

110
SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : SECOND JUDICIAL DEPARTMENT

SEP 3 1991

9301T
B/kr

(NOT TO BE PUBLISHED)

GUY JAMES MANGANO, P.J.
WILLIAM C. THOMPSON
LAWRENCE J. BRACKEN
JOSEPH J. KUNZEMAN
THOMAS R. SULLIVAN, JJ.

90-06574 Atty.

DECISION & ORDER ON MOTION

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.

Petitioner Grievance Committee for the Tenth Judicial District moved for a proceeding pursuant to statute (Judiciary §90) to discipline the respondent, David Barnett Jacobs, an attorney, who was admitted to practice by the Appellate Division of the Supreme Court, Second Judicial Department on June 20, 1979. By decision and order of this court dated May 10, 1991, this matter was referred to Hon. Max H. Galfunt, as Special Referee to hear and report, together with his findings on the issues. By decision and order dated May 21, 1991, Hon. Max H. Galfunt was relieved as Special Referee and the matter was referred to Hon. Moses M. Weinstein, a retired Associate Justice of the Appellate Division, Second Judicial Department, c/o Weinstein & Weinstein, 123-35A 82nd Road, Kew Gardens, NY 11415, as Special Referee.

Respondent now moves for an order permitting him to (1) conduct an examination before trial of the complainant, Patricia Warmhold; (2) to obtain a bill of particulars from the complainant, Patricia Warmhold; (3) to obtain complete disclosure of all relevant and material information in the possession of the complainant and/or Grievance Committee for the Tenth Judicial District; and (4) for an order directing that all further proceedings be stayed pending a determination of the instant motion, and if granted, for a stay pending completion of discovery.

August 28, 1991

MATTER OF JACOBS, DAVID BARNETT

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thereto, it is Upon the papers filed in support of the motion and the papers filed in opposition

ORDERED that the motion is denied in its entirety.

MANGANO, P.J., THOMPSON, BRACKEN, KUNZEMAN and SULLIVAN, JJ., concur.

SUPREME COURT, STATE OF NEW YORK
APPELLATE DIVISION, SECOND DEPT.

ENTER:
MARTIN H. BROWNSTEIN

MARTIN H. BROWNSTEIN, Clerk of the Appellate Division of the Supreme Court
Second Judicial Department do hereby certify that I have compared this copy with
the original filed in my office and that
this copy is a correct transcription of said original.
IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of
this Court on AUG 28 1991

Martin H. Brownstein
Clerk

Martin H. Brownstein
Clerk