

NOTICE TO THE BAR

ADDITIONAL DEFAULT SCHEDULED FOR REVIEW BY THE DISCIPLINARY REVIEW BOARD THURSDAY, APRIL 20, 2023

The following additional matter has been certified to the Disciplinary Review Board as a default, in accordance with R. 1:20-4(f):

In the Matter Nickolas C. Mourtos

Docket No. DRB 23-053

District Docket No. VII-2020-0011E

This matter is scheduled to be reviewed by the Board on **Thursday, April 20, 2023**. This matter has been added to the matters already listed in the Board's notice of March 13, 2023, which remains in effect.

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 **March 27, 2023**. 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.

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. In re Kivler, 193 N.J. 332, 338 (2008).

Respondent 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 13, 2023

/s/ Timothy M. Ellis

Timothy M. Ellis
Acting Chief Counsel
Disciplinary Review Board