

OFFICE OF ATTORNEY ETHICS  
OF THE  
SUPREME COURT OF NEW JERSEY



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January 14, 2016

UPS OVERNIGHT MAIL

Scott B. Piekarsky, Esq.  
Piekarsky & Associates, LLC  
191 Godwin Avenue  
Wyckoff, New Jersey 07481

**Re: Office of Attorney Ethics v. Gregory K. Mueller, Esq.  
Docket No. XIV-2014-0651E**

Dear Mr. Piekarsky:

Pursuant to your representation that you are authorized to accept service in this matter, I enclose two (2) copies of our complaint and the original and one (1) copy of an Acknowledgment of Service. Please complete and return the original Acknowledgment to me.

In accordance with *R.1:20-4(e)*, your client is required to file a written answer within twenty-one (21) days of your receipt of this complaint. Please note that your client must personally verify the answer. Kindly file the original and one (1) copy of your client's answer and Acknowledgment of Service **directly with me**.

In filing your client's answer, you must follow *In re Gavel*, 22 N.J. 248, 263 (1956) and *R.1:20-4(e)*, which requires the answer to contain:

- (1) a full, candid and complete disclosure of all facts reasonably within the scope of the formal complaint;
- (2) all affirmative defenses, including all claim of mental or physical disability, if any, and whether it is alleged to be causally related to the offense charged;
- (3) any mitigating circumstances;
- (4) a request for a hearing either on the charges or in mitigation; and

(5) any constitutional challenges to the proceedings. *R.1:20-4(e)*.

You are advised that, while the burden of proof by clear and convincing evidence is on disciplinary authorities to establish unethical conduct, the burden of going forward on all properly raised affirmative defenses and mitigating factors, including claims of mental and physical disability, if any, and whether such defenses or claims are causally related to the offense charged, is on your client. The burden of proof for all medical/psychiatric defenses is clear and convincing evidence. *R.1:20-6(c)(2)(B)*.

Please note that your client must personally verify the answer by attaching and signing the following form to the answer:

**VERIFICATION OF ANSWER**

I, \_\_\_\_\_, am the respondent in the within disciplinary action and hereby certify as follows:

1. I have read every paragraph of the foregoing Answer to the Complaint and verify that the statements therein are true and based on my personal knowledge.
2. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DATE: \_\_\_\_\_

\_\_\_\_\_

(Sign Name Here)

**TAKE NOTICE THAT YOUR FAILURE TO FILE A TIMELY, VERIFIED ANSWER WILL CONSTITUTE AN ADMISSION OF THE CHARGES. SUCH FAILURE MAY ALSO RESULT IN YOUR CLIENT'S IMMEDIATE TEMPORARY SUSPENSION FROM PRACTICE. IN EITHER EVENT, NO FURTHER HEARING NEED BE HELD AND THE ENTIRE RECORD, OR A RECORD SUPPLEMENTED BY THE PRESENTER, IN THIS MATTER CAN BE CERTIFIED DIRECTLY TO THE DISCIPLINARY REVIEW BOARD FOR IMPOSITION OF SANCTION, ALL PURSUANT TO *R.1:20-6(c)(1)*, *R.1:20-4(e) and (f)* AND *R.1:20-11*.**

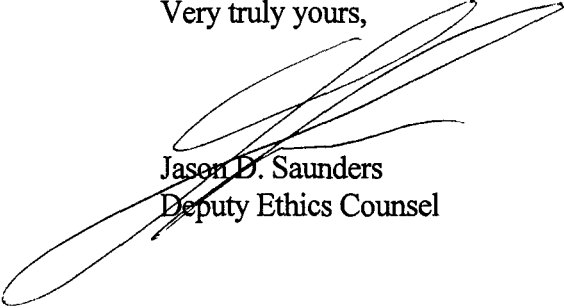
This matter will be prosecuted before a three member panel of the District Ethics Committee. Pursuant to *R.1:20-7(i)*, you are entitled to the issuance of subpoenas necessary and relevant to your client's defense. This application should be directed to the hearing panel chair or any special ethics master at least two weeks prior to the hearing date. Your failure to timely request the issuance of subpoenas will constitute a waiver.

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Pursuant to *R.1:20-5(a)*, discovery of all information specified therein is requested. In the event that any class of information specified in that rule is not available, a written representation to that effect is required.

If you have any questions regarding this matter, you should promptly communicate with me at 609-530-5808.

Very truly yours,



Jason D. Saunders  
Deputy Ethics Counsel

JDS/mbb  
Enclosures

cc: Nina C. Remson, Esq., Secretary  
District IIA Ethics Committee (w/encl. – Complaint only)  
Jasmin Razanica, Disciplinary Auditor (w/o encl.)  
William M. Ruskowski, Chief of Investigations (w/o encl.)  
Barbara M. Galati, Assistant Chief Disciplinary Investigator (w/o encl.)