

State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: December 12, 2019

PM-227-19

In the Matter of ATTORNEYS IN
VIOLATION OF JUDICIARY LAW
§ 468-a.

DECISION AND ORDER
ON MOTION

MICAELA PRENDERGAST BENNETT,
Respondent.

(Attorney Registration No. 4436259)

Calendar Date: November 12, 2019

Monica A. Duffy, Attorney Grievance Committee for the
Third Judicial Department, Albany, for Attorney Grievance
Committee for the Third Judicial Department.

Fein, Such, Kahn & Shephard, P.C., Westbury (Andrew M.
Grenell of counsel), for respondent.

Motion by respondent for an order reinstating her to the
practice of law following her suspension by May 2019 order of
this Court (Matter of Attorneys in Violation of Judiciary Law §
468-a, 172 AD3d 1706, 1711 [2019]; see Rules for Attorney
Disciplinary Matters [22 NYCRR] § 1240.16; Rules of App Div, 3d
Dept [22 NYCRR] § 806.16).

Upon reading respondent's notice of motion and affidavit
with exhibits sworn to October 8, 2019, and upon reading the
November 4, 2019 responsive correspondence from the Attorney
Grievance Committee for the Third Judicial Department, and
having determined, by clear and convincing evidence, that (1)
respondent has complied with the order of suspension and the
Rules of this Court, (2) respondent has the requisite character

and fitness to practice law, and (3) it would be in the public interest to reinstate respondent to the practice of law (see Matter of Attorneys in Violation of Judiciary Law § 468-a [Zerdan], 173 AD3d 1602, 1603 [2019]; Matter of Attorneys in Violation of Judiciary Law § 468-a [Serbinowski], 164 AD3d 1049, 1051 [2018]), it is

ORDERED that respondent's motion for reinstatement is granted; and it is further

ORDERED that respondent is reinstated as an attorney and counselor-at-law, effectively immediately.

Egan Jr., J.P., Mulvey, Devine, Aarons and Colangelo, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger
Clerk of the Court