

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF DUTCHESS COUNTY**

**IN THE MATTER OF THE APPLICATION OF  
THOMAS A. REED PURSUANT TO 22  
NYCRR PART 1200, RULE 1.15, FOR  
THE RELEASE OF ESCROW FUNDS  
FROM AN IOLA ACCOUNT**

**PETITION**

**INDEX NO.**


**ASSIGNED JUSTICE  
Hon. \_\_\_\_\_**

The petition of Thomas A. Reed of the Thomas A. Reed law firm, respectfully shows:

1. That at all times hereinafter mentioned Thomas A. Reed above named was and still is an attorney duly admitted to practice law before the Courts of New York State, a sole practitioner, with offices at 94 Market Street, Poughkeepsie, New York.
2. That since about February 2001, to accommodate the practice of law, I have maintained an IOLA account at M & T Bank, Poughkeepsie, New York, account No. 143000024, in which I have deposited any and all funds belonging to clients of my law practice.
3. That I am retiring from the practice of law effective September 30, 2012, and at this time I have a balance in said Trust Account in the sum of \$5,202.67, which sum I cannot determine which client or clients it may belong to.
4. That as more fully appears by the affirmation hereto annexed I have made extended efforts to determine who or what clients may have claim to that said sum and by this application seek an Order directing me to pay from that Trust Fund that balance to the Lawyer's Fund for Client Protection.
5. That no previous application has been made for leave to pay or disburse the IOLA balance of \$5,202.67.

**WHEREFORE**, your petitioner prays for an Order directing payment from the attorneys Trust Account in the sum of \$5,202.67 to the Lawyer's Fund for Client Protection.

Dated: August 15, 2012  
Poughkeepsie, New York

  
**THOMAS A. REED**

**THOMAS A. REED**  
Attorney for Petitioner  
94 Market Street  
Poughkeepsie, New York 12601  
Tel. (845) 454-7374



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**AFFIRMATION  
IN SUPPORT**

**INDEX NO.**

**THOMAS A. REED, Esq.**, an attorney duly admitted to practice before the Courts of New York State, hereby affirms the following under the penalties of perjury:

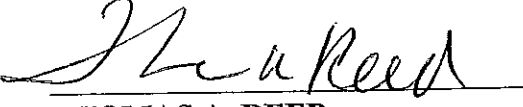
1. That I was duly admitted to the practice of law in New York State in November, 1966, having maintained an office on Market Street, Poughkeepsie, New York, since that date, from November, 1966, to December, 1998, as a partner in the law firm of Reed & Reed, at 75 Market Street, Poughkeepsie, New York, thereafter as a sole practitioner at 94 Market Street, Poughkeepsie, New York, to the present.
2. To accommodate the practice and abide by the Rules I have since January 1, 1998, maintained a Trust Account (IOLA Account No. 143000024) at M & T Bank, Jefferson Plaza, Poughkeepsie, New York, to the present.
3. That I am retiring from the practice of law effective September 30, 2012, and there is a balance in my said IOLA Account as of July 31, 2012, in the sum of \$5,202.67
4. That this application is for an Order to pay that latter sum to the Lawyer's Fund for Client Protection in that in spite of numerous and extensive efforts by your Petitioner and my bookkeeper to determine who or what clients or former clients that sum may belong to, I cannot determine same.
5. That commencing in December 2008 through February 2010 and again in April 2010, both my bookkeeper and I reviewed bank statements for my IOLA account dating back to 1982 and reviewed and examined hundreds if not thousands of files and my IOLA checkbook in an effort to determine who or what that sum belonged to, all without success; it could not be determined when examining deposit receipts and file entries who the rightful owner or owners would be.
6. That I annex hereto two (2) copies of M & T Bank statements the first of February 28, 2011, the second of July 31, 2012, both reflecting the balance of \$5,202.67; between those dates there was some minor activity, perhaps five transactions, whereby funds received during that period were paid out.
7. That at this point I can only guess how this situation came about without being able to identify why I have such a balance; for the past fifteen (15) years or so, in particular since I became a sole practitioner, I have represented a number of clients for whom I did collection work, including two (2) large fuel oil companies amongst others wherein numerous payments on accounts or judgments were received daily, mostly small checks, which I periodically remitted to the client(s); I verily believe that most or all of the sum of

\$5,202.67 may belong to such clients and most likely some portion thereof may be my collection fee which was never paid or taken.

8. I have never had any request or demand for any portion of that sum and I am not making any request for any portion thereof.
9. Based upon the foregoing it is respectfully submitted that pursuant to 22 NYCRR, Part 1200, Rule 1.15 that the Court order the release and payment of the balance of \$5,202.67 to the Lawyer's Fund for Client Protection.
10. I have contacted the Lawyer's Fund for Client Protection who informed me on August 8, 2012, that it was not necessary to notice them of this application.
11. No prior application for similar relief has been made.

**WHEREFORE**, it is respectfully requested that the instant application be granted in its entirety and for such other and further relief as this Court deems just and necessary.

Dated: Poughkeepsie, New York  
August 15, 2012.

  
**THOMAS A. REED**