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152 N.J. 40

Joseph WOLFERSBERGER,
Jr., Plaintiff-Appellant,

v.

BOROUGH OF POINT PLEASANT
BEACH, Defendant-
Respondent.

Supreme Court of New Jersey.

Argued Sept. 22, 1997.

Decided Oct. 22, 1997.

On certification to the Superior Court, Appellate Division, whose opinion is reported at 305 *N.J.Super.* 446, 702 A.2d 1294 (1996).

Stephen B. Hunter, Somerville, for plaintiff-appellant (Klausner & Hunter, attorneys; Mr. Hunter and David L. Rosenberg, on the brief).

Diana L. Anderson, Toms River, for defendant-respondent (Hiering, Hoffman & Gannon, attorneys).

Paul L. Kleinbaum, Newark, for amicus curiae, New Jersey State Policemen's Benevolent Association (Zazzali, Zazzali, Fagella & Nowak, attorneys).

PER CURIAM.

The judgment is affirmed, substantially for the reasons expressed in the opinion of the Appellate Division, reported at 305 *N.J.Super.* 446, 702 A.2d 1294 (1996).

For affirmance—Chief Justice PORITZ, and Justices HANDLER, POLLOCK, O'HERN, GARIBALDI, STEIN and COLEMAN—7.

Opposed—None.



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152 N.J. 41

141In the Matter of Benjamin A.
POREDA, an Attorney at
Law.

Supreme Court of New Jersey.

Nov. 26, 1997.

In attorney disciplinary proceeding, the Supreme Court held that attorney's misconduct, which included, among other things, continuing to represent client after effective date of suspension from practice of law, warranted disbarment.

Attorney disbarred.

Attorney and Client ⇐58

Disbarment was warranted as sanction for attorney's misconduct in preparing wills in which he was given residuary interest in estate, in continuing to represent client after effective date of suspension, failing to inform client of suspension, falsely certifying to Office of Attorney Ethics that he had no matters pending after suspension, and cashing settlement check, in attempting to persuade grievant to withdraw grievance against him, and in conspiring with employee of New Jersey Division of Motor Vehicles to arrange for alteration of official records relating to attorney's motor vehicle violations history, which resulted in criminal conviction. RPC 1.8, 8.1(a), 8.4(a-d).

ORDER

The Disciplinary Review Board having filed a report with the Court, recommending that **BENJAMIN A. POREDA** of **TRENTON**, who was admitted to the bar of this State in 1957, and who was suspended from practice for a period of three months on March 21, 1995, for presentation of a forged insurance identification card to legal authorities, and who remains suspended at this 142time, be disbarred for preparing and assisting in the preparation of wills in which respondent was given a residuary interest in the estate, in violation of *RPC* 1.8 and *RPC* 8.4(a); for continuing to represent a client