



STATE OF CONNECTICUT  
JUDICIAL BRANCH

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**STATEWIDE GRIEVANCE COMMITTEE**

Michael P. Bowler, *Statewide Bar Counsel*

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East Hartford, CT 06118-1885  
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Judicial Branch Website: [www.jud.ct.gov](http://www.jud.ct.gov)

Attorney Mark Dubois  
Chief Disciplinary Counsel  
100 Washington Street  
Hartford, CT 06106

Attorney David Preleski  
Vitrano, Preleski & Wynne, LLC  
135 West Street  
Bristol, CT 06010

RE: Grievance Complaint #07-0437, Sheeley v. Preleski

Dear Chief Disciplinary Counsel and Respondent:

Pursuant to Practice Book §2-82(b), the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, has reviewed the *Agreement as to Discipline* (hereinafter “*Agreement*”) filed October 9, 2007 and submitted for approval in the above referenced matter. After careful consideration of the *Agreement*, the *Affidavit and Admission as to Misconduct* (hereinafter “*Affidavit*”) of the Respondent submitted pursuant to Practice Book §2-82(d) and the entire record of the complaint, and after conducting a hearing pursuant to Practice Book §2-82(b) on November 8, 2007, the undersigned hereby APPROVE the *Agreement*, a copy of which is attached hereto together with the *Affidavit* of the Respondent. Accordingly, the disposition agreed to by the Chief Disciplinary Counsel and the Respondent in the above referenced matter and set forth in the *Agreement* is hereby made an order of this reviewing committee. The Respondent is hereby ordered to attend in-person and at his own expense a continuing legal education (“CLE”) course in legal ethics or professional responsibility. The CLE course is to consist of a minimum of five credit hours, and is to be taken within six months of the issuance of this decision. The Respondent is further ordered to provide the Statewide Grievance Committee with written confirmation of his compliance with this condition within thirty days of completion of the CLE course.

So ordered.

DECISION DATE: 1/11/08

cc: Attorney Mark Dean  
Richard Sheeley  
Attorney Beth C. Cvejanovich

(D)  
EMR

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Attorney Geoffrey Naab

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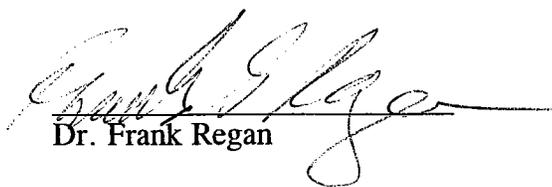
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Attorney Evelyn Gryk Frolich

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Dr. Frank Regan

**STATEWIDE GRIEVANCE COMMITTEE**

NO. 07-0437

RICHARD SHEELEY  
Complainant

Vs.

DAVID PRELESKI  
Respondent

AFFIDAVIT AND ADMISSION OF MISCONDUCT

STATE OF CONNECTICUT)

Ss: \_\_\_\_\_

COUNTY OF FAIRFIELD )

I am over the age of 18 and believe in the obligation of an oath. Pursuant to Practice Book §2-82, I make the follow affidavit:

1. This affidavit and the accompanying conditional admission are freely and voluntarily submitted; I am not being subjected to coercion or distress; and I am fully aware of the implications of this submission.
2. I am aware that I have a right to a full evidentiary hearing on the factual basis of the complaint that forms the basis of the findings of probable cause in this matter and I waive that right by offering this admission.
3. I do also understand that by submitting this agreement that I agree to both the truth of the facts in this affidavit and to the form of discipline proposed in the Conditional Agreement as to Discipline that is filed with this affidavit.
4. I am aware that in this proceeding there has been a finding that there is probable cause that I violated Rules 1.7(a) and (b), 1.8(a), 1.9(1), 3.3(a)(1), 4.1(1), 8.1(1) and 8.4(3) of the Rules of Professional Conduct.
5. I agree that there is a substantial likelihood that a trier of fact would find that I violated Rules 1.7(a) and (b), 1.8(a), and 1.9(1) and that if I were to take the matter to a full evidentiary hearing, that I may receive a greater penalty than that which may be imposed if I tender this affidavit and the accompanying conditional agreement.
6. I admit that during and in the context of my representation of both Lori Tabacco and her husband Robert J. Tabacco I entered into business arrangements with them without the proper Rule 1.8(a) letters, and that after the Tabaccos became estranged, I assisted Robert Tabacco to

remove Lori from her position as secretary of a company in which they both had an interest and engaged in other conduct that appeared to favor the interests of Robert over Lori.

7. I further admit that this conduct violated Rules 1.7(a) and (b), 1.8(a), and 1.9(1) of the Rules of Professional Conduct and am willing to attend a course or courses in legal ethics or professional responsibility of at least five (5) credit hours for this conduct. I will complete this within six months of the date this agreement is approved by a reviewing committee of the Statewide Grievance Committee.



David Preleski

Subscribed and sworn to before me

this 21<sup>st</sup> day of ~~September~~<sup>October</sup>, 2007.



Mark Dean  
Commissioner of Superior Court

## STATEWIDE GRIEVANCE COMMITTEE

NO. 07-0437

RICHARD SHEELEY  
Complainant

Vs.

DAVID PRELESKI  
Respondent

### AGREEMENT AS TO DISCIPLINE

Pursuant to Practice Book § 2-82, the undersigned Respondent and Disciplinary Counsel stipulate and agree as follows:

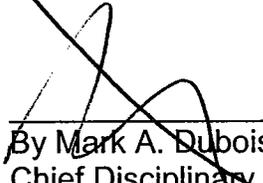
1. This matter was instituted by grievance complaint filed by the Complainant Richard Sheeley on May 4, 2007.
2. On August 29, 2007 the Grievance Panel for the New Britain J.D. and the J.D. of Hartford (G.A. 12 and the Towns of Avon, Bloomfield, Canton, Farmington and West Hartford) found probable cause that the Respondent had violated Rules 1.7(a) and (b), 1.8(a), 1.9(1), 3.3(a)(1), 4.1(1), 8.1(1) and 8.4(3) of the Rules of Professional Conduct with regards to his conduct in entering into business relationships with his clients Lori Tabacco and her former husband without the proper documentation and conduct which appeared to favor one of his former clients over another after they had become estranged.
3. The Respondent has tendered an affidavit in accordance with Practice Book 2-82, admitting certain of the facts of the complaint and his violation of certain rules.
4. Respondent has been admitted to practice since 1989. He has no disciplinary history.
5. Respondent and Disciplinary Counsel have agreed that the Respondent will attend a course or courses in legal ethics or professional responsibility of at least five (5) credit hours within six months of the approval of this agreement by a reviewing Committee of the Statewide Grievance Committee.
6. A copy of the Conditional Agreement and Affidavit has been sent to the Complainant.
7. Complainant has the right to comment upon the form of discipline in accordance with Practice Book Section 2-82 (d).

WHEREFORE, this matter is submitted to the Grievance Committee for its approval in accordance with Practice Book § 2-82 (a).

Office of Disciplinary Counsel

Date

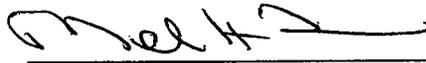
10/14/07

  
By Mark A. Dubois  
Chief Disciplinary Counsel

Respondent

Date

10/21/07



By Mark Dean, his attorney

Respondent David Preleski

Date

10/21/07



David Preleski