

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 Peter Roy Cellino

Docket No. DRB 13-259

District Docket No. XIV-2012-0343E

In the Matter of Joseph C. Lane

Docket No. DRB 13-264

District Docket No. XIV-2012-0317E

In the Matter of Stuart A. Kellner

Docket No. DRB 13-283

District Docket Nos. XIV-2012-0228E; XIV-2012-0661E

In the Matter of Anthony J. Balliette

Docket No. DRB 13-287

District Docket No. I-2012-0016E

In the Matter of Christopher D. Boyman

Docket No. DRB 13-299

District Docket No. XIV-2012-0483E

In the Matter of Barbara Kirsch Einhorn

Docket No. DRB 13-304

District Docket No. XII-2013-0009E

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Scheduled: January 16, 2014

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These matters are scheduled to be reviewed by the Board on **Thursday, January 16, 2014**. 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 December 9, 2013. 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

Dated: November 18, 2013

Lillian Lewin
Assistant Counsel
Disciplinary Review Board