

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

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 126 DB 2020
Petitioner	:	
	:	File No. C2-20-107
v.	:	
	:	Attorney Registration No. 69270
JAMES J. VASSALLO JR.	:	
Respondent	:	(Delaware County)

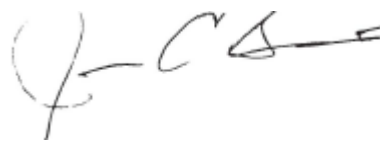
ORDER

AND NOW, this 14th day of September, 2020, 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 JAMES J. VASSALLO JR. of Delaware County be subjected to a **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(a)(5) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement.

Costs shall be paid by the Respondent.

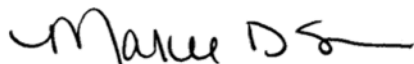
BY THE BOARD:



Board Chair

TRUE COPY FROM RECORD

Attest:



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

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PUBLIC REPRIMAND

By Order dated September 14, 2020, the Disciplinary Board directed that James J. Vassallo, Jr. receive a public reprimand.

Respondent's misconduct occurred in his capacity as a title agent and Notary Public for Leader Settlement Services, LLC.

On April 26, 2017, Attorney Patricia Dugan represented Diane Peterman when the Estate of Edward J. Dugan conveyed title of Property situated in Philadelphia to Ms. Peterman. Therein, Eileen Spross, Executrix for the Estate, appeared at the office of Thomas Kenny, Esquire, who represented the Estate. Ms. Spross executed the deed in the presence of Jacob Reeder, a paralegal in Mr. Kenny's office, and Notary Public Joann Puttman. Respondent and Leader Settlement Services did not handle this closing.

Subsequently, Diane Peterman sold the property to Pretzel Money LLC. With respect to the October 6, 2017 real estate closing between the Seller and Buyer, Respondent was hired by the Buyer's principal, Timothy Burke, to handle the real estate closing at Attorney Dugan's law office. Respondent attended the closing together with Mr. Burke, Ms. Dugan, and Ms. Peterman and he witnessed and notarized Ms.

Peterman's signature to the deed (the Indenture) transferring the Property to Pretzel Money LLC. Respondent was responsible for promptly transmitting the Indenture and the Philadelphia Real Estate Transfer Tax Certification to the Recorder of Deeds together with the recording fee. Respondent was also responsible for recording the April 26, 2017 deed at the same time that the October 6, 2017 deed was to be recorded.

In fact, Respondent failed to record the Indentures at that time. Attorney Dugan discovered this fact in February 2018, approximately four months later, and contacted Respondent, but he did not respond to her inquiries. Respondent finally submitted the Pretzel Money LLC Indenture for recording on June 4, 2017, eight months after the October 6, 2017 real estate closing.

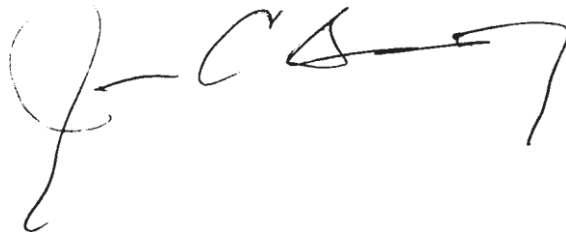
Unfortunately, Respondent did not submit the Indenture from the Estate to Ms. Peterman that he had been given on October 6, 2017 and was responsible for recording. Instead, on June 4, 2018, Respondent submitted a deed purportedly executed by Ms. Spross, who Respondent claimed personally appeared before him for notarization of her signature. The false deed included a handwritten signature purporting to be that of "Patricia Dugan" and another signature, that of the witness, "Jacob Reeder." In fact, these individuals confirmed that they did not sign the false deed, and Attorney Kenny confirmed that he did not know Respondent and had no reason to use him as a Notary Public since he already had a Notary Public who notarized the Indenture. It appears that Respondent created the false deed to avoid having to admit to the parties that he lost the original.

By his conduct, Respondent violated the following Rules of Professional Conduct (“RPC”):

1. RPC 8.4(b) – It is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer in other respects;
2. RPC 8.4(c) – It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation; and
3. RPC 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

Respondent has a history of discipline for engaging in the unauthorized practice of law which resulted in a suspension for six months, by Order of the Supreme Court dated August 17, 2018.

Respondent’s conduct in this matter is public. This Public Reprimand is a matter of public record and shall be posted on the Disciplinary Board’s website at www.padisciplinaryboard.org



Board Chair