

## **RULE 1:28. NEW JERSEY LAWYERS FUND FOR CLIENT PROTECTION**

### **1:28-1. Purpose; Administration; Appointments**

(a) Administration. The Supreme Court shall appoint seven trustees to administer and operate, in accordance with these rules, the New Jersey Lawyers' Fund for Client Protection, whose purpose is the reimbursement, to the extent and in the manner provided by these rules, of losses caused by the dishonest conduct of members of the bar of this State.

(b) Qualification, Terms of Trustees. The original appointment shall be of one trustee for a one-year term, one for a 2-year term, one for a 3-year term, one for a 4-year term and one for a 5-year term. At the expiration of such terms all subsequent appointments shall be for a term of 5 years, and no trustee who has served a full 5-year term shall be eligible for immediate reappointment. A vacancy occurring during a term shall be filled for the unexpired portion thereof. Five trustees shall be members of the bar of this State; and two members shall not be attorneys.

(c) Organization; Meetings. The trustees shall organize annually and shall then elect from among their number a chair and a treasurer to serve for a one-year term and such other officers for such terms as they deem necessary or appropriate. Meetings thereafter shall be held at the call of the chair. Four trustees shall constitute a quorum and may transact all business except as may be otherwise provided by this rule or by the rules and regulations promulgated by the trustees.

(d) Regulations. The trustees shall adopt rules and regulations, consistent with these rules and subject to the approval of the Supreme Court, governing the administration of the Fund, the procedures for the presentation, consideration and payment of claims, and the exercise of their investment powers.

(e) Reimbursement. The trustees shall serve without compensation but shall be entitled to reimbursement from the Fund for their expenses reasonably incurred in the performance of their duties.

(f) Immunity. The Board of Trustees, Director and Counsel, Deputy Counsel, Secretary and all staff personnel shall be absolutely immune from suit, whether legal or equitable in nature, for any conduct in the performance of their official duties.

**Note:** Source – R.R. 1:22A-1(a) (b) (c) (d) (e); paragraphs (a) (b), and (c) amended and paragraph (f) adopted June 29, 1990 to be effective September 4, 1990; paragraph (a) amended July 14, 1992 to be effective September 1, 1992; paragraphs (a) and (b) amended May 3, 1994 to be effective immediately; paragraph (c) amended June 28, 1996 to be effective September 1, 1996.

**EXHIBIT** R-1

## **1:28-2. Payment to the Fund; Enforcement**

(a) Generally. Except as hereinafter provided, each holder of a plenary license to practice law in the State of New Jersey shall pay annually to the treasurer of the Fund a sum that shall be determined each year by the Supreme Court. An attorney who makes payment after February 1 of the billing year, or such other date as the Court may determine, but before being placed on the Ineligible List shall be subject to a late fee as set forth in Rule 1:20-1(d), which shall be shared equally with the Disciplinary Oversight Committee. The treasurer shall annually report the names of all attorneys failing to comply with the provisions of this Rule to the Supreme Court for inclusion on the list of those attorneys deemed ineligible to practice law in New Jersey by order of the Court. An attorney shall be reinstated automatically to the practice of law without further order of the Court on filing with the Fund the annual registration statement for the current year together with the annual payment, the late fee, any arrears due from prior years, and a reinstatement fee of \$50 if the attorney's name is being removed from one calendar year's Ineligible List or \$100 if the attorney's name is being removed from two or more calendar year's Lists.

All persons admitted pro hac vice in accordance with Rule 1:21-2, those holding limited licenses as in-house counsel under R. 1:27-2, those registered as multijurisdictional practitioners under RPC 5.5(b), those certified as Foreign Legal Consultants under R. 1:21-9, and those permitted to practice under R. 1:21-3(c) shall also make the same annual payment described above subject to the same late fees and reinstatement from ineligible list fees. However, such persons shall not be entitled to the exemptions provided hereinafter.

For the purpose of annual assessment all members of the Bar, including those admitted pro hac vice, those holding limited licenses as in-house counsel, those registered as multijurisdictional practitioners, those certified as Foreign Legal Consultants, and those permitted to practice under R. 1:21-3(c) shall report changes of address as they occur and thus keep their billing address current with the Fund at all times.

Any member of the Bar who receives a billing notice addressed to another member of the Bar shall either forward the notice to the intended recipient or return it to the Fund.

(b) Exceptions. The following categories of plenary license holders shall be exempt from payment to the Fund:

- (1) Newly admitted attorneys, for the balance of the calendar year of their plenary admission and for the next succeeding calendar year;
- (2) Attorneys who have been admitted to practice for fifty years or more;

(3) Attorneys on full-time active duty with the armed forces, VISTA, or the Peace Corps and not engaging in any way in private practice, but they shall be considered in all respects inactive New Jersey attorneys; and

(4) Attorneys who have retired completely from the practice of law, but they shall be considered in all respects inactive New Jersey attorneys. An attorney who claims the exemption set forth in this subparagraph will retain the exemption if the attorney's only participation in any aspect of legal practice is as an attorney volunteer for Legal Services of New Jersey or for a certified organization under Rule 1:21-11(b), for which legal practice the attorney receives no remuneration. A retired attorney participating as a pro bono volunteer must complete and submit the required form to the Judiciary.

(c) License Revocation for Repeated Non-Compliance. Any attorney who, at the time of the publication of the Fund's Ineligible Attorneys List for 2005 and thereafter, has been declared ineligible for seven or more consecutive years shall have his or her license to practice in this State administratively revoked by Order of the Supreme Court.

On the entry of a license revocation Order pursuant to this Rule, the attorney's membership in the Bar of this State shall cease. Any subsequent application for membership shall be in accordance with the provisions of Rule 1:24. An Order of revocation shall not, however, preclude the exercise of jurisdiction by the disciplinary system in respect of any misconduct that occurred prior to Order's effective date.

**Note:** Source – R.R. 1:22A-2; amended July 17, 1975 to be effective September 8, 1975; amended January 31, 1984 to be effective February 15, 1984; amended June 29, 1990 to be effective September 4, 1990; redesignated paragraph (a) amended and paragraph (b) adopted July 14, 1992 to be effective September 1, 1992; paragraphs (a) and (b) amended February 8, 1993, to be effective immediately; paragraph (a) amended and new paragraph (c) added July 28, 2004 to be effective September 1, 2004; paragraph (a) amended July 23, 2010 to be effective September 1, 2010; subparagraph (b)(4) amended December 10, 2020 to be effective immediately.

### **1:28-3. Payment of Claims**

(a) Eligible Claims. The Trustees may consider for payment all claims resulting from the dishonest conduct of a member of the bar of this state or an attorney (i) admitted pro hac vice, (ii) holding limited license as in-house counsel, (iii) registered as multijurisdictional practitioner, (iv) certified as a foreign legal consultant or (v) permitted to practice under Rule 1:21-3(c), if the attorney was acting either as an attorney or fiduciary, provided that:

(1) Said conduct was engaged in while the attorney was a practicing member of the Bar of this State or admitted Pro Hac Vice in a matter pending in this State;

(2) On or after January 1, 1969, the attorney has been suspended, disbarred or placed in disability inactive status, has resigned with prejudice or has pleaded guilty to, or been convicted of embezzlement or misappropriation of money or

other property; or an ethics committee has certified a claim to the trustees as an appropriate matter for their consideration. Where an ethics committee does not act and an attorney cannot be located, is deceased or incapacitated, the trustees may consider timely application directly provided that the trustees find that the claim is an appropriate matter for their consideration;

(3) The claim is filed within one year of the earliest of an event set forth in subparagraph (2) above. The time limitation set forth in this subparagraph may be extended by the trustees in their discretion;

(4) The claim is made directly by or on behalf of the injured client or the client's personal representative or, if a corporation, by or on behalf of itself or its successors in interest; and

(5) The claimant certifies that the relevant facts have been fully disclosed in writing to the appropriate law enforcement and disciplinary authorities. A willfully false certification in this regard shall be an absolute bar to any award.

(b) Consideration of Claims. The trustees in their sole discretion but on the affirmative vote of 4 of them shall determine which eligible claims merit reimbursement from the Fund and the amount, time, manner, conditions and order of payment of reimbursement. In making such determinations the trustees shall consider, among other appropriate factors, the following:

(1) The amounts available and likely to become available to the Fund for the payment of claims and the size and number of claims which are likely to be presented;

(2) The amount of the claimant's loss as compared with the amount of losses sustained by other eligible claimants;

(3) The degree of hardship suffered by the claimant as a result of the loss;

(4) The degree of negligence, if any, of the claimant which may have contributed to the loss;

(5) The potential for recovery from a collateral source.

(c) Limitation on Payments. The trustees shall, by regulation, fix the maximum amount which any one claimant may recover from the Fund and the aggregate maximum amount which may be recovered because of the dishonest conduct of any one attorney.

(d) Rights to Fund. No claimant or any other person or organization shall have any right in the Fund as beneficiary or otherwise.

(e) Conditions of Payment. The trustees may require as a condition to payment that the claimant execute such instruments, take such action or enter into such agreements as the trustees require, including assignments, subrogation agreements, trust agreements, and promises to cooperate with the trustees in making or prosecuting claims or charges against any person.

(f) Attorney's Fee. No attorney representing a claimant shall receive a fee for services unless authorized by the rules and regulations of the trustees and upon their express direction.

**Note:** Source – R.R. 1:22A-3(a) (b) (c) (d) (e) (f). Paragraph (a)(2) amended June 24, 1974 to be effective immediately; paragraph (a) amended and paragraph (a)(5) adopted January 31, 1984 to be effective February 15, 1984; paragraph (a)(1), (2), and (5) amended, former paragraph (a)(4) deleted, paragraph (a)(3) redesignated as paragraph (a)(4), new paragraph (a)(3) adopted; paragraph (b) amended and paragraph (b)(5) adopted June 29, 1990 to be effective September 4, 1990; paragraphs (a) and (a)(1) amended July 14, 1992 to be effective September 1, 1992; introductory paragraph and paragraphs (a)(4) and (f) amended July 13, 1994 to be effective September 1, 1994; paragraph (a) amended July 23, 2010 to be effective September 1, 2010.

#### **1:28-4. Duties of Trustees and Officers**

(a) Audit and Report. The Fund shall be audited by state or private auditors annually and at such other times as the Supreme Court shall direct, such audits to be at the expense of the Fund. The annual audit shall be included in a report to be submitted annually by the trustees to the Supreme Court reviewing in detail the administration of the Fund during the preceding year.

(b) Applications to the Supreme Court. The trustees may apply to the Supreme Court for interpretations of these rules and of the extent of their powers thereunder and for advice regarding the proper administration of the Fund.

(c) Treasurer's Duties. The treasurer shall maintain the assets of the Fund in a separate account and shall disburse monies therefrom only upon the action of the trustees pursuant to these rules. Said treasurer shall file a bond annually with the trustees with such surety as may be approved by them and in such amount as they may fix.

**Note:** Source – R.R.1:22A-4; paragraph (c) amended June 29, 1990 to be effective September 4, 1990.

#### **1:28-5. General Powers of Trustees**

In addition to the powers conferred by these rules upon the trustees, they shall have the following general powers:

(a) to receive, hold, manage, distribute and invest the funds received by the Fund pursuant to R. 1:28-2 and such other funds as it may receive by voluntary contribution or otherwise;

(b) to enforce claims which the Fund may have for reimbursements, including utilization of the Comprehensive Enforcement Program; pursuant to N.J.S.A. 22A:2-23, the Fund shall not be liable for the payment of any fee provided for by N.J.S.A. 22A:2-1 et seq.;

(c) to employ and compensate consultants, agents, legal counsel and such other employees as they deem necessary and appropriate consistent with personnel policies of the judiciary.

**Note:** Source – R.R. 1:22A-5, amended January 31, 1984 to be effective February 15, 1984; paragraphs (b) and (c) amended June 29, 1990 to be effective September 4, 1990; paragraph (b) amended July 12, 2002 to be effective September 3, 2002.

#### **1:28-6. Subpoenas; Notice in Lieu of Subpoena; Noncompliance**

(a) Issuance; Service. The trustees or an individual trustee or the Director or an attorney designated to act on behalf of the trustees, upon determining that any person has knowledge or is in possession or custody of books, papers, documents or other objects relevant to the disposition of a claim, may issue a subpoena or a notice in lieu of subpoena in the name of the Clerk of the Superior Court requiring such person to appear and testify or to produce such books, papers, documents or other objects before the trustees or an individual trustee, or the Director or an attorney designated to act on behalf of the trustees, at the time and place specified therein.

Subpoenas and notices in lieu of subpoena shall be served in the manner prescribed by R. 1:9, except that subpoenas may be served upon an attorney who is a witness or a party, by certified mail, return receipt requested and simultaneously by first class mail. No attendance fee need be paid.

(b) Noncompliance. If any person, without adequate excuse, shall fail to obey a subpoena, the trustees, or an individual trustee or an attorney designated to act on their behalf, may file with the Superior Court a verified statement setting forth the facts establishing such disobedience, and the court may then, in its discretion, institute contempt proceedings pursuant to R. 1:10-2. If such person is found guilty of contempt, the court may compel payment of the costs of the contempt proceedings to be taxed by the court.

**Note:** Adopted July 14, 1972 to be effective September 5, 1972; caption and paragraph (a) amended June 29, 1990 to be effective September 4, 1990; paragraph (b) amended July 13, 1994 to be effective September 1, 1994.

### **1:28-7. Administration**

The Administrative Office of the Courts shall provide supporting services as requested by the Board of Trustees. Trustees, from funds available, shall reimburse the Administrative Office of the Courts for the salaries and benefits of Fund staff and for other expenses which may be incurred on the behalf of the Fund.

**Note:** Adopted June 29, 1973 to be effective September 10, 1973; amended June 29, 1990 to be effective September 4, 1990.

### **1:28-8. Custodial Receivers**

Upon approval of the Board of Trustees pursuant to R. 1:28-1(c), the Director or an attorney designated to act on behalf of the Trustees may, upon the occasions set forth below, make application to an appropriate court for the appointment of a custodial receiver to take possession of the property of an attorney, including, but not limited to, property incident to the attorney's law practice. Provided the Trustees first find a reasonable probability that a claim or claims will be presented to the Fund on account of the alleged misconduct of the attorney, such application may be made in any of the following instances:

(a) Where an attorney has been disbarred or suspended by the Supreme Court, or where the attorney's resignation has been accepted by it, with prejudice.

(b) Where the Trustees have received notice that a presentment has been or is about to be submitted against an attorney by a county ethics committee.

(c) Where the Trustees have received notice that a criminal charge, whether by way of indictment or otherwise, has been or is about to be laid against an attorney.

(d) Where an attorney shall admit the existence of defalcations with respect to clients' property, for which defalcations the attorney's misconduct shall have been responsible.

(e) Where credible evidence of such misconduct reaches the Trustees otherwise than as set forth above.

**Note:** Adopted May 8, 1975, effective immediately; first paragraph amended and last paragraph deleted June 29, 1990 to be effective September 4, 1990; introductory paragraph and paragraphs (a) and (d) amended July 13, 1994 to be effective September 1, 1994.

### **1:28-9. Confidentiality**

(a) All proceedings conducted and records made or maintained by the Fund in connection with the filing or consideration of claims shall be confidential and shall not be disclosed except as follows:

(1) Once a claim has been approved for payment, the Fund may, upon written request, make available the following information:

(A) name and address according to Fund records of the respondent attorney;

(B) name and city of residence of the claimant;

(C) the amount claimed;

(D) the amount awarded; and

(E) a summary of the factual basis for the claim.

(2) Nothing herein shall preclude the release of information to the respondent and claimant or their attorneys or to the authorities specified in R. 1:28-3(a)(5), nor shall it preclude use of such information by the Fund pursuant to its rights under R. 1:28-3(e).

(3) Nothing herein shall preclude the inclusion of statistical information regarding claims in the annual report prepared pursuant to R. 1:28-4(a).

(b) Information received and maintained by the Fund in connection with the annual billing and registration of attorneys pursuant to R. 1:28-2 shall be made available to the Supreme Court and the Administrative Office of the Courts upon request and may be made available to the public in accordance with such policies as the Trustees may adopt subject to approval of the Supreme Court. Copies of such records, including computer generated information, may be made available upon written request and upon such terms and conditions as the Trustees and the Supreme Court may in their discretion direct.

**Note:** Adopted June 29, 1990 to be effective September 4, 1990.



NEW JERSEY LAWYERS' FUND  
FOR  
CLIENT PROTECTION

TRUSTEES

RAYMOND S. LONDA, CHAIR  
DOUGLAS H. AMSTER, VICE CHAIR  
JOSEPH SEVERINO, TREASURER  
ALAN L. WILLIAMS  
DEBORAH A. ROSE  
SUPTI BHATTACHARYA  
STUART J. LIEBERMAN

ASSISTANT TREASURER  
SHELLEY R. WEBSTER

COURIER & OVERNIGHT:  
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25 MARKET STREET  
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TRENTON, NJ 08611



RICHARD J. HUGHES JUSTICE COMPLEX  
P.O. BOX 961  
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DIRECTOR & COUNSEL  
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ACTING DEPUTY DIRECTOR  
MICHAEL T. MCCORMICK

BOARD SECRETARY &  
DEPUTY COUNSEL  
RUBY D. COCHRAN


REGISTRATION & BILLING  
CARLA COUSINS

PHONE: 855-533-3863  
OUTSIDE NJ: 609-815-3030  
FAX: 609-815-2935

WWW.NJCOURTS.GOV/ATTORNEYS

MEMORANDUM

TO: Ruby

FROM: Mike 

RE: Trustees of the New Jersey Lawyers' Fund for Client Protection v. Speziale  
Docket No.: DJ-116747-18  
Our File: DeEntremont v. Speziale (CPF-1284:1-17)

DATE: July 18 2018

Attached please find a copy of the docketed Affidavit of Foreign Judgment against Paul Speziale, in our favor, for \$10,000. Please proceed with enforcement and collection.

Thank you.

cc: Josephine (w/attachment)

EXHIBIT R-2

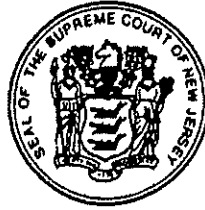
NEW JERSEY LAWYERS' FUND  
FOR  
CLIENT PROTECTION

TRUSTEES

RAYMOND S. LONDA, CHAIR  
DOUGLAS H. AMSTER, VICE CHAIR  
JOSEPH SEVERINO, TREASURER  
ALAN L. WILLIAMS  
DEBORAH A. ROSE  
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WWW.NICOURTS.GOV/ATTORNEYS

July 18, 2018

Mr. Paul Speziale  
38 Balmoral Drive  
Chestnut Ridge, NY 10977

**RE: Trustees of the New Jersey Lawyers' Fund for Client Protection v. Speziale**  
**Docket No.: DJ-116747-18**  
**Our File: DeEntremont v. Speziale (CPF-1284:1-17)**

Dear Mr. Speziale:

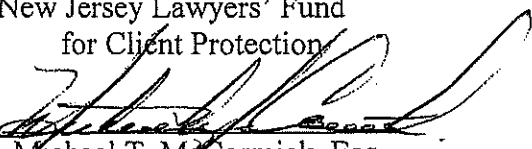
Enclosed please find a copy of the filed and docketed Affidavit of Foreign Judgment, which has now been docketed against you, in our favor.

Shortly, you should be receiving correspondence from Ruby Cochran, Esq. concerning entering you into the Comprehensive Enforcement Program.

Thank you for your cooperation herein.

New Jersey Lawyers' Fund  
for Client Protection

By:

  
Michael T. McCormick, Esq.  
Acting Deputy Director

MTMdp  
Encl.

FILED

JUL 17 2018  
SUPERIOR COURT  
CLERK'S OFFICE

New Jersey Lawyers' Fund for Client Protection  
Richard J. Hughes Justice Complex  
25 W. Market Street, P.O. Box 961  
Trenton, New Jersey 08625-0961  
Michael T. McCormick, Acting Deputy Director  
Attorney ID#014001993  
(609) 815-3030 ext. 52214; CPF-1284

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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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IN RE:  
PAUL SPEZIALE

DEBTOR

CASE NO.:

ADVERSARY PROCEEDING #1:15-mc-50

-----  
TRUSTEES, NEW JERSEY LAWYERS'  
FUND FOR CLIENT PROTECTION

PLAINTIFF,

AFFIDAVIT OF FOREIGN JUDGMENT

PAUL SPEZIALE

DEFENDANT

-----  
COUNTY OF MERCER

:  
: SS.  
:

STATE OF NEW JERSEY

Michael T. McCormick, of full age, being duly sworn upon his oath according to law,  
deposes and says:

1. I am an attorney-at-law of the State of New Jersey and Acting Deputy Director of the Trustees, New Jersey Lawyers' Fund for Client Protection ("Fund"), plaintiff in the captioned matter. The Fund exists as a Committee of the Supreme Court of New Jersey pursuant to R.1:28-1 et seq. to compensate the clients of disciplined attorneys who misappropriate money from them.

2. I make this Affidavit in support of the application of the Trustees of the New Jersey Lawyers' Fund for Client Protection to record as a Judgment in the Superior Court of New Jersey the Order of Non-Dischargeability and Partial Assignment of Judgment for \$10,000 against Defendant, Paul Speziale, ("the Judgment") was entered on November 10, 2015, in the United States Bankruptcy Court of the District of Northern New York in Case No.: 1:15-mc-50. The total amount of the Judgment is \$13,500.

3. The Trustees of the New Jersey Lawyers' Fund for Client Protection obtained a Partial Assignment of Judgment of the aforementioned Judgment in the amount of \$10,000. That Partial Assignment of Judgment was exemplified by the United States District Court, Northern District of New York, on July 3, 2018. I have attached an exemplified copy of the Partial Assignment of Judgment for recording (Exhibit "A").

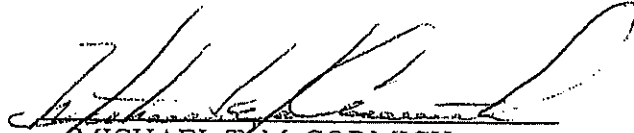
4. The current address of the plaintiff-creditor is Trustees of the New Jersey Lawyers' Fund for Client Protection, Richard J. Hughes Justice Complex, 25 West Market Street, 5<sup>th</sup> Floor, North Wing, P.O. Box 961, Trenton, New Jersey 08625-0961.

5. The last known address for the defendant-debtor is 38 Balmoral Drive, Chestnut Ridge, NY 10977.

6. The time to appeal the Judgment entered on November 10, 2015, has expired. The last date to file a Notice of Appeal of the entry of Judgment was November 20, 2015, ten (10) days after the entry of Judgment. Fed. R. Bankr. P.8002 (c).

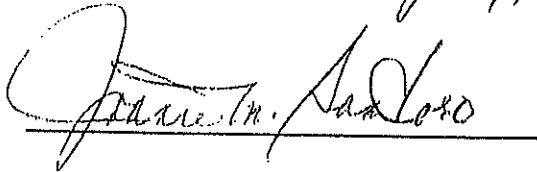
7. The Court of origin, United States Bankruptcy Court, Northern District of New York, has not to counsel's knowledge granted a stay of execution for the Order of Non-Dischargeability and Judgment for \$13,500 against Defendant, Paul Speziale.

8. The Judgment was not entered by Default.
9. The Fund is a Committee of the Supreme Court of New Jersey pursuant to R.1:28-1, et seq. and is exempt from filing fees.



MICHAEL T. McCORMICK  
Acting Deputy Director

Sworn and subscribed to before  
me this 19<sup>th</sup> this day of July, 2018



JOANNE M. SANTORO  
NOTARY PUBLIC  
NEW JERSEY  
MY COMMISSION EXPIRES JUNE 18, 2021



# UNITED STATES DISTRICT COURT

Northern

District of

New York

## EXEMPLIFICATION CERTIFICATE

I, Lawrence K. Baerman, Clerk of this United States District Court keeper of the records and seal, certify that the attached documents:

Partial Assignment of Judgment

are true copies of records of this Court.

In testimony whereof I sign my name and affix the seal of this Court, in this District, at Albany on July 3, 2018

[Signature]  
Clerk

[Signature]  
(By) Deputy Clerk

I, Daniel J. Stewart, a Judicial Officer of this Court, certify that Lawrence K. Baerman, named above, is and was on the date noted, Clerk of this Court, duly appointed and sworn, and keeper of the records and seal, and that this certificate, and the attestation of the record, are in accordance with the laws of the United States.

July 3<sup>rd</sup>, 2018  
Date

[Signature]  
U.S. MAGISTRATE JUDGE  
Title

I, Lawrence K. Baerman, Clerk of this United States District Court, keeper of the seal, certify that the Honorable Daniel J. Stewart, Judge

named above, is and was on the date noted a Judicial Officer of this Court, duly appointed, sworn and qualified, and that I am well acquainted with the Judge's official signature and know and certify the above signature to be that of the Judge.

In testimony whereof I sign my name, and affix the seal of this Court at Albany, New York in this State, on July 3, 2018

[Signature]  
Clerk

[Signature]  
(By) Deputy Clerk

JUN 18 2018

PARTIAL ASSIGNMENT OF JUDGMENT

LAWRENCE K. BAERMAN, CLERK  
ALBANY

THIS PARTIAL ASSIGNMENT OF JUDGMENT is made this 2<sup>nd</sup> day of June, 2018.

WITNESSETH THAT, Debra Ingrando-DeEntremont and Stephen DeEntremont, of 123 Clark Road, P.O. Box 473, Walker Valley, New York 12588, herein designated as the Assignors, for and in consideration of the sum of TEN THOUSAND and 00/100 DOLLARS (\$10,000.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby assign to Trustees of the New Jersey Lawyers' Fund for Client Protection, located at the Richard J. Hughes Justice Complex, 25 West Market Street, P.O. Box 961, Trenton, New Jersey 08625-0961, herein designated as the Assignee, a portion of an Order for Judgment by Default recovered against Paul Speziale on December 4, 2015, in the U.S. District Court-Northern District of New York, Case Number: 1:15-mc-50 in the sum of \$13,500.00, as appears in the records of the U.S. District Court - Northern District of New York bearing case number 1:15-mc-50 recorded on December 4, 2015. Assignors' assignment of said Judgment to the Assignee is limited to \$10,000.00, plus interest from date of assignment.

AND the said Assignors hereby constitute and appoint the Assignee as the Assignors' true and lawful attorney, irrevocable, with power of substitution and revocation, for the use and at the proper cost and charge of the said Assignee, to ask, demand and receive, and to sue out executions, and to take all lawful means for the recovery of the money due or to become due on the said Judgment up to the sum assigned; and on payment to acknowledge satisfaction or discharge the same;

E C P DOCUMENT

I certify that this is a printed copy of a document which was electronically filed with the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK, LAWRENCE K. BAERMAN, CLERK

Dated: July 3, 2018

By: Kathy Rogers Deputy Clerk

AND the Assignors covenant that there is now due on the said Judgment at least the sum of \$13,500.00, plus interest, as of May 23, 2018, and that Assignors will not collect or receive the same, nor release or discharge the said Judgment, without due consideration and approval by the Assignee; the Assignee saving the said Assignors harmless of and from any costs in the premises.



IN WITNESS WHEREOF, the Assignor has signed and sealed this Agreement, on the day and year first above written.

  
Debra Ingrando-DeEntremont

STATE OF NEW YORK    )  
  ) ss:  
COUNTY OF Orange    )

BE IT REMEMBERED, that on this 21<sup>st</sup> day of June, 2018, before me, the subscriber, personally appeared Debra Ingrando-DeEntremont who I a satisfied is the person named in and who executed the above instrument and acknowledged that she signed, sealed and delivered the same as her voluntary act and deed, for the uses and purposes therein expressed.

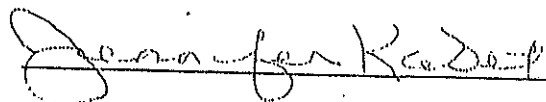
JENNIFER KADET  
Notary Public, State of New York  
No. 01KA6168204  
Qualified in Orange County  
Commission Expires June 11, 2019

  
  
Stephen DeEntremont

STATE OF NEW YORK    )  
  ) ss:  
COUNTY OF Orange    )

BE IT REMEMBERED, that on this 21<sup>st</sup> day of June, 2018, before me, the subscriber, personally appeared Stephen DeEntremont who I a satisfied is the person named in and who executed the above instrument and acknowledged that he signed, sealed and delivered the same as his voluntary act and deed, for the uses and purposes therein expressed.

JENNIFER KADET  
Notary Public, State of New York  
No. 01KA6168204  
Qualified in Orange County  
Commission Expires June 11, 2019





**FILED**

NOV 10 2015

*Daunt*  
*#*  
*7*

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

OFFICE OF THE BANKRUPTCY CLERK  
ALBANY, NY

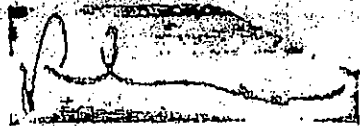
In re:  
DEBRA P. INGRANDO-DeENTREMONTE,  
  
Debtor(s).

Case No. 13-12963  
Chapter 13

**JUDGMENT**

The court issued an Order to Show Cause on October 22, 2015, directing Paul Speziale, Esq. to appear and show cause on November 5, 2015. Attorney Speziale failed to appear. An Order finding Attorney Speziale in contempt has been entered this day. In accordance with that Order, it is hereby

**ORDERED, ADJUDGED AND DECREED**, that judgment is hereby awarded in the amount of \$13,500.00 in favor of Debra P. Ingrando-DeEntremont and against Paul Speziale.



Robert E. Littlefield, Jr.  
United States Bankruptcy Judge

Dated: November 10, 2015  
Albany, New York

**ECF DOCUMENT**

I certify that this is a printed copy of a document which was electronically filed with the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK. LAWRENCE K. BAERMAN, CLERK

Dated: *July 3 2015*  
By: *Kath Ragan* Deputy Clerk

NEW JERSEY LAWYERS' FUND  
FOR  
CLIENT PROTECTION

TRUSTEES

RAYMOND S. LONDA, CHAIR  
DOUGLAS H. AMSTER, VICE CHAIR  
JOSEPH SEVERINO, TREASURER  
ALAN L. WILLIAMS  
DEBORAH A. ROSE  
SUPTI BHATTACHARYA  
STUART J. LIEBERMAN

ASSISTANT TREASURER  
SHELLEY R. WEBSTER

COURIER & OVERNIGHT:  
HUGHES JUSTICE COMPLEX  
25 MARKET STREET  
5TH FLOOR, NORTH WING  
TRENTON, NJ 08611



PO Box 961  
TRENTON, NJ 08625-0961

[www.njcourts.com/cpf](http://www.njcourts.com/cpf)

October 5, 2018

DIRECTOR & COUNSEL  
DANIEL R. HENDI

DEPUTY DIRECTOR  
MICHAEL T. MCCORMICK

BOARD SECRETARY &  
DEPUTY COUNSEL  
RUBY D. COCHRAN

PHONE: (609) 815-3030  
FAX: (609) 815-2935

SENT VIA FIRST CLASS AND CERT. MAIL, R.R.R.

Mr. Paul Speziale  
55 Kings Highway  
Congers, NY 10920-2221

Re: **New Jersey Lawyers' Fund for Client Protection v. Paul Speziale**  
**Docket No. DJ-116747-18; Judgment No. US Bk Court Northern District of NY;**  
**ADV PROC #1:15-MC-50; Our File: CPF-1284**

Dear Mr. Speziale:

The New Jersey Supreme Court granted the New Jersey Lawyers' Fund for Client Protection the authority to enforce your obligation to pay the referenced Judgment through the Comprehensive Enforcement Program established by N.J.S.A. 2B:19-1 et seq.

I enclose an original and one (1) copy of a Notice of Delinquency requiring you to begin making **monthly payments** on this obligation. You should provide a written proposal for a monthly payment plan as soon as possible. All proposals are subject to approval by the Board of Trustees which governs the Fund. If you do not have a plan in place by **Friday, October 19, 2018** (Consent Order executed, lump sum payment plus first monthly payment made, subject to the approval of the Board), you will receive a Summons to appear in Court for the enforcement hearing scheduled for **Friday, December 7, 2018**.

I enclose an Information Subpoena for you to complete. The Board will not approve your plan unless you have submitted a completed Information Subpoena so that it can evaluate your proposal in light of your resources. **The Information Subpoena must be returned before we can excuse you from the Hearing even if a satisfactory payment plan has been proposed.**

NEW JERSEY LAWYERS' FUND FOR  
CLIENT PROTECTION

By:   
Ruby D. Cochran  
Deputy Counsel

**EXHIBIT** *R3*

**SUPERIOR COURT OF NEW JERSEY  
COMPREHENSIVE ENFORCEMENT PROGRAM  
\*\*\*NOTICE OF DELINQUENCY\*\*\***

October 5, 2018  
Cmpt./Acc./Dkt. DJ-116747-18  
Judgment # US Bk Court Northern District  
of NY; ADV PROC #1:15-MC-50  
Financial Account # CPF-1284

Paul Speziale  
55 Kings Highway  
Congers, NY 10920-2221

Last Payment:	\$0
Last Payment Date	
Outstanding Balance	\$10,000.00

The New Jersey Lawyers' Fund for Client Protection has referred your debt to the Comprehensive Enforcement Program (CEP) for collection. **YOUR RESTITUTION OBLIGATION IS IN ARREARS. THE NEXT LETTER YOU RECEIVE WILL BE A COURT SUMMONS TO AN ENFORCEMENT HEARING.** You may be able to avoid a **Court appearance on Friday, December 7, 2018** by doing **ALL** of the following **ON OR BEFORE Friday, October 19, 2018**:

proposing a payment plan and/or curing the arrears  
executing a Consent Order prepared by the Fund  
making a lump sum payment and a monthly payment; and  
returning the enclosed Information Subpoena

ALL PROPOSALS FOR PAYMENT ARE SUBJECT TO APPROVAL BY THE BOARD OF TRUSTEES. If your failure to pay is found to be willful noncompliance, one or several of the following may happen:

- your wages may be garnished;
- your personal assets may be seized;
- your tax refund, lottery or gambling winnings may be attached;
- a judgment may be docketed against you. This will act as a lien against any real estate that you own and may adversely affect your ability to obtain loans or other forms of credit;
- involuntary enrollment in either the Sheriff's Labor Assistance or Enforced Community Service Program as alternative to detention. (Cost to you: \$15 enrollment fee and \$2 per day fee.)
- your driving privileges may be suspended

YOU MAY BE ABLE TO AVOID THESE ACTIONS IF YOU FOLLOW THE STEPS OUTLINED ABOVE. Please put your account number (CPF #) on any payment that you mail in to receive proper credit. Payments in the form of a check or money order can be mailed to the Post Office Box address on our letterhead. Payments can be made in person at New Jersey Lawyers' Fund for Client Protection between 8:30 a.m. and 4:30 p.m., Monday through Friday.

If you wish to discuss your case, to make payment arrangements, or if good reason exists for your failure to pay, please contact Ruby D. Cochran, Esquire at the New Jersey Lawyers' Fund for Client Protection within five (5) days of receipt of this notice at (609) 815-3030, Ext. 52211.

Sincerely,



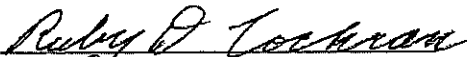
Elizabeth Domingo, Assistant Director of Probation Services,  
Administrative Office of the Courts

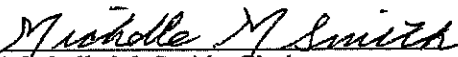
PLEASE NOTIFY OF DISABILITY/INTERPRETER ACCOMMODATION NEEDS

information on making such a motion. Even if you dispute the judgment you must answer all 17 of the attached questions.

You must answer each question giving complete answers, attaching additional pages if necessary. False or misleading answers may subject you to punishment by the court. However, you need not provide information concerning the income and assets of others living in your household unless you have a financial interest in the assets or income. Be sure to sign and date your answers and return them to the address in the upper left hand corner within 14 days.

Dated: October 5, 2018.

  
Ruby D. Cochran, Esq.  
New Jersey Lawyers' Fund for  
Client Protection

  
Michelle M. Smith, Clerk  
Superior Court of New Jersey

**VIA FIRST CLASS MAIL AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

1. Full name \_\_\_\_\_
2. Address \_\_\_\_\_  
\_\_\_\_\_
3. Birthdate \_\_\_\_\_
4. Social Security # \_\_\_\_\_
5. Driver's license # and expiration date \_\_\_\_\_  
\_\_\_\_\_
6. Telephone # \_\_\_\_\_
7. Full name and address of your employer \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(a) Your weekly salary: Gross \_\_\_\_\_ Net \_\_\_\_\_  
(b) If not presently employed, name and address of last employer.  
\_\_\_\_\_  
\_\_\_\_\_
8. Is there currently a wage execution on your salary?  
Yes \_\_\_\_\_ No \_\_\_\_\_
9. List the names, addresses and account numbers of all bank accounts on which your name appears.  
\_\_\_\_\_  
\_\_\_\_\_

10. If you receive money from any of the following sources, list amount, how often and the name and address of the source:

<u>Type</u>	<u>Amount &amp; Frequency</u>	<u>Name &amp; Address Source</u>
Alimony	_____	_____
Loan Payments	_____	_____
Rental Income	_____	_____
Pensions	_____	_____
Bank Interest	_____	_____
Stock Dividends	_____	_____

11. Do you receive Social Security benefits?

Yes \_\_\_\_\_ No \_\_\_\_\_

12. Do you own the property where you reside?

Yes \_\_\_\_\_ No \_\_\_\_\_ If Yes, state the following:

(a) Name of the owner or owners \_\_\_\_\_

(b) Date property was purchased \_\_\_\_\_

(c) Purchase price \_\_\_\_\_

(d) Name and address of mortgage holder \_\_\_\_\_

(e) Balance due on mortgage \_\_\_\_\_

13. Do you own any other real estate?

Yes \_\_\_\_\_ No \_\_\_\_\_ If Yes, state the following for each property:

(a) Address of property \_\_\_\_\_

(b) Date property was purchased \_\_\_\_\_

(c) Purchase price \_\_\_\_\_

(d) Name and addresses of all owners \_\_\_\_\_

(e) Name and address of mortgage holder \_\_\_\_\_

(f) Balance due on mortgage \_\_\_\_\_

(g) Name and addresses of all tenants and monthly rental paid by each tenant. \_\_\_\_\_

14. Does the present value of your personal property which includes automobiles, furniture, appliances, stocks, bonds, and cash on hand, exceed \$1,000?

Cash on hand: \$ \_\_\_\_\_

Other personal property: (Set forth make, model and serial number. If financed, give name and address of party to whom payments are made).

Item	Date Purchased	Purchase Price	If Financed Balance Still Due	Present Value

15. Do you own a motor vehicle? Yes \_\_\_\_\_ No \_\_\_\_\_ If Yes, state the following for each vehicle owned:
- (a) Make, model and year of motor vehicle \_\_\_\_\_
- (b) If there is a lien on the vehicle, state the name and address of the lienholder and the amount due to the lienholder \_\_\_\_\_
- (c) License plate # \_\_\_\_\_
- (d) Vehicle identification # \_\_\_\_\_

16. Do you have an ownership interest in a business? Yes \_\_\_\_\_ No \_\_\_\_\_  
If Yes, state the following with respect to each business:
- (a) Name and address of the business \_\_\_\_\_
- (b) Is the business a Corporation \_\_\_\_\_, sole proprietorship \_\_\_\_\_ partnership \_\_\_\_\_ or limited liability company \_\_\_\_\_?
- (c) The name and address of all stockholders, officers, partners and/or members \_\_\_\_\_
- (d) The amount of income received by you from the business during the last twelve months \_\_\_\_\_

17. Set forth all other judgments that you are aware of that have been entered against you and include:

Creditor's Name	Creditor's Attorney	Amount Due	Name of Court	Docket #

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Paul Speziale

Dated: \_\_\_\_\_

**MONTHLY BUDGET**

**NAME:** \_\_\_\_\_

**INCOME**

Salary & Wages  
Hours worked per Week  
Name of Employer:

Salary & Wages  
Hours worked per Week  
Name of Employer:

Salary & Wages  
Hours worked per Week  
Name of Employer:

Pension/Retirement Payments  
Source:

Social Security (SSI)  
Social Security Disability (SSD)  
Other Disability

Alimony

Other Income:  
Source:

**TOTAL INCOME**

## **MONTHLY BUDGET**

### **HOUSING**

Mortgage  
Rent  
Home Owners' Assoc.  
Repairs  
Lawn Maintenance  
Security System  
Property Taxes  
Home Owners Insurance

### **UTILITIES**

Electricity  
Water  
Sewer  
Gas  
Trash  
Telephone  
Cell Phone  
Cable  
Internet/WiFi

### **FOOD**

### **TRANSPORTATION**

Car Payment  
Gas  
Repairs  
Car Insurance  
Train/Bus/Subway  
Parking

### **PERSONAL**

Clothing  
Health Insurance  
Medicines  
Doctor Vists  
Dentist/Optometrlist  
Life Insurance  
Toiletries

### **OTHER**

Child Care  
Child Support  
Alimony



Student Loans  
Credit Card Debt

**TOTAL MONTHLY EXPENSES**

**Monthly Income**

**Monthly Expenses**

**NET**

**SIGNATURE:**

\_\_\_\_\_

**DATE:**

\_\_\_\_\_

NEW JERSEY LAWYERS' FUND  
FOR  
CLIENT PROTECTION

TRUSTEES

RAYMOND S. LONDA, CHAIR  
DOUGLAS H. AMSTER, VICE CHAIR  
JOSEPH SEVERINO, TREASURER  
ALAN L. WILLIAMS  
DEBORAH A. ROSE  
SUPTI BHATTACHARYA  
STUART J. LIEBERMAN

ASSISTANT TREASURER  
SHELLEY R. WEBSTER

COURIER & OVERNIGHT:  
HUGHES JUSTICE COMPLEX  
25 MARKET STREET  
5TH FLOOR, NORTH WING  
TRENTON, NJ 08611



PO Box 961  
TRENTON, NJ 08625-0961

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DIRECTOR & COUNSEL  
DANIEL R. HENDI

DEPUTY DIRECTOR  
MICHAEL T. MCCORMICK

BOARD SECRETARY &  
DEPUTY COUNSEL  
RUBY D. COCHRAN

PHONE: (609) 815-3030  
FAX: (609) 815-2935

November 5, 2018

VIA FIRST CLASS AND CERTIFIED MAIL - R.R.R.

Mr. Paul Speziale  
55 Kings Highway  
Congers, NY 10920-2221

Re: **New Jersey Lawyers' Fund for Client Protection v. Paul Speziale**  
**Docket No DJ-116747-18 ; Judgment No. US Bk Court Northern District of NY; ADV PROC**  
**#1:15-MC-50; Our File No.: CPF-1284**

Dear Mr. Speziale:

As I explained in my October 5, 2018 letter to you, the New Jersey Supreme Court has granted the New Jersey Lawyers' Fund for Client Protection the authority to enforce your obligation to pay the referenced Judgment through the Comprehensive Enforcement Program established by N.J.S.A. 2B:19-1 et seq.

As you have not responded to the Notice of Delinquency forwarded to you via first class and certified mail, enclosed are an original and one (1) copy of a Summons that requires you to appear on **Friday, December 7, 2018 at 9:00 a.m.** before a Hearing Officer of the Superior Court of New Jersey, in **Courtroom 3B**, at the Mercer County Civil Courthouse, 175 South Broad Street, Trenton, New Jersey, for a Hearing to enforce your payment obligation. **You should be prepared to make a payment at the time of the Hearing.**

If you have not already done so, please return the completed Information Subpoena.

NEW JERSEY LAWYERS' FUND FOR  
CLIENT PROTECTION

By: *Ruby D. Cochran*  
Ruby D. Cochran  
Deputy Counsel

Enclosures  
RDC/jco

**EXHIBIT** R4

SUPERIOR COURT OF NEW JERSEY  
COMPREHENSIVE ENFORCEMENT PROGRAM  
P. O. BOX 987  
TRENTON, NJ 08625

November 5, 2018

NEW JERSEY LAWYERS' FUND FOR CLIENT  
PROTECTION,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY

PLAINTIFF,

Case Number CPF-1284  
Ind./Acc./Dkt. # US Bk Court Northern District of NY;  
ADV PROC #1:15-MC-50  
Complaint #DJ-116747-18

v.

Paul Speziale  
55 Kings Highway  
Congers, NY 10920-2221

COMPREHENSIVE ENFORCEMENT PROGRAM

**SUMMONS TO APPEAR FOR  
ENFORCEMENT HEARING**

Dear Mr. Speziale:

You are hereby notified that you have FAILED TO SATISFY A JUDGMENT ENTERED AGAINST YOU in the Superior Court of New Jersey. Your total BALANCE owed on this Judgment is \$10,000.00.

**TAKE NOTICE:** You may be charged with CONTEMPT OF COURT relative to your failure to make payments as directed toward your obligations. You are hereby summoned to appear in the Superior Court of New Jersey before a Hearing Officer, at the ENFORCEMENT COURT on Friday, December 7, 2018 at 9:00 a.m. The location is Courtroom 3B, at the Mercer County Civil Courthouse, 175 South Broad Street, Trenton New Jersey.

At this hearing, one or more of the following enforcement sanctions may be applied:

- your wages may be garnished;
- your personal assets may be seized;
- your tax refund, lottery or gambling winnings may be attached;
- a judgment may be docketed against you. This will act as a lien against any real estate that you own and may adversely affect your ability to obtain loans or other forms of credit;
- involuntary enrollment in either the Sheriff's Labor Assistance or Enforced Community Service Program as an alternative to direct incarceration. (Cost to you: \$25 enrollment fee and \$8 per day fee.)
- suspension of driving privileges pursuant to N.J.S.A. 2C:46-2.

**You must appear at this hearing.** Failure to appear may result in a Warrant for your arrest, or the entry of a default order for the relief requested by this application, or both. If you will need an interpreter during the hearing, call the New Jersey Lawyers' Fund for Client Protection at least two days before the hearing so that arrangements can be made to provide an interpreter for you.

You have the right to be represented by an attorney if you choose. **YOU ARE STRONGLY URGED TO BRING WITH YOU** any documents you feel may explain your failure to satisfy the above noted obligation and **BE PREPARED TO MAKE A PAYMENT AT THE TIME OF THE HEARING.** Any questions concerning the amount owed, should be addressed by contacting Ruby D. Cochran, Esq., at the New Jersey Lawyers' Fund for Client Protection, (609) 815-3030, Ext. 52211.

Sincerely,



Elizabeth Domingo, Assistant Director of Probation Services,  
Administrative Office of the Courts

PLEASE NOTIFY COURT OF DISABILITY/INTERPRETER ACCOMMODATION NEEDS

NEW JERSEY LAWYERS' FUND  
FOR  
CLIENT PROTECTION

TRUSTEES  
DOUGLAS H. AMSTER-ACTING CHAIR  
JOSEPH SEVERINO, TREASURER  
DEBORAH A. ROSE  
SUPTI BHATTACHARYA  
STUART J. LIEBERMAN  
CARMEN CORTES-SYKES

ASSISTANT TREASURER  
SHELLEY R. WEBSTER

COURIER & OVERNIGHT:  
HUGHES JUSTICE COMPLEX  
25 MARKET STREET  
5TH FLOOR, NORTH WING  
TRENTON, NJ 08611



PO Box 961  
TRENTON, NJ 08625-0961

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January 22, 2019

DIRECTOR & COUNSEL  
DANIEL R. HENDI

DEPUTY DIRECTOR  
MICHAEL T. MCCORMICK

SENIOR COUNSEL  
DOUGLAS E. BURRY

BOARD SECRETARY &  
DEPUTY COUNSEL  
RUBY D. COCHRAN

855-533-FUND (3863)  
PHONE (609)815-3030  
FAX: (609) 815-2935

Via Regular Mail and Certified Mail

Mr. Paul Speziale  
55 Kings Highway  
Congers, NY 10920-2221

Re: New Jersey Lawyers' Fund for Client Protection v. Paul Speziale  
Docket No.: DJ-116747-18; US Bk Court Northern District of NY; ADV PROC #1:15-  
MC-50; Our File No.: CPF-1284

Dear Mr. Speziale:

The Superior Court of New Jersey has issued a Bench Warrant (photocopy enclosed) for your arrest as a result of your failure to appear for the enforcement hearing on December 7, 2018, to which you were summoned regarding the above referenced obligation to the New Jersey Lawyers' Fund for Client Protection.

The Fund will afford you a final opportunity to enter into a Consent Order for repayment before it forwards the Bench Warrant to the Sheriff's Department for execution. You must return an executed Consent Order or the Fund will prosecute the Bench Warrant. Please call me at 609-815-3030, ext. 52211 to discuss your case.

The Fund will afford you a final opportunity to pay the purge amount of \$1,000.00 set forth in the Bench Warrant before it forwards the Bench Warrant to the Sheriff's Department for execution. The purge amount of \$1,000.00 must be paid on or before January 31, 2019, or the Fund will prosecute the Bench Warrant.

NEW JERSEY LAWYERS' FUND FOR  
CLIENT PROTECTION

By: *Ruby D. Cochran*  
Ruby D. Cochran  
Deputy Counsel

RDC:jco  
Enclosures

EXHIBIT R5

New Jersey Lawyers' Fund for Client Protection  
Richard J. Hughes Justice Complex  
25 W. Market Street, P.O. Box 961  
Trenton, New Jersey 08625-0961  
Ruby D. Cochran, Deputy Counsel  
Attorney I.D. No. 017151998  
(609) 815-3030 Ext. 52211

DEFENDANT'S ADDRESS  
55 Kings Highway  
Congers, NY 10920-2221

NEW JERSEY LAWYERS' FUND FOR  
CLIENT PROTECTION

Plaintiff,

v.

PAUL SPEZIALE

Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION-CIVIL PART  
MERCER COUNTY

DOCKET NO. DJ-116747-18  
JUDGMENT NO. US Bk Court Northern  
District of NY; ADV PROC #1:15-MC-50  
CPF-1284

CIVIL ACTION

BENCH WARRANT

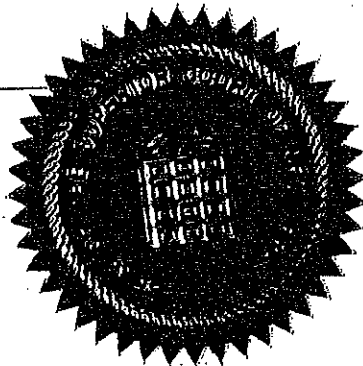
TO: THE SHERIFF OF MERCER COUNTY:  
OR ANY OTHER AUTHORIZED PERSON

WHEREAS, by a certain Order made in the Superior Court of New Jersey, Law Division, Civil Part on the 7th day of December 2018, it was Ordered that a Warrant be issued for the arrest of Paul Speziale because of his failure to appear pursuant to a Summons to Appear for Contempt of Court Hearing served by certified and regular mail on November 5, 2018, concerning his/her failure to pay the obligation imposed by the Judgment referenced above.

THEREFORE, we command you to take Paul Speziale between the hours of 8:30 a.m. and 3:30 p.m. on Monday through Friday and safely and closely keep him in your custody in the common Jail of the County of Mercer until he/she shall be brought before the Honorable William Anklowitz, J.S.C., Superior Court of New Jersey, Mercer County, or until said Court shall make Order to the contrary.

UPON payment of \$1,000.00 in cash, money order or certified check, made payable to the New Jersey Lawyers' Fund for Client Protection, the defendant shall immediately be released from custody.

Dated: 01/17/19



*Michelle Smith*

MICHELLE SMITH  
Clerk of the Court  
Superior Court of New Jersey

# COPY

## COMPREHENSIVE ENFORCEMENT PROGRAM

Superior Court of New Jersey  
County of Mercer Civil Division



**FILED**

**DEC -7 2018**

SUPERIOR COURT OF NJ  
MERCER VICINAGE  
CIVIL DIVISION

### JUDGMENT AND CONSENT ORDER

NEW JERSEY LAWYERS' FUND FOR CLIENT PROTECTION vs	Social Security # xxx-xx-4231
	CPF-1284
Paul Speziale	Docket/Indictment/Accusation # DJ-116747-18
Hearing Date: December 7, 2018	Judgment #: US Bk Court Northern District of NY; ADV PROC #1:15-MC-50
This matter has been opened to the Comprehensive Enforcement Program by the New Jersey Lawyers' Fund for Client Protection for an Order of Service upon which this order is based:	
<input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Not Returned <input type="checkbox"/> Signed by _____ <input type="checkbox"/> Refused <input type="checkbox"/> Returned/Unclaimed	
<input checked="" type="checkbox"/> Regular Mail <input checked="" type="checkbox"/> Not Returned <input type="checkbox"/> Returned <input type="checkbox"/> Other _____	

IT IS HEREBY ORDERED, that the Defendant pay to the New Jersey Lawyers' Fund for Client Protection ("the Fund") the balance due of \$ \_\_\_\_\_ payable at \$ \_\_\_\_\_ per \_\_\_\_\_ effective \_\_\_/\_\_\_/18.

The Defendant shall keep the Fund informed of any change in Defendants financial circumstances. Defendant shall also advise the Fund of any change in Defendant's employment or residence.

If Defendant is thirty (30) days in arrears with any one (1) payment, then the whole balance becomes due and owing, and the Fund may use any and all available means to collect it.

Financial Obligation Fulfilled.

IT IS ALSO ORDERED THAT:

<input type="checkbox"/> JUDGMENT WILL BE ENTERED this _____ day of _____ 2018 on Docket Number _____
<input type="checkbox"/> \$ _____ PAID AT HEARING: <input type="checkbox"/> A LUMP SUM PAYMENT OF \$ _____ must be made by ___/___/___.
<input type="checkbox"/> INCOME WITHHOLDING is ordered, and is binding on current and future income sources.
<input type="checkbox"/> LIEN be entered against proceeds from any settlement.
<input type="checkbox"/> EMPLOYMENT SEARCH _____ contacts to be made per _____.
<input type="checkbox"/> _____ Days/hours county jail under the authority of the Labor Assistance Program or Enforced Community Service Program. Cost to Defendant: \$15.00 enrollment fee and \$2.00 per day fee. Total fee: \$ _____. Failure to comply may result in mandatory incarceration (\$ _____ Condition of release). Start Date: ___/___/___.

OTHER \_\_\_\_\_

RELIST for return to Comprehensive Enforcement Proceedings on \_\_\_\_\_

A BENCH WARRANT for the Defendant is hereby recommended/ordered. The Defendant was properly noticed for court appearance and failed to appear (service noted above). Defendant may be released from incarceration upon payment of \$ 1,000.00

I HEREBY DECLARE THAT I UNDERSTAND ALL PROVISIONS OF THIS RECOMMENDATION/ORDER.

Defendant: \_\_\_\_\_  
**Paul Speziale**

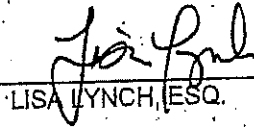
This order is being entered in default.

Witness : \_\_\_\_\_

So recommended to the Court by the Hearing Officer.

Name: LISA LYNCH, ESQ.

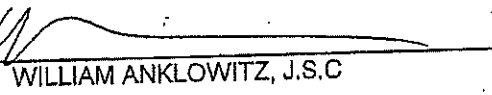
Signature: \_\_\_\_\_

  
LISA LYNCH, ESQ.

SO ORDERED by the Court:

Name: WILLIAM ANKLOWITZ, J.S.C.

Signature: \_\_\_\_\_

  
WILLIAM ANKLOWITZ, J.S.C.

Date: 12/7/18

PLEASE NOTIFY COURT OF DISABILITY ACCOMMODATION NEEDS

New Jersey Lawyers' Fund for Client Protection  
Richard J. Hughes Justice Complex  
25 Market Street, P.O. Box 961  
Trenton, New Jersey 08625-0961  
Ruby D. Cochran, Deputy Counsel  
NJ ID #017151998  
(609) 815-3030x52211; Our File CPF-1284  
*Attorney for Plaintiff*

---

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE:	:	CASE No. 21-22564-RDD
	:	
PAUL SPEZIALE	:	
	:	
DEBTOR	:	CHAPTER 7
:	:	
	:	ADVERSARY PROCEEDING NO.
<hr/>		
NEW JERSEY LAWYERS' FUND FOR CLIENT PROTECTION	:	
	:	
PLAINTIFF	:	COMPLAINT TO DETERMINE NON-DISCHARGEABILITY OF CERTAIN DEBTS OF THE DEBTOR UNDER CHAPTER 7
v.	:	
	:	
PAUL SPEZIALE	:	
	:	
DEFENDANT	:	

---

The New Jersey Lawyers' Fund for Client Protection (the "Fund"), Plaintiff in the captioned Adversary Proceeding, respectfully represents:

1) The Fund is a creditor of the Debtor-Defendant, Paul Speziale ("Debtor", "Defendant" or "Mr. Speziale"). The Fund brings this Adversary Proceeding in connection with Defendant's Chapter 7 Case No. 21-22564-RDD, which is pending in the United States Bankruptcy Court for the Southern District of New York.

2) The Court has jurisdiction over this Adversary Proceeding pursuant to 28 U.S.C.

**EXHIBIT** *R6*



Section 157, 28 U.S.C. Section 1334, and 11 U.S.C. Section 523. This is a core proceeding under 28 U.S.C. Section 157(b)(2)(I).

3) The Plaintiff is a Committee of the Supreme Court of New Jersey. The Fund was established under R. 1:28-1 et seq. of the Rules Governing the Courts of the State of New Jersey for the purpose of reimbursing clients for losses caused by the dishonest conduct of attorneys who have been admitted to the New Jersey Bar and who have been disciplined (suspended or disbarred) by the Supreme Court of New Jersey.

4) Defendant Speziale was such an attorney. Defendant was admitted to the Bar of the State of New Jersey in 1984.

#### **PROCEDURAL HISTORY**

5) According to the investigation conducted by the New Jersey Office of Attorney Ethics, as memorialized in the New Jersey Disciplinary Review Board's Decision ("DRB Decision") dated September 11, 2017, on August 4, 2011, Debra P. Ingrando-DeEntremont and her husband ("Claimants") retained Mr. Speziale to draft a contract wherein they would loan \$60,000 to a Joel Vinolas for the development of his business. **(Exhibit A, DRB Decision, page 4, first paragraph)**

6) In the contract prepared by the Debtor, Mr. Vinolas agreed to pledge certain collateral for the loan. **(Exhibit A, DRB Decision, page 4, third paragraph)**

7) It was subsequently discovered that Vinolas did not actually own any of the pledged collateral and that Mr. Speziale had failed to take any action to determine if Vinolas owned it. **(Exhibit A, DRB Decision, page 4, third paragraph)**

8) Mr. Vinolas obtained permission to open a credit card account naming Claimant as the responsible party, and charged over \$80,000 to said account, some of which was used for his

personal expenses. **(Exhibit A, DRB Decision, page 4, bottom of page, and page 5, top of page and first full paragraph )**

9) Claimants discovered that Vinolas opened other accounts in her name. **(Exhibit A, DRB Decision, page 5, first full paragraph)**

10) On October 2, 2012, Claimants engaged Mr. Speziale to recover funds from Vinolas, negotiate with the credit card companies, and to file an adversary proceeding in a bankruptcy (presumably filed by Vinolas or his company) then pending in New York. **(Exhibit A, DRB Decision, page 5, second full paragraph)**

11) Claimants gave Mr. Speziale \$10,000 toward the fee for these matters. **(Exhibit A, DRB Decision, page 5, second full paragraph)**

12) Claimants attempted multiple times to obtain information about their matters, but Mr. Speziale failed to respond, and he failed to negotiate with the credit card companies as they had requested. **(Exhibit A, DRB Decision, page 5, bottom of page, and page 6, top of page)**

13) In April 2013, Claimants paid another \$3,500 for Mr. Speziale to file a chapter 13 bankruptcy petition on their behalf, although he failed to explain the advantages and disadvantages of a chapter 13 versus a chapter 7 petition. **(Exhibit A, DRB Decision, page 5, bottom of page, and page 6, top of page)**

14) Mr. Speziale failed to file anything until December 10, 2013. **(Exhibit A, DRB Decision, page 6, middle of page)**

15) At a February 2014 hearing, Mr. Speziale advised Claimant that her monthly payment under the plan was \$938.34, which was more than she could afford to pay. **(Exhibit A, DRB Decision, page 6, middle of page)**

16) According to Claimant, Mr. Speziale's failure to negotiate the credit card debt caused

the plan payments to be equal to what she would have paid without the bankruptcy filing. **(Exhibit A, DRB Decision, page 6, bottom of page)**

17) Claimants lost their \$60,000 investment, plus interest, and were obligated to pay over \$80,000 in fraudulent credit card debt. **(Exhibit A, DRB Decision, page 6, last sentence, and page 7, top of page)**

#### **DISCIPLINARY HISTORY IN NEW YORK BANKRUPTCY COURT**

18) On December 14, 2015, the Honorable Robert E. Littlefield, Jr., J.B.C., of the US Bankruptcy Court for the Northern District of New York, alerted ethics authorities that he had found Mr. Speziale in contempt and had suspended him from practicing law before that court, based on the following facts. **(Exhibit A, DRB Decision, page 7, section II, first paragraph)**

19) On October 1, 2014, Claimant sent Judge Littlefield a letter regarding the lack of communication with Mr. Speziale. **(Exhibit A, DRB Decision, page 7, section II, second paragraph)**

20) Judge Littlefield issued an order scheduling a telephonic conference which was attended by Claimant, Mr. Speziale and the bankruptcy trustee, which appeared to resolve the issues. **(Exhibit A, DRB Decision, page 7, section II, second paragraph)**

21) On July 12, 2015, Claimant sent another similar letter to Judge Littlefield, which resulted in an order for a second conference on August 13, 2015, but Mr. Speziale failed to appear. **(Exhibit A, DRB Decision, page 7, last paragraph)**

22) Judge Littlefield issued orders in 2015 to show cause why Mr. Speziale should not be found in contempt and sanctioned on August 17 returnable on September 3, and again on September 10 returnable September 24. **(Exhibit A, DRB Decision, page 8, first and third paragraphs)**

23) Due to Mr. Speziale's continued failure to appear, on September 28, 2015, Judge Littlefield issued an order finding Mr. Speziale in contempt, sanctioning him \$1,000, and directing him to disgorge the entire \$13,500 in fees paid by Claimants, no later than October 15, 2015. **(Exhibit A, DRB Decision, page 8, last paragraph)**

24) Mr. Speziale failed to comply with this order. **(Exhibit A, DRB Decision, page 9, top of page)**

25) On October 22, 2015, Judge Littlefield issued an order to show cause, returnable November 5, 2015. **(Exhibit A, DRB Decision, page 9, first full paragraph)**

26) Due to Mr. Speziale's failure to appear, on November 10, 2015, Judge Littlefield entered a judgment against Mr. Speziale for \$13,500 due to Claimants, terminated his CM/ECF password, and suspended his bankruptcy filing privileges in the Northern District of New York. **(Exhibit A, DRB Decision, page 9, second full paragraph) (also see Exhibit C for Transcript of Judgment dated November 10, 2015, at page 64)**

#### **DISCIPLINARY HISTORY IN NEW JERSEY**

27) According to the Decision of the Disciplinary Review Board (DRB) dated September 11, 2017, the NJ Supreme Court entered an Order on August 24, 2015, and again on September 12, 2016, declaring this Debtor ineligible to practice law for non-payment of the annual attorney assessment. **(Exhibit A, DRB Decision, page 10, first paragraph)**

28) Mr. Speziale was temporarily suspended in New Jersey by Court Order dated March 8, 2017. **(Exhibit A, DRB Decision, middle of page 2)**

29) Mr. Speziale continued to practice in the New Jersey Tax Court while ineligible, engaged in impermissible trust account activity while ineligible, was referred to the Office of Attorney Ethics for a trust account overdraft by TD Bank, and commingled personal and client funds.

**(Exhibit A, DRB Decision, page 10, middle and bottom of page, and page 14, middle of page)**

30) Mr. Speziale failed to cooperate with the Office of Attorney Ethics investigations into all of these matters. **(Exhibit A, DRB Decision, page 12, middle of page through page 14)**

31) On February 8, 2016, Debra P. Ingranda-DeEntremont filed a grievance alleging that Mr. Speziale had committed misconduct in her bankruptcy matter as outlined above. **(Exhibit A, DRB Decision, page 3, bottom of page)**

32) It was determined that, as Mr. Speziale failed to file an answer to the complaint which was deemed an admission that the allegations of the complaint were true, they provided a sufficient basis for the imposition of discipline. **(Exhibit A, DRB Decision, page 14, bottom of page, and page 15, top of page)**

33) After considering the Decision of the Disciplinary Review Board (DRB) dated September 11, 2017, discussed above, an Order to suspend Mr. Speziale was entered by the NJ Supreme Court on May 1, 2018, for violation of the New Jersey Rules of Professional Conduct: RPC 1.1(a) gross neglect; RPC 1.2(a) failure to abide by a client's decisions regarding the scope of the representation; RPC 1.3 lack of diligence; RPC 1.4(b) failure to keep a client reasonable informed; RPC 1.4(c) failure to explain a matter to the extent reasonable necessary for the client to make informed decisions about the representation, RPC 1.15(a) comingling of funds; RPC 1.15 (d) and Rule 1:21-6 recordkeeping violations; RPC 3.4(c) knowingly disobeying an obligation under the rules of a tribunal; RPC 5.5(a) practicing law while ineligible; RPC 8.1(b) failure to respond to a lawful demand for information from a disciplinary authority; and RPC 8.4(d) conduct prejudicial to the administration of justice. **(Exhibit B, Order, page 29)**

#### **CLAIM BEFORE THE NJ LAWYERS' FUND FOR CLIENT PROTECTION**

34) The Order suspending Mr. Speziale entered by the NJ Supreme Court on March 8,

2017 (**Exhibit B, Order, page 29**) gave the Fund's Trustees jurisdiction to consider and pay claims filed against him under R. 1:28-1 et seq. of the Rules Governing the Courts of the State of New Jersey.

35) Debra Ingrando-EdEntremont filed a claim with the NJ Lawyers' Fund on October 12, 2017, alleging a loss of \$13,500. (**Exhibit C, beginning at page 32**)

36) The \$13,500 represented the sum Claimant had paid to Mr. Speziale, and which Judge Littlefield had ordered him to return to Claimant, as outlined above.

37) The Debtor became indebted to the Fund's Claimants in the amount of \$13,500 for a debt that was incurred through false pretenses, false representation or actual fraud, as outlined above.

38) The Trustees of the Fund considered this claim at their monthly meeting in May 2018, and granted an award of \$10,000, as these funds should have been returned to his client by Mr. Speziale, as ordered by Judge Littlefield.

39) The Fund Trustees were unable to return the additional \$3,500 to Claimants under the Rules governing the Fund.

40) Pursuant to R. 1:28-3(a)(1), as a condition of paying each of the claims, the Board of Trustees of the Fund determined: (1) that the Defendant acted as an attorney or in a fiduciary capacity to each claimant when the Defendant caused claimant's loss; and (2) that the Defendant caused claimant's loss through his dishonest conduct.

41) Pursuant to R. 1:28-3(e) and as a further condition of paying the claims, the Fund accepted a partial written assignment of the Judgment obtained by Claimants from Judge Littlefield and became subrogated to the claimants' rights, claims and interests against the Debtor. (**Exhibit D, Partial Assignment, page 67**)

42) As a condition of payment of the \$10,000 award in June 2018, Claimant executed a Release, Assignment and Subrogation Agreement. **(Exhibit E, Release, page 72)**

43) The debt of \$10,000 which Mr. Speziale now owes to the Fund for this matter is non-dischargeable under 11 U.S.C. Section 523(a)(2)(A) and/or 11 U.S.C. §523(a)(7).

44) Defendant incurred the debt through false pretenses, false representation or actual fraud, 11 U.S.C. Section 523(a)(2)(A) and thus these debts would not be dischargeable under the Bankruptcy Code, and/or, in the alternative, the debt is for a fine, penalty, or forfeiture imposed by Judge Littlefield which is now payable to and for the benefit of a governmental unit as the Creditor (NJ Lawyers' Fund for Client Protection) is a Committee of the New Jersey Supreme Court, 11 U.S.C. §523(a)(7).

45) The Fund received a partial assignment of the Judgment Claimants obtained against Mr. Speziale, which was docketed as a Foreign Judgment in the Superior Court of New Jersey, on July 17, 2018. **(Exhibit D, page 67)**

#### **CURRENT LITIGATION**

46) On October 6, 2021, Paul Speziale (the "Debtor") filed a Voluntary Petition under Chapter 7 of Title 11 of the United States Bankruptcy Code in the Southern District of New York, with the required schedules

47) Debtor requested, and was granted, an extension of time to file the schedules, some of which were received by the Court on December 14, 2021.

48) Debtor did not respond to Schedule A/B, page 7, item #25, regarding Trusts, equitable or future interests in property; page 8, item #31 regarding interests in insurance policies, or item #32 regarding interest in property due from someone who has died; and page 9, item #44, regarding business-related property not already listed or item #47, regarding farm animals.

49) Debtor failed to file schedule E/F: Creditors who have unsecured claims, schedule G, the Summary, Statement of Financial Affairs, and the Statement of Current Monthly Income.

50) Mr. Speziale listed only his debts to Claimant (\$13,500), the NJ Lawyers' Fund (\$10,000), the NJ Disciplinary Oversight Committee (\$5,000) and one Eduardo Echeverria (\$1,800) on Schedule D as Creditors Who Have Claims Secured by Property, but he does not indicate what property the debts are secured by and what amounts are unsecured, and Debtor had not listed any property owned by him or in which he had an interest in his bankruptcy filing so it appears that these debts are not secured by property.

51) It appeared that the primary purpose of this bankruptcy petition is to evade the sanctions imposed on the Debtor by Judge Littlefield.

52) Defendant incurred the debt through false pretenses, false representation or actual fraud, 11 U.S.C. Section 523(a)(2)(A) and/or, in the alternative, the debt is for a fine, penalty, or forfeiture imposed by Judge Littlefield which is now payable to and for the benefit of a governmental unit as the Creditor (NJ Lawyers' Fund for Client Protection) is a Committee of the New Jersey Supreme Court, 11 U.S.C. §523(a)(7), and thus these debts would not be dischargeable under the Bankruptcy Code.

**WHEREFORE**, Plaintiff New Jersey Lawyers' Fund for Client Protection prays that the Court determine that the total debt owed by the debtor in the amount of **TEN THOUSAND DOLLARS (\$10,000.00)** is non-dischargeable; and further that the Court render judgment for the Plaintiff in the amount of **TEN THOUSAND DOLLARS (\$10,000.00)** plus interest and attorney's fees; and further that the Court determine the remaining issues and grant such other relief as it deems equitable and just.



NEW JERSEY LAWYERS' FUND  
FOR CLIENT PROTECTION

  
RUBY D. COCHRAN, ESQ.  
Attorney for Plaintiff

Dated: January 6, 2022

**CERTIFICATION**

I, Ruby Diana Cochran, Esq., of full age, do hereby certify that I have read the above Complaint and that, to the best of my knowledge, understanding and belief, formed after reasonable inquiry, the Complaint is well-grounded in fact, is warranted by existing law, and is not interposed for any improper purpose, such as to harass, to cause delay, or to increase the cost of litigation.

  
RUBY D. COCHRAN, ESQ.  
Attorney for Plaintiff

Dated: January 6, 2022

While I have not read the entire opinion, the first page gave me pause. I found it unfortunate that the State Bar of California relied so heavily on Section 523(a)(7) of the Bankruptcy Code, while in New Jersey we rarely ever reference that section. We instead rely on Sections 523(a)(2)(A) regarding obtaining money, property or services, “obtained by false pretenses, a false representation, or actual fraud”, and Section 523(a)(4) where there was “fraud or defalcation while acting in a fiduciary capacity”, such as depletion of an escrow account or other funds that were held (or supposed to be held) in the trust account. New Jersey does not require retainers to be held in the attorney trust account until earned, and they can be spent upon receipt, so we can only cite Section 523(a)(2)(A) for those types of thefts of client funds. In the past, unearned retainers were discharged as a matter of course, as a contract dispute, even when an adversary complaint was filed. That has changed as a result of how those claims are now presented and they are now routinely determined to be non-dischargeable. Theft of funds that should have been held in trust can rely on both sections to avoid discharge. Both of these sections require the filing of an adversary complaint, which must be pled with specificity. These complaints require details.

In New Jersey, we start the complaint with an analysis of the disciplinary history, paying particular attention to when things occurred so that we can create a timeline of when the respondent would have known certain things, and what actions were taken by the respondent before, during and after. An example is what actions the respondent took after they should have known that they were being investigated, or what actions they took after they committed their first theft. Then we move on to an analysis of the criminal history if there is one, as our Fund attempts to obtain an order for restitution if the respondent is prosecuted for their actions. If the restitution order does not cover all of the claims paid, the NJ Fund pursues Judgment by filing a civil complaint for the balance. That analysis comes next in the complaint. Please note that criminal court ordered restitution is greatly preferred over a civil judgment as restitution is automatically non-dischargeable, while the claims paid that are covered by a civil judgment require the filing of the adversary complaint to plead for non-dischargeability. New Jersey includes both in the procedural history to create a more comprehensive picture for the Judge, as that aids in obtaining a favorable outcome for the Fund.

After the procedural history is complete, each of the claims paid is represented by a Count in the Adversary Complaint. Each count is pled in detail, with all necessary supporting documentation. The steps taken by the respondent in each claim to obtain funds from their client for which they did not provide services, or funds which should have remained in trust but did not, are shown to fit into the timeline of when the respondent knew or should have known that they could not complete the legal representation, or when they removed the trust funds from the trust account. Each Count must stand on its own, as the bankruptcy Judge has the option to declare each count non-dischargeable or discharged. It is also important to be able to explain how all of the claims fit into a timeline relative to the procedural history and to each other, as we try to establish a pattern of behavior where multiple claims have been paid.

I hope this helps in some way as you deal with future bankruptcy matters.

- Ruby Cochran, Deputy Counsel, NJ Lawyers' Fund for Client Protection

**EXHIBIT** R7

New Jersey Lawyers' Fund for Client Protection  
Richard J. Hughes Justice Complex  
25 Market Street, P.O. Box 961  
Trenton, New Jersey 08625-0961  
Ruby D. Cochran, Deputy Counsel  
NJ ID #017151998  
(609) 815-3030x52211; Our File CPF-1284  
*Attorney for Plaintiff*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE:	:	CASE No. 21-22564-RDD
PAUL SPEZIALE	:	
DEBTOR	:	CHAPTER 7
_____	:	ADVERSARY PROCEEDING NO.
NEW JERSEY LAWYERS' FUND FOR	:	22-07001
CLIENT PROTECTION	:	
PLAINTIFF	:	CONSENT JUDGMENT
v.	:	
PAUL SPEZIALE	:	
DEFENDANT	:	
_____	:	

It appearing that the parties, in an effort to reach a mutually agreeable resolution of all issues between them, have stipulated and agreed that this debt is not dischargeable under 11 USC §523(a)(2)(A) and/or §523(a)(7), and that there remains a balance due to the Fund of \$10,000.00 for claims paid.

It is **ORDERED** that the debt owed by PAUL SPEZIALE to the New Jersey Lawyers' Fund for Client Protection in the amount of **TEN THOUSAND DOLLARS (\$10,000.00)** for claims paid, plus costs, is not dischargeable in bankruptcy.

**EXHIBIT** RB

The New Jersey Lawyers' Fund for Client Protection shall recover from PAUL SPEZIALE  
the amount of **TEN THOUSAND DOLLARS (\$10,000.00)** for claims paid, plus costs.

Dated: White Plains, New York  
January 31, 2022

/s/Robert D. Drain

THE HONORABLE ROBERT D. DRAIN  
United States Bankruptcy Judge  
Southern District of New York

The undersigned hereby Consent to the form and entry of this Order:

/s/ \_\_\_\_\_  
PAUL SPEZIALE, DEBTOR

Dated: 1/18/2022

NEW JERSEY LAWYERS' FUND  
FOR CLIENT PROTECTION

/s/ \_\_\_\_\_  
BY: RUBY D. COCHRAN, ESQ.  
Attorney for Plaintiff/Creditor

Dated: 1/31/2022

The New Jersey Lawyers' Fund for Client Protection shall recover from PAUL SPEZIALE  
the amount of TEN THOUSAND DOLLARS (\$10,000.00) for claims paid, plus costs.

Dated: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE ROBERT D.  
DRAIN, Bankruptcy Judge  
For the Southern District of New York

The undersigned hereby Consent to the form and entry of this Order:

  
\_\_\_\_\_  
PAUL SPEZIALE, DEBTOR

Dated: 1/18/22

NEW JERSEY LAWYERS' FUND  
FOR CLIENT PROTECTION

  
BY: RUBY D. COCHRAN, ESQ.  
Attorney for Plaintiff/Creditor

Dated: 1/31/22

**Information to identify the case:**

Debtor 1

**Paul Speziale**

Social Security number or ITIN XXX-XX-4231

EIN --

First Name Middle Name Last Name

Debtor 2

(Spouse, if filing)

First Name Middle Name Last Name

Social Security number or ITIN

EIN --

United States Bankruptcy Court Southern District of New York

Case number: 21-22564-rdd

**Discharge of Debtor(s) and Order of Final Decree**

12/15

A petition under title 11, United States Code was filed by or against the Debtor(s) on 10/6/21; an order for relief was entered under Chapter 7; no order denying a discharge has been granted.

It appearing that the Debtor(s) is entitled to a discharge and the estate of the above named Debtor(s) has been full administered.

**IT IS ORDERED:**

- The Debtor(s) is granted a discharge under 11 U.S.C. § 727.
- Marianne T. O'Toole is discharged as the Trustee of the Debtors estate and the bond is cancelled.
- The chapter 7 case of the above-named Debtor(s) is closed.

4/15/22

By the court: Robert D. Drain  
United States Bankruptcy Judge

**Explanation of Bankruptcy Discharge in a Chapter 7 Case**

This order grants a discharge to the person named above. It does not dismiss the case, and it does not determine how much money, if any, the trustee will pay creditors.

**Creditors cannot collect discharged debts**

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily or from paying reaffirmed debts according to the reaffirmation agreement. 11 U.S.C. § 524(c), (f).

**Most debts are discharged**

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts owed before the debtors' bankruptcy case was filed.

Also, if this case began under a different chapter of the Bankruptcy Code and was later converted to chapter 7, debts owed before the conversion are discharged.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

For more information, see page 2 >

Discharge of Debtor(s) and Order of Final Decree

page 1

**EXHIBIT** R9

**Some debts are not discharged**

Examples of debts that are not discharged are:

- ◆ debts that are domestic support obligations;
- ◆ debts for most student loans;
- ◆ debts for most taxes;
- ◆ debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- ◆ debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- ◆ some debts which the debtors did not properly list;
- ◆ debts for certain types of loans owed to pension, profit sharing, stock bonus, or retirement plans; and
- ◆ debts for death or personal injury caused by operating a vehicle while intoxicated.

Also, debts covered by a valid reaffirmation agreement are not discharged.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

**This information is only a general summary of the bankruptcy discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.**

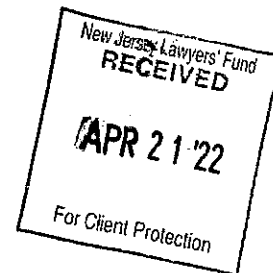


SUN-20608 0208-7 155new 21-22564  
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NJ Lawyers' Fund for Client Protection  
P.O. Box 961  
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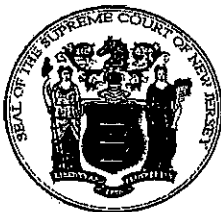
NEW JERSEY LAWYERS' FUND  
FOR  
CLIENT PROTECTION

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PO Box 961  
TRENTON, NJ 08625-0961

April 25, 2022

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5TH FLOOR, NORTH WING  
TRENTON, NJ 08611

SENT VIA FIRST CLASS AND CERT. MAIL, R.R.R.

Mr. Paul Speziale  
100 Nyack PLZ, Apt. 153  
Nyack, NY 10960-3851

Re: New Jersey Lawyers' Fund for Client Protection v. Paul Speziale  
Docket No.: DJ-116747-18; Judgment No.: US Bk Court Northern District of NY;  
ADV PROC #1:15-MC-50; Our File: CPF-1284

Dear Mr. Speziale:

The New Jersey Supreme Court granted the New Jersey Lawyers' Fund for Client Protection the authority to enforce your obligation to pay the referenced Judgment through the Comprehensive Enforcement Program established by N.J.S.A. 2B:19-1 et seq.

You are to begin making **monthly payments** on this obligation. You should provide a written proposal for a monthly payment plan as soon as possible. All proposals are subject to approval by the Board of Trustees which governs the Fund. If you do not have a plan in place by **Monday, May 9, 2022** (Consent Order executed, lump sum payment plus first monthly payment made, subject to the approval of the Board), you will receive a Summons to appear in Court for the enforcement hearing tentatively scheduled for **Friday, August 5, 2022**.

I enclose an Information Subpoena and supplemental budget for you to complete. The Board will not approve your plan unless you have submitted a completed Information Subpoena and supplemental budget so that it can evaluate your proposal in light of your resources. **The Information Subpoena must be returned before we can excuse you from the Hearing even if a satisfactory payment plan has been proposed.** Please contact me at (609)815-3030, ext. 52211 or via email: [ruby.cochran@njcourts.gov](mailto:ruby.cochran@njcourts.gov).

NEW JERSEY LAWYERS' FUND FOR  
CLIENT PROTECTION

By: Ruby D. Cochran  
Ruby D. Cochran  
Deputy Counsel

**EXHIBIT** R10

First-Class Mail® or Priority Mail® with Certified Mail®  
Service for two years

NEW JERSEY LAWYERS' FUND  
FOR  
CLIENT PROTECTION

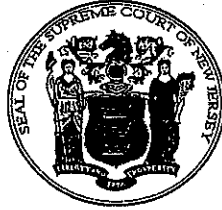
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ELLIS C. ALLEN

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July 1, 2022

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VIA FIRST CLASS AND CERTIFIED MAIL - R.R.R.

Mr. Paul Speziale  
55 Kings Highway  
Congers, NY 10920-2221

Re: New Jersey Lawyers' Fund for Client Protection v. Paul Speziale  
Docket No DJ-116747-18; Judgment No. US Bk Court Northern District of NY;  
ADV PROC #1:15-MC-50; Our File No.: CPF-1284

Dear Mr. Speziale:

As I explained in my June 3, 2022 letter to you, the New Jersey Supreme Court has granted the New Jersey Lawyers' Fund for Client Protection the authority to enforce your obligation to pay the referenced Judgment through the Comprehensive Enforcement Program established by N.J.S.A. 2B:19-1 et seq.

As you have not responded to the Notice of Delinquency forwarded to you via first class and certified mail, enclosed are an original and one (1) copy of a Summons that requires you to appear on **Friday, August 5, 2022 at 9:00 a.m.** before a Hearing Officer of the Superior Court of New Jersey, in **Courtroom 3B**, at the **Mercer County Civil Courthouse**, 175 South Broad Street, Trenton, New Jersey, for a Hearing to enforce your payment obligation. **You should be prepared to make a payment at the time of the Hearing.**

If you have not already done so, please return the completed Information Subpoena.

NEW JERSEY LAWYERS' FUND FOR  
CLIENT PROTECTION

By: Ruby D. Cochran  
Ruby D. Cochran  
Deputy Counsel

Enclosures  
RDC/jc

EXHIBIT R11

## CEP Hearing List – August 5, 2022

In each instance, Respondent received service. If Respondent fails to appear, that failure will be noted, he will be re-listed for a CEP Hearing in April 2023, and if he fails to appear again, a bench warrant will be issued.

**CPF-319**      **Leonard Bzura**                      *Elizabeth, NJ*

The Fund paid 7 of the 12 claims filed against Mr. Bzura totaling \$16,037.50 from March 1990 through October 1991, and incurred costs of \$16. A judgment was obtained in 1994, which was revived in 2014. The Fund collected \$580, leaving a balance due for claims paid of \$15,457.50. The last payment was received in January 2010. The arrears on this account are now \$6,300.

**CPF-510**      **Marc C. Bonds**                      *Jersey City, NJ*

The Fund paid the 2 claims filed against Mr. Bonds totaling \$6,250 in April 1993 and January 1994. A judgment was obtained in 1995, which was revived in 2014. Nothing has been collected on this account, leaving the full balance due. The arrears on this account are the full \$6,250.

**CPF-666**      **Charles Feely**                      *New York City, New York*

The Fund paid the only claim filed against Mr. Feely for \$79,920 in April 2000, and incurred costs of \$141. A judgment was obtained in 2004, but nothing has been collected, leaving the full balance due for claims paid. The arrears on this account are now \$79,920.

**CPF-701**      **Charles Booream**                      *Monroe Township, NJ*

The Fund paid 5 of the 6 claims filed against Mr. Booream totaling \$493,219.94 from June 1999 through May 2004, and incurred costs of \$1,334.88. A judgment was obtained in 2001, and a JOC was entered requiring that Respondent pay restitution to the Fund for all claims paid and costs. The Fund collected \$197,293.31 from various sources, leaving a balance due for claims paid of \$295,926.63. The last payment was received in April 2021.

**CPF-932**      **Donald Richmond**                      *Drexel Hill, Pennsylvania*

The Fund paid the only claim filed against Mr. Richmond for \$400 in June 2005, and incurred costs of \$119.95. A judgment was obtained in 2009, and the Fund collected \$165, leaving a

balance due for claims paid of \$235. The last payment was received in January 2013. This account has had an outstanding balance of \$354.95 since 2013.

**CPF-1201     Otto Scerbo**

*Monroe, New York*

The Fund paid 7 of the 15 claims filed against Mr. Scerbo totaling \$417,498.61 from March 2015 through October 2018, and incurred costs of \$689.20. A judgment was obtained for the earlier claims paid in 2016, and a second judgment was obtained for the balance of the claims paid in 2022. The Fund collected \$228,683.27, leaving a balance due for claims paid of \$188,815.34. The last payment was received in July 2021. The arrears on this account are now \$1,500.

**CPF-1227     Edward Allen MacDuffie Jr.**

*Dedham, Massachusetts*

The Fund paid 2 of the 3 claims filed against Mr. MacDuffie totaling \$312,855.82 in May 2017 and June 2019, and incurred costs of \$372.12. A judgment was obtained for the earlier claims paid in 2017, and a second judgment was obtained for the balance of the claims paid in 2020. The Fund collected \$6,859.56, leaving a balance due for claims paid of \$305,996.26. The Fund received \$3,237.70 in November 2017 (possibly from frozen funds), another \$6,401.54 in January and April 2018, and a payment plan was entered at a CEP Hearing in April 2018 requiring monthly payments of \$250 *to the Fund*. The Fund began receiving very small payments from probation in 2022. Mr. MacDuffie needs to pay the Fund for the civil judgments we obtained against him, he cannot just pay probation and ignore the Fund. The arrears on this account are now \$12,000.

**CPF-1284     Paul Speziale**

*Nyack, New York*

The Fund paid the only claim filed against Mr. Speziale for \$10,000 in June 2018, and incurred costs of \$572. A judgment was assigned to the Fund by the Claimant, but nothing has been collected, leaving the full balance due for claims paid. Respondent had filed for bankruptcy protection in 2021, and in January 2022, a Consent Order declaring this debt to be non-dischargeable was entered. The arrears on this account are the full amount due of \$10,000.

Class Mail or Priority Mail  
two years

**NEW JERSEY LAWYERS' FUND  
FOR  
CLIENT PROTECTION**

**TRUSTEES**

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August 12, 2022

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**Regular and Certified Mail**

Mr. Paul Speziale  
55 Kings Highway  
Congers, NY 10920-2221

**Re: New Jersey Lawyers' Fund for Client Protection v. Paul Speziale  
Docket No.: DJ-116747-18; Judgment No.: US Bk Court Northern District of NY;  
ADV PROC #1:15-MC-50; Our File CPF-1284**

Dear Mr. Speziale:

Enclosed please find a copy of the Order that was signed by the Honorable William Anklowitz, J.S.C. On August 5, 2022 and entered by the Court at the Comprehensive Enforcement Hearing held on August 5, 2022. Based on your failure to appear in response to a Summons, mailed to you via regular and certified mail on July 1, 2022, you will be relisted for the April 2023 hearing. Should you fail to appear in April 2023 a bench warrant will be issued.

Should you have any questions concerning this matter, please do not hesitate to contact me. You may reach me at 609-815-3030, ext. 52211 or via email: [ruby.cochran@njcourts.gov](mailto:ruby.cochran@njcourts.gov) or my assistant, Josephine at ext. 52217.

NEW JERSEY LAWYERS' FUND FOR  
CLIENT PROTECTION

By: *Ruby D. Cochran*  
Ruby D. Cochran  
Deputy Counsel

RDC:jc  
Enclosure

**EXHIBIT** R12

**Comprehensive Enforcement Program (CEP) (RDC)** – The first in-person CEP Hearing since December 2019 was held on Friday, August 5, 2022. The Fund also had a new Hearing Officer, Andrea Fonseca, formerly with the OAE, as the previous Hearing Officer had accepted a new position. Ms. Fonseca allowed Charles Booram (CPF-701) to resume a prior payment plan, as noted above.

In July, the Trustees had accepted two payment plan proposals from Howard Trueger (CPF-121) and Richard Klein (CPF-1317), which had been offered in response to a Notice of Delinquency under CEP. In addition, Mr. Keesal (CPF-104) cleared his arrearages and paid off his balance in full, as noted above.

The following Respondents failed to appear, and the Fund had intended to request bench warrants. Unfortunately, the rules had changed again, and now if a Respondent failed to appear, that failure would be noted, they would be re-listed for a CEP Hearing in April 2023, and if they failed to appear again, only then would a bench warrant be issued. In addition, most of these Respondents resided outside of New Jersey.

CPF-319	Leonard Bzura	CPF-1201	Otto Scerbo
CPF-510	Marc C. Bonds	CPF-1227	Edward Allen MacDuffie
CPF-666	Charles Feely	CPF-1284	Paul Speziale
CPF-932	Donald Richmond		

**CPF-1284 Paul Speziale (RDC)**

The Fund paid one claim against Mr. Speziale for \$10,000 in June 2018, and incurred costs of \$572. The Fund received an Assignment of Judgment from Claimant for the full amount in 2018, which they had obtained several years earlier. Respondent filed for bankruptcy protection in 2021, the Fund filed an Adversary Complaint in 2022 and obtained a Consent Judgment that this debt was not dischargeable. Due to his failure to make payments on the assigned Judgment, Mr. Speziale was entered into the SOIL Program. On August 18, 2022 SOIL advised that approximately \$300 had been seized for the benefit of the Fund.

**EXHIBIT** *RLB*



State of New Jersey

DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES
P. O. BOX 262
TRENTON, NEW JERSEY 08646-0262

PHIL MURPHY
Governor

ELIZABETH MAHER MUOIO
State Treasurer

SHEILA OLIVER
Lt. Governor

JAMES J. FRUSCIONE
Director

August 18, 2022

Set-Off Program Contact:
Phone: (609) 984-5128
Cell: (609) 954-8639
susan.goodwin@treas.nj.gov

TO: SOIL PROGRAM AGENCIES

AGENCY CODE # 142002

Enclosed you will find output from the SOIL PROGRAM for your agency.

The output will consist of:

JOB #3035 JOB #3036 JOB #3037

DISK FILE @ HUB-TAPE LIBRARY

MOVEIT FILE TRANSFER

Kindly note that each of the jobs will only be provided when appropriate. Therefore, you may not always receive all three jobs every week.

Very truly yours,

Susan M Goodwin

Susan M Goodwin
Set-Off Program
Division of Revenue and Enterprise Services

RUN DATE: 08/15/2022
Enclosure

EXHIBIT R14



SYSTEM: SOIL  
SYSTEM NO: 690  
PROGRAM NO: SOL3036  
INPUT: NON-HEALTH

STATE OF NEW JERSEY  
DEPARTMENT OF TREASURY-DIVISION OF TAXATION  
SET-OFF INDIVIDUAL LIABILITY

RUN DATE: 08/17/22  
RUN TIME: 00:15:08  
PAGE NO: 2

LISTING OF 2-PART CARDS PRINTED

AGENCY CODE: [REDACTED] AGENCY NAME: NJ LAWYERS FUND FOR CLIENT PROTECTI  
ON

SSAN [REDACTED] NCTL [REDACTED] CONTROL NUMBER [REDACTED] LAST NAME [REDACTED] FIRST NAME MI [REDACTED] AGENCY INFORMATION [REDACTED] APPEAL [REDACTED]  
SPEZ [REDACTED] SPEZ 102208150000347 SPEZIALE PAUL NO DATA FROM AGENCY

TOTAL FOR AGENCY 1

SYSTEM: SOIL  
SYSTEM NUMBER: 690  
PROGRAM NUMBER: SOLTXLST  
REPORT NUMBER: SOLTXPRI  
FREQUENCY: WEEKLY

STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY - DIVISION OF REVENUE  
SET-OFF INDIVIDUAL LIABILITY

RUN DATE: 08/15/22  
RUN TIME: 16:01:39  
PAGE NUMBER: 1

LISTING OF TAXPAYER NOTICES WRITTEN

AGENCY CODE: [REDACTED] AGENCY NAME: NJ LAWYERS FUND FOR CLIENT PROTECTI. NOTICES MAILED: 08/25/2022  
CARD #2 RETURN DATE: 10/10/2022  
++ SSAN ++ [REDACTED] ++ DEBTOR NAME ++ SPEZIALE, PAUL  
++ SYS+ URA  
++ DEBT AMOUNT ++ 10,000.00  
++ HOLD AMOUNT ++ 306.20  
AGENCY TOTAL: 10,000.00  
RTN YR+ 22  
+AGENCY INFORMATION+ NO. DATA FROM AGENCY 1  
NOTICES: 1

SS# [REDACTED] NCTL SPEZ CARD #2 U SOIL  
NAME SPEZIALE PAUL JOB # 3036 DATE 08/24/22  
CONTROL # 102208150000347 RETURN CARD IMMEDIATELY IF ACCOUNT PAID.  
AGENCY CODE [REDACTED]

THIS CARD MUST BE SIGNED AND  
RETURNED BY 10/10/22.

I CERTIFY THIS IS A LIQUIDATED  
DEBT. THE DIVISION OF REVENUE IS  
AUTHORIZED TO OFFSET THIS ACCOUNT  
AS FOLLOWS...

IF THE DEBTOR REQUESTS AND IS  
GRANTED A HEARING, INDICATE  
BELOW...

A. HEARING REQUESTED ( )  
B. DATE REQUESTED \_\_\_\_\_

1. AMOUNT OF DEBT 10,000.00

2. DATE OF NOTICE 08/25/22

3. AUTHORIZED SIG *[Signature]*

PRORATE REQUESTED ( )

4. DATE AUTHORIZED 8/29/2022

SP 70-2

SS# [REDACTED] NCTL SPEZ CARD #3 U SOIL  
NAME SPEZIALE PAUL JOB # 3036 DATE 08/24/22  
CONTROL # 102208150000347  
AGENCY CODE [REDACTED]

RETURN CARD #2 BY 10/10/22

SENT BY *[Signature]*

DATE 8/29/2022

AGENCY USE: NO DATA FROM AGENCY

RETAIN THIS CARD FOR YOUR FILES

NJ DIVISION OF REVENUE

SP 70-3