

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

Decided and Entered: December 12, 2024

PM-248-24

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

ATTORNEY GRIEVANCE  
COMMITTEE FOR THE  
THIRD JUDICIAL  
DEPARTMENT,

DECISION AND ORDER  
ON MOTION

Petitioner;

DAVID JAMES EKELUND JR.,  
Respondent.

(Attorney Registration No. 4718920)

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Calendar Date: November 25, 2024

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*Monica A. Duffy, Attorney Grievance Committee for the Third Judicial Department, Albany (Alison M. Coan of counsel), for Attorney Grievance Committee for the Third Judicial Department.*

*Whittingham Law, New York City (Kaylin L. Whittingham of counsel), for respondent.*

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Motion by respondent for an order reinstating him to the practice of law following his suspension by October 2021 order of this Court (*Matter of Attorneys in Violation of Judiciary Law § 468-a*, 198 AD3d 1068, 1074 [3d Dept 2021]; see Rules for Atty 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 22, 2024 and the November 18, 2024 responsive correspondence from the Attorney Grievance Committee for the Third Judicial Department, and having determined, by clear and convincing evidence, that (1) respondent has satisfied the requirements of Rules of the Appellate Division, Third Department (22 NYCRR) § 806.16 (c) (5); (2) respondent has complied with the order of suspension and the rules of this Court, (3) respondent has the requisite character and fitness to practice law, and (4) it would be in the public interest to reinstate respondent to the practice of law (*see* Rules for Atty Disciplinary Matters [22 NYCRR] § 1240.16 [a]), 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, effective immediately.

Garry, P.J., Egan Jr., Reynolds Fitzgerald, McShan and Powers, 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