

**FILED**

**FEB 25 2009**

**A. C. J. C.**

**BORRUS, GOLDIN, FOLEY, VIGNUOLO, HYMAN & STAHL**

A Professional Corporation  
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P.O. Box 7463  
North Brunswick, New Jersey 08902  
(732) 422-1000  
Attorneys for Respondent

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IN THE MATTER OF  
  
EMERY Z. TOTH  
JUDGE OF THE MUNICIPAL COURT

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SUPREME COURT OF  
NEW JERSEY  
ADVISORY COMMITTEE  
ON JUDICIAL CONDUCT

DOCKET NO. ACJC 2008-201

Civil Action

ANSWER TO FORMAL  
COMPLAINT

The Respondent, by way of answer to the Complaint of the Committee filed herein says:

1. The Respondent admits the allegations contained in paragraph 1 of the Complaint.
2. The Respondent admits the allegations contained in paragraph 2 of the Complaint.
3. The Respondent admits the allegations contained in paragraph 3 of the Complaint except to state that Mr. Buldoni was arrested for failure to appear in connection with motor vehicle complaints.

4. The Respondent admits the allegations contained in paragraph 4 of the Complaint.
5. The Respondent admits the allegations contained in paragraph 5 of the Complaint.
6. The Respondent admits the allegations contained in paragraph 6 of the Complaint.
7. The Respondent admits the allegations contained in paragraph 7 of the Complaint except to state that the conduct of Mr. Buldoni was rude, contemptuous and disrespectful to the

Respondent as a Municipal Judge presiding over Mr. Buldoni's matter.

8. The Respondent admits the allegations contained in paragraph 8 of the Complaint.

9. The Respondent admits the allegations contained in paragraph 9 of the Complaint.

10. The Respondent admits the allegations contained in paragraph 10 of the Complaint but denies any intentional or purposeful wrongdoing.

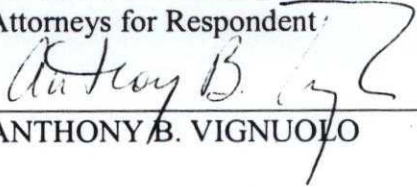
11. The Respondent admits the allegations contained in paragraph 11 of the Complaint except to state that his conduct was not prejudicial to the administration of justice but was, in fact, conduct which brought his judicial office to disrepute in violation of Rule 2:15-8(a)(6).

12. The Respondent admits the allegations contained in paragraph 12 of the Complaint except to state that his conduct was not prejudicial to the administration of justice but held his judicial office in disrepute in violation of Rule 2:15-8(a)(6).

13. The Respondent admits the allegations contained in paragraph 13 of the Complaint.

WHEREFORE, Respondent submits himself to the jurisdiction and discretion of the Committee and requests that the Committee demonstrate leniency based upon his prior unblemished record and long tenure as a Municipal Judge in multiple Municipal Courts.

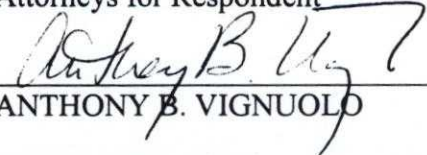
BORRUS, GOLDIN, FOLEY, VIGNUOLO,  
HYMAN & STAHL, P.C.  
Attorneys for Respondent

  
\_\_\_\_\_  
ANTHONY B. VIGNUOLO

Dated: February 23, 2009

I certify that the within pleading has been filed within the time as prescribed by the Rules of Court.

BORRUS, GOLDIN, FOLEY, VIGNUOLO,  
HYMAN & STAHL, P.C.  
Attorneys for Respondent

  
\_\_\_\_\_  
ANTHONY B. VIGNUOLO

Dated: February 23, 2009

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