

**BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 196 DB 2016
Petitioner	:	
	:	File No. C2-16-169
v.	:	
	:	Attorney Registration No. 31545
MANRICO TRONCELLITI, JR.	:	
Respondent	:	(Montgomery County)

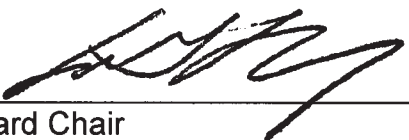
O R D E R

AND NOW, this 12<sup>th</sup> day of December, 2016, in accordance with Rule 208(a)(5), Pa.R.D.E., the determination by a Review Panel of the Disciplinary Board of the above captioned matter is accepted; and it is

ORDERED that the said MANRICO TRONCELLITI, JR. of Montgomery County be subjected to a **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(b) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement.

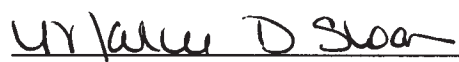
Costs shall be paid by the Respondent.

BY THE BOARD:

  
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Board Chair

TRUE COPY FROM RECORD

Attest:

  
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Marcee D. Sloan, Asst. Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

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OFFICE OF DISCIPLINARY COUNSEL	:	No. 196 DB 2016
Petitioner	:	
	:	File No. C2-16-169
v.	:	
	:	Attorney Registration No. 31545
MANRICO A. TRONCELLITI, JR.	:	
Respondent	:	(Montgomery County)

**PUBLIC REPRIMAND**

Manrico A. Troncelliti, Jr., you stand before the Disciplinary Board, your professional peers and members of the public for the imposition of a Public Reprimand. It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of this Commonwealth. Yet as repugnant as this task may be, it has been deemed necessary that you receive this public discipline.

Mr. Troncelliti, you are being reprimanded for your misconduct in regard to your representation of the Phillip Kreager Estate. Your misconduct involved neglect, failure to communicate, unilaterally taking unearned fees and your failure to properly maintain and account for fiduciary funds.

Mr. Kreager died on May 19, 2014 and you were appointed Executor of the will. You did not inform the beneficiaries of your fee rate until months after the representation commenced. Although you took some initial steps in the matter, you failed to take action to have brokerage accounts liquidated or transferred to the beneficiaries, file the inheritance tax returns and complete the estate work. The beneficiaries and their lawyer requested information from you, but you failed to respond, and failed to provide information as to when you would complete the estate matters.

In July of 2015, the taxes were approved and you received reimbursement for overpayment in the amount of \$6,958.35. You failed to notify the beneficiaries of the reimbursement and failed to deposit it into the fiduciary account, or any account whatsoever. When the beneficiaries' attorney wrote to you in November 2015 to inform you that he knew you had been issued a refund for the taxes, you sent an email the next day in which you acknowledged receipt of the funds and made various claims that you would refund the taxes proportionately to each of the beneficiaries, but you failed to take steps to do so.

After your receipt of a DB-7 Letter from Office of Disciplinary Counsel, on March 23, 2016, you sent to the beneficiaries' attorney a check in the amount of \$13,406.28, representing the proceeds of the estate account, including the tax refund. In April 2016, you refunded \$11,000 you had previously charged the estate.

Your conduct in this matter has violated the following Rules of Professional Conduct:

1. RPC 1.1 – A lawyer shall provide competent representation to a client;
2. RPC 1.3 – A lawyer shall act with reasonable diligence and promptness in representing a client;
3. RPC 1.4(a)(3) – A lawyer shall keep the client reasonably informed about the status of the matter;
4. RPC 1.4(a)(4) – A lawyer shall promptly comply with reasonable requests for information;

5. RPC 1.5(b) – When the lawyer has not regularly represented the client, the basis or rate of the fee shall be communicated to the client, in writing, before or within a reasonable time after commencing the representation;
6. RPC 1.15(d) – Upon receiving Rule 1.15 Funds or property which are not Fiduciary Funds or property, a lawyer shall promptly notify the client or third person, consistent with the requirements of applicable law;
7. RPC 1.15(e) – Except as stated in this Rule or otherwise permitted by law or by agreement with the client or third person, a lawyer shall promptly deliver to the client or third person any property, including but not limited to Rule 1.15 Funds, that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding the property; Provided, however, that the delivery, accounting and disclosure of Fiduciary Funds or property shall continue to be governed by the law, procedure and rules governing the requirements of Fiduciary administration, confidentiality, notice and accounting applicable to the Fiduciary entrustment;
8. RPC 8.4(c) - It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

We note that you have a record of prior discipline consisting of a Private Reprimand administered in 2011 and an Informal Admonition administered in 2015. The misconduct therein is similar in nature to the instant misconduct

Mr. Troncelliti, your conduct in this matter is now fully public. This Public Reprimand is a matter of public record.

As you stand before the Board today, we remind you that you have a continuing obligation to abide by the Rules of Professional Conduct and Rules of Disciplinary Enforcement. This Public Reprimand is proof that Pennsylvania lawyers will not be permitted to engage in conduct that falls below professional standards. Be mindful that any future dereliction will subject you to disciplinary action.

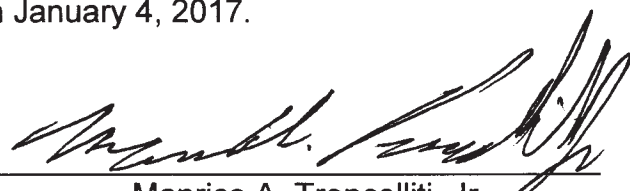
This Public Reprimand shall be posted on the Disciplinary Board's website at [www.padisciplinaryboard.org](http://www.padisciplinaryboard.org).

  
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Designated Member  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania, at Philadelphia, Pennsylvania, on January 4, 2017.

**ACKNOWLEDGMENT**

The undersigned, Respondent in the above proceeding, herewith acknowledges that the above Public Reprimand was administered in his presence and in the presence of the designated panel of The Disciplinary Board at 1601 Market Street, Suite 3320, Philadelphia, Pennsylvania, on January 4, 2017.

  
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Manrico A. Troncelliti, Jr.