

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M76950
E/cb

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
PETER B. SKELOS
MARK C. DILLON, JJ.

2007-07371

DECISION & ORDER ON MOTION

In the Matter of David B. Rosen,
a suspended attorney.

Grievance Committee for the Second and
Eleventh Judicial Districts, petitioner;
David B. Rosen, respondent.

(Attorney Registration No. 2163855)

By decision and order on motion of this court dated November 7, 2007, the respondent was suspended, pursuant to 22 NYCRR 691.4(l)(1)(i), upon a prima facie finding that he was guilty of professional misconduct immediately threatening the public interest based upon his failure to cooperate with the Grievance Committee's investigation; the Grievance Committee was authorized to institute and prosecute a disciplinary proceeding against him based upon a petition dated August 9, 2007; and the issues raised were referred to the Honorable Jerome M. Becker, as Special Referee to hear and report. The respondent was admitted to the Bar at a term of the Appellate Division of the Supreme Court in the Second Judicial Department on January 13, 1988.

Now, on the court's own motion, it is

ORDERED that the previously authorized disciplinary proceeding is discontinued in view of the respondent's death on September 6, 2008; and it is further,

ORDERED that all pending motions are dismissed.

PRUDENTI, P.J., MASTRO, RIVERA, SKELOS and DILLON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 8, 2008

MATTER OF ROSEN, DAVID B.