## NOTICE TO THE BAR

## DEFAULTS SCHEDULED FOR REVIEW BY THE DISCIPLINARY REVIEW BOARD THURSDAY, APRIL 21, 2022

The following matters have been certified to the Disciplinary Review

Board as defaults, in accordance with <u>R.</u> 1:20-4(f):

In the Matter of Neal E. Brunson Docket No. DRB 22-015 District Docket No. XIV-2019-0632E

In the Matter of William M. Witherspoon Docket No. DRB 22-022 District Docket No. XIV-2021-0215E

In the Matter of Thomas John Bonfiglio Docket No. DRB 22-024 District Docket No. XIV-2018-0426E

In the Matter of Michael S. Wittenberg

Docket No. DRB 22-028 District Docket No. XIV-2019-0645E

These matters are scheduled to be reviewed by the Board on Thursday,

**April 21, 2022**. <u>R.</u> 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 **March 17, 2022**. 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.

Each respondent is 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. <u>In re Kivler</u>, 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.

Dated: March 2, 2022

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Chief Counsel Disciplinary Review Board