:

A. Cases Pending on Jan. 1, 1992		5
1. Disciplinary Proceedings	3	
2. Other	2	
B. Cases Received During Period		6
1. Disciplinary Proceedings	3	
2. Other	3	
C. Total To Be Processed During Period		11
D. Cases Closed		
1. Disbarred		0
2. Resigned		1
3. Suspended		1
4. Censured		1
5. Privately Censured		0
6. Remanded to Grievance Committee		1
7. Discontinued		0
8. Dismissed		0
9. Reinstatements Granted		1
10. Reinstatements Denied		3
11. All Other Dispositions		0
12. Total Closed		8
E. Total Cases Pending at End of Period		3
1. Disciplinary Proceedings	2	
2. Other	1	

Grievance Committee for the Eighth Judicial District of the Fourth Department

I. Matters Processed:

A. Matters Pending on Jan. 1, 1992	608	
B. New Matters Received During Period	890	
C. Closed Matters Reactivated During Period	100	
D. Total Matters To Be Processed During Period		1598
E. Total Matters Disposed of During Period		1055
F. Matters Pending on Dec. 31, 1992		543

CASES:

MATTERS:

II. Matters Disposed of by Committee:

A. Rejected as Failing to State a Complaint	572	595
B. Referred to Other Disciplinary Committees	18	18
C. Referred to Other Agencies	0	0
D. Dismissed or Withdrawn	274	356
E. Letter of Caution (or Education)	23	28
F. Letter of Admonition	7	8
G. Admonition (or Reprimand)	N/A	N/A
H. Referred to Appellate Division	22	50
I. Total Disposed of During Period	916	1055

III. Cases Processed in All Courts:

A. Cases Pending on Jan. 1, 1992		24
1. Disciplinary Proceedings	10	
2. Other	14	
B. Cases Received During Period		22
1. Disciplinary Proceedings	10	
2. Other	12	
C. Total To Be Processed During Period		46
D. Cases Closed		
1. Disbarred		2
2. Resigned		1
3. Suspended		8
4. Censured		0
5. Privately Censured		0
6. Remanded to Grievance Committee		1
7. Discontinued		1
8. Dismissed		0
9. Reinstatement Granted		2
10. Reinstatement Denied		0
11. All Other Dispositions		13
12. Total Closed		28
E. Total Cases Pending at End of Period		18
1. Disciplinary Proceedings	7	
2. Other	11	

**Disciplinary Decisions Reported by
Appellate Division in 1992**

FIRST DEPARTMENT

Attorney	Discipline Imposed	Statute or Rule
James P. Halperin 174 AD2d 83	Stricken	Judiciary Law §90(4),(6) (felony conviction - grand larceny, 2d degree [Class C felony]; offering false instrument for filing, 1st degree [Class E felony]).
James J. McEnroe 174 AD2d 67	Suspended 3 years, <i>nunc pro tunc</i> to 1/1/88.	DR 6-101(A)(3)(neglect); DR 7-101(A)(1),(2), (3)(failure to maintain contact with clients); DR 2-110(A)(3) (failure to return unearned fees).
Steven DiJoseph 174 AD2d 78	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Sam Polur 173 AD2d 82	Suspended 3 years effective 2/14/92	DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(6) (conduct adversely reflecting on fitness to practice law); DR 6-101(A)(3)(neglect); DR 7-101(A)(3)(conduct prejudicial to client); DR 7-102(A)(7) (counselling client in illegal or fraudulent conduct); DR 7-106(A)(counselling client to disobey tribunal ruling); DR 7-106(C)(6)(undignified or discourteous conduct);
Morris J. Eisen (admitted as Morris Eisen) 174 AD2d 141	Stricken	Judiciary Law §90(4)(b) (felony conviction - Penal Law §215.00, bribing a witness [Class D felony]).
Harold M. Fishman (admitted as Harold Michael Fishman) 174 AD2d 85	Stricken	Judiciary Law §90(4)(b)(felony conviction - Penal Law §215.00, bribing a witness [class D felony], 18 USC §§ 1961, 1962[d][conspiring to commit racketeering acts])
Michael D. Murphy 174 AD2d 85	Stricken on Consent	22 NYCRR §603.11 (resignation of attorney under investigation).

Paul D. Powsner 174 AD2d 125	Interim Suspension	22 NYCRR §603.4(e)(1)(i) and (ii) (willful failure to cooperate with Committee's investigation; suspension pending disposition of disciplinary matters).
Jose Quesada (admitted as Jose Alberto Quesado) 174 AD2d 217	Interim Suspension	22 NYCRR §603.4(e)(i) and (iii) (willful failure to cooperate with Committee's investigation; uncontroverted evidence of professional misconduct).
Irving Kurtz 174 AD2d 207	Disbarred	DR 1-102(A)(4),(6) (conversion).
Fred Fisher 174 AD2d 236	Censured	DR 1-102(A)(6)(now [7]) (conduct adversely affecting fitness to practice law); DR 2-103(B) (giving something of value to influence in order to recommend or obtain employment by a client).
Joseph P. Napoli 177 AD2d 135	Stricken	Judiciary Law §90(4)(b) (felony conviction - 18 USC §§ 1961, 1962(c)[bribing a witness and conspiring to commit racketeering acts]; Penal Law §215.00[class D felony]).
Martin Mensch 178 AD2d 80	Censured	Judiciary Law §90(4)(d) (misdemeanor conviction - NYS Tax Law §1801[a] [failing to file tax return]).
Ivan S. Fisher 174 AD2d 236	Censured	Judiciary Law §90(4)(d) (misdemeanor conviction - 26 USC §7203, 18 USC §3623 [willfully failing to file income tax return]).
Steven J. Romer 179 AD2d 96	Stricken	Judiciary Law §90(4)(b) (felony conviction - grand larceny, criminal possession of stolen property, criminal possession of forged instrument).
Alvin Ashley 179 AD2d 74	Stricken	Judiciary Law §90(4)(b) (felony conviction - Penal Law §§ 155.40, 155.35 [grand larceny, 2d degree]).

Stuart Charles Levitas 178 AD2d 87	Stricken	Judiciary Law §90(4)(b) (felony conviction - 18 USC §371 [conspiracy to defraud]; 18 USC §1001 [making false statements]; 18 USC §1505 [obstruction of proceedings]).
Biril John Dogan 178 AD2d 65	Interim Suspension	22 NYCRR §603.4(e)(1)(i) and (iii) (willful failure to cooperate with Committee's investigation, uncontroverted evidence of serious professional misconduct).
Jorge Sorote 179 AD2d 19	Interim Suspension	22 NYCRR §603.4(e)(1)(i) and (iii) (willful failure to cooperate with Committee's investigation, uncontroverted evidence of serious professional misconduct).
Godwin R. Valdez (admitted as Godwin Reyes Valdez)	Interim Suspension	Judiciary Law §90(4)(d) (serious crime - 18 USC §911 [falsely representing himself to be U.S. citizen]; 18 USC §371 [conspiring to commit an offense against the U.S.]).
Joseph Fallon 179 AD2d 15	Censured	Judiciary Law §90(4)(d) (serious crime - NYS Tax Law § 1801 [a] [failure to file income tax return][misdemeanor]).
David Lihn 179 AD2d 23	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Dwayne C. Vaughn (admitted as Dwayne Charles Vaughn)	Censured	22 NYCRR 603.3 (discipline in foreign jurisdiction [New Jersey]).
Arthur Kowaloff (admitted as Arthur David Kowaloff) 179 AD2d 224	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Arnold I. Biegen (admitted as Arnold Irvin Biegen) 179 AD2d 226	Stricken	Judiciary Law §90(4)(b) (felony conviction - Penal Law §155.40 [grand larceny, 2d degree]).
Kenneth F. Anderson (admitted as Kenneth Frederick Anderson, II) 180 AD2d 146	Disbarred	Judiciary Law §§484, 486 (practicing law while suspended).

Bradford J. Brown 180 AD2d 150	Suspended 2 years	DR 5-104(A)(engaging in business transaction with client); DR 1-102(A)(4) (dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 9-102(A)(commingling); DR 1-102 (A)(6)(conduct adversely reflecting on fitness to practice law).
Stanley A. Schwartz 180 AD2d 119	Suspended 1 year	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation).
Anonymous	Referred to DDC for reprimand	Judiciary Law §90(4)(d) (serious crime).
Mark J. Weinstein (admitted as Mark Joseph Weinstein) 180 AD2d 277	Suspended 6 months retroactive from 1/31/91, reinstated as of date of order.	Judiciary Law §90(4)(d) (serious crime - 26 USC §7201 [filing false tax return]).
Anonymous	Indefinite suspension	22 NYCRR 603.16(c)(1) (mental incapacity).
Ellis M. Deull 180 AD2d 366	Indefinite suspension	22 NYCRR 603.16(c)(1) (mental incapacity).
Mitchell Eisenstat 180 AD2d 368	Indefinite suspension	22 NYCRR 603.16(c)(1) (mental incapacity).
Richard M. Messina (admitted as Richard Michael Messina) 180 AD2d 370	Disbarred	DR 1-102(A)(4),(6) (conversion); DR 1-102(A)(5), (6) (failure to satisfy judgment).
Roderick Plummer 180 AD2d 380	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Ingrid D. Williams 180 AD2d 374	Interim suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with Committee's investigation of professional misconduct).
Jay H. Landau (admitted as Jay Howard Landau) 180 AD2d 257	Disbarred	DR 1-102(A)(4), (6) (conversion); DR 6-101(A)(3) (neglect); DR 7-101(A)(failure to represent client zealously).

Jay E. Adolf (admitted as Jay Edward Adolf) 180 AD2d 382	Interim suspension	Judiciary Law §90(4)(d) (serious crime - 18 USC §1341 [mail fraud]).
Melvin Miller (admitted as Melvin H. Miller) 180 AD2d 377	Interim suspension	Judiciary Law §90(4)(d) (serious crime - 18 USC §1341 [mail fraud]).
Murray Schechter 181 AD2d 101	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Jack Chadrjian 181 AD2d 46	Indefinite suspension	22 NYCRR 603.16(c)(1) (mental incapacity).
Anonymous	Referred to DDC for private reprimand	Judiciary Law §90(4)(d) (serious crime).
Joseph Chervin 181 AD2d 111	Disbarred	Judiciary Law §90(4)(d) (serious crime - Tax Law §1801[a] [failure to file tax returns]; DR 1-102(A)(3), (4), (7) (illegal conduct; dishonesty, fraud, deceit or misrepresentation; conduct adversely reflecting on lawyer's fitness to practice law]).
Michael M. Chasen 181 AD2d 167	Indefinite suspension	22 NYCRR 603.16 (c)(1) (mental incapacity).
Daniel J. Cooper (admitted as Daniel James Cooper) 181 AD2d 298	Interim suspension	Judiciary Law §90(4)(d) (serious crime - 18 USC §371 [conspiring to defraud]).
Vincent J. Catalfo 181 AD2d 213	Stricken	Judiciary Law §90(4)(b) (felony conviction - 26 USC §7201 [tax evasion]; 18 USC §1341 [mail fraud]; 18 USC §1956 (a)(1)(A)(ii), (B) [laundering monetary instruments]).
William T. Martin (admitted as William Theodore Martin) 181 AD2d 156	Suspended 3 years effective 2/20/90	Judiciary Law §90(4)(d) (serious crime - 18 USC §371 [conspiring to obstruct collection of taxes]; 26 USC §7201 [income tax evasion]; 26 USC §7206[1] [subscribing an illegal tax return]; 21 USC §844 [possession of a controlled substance]).

Steven Glauberman (admitted as Steven L. Glauberman) 181 AD2d 207	Stricken	Judiciary Law §90(4)(b) (felony conviction - 15 USC §78j[b] [securities fraud]; 18 USC §1343 [wire fraud]).
Richard D. Savitsky 181 AD2d 199	Indefinite suspension	22 NYCRR 603.16(c) (1) (mental incapacity).
Mary Powers 181 AD2d 186	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Michael P. Oshatz 181 AD2d 382	Disbarred	Judiciary Law §90(4)(d) (serious crime - 18 USC §371 [conspiracy to defraud U.S.]; 26 USC §7206[2][assisting in preparation of false documents]; 26 USC §7206[1][false declaration while under penalty of perjury]).
Michael L. Matar (admitted as Michael L. Wolosky) 181 AD2d 360	Disbarred	DR 7-106(A)(disregarding lawfully entered judgment); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7) (conduct reflecting adversely on fitness to practice law; DR 1-102(A)(4)(conversion).
Leonard A. Messinger 181 AD2d 375	Suspended 5 years retroactive to 7/27/89	18 USC §371 (conspiracy to defraud U.S.); 26 USC §7206 (2)(assisting in preparation of false documents); 26 USC §7206(1)(false declaration while under penalty of perjury).
Bruce A. Brown 181 AD2d 314	Stricken	Judiciary Law §90(4)(b) (felony conviction [Ohio] - Penal Law §190.05 [issuing bad check]; Penal Law §155.05[2] [c] [larceny]; Penal Law § 170.10 [forgery affecting a legal right]).
Benjamin G. Sprecher (admitted as Benjamin Gedal Sprecher) 181 AD2d 347	Stricken	Judiciary Law §90(4)(b) (felony conviction - 18 USC §1001 [making false statement; see Penal Law § 175.35, filing false instrument]).

Milton Feinman 182 AD2d 179	Interim suspension	22 NYCRR 603.4(e)(1)(iii) (uncontroverted evidence of professional misconduct presenting a threat to the public interest).
Harvey Myerson (admitted as Harvey Daniel Myerson) 182 AD2d 242	Interim suspension	Judiciary Law §90(4)(d)(serious crime - 18 USC §§1341, 2314 [mail fraud, interstate travel fraud]).
Karl B. Canavan	Disbarred	Judiciary Law §90(4)(d)(serious crime - 26 USC §7206[1] [filing false tax return]); DR 1-102(A)(3)(illegal conduct); DR 7-110(A)(proscribed contact with judges); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(6)(conduct adversely reflecting on fitness to practice law); DR 1-102(A)(4)(conduct involving fraud, deceit, misrepresentation and dishonesty); DR 1-103(A)(failure to disclose information to authorities).
Melvin M. Kazdin 183 AD2d 108	Interim suspension	Judiciary Law §90(4)(d) (serious crime).
Victor E. Bryant 183 AD2d 147	Censured	DR 6-101(A)(3)(neglect); DR 7-101(A)(2)(failure to represent client zealously); DR 1-102(A)(6)(conduct that adversely reflects on fitness to practice law).
Samuel Konigsberg	Interim suspension	Judiciary Law §90(4)(d)(serious crime - 18 USC §1001 [making false statement to government agent]).

Ira Postel	Disbarred	DR 1-102(A)(4)(conversion of client's funds); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(6)(conduct adversely reflecting on fitness to practice law); DR 6-101(A)(3)(neglect); DR 2-110(A)(3)(failure to return unearned portion of fee); Judiciary Law §468-a (failure to register as an attorney).
G. Alexander Novak 183 AD2d 83	Interim suspension	Judiciary Law §90(4)(d)(serious crime - 18 USC §371 [conspiracy to submit false documents to government agency]).
Michael F. Newton	Censured	Judiciary Law §90(4)(d)(serious crime - Tax Law §1801[a] [failure to file NYS tax returns]).
Mitchell Bedell 183 AD2d 62	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Arthur O. Klein	Suspended 2 years	22 NYCRR 603.4(d), Judiciary Law §90(2)(collateral estoppel).
Eugene P. Edwinn	Indefinite suspension	22 NYCRR 603.16(a)(mental incapacity).
Herman Chasin	Suspended 3 months	DR 6-101(A)(3)(neglect).
Donald Weber (admitted as Donald Jerome Weber, Jr.)	Stricken	Judiciary Law §90(4)(b) (felony conviction [Illinois]; see Penal Law §125.25 [murder, 2d degree]).
Thomas A. Andrews	Disbarred	DR 1-102(A)(4), (6)(dishonesty, misappropriation); DR 9-102(A), 22 NYCRR 603.15 (a)(commingling); DR 3-102(A) (improper fee-splitting with nonlawyer); DR 5-101(A)(conflict of interest); DR 5-104(A)(improperly entering into business relationship with client).

Martin Borakove	Disbarred	DR 1-102(A)(4), (6) (conversion); DR 1-102(A)(5) (failure to cooperate with Committee investigation).
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SECOND DEPARTMENT

(Second and Eleventh Judicial Districts)

Robert Rowe 174 AD2d 159	Disbarred	Murdered wife and children; escaped from state psychiatric facility and thereafter pleaded guilty to escape, 3d degree; failed to file record of conviction with Appellate Division; violated order of suspension by publishing legal article on rights of psychiatric patients.
James W. Farrell 174 AD2d 163	Resigned	Mishandled client escrow funds; maintained negative balances in escrow account; commingled clients' funds with his own funds; failed to maintain adequate bookkeeping records for his escrow account.
Burtin Rudnick 177 AD2d 121	Suspended 2 years	Coerced matrimonial client into having sexual relations with him and allowed his professional judgment to become impaired by his own interest such that he intentionally damaged client during course of professional relationship. Previously admonished for similar misconduct in 1986.
Paul E. Keith 177 AD2d 138	Resigned	Commingled clients' funds with his own personal funds and failed to deposit escrow funds into a proper attorney's trust account.

Dennis P. Elkin (a suspended attorney) 178 AD2d 83	Disbarred	Neglected a legal matter; failed to communicate with client; failed to cooperate with Grievance Committee; failed to submit affidavit of compliance subsequent to suspension; made false and misleading statement to Grievance Committee.
Joseph Bigman 178 AD2d 90	Suspended 2 years	Breached fiduciary responsibility by releasing escrow money to client prematurely; failed to advise attorneys for other parties that he was not holding funds in escrow; gave false assurances he was holding those funds.
Camilla Aings (a suspended attorney) 178 AD2d 96	Suspended 2 more years	Failed to cooperate with Grievance Committee; willfully disobeyed Appellate Division order; improperly commingled funds entrusted as escrow agent; failed to maintain required records; neglected a legal matter.
John B. D'Albora 179 AD2d 207	Resigned	Pleaded guilty to petit larceny.
Marvin Juron 179 AD2d 218	Disbarred	Disbarred in Illinois after federal conviction of conspiracy to defraud a savings and loan, defrauding a savings and loan, and mail fraud.
Peter G. Smith 179 AD2d 314	Resigned	Neglect; failure to cooperate; conversion of client funds.
Robert J. Clark 180 AD2d 1	Disbarred	Convicted of multiple felonies.
Salvatore Quagliata 180 AD2d 38	Suspended 3 years	Neglected legal matter entrusted to him; failed to return unearned legal fee; prior history with Grievance Committee noted.
Joseph G. Russo 180 AD2d 60	Resigned	Mishandled escrow funds.

Arthur J. Piken 180 AD2d 114	Resigned	Engaged in professional misconduct in preparation of a will.
Robert Perla (a suspended attorney) 180 AD2d 116	Resigned	Converted escrow funds; improperly released escrow funds; commingled clients' funds with personal funds; failed to comply with lawful demands of Grievance Committee.
Milton Morganstern	Interim suspension	Convicted of mail fraud - federal felony and serious crime.
Walter H. Blaich, Jr.	Interim suspension	Failed to cooperate.
Edward Horn	Disbarred	Converted clients' funds; filed false statements with Office of Court Administration; fraudulently conformed a court order; prepared and signed a false affirmation claiming inflated costs and disbursements; failed to promptly pay client her share of settlement funds.
Gary Kaminsky	Interim suspension	Mishandled escrow funds.
Gerald Weingart	Censured	Suspended 2 years in New Jersey.
Joseph E. Guarino	Disbarred	Converted clients' funds; drew escrow checks to cash; failed to cooperate with Grievance Committee.
Frank Berk	Suspended 1 year	Suspended from law practice 6 months in Vermont for conduct involving moral turpitude.
Mark A. Mintz	Suspended 2 years	Suspended from practice in New Jersey 2 years for gross neglect; failure to communicate; pattern of neglect; and failure to cooperate with ethics authorities.
Martin Burger	Suspended 1 year	Failed to cooperate with Grievance Committee.

Norman Turk	Censured	Convicted of failing to file federal income tax return.
John J. Kim	Disbarred	Converted clients' funds; conflict of interest; mishandled escrow funds.
Thomas J. Keenan (a suspended attorney)	Suspended 1 year	Failed to file affidavit of compliance; engaged in unauthorized practice of law while suspended; failed to cooperate with Grievance Committee.
Lewis W. Tyson, Jr.	Interim suspension	Failed to cooperate with Grievance Committee; failed to answer complaints.
Diane Calderone	Interim suspension	Failed to cooperate with Grievance Committee.
Elliot Bellen	Disbarred	Convicted of a felony.
Milton Morganstern (a suspended attorney)	Indefinite suspension	Suspended until physically fit to defend against charges of professional misconduct.
Steven Rosenbluth (a suspended attorney)	Disbarred	Felony conviction - 17 counts of grand larceny.
Martin J. Mayblum (a suspended attorney)	Resigned	Converted clients' funds; commingled funds; failed to properly maintain escrow account; failed to promptly remit funds owed to client; failed to comply with suspension order.
Alexander Theoharous	Disbarred	Conspired to obstruct justice by attempting to bribe a witness in a criminal proceeding and to induce her to fail to appear to give testimony.
Paul E. DuBois	Censured	Neglect; wrongfully notarized a signature on an affidavit.

(Ninth Judicial District)

Paul A. Bartolotta	Motion for reinstatement denied.	
Vincent M. Brennan 78 NY2d 860	Motion for leave to appeal denied.	
Vincent M. Brennan 79 NY2d 848	Motion for reargument denied.	
Vincent M. Brennan	Disbarred (Resigned)	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 9-102(A),(B),(C) (commingling, failure to account); DR 5-105 (conflict of interest).
Richard A. Croce 179 AD2d 319	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation).
Patrick W. Cukierski 183 AD2d 299	Disbarred (Resigned)	DR 9-102(A),(B)(commingling, conversion); 22 NYCRR 691.12(a),(b),(e),(f)(failure to maintain escrow account, failure to maintain and produce records, obstructing or attempting to obstruct a legitimate investigation).
Creighton M. English 182 AD2d 185	Censured	DR 5-105(A),(B),(C) (conflict of interest).
Thomas F. English, Jr. 182 AD2d 188	Censured	DR 5-105(A),(B),(C) (conflict of interest).
Harvey Felton 180 AD2d 109	Disbarred	DR 9-102(A),(B),(C),(D),(E) (commingling, conversion, failure to promptly pay over funds, failure to maintain records, check payable to cash); DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation).
Gerald J. Garner (admitted as Gerald J. Goldberg) 176 AD2d 26	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit, or misrepresentation).
Gerald J. Garner	Motion for reargument denied.	

Gerald J. Garner 80 NY2d 917	Motion for leave to appeal denied.	
Philip A. Giangrande 177 AD2d 141	Disbarred	DR 6-101(A)(3)(neglect of legal matters); DR 1-102(A) (7)(conduct which adversely reflects on fitness to practice law).
Stuart M. Glass	Motion for reinstatement held in abeyance; matter referred to Committee on Character and Fitness.	
Stuart M. Glass	Reinstated.	
Sheldon Goldklang 181 AD2d 350	Suspended 2 years	DR 1-102(A)(5)(conduct pre- judicial to administration of justice); DR 1-102(A)(7) (con- duct which adversely reflects on fitness to practice law).
H. Hawthorne Harris	Reinstated	
Richard A. Howard	Motion for reargument denied.	
Martin Kent	Suspension continued.	
Martin Kent 182 AD2d 157	Reinstated and censured.	Judiciary Law §468-a, 22 NYCRR 118.1 (failure to register, failure to cooperate.
Kenneth Knigin 79 NY2d 851	Motion for reargument denied.	
Kenneth Knigin 112 S.Ct. 2307	Certiorari denied.	
M. Thomas Kuriakose	Motion for reargument and leave to appeal denied.	

Dennis C. Larsen 182 AD2d 149	Suspended 3 years	DR 6-101(A)(3)(neglect of legal matters); DR 1-102(A)(7)(conduct which adversely reflects on fitness to practice law and failure to cooperate); DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); Judiciary Law §468-a, 22 NYCRR 118.1 (failure to register); DR 1-102(A)(5) (conduct prejudicial to administration of justice); Judiciary Law §470 (failure to maintain office in state).
Jeffrey M. Leben 180 AD2d 279	Disbarred (Resigned)	DR 9-102(B),(C)(mishandling escrow funds).
Thomas P. Lentini 179 AD2d 185	Disbarred (Resigned)	DR 9-102(B),(C)(mishandling escrow funds, failure to account).
Kenneth J. Levinson	Disbarred	Judiciary Law' §90(4)(a),(e) (convicted of crime equivalent to Grand Larceny, 2d degree [Penal Law §155.40]).
Michael S. Linn 183 AD2d 399	Disbarred	Judiciary Law §90(4)(a),(e) (convicted of Grand Larceny, 2d degree [Penal Law §155.40]).
Carl M. Mitchell 182 AD2d 76	Disbarred	DR 1-102(A)(7)(conduct which adversely reflects on fitness to practice law, conversion, failing to account, failure to communicate); DR 6-101(A)(3)(neglect of a legal matter).
Paul A. Moore 182 AD2d 198	Disbarred (Resigned)	DR 9-102(A),(B)(conversion, commingling); DR 6-101(A)(3) (neglect of a legal matter); DR 5-101 (conflict of interest).
William M. Mulderig 182 AD2d 85	Disbarred	Judiciary Law §90(4)(d)(convicted of serious crime - contempt); DR 5-104 (self-dealing); DR 9-102(C)(failure to account, failure to promptly pay); DR 9-102(A)(commingling); DR 1-102(A)(4)(dishonesty, fraud, deceit, or misrepresentation).

William M. Mulderig	Motion to enjoin and restrain Grievance Committee from enforcing or publishing order of disbarment denied.	
Charles O'Donnell 177 AD2d 4	Disbarred (Resigned)	DR 6-101(A)(3)(neglect of a legal matter); DR 9-102(C) (mishandling client's account).
Joseph R. Pisani	Motion for reinstatement denied.	
Howard Pitt 180 AD2d 295	Suspended 1 year	DR 1-102(A)(7)(conduct which adversely reflects on fitness to practice law); 22 NYCRR 25.40 (engaging in private practice of law without permission).
Doris L. Sassower 80 NY2d 1023	Motion for leave to appeal denied.	
Matthew A. Siegel 182 AD2d 170	Disbarred	DR 1-102(A)(7)(conduct which adversely reflects on fitness to practice law); DR 9-102(A),(D),(E) (commingling, failure to maintain records, improper withdrawals); DR 7-102(A)(1),(2)(filing suit or other action to harass or maliciously injure, advancing unwarranted claims); DR 2-106(A),(B)(excessive fees); DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation).
Matthew A. Siegel 80 NY2d 761	Motion for leave to appeal denied.	
Stephen V. Staehle	Suspended until further order	22 NYCRR 691.4(1)(failure to cooperate, disciplinary proceeding authorized).
Michael J. Stella 174 AD2d 168	Disbarred (Resigned)	Judiciary Law §90(4)(d)(serious crime - convicted of attempted criminal usury, 2d degree [Penal Law §§110, 190.40]).

Robert A. Tassio 174 AD2d 166	Censured	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation).
Justin M. Tobia 179 AD2d 317	Disbarred	Judiciary Law §90(4)(convicted of grand larceny, 3d degree [Penal Law §155.35]).
Ihor Wowtschuk 183 AD2d 122	Suspended 2 years	DR 1-102(A)(7)(conduct adversely reflecting on fitness to practice law); DR 9-102(A)(commingling); DR 6-101(A)(3)(neglect of a legal matter).
William F. Wray 174 AD2d 81	Disbarred	Judiciary Law §90(4)(convicted of criminal possession of a weapon, 3d degree [Penal Law §265.02]).
Fred I. Zabriskie 183 AD2d 99	Disbarred (Resigned)	DR 9-102(C)(conversion); DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation).

(Tenth Judicial District)

Matter of Adams 174 AD2d 170	Disbarred	Judiciary Law §468-a (failure to comply with registration requirement); 22 NYCRR 691.4 (2)(failure to cooperate with grievance committee); DR 6-101(A)(8)(neglect of estate); DR 9-102(A)(4)(overreaching); DR 1-102(A)(7)(default to allegations).
Matter of Bodner	Interim Suspension	22 NYCRR 691.13
Matter of Burns	Motion to appoint conservator granted.	
Matter of Clarke 183 AD2d 138	Disbarred	Judiciary Law §90(4)(felony conviction - grand larceny, 3d degree [Penal Law §155.35]).
Matter of Coiro 178 AD2d	Disbarred (Resigned)	Criminal conviction of conspiracy to distribute a controlled substance.

Matter of Cotter 185 AD2d 13	Disbarred	Judiciary Law §90(4)(felony conviction - criminal possession of forged instrument, 4th degree [Penal Law §170.25]).
Matter of Cusano 183 AD2d 290	Disbarred	22 NYCRR 691.4 (2)(failure to cooperate with grievance committee); DR 6-101(A)(3) (neglect); Judiciary Law §90 (4)(C)(failure to file record of conviction); DR 1-102(A)(7) (default to allegations).
Matter of Diamond 183 AD2d 322	Disbarred	Judiciary Law §90 (4) (felony conviction - grand larceny, 4th degree [Penal Law §155.3]).
Matter of Dougherty 180 AD2d 306	Disbarred	Judiciary Law §90 (4) (felony conviction - attempted grand larceny, 2d degree [Penal Law §155.40]).
Matter of Dowsey	Application for reinstatement granted.	
Matter of Durning	Interim suspension	
Matter of Falanga 180 AD2d 83	Censured	DR 9-102 (failure to properly oversee or review books, records and bookkeeping practices of law firm).
Matter of Field	Interim Suspension	22 NYCRR 691.4 (uncontroverted evidence of misuse of escrow funds).
Matter of Gaines 176 AD2d 93	Disbarred	Judiciary Law §90(4) (felony conviction - intentional real estate securities fraud [Gen. Bus. Law §352-C]).
Matter of Genser 183 AD2d 311	Suspended 1 year	DR 6-101(A)(3) (neglect and failure to communicate with client); DR 1-102(A)(7) (knowingly making false statements to grievance committee); DR 1-102(A)(7) (overreaching).
Matter of Glubin 179 AD2d 294	Resigned	DR 9-102(A) (conversion of escrow funds).

Matter of Gold 79 NY2d 933	Motion for leave to appeal denied.	
Matter of Guardino 183 AD2d 352	Disbarred	Judiciary Law §90(4),(9) (convicted of misdemeanors); Judiciary Law §90(4)(C) (failure to file record of convictions [assault in 3d degree (Penal Law §12.00), criminal trespass 2d degree (Penal Law §140.15)]); DR 7-102(A)(1) (filing lawsuit to harass or maliciously injure another); DR 1-102(A)(7) (engage in conduct adversely reflecting on fitness to practice law).
Matter of Harrison 179 AD2d 170	Censured	DR 1-101(A)(7)(conflict of interest, overreaching, self-dealing and conduct adversely reflecting on fitness to practice law).
Matter of Holtman 152 AD2d 15	Motion to appoint conservator granted.	
Matter of Hutchinson 171 AD2d 26	Motion to reargue denied.	
Matter of Johnson	Interim suspension	22 NYCRR 691.4 (uncontroverted evidence of misappropriation of escrow funds, failure to cooperate).
Matter of Kreines- 179 AD2d 349	Censured	Judiciary Law §90(4)(d) (serious crime conviction for failing to file NYS tax return).
Matter of Lee 171 AD2d 383	Application for reinstatement denied; motion to reargue denied.	
Matter of Lederberg	Interim suspension	22 NYCRR 691.4 (convicted of serious crime).
Matter of Mascaro	Interim suspension	22 NYCRR 691.4.
Matter of Mattingly	Interim suspension	22 NYCRR 691.4, DR 1-102(A)(7) (failure to cooperate).

Matter of Meehan 174 AD2d	Suspended 3 years	DR 6-101(A)(3)(neglect); DR 1-1-2(A)(7)(failure to cooperate with grievance committee).
Matter of Mencher 181 AD2d 399	Disbarred (Resigned)	22 NYCRR 691.9, DR 9-102(A) (conversion).
Matter of Morris 182 AD2d 89	Disbarred (Resigned)	22 NYCRR 691.9, DR 9-102(A) (conversion).
Matter of Parker 180 AD2d 106	Disbarred	DR 9-102(A) (conversion of escrow funds); DR 1-102(A)(7) (failure to cooperate with grievance committee).
Matter of Post	Interim suspension discontinued and reinstated to practice of law.	
Matter of Probert 183 AD2d 282	Disbarred	22 NYCRR 691.4, DR 1-102(A) (7)(failure to cooperate with grievance committee, default to allegations).
Matter of Rosenzweig 179 AD2d 305	Disbarred (Resigned)	22 NYCRR 691.9, DR 9-102(A) (conversion of escrow funds).
Matter of Rossbach 180 AD2d 92	Suspended 1 year	DR 6-101(A)(3) (neglect); DR 1-102(A)(7)(failure to cooperate with grievance committee).
Matter of Saffioti	Interim suspension	22 NYCRR 691.4, DR 1-102(A) (7) (failure to cooperate with grievance committee).
Matter of Sandberg 182 AD2d 182	Disbarred (Resigned)	22 NYCRR 691.9, DR 9-102(A) (conversion of escrow funds).
Matter of Sanders 137 AD2d 641	Application for reinstatement denied; motion to reargue denied; motion to convert judgment denied.	
Matter of Schneider 180 AD2d 287	Disbarred (Resigned)	22 NYCRR 691.9, DR 9-102(A)(conversion of escrow funds).
Matter of Scholz 179 AD2d 292	Disbarred	Judiciary Law §90(4)(felony conviction - grand larceny, 3d degree [Penal Law §155.35]).

Matter of Sickmen 136 AD2d 668	Application for reinstatement denied.	
Matter of Simon 182 AD2d 191	Disbarred	DR 1-102 (A)(4)(engaging in conduct involving fraud, deceit and misrepresentation).
Matter of Speciner 182 AD2d 166	Disbarred	Judiciary Law §90(4)(federal crime - embezzlement by a trustee, 18 USC §153 [see Penal Law §155.05 (1), 155.35]).
Matter of Spies 180 AD2d 50	Disbarred (Resigned)	22 NYCRR 691.4, DR 9-102(A) (misappropriation of escrow funds).
Matter of Stahl	Interim suspension	22 NYCRR 691.4, DR 9-102(A) (misappropriation of escrow funds).
Matter of Talve 73 AD2d 629	Application for reinstatement denied.	
Matter of Tifford 178 AD2d 76	Disbarred	Judiciary Law §90(4) (felony conviction - grand larceny, 3d degree [Penal Law §155.35]).
Matter of Wagner 141 AD2d 251		
Matter of Weinreb 180 AD2d	Suspended 2 years	DR 5-101 (conflict of interest); DR 1-102(A)(4) (fraud, deceit and misrepresentation).
Matter of Weintraub 183 AD2d 331	Disbarred	Judiciary Law §90(4) (felony conviction - grand larceny, 3d degree [Penal Law §155.33])
Matter if Weisler 178 AD2d 69	Disbarred (resigned)	22 NYCRR 691.9, DR 9-102(A) (misappropriation of escrow funds).
Matter of Weiss 80 NY2d 752	Motion to vacate disbarment denied; leave to appeal denied; motion to Supreme Court for writ of certiorari denied.	
Matter of Zwerling 184 AD2d 183	Disbarred	Judiciary Law §90(4) (federal felony conviction - concealing material fact from agency [18 USC §10004; see Penal Law §175.35]).

THIRD DEPARTMENT

Edward P. Abbott	Reconsideration of dismissal by Court of Appeals denied.	
Edward P. Abbott	Petition for removal to federal court denied.	
Humberto J. Aguilar	Disbarred	22 NYCRR 806.19 (Reciprocal discipline based upon disbarment in Florida).
Anonymous	Disciplinary proceeding remanded to Committee	Attorney rejected proposed letter of admonition and demanded petition of charges. DR 1-102(A)(4),(5), DR 7-102(A) (1),(2),(5) (making false and unsupported allegations in court proceeding). Respondent at disciplinary proceeding asked to be permitted to accept admonition. On consent of Committee staff, matter was remanded to Committee.
Anonymous	Suspended indefinitely	22 NYCRR 806.10(a)(indefinite suspension due to alcoholism and major depression).
Michael P. Barrett	Suspended 5 years	Judiciary Law §90(4)(h) (misdemeanor convictions - Penal Law §105.05 [conspiracy 5th degree], §210.35 [making apparently sworn false statement]).
William M. Burke	Disbarred	Judiciary Law §90(4)(a),(e) (felony conviction - Tax Law §1804[b]).
Gina Dieli Cecil	Suspended indefinitely	Judiciary Law §90 (serious crime - 18 USC §1014 [making false statement to federally insured financial institution]).

John M. Cholakis	Suspended 1 year	DR 1-102(A)(5), DR 9-102(B)(1)(settling claim without client's knowledge or consent); DR 1-102(A)(4),(5),(6), DR 9-102(A),(B)(conversion of client's funds); DR 1-102(A)(4),(5)(misleading and deceiving client); DR 1-102(A)(4),(5),(6)(issuing checks on closed or inactive account); DR 1-102(A)(5),(6), DR 9-102(B)(failing to respond to client and provide requested documentation); DR 1-102(A)(5),(6)(failure to cooperate with Committee).
Kevin A. Conine	Suspended 2 years	DR 1-102(A)(4),(5),(6), DR 9-102 (conversion of client's funds); DR 1-102(A)(4),(5),(6),(7), DR 9-102(A),(B)(failure to deposit client's funds and failure to maintain records); DR 6-101(A)(3)(neglect of client's case).
George E. Dougherty	Disbarred	Resigned during pendency of investigation. Judiciary Law §90(6-a) (restitution order for \$22,682.14).
Albie S. Ferrucci	Suspended 6 months	DR 2-106 (charging clearly excessive fees); DR 1-102(A)(4),(5),(6), DR 7-102(A)(5) (making a false statement in a verified complaint).
Albie S. Ferrucci	Motion for leave to appeal denied.	
Victor M. Garnice	Censured	22 NYCRR 806.19 (Reciprocal discipline based upon censure in Arizona).

John J. Glavin, Jr.	Suspended 2 years	DR 6-101(A)(3)(neglect); DR 1-102(A)(5),(6)(failure to respond to client); DR 9-102 (failure to deposit client's funds into identifiable account and failure to promptly pay same upon request); DR 1-102(A)(5),(6), DR 9-102 (conversion of client's funds); DR 1-102(A)(4),(5),(6) (attempting to mislead and deceive Committee); DR 1-102(A)(5),(6), DR 9-102(B)(failure to maintain proper records of client funds); DR 1-102(A)(5),(6)(failure to cooperate with Committee); DR 1-102(A)(5),(7)(failure to comply with court rule).
Wendell D. Harp	Reinstated	
David P. Hurwitz	Indefinite suspension	Failure to appear for examination under oath pursuant to court order.
Wayne A. Johnson	Suspended 2 years	DR 6-101(A)(3)(neglect); DR 1-102(A)(4),(5),(7) (attempting to deceive and mislead opposing counsel); DR 1-102(A)(5),(7)(failure to cooperate with Committee).
Wayne A. Johnson	Suspended 9 months	Two year suspension granted by default vacated and 9-month suspension imposed after respondent allowed to be heard in mitigation.
Wayne A. Johnson	Additional 3-month suspension	DR 6-101(A)(3)(neglect); DR 1-1-2(A)(5),(7)(failure to cooperate with Committee).
Philip I. Kagan	Interim suspension	Judiciary Law §90(4)(f) (serious crime - securities fraud [18 USC §1962(c)]).
Philip I. Kagan	Disbarred	Judiciary Law §90(4)(h)(serious crime - securities fraud [18 USC §1962(c)]).

Lawrence B. Lennon	Suspended 2 years	DR 6-101(A)(3)(neglect); DR 9-102 (failure to maintain required records for escrow account); DR 9-102 (conversion of client's funds).
Stephen R. Mills	Censured	22 NYCRR 806.19 (reciprocal discipline based upon public reprimand in New Jersey).
James R. Murdock	Interim suspension	22 NYCRR 806.4(f)(suspension pending consideration of disciplinary charges).
James R. Murdock	Disbarred	DR 1-102(A)(4),(5),(7), DR 9-102 (conversion of clients' funds, failure to maintain records, render accounts and deliver funds); DR 9-102(E) (improper withdrawals from escrow account); DR 1-102(A)(4),(5),(7), DR 9-102(B)(failure to deposit funds into appropriate accounts); DR 1-102(A)(5)(failure to deposit funds into interest-bearing account); DR 1-102(A)(5) (failure to cooperate with Committee).
Frederick J. Neroni	Interim suspension	Judiciary Law §90(4)(f)(serious crime - filing false tax return [26 USC §7206(1)]).
Frederick J. Neroni	Suspended 6 months	Judiciary Law §90(4)(f),(g) (serious crime - filing false tax return [26 USC §7206(1)]).
Thomas C. Nicotera	Censured	DR 1-102(A)(5)(failure to cooperate with Committee); DR 1-102(A)(5),(7)(failure to comply with Committee directive); DR 1-102(A)(4), (5),(7)(failure to comply with agreement); DR 6-101(A)(3)(neglect).
Joel M. Proyect	Motion to suspend denied.	Judiciary Law §90(4)(f)(federal felony of manufacturing marijuana [21 USC §841(a)(1), (b)(1)(B)]).
Edward P. Purser	Reinstated	

Carmi Rapport Carl Whitbeck	Censured	DR 1-102(A)(4),(5), DR 2-103 (A),(B),(C), Judiciary Law §482 (improper solicitation of clients).
Mary Ann Smith	Interim suspension	22 NYCRR 806.4(f)(suspension pending consideration of disciplinary charges).
James C. Straney	Suspended 6 months	DR 6-101(A)(3)(neglect of clients' cases); DR 1-102(A)(5)(failure to respond to client); DR 2-110 (improper withdrawal from representation); DR 1-102(A)(5) (failure to cooperate with Committee).
L. Van Stillman	Suspended 1 year	22 NYCRR 806.19 (reciprocal discipline based upon suspension in Florida).
H. Robert Wall	Disbarred	Judiciary Law §90(4)(a)(conviction of grand larceny 3d degree [Penal Law §155.40 (1)]); Judiciary Law §90(6-a) (restitution order for \$865,549.21).
Jerry A. Weiss	Disbarred	22 NYCRR 806.8 (resignation during pendency of disciplinary proceeding charging DR 1-102(A)(4),(5),(7), DR 9-102 (conversion of client funds); DR 1-102(A)(4),(5),(7), DR 9-102(D)(failure to maintain proper escrow account records); DR 6-101(A)(3) (neglect); DR 1-102(A)(4),(5),(7) (misleading and deceiving clients); DR 5-103(B)(improperly advancing funds to a client) DR 1-102(A)(5),(7) (failing to cooperate with Committee).
Carl Whitbeck	Censured	See Rapport, above.

Martin P. Winsor	Suspended 6 months	DR 6-101(A)(3)(neglect); DR 1-102(A)(5),(7)(failure to comply with directive of court); DR 1-102(A)(5),(6),(7), DR 9-102 (failure to maintain records); DR 1-102(A)(4-7) (issuing checks returned for insufficient funds); DR 1-102(A)(5),(6),(7)(failure to respond to clients); DR 1-102(A)(5),(7)(failure to cooperate with Committee; DR 1-102(A)(4),(5),(7)(attempting to deceive and mislead Committee.
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Walter S. Wojick	Suspended 1 year retroactively	DR 1-102(A)(6), DR 9-102 (failure to preserve client's funds); DR 1-102(A)(5),(7) (failure to comply with agreement with court); DR 1-102(A)(4),(5),(7), DR 7-102(A)(4),(8)(submitting documents to court with improper notarization). Respondent's reinstatement was conditioned upon his signing of a monitoring agreement with NYSBA Lawyers' Assistance Program, repayment of client and Lawyers' Fund for Client Protection, and current registration as attorney.
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Walter S. Wojick	Reinstated	Aforementioned conditions met.
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FOURTH DEPARTMENT

(Fifth Judicial District)

Melvin E. Holm 176 AD2d 48	Censured	DR 1-102(A)(6)(unlawfully discriminating in the practice of law); DR 5-101(A)(accepting employment while unable to exercise professional judgment in behalf of client).
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Shaw J. Dallal	Application for reinstatement denied.	
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William F. Baker
184 AD2d 9

Suspended 3 years

DR 1-102(A)(7)(conduct adversely reflecting on fitness to practice law); DR 9-102(C)(3) (failure to maintain complete records of, and to account for, clients' funds); DR 9-102(C) (4)(failure to promptly pay over clients' funds); former 22 NYCRR 1022.5(a)(commingling).

(Seventh Judicial District)

Francis E. Curran, II
178 AD2d 63

Disbarred

DR 1-102(A)(4)(engaging in conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(engaging in conduct prejudicial to administration of justice); DR 6-101(A)(3)(neglecting a legal matter entrusted to him); DR 7-101(A)(2),(3) (failing to carry out a contract of employment and prejudicing his client during the course of the professional relationship); DR 7-102(A) (5)(knowingly made a false statement of fact).

George W. Conaty, Jr.

Application for reinstatement granted.

Charles J. LaLoggia
180 AD2d 77

Disbarred

DR 1-102(A)(4)(engaging in conduct involving dishonesty, fraud, deceit or misrepresentation; former DR 1-102(A)(6) (conduct adversely reflecting on fitness to practice law); DR 5-101(A)(failing to refuse employment when his interests may impair his professional judgment); DR 5-103(A)(entering into business transactions with clients without providing full disclosure); DR 9-102(B)(3)(failing to maintain reasonably sufficient funds in attorney account).

Louis Gorankoff
180 AD2d 77

Disbarred

DR 1-102(A)(4)(engaging in conduct involving dishonesty, fraud, deceit or misrepresentation); former DR 1-102(A)(6) (engaging in conduct adversely reflecting on fitness to practice law); DR 5-101(A) (failing to refuse employment when interests may impair his independent professional judgment); DR 5-104(A) (entering into business transactions with clients without providing full disclosure); DR 9-102(B)(3)(failing to maintain reasonably sufficient funds in attorney account).

William A. Argentieri
180 AD2d 46

Disbarred

DR 102(A)(3)(engaging in illegal conduct involving moral turpitude); DR 1-102(A)(4) (engaging in conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(engaging in conduct prejudicial to administration of justice); DR 1-102(A)(7) [former (6)](engaging in conduct adversely reflecting on fitness to practice law); DR 9-102(A),(B)(commingling funds and failing to maintain client funds due a client); DR 9-102(C)(failing to promptly pay funds due a client).

Nancy.A. Maruk
180 AD2d 239

Disbarred

DR 1-102(A)(4)(engaging in conduct involving dishonesty, fraud, deceit or misrepresentation); DR 2-106(A) (charging an illegal or excessive fee); DR 6-101(A)(3) (neglecting legal matters entrusted to her); former DR 9-102(A) (failing to deposit client funds in an identifiable trust account); former DR 9-102(B) (failing to pay funds due a client); former 22 NYCRR 1022.5(a)(commingling funds).

Walter J. Licata 181 AD2d 154	Suspended 6 months	Judiciary Law §90(4)(misdemeanor conviction - 26 USC §7207).
A. Roger Clarke	Disbarred	22 NYCRR 1022.25(a)(resigned under investigation)
Anthony P. LaFay	Application for reinstatement granted.	
Michael B. Rudin	Application for reinstatement granted.	
Walter J. Licata	Application for reinstatement granted.	
Deborah A. Oxendine 184 AD2d 30	Suspended 2 years	Former DR 9-102(A), current DR 9-102(B)(failed to keep client funds in a special or escrow account); former DR 9-102(B), current DR 9-102(C) (4)(failed to promptly pay funds due to a client); current DR 9-102(D)(1),(2)(failed to maintain proper and adequate records for special or escrow accounts); DR 6-101 (A)(3)(neglected legal matters entrusted to her).
Donald A. Kohler 184 AD2d 39	Suspended 2 years	DR 1-102(A)(3)(illegal conduct involving moral turpitude); DR 1-102(A)(4) (conduct involving dishonesty); former DR 9-102(A) (failing to preserve and maintain client funds in an identifiable bank account); former DR 9-102(B)(failing to promptly pay funds to a client); 22 NYCRR 1022.5 (a),(b)(commingling client funds with his own and failing to maintain appropriate records relating to client funds).
George R. LaCava	Application for reinstatement denied.	
Gerald L. Dorsey	Application for reinstatement denied.	

Brian Murray Berman	Disbarred	22 NYCRR 1022.22 (reciprocal discipline).
(Eighth Judicial District)		
Herschel L. Reingold 176 AD2d 67	Suspended 1 year	DR 1-102(A)(5)(engaging in conduct prejudicial to administration of justice in failing to cooperate with an investigation of charges filed against him); DR 6-101(A)(3) (neglecting a legal matter entrusted to him); DR 7-101 (A)(2)(failing to carry out a contract of employment); DR 7-101(A)(3)(prejudicing or damaging a client during the course of the professional relationship); 22 NYCRR 1022.19(e)(1)(i).
William Blanchard 176 AD2d 34	Suspended 1 year	DR 1-102(A)(6)(engaging in conduct adversely reflecting on fitness to practice law); DR 5-101(A)(accepting employment when exercise of professional judgment affected by his own financial interests); DR 9-101(failed to avoid appearance of impropriety).
Julian C. Johnson	Interim suspension	Judiciary Law §90(4)(misdemeanor conviction - Penal Law §190-05[1]).
Vincent R. DiPasquale	Disbarred	22 NYCRR 1022.25(a)(resigned under investigation).
Robert William Bartels	Suspended indefinitely	22 NYCRR 1022.23(a)(mental illness).
James J. Michalek 180 AD2d 67	Criminal contempt (30 days imprisonment, \$1000 fine)	Judiciary Law §750(A)(3).

Joseph F. Scirto 180 AD2d 29	Disbarred (restitution ordered).	DR 1-102(A)(4)(engaging in conduct involving dishonesty, fraud, deceit and misrepre- sentation); DR 1-102(A)(7) (engaging in conduct adverse- ly reflecting on fitness to practice law); DR 9-102(A) (commingled client funds with his own); DR 9-102(B) (1)(failed to maintain a separate account for client funds); DR 9-102(C)(4)(failed to promptly pay to his client as requested funds client was entitled to receive); 22 NYCRR 1022.20
Lewis A. Hoffman 180 AD2d 75	Suspended	22 NYCRR 1022.22 (reciprocal discipline).
David P. Feldman	Application for reinstatement granted.	
David R. Knoll 181 AD2d 136	Disbarred	Judiciary Law §90(4)(felony conviction - 18 USC §§152, 1001).
David E. Hampton	Interim suspension	Judiciary Law §90(4)(misdemeanor conviction - Penal Law §155.25
John L Curtis 183 AD2d 375	Disbarred	DR 1-102(A)(3)(engaging in illegal conduct involving moral turpitude); DR 1- 102(A)(4)(engaging in conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(7)(engaging in conduct adversely reflecting on fitness to practice law).

Robert J. Whitbread
183 AD2d 347

Suspended 1 year

DR 2-110(A)(2)(withdrawal from employment without taking reasonable steps to avoid foreseeable prejudice to rights of client); DR 6-101(A)(3)(neglecting legal matter); DR 1-102(A)(5)(engaging in conduct prejudicial to administration of justice); DR 1-102(A)(7)(engaging in conduct adversely reflecting on fitness to practice law); DR 7-102(A)(2)(failing to carry out contract of employment); DR 7-102(A)(3)(prejudicing or damaging client during course of professional employment); Judiciary Law §468-a (failing to register as attorney).

Patrick E. Granger

Application for reinstatement granted.

Burt Valvo

Suspended 2 years

DR 5-105(A),(B)(accepting and continuing employment while interest of another adversely affected independent professional judgment); DR 7-102(A)(3)(concealing and knowingly failing to disclose that which is required by law to reveal); DR 9-101 (appearance of impropriety); DR 5-101(A)(engaging in conduct prejudicial to administration of justice); DR 1-102(A)(6)(conduct adversely reflecting on fitness to practice law); DR 1-102(A)(4)(engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation).

**Professional Disciplinary Staffs
and
Departmental and District
Grievance Committees**



Professional Disciplinary Staffs

FIRST DEPARTMENT

Departmental Disciplinary Committee
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Judith N. Stein, Staff Attorney
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Rosemary F. Palladino, Staff Attorney
Raymond Vallejo, Staff Attorney
Tracy Miller, Staff Attorney
Jeremy S. Garber, Staff Attorney
Deborah A. Scalise, Staff Attorney
Naomi F. Simon, Staff Attorney
Martin Silverstein, Office Manager
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Christopher Kern, Grievance Examiner

Patrick A. Smith, Grievance Examiner
Kenneth VanLew, Grievance Examiner
Marion S. Namm, Legal Assistant
Rebecca Taub, Legal Assistant
Carol Scheuer, Legal Assistant
Joan Bila, Administrative Secretary
Michelle Wang, Network Administrator
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Niena Cooper-Winfield, Law Steno
Maria DiPasquale, Law Steno
Grace Jacobs, Law Steno
Denise Lariscy, Law Steno
Margot Levy, Law Steno
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Denise Lierni, Secretary
Virginia E. Mordiglia, Secretary
Maria J. Mangione, Secretary
Maryellen Horan, Secretary
Lori A. Russo, Secretary

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Diana J. Szochet, Assistant Counsel
Robert J. Saltzman, Assistant Counsel
Mitchell Borkowsky, Court Analyst
Daniel McKenna, Grievance Examiner

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Nancy A. Bolger, Assistant Counsel
Chris G. McDonough, Assistant Counsel
Dianne M. Saccone, Assistant Counsel

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Committee on Professional Standards
Third Judicial Department
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Kenneth H.P. Bryk, Staff Attorney
Susan R. Katzoff, Staff Attorney
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William P. Zenosky, Grievance Examiner
Mary E. Davis, Grievance Examiner

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Ann M. Peters, Grievance Examiner

Departmental and District Grievance Committees

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David L. Metzler
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James P. Renda
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Hon. H. Buswell Roberts
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Morton H. Stovroff*
Allan B. VanDeMark*
Paul V. Webb
Robert A. Zuger*

* Denotes non-lawyer members

**Attorney Discipline Budget Appropriations
(Fiscal 1992-1993)
and
Salaries of Disciplinary Staff
(January 1993)**

First Department

Title	Grade	Jan. 1993 Salary
Chief Attorney	34	\$80,493
Principal Attorney	30	63,196
Principal Attorney	30	65,400
Principal Attorney	30	65,400
Associate Attorney	27	52,135
Associate Attorney	27	52,135
Associate Attorney	27	56,702
Senior Attorney	25	50,547
Senior Attorney	25	45,042
Associate Attorney	27	60,789
Senior Attorney	25	45,042
Administrative Secretary	17	39,647
Court Assistant	16	27,033
Sr. App. Court Assistant	21	23,593
Grievance Examiner	17	33,127
Court Analyst	18	32,297
Law Stenographer	14	33,732
Law Stenographer	14	28,052
Law Stenographer	14	26,916
Law Stenographer	14	32,596
Law Stenographer	14	33,732
Law Stenographer	14	25,780
Grievance Examiner	17	29,215
Sr. Admin. Serv. Clerk	20	37,369
Law Stenographer	14	26,916
Asst. Court Analyst	16	27,611
Senior Office Typist	08	20,060
Assistant Court Analyst	16	36,305
Sr. App. Office Asst.	09	18,389
Sr. App. Court Asst.	21	43,017
Grievance Examiner	17	33,127
Principal Attorney	30	67,763
Associate Attorney	27	54,113
Grievance Examiner	17	33,127
Senior Attorney	25	45,042
Senior Attorney	25	45,042
1992-93 Appropriations:		
Personal Service		\$1,419,776
Nonpersonal Service		<u>396,438</u>
Total		\$1,816,214

Second Department

Title	Grade	Jan. 1993 Salary
(Second and Eleventh Judicial Districts)		
Chief Attorney	32	\$81,929
Principal Attorney	30	70,615
Associate Attorney	27	54,113
Associate Attorney	27	60,665
Associate Attorney	27	62,643
Court Analyst	18	32,297
Grievance Examiner	17	30,519
Secretary	14	28,052
Law Stenographer	14	33,732
Law Stenographer	14	25,780
Senior Office Assistant	08	25,302
1992-93 Appropriations:		
Personal Service		\$608,862
Nonpersonal Service		<u>147,075</u>
Total		\$755,937
(Ninth Judicial District)		
Chief Attorney	32	\$84,277
Principal Attorney	30	66,211
Attorney	22	38,280
Associate Attorney	27	64,003
Associate Attorney	27	56,702
Grievance Examiner	17	30,519
Secretary	14	15,730
Secretary	14	16,866
Secretary	14	31,460
Law Stenographer	14	31,460
1992-93 Appropriations:		
Personal Service		\$505,142
Nonpersonal Service		<u>200,400</u>
Total		\$705,542
(Tenth Judicial District)		
Chief Attorney	32	\$84,277
Principal Attorney	30	74,216
Associate Attorney	27	27,325
Associate Attorney	27	63,967
Senior Attorney	25	46,877
Associate Attorney	27	52,668
Attorney	22	39,908
Grievance Examiner	17	40,535
Law Stenographer	14	26,916
Law Stenographer	14	33,732
Law Stenographer	14	33,732
Law Stenographer	14	31,460
1992-93 Appropriations:		
Personal Service		\$643,838
Nonpersonal Service		<u>252,450</u>
Total		\$896,288

Third Department

Title	Grade	Jan. 1993 Salary
Chief Attorney	32	\$81,433
Principal Attorney	30	60,044
Attorney	22	38,280
Appellate Court Clerk	18	37,165
Principal App. Office Asst.	13	29,462
Senior App. Office Steno.	10	24,928
Senior Office Stenographer	09	21,938
Senior Attorney	25	45,042
Senior Office Stenographer	09	19,306
1992-93 Appropriations:		
Personal Service		\$385,175
Nonpersonal Service		<u>82,491</u>
Total		\$467,666

Fourth Department

Title	Grade	Jan. 1993 Salary
Chief Attorney	32	\$81,929
Principal Attorney	30	63,196
Principal Attorney	30	76,420
Principal Attorney	30	63,196
Associate Attorney	27	50,157
Attorney	22	38,280
Law Stenographer	14	33,732
Principal Office Stenographer	12	27,114
Law Stenographer	14	33,732
Law Stenographer	14	24,644
Grievance Examiner	17	38,343
Grievance Examiner	17	38,343
Grievance Examiner	17	34,431
Grievance Examiner	17	39,647
Grievance Examiner	17	39,647
Assistant Court Analyst	16	29,398
1992-93 Appropriations:		
Personal Service		\$712,439
Nonpersonal Service		<u>215,532</u>
Total		\$927,971