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THE DISCIPLINARY BOARD  
OF THE  
SUPREME COURT OF PENNSYLVANIA



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November 27, 2023

**PERSONAL AND CONFIDENTIAL**

Arthur Herring, III  
258 N. West End BL #153  
Quakertown, PA 18951

Re: Complaint Against David Allan Jaskowiak, Esquire  
File Reference #C2-23-1083

Complaint Against Ronald W. Fenstermacher, Jr., Esquire  
File Reference #C2-23-1084

Dear Reverend Herring:

We reviewed the complaints you submitted regarding Attorneys David Allan Jaskowiak and Ronald W. Fenstermacher, Jr. After our review, we dismissed the complaints.

The matter about which you complain is a guardianship established for the person and estate of your mother. You assert in the complaints that the guardianship was unnecessary, and was established so that others could misuse your mother's assets. According to the complaint, Mr. Jaskowiak was appointed by the Court to represent your mother with regard to the guardianship, and Mr. Fenstermacher was appointed as guardian of your mother's estate in May of 2022. You allege that Mr. Jaskowiak and Mr. Fenstermacher conspired with the Court and others to misuse your mother's assets. You claim that, as part of their conspiracy, they deprived you of proper contact and visits with your mother. In addition, you allege that, as part of the conspiracy, the Court had you incarcerated for contempt of court.

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At the outset, it is important for you to know some limitations on this office's consideration of your disciplinary complaint. First, our jurisdiction and authority is limited to attempting to enforce the Rules of Professional Conduct, a set of minimum ethical standards with which all attorneys must abide. While the Rules are quite broad in their scope, they simply do not prohibit all conduct by an attorney which might be considered as unprofessional, inappropriate, or "unethical." Second, even though you have submitted complaints, this office does not represent you or your personal interests. We are not your attorney and cannot provide you with any personal legal advice. We cannot attempt to obtain any remedy or damages you might feel you are entitled to nor can we interfere with or intercede in any pending or future legal proceedings you might be involved in.

We reviewed all of the information which you provided. This includes the complaints, as well as all of the documents which you included with the complaints. In addition, we obtained and reviewed the docket of your mother's guardianship matter. Further, we obtained and reviewed the dockets of appeals filed by you or on your behalf concerning the guardianship.

Regarding your dissatisfaction with the establishment and handling of the guardianship for your mother, we note that such concerns with the court-appointed attorney and guardians for your mother are matters that are more appropriate for the civil courts to review and determine. It is not the role or function of this office to usurp the functions of the courts, making determinations of law or fact in underlying matters. Nor is this office an alternate forum in which to litigate a case, or appeal or contest any findings that may eventually be made by an agency or court.

Further, we understand your assertion that there is a criminal conspiracy between the court and the individuals appointed by it for your mother's guardianship, which alleged conspiracy also includes your sister. If you believe that you have evidence of such a criminal conspiracy, you should provide such evidence to criminal law enforcement authorities for review and determination.

You should consult with counsel of your choice with regard to how to proceed in court with respect to your concerns. In the event that, in doing so, you obtain a finding by a court that Mr. Jaskowiak or Mr. Fenstermacher engaged in some form of improper conduct in relation to your concerns, please contact us, referring to the finding or adjudication of the court. We will evaluate the matter in light of the finding of the court.

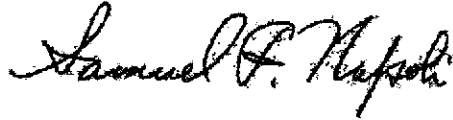
Similarly, if either Mr. Jaskowiak or Mr. Fenstermacher are convicted of a crime relating to the matters to which you refer, please contact this office. We will evaluate the matter at that time in light of the criminal conviction.

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We do not at this time have a basis to conduct further disciplinary inquiry, and have dismissed the complaints as set forth above.

With few exceptions, the attorney disciplinary system is confidential and remains so unless and until formal disciplinary charges are filed by the Office of Disciplinary Counsel against the respondent-attorney with the Disciplinary Board and the respondent-attorney has had the opportunity to answer those charges. The complaints remain confidential.

Very truly yours,

A handwritten signature in black ink, appearing to read "Samuel F. Napoli". The signature is written in a cursive style with a large initial 'S'.

Samuel F. Napoli  
Disciplinary Counsel

SFN/dg