MICHAEL A. DIAMOND, ESQUIRE
20 East Tom Wells Road
Berlin, New Jersey 08009
(856) 767-8554
(856) 753-1069 (FAX)
Respondent *pro se*

FILED
NOV 2 2 2010
A. C. J. C.

IN THE MATTER OF	:	**SUPREME COURT OF NEW JERSEY**
	:	**ADVISORY COMMITTEE ON**
MICHAEL A. DIAMOND,	:	**JUDICIAL CONDUCT**
JUDGE OF THE MUNICIPAL	:	
COURT,	:	
	:	**DOCKET NO.: ACJC 2010-054**
	:	
	:	**ANSWER**
	:	

Michael A. Diamond, Respondent, hereby answers the Complaint in this matter in accordance with its numbered paragraphs as follows:

1. Admitted.

2. Admitted.

3. Admitted.

4. Neither admitted nor denied. Respondent has no knowledge regarding the facts of this paragraph.

5. Respondent has no knowledge of the conference between the Municipal Prosecutor and Defense Counsel, however, the Respondent did engage in an *ex parte* communication with the Municipal Prosecutor about the *Foxworth* matter. This communication was done with the knowledge of the Defense Counsel.

Denied as to the Respondent expressing any opinion as to the efficacy of the Defendant's case.

Admitted as to advising the Municipal Prosecutor on pertinent issues regarding the admission of certain evidence. The Supreme Court has held that trials are not games. This Prosecutor had twenty years experience in Municipal Law. I was expressing my opinion that a trial had to be conducted in this matter which was a DWI with an accident.

Denied as to referring to Respondent and the Municipal Prosecutor as "we." The "we" referred to the Court only.

6. Admitted that the conversation between Respondent and the Municipal Prosecutor was conducted in the Courtroom, at Sidebar and was recorded. The Defendant's attorney was aware of the conversation.

7. Denied.

8. Admitted.

9. Admitted.

10. Denied.

WHEREFORE, Respondent denies all charges against him and prays that the Advisory Committee on Judicial Conduct recommend that the Supreme Court dismiss the Complaint in its entirety.

SEPARATE DEFENSES

Respondent specifically reserves the right to amend his Answer to include any defenses or affirmative defenses upon reviewing the discovery in this matter.

Dated: November 19, 2010

MICHAEL A. DIAMOND, ESQUIRE
Respondent *pro se*

VERIFICATION

STATE OF NEW JERSEY :
: SS.
COUNTY OF CAMDEN :

Michael A. Diamond, of full age, being duly sworn according to law, upon his oath, deposes and says:

I am the Respondent in the foregoing Answer. I am familiar with the facts set forth herein. I hereby verify that the allegations made in the Answer are true and accurate to the best of my knowledge and belief.

Sworn to and Subscribed :
before me this 19th day :
of November, 2010 :

MICHAEL A. DIAMOND

BARBARA McCONNEY
A Notary Public Of New Jersey
My Commission Expires December 1, 2012