

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : SECOND JUDICIAL DEPARTMENT

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(NOT TO BE PUBLISHED)

GUY JAMES MANGANO, P.J.
WILLIAM C. THOMPSON
LAWRENCE J. BRACKEN
RICHARD A. BROWN
SONDRA MILLER, JJ.

90-06574 Atty.

DECISION & ORDER

In the Matter of David Barnett Jacobs,
an attorney and counselor at law.

Grievance Committee for the Tenth
Judicial District, petitioner;

David Barnett Jacobs, respondent.

Proceeding pursuant to statute (Judiciary Law § 90) to discipline the respondent, David Barnett Jacobs, an attorney and counselor-at-law, who was admitted to practice by the Appellate Division of the Supreme Court, Second Judicial Department, on June 20, 1979.

The respondent filed a "cross-petition and verified answer to petition" requesting an order (a) vacating the authorization for the disciplinary proceeding set forth in this Court's order of July 17, 1990, (b) referring this matter to the arbitration panel of the Nassau County Bar Association to arbitrate the fee dispute in question; or in the alternative, (c) directing that the Justice assigned to the matrimonial case in question conduct a hearing to confirm the attorney's fees, and (d) staying the disciplinary proceeding pending the proposed hearing in the Supreme Court, Nassau County.

Upon the papers filed in support of the application to discipline, the answer thereto, and upon the cross petition and the papers filed in opposition thereto, it is

ORDERED that the issues raised by the petition and the respondent's answer are referred to Hon. Max H. Galfunt, a former Criminal Court Judge, 216 Beach 143rd Street, Neponsit, New York 11694, as Special Referee to hear and to report, together with his findings on the issues; and it is further

ORDERED that the respondent's cross petition is denied.

MANGANO, P.J., THOMPSON, BRACKEN, BROWN and MILLER, JJ., concur.

ENTER:

Martin H. Brownstein
Clerk