

# 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 Luba Annenko Docket No. DRB 02-267

In the Matter of Robert E. Barth, Jr. Docket No. DRB 02-268

In the Matter of Michael L. Magnola Docket No. DRB 02-272

In the Matter of Samuel A. Malat Docket No. DRB 02-270

In the Matter of Paul Paskey Docket No. DRB 02-265

In the Matter of Paul Paskey Docket No. DRB 02-266

In the Matter of Stuart P. Schlem Docket No. DRB 02-293

In the Matter of David J. Witherspoon Docket No. DRB 02-285

These matters are scheduled to be reviewed by the Board on Thursday, October 17, 2002. 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 filed with the Board by no later than October 7, 2002. **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.

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.

Dated: September 23, 2002  
Robyn M. Hill  
Chief Counsel  
Disciplinary Review Board

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