

NEW YORK STATE BAR ASSOCIATION

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NYSBA

Committee on Professional Discipline

Annual Report on
Lawyer Discipline in
New York State
For the Year 2001

New York State Bar Association
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2001-2002**

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INTRODUCTION

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

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 2001 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 repro-

duced. 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. 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 2001. 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 dis-

ciplinary 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 and budget of the State's eight official agencies of discipline. It is comprised of two sections. The first section sets forth the names and titles of the professional disciplinary staff and their respective volunteer committee members in each of the eight official disciplinary agencies of the State. The second section sets forth the disciplinary budget appropriations for fiscal 2001-2002 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 last year.

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



**Disciplinary Statistics 2001
Tables**

Table 1
Appellate Division
January 1, 2001-December 31, 2001

	1 st Dept.	2 nd Dept.	3 rd Dept.	4 th Dept.	Total
I. MATTERS PROCESSED:¹					
Pending at start of period	1693	2224	873	479	5269
New matters received ²	3449	5779	2027	2334	13589
Matters disposed of	3049	5910	1729	2228	12913
Pending at end of period	2093	2093	1171	585	5942
II. COMMITTEE DISPOSITIONS:					
Rejected for failing to state complaint	536	2063	891	853	4343
Referred to other agencies ³	462	1260	181	128	2031
Dismissed or withdrawn	1818	1371	286	876	4351
Letters of caution (education)	N/A	239	99	238	576
Letters of admonition	51	165	76	45	337
Admonition or reprimand	4	0	48	N/A	52
Referred to court	178	276	148	85	687
Other	0	536	0	0	536
III. CASES PROCESSED IN COURTS⁴					
Cases pending at start of period	24	179	29	15	247
Cases received	112	173	136	50	471
CASES CLOSED					
Disbarred	16	43	13	5	77
Resigned	7	9	0	7	23
Suspended	27	29	20	16	92
Censured	6	16	9	5	36
Privately censured	1	0	0	0	1
Remanded to grievance committee	10	1	0	1	12
Discontinued	3	3	0	0	6
Dismissed	2	1	1	0	4
Reinstatements granted	11	9	6	5	31
Reinstatements denied	2	26	3	2	33
Other	32	48	66	11	157
TOTAL CLOSED:	117	185	118	52	472
TOTAL PENDING:	19	167	47	13	246

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.

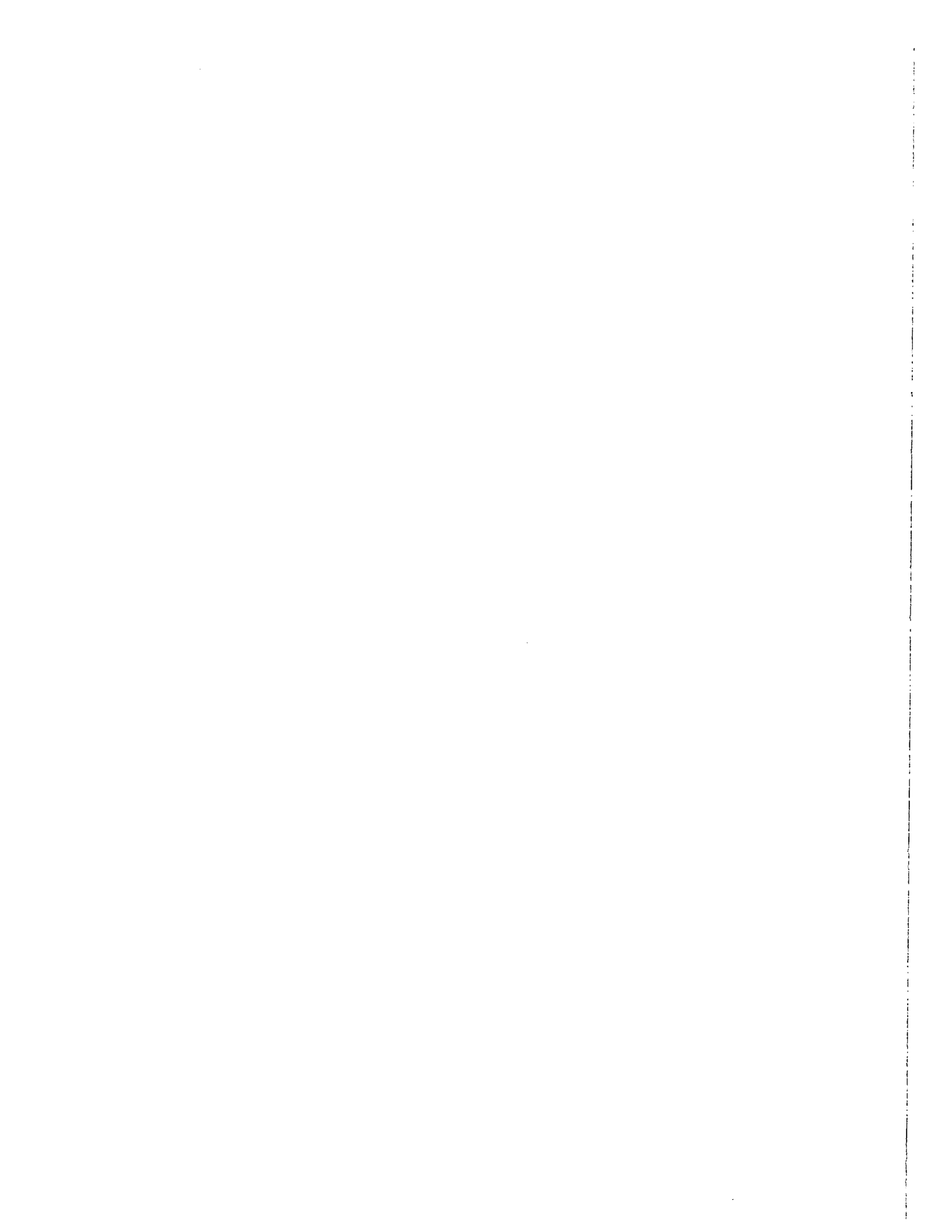


Table 2

	New Matters [*]	Matters Closed*	Disciplinary Action By Committees	Disciplinary Action by Court
1st Department				
1992	2819	2808	146	71
1993	2782	2766	157	69
1994	2946	3034	114	79
1995	3227	3120	111	74
1996	3399	3263	101	94
1997	3953	3964	117	81
1998	4797	5087	100	91
1999	4143	3742	76	92
2000	3004	2870	63	65
2001	2987	2587	55	57
2nd Department				
1992	3519	3458	309	112
1993	4049	3585	378	85
1994	4438	4404	419	99
1995	4202	4360	444	99
1996	4715	4570	442	102
1997	5772	5130	442	102
1998	4712	5306	662	106
1999	4557	4759	518	107
2000	4032	4287	395	107
2001	4519	4650	404	97
3rd Department				
1992	1450	1376	142	47
1993	1467	1557	149	44
1994	1414	1355	151	63
1995	1367	1434	147	62
1996	1413	1406	178	24
1997	1388	1437	203	30
1998	1795	1600	173	36
1999	1792	1602	172	28
2000	1588	1673	239	41
2001	1846	1548	223	42
4th Department				
1992	1939	2040	105	24
1993	2060	2204	136	26
1994	1825	2131	193	31
1995	1815	1802	178	29
1996	1704	1906	159	38
1997	2262	1967	196	18
1998	2224	2208	200	19
1999	2078	2084	222	17
2000	2077	2112	221	23
2001	2206	2100	283	33

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

Statewide

1992	9727	9682	702	254
1993	10358	10112	820	224
1994	10623	10924	877	272
1995	10611	10716	880	264
1996	11231	11145	950	252
1997	13375	12498	958	231
1998	13528	14201	1135	252
1999	12570	12187	988	244
2000	10701	10942	918	236
2001	11558	10885	965	229

Table 3

	New Matters	Matters Closed*	Disciplinary Action By Committees	Disciplinary Action by Court
Departmental Disciplinary Committee for the First Department				
1992	2819	2808	146	71
1993	2782	2766	157	69
1994	2946	3034	114	79
1995	3227	3120	111	74
1996	3399	3263	101	94
1997	3953	3964	117	81
1998	4797	5087	100	91
1999	4143	3742	76	92
2000	3004	2870	63	65
2001	2987	2587	55	57
Grievance Committee for the Second and Eleventh Judicial Districts, Second Department				
1992	1104	1147	142	41
1993	1238	1308	182	36
1994	1325	1391	202	36
1995	1333	1369	191	52
1996	1436	1483	246	37
1997	1653	1533	211	31
1998	1517	1586	346	31
1999*	1502	1304	226	19
2000	1361	1402	152	25
2001	1575	1620	155	44
Grievance Committee for the Ninth Judicial District, Second Department				
1992	915	802	45	27
1993	1017	853	77	21
1994	963	1168	97	23
1995	888	1003	118	17
1996	919	896	79	33
1997	1391	1175	110	37
1998	1116	1171	136	33
1999**	1081	1070	90	39
2000	937	963	100	36
2001	836	852	90	22
Grievance Committee for the Tenth Judicial District, Second Department				
1992	1500	1509	116	44
1993	1794	1424	119	28
1994	2150	1845	120	40
1995	1969	2002	135	30
1996	2360	2191	117	32
1997	2728	2422	121	34
1998	2079	2548	140	44
1999	2070	2385	187	49
2000	1734	1922	143	46
2001	2108	2178	159	31

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

Committee on Professional Standards, Third Department

1992	1450	1376	142	47
1993	1467	1557	149	44
1994	1414	1355	151	63
1995	1367	1434	147	62
1996	1413	1406	178	24
1997	1388	1437	203	30
1998	1795	1600	173	36
1999	1792	1602	172	28
2000	1588	1673	239	41
2001	1846	1548	223	42

Grievance Committee for the Fifth Judicial District, Fourth Department

1992	356	418	41	3
1993	423	364	13	4
1994	366	397	28	7
1995	415	366	24	11
1996	412	513	48	6
1997	533	468	28	6
1998	644	650	39	3
1999	618	597	43	2
2000	576	600	37	8
2001	598	603	101	7

Grievance Committee for the Seventh Judicial District, Fourth Department

1992	609	585	28	3
1993	647	741	32	7
1994	652	746	70	11
1995	601	630	52	6
1996	536	575	53	11
1997	716	645	64	3
1998	591	608	47	4
1999	529	566	36	4
2000	578	562	39	7
2001	564	534	48	12

Grievance Committee for the Eighth Judicial District, Fourth Department

1992	972	1037	36	11
1993	990	1099	91	15
1994	807	988	95	13
1995	799	806	102	12
1996	756	820	128	15
1997	913	854	104	9
1998	989	942	114	12
1999	931	921	143	11
2000	923	950	145	8
2001	1044	963	134	14

**Statistical Reports of Disciplinary
Committees**

Departmental Disciplinary Committee for the First Department

I. Matters Processed¹

A.	Matters Pending at Start of Period	1693	
B.	New Matters Received During Period	3353	
C.	Closed Matters Reactivated During Period	96	
D.	Total Matters to be Processed During Period		5142
E.	Total Matters Disposed of During Period		3049
F.	Matters Pending at Close of Period		2093

II. Matters Disposed of by Committee

		CASES	MATTERS
A.	Rejected as Failing to State a Complaint	529	536
B.	Referred to Other Disciplinary Committees/Agencies	456	462
C.	Dismissed	1754	1818
D.	Letter of Admonition	49	51
E.	Reprimand After Hearing	3	4
F.	Referred to Appellate Division	94	178
G.	Total Disposed of During Period	2885	3049

III. Cases Processed by Court

A.	Cases Pending at Start of Period	24
	1. Disciplinary Proceedings	17
	2. Other	7
B.	Cases Received During Period	112
	1. Disciplinary Proceedings	64
	2. Other	48
C.	Total to be Processed During Period	136
D.	Cases Closed	
	1. Disbarred	16
	2. Resigned	7
	3. Suspended	27 ²
	4. Censured	6
	5. Privately Censured	1
	6. Remanded to Grievance Committee	10
	7. Discontinued	3
	8. Dismissed	2
	9. Reinstatements Granted	11
	10. Reinstatements Denied	2
	11. All Other Dispositions	32
	12. Total Closed	117
E.	Cases Pending at Close of Period	19
	1. Disciplinary Proceedings	16
	2. Other	3

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

² Includes 11 interim suspensions.

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

I. Matters Processed			
A.	Matters Pending at Start of Period	758	
B.	New Matters Received During Period	2061	
C.	Closed Matters Reactivated During Period	19	
D.	Total Matters to be Processed During Period		2838
E.	Total Matters Disposed of During Period		2125
F.	Matters Pending at Close of Period		713
II. Matters Disposed of by Committee			
		CASES	MATTERS
A.	Rejected as Failing to State a Complaint	937	937
B.	Referred to Other Disciplinary Committees	363	363
C.	Referred to Other Agencies	142	142
D.	Dismissed or Withdrawn	422	422
E.	Dismissed through Mediation	24	24
F.	Letter of Caution	97	102
G.	Letter of Admonition	33	53
H.	Reprimand After Hearing	0	0
I.	Referred to Appellate Division	31	55
J.	Tabled Pending Litigation	7	7
K.	Other	17	20
L.	Total Disposed of During Period	2073	2125
III. Cases Processed by Court			
A.	Cases Pending at Start of Period	94	113
	1. Disciplinary Proceedings	56	75
	2. Other	38	38
B.	Cases Received During Period	52	78
	1. Disciplinary Proceedings	31	55
	2. Other	21	23
C.	Total to be Processed During Period	146	191
D.	Cases Closed		
	1. Disbarred	20	34
	2. Resigned	2	2
	3. Suspended	15	18
	4. Censured	7	10
	5. Privately Censured	0	0
	6. Remanded to Grievance Committee	1	1
	7. Discontinued	2	2
	8. Dismissed	0	0
	9. Reinstatements Granted	5	5
	10. Reinstatements Denied	19	19
	11. All Other Dispositions	2	2
	12. Total Closed	73	98
E.	Cases Pending at Close of Period	73	98
	1. Disciplinary Proceedings	40	63
	2. Other	33	33

Richmond County Bar Association Grievance Committee

I.	Matters Processed	
A.	Pending at Start of Period	16
B.	New Matters received During Period	64
C.	Closed Matters Reactivated During Period	1
D.	Total Matters to be Processed During Period	81
E.	Total Matters Disposed of During Period	66
F.	Matters Pending at End of Period	15
II.	Matters Disposed of During Period	
A.	Rejected as Failing to State a Complaint	0
B.	Retained by District Grievance Committee	26
C.	Referred to Fee Conciliation Committee	0
D.	Settled by Fee	0
E.	Judicially Settled	0
F.	In Litigation	0
G.	Closed by Appellate Division	6
H.	Dismissed	17
I.	Letter of Caution	3
J.	Withdrawn	9
K.	Letter of Education	1
L.	Mediation	4
M.	Total Disposed of During Period	66

Brooklyn Bar Association Grievance Committee

Total Complaints Received	68
Dismissed	46
Withdrawn	2
Returned to District Grievance Committee	2
Complaints Pending	16
Arbitration Complaints Received	44
Resolved between attorney and client	2
Resolved by arbitration	3
Resolved by court	3
Attorneys declined arbitration	9
Files rescheduled to next hearing date	9
Closed/Withdrawn	1
Pending	17

Queens County Bar Association Grievance Committee

Dismissed	71
Dismissed with Advisement	6
Letter of Caution	0
Letter of Admonition	0
Referred to District Grievance Committee	3
Tabled	4
Withdrawn	0
Fee Disputes Committee	
No Consent from Respondent	15
No Consent from Complainant	3
Matter Settled Prior to Arbitration	7
No Response from Either Complainant or Respondent	10
Declination of Arbitration by Complainant/Respondent	3
Matters Closed by Arbitration	6
Pending	6

Grievance Committee for the Ninth Judicial District, Second Department

I. Matters Processed

A.	Matters Pending at Start of Period	506	
B.	New Matters Received During Period	1217	
C.	Closed Matters Reactivated During Period	30	
D.	Total Matters to be Processed During Period		1753
E.	Total Matters Disposed of During Period		1263
F.	Matters Pending at Close of Period		490

II. Matters Disposed of by Committee

		CASES	MATTERS
A.	Rejected as Failing to State a Complaint		354
B.	Referred to Other Disciplinary Committees		381
C.	Referred to Other Agencies		30
D.	Dismissed or Withdrawn		304
E.	Letter of Caution		50
F.	Letter of Admonition		40
G.	Reprimand After Hearing		0
H.	Referred to Appellate Division	58	104
I.	Total Disposed of During Period		1263

III. Cases Processed by Court

A.	Cases Pending at Start of Period		
1.	Disciplinary Proceedings	37	52
2.	Other	0	0
B.	Cases Received During Period		
1.	Disciplinary Proceedings	58	104
2.	Other	0	0
C.	Total to be Processed During Period	95	156
D.	Cases Closed		
1.	Disbarred	8	15
2.	Resigned	3	14
3.	Suspended	6	13
4.	Censured	5	5
5.	Privately Censured	0	0
6.	Remanded to Grievance Committee	0	0
7.	Discontinued	0	0
8.	Dismissed	0	0
9.	Reinstatements Granted	1	1
10.	Reinstatements Denied	2	2
11.	All Other Dispositions	30	38
12.	Total Closed	55	88
E.	Cases Pending at Close of Period		
1.	Disciplinary Proceedings	40	68
2.	Other	0	0

Dutchess County Bar Association Grievance Committee

Second Department, Ninth Judicial District

I. Matters Processed

A.	Matters Pending at Start of Period	9
B.	New Matters Received During Period	20
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	29
E.	Total Matters Disposed of During Period	19
F.	Matters Pending at Close of Period	10

II. Matters Disposed of by Committee

A.	Dismissed by Complainant	3
B.	Referred to Other Disciplinary Committees	3
C.	Referred to Other Agencies	0
D.	Dismissed	11
E.	Dismissed with Cautionary Language	1
F.	Letter of Caution	1
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Total Disposed of During Period	19

Orange County Bar Association Grievance Committee

Second Department, Ninth Judicial District

I. Matters Processed

A.	Matters Pending at Start of Period	14
B.	New Matters Received During Period	33
C.	Closed Matters Reactivated During Period	1
D.	Total Matters to be Processed During Period	48
E.	Total Matters Disposed of During Period	36
F.	Matters Pending at Close of Period	12

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	31
E.	Dismissed with Cautionary Language	4
F.	Letter of Caution	0
G.	Letter of Admonition	0
H.	Reprimand	1
I.	Total Disposed of During Period	36

Putnam County Bar Association Grievance Committee

Second Department, Ninth Judicial District

I. Matters Processed

A.	Matters Pending at Start of Period	1
B.	New Matters Received During Period	3
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	4
E.	Total Matters Disposed of During Period	1
F.	Matters Pending at Close of Period	3

II. Matters Disposed of by Committee

A.	Rejected as Failing to State a Complaint	1
B.	Referred to Other Disciplinary Committees	0
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	1

Rockland County Bar Association Grievance Committee

Second Department, Ninth Judicial District

I. Matters Processed

A.	Matters Pending at Start of Period	20
B.	New Matters Received During Period	32
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	52
E.	Total Matters Disposed of During Period	35
F.	Matters Pending at Close of Period	17

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	30
E.	Dismissed with Cautionary Language	1
F.	Letter of Caution	2
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Total Disposed of During Period	35

* Returned to 9th District Committee

Westchester County Bar Association Grievance Committee

Second Department, Ninth Judicial District

I. Matters Processed

A.	Matters Pending at Start of Period	212
B.	New Matters Received During Period	116
C.	Closed Matters Reactivated During Period	7
D.	Total Matters to be Processed During Period	335
E.	Total Matters Disposed of During Period	274
F.	Matters Pending at Close of Period	61

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	9
D.	Dismissed	257
E.	Dismissed with Cautionary Language	0
F.	Letter of Caution	7
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Withdrawn	0
J.	Total Disposed of During Period	274

Grievance Committee for the Tenth Judicial District, Second Department

I. Matters Processed

A.	Matters Pending at Start of Period	960	
B.	New Matters Received During Period	2400	
C.	Closed Matters Reactivated During Period	52	
D.	Total Matters to be Processed During Period		3412
E.	Total Matters Disposed of During Period		2522
F.	Matters Pending at Close of Period		890

II. Matters Disposed of by Committee

		CASES	MATTERS
A.	Rejected as Failing to State a Complaint	772	772
B.	Referred to Other Disciplinary Committees	142	142
C.	Referred to Other Agencies	202	202
D.	Dismissed or Withdrawn	645	645
F.	Letter of Caution	76	87
F.	Letter of Admonition	55	72
G.	Reprimand After Hearing	0	0
H.	Referred to Appellate Division	39	117
I.	Other	485	485
J.	Total Disposed of During Period	2416	2522

III. Cases Processed by Court

A.	Cases Pending at Start of Period	48	110
	1. Disciplinary Proceedings	31	93
	2. Other	17	17
B.	Cases Received During Period	63	141
	1. Disciplinary Proceedings	37	115
	2. Other	26	26
C.	Total to be Processed During Period	111	251
D.	Cases Closed		
	1. Disbarred	15	68
	2. Resigned	4	4
	3. Suspended	8	21
	4. Censured	4	5
	5. Privately Censured	0	0
	6. Remanded to Grievance Committee	0	0
	7. Discontinued	1	1
	8. Dismissed	1	1
	9. Reinstatements Granted	3	3
	10. Reinstatements Denied	5	5
	11. All Other Dispositions	16	16
	12. Total Closed	57	124
E.	Cases Pending at Close of Period	54	127
	1. Disciplinary Proceedings	37	110
	2. Other	17	17

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

I. Matters Processed

A.	Matters Pending at Start of Period	873	
B.	New Matters Received During Period	1952	
C.	Closed Matters Reactivated During Period	75	
D.	Total Matters to be Processed During Period		2900
E.	Total Matters Disposed of During Period		1729
F.	Matters Pending at Close of Period		1171

II. Matters Disposed of by Committee

	CASES	MATTERS	
A.	Rejected as Failing to State a Complaint	741	891
B.	Referred to Other Disciplinary Committees	132	132
C.	Referred to Other Agencies	49	49
D.	Dismissed or Withdrawn	277	286
E.	Letter of Caution	95	99
F.	Letter of Admonition	66	76
G.	Reprimand After Hearing	28	48
H.	Referred to Appellate Division	113	148
I.	Total Disposed of During Period	1501	1729

III. Cases Processed by Court

A.	Cases Pending at Start of Period		
1.	Disciplinary Proceedings	28	51
2.	Other	1	1
B.	Cases Received During Period		
1.	Disciplinary Proceedings	97	127
2.	Other	39	39
C.	Total to be Processed During Period	165	218
D.	Cases Closed		
1.	Disbarred	13	28
2.	Resigned	0	0
3.	Suspended	20	30
4.	Censured	9	14
5.	Privately Censured	0	0
6.	Remanded to Grievance Committee	0	0
7.	Discontinued	0	0
8.	Dismissed	1	1
9.	Reinstatements Granted	6	6
10.	Reinstatements Denied	3	3
11.	Non-Disciplinary Resignations	32	32
12.	All Other Dispositions	34	39
13.	Total Closed	118	153
E.	Cases Pending at Close of Period		
1.	Disciplinary Proceedings	44	62
2.	Other	3	3

Grievance Committee for the Fifth Judicial District, Fourth Department

I. Matters Processed

A.	Matters Pending at Start of Period	117	
B.	New Matters Received During Period	639	
C.	Closed Matters Reactivated During Period	10	
D.	Total Matters to be Processed During Period		766
E.	Total Matters Disposed of During Period		654
F.	Matters Pending at Close of Period		112

II. Matters Disposed of by Committee

		CASES	MATTERS
A.	Rejected as Failing to State a Complaint	285	298
B.	Referred to Other Disciplinary Committees	37	37
C.	Referred to Other Agencies	14	14
D.	Dismissed or Withdrawn	167	189
E.	Letter of Caution	64	87
F.	Letter of Admonition	6	14
G.	Reprimand After Hearing	N/A	N/A
H.	Referred to Appellate Division	9	15
I.	Total Disposed of During Period	582	654

III. Cases Processed by Court

A.	Cases Pending at Start of Period	5	
	1. Disciplinary Proceedings	4	
	2. Other	1	
B.	Cases Received During Period	9	
	1. Disciplinary Proceedings	3	
	2. Other	6	
C.	Total to be Processed During Period	14	
D.	Cases Closed		
	1. Disbarred	3	
	2. Resigned	0	
	3. Suspended	4	
	4. Censured	0	
	5. Privately Censured	0	
	6. Remanded to Grievance Committee	0	
	7. Discontinued	0	
	8. Dismissed	0	
	9. Reinstatements Granted	2	
	10. Reinstatements Denied	0	
	11. All Other Dispositions	3	
	12. Total Closed	12	
E.	Cases Pending at Close of Period	2	
	1. Disciplinary Proceedings	2	
	2. Other	0	

Grievance Committee for the Seventh Judicial District, Fourth Department

I. Matters Processed

A.	Matters Pending at Start of Period	96	
B.	New Matters Received During Period	592	
C.	Closed Matters Reactivated During Period	29	
D.	Total Matters to be Processed During Period		717
E.	Total Matters Disposed of During Period		591
F.	Matters Pending at Close of Period		126

II. Matters Disposed of by Committee

		CASES	MATTERS
A.	Rejected as Failing to State a Complaint	228	264
B.	Referred to Other Disciplinary Committees	50	52
C.	Referred to Other Agencies	5	5
D.	Dismissed or Withdrawn	156	191
E.	Letter of Caution	25	34
F.	Letter of Admonition	4	14
G.	Reprimand After Hearing	N/A	N/A
H.	Referred to Appellate Division	22	28
I.	Total Disposed of During Period	490	591

III. Cases Processed by Court

A.	Cases Pending at Start of Period	3
	1. Disciplinary Proceedings	3
	2. Other	0
B.	Cases Received During Period	22
	1. Disciplinary Proceedings	4
	2. Other	18
C.	Total to be Processed During Period	25
D.	Cases Closed	
	1. Disbarred	4
	2. Resigned	1
	3. Suspended	5
	4. Censured	2
	5. Privately Censured	0
	6. Remanded to Grievance Committee	0
	7. Discontinued	0
	8. Dismissed	0
	9. Reinstatements Granted	1
	10. Reinstatements Denied	2
	11. All Other Dispositions	7
	12. Total Closed	22
E.	Cases Pending at Close of Period	3
	1. Disciplinary Proceedings	1
	2. Other	2

Grievance Committee for the Eighth Judicial District, Fourth Department

I. Matters Processed

A.	Matters Pending at Start of Period	266	
B.	New Matters Received During Period	994	
C.	Closed Matters Reactivated During Period	70	
D.	Total Matters to be Processed During Period		1330
E.	Total Matters Disposed of During Period		983
F.	Matters Pending at Close of Period		347

II. Matters Disposed of by Committee

		CASES	MATTERS
A.	Rejected as Failing to State a Complaint	267	291
B.	Referred to Other Disciplinary Committees	18	19
C.	Referred to Other Agencies	1	1
D.	Dismissed or Withdrawn	426	496
E.	Letter of Caution	91	117
F.	Letter of Admonition	8	17
G.	Reprimand After Hearing	N/A	N/A
H.	Referred to Appellate Division	17	42
I.	Total Disposed of During Period	828	983

III. Cases Processed by Court

A.	Cases Pending at Start of Period	7
	1. Disciplinary Proceedings	7
	2. Other	0
B.	Cases Received During Period	19
	1. Disciplinary Proceedings	9
	2. Other	10
C.	Total to be Processed During Period	26
D.	Cases Closed	
	1. Disbarred	0
	2. Resigned	4
	3. Suspended	7
	4. Censured	3
	5. Privately Censured	0
	6. Remanded to Grievance Committee	0
	7. Discontinued	1
	8. Dismissed	0
	9. Reinstatements Granted	2
	10. Reinstatements Denied	0
	11. All Other Dispositions	1
	12. Total Closed	18
E.	Cases Pending at Close of Period	8
	1. Disciplinary Proceedings	7
	2. Other	1

**Disciplinary Decisions Reported by
Appellate Division in 2001**



FIRST DEPARTMENT

Charles E. Meaden 280 AD2d 30	Suspended 3 years	22 NYCRR 603.3 (reciprocal discipline – New Jersey).
George Rodriguez 279 AD2d 249	Interim suspension	22 NYCRR 603.4(e)(1)(i), (iii) (willful failure to cooperate with committee’s investigation, uncontested evidence of professional misconduct).
Ronald Silver 280 AD2d 1	Disbarred	Felony conviction – 18 USC §§1344, 2(bank fraud) (Penal Law §155.40 [grand larceny 2d degree], Penal Law §190.65 [scheme to defraud]).
Elissa L. Linsler 280 AD2d 137	Resigned	22 NYCRR 603.11.
Carl J. Casano 280 AD2d 86	Interim suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with committee’s investigation).
Stephen H. Fields 280 AD2d 104	Suspended 9 months	Serious crime – Commercial bribing, 2d degree (Penal Law §180.00).
Nathaniel K. Charny 280 AD2d 139	Suspended 2 years retroactive to 4/15/99; reinstated 4/15/01	Serious crime – 18 USC §371 (conspiracy to defraud)(making false statements).
Ernest J. Miller 280 AD2d 129	Indefinite suspension	22 NYCRR 603.16(b)(1)(mental incapacity).
Daniel G. Simpson 280 AD2d 127	Resigned	22 NYCRR 603.11.
Peter D. Hirschl 280 AD2d 172	Interim suspension	Serious crime – conspiracy to money launder (28 USC §§1956 (h), 1957).
Melvyn J. Estrin 281 AD2d 235	Suspended 6 months effective 4/16/01	Serious crime – Commercial bribing, 2d degree (Penal Law §180.00); Scheme to defraud (Penal Law §190.60).
Alan J. Zasky 281 AD2d 5	Suspended 6 months	Serious crime – Commercial bribing, 2d degree (Penal Law §180.00).
Arthur M. Wisehart 281 AD2d 23	Suspended 2 years effective 4/9/01	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102 (A)(5)(conduct prejudicial to administration of justice); DR 7-106(A)(disregard

		of tribunal ruling); DR 7-106(C) (6)(undignified or discourteous conduct degrading to a tribunal); DR 1-102(A)(7)(conduct adversely reflecting on fitness to practice).
Marc R. Leventhal 281 AD2d 9	Disbarred	22 NYCRR 603.4(g)(failure to appear or apply in writing to committee or court for hearing or reinstatement within six months of interim suspension date).
John M. Power 281 AD2d 52	Suspended 6 months effective 4/19/01	22 NYCRR 603.3 (reciprocal discipline – New Jersey).
David M. Kreitzer 281 AD2d 35	Disbarred	Serious crime – Commercial bribing, 2d degree (Penal Law §180.00).
Paul S. Block 282 AD2d 12	Suspended 6 months effective 5/3/01	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 6-101(A)(3)(neglect).
Lee M. Mager 282 AD2d 88	Interim suspension	22 NYCRR 603.4(e)(1)(i)(willful failure to cooperate with committee's investigation).
Kris F. Watson 282 AD2d 96	Disbarred	Felony conviction – Promoting prison contraband (Penal Law §205.25).
Hanna Z. Hanna 282 AD2d 99	Suspended 3 years	Serious crime – Aiding filing of alien registration application containing false statement (18 USC §1306[c], 18 USC §§2, 1351).
Robert G. Harley 283 AD2d 234	Interim suspension	22 NYCRR 603.4(e)(1)(iii) (uncontroverted evidence of professional misconduct).
Peter F. Vogel 282 AD2d 160	Disbarred	22 NYCRR 603.3 (reciprocal discipline – New Jersey).
Ross M. Gadye 283 AD2d 1	Disbarred	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 5-101(A)(conflict of interest).
Philip Lee 283 AD2d 24	Disbarred	DR 1-102(A)(3)(conduct involving moral turpitude); DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or mis-

		representation); DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer).
Robert T. Wolf 283 AD2d 105	Interim suspension	22 NYCRR 603.4(e)(1)(i), (iii) (willful failure to cooperate with committee's investigation, uncontested evidence of professional misconduct).
Harry Issler 283 AD2d 59	Censured	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 7-102(A)(3)(failure to disclose information); DR 1-102(A)(8) (now [7])(conduct adversely reflecting on fitness as a lawyer).
Robert C. Adelman 284 AD2d 96	Disbarred	Felony conviction – Assault, 2d degree (Penal Law §120.05[2]).
Bruno M. Blanckaert 285 AD2d 5	Resigned	22 NYCRR 603.11
John V. Whitbeck 284 AD2d 80	Suspended 4 years	DR 7-102(A)(1)(harassment of an adversary); DR 7-106(A) (failure to comply with ruling of a tribunal).
Robert A. Mackasek 285 AD2d 184	Resigned	22 NYCRR 603.11
Stephen B. LeBow 285 AD2d 28	Suspended 18 months	DR 6-101(A)(3)(neglect).
Alan M. Novich 285 AD2d 136	Disbarred	Felony conviction – Securities fraud (15 USC §78j[b] [NYS insider trading statute, General Business Law §352-c(5), (6)]).
Agostinho D. Reis 285 AD2d 277	Interim suspension	22 NYCRR 603.4(e)(1)(i), (iii) (willful failure to cooperate with committee's investigation, uncontested evidence of professional misconduct).
Scott E. Rusczyk 285 AD2d 228	Disbarred	Felony conviction – 21 USC §952(a)(importing controlled substance [Penal Law §220.16]).
David G. Lubell 285 AD2d 267	Censured	DR 9-102(A)(now [B]) (failure to deposit client funds into escrow account and investing funds

		without client permission); DR 9-102(B)(3)(now [C][3]) (failure to maintain records); DR 9-102(B)(4)(now [C][4])(failure to promptly return client funds).
Stanley A. Schutzman 286 AD2d 19	Suspended 2 years, nunc pro tunc 11/16/00	Serious crime – conspiracy to defraud IRS (18 USC §371).
Steven L. Holley 285 AD2d 216	Censured	DR 1-102(A)(7)(now [8]) (conduct adversely reflecting on fitness as a lawyer).
David B. Tepper 286 AD2d 79	Suspended 2 years effective 10/26/01	DR 9-102(B)(non-venal conversion); DR 9-102(A), (B)(1) (commingling); DR 9-102(E) (writing checks payable to cash).
Florric L. Wertheimer 286 AD2d 44	Censured	22 NYCRR 603.3 (reciprocal discipline – U.S. District Court, SDNY).
Howard D. Deutsch 286 AD2d 91	Disbarred	Felony conviction – conspiracy to commit immigration fraud, conspiracy to obstruct justice (18 USC §371); obstruction of INS investigation (18 USC §§1505, 2); witness tampering (18 USC §§1512[b][1], [b][3] [Penal Law §215.40 (2)(tampering with physical evidence)]).
Robert Projansky 286 AD2d 35	Resigned	22 NYCRR 603.11
Mark D. Birman 286 AD2d 22	Indefinite suspension	22 NYCRR 603.16(b)(i), (c)(1) (mental incapacity).
Sitro De La Cruz 286 AD2d 112	Interim suspension	22 NYCRR 603.4(e)(1)(i), (iii) (willful failure to cooperate with committee’s investigation, uncontested evidence of professional misconduct).
Grosvenor Anshell 286 AD2d 173	Suspended 2 years	22 NYCRR 603.3 (reciprocal discipline – State of Washington).
Arnold Paul Prospero 286 AD2d 99	Disbarred	Felony conviction (Florida) – making, issuing and possessing counterfeit securities (18 USC §3513)(Penal Law §170.25, possession of forged instrument).

Scott H. Robb 287 AD2d 1	Disbarred	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(now [8])(conduct adversely reflecting on fitness as a lawyer); DR 2-106 (excessive fees); DR 7-102(A)(6)(false evidence).
David V. Muraskin 286 AD2d 186	Interim suspension	22 NYCRR 603.4(e)(1)(iii), (iv) (uncontested evidence of professional misconduct, willful failure or refusal to pay money owed to a client).
Donald B. Stein 287 AD2d 32	Interim suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with committee's investigation).
Peter S. Navon 287 AD2d 29	Resigned	22 NYCRR 603.11.
Howard B. Adler 287 AD2d 62	Interim suspension	22 NYCRR 603.4(e)(1)(iii) (uncontested evidence of professional misconduct).
George Rodriguez 287 AD2d 47	Disbarred	22 NYCRR 603.4(g)(failure to appear or apply in writing to committee or court for hearing or reinstatement within six months of interim suspension date).
Dee E. Alpert 287 AD2d 145	Disbarred	22 NYCRR 603.4(g)(failure to appear or apply in writing to committee or court for hearing or reinstatement within six months of interim suspension date).
Assadour M. Ashdjian 287 AD2d 217	Disbarred	Felony conviction – sodomy 2d degree (Penal Law §130.45).
Martin Ozer 287 AD2d 196	Resigned	22 NYCRR 603.11.
Jaime V. Delio 290 AD2d 61	Censured	DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 1-102(A)(5) (conduct prejudicial to administration of justice); DR 7-106(C)(6) (discourteous conduct degrading to tribunal).

Juan Kip Lenoir 287 AD2d 243	Censured	DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(8)(conduct adversely reflecting on fitness as a lawyer); DR 6-101(A)(3) (neglect).
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SECOND DEPARTMENT

(Second and Eleventh Judicial Districts)

Seymour Friedman	Reinstated	
Babatanude G. Tinubu	Reinstatement denied	
Gary J. Rothman 280 AD2d 88	Disbarred (resigned)	Judiciary Law §90(4)(conspiracy conviction – Penal Law §105.05 [1]).
Judah Dick 280 AD2d 146	Suspended 1 year	Failing to properly safeguard funds; conversion; commingling; failing to maintain escrow account; filing false attorney registration form with OCA.
Dennis M. Beck	Reinstatement denied	
Edward M. Kelly 280 AD2d 248	Censured	Attempting to evade or defeat tax (26 USC §7201, 18 USC §§2, 3551).
Harry W. Scott, Jr.	Interim suspension	Failing to cooperate.
Thomas C. Managhan	Interim suspension	Serious crime conviction – harassing US postal inspector (18 USC §1512[c][4]).
Jerome Gross Stanley Grosss 281 AD2d 67	Suspended 1 year Censured	Commingling; conversion; failing to maintain escrow records.
Ira B. Marshall 281 AD2d 71	Suspended 1 year	Reciprocal discipline – New Jersey.
Maurice H. Ribolow 282 AD2d 20	Suspended 1 year	Failing to cooperate.
Selwyn Karp 282 AD2d 127	Suspended 3 years	Serious crime conviction – commercial bribing (Penal Law §180.00).
Howard W. Dragutsky 282 AD2d 18	Disbarred	Failing to respond to charges of failing to re-register; failing to

		cooperate.
Martin Allen Berchenko	Reinstatement denied	
Albert LaBoz	Reinstated	
John J. Napolitano 282 AD2d 130	Suspended 3 years	Violating order of suspension.
Bryan Everton Benn 282 AD2d 187	Admission to bar revoked	False statements on bar application; engaging in unauthorized practice of law.
Stephen N. Silver 282 AD2d 156	Suspended 1 year	Commingling; filing late and false retainer statements; improperly advancing money to client; failing to promptly deliver funds to third party.
Scott Michael Berger 283 AD2d 31	Suspended 3 years	Pattern of filing inaccurate and/or misleading retainer statements; improper solicitation.
Tina Fuocco 283 AD2d 118	Interim suspension vacated; censured	Failing to cooperate; failing to re-register.
Ronald James D'Angelo 285 AD2d 1	Suspended 1 year	Penal Law §§110.00, 120.00(1), 240.26(1)(attempted assault and harassment).
Joseph Masterson 283 AD2d 20	Disbarred	Illegal conduct involving moral turpitude.
S. Hal Mercer IV 285 AD2d 111	Disbarred	Submitting false and misleading statements to court; failing to properly safeguard funds; initiating lawsuit merely to harass another.
Jan Robin Schneiderman 285 AD2d 154	Disbarred	Federal felony – racketeering, interstate transportation of stolen property, money laundering, wire fraud.
Bonnie S. Bank 285 AD2d 213	Censured	Failing to cooperate; failing to re-register.
Harold A. Hall	Interim suspension	Failing to cooperate; improper escrow transactions.
Abby C. Goldstein 285 AD2d 187	Censured	VTL §§1192.3, 511.2, 1212 – driving under the influence of alcohol, aggravated unlicensed operation of vehicle, reckless driving.

Anthony M. Magnotti	Interim suspension	Failing to cooperate.
Harry W. Scott Jr. 285 AD2d 222	Disbarred	Failing to respond to charges of failure to cooperate.
Charles F. Darlington	Reinstatement denied	
Russell Carbone 285 AD2d 225	Disbarred	Federal felony conviction – making false declarations in court, conspiracy, subornation of perjury, obstruction of justice.
Joshua Bernstein 285 AD2d 233	Disbarred	Conversion.
Terrence L. Butler 285 AD2d 344	Disbarred	Failing to inform client of conflict of interest; commingling; conversion; failing to properly safeguard funds and maintain escrow account.
Sylvia Anita Ryan a/k/a/ Sylvia Anita Ryan Webster 285 AD2d 281	Disbarred	Failing to respond to charges of failing to cooperate and violating suspension order.
Peter Malo 286 AD2d 16	Disbarred (resigned)	Misappropriating escrow funds.
Darryl Greene 285 AD2d 271	Disbarred	Serious crime conviction – 18 USC §641 (embezzlement).
George E. Kersey 286 AD2d 75	Censured	Reciprocal discipline (Massachusetts 3 month suspension).
Alton Rose 286 AD2d 1	Disbarred	Improperly using escrow account in attempt to defraud a creditor.
Daniel J. Doran 286 AD2d 13	Disbarred on default	Serious crime conviction – 26 USC §7201 (attempt to evade or defeat tax).
Mason B. Pimsler 286 AD2d 82	Disbarred	Serious crime conviction – Penal Law §190.25 (criminal impersonation).
Douglas Wilson Miller a/k/a/ Douglas Willas Miller 286 AD2d 96	Disbarred	Felony conviction (Washington) – delivery of controlled substance (cognizable to Penal Law §§220.06/ 220.31).
Jerome Gross 286 AD2d 134	Disbarred	Fraud, dishonesty, deceit, misrepresentation; failing to inform court of client's death.
Neal Forman	Reinstated	

Judah Dick	Reinstatement denied	
Joseph C. Levine 732 NYS2d 192	Suspended 2 years	Serious crime conviction – 18 USC §371 (conspiracy to commit mail fraud).
Theodore Bushlow 733 NYS2d 726	Suspended 2 years	Serious crime conviction – 18 USC §371 (conspiracy to commit mail fraud).
Lung-Fong Chen	Interim suspension	Serious crime conviction – 18 USC §656 (misapplication of bank funds); 18 USC §1005 (false statements on bank records); 18 USC §371 (conspiracy).
Seth Mininsohn 290 AD2d 13	Disbarred	Reciprocal discipline – New Jersey.
Anthony M. Magnotti 290 AD2d 16	Disbarred	Failing to respond to charges of neglect and lack of communication.
Alan E. Kudisch 733 NYS2d 731	Suspended 2 years	Fraud, dishonesty and misrepresentation; neglect; failing to properly withdraw; retaining unearned fees.
Jeffrey E. Tomei 734 NYS2d 602	Suspended 1 year	Serious crime conviction – 18 USC §1014 (conspiracy to make false statement on loan application).
Melinda Pollard 734 NYS2d 600	Suspended 1 year	False and misleading testimony; neglect; failing to provide retainer in matrimonial matter.
William Cahn	Reinstatement denied	
Onel Alfaro	Interim suspension	Failing to cooperate.
David Kweller	Reinstated	
Juan A. Torres 736 NYS2d 239	Disbarred (resigned)	Stealing funds from law firm by altering checks paid to him.
William Wright, Jr. 736 NYS2d 235	Disbarred	Reciprocal discipline – New Jersey.

(Ninth Judicial District)

Joseph M. Acito 281 AD2d 62	Disbarred (resigned)	DR 1-102(A)(4), (5), (7)(conduct involving dishonesty, fraud, deceit or misrepresentation; con-
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		duct prejudicial to administration of justice; conduct adversely reflecting on fitness as lawyer); DR 6-101(A)(3)(neglect).
Barry G. Bell 282 AD2d 146	Disbarred (resigned)	DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer).
Anthony J. Briguglio 280 AD2d 185	Disbarred (resigned)	DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer); DR 9-102(A) (commingling).
Robert I. Dellaquila 285 AD2d 130	Disbarred	Default.
Gail Essman Fink 282 AD2d 27	Censured	DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer).
David Griffiths 280 AD2d 180	Suspended	DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer); DR 5-105(A), (B), (C) (impermissible conflicts of interest); DR 9-102(A)(commingling).
William M. Joyce 282 AD2d 84	Censured	DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer); DR 6-101(A)(3) (neglect).
Charles B. Linn 280 AD2d 230	Suspended	Judiciary Law §90(4)(d), 22 NYCRR §691.7(b) (serious crime conviction).
Andrew G. Maloney 282 AD2d 112	Disbarred	DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer); DR 5-104(A)(improperly entering into business transaction with client); DR 9-102(A) (commingling); DR 9-102(D)(1), (2), (9)(failing to maintain and produce records of deposits, withdrawals, disbursements, and checks); DR 9-102(E)(checks payable to cash).
Nicholas W. Puner 280 AD2d 244	Disbarred	Judiciary Law §90(4)(b)(felony conviction).
Sean Purdy	Disbarred	Judiciary Law §90(4)(b)(felony conviction).

Archibald Robertson 285 AD2d 163	Disbarred	Default.
Robert C. Schuster 285 AD2d 139	Disbarred	Judiciary Law §90(4)(b)(felony conviction).
Michael J. Smith 285 AD2d 119	Reinstated and censured	DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer).
Robert W. Spencer	Reinstated	
Timothy Tamsen 284 AD2d 8	Disbarred	DR 1-102(A)(4)(conduct involving dishonesty, fraud, and misrepresentation); DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer).
Jean Veness	Suspended 1 year	DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer).
Camilla von Bergen	Censured	DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer).
Richard B. Williams	Disbarred	DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer); DR 9-102(E)(escrow checks payable to cash).
Jay M. Zerin 238 .AD2d 88 283	Censured	DR 9-102(A)(commingling); DR 9-102(B)(1)(failing to maintain escrow funds in qualified banking institution); DR 9-102(D)(1), (2), (8)(failing to maintain and/or produce required bookkeeping records).

(Tenth Judicial District)

Stewart Altman 282 AD2d 163	Censured	State conviction – unlawful possession of marijuana (Penal Law §221.05) and driving while intoxicated (VTL §1192[1]).
Robert Berkowitz 285 AD2d 337	Suspended 5 years	DR 1-102(A)(5, (8), 6-101(A)(3), 9-102(A)(neglect, failure to cooper-

		ate and commingling).
Stanley E. Bogal	Indefinite suspension	Medical/mental infirmity.
Sydney J. Chase	Reinstatement denied	
Robert A. Cicola 286 AD2d 115	Disbarred (resigned)	DR 1-102(A)(4), 9-102 (conversion).
Peter Citrin	Reinstatement denied	
Jerome D. Cohen	Reinstated	
James Conway, Jr.	Leave to appeal to Court of Appeals denied	
John F. Corrigan 280 AD2d 226	Disbarred (resigned)	Conversion.
Marshall Crowley 285 AD2d 98	Disbarred	State felony conviction – Grand larceny (Penal Law §155.30).
Peter D. DeCurtis 282 AD2d 15	Suspended 2 years	Federal felony – filing false income tax return (26 USC §7206).
Margaret Dolin	Reinstated	
Margaret Dolin 281 AD2d 74	Censured	State conviction – criminal possession of forged instrument and failure to file certificate of conviction (Penal Law §§110.00, 170.20).
Valdas C. Duoba	Reinstated	
James F. Eller 285 AD2d 249	Suspended 1 year	DR 6-101(A)(3), 9-102(C)(4), 1-102(A)(5), (8)(neglect, failure to turn over client files, failure to cooperate).
Ethan E. Ellner	Reinstated	
Bruce A. Glubin	Reinstated	
Andrew Graynor 282 AD2d 116	Disbarred (resigned)	Preparing and submitting false documentation to federal agency.
Joseph Guardino	Motion to reargue denied	
William Henry Harrison Jr. 282 AD2d 176	Suspended 1 year	DR 2-102(B), (C); 3-102(A), 2-107(A), 9-102(D), (I), 1-102(A)(8) (improper fee sharing, failure to maintain and preserve book-keeping records).
Bruce A. Hoyt	Censured	DR 1-102(A)(5), (8)(failure to co-

281 AD2d 57		operate).
Lawrence J. Kaminsky 285 AD2d 181	Disbarred (resigned)	Theft of law firm's funds, forgery.
John A. Keefe	Indefinite suspension	Medical/mental infirmity.
Martin M. Marks 2001 NY App Div Lexis 9406	Disbarred	DR 1-102(A)(4), (5), (8); 9-102(D), (H), (I)(failure to cooperate, failure to maintain and produce bookkeeping records, conversion).
Robert A. Melillo 2001 NY App Div Lexis 12228	Disbarred (resigned)	Conversion, failure to maintain and preserve bookkeeping records).
Kevin J. Meneilly 282 AD2d 679	Motion to reargue granted; disbarment vacated, interim suspension imposed	
Keith Merriwether III 281 AD2d 12	Disbarred	Judiciary Law §90(4)(state conviction – Penal Law §§210.05, 175.30, 170.05, Executive Law §135-a [perjury, offering false instrument for filing, forgery, notary public fraud).
Keith Merriwether III	Motion for reargument denied	
Marvin Morrison 281 AD2d 1	Disbarred	DR 9-102(B), DR 1-102(A)(8) (conversion).
James O'Neill 2001 NY App Div Lexis 11038	Disbarred	Failure to answer petition of charges; conservator appointed.
Bryan E. Powers 2001 NY App Div Lexis 11208	Disbarred (resigned)	Conversion.
Alexander Rahman	Reinstatement denied	
Stephen Rathjen 280 AD2d 175	Disbarred	DR 5-101(A), 5-104(A), 1-102(A) (4), (7)(improper conflict).
Daniel J. Roberts 282 AD2d 10	Disbarred	Judiciary Law §90(4)(federal felony – 18 USC §1001 [making false statements to federal agency]).
Stephen Rothfeld 281 AD2d 39	Disbarred (resigned)	Conversion.
Jessel Rothman	Indefinite suspension	Medical/mental infirmity.
George Sandberg	Reinstatement denied	

Stephen D. Siegfried 280 AD2d 241	Disbarred (resigned)	Conversion.
James Tenzer 285 AD2d 116	Suspended 1 year	Judiciary Law §90(4)(federal conviction – 26 USC §7203 [failure to file tax returns]).
Michael J. Wynne 283 AD2d 55	Censured	Judiciary Law §90 (state conviction – VTL §1192 [1], [3] [driving while intoxicated, driving while impaired]).

THIRD DEPARTMENT

John E. Aber 283 AD2d 767	Suspended 6 months	DR 1-102(A)(5), (7), 5-101, 5-102, 5-111(B)(3), 7-101(A)(3) (entering into sexual relationship with client during representation in a domestic relations matter); DR 7-101(A)(3), 4-101 (prejudicing or damaging client's case during course of professional relationship by threatening to reveal confidences and secrets); DR 1-102(A)(7)(conduct adversely reflecting on honesty, trustworthiness or fitness as a lawyer – convicted of aggravated harassment, 2d degree [Penal Law §240.31(1)]); DR 1-102(A)(4)(attempting to mislead petitioner).
John E. Aber	Custodian of files appointed	County Bar Association to inventory and take appropriate action to protect clients' interests.
Richard H. Brown 281 AD2d 745	Disbarred	Judiciary Law §90(4)(a), (e) (pleaded guilty to grand larceny, 4 th degree [Penal Law §155.30(4)] and attempted forgery, 2d degree [Penal Law §§110.00, 170.10(1)]).
Patrick J. Cannon 284 AD2d 721	Suspended 1 year, effective nunc pro tunc to 11/28/00.	DR 6-101(A)(3)(neglect); DR 1-102(A)(5), (7), 9-102(C)(failure to account for funds); DR 1-102(A)(5), (7), 9-102(E) (permitting nonlawyer to be authorized signatory on escrow account); DR 1-102(A)(5), (7), 9-102(C), (D)(failure to maintain complete records of client funds); DR 1-102(A)(5), (7), 9-102(D)(9)(failure to maintain accurate entries in escrow account records); DR 1-

		102(A)(5), (7)(failure to cooperate with petitioner); DR 1-102(A)(5), 22 NYCRR §806.4(c), (f)(failure to pay stenographic bill as required by court rule and file affidavit of compliance with suspension order). Upon applying for reinstatement, respondent required to submit medical opinion that he possesses physical and psychological capacity to resume practice of law.
James F. Carney 281 AD2d 813	Disbarred	22 NYCRR §806.19 (reciprocal discipline – New Jersey).
Joseph S. Caruso 286 AD2d 547	Suspended for period of time coterminous with Federal probation.	Judiciary Law §90(4)(serious crime – conspiring to travel in interstate commerce to promote and facilitation violation of N.J. Stat. Ann. §2C:27-2, contrary to 18 USC §1952 and in violation of 18 USC §371).
Steven R. Cohen 282 AD2d 866	Disbarred	22 NYCRR §806.19 (reciprocal discipline – Maryland).
Samuel V. Convery, Jr. 284 AD2d 557	Suspended 6 months	22 NYCRR §806.19 (reciprocal discipline – New Jersey). Upon application for reinstatement, respondent must furnish proof of reinstatement in New Jersey and compliance with attorney registration requirements.
Catherine E. Cronin 280 AD2d 874	Suspended indefinitely	Immediate suspension pending respondent's compliance with order directing appearance for examination.
Robert G. Davis	Stayed suspension terminated	Conditions of stated suspension met (see 269 AD2d 732).
Jesse S. Drucker 284 AD2d 651	Suspended indefinitely	22 NYCRR §806.4(b), (e) (suspended pending compliance with subpoena duces tecum).
Richard A. Dudley, Jr. 282 AD2d 867	Suspended	Stay of suspension (see 262 AD2d 864) vacated for violation of condition that respondent not be subject of any further disciplinary action by petitioner.
Roger L. Dworsky 287 AD2d 780	Suspended indefinitely	Indefinite suspension pending compliance with order directing medical examination to deter-

mine whether he is incapacitated from continuing to practice law by reason of alcoholism pursuant to 22 NYCRR §806.10. Upon any application for reinstatement respondent shall, in addition to showing required by 22 NYCRR §806.12, submit proof of compliance with order and a medical opinion indicating his capacity to resume the practice of law.

Robert T. Entin
287 AD2d 943

Disbarred

DR 1-102(A)(5), (7), 2-106(A) (excessive fee for services rendered as law guardian and assigned counsel).

F. Birt Evans, Jr.
280 AD2d 869

Disbarred

DR 1-102(A)(5), 9-102(B)(1) (failing to maintain escrow account in compliance with dishonored check rule [22 NYCRR part 1300]); DR 1-102(A)(4), (5), (7), 9-102 (issuing checks against insufficient funds in escrow account); DR 1-102(A)(3), (4), (5), (7), 9-102 (converting client funds); DR 9-102(A) (commingling); DR 9-102(C), (D) (failing to maintain complete records of client funds); DR 1-102(A)(4), (5), (7), 9-102(D)(9) (failing to maintain accurate records for escrow account); DR 9-102(E) (issuing check payable to cash); DR 1-102(A)(4), (5), (7), 9-102 (issuing checks against insufficient funds in operating account); DR 6-101(A)(3)(neglect); DR 1-102(A)(5), 2-110(B)(3) (continuing to represent client when medical condition made it unreasonably difficult to carry out employment effectively); DR 1-102(A)(5), (7)(failing to respond to client communications); DR 1-102(A)(5), 2-106, 2-110, 9-102(C) (charging excessive fee, failing to refund unearned portion of retainers, failing to forward client files upon discharge); DR 1-102(A)(5), 2-106(C)(2)(b)(failing to enter into written retainer agreement with domestic relations client in manner required by 22 NYCRR §1400.3); DR 1-102(A)(5), (7)(failure to cooperate with petitioner).

Peter G. Ford
287 AD2d 870

Suspended 2 years, stayed

DR 5-105(A), (C)(conflict of interest – representing both sellers and purchasers in real estate transaction); DR 6-101(A)(3) (neglect); DR 1-102(A)(5), (7), 9-102 (C)(failing to promptly account for funds held in escrow); DR 9-102(B)(1)(depositing client funds in personal account); DR 1-102 (A)(5), (7), 9-102(A) (conversion); DR 9-102(B)(2)(failing to properly title escrow account); Judiciary Law §497, DR 1-102(A)(5) (failing to maintain IOLA account or other interest bearing account for deposit of client funds). Suspension stayed on condition that respondent submit to petitioner semiannual reports by a certified public accountant confirming maintenance of escrow account in accordance with applicable rules. After expiration of two-year period, respondent may apply to court for termination of suspension, supported by documentation that respondent took and passed the Multistate Professional Responsibility Examination within the suspension period.

Pacifico T. Giordano, II
282 AD2d 925

Disbarred

Judiciary Law §90(4)(a), (e) (Connecticut felony of larceny, 1st degree [Conn Gen Stat §53a-122] [see Penal Law §155.40 – grand larceny 2nd degree]).

Thomas W. Griffin

Reinstatement denied

Failure to show by clear and convincing evidence that respondent possesses character and general fitness to resume practice of law.

John A. Harlow, III
280 AD2d 870

Disbarred

Judiciary Law §90(4)(g)(serious crime – engaging in sexual contact with 13 year-old girl after corresponding with her over the Internet and arranging a meeting).

Robert E. Harris
279 AD2d 694

Censured

DR 2-106(A)(charging fixed advance fee secured by affidavit of confession, compromising client's right to discharge attorney

		at any time and constituting an improper fee); DR 9-102(C) (failing to provide proper accounting to client); DR 1-102(A)(5), (7) (failing to cooperate with petitioner).
Robert E. Harris	Appeal dismissed	Appeal to Court of Appeals dismissed sua sponte on ground that no appeal lies from Appellate Division unanimous order absent direct involvement of substantial constitutional question.
James R. Hickey, Jr. 284 AD2d 723	Censured	DR 1-102(A)(4), (5)(removing document from opposing counsel's file without permission); DR 1-102(A)(5), (7) (directing profanity at case worker in Family Court proceeding during a conference where judge was not present).
Mathew S. Hogan 286 AD2d 546	Suspended additional 6 months	DR 6-101(A)(3)(neglect); DR 2-106(C)(2)(b), (F), 22 NYCRR part 1400 (failing to have domestic relations client execute written retainer agreement and sign receipt for Statement of Client's Rights and Responsibilities, failing to bill client at least every 60 days); DR 1-102(A)(5)(failing to communicate with client); DR 9-102(C)(4)(failing to return client's file as requested); DR 1-102(A)(4), (5), (7)(attempting to mislead and deceive petitioner); DR 1-102(A)(5)(failing to cooperate with petitioner).
Robert Q. Hoyt	Censured	22 NYCRR 806.19 (reciprocal discipline – Arizona).
Daniel R. Joslin	Interim suspension	Judiciary Law §90(4)(d), (f) (serious crime – conspiring to commit wire fraud [18 USC §371]).
Daniel R. Joslin	Disbarred	Serious crime – conspiring to commit wire fraud (18 USC §371).
Gerald G. Kramer 283 AD2d 710	Disbarred	DR 6-101(A)(3)(neglect); DR 1-102(A)(4), (5), (7)(submitting document to court containing frivolous allegations); DR 1-102

		(A)(5)(failing to comply with court order sanctioning him \$500 resulting in contempt holding); DR 1-102(A)(5)(violating order of suspension by engaging in practice of law while suspended); DR 1-102(A)(5), (7)(failing to cooperate with petitioner).
Gerald G. Kramer	Reargument denied	
Gerald G. Kramer	Motion for permission to appeal to Court of Appeals denied	
Marcel J. Lajoy 279 AD2d 695	Suspended 1 year	DR 1-102(A)(4), (5), NY Constitution Article 3, §24, Corrections Law article 7 (facilitating an inmate in performing work and receiving compensation outside the confines of the corrections system); DR 1-102(A)(4), (5), (7) (misleading and deceiving court as to services performed on behalf of clients and concealing payments to inmate); DR 3-102(A)(sharing legal fees with non-lawyer); DR 2-103 (acquiescing in solicitation of services through third person).
Edward Leshaw	Motion for permission to file affidavit of compliance with order of suspension nunc pro tunc as of 12/30/98 granted	
Edward Leshaw	Reinstatement denied	
Thomas W. Lewis 283 AD2d 831	Suspended 1 year	DR 6-101(A)(3)(neglect); DR 1-102(A)(5), (7) (failure to respond to client communications); DR 1-102(A)(5), (7)(failure to cooperate with petitioner).
Paul G. Madison 280 AD2d 831	Suspended 2 years, stayed	DR 9-102(B)(1)(failure to deposit client funds into escrow account); DR 9-102(C)(failure to account for funds); DR 9-102(C), (D), (I) (failure to produce and maintain records of client funds); DR 9-102(B)(2)(failure to properly title escrow account); DR 1-102(A)(5), Judiciary Law §497 (failure to maintain IOLA account or interest bearing account for deposit of funds on behalf of clients or third parties); DR 1-102(A)(5), (7) (fail-

Matthew J. Mann 284 AD2d 719	Suspended 2 years, stayed	<p>ure to cooperate with petitioner). Suspension stayed upon conditions that (1) respondent not be the subject of any further disciplinary action, proceeding or application by petitioner arising from prospective conduct) and (2) he submit quarterly reports from CPA confirming proper maintenance of escrow account and client funds. After expiration of suspension period, respondent may apply for termination thereof upon proof he has taken and passed the Multistate Professional Responsibility Examination.</p>
Barry S. Mittelberg	Suspended 9 months	<p>DR 1-102(A)(5), (7), 9-102(A) (conversion); DR 1-102(A)(5), (7) (issuing check against insufficient funds); DR 9-102(A) (commingling); DR 9-102(C), (D) (failing to maintain complete records of escrow account deposits and withdrawals); DR 1-102(A) (5)(failing to provide divorce client with billing statements at least every 60 days). Suspension stayed upon condition respondent submit semiannual reports from CPA confirming proper maintenance of escrow account and client funds. After expiration of suspension period, respondent may apply for termination thereof upon proof he has taken and passed the Multistate Professional Responsibility Examination.</p>
Norman J. Mordkofsky	Federal court action dismissed	<p>22 NYCRR §806.19 (reciprocal discipline – Florida). Upon application for reinstatement, respondent must furnish proof of reinstatement in Florida.</p> <p>Action to overturn suspension, restore respondent's license to practice law and for monetary damages dismissed for lack of subject matter jurisdiction under <i>Rooker-Feldman</i> doctrine.</p>
Kenneth H. Newbould	Stayed suspension modified	<p>Motion for order vacating stay of suspension and imposing sus-</p>

		pension granted to extent of modifying prior decision (277 AD2d 697) by adding condition that respondent close his attorney escrow account, submit proof of same and not accept any further client funds in escrow.
Donald I. Orseck	Reinstated	
Gary W. Patterson 284 AD2d 720	Disbarred	DR 1-102(A)(3), (4), (5), (7) (convicted in Canada of multiple offenses including attempting to obstruct justice in a judicial proceeding by attempting to influence a victim; kidnapping with intent to confine against will; illegally confining; procuring an individual to have illicit sexual intercourse with other persons; living wholly or partially on the avails of prostitution of an individual; exercising control, direction or influence over the movements of an individual in such a manner as to show that he was aiding, abetting or compelling her to engage in prostitution with other persons for the purpose of gain; verbally threatening to cause her bodily harm; inducing an individual by threats of violence with intent to obtain monies to work as a prostitute; verbally threatening to kill an individual's mother and brother.
Janet H. Pearson 282 AD2d 818	Disbarred	DR 1-102(A)(4), (5), (7), 9-102 (conversion); DR 1-102(A)(4), (5), (7) (making false statements in application for admission to bar of another state); DR 1-102(A)(5) (failure to comply with court orders).
Stephen A. Phillips 283 AD2d 768	Interim suspension	22 NYCRR §806.4(f)(1) (suspension pending consideration of disciplinary charges).
Stephen A. Phillips 284 AD2d 897	Disbarred	DR 1-102(A)(3), (4), (5), (7) (conversion of client funds and from an estate, fraudulently issuing checks on estate account); DR 6-101(A)(3)(neglect); DR 1-102(A)(5), (7) (failure to cooperate with petitioner); DR 1-102(A)(5), (7)

		(failure to comply with attorney registration requirements). Petitioner to submit restitution order in consultation with Lawyers' Fund for Client Protection pursuant to Judiciary Law §90(6-a).
Louis M. Realbuto	Indefinite suspension	22 NYCRR §806.10(a) (mental incapacity). Any reinstatement application shall be supported by medical report indicating capacity to resume practice of law.
Alexander J. Repasky	Censured	22 NYCRR §806.19 (reciprocal discipline – Georgia).
Rolf O. Ronning	Reinstatement denied	
David R. Singiser	Disbarred	22 NYCRR §806.19 (reciprocal discipline – Vermont).
Jack J. Sissman	Suspension terminated	Conditions of stayed suspension met.
Arthur H. Thorn Jeffrey J. Tymann	Censured	DR 1-102(A)(5)(failure to disclose possession of vehicle in personal injury action after asserting it had been destroyed).
Philip E. Van Riper 287 AD2d 755	Interim suspension	Judiciary Law §90(4)(d), (f) (serious crime – offering false instrument for filing, 2 nd degree [Penal Law §175.30]).
Allen P. Werbalowsky 287 AD2d 942	Indefinite suspension	22 NYCRR §806.10(a) (mental incapacity).

FOURTH DEPARTMENT

(Fifth Judicial District)

Keith R. Wolfe 280 AD2d 1007	Reinstated	
Robert W. Hock 280 AD2d 195	Suspended 1 year, effective 6/16/00	DR 1-102(A)(4) (conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer); DR 7-102(A)(5)(knowingly making false statement of fact in representation of client); DR 7-106(C)(7) (intentionally violating estab-

Salvatore J. Piemonte 283 AD2d 1029	Interim suspension	lished rule of procedure in appearing as a lawyer before a tribunal). Judiciary Law §90(4) (misdemeanor conviction – 26 USC §7207).
William F. Carrigan, Jr. 283 AD2d 63	Disbarred (restitution ordered)	DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer); DR 1-104(C)(failing to supervise adequately a nonlawyer employee); DR 1-104(D)(2) (failing to take reasonable remedial action to avoid or mitigate consequences of conduct constituting a violation of Disciplinary Rules by a nonlawyer employee over whom he has supervisory authority when he knows or should have known of such conduct); DR 6-101(A)(3) (neglect); DR 7-101(A)(3) (intentionally damaging or prejudicing client during professional relationship); DR 9-102(B)(1)(failing to maintain client funds in separate account); DR 9-102(C)(3)(failing to maintain complete records and render appropriate accounts).
Ralph I. Greenhouse 285 AD2d 995	Disbarred (restitution ordered)	22 NYCRR §1022.25(a)(resigned under investigation).
Mark D. Blum 286 AD2d 33	Suspended 18 months	DR 1-102(A)(4), (5), (6), 7-102(A)(5), 7-106(C)(6)(lying to District Court judge during trial); DR 8-102(B)(making false representations to client concerning District Court Magistrate).
Peter S. Zogby 286 AD2d 1004	Disbarred (restitution ordered)	22 NYCRR §1022.25(a)(resigned pending disciplinary proceedings).
Salvatore J. Piemonte 732 NYS2d 796	Suspended 3 years	Judiciary Law §90(4)(Federal conviction – 26 USC §7207).
James T. Resti 287 AD2d 36	Suspended 1 year	22 NYCRR §1400.2, 1400.3, DR 1-102(A)(4), (5), (7)(conduct involving dishonesty, fraud, deceit or misrepresentation; conduct prejudicial to administration of justice; conduct adversely re-

flecting on fitness as lawyer); DR 2-110(A)(3)(failing to return un-earned fee to client); DR 6-101(A)(3)(neglect); DR 7-101(A)(1), (3) (intentionally failing to seek law-ful objectives of clients; inten-tionally prejudicing or damaging client during professional rela-tionship); DR 9-102(B)(1), (2), (C) (3), (4), (D), (E), (J)(failing to maintain client funds in separate account; failing to identify trust account in proper manner; failing to maintain complete records of funds and property coming into his possession and render ap-propriate accounts; failing to de-liver promptly to clients property that clients were entitled to re-ceive; failing to maintain re-quired records of bank accounts; issuing trust account checks pay-able to cash; failing to produce required bookkeeping records in response to notice from griev-ance committee).

Robert W. Hock
2001 WL 1654240

Reinstated

John W. Steinbach
2001 WI. 1650808

Suspended 2 years (restitution
ordered)

DR 1-102(A)(7)(conduct ad-versely reflecting on fitness as lawyer); DR 9-102(A) (misappro-priating funds belonging to an-other).

(Seventh Judicial District)

Michael B. Rudin
280 AD2d 200

Suspended 3 years

DR 1-102(A)(7)(conduct ad-versely reflecting on fitness as a lawyer); DR 9-102A) (commingling); DR 9-102(B)(1)(failing to maintain client funds in separate special account); DR 9-102(E) (issuing trust account checks payable to cash).

David I. Berlowitz
281 AD2d 65

Suspended 2 years

DR 1-102(A)(7)(conduct ad-versely reflecting on fitness as a lawyer); DR 9-102(A) (misappro-priating and commingling client funds with personal funds); DR 9-102(B)(1)(failing to maintain client funds in separate special account); DR 9-102(C)(3)(failing

		to maintain complete records of funds, securities and other properties and failing to render appropriate accounts regarding them); DR 9-102(D)(1) (failing to maintain required bank account records).
John J. Ferlicca 280 AD2d 246	Censured	DR 8-102(B)(knowingly making false accusations against a judge).
Joseph F. Shramek 283 AD2d 1029	Interim suspension	Judiciary Law §90(4) (serious crime – 18 USC §§371, 1341).
Anthony F. Leonardo, Jr. 283 AD2d 1029	Interim suspension	22 NYCRR 1022.20(d).
Jonathan I. Rapoport 284 AD2d 1019	Interim suspension	Judiciary Law §90(4)(serious crime – Conn. Gen. Stat. 53-21[2]).
James D. Salomone, Jr. 284 AD2d 1019	Interim suspension	Judiciary Law §90(4)(federal felony conviction – 21 USC §843[b]).
Robert J. Whitbread 284 AD2d 1019	Disbarred	Defaulted in filing an answer and failed to appear.
Anthony F. Leonardo, Jr. 286 AD2d 1004	Disbarred	Judiciary Law §90(4)(felony conviction – Penal Law §105.15).
Jonathan I. Rapoport 286 AD2d 42	Disbarred	Judiciary Law §90(4)(Felony conviction – Conn. Gen. Stat. 53-21[2]).
George A. Schell, Jr. 286 AD2d 56	Censured	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer).
Peter V. Calviera 288 AD2d 957	Indefinite suspension	Judiciary Law §90(2-a)(c)(failing to appear in response to Appellate Division order to show cause why he should not be suspended for failing to comply with a summons issued in a child support proceeding in Family Court).
Joseph A. Giorgi 288 AD2d 957	Reinstated	
William A. Argentieri 732 NYS2d 511	Reinstatement denied	
Willie R. Felton	Reinstatement denied	

James D. Salamone, Jr. 287 AD2d 143	Disbarred	Judiciary Law §90(4)(federal felony conviction – 21 USC §843[b]).
Andrew Embury 2001 WL 1654227	Disbarred	22 NYCRR §1022.25(a)(resigned pending disciplinary charges).
David A. Gaesser 2001 WL 1650804	Suspended 3 years; restitution ordered	DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 1-104(C)(failing to supervise adequately work of nonlawyer employee); DR 6-101(A)(3)(neglect); DR 9-102(B)(1)(failing to maintain client funds in separate account); DR 9-102(D)(failing to maintain required bank records).
David H. Walsh, IV 2001 WL 1650809	Suspended 6 months	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(7)(conduct adversely reflecting on fitness as lawyer); DR 9-102(A)(misappropriating client funds); DR 9-102(B)(1)(failing to maintain client funds in separate account); DR 9-102(C)(3)(failing to maintain complete records of client funds and render appropriate accounts); DR 9-102(D)(failing to maintain required records of bank accounts).

(Eighth Judicial District)

Christos G. Ladas 280 AD2d 202	Suspended 2 years	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 9-102(A)(misappropriating client funds); DR 9-102(B)(1)(failing to maintain client funds in separate account).
Edward M. Schatz 281 AD2d 60	Censured	DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 9-102(A) (commingling); DR 9-102(B)(1)(failing to maintain client funds in separate account); DR 9-102(D)(1)(failing to maintain required bank account records); DR 9-102(E)

William H. Bond 282 AD2d 93	Censured	(making checks payable to cash). DR 5-101(A)(accepting employment when exercise of professional judgment was or reasonably could be affected by own interests, without disclosure to and consent of client); DR 5-104(A) (entering into business transaction with client without disclosure to and consent of client); DR 5-105(A)(failing to decline employment when exercise of professional judgment was or reasonable could be affected by acceptance of employment, or was likely to involve him in representing differing interests).
Jopseh M. Cox 283 AD2d 85	Suspended 3 years	DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 2-110(A) (withdrawing from employment without promptly refunding unearned fee); DR 6-101(A)(3) (neglect); DR 9-102(A)(commingling); DR 9-102(B)(1)(failing to maintain client funds in separate account); DR 9-102(D)(1)(failing to maintain required records of bank accounts); DR 9-102(E) (issuing checks payable to cash); DR 9-102(I)(failing to produce required bookkeeping records in response to notice issued by petitioner).
William J. McDonald 284 AD2d 1018	Disbarred; restitution ordered	22 NYCRR §1022.25(a) (resigned pending disciplinary charges).
Joseph DiNardo 285 AD2d 141	Suspended 3 years	Judiciary Law §90(4)(federal felony conviction – 26 USC §7206[1]).
Michael G. Dwyer, Jr. 285 AD2d 133	Suspended 2 years	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A) (5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(former [8])(conduct adversely reflecting on fitness as a lawyer); DR 9-102(A) (misappropriating client funds); DR 9-102(C)(1)(failing to notify client

		promptly of receipt of funds); DR 9-102(C)(3)(failing to maintain complete records of client funds and render appropriate accounts); DR 9-102(D)(failing to maintain required records of bank accounts); DR 9-102(J) (former [I])(failing to produce required bookkeeping records in response to a notice issued by the grievance committee).
Bruce R. Fenwick 286 AD2d 1004	Disbarred	22 NYCRR §1022.25(a)(resigned under investigation).
Samuel A. Marino 286 AD2d 1004	Disbarred	22 NYCRR §1022.25(a)(resigned pending disciplinary proceedings).
James C. Sloan 286 AD2d 151	Censured	DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 2-106(C)(2) (collecting fee in domestic relations matter without executing with client a written retainer agreement); DR 2-106(F)(failing to provide prospective domestic relations client with statement of client's rights and responsibilities); DR 5-105(A)(failing to decline employment when it is likely to involve him in representing differing interests); DR 6-101(A)(3)(neglect); DR 7-101(A)(2)(failing to carry out contract of employment); DR 9-102(A) (commingling); DR 9-102(B)(1) (failing to maintain client funds in separate account).
Marc C. Panepinto 258 AD2d 957	Interim suspension	Judiciary Law §90(4) (misdemeanor conviction – Election Law §17-122[7]).
Raymond Joseph Dziedzic 732 NYS2d 793	Suspended 1 year	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 6-101(A)(3)(neglect).

Robert William Hysert
732 NYS2d 794

Suspended 2 years

DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(conduct adversely reflecting on fitness as a lawyer); DR 2-106(E)(failing to resolve domestic relations fee dispute by arbitration); DR 6-101(A)(3)(neglect); DR 7-101(A)(3)(prejudicing or damaging client during course of professional relationship).

Marc C. Panepinto
2001 WL 1650806

Suspended 30 days, effective
10/31/01

Judiciary Law §90(4) (misdemeanor conviction – Election Law §17-122[7]).

Harry N. Stone
2001 WL 1654251

Reinstated

David A. Curtin
2001 WL 1654216

Disbarred; restitution ordered

22 NYCRR §1022.25(a)(resigned under investigation).

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

Professional Disciplinary Staffs

FIRST DEPARTMENT

Departmental Disciplinary Committee

First Judicial Department

61 Broadway, 2nd Floor

New York, NY 10006

(212) 401-0800

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

Vincent C. Raniere, Chief Investigator
Virgil Cruz, Investigator
George Cebish, Investigator
John E. Pugliese, Investigator
Kenneth Van Lew, Investigator
Leonard Zarrillo, Investigator
Martin Schwinger, Investigator
Rebecca Taub, Chief Paralegal
Donna M. Killian, Paralegal
Marcy Sterling, Paralegal
Joseph G. Wigley, Paralegal
Orlando Reyes, Paralegal
Carol Scheuer, Office Manager
Anna Abbate, Secretary
Francine N.L. Ali, Secretary
Nancy DeLeon, Secretary
Eartha Hobot, Secretary
Monique Hudson, Secretary
Grace Jacobs, Secretary
Denise M Lariscy, Secretary
Maria L. Vera, Secretary
Niena Cooper-Winfield, Secretary
Michelle Wang, Support Staff Mgmt.
Charles Sauer, Computer Operator
Anisha McBrown, Receptionist

SECOND DEPARTMENT

Grievance Comm. for the 9th Judicial District

399 Knollwood Road, Suite 200

White Plains, NY 10603

(914) 949-4540

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

Forrest Strauss, Staff Counsel
Anthony Wynne, Staff Counsel
Patrick Smith, Senior Court Analyst
Virginia E. Mordiglia, Managing Secretary
Maryellen Horan, Secretary
Patricia Marucci, Secretary
Ellen M. Tallevi, Secretary
Maria J. Mangione, Secretary
Denise Santamorenna, Secretary
Claire Zeppieri, Secretary
Susan Rooney, Clerk

Grievance Comm. for the 2nd & 11th Judicial Districts
335 Adams Street, Suite 2400
Brooklyn, NY 11201
(718) 923-6300

Diana Maxfield Kearsse, Chief Counsel
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6900 Jericho Turnpike
Syosset, NY 11791
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Robert P. Guido, Chief Counsel
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Catherine A. Sheridan, Deputy Chief Counsel
Nancy A. Bolger, Assistant Counsel
Chris G. McDonough, Assistant Counsel
Dianne M. Saccone, Assistant Counsel
Edward A. Tini, Assistant Counsel
Elizabeth A. Grabowski, Assistant Counsel

THIRD DEPARTMENT

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40 Steuben Street, Suite 502
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(518) 474-8816

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Melissa D. Broder, Assistant Counsel
Susan Korenberg, Assistant Counsel
Colette Landers, Assistant Counsel
Sharon F. Gursen, Assistant Counsel
Lisa Monteleone, Court Analyst
Erika Edinger, Paralegal
Louis Romaine, Investigator

Stacey J. Sharpelletti, Assistant Counsel
Mitchell Borkowsky, Assistant Counsel
Mary J. Lieblang, Assistant Counsel
Jennifer A. Buetow, Assistant Counsel
Douglas Kronenberg, Investigator
Christopher Kern, Investigator
Barbara Maniscalco, Secretary
Joan M. Pace, Secretary
Phyllis Carusillo, Secretary
Kerry E. Pitre, Secretary
Elizabeth A. Secondino, Secretary
Noreen M. Johnston, Secretary
Elizabeth A. Vanderhoef, Secretary

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

FOURTH DEPARTMENT

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

Grievance Comm. for the 7th Judicial District
50 East Avenue, Suite 404
Rochester, NY 14604
(716) 530-3180

Gerard M. LaRusso, Chief Counsel
Anthony J. Gigliotti, Principal Counsel
Sheryl M. Crankshaw, Investigator
M. Susan Roland, Secretary
Patricia M. Harrington, Secretary

Gerard M. LaRusso, Chief Counsel
Daniel A. Drake, Principal Counsel
Andrea E. Tomaino, Associate Counsel
Anna Marie Peters, Investigator
Stephanie K. Serikstad, Asst. Court Analyst
Alana Dione Archer, Secretary

Grievance Comm. for the 8th Judicial District
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Kathleen M. Boyd, Associate Counsel
Joanne Walsh, Investigator
William P. Zenosky, Investigator
Mary E. Davis, Investigator
Virginia Pawlik, Court Analyst
Brian L. Marshall, Asst. Court Analyst
Kathleen E. Caprio, Asst. Court Analyst
Kathleen E. Pierce, Secretary
Anna M. Hunt, Secretary



Departmental and District Grievance Committees

FIRST DEPARTMENT

Departmental Disciplinary Committee

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SECOND DEPARTMENT

Grievance Committee for the 2nd & 11th Judicial Districts

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Linda Fedrizzi	

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THIRD DEPARTMENT

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Carmel J. Greco

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Charles J. Nicaastro
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Mark M. Rider
Richard D. Wickerham
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David M. Gouldin
James A. Haynes, Jr.
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Nelson E. Roth

FOURTH DEPARTMENT

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Floyd J. Chandler
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G. Gerald Fiesinger
Gary A. Hall
Peter M. Hobaica
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James E. Sparkes
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Bernetta Bourcy
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Robert B. Gitlin
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John K. McCarthy
Hillary Merkel McMillan
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Erin M. Peradotto
Jay N. Rosenthal
John R. Samelson
Victoria J. Saxon
David C. Schubel
E. Michael Semple
Susan Villiers*

* Non-lawyer

**Attorney Discipline Budget
Appropriations
(Fiscal 2001-2002) and
Salaries of Disciplinary Staff
(February 2002)**

FIRST DEPARTMENT

Title	Grade	2/02 Salary
Chief Attorney	NS	\$112,191
Deputy Chief Attorney	532	91,851
Principal Attorney	531	107,048
Principal Attorney	531	107,048
Principal Attorney	531	103,427
Principal Attorney	531	100,446
Principal Attorney	531	96,882
Principal Attorney	531	96,527
Principal Attorney	531	95,929
Principal Attorney	531	88,897
Principal Attorney	531	86,361
Principal Attorney	531	86,361
Principal Attorney	531	83,941
Principal Attorney	531	80,856
Principal Attorney	531	80,644
Associate Attorney	528	71,765
Associate Attorney	528	68,793
Associate Attorney	528	67,522
Associate Attorney	528	65,821
Senior Attorney	526	50,104
Principal Court Analyst	523	67,296
Principal Court Analyst	523	63,349
Sr. I.A.N Administrator	523	61,281
Senior Court Analyst	521	43,588
Sr. App. Court Asst.	521	63,038
Court Analyst	518	52,166
Court Analyst	518	52,166
Court Analyst	518	48,745
Court Analyst	518	47,436
Court Analyst	518	47,324
Court Analyst	518	44,242
Court Analyst	518	38,299
Admin. Secretary	517	42,728
Asst. Court Analyst	516	40,970
Asst. Court Analyst	516	39,368
Asst. Court Analyst	516	34,171
Asst. Court Analyst	516	34,171
Law Stenographer	514	41,986
Law Stenographer	514	40,523
Law Stenographer	514	36,681
Law Stenographer	514	30,364
Secretary	514	37,961
Secretary	514	41,986
Secretary	514	30,464
Prin. App. Office Asst.	513	35,376
Sr. Office Assistant	508	21,409

2001-2002 Appropriations:	
Personal Service	\$2,989,336
Nonpersonal Service	<u>343,072</u>

Total: \$3,323,408

SECOND DEPARTMENT

Title	Grade	2/02 Salary
(Second and Eleventh Judicial Districts)		
Chief Attorney	NS	\$109,037
Dep. Chief Attorney	532	100,387
Principal Attorney	530	96,882
Principal Attorney	531	96,567
Principal Attorney	531	83,941
Principal Attorney	531	80,640
Principal Attorney	531	80,640
Principal Attorney	531	77,339
Principal PC Analyst	523	58,116
Sr. PC Analyst	521	47,232
Sr. Court Analyst	521	49,494
Court Analyst	518	40,280
Court Analyst	518	38,299
Asst. Court Analyst	516	46,764
Asst. Court Analyst	516	34,171
Secretary	514	33,756
Secretary	514	30,464
Jr. Court Analyst	512	37,611

2001-2002 Appropriations:	
Personal Service	\$1,289,341
Nonpersonal Service	<u>245,000</u>
Total:	\$1,534,341

(Ninth Judicial District)

Chief Attorney	NS	\$111,279
Dep. Chief Attorney	532	89,316
Principal Attorney	531	96,882
Principal Attorney	531	88,708
Principal Attorney	531	83,941
Associate Attorney	528	71,852
Associate Attorney	528	71,765
Associate Attorney	528	67,518
Attorney	523	52,560
Sr. Court Analyst	521	60,985
Asst. Court Analyst	516	48,563
Secretary	514	45,278
Secretary	514	43,632
Secretary	514	39,241

2001-2002 Appropriations:	
Personal Service	\$1,106,352
Nonpersonal Service	<u>396,635</u>

Total: \$1,502,987

SECOND DEPARTMENT

Title	Grade	2/02 Salary
(Tenth Judicial District)		
Chief Attorney	NS	\$106,565
Dep. Chief Attorney	532	93,637
Principal Attorney	531	96,527
Principal Attorney	531	91,254
Principal Attorney	531	84,249
Principal Attorney	531	80,640
Principal Attorney	531	77,339
Principal Attorney	531	65,821
Associate Attorney	528	68,793
Associate Attorney	528	67,522
Associate Attorney	528	61,774
Princ. Court Analyst	523	63,547
Sr. Court Analyst	521	44,974
Court Analyst	518	45,887
Asst. Court Analyst	516	46,764
Law Stenographer	514	43,632
Law Stenographer	514	41,480
Law Stenographer	514	37,961
Secretary	514	30,464

2001-2002 Appropriations:		
Personal Service		\$1,395,186
Nonpersonal Service		<u>417,500</u>

Total: \$1,812,686

THIRD DEPARTMENT

Title	Grade	2/02 Salary
Chief Attorney	NS	\$108,175
Dep. Chief Attorney	532	105,528
Associate Attorney	528	69,585
Associate Attorney	528	67,522
Associate Attorney	528	67,518
Associate Attorney	528	65,821
Princ. Court Analyst	523	67,296
Sr. Court Analyst	521	60,780
Asst. Court Analyst	516	46,764
Secretary	514	41,986
Secretary	514	41,986
Secretary	514	38,785
Secretary	514	36,230
Secretary	514	34,648

2001-2002 Appropriations:		
Personal Service		\$826,271
Nonpersonal Service		<u>182,090</u>

Total: \$1,008,361

FOURTH DEPARTMENT

Title	Grade	2/02 Salary
Chief Attorney	NS	\$112,004
Deputy Chief Attorney	532	103,849
Principal Attorney	531	100,446
Principal Attorney	531	95,643
Associate Attorney	528	86,625
Associate Attorney	528	85,154
Associate Attorney	528	80,626
Associate Attorney	528	43,312
Sr. Court Analyst	521	60,780
Sr. Court Analyst	521	60,780
Sr. Court Analyst	521	60,780
Sr. Court Analyst	521	60,695
Court Analyst	518	50,726
Court Analyst	518	42,261
Asst. Court Analyst	516	45,584
Asst. Court Analyst	516	45,332
Secretary	514	41,986
Secretary	514	41,189
Secretary	514	38,676
Secretary	514	37,961

2001-2002 Appropriations:		
Personal Service		\$1,330,093
Nonpersonal Service		<u>257,430</u>

Total: \$1,587,523