



STATE OF CONNECTICUT
JUDICIAL BRANCH

STATEWIDE GRIEVANCE COMMITTEE

Michael P. Bowler, *Statewide Bar Counsel*

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

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

RE: Grievance Complaint #07-0415, Tabacco 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 reprimanded.

So ordered.

DECISION DATE: 1/11/08

cc: Attorney Mark Dean
Lori Tabacco
Attorney Beth C. Cvejanovich

(D)
EMR

Grievance Complaint #07-0415

Decision

Page 2



Attorney Geoffrey Naab

Grievance Complaint #07-0415

Decision

Page 3


Attorney Evelyn Gryk Frolich

Grievance Complaint #07-0415

Decision

Page 4



Dr. Frank Regan

STATEWIDE GRIEVANCE COMMITTEE

NO. 07-0415

LORI TABACCO
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.

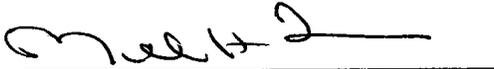
7. I further admit that this conduct violated Rules 1.7(a) and (b), 1.8(a), 1.9(1) of the Rules of Professional Conduct and am willing to be reprimanded for this conduct.



David Preleski

Subscribed and sworn to before me

this 20 day of ~~September~~ ^{October}, 2007.



Mark Dean
Commissioner of Superior Court

STATEWIDE GRIEVANCE COMMITTEE

NO. 07-0415

LORI TABACCO
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 Lori Tabacco on April 25, 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 the complainant 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 be reprimanded for his conduct.
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).

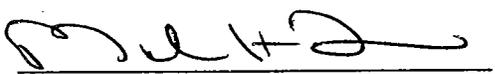
Office of Disciplinary Counsel

10/2/07
Date


By Mark A. Dubois
Chief Disciplinary Counsel

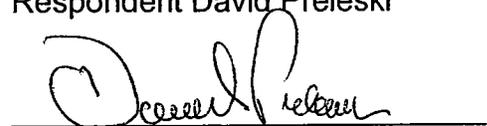
Respondent

10/2/07
Date


By Mark Dean,
His Attorney

Respondent David Preleski

10/2/07
Date


David Preleski