

Eugene Alpern
P.O. Box 672
Morton Grove, IL 60053-0672

December 6, 2005

Mrs. Mary Robinson
Attorney Registration & Disciplinary Commission
One Prudential Plaza
130 E. Randolph Drive, Suite 1500
Chicago, IL 60601-6219

Dear Ms. Robinson

Re: Marshall J. Auerbach
Conversion of client funds
Commingling of funds
Failure to place client funds in client trust account
Defrauding the Lawyers Trust Fund of Illinois of Interest due them
Violation of multiple Rules of Professional Conduct

In 1991 I employed Marshall J. Auerbach to represent me in case no. 91-D-5122.

Within one week, I terminated his representation of me for cause, in that he violated client-attorney confidentiality, in violation of Rule 1.6.

At no time did Marshall J. Auerbach substantiate any alleged attorney fees, as required by law. He has not claimed that any alleged attorney fees were necessary, were reasonable, were for the benefit of the client, nor were for any of the many other mandatory requirements placed upon attorneys in their charging clients for alleged attorney fees. The attorney fees charged by attorney Marshall J. Auerbach were not only excessive, but were exorbitant.

I suggest that Marshall J. Auerbach is, and has been, in violation of multiple Rules of Professional Conduct, including but not limited to, Rules 1.5 and 1.15.

Further, I suggest that Marshall J. Auerbach did not place the monies paid to him for legal services in a client-trust account, and that the monies paid to Marshall J. Auerbach were never placed in, nor are still not in, his client-trust account. I suggest that Marshall J. Auerbach cannot now claim that the monies were only for a short term, and now, after a period of fourteen years, claim it was for a short term.

I further charge attorney Marshall J. Auerbach with commingling my funds, which should be in a client-trust account, with his personal funds.

Further, by not placing my monies in a client escrow account, attorney Marshall J. Auerbach defrauded the Lawyers Trust Fund of Illinois, established by the Illinois Supreme Court, to which the interest on such funds are to be paid.

I further request that Marshall J. Auerbach be ordered to fully account for the monies paid to him for attorney fees and that he be ordered to comply with the Public Policy of the State of Illinois in proceeding with court established procedures for the establishment of the fees that are, or were, allegedly due to him, and ordering Marshall J. Auerbach to refund immediately to me any fees

Eugene Alpern
P.O. Box 672
Morton Grove, IL 60053-0672

December 6, 2005
Page 2

that are not court established due to him, along with interest from the date of paying said alleged attorney fees to Marshall J. Auerbach to the date of my receipt of his payment of my monies due me.

I request that a copy of Marshall J. Auerbach's response be mailed to me, for my review and for my reply.

Thank you for your prompt attention to this matter.

Yours truly,

Eugene Alpern