

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 Kevin Joseph Carlin

Docket No. DRB 11-194

District Docket No. VII-2011-0004E

In the Matter of Kevin Joseph Carlin

Docket No. DRB 11-240

District Docket Nos. XIV-2011-0322E & XIV-2011-0323E

In the Matter of Duncan Gordon Cameron

Docket No. DRB 11-221

District Docket No. XIV-2010-00489E

In the Matter of Clifford R. Lundin

Docket No. DRB 11-204

District Docket No. XB-2010-0011E

In the Matter of Timothy J. Provost

Docket No. DRB 11-251

District Docket Nos. XIV-2011-0056E & XIV-2011-0127E

In the Matter of Thomas E. Downs, IV

Docket No. DRB 11-261

District Docket No. VIII-2010-0047E

These matters are scheduled to be reviewed by the Board on **Thursday, October 20, 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 September 29, 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.

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: September 1, 2011

by: /s/ Lillian Lewin
Assistant Counsel