

DEPARTMENTAL DISCIPLINARY COMMITTEE
SUPREME COURT, APPELLATE DIVISION
FIRST JUDICIAL DEPARTMENT
61 BROADWAY
NEW YORK, N.Y. 10006
(212) 401-0800
FAX: (212) 401-0810

Not received by Iviewit until January 2004 because address incomplete. First Department states it was never returned and they have no records. Cahill copies no one and the letters authenticity is questionable.

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SPECIAL COUNSEL

September 2, 2003

PERSONAL AND CONFIDENTIAL

Eliot I. Bernstein
IVIEWIT #801
10158 Stonehenge Circle
Boynton Beach, FL 33437

Who handwrote
this is letter at
First Dept?

COPY

Re: Matter of Kenneth Rubenstein, Esq.
Docket No. 2003.0531

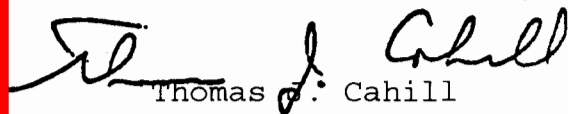
Dear Mr. Bernstein:

As you know, there is pending litigation concerning the same or related facts which you have alleged here. We have found that a judicial resolution of such matters is helpful to the Committee. Accordingly, we have decided to close our investigation at this time.

The Committee arrived at this determination after the case was submitted to a member of the Committee, an independent board of lawyers and non-lawyers appointed by the Appellate Division, First Judicial Department. The Committee member concluded that we should await the conclusion of the litigation. We request, however, that you inform the Committee of any court decision or other event which may warrant an immediate investigation by the Committee.

Letter is incorrect, as the litigation had nothing to do with the allegations in the complaints and was a billing dispute. Who was the committee member, Cahill will not disclose? Cahill is notified, upon Iviewit's receipt of the letter that the civil case was concluded and none of the matters in the complaints were heard. Cahill states he is re-opening.

Very truly yours,


Thomas J. Cahill

TJC: adp/P:JGW/A:ANB

D-PL/C(F475/TB520)

No copies sent and no title for Cahill?

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Boynton Beach, FL 33437

Who handwrote
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First Dept?

COPY

Re: Matter of Raymond A. Joao, Esq.
Docket No. 2003.0532

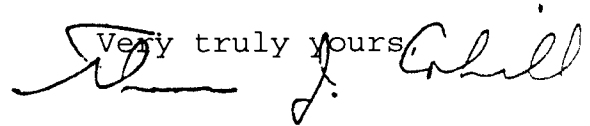
Joao is not involved in pending litigation, so how this gets mixed in with Rubenstein and delayed is remarkable.

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The Committee arrived at this determination after the case was submitted to a member of the Committee, an independent board of lawyers and non-lawyers appointed by the Appellate Division, First Judicial Department. The Committee member concluded that we should await the conclusion of the litigation. We request, however, that you inform the Committee of any court decision or other event which may warrant an immediate investigation by the Committee.

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