

NOTICE TO THE BAR

DEFAULTS SCHEDULED FOR REVIEW BY THE DISCIPLINARY REVIEW BOARD THURSDAY, SEPTEMBER 21, 2023

The following matters have been certified to the Disciplinary Review Board as defaults, in accordance with R. 1:20-4(f):

In the Matter of Nosheen Khawaja

Docket No. DRB 23-136

District Docket Nos. XIV-2021-0019E and IIA-2022-0900E

In the Matter of Robert James Stack

Docket No. DRB 23-149

District Docket No. XB-2021-0012E

In the Matter of Andrew G. Bitnar

Docket No. DRB 23-158

District Docket Nos. XIV-2022-0261E and XIV-2022-0364E

These matters are scheduled to be reviewed by the Board on **Thursday, September 21, 2023**. R. 1:20-4(f) provides that an attorney-respondent's failure to timely file an answer "shall be deemed an admission that the allegations of the complaint are true and . . . provide sufficient basis for the imposition of discipline." Although chances for a successful motion are limited, a motion to vacate the default may be filed with the Board by no later than **August 15, 2023**. MOTIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED BY THE BOARD. The motion should specify why the attorney-respondent failed to file a timely answer (including lack of notice) and should set forth any

claimed meritorious defenses to the ethics charge. The motion must also be simultaneously served on the Director of the Office of Attorney Ethics and, where appropriate, the district ethics committee responsible for the underlying ethics matter. A certification regarding that service must accompany any documents filed with the Board.

Respondents are hereby advised that, generally, in a default matter, the discipline is enhanced to reflect a respondent's failure to cooperate with disciplinary authorities as an aggravating factor. In re Kivler, 193 N.J. 332, 338 (2008).

Respondents may communicate with the Board by contacting the Office of Board Counsel at:

P.O. Box 962, Trenton, NJ 08625, Telephone: 609-815-2920, E-Mail: DRB.MBX@njcourts.gov.

Dated: July 31, 2023

/s/ Timothy M. Ellis

Timothy M. Ellis
Acting Chief Counsel
Disciplinary Review Board