

NOTICE TO THE BAR

Re: Defaults Scheduled for Review by the Disciplinary Review Board

The following matters have been certified to the Disciplinary Review Board as defaults, in accordance with R. 1:20-4(f):

In the Matter of Scot D. Rosenthal

Docket No. DRB 11-078

District Docket Nos. XII-2009-0036E, XII-2009-0048E,
XII-2009-0052E, XII-2010-0003E, XII-2010-0021E;
XII-2010-0023E, & XII-2010-0024E

In the Matter of Kowana M Johnson

Docket No. DRB 11-080

District Docket Nos. XIV-2011-0035E;
Former Docket No. XIV-2008-0403E

In the Matter of Dorca Iris Delgado-Shafer

Docket No. DRB 11-087

District Docket No. XIV-2010-0003E

In the Matter of Kevin Joseph Carlin

Docket No. DRB 11-093

District Docket Nos. XIV-2009-0688E & XIV-2010-0306E

In the Matter of James M. Docherty

Docket No. DRB 11-102

District Docket No. VC-2010-0011E

In the Matter of Andrew J. Brekus

Docket No. DRB 11-104

District Docket No. XIV-2009-0465E

These matters are scheduled to be reviewed by the Board on **Thursday, June 16, 2011**. R. 1:20-4(f) provides that an attorney-respondent's failure to timely file an answer "shall be deemed an admission that the allegations of the complaint are true and . . . provide sufficient basis for the imposition of discipline." Although chances for a successful motion are limited, a motion to vacate the default may be by filed with the Board **by no later than June 6, 2011. MOTIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED BY THE BOARD.** The motion should specify why the attorney-respondent failed to file a timely answer (including lack of notice) and should set forth any claimed meritorious defenses to the ethics charge. The motion must also be simultaneously served on the Director of the Office of Attorney Ethics and, where appropriate, the district ethics committee responsible for the underlying ethics matter. A certification regarding that service must accompany any documents filed with the Board.

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Respondents are hereby advised that, generally, in a default matter, the discipline is enhanced to reflect a respondent's failure to cooperate with disciplinary authorities as an aggravating factor. In re Kivler, 193 N.J. 332, 338 (2008).

Respondents may communicate with the Board by contacting the Office of Board Counsel at:

P.O. Box 962, Trenton, NJ 08625, Telephone: 609-292-1012

Julianne K. DeCore
Chief Counsel
Disciplinary Review Board

Dated: May 17, 2011

by: /s/ Lillian Lewin
Lillian Lewin