

# SUPREME COURT OF NEW JERSEY

## NOTICE TO THE BAR

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### **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 Joseph M. Borek, Jr. Docket No. DRB 01-023  
In the Matter of Kevin J. Daly Docket No. DRB 01-024  
In the Matter of Jesse Jenkins, III Docket No. DRB 01-035  
In the Matter of Thomas A. Penn Docket No. DRB 01-002  
In the Matter of Joel B. Rubinstein Docket No. DRB 01-067  
In the Matter of Aaron Smith Docket No. DRB 01-014

These matters are scheduled to be reviewed by the Board on Thursday, May 17, 2001. 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 Default may be filed with the Board prior to the scheduled review. That 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 charges. The Motion to Vacate must also be simultaneously served on the Director, 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: April 27, 2001  
Robyn M. Hill  
Chief Counsel  
Disciplinary Review Board

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