

## **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 Robert James Stack**

Docket No. DRB 21-173

District Docket No. XIV-2021-0030E

**In the Matter of Laurence H. Olive**

Docket No. DRB 21-179

District Docket No. XIV-2020-0442E

**In the Matter of Marc A. Spielberg**

Docket No. DRB 21-181

District Docket No. XIV-2020-0443E

**In the Matter of Brian Le Bon Calpin**

Docket No. DRB 21-185

District Docket No. XIV-2020-0376E

**In the Matter of Michele S. Austin**

Docket No. DRB 21-191

District Docket No. XIV-2020-0219E

**In the Matter of Brian J. Smith**

Docket No. DRB 21-194

District Docket No. IV-2020-0012E

**In the Matter of David Richard Cubby, Jr.**

Docket No. DRB 21-205

District Docket No. XIV-2021-0016E

**In the Matter of Donald William Becker**

Docket No. DRB 21-207

District Docket No. IIA-2019-0020E

These matters are scheduled to be reviewed by the Board on **Thursday, November 18, 2021**. 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 filed with the Board by no later than **Tuesday, October 12, 2021**. 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

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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: 609-815-2920, E-Mail: DRB.MBX@njcourts.gov.

A handwritten signature in black ink, reading "Johanna Barba Jones". The signature is fluid and cursive, with the first name "Johanna" being more prominent and the last name "Jones" written in a smaller, more compact script.

Dated: September 27, 2021

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Johanna Barba Jones  
Chief Counsel  
Disciplinary Review Board