

IN THE SUPREME COURT OF FLORIDA
(Before a Grievance Committee)

THE FLORIDA BAR,

Complainant,

The Florida Bar File
No. 2015-70,058(11K)

v.

ANETT LOPEZ,

Respondent.

**GRIEVANCE COMMITTEE FINDING OF NON-COMPLIANCE AND
FAILURE TO RESPOND TO OFFICIAL BAR INQUIRY AND
CONTEMPT**

On March 16, 2016, pursuant to Rule 3-7.11(f), Rules Regulating The Florida Bar, the Eleventh Judicial Circuit Grievance Committee "K" considered whether to issue a Finding of Non-Compliance and Failure to Respond to Official Bar Inquiry and Finding of Contempt and made the following findings:

1. On July 27, 2015, The Florida Bar served Respondent with a subpoena at Respondent's record Bar address requesting trust account records, including but not limited to bank statements, cancelled checks, deposit slips, client ledger cards, monthly bank account reconciliations, and executed closing statements and balance sheets for personal injury cases, and was requested to respond by August 11, 2015. A copy of the subpoena is attached hereto as "Exhibit A."

RECEIVED, 06/07/2016 09:58:38 AM, Clerk, Supreme Court

2. Respondent failed to provide all requested records to The Florida Bar as requested in the subpoena served on July 27, 2015.

3. On September 30, 2015, Respondent was sent a letter, by e-mail to Respondent's record Bar e-mail address, requesting the records once again and itemized those records specifically not produced pursuant to the served subpoena complaint in this case and was requested to respond in ten days to the letter. A copy of the letter is attached hereto as "Exhibit B."

4. On October 9, 2015, Respondent sent The Florida Bar a letter in response to its September 30, 2015 request but Respondent failed to include any of the requested records. Respondent requested an extension of two-weeks to produce the records but subsequently failed to produce anything.

5. On November 19, 2015, Respondent was sent another letter, by e-mail to Respondent's record Bar e-mail address, specifically advising of all records not yet produced and demanding the same. A copy of the letter is attached hereto as "Exhibit C."

6. Respondent failed to produce any of the requested records to The Florida Bar as requested in the letter of November 19, 2015.

7. Respondent was given notice that on January 27, 2016, the Eleventh Judicial Circuit Grievance Committee "K" would hold a hearing on the Request for Issuance of Notice of Non-Compliance and Finding of Contempt. A copy of the

Notice of Hearing and the Request for Issuance of Notice of Non-Compliance and Finding of Contempt are attached hereto as “Exhibit D.”

8. Respondent made no response to the Request for Issuance of Notice of Non-Compliance and Finding of Contempt.

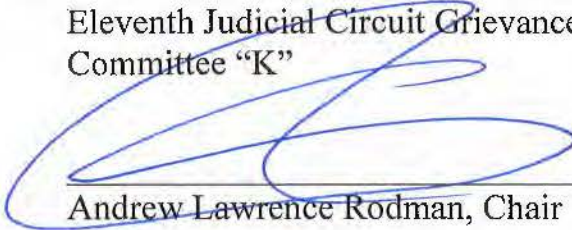
9. As of the date of this Request for Issuance of Notice of Non-Compliance and Finding of Contempt, Respondent has failed to fully respond to the official Bar inquiries dated July 27, 2015 (subpoena); September 30, 2015; and November 19, 2015.

10. The Grievance Committee found that Respondent failed to show good cause for failing to respond to the official Bar inquiries and that the non-compliance was willful.

11. The Grievance Committee found Respondent to be in contempt and requested The Florida Bar to file a Petition for Contempt and Order to Show Cause with the Supreme Court.

Dated this 21st day of April, 2016.

Eleventh Judicial Circuit Grievance
Committee "K"



Andrew Lawrence Rodman, Chair

CERTIFICATE OF SERVICE

I certify that the original hereof has been furnished by regular U.S. Mail to, Kevin P. Tynan, Richardson & Tynan P.L.C. 8142 North University Drive, Tamarac, Florida 33321 and via e-mail to ktynan@rtlawoffice.com; Dori Foster-Morales, Designated Reviewer, Foster Morales Sockel Stone PH II, 150 West Flagler Street, Suite 2950, Miami, Florida 33130 and via e-mail to dori@fostermorales.com, and to Adria Quintela, Staff Counsel, The Florida Bar via e-mail at aquintel@flabar.org, this ___ day of April, 2016.



Patrick Russell, Bar Counsel

IN THE SUPREME COURT OF FLORIDA
(Before a Grievance Committee)

In Re: Confidential Proceeding by The Florida Bar
Under the Rules of Discipline

SUBPOENA DUCES TECUM
The Florida Bar File No. 2015-70,058 (11K)

TO: Anett Lopez
6175 Northwest 153rd Street, Suite 400
Miami Lakes, Florida 33014

YOU ARE HEREBY COMMANDED to appear before Thomas Duarte, Branch Auditor, at The Florida Bar, Suite M-100, Rhymer Plaza, 444 Brickell Avenue, Miami, Florida 33131 on Tuesday, August 11, 2015 at 10:00 a.m. and have with you the following documents for the period December 1, 2013 to June 30, 2015:

1. The following information for my and all trust or other accounts under your control and in which client funds were deposited, including but not limited to Regions Bank accounts 0156672713 and 0167814719 and Wells Fargo Bank 2000041430718:
 - a. Monthly bank statements
 - b. Canceled checks (front and back)
 - c. Check stubs
 - d. Deposit slips
 - e. Incoming or outgoing wire transfer requests/notifications/confirmations
 - f. Details of any other debits or credits
 - g. Cashiers checks issued with supporting documentation
 - h. Receipt and disbursement journals
2. All client ledger cards with activity or a balance during this period.
3. Monthly bank account reconciliations.
4. Monthly reconciliation of trust bank account balances to individual client ledger balances.
5. Executed closing statements and balance sheets for all personal injury cases.

The date for production is August 11, 2015 at 10:00 a.m. The records can be delivered in lieu of appearance.

For failure to comply as herein required, you may be deemed to be in contempt of the Supreme Court of Florida.

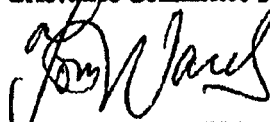
DATED this 24th day of July, 2015.

RETURN OF SERVICE

I CERTIFY that the foregoing subpoena was served this 27th day of JULY, 2015 by

EMAIL TO ANETT LOPEZ, Esq.
(method of service) alattynegatlaw@
yahoo.com
110d V. STAFF INVESTIGATION
Signature and Title of Person Making Service

THE FLORIDA BAR
Grievance Committee 11"K"


Thomas Ward, Chair

(IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH DISABILITIES NEEDING A SPECIAL ACCOMMODATION SHOULD CONTACT PATRICK BURELL AT THE FLORIDA BAR, 308/377-4448, NOT LATER THAN SEVEN (7) DAYS PRIOR TO THE PROCEEDING.)



The Florida Bar

Miami Branch Office
444 Brickell Avenue
Rivergate Plaza, Suite M-100
Miami, Florida 33131-2404

John F. Harkness, Jr.
Executive Director

(305) 377-4445
www.FLORIDABAR.org

September 30, 2015

VIA E-Mail only to alattorneyatlaw@yahoo.com

Ms. Anett Lopez
Lopez Legal Group, P.A.
6175 NW 153rd St., Ste. 400
Miami Lakes, FL 33014-2493

Re: Complaint of Mario Torres against Anett Lopez
The Florida Bar File No. 2015-70,058(11K)

Dear Ms. Lopez:

Pursuant to the Florida Bar's investigation of the above-referenced matter, please respond to the following requests by **Monday, October 12, 2015**.

We have completed a preliminary review of your responses to our subpoena served on July 27, 2015 for trust accounting records and have determined that they are deficient in the following areas:

1. **Lopez Legal Group P.A.-Wells Fargo Bank Account Number xxxxxx0685 and Regions Bank Account Number xxxxxx5962**
 - a. You have not provided any of the records requested in the July 27th subpoena for Regions Bank Account Number xxxxxx5962. Again, please provide the foregoing requested records.
 - b. Your subpoena response for Wells Fargo account xxxxxx0685 did not include: (1) General ledger; (2) Cash receipt and cash disbursement journals; (3) All client ledger

Exhibit B

cards with activity during the period; (4) Monthly bank account reconciliations; and (5) Monthly reconciliation of trust account bank balance to individual client ledger cards. Again, please provide the foregoing requested records.

- c. Please confirm in writing to me that you have provided settlement statements for all clients whose cases settled during the period from December 1, 2013 through June 30, 2015. For any settlement statements not provided, please provide those copies.

2. Anett Lopez Law Group P.A.-Regions Bank Account Number xxxxxx2713

- a. Your subpoena response for this account did not include: (1) Cash receipt and cash disbursement journals; (2) All client ledger cards with activity during the period; (3) Monthly bank account reconciliations; and (4) Monthly reconciliation of trust account bank balance to individual client ledger cards. Again, please provide the foregoing requested records.
- b. The earliest bank statement you provided was for the period April 1, 2014 through April 30, 2014. This statement reflects a Beginning Balance of \$1,808.17, which indicates that there was activity in this account before April 1st. The subpoena requested documents beginning on December 1, 2013, so it will be necessary for you to provide bank statements, deposits and cancelled checks back to this date. Again, please provide the foregoing requested records.
- c. The general ledger provided commences on March 31, 2014. It must be updated to reflect all activity from December 1, 2013. Again, please provide the foregoing requested records.

- d. The General Ledger you provided includes the following accounts: (1) 85447: balance of (\$294.77); (2) Exchange: balance of (\$91,490.47); and (3) Retained Earnings: balance of \$959.78. Please provide a detailed explanation for these accounts and balances. Additionally, please provide copies of all documents that support your response.
- e. Your response does not include closing statements for all clients. Again, please provide the foregoing requested records.

3. Lopez PIP Law Group, P.A.-Regions Bank Account xxxxxx4719

- a. Your subpoena response for this account did not include: (1) Cash receipt and cash disbursement journals; (2) All client ledger cards with activity during the period; (3) Monthly bank account reconciliations; and (4) Monthly reconciliation of trust account bank balance to individual client ledger cards. Again, please provide the foregoing requested records.
- b. Your response does not include closing statements for all clients. Again, please provide the foregoing requested records.
- c. The General Ledger you provided includes the following accounts: (1) Exchange2: balance of (\$473,627.66); and (2) Retained Earnings: balance of \$77,315.84. Provide a detailed explanation for these accounts and balances. Additionally, please provide copies of all documents that support your response.

4. Lopez Flagler Law Group P.A.-Regions Bank Account Number xxxxxx2020

- a. You have not provided any trust account documents for this account or entity. Again, please provide the foregoing requested records.

- b. You must provide all of the documents requested in the July 27th subpoena for this entity and all of its trust accounts, in full compliance with the provisions of Rule 5-1.2 for the period from December 1, 2013 through June 30, 2015.

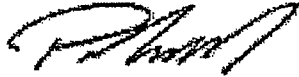
5. Unidentified General Ledger

- a. Your subpoena response included an unidentified General Ledger (a copy of the first page of this ledger is attached). The name of the entity was covered with "white-out". A close review of the title that was covered up indicates that this ledger may be for Donald R. Kerner, Jr., P.A. If this ledger is for Donald R. Kerner, P.A., why was it included in your subpoena response and why was the title covered up? If this ledger is not for Donald R. Kerner, P.A. what entity is it for?
6. Provide us with the name of the bank and account numbers for the operating accounts for the following entities:
- a. Lopez Legal Group P.A.
 - b. Anett Lopez Law Group P.A.
 - c. Lopez PIP Law Group P.A.
 - d. Lopez Flagler Law Group P.A.
 - e. Any other legal services entity you were involved with during the period from December 1, 2013 through June 30, 2015
 - f. With respect to the above entities, please advise why it is necessary to have all of these entities operating concurrently and the specific purpose for each.

Ms. Anett Lopez
Page 5
September 30, 2015

Thank you for your prompt attention to the foregoing.

Sincerely,



Patrick Russell
Bar Counsel

PR/am





The Florida Bar

Miami Branch Office
444 Brickell Avenue
Rivergate Plaza, Suite M-100
Miami, Florida 33131-2404

John F. Harkness, Jr.
Executive Director

(305) 377-4445
www.FLORIDABAR.org

November 19, 2015

Via e-mail only to: ktynan@rtlawoffice.com

Kevin P. Tynan
Richardson & Tynan P.L.C.
8142 North University Drive
Tamarac, Florida 33321

Re: *Complaint of Mario Torres against Anett Lopez*
The Florida Bar File No. 2015-70,058 (11K)

Dear Mr. Tynan:

This correspondence follows our conversation of November 17, 2015 concerning the outstanding and past due items required from your client, Anett Lopez, in this matter.

Your client failed to provide all requested records in this matter pursuant to a subpoena served on July 27, 2015 (attached) and the correspondence dated September 30, 2015 (attached). While your client sent a response on October 9, 2015 (attached), she failed to provide all requested information. In fact, the response indicates that certain missing records would be provided within two-weeks and that never happened. Specific to my letter dated September 30, 2015, the following have not been provided:

1. Request 1a through 1b.
2. Request 2a through 2e.
3. Request 3a through 3c.
4. Request 4a through 4b.
5. Request 5.
6. Request 6a through 6e.

Exhibit C

Page 2
November 19, 2015
The Florida Bar File No. 2015-70,058 (11K)

As it stands, we are unable to complete our investigation involving these serious allegations against your client as not all the records have been provided to us. If these items are not received, we have no choice but to proceed under a posture of non-compliance.

Thank you for your prompt attention to the foregoing.

Sincerely,



Patrick Russell
Bar Counsel



PR/gam

Enclosures

cc: Dr. Mario Torres, Complainant (via e-mail only)

IN THE SUPREME COURT OF FLORIDA
(Before a Grievance Committee)

In Re: Confidential Proceeding by The Florida Bar
Under the Rules of Discipline

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The date for production is August 11, 2015 at 10:00 a.m. The records can be delivered in lieu of appearance.

For failure to comply as herein required, you may be deemed to be in contempt of the Supreme Court of Florida.

DATED this 27th day of July, 2015.

THE FLORIDA BAR

Grievance Committee 11th Kth

RETURN OF SERVICE
I CERTIFY that the foregoing
subpoena was served this 27th
day of JULY, 2015 by

EMILIO ANETT LOPEZ, Esq.
(includ of service) 0104747494@flbar.org
904.500.2014

Thomas Ward, Chair

Boyd L. STEFFERTSON
Signature and Title of Person Making Service



The Florida Bar

Miami Branch Office
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September 30, 2015

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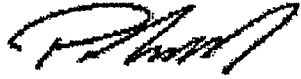
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 - f. With respect to the above entities, please advise why it is necessary to have all of these entities operating concurrently and the specific purpose for each.

Ms. Anett Lopez
Page 5
September 30, 2015

Thank you for your prompt attention to the foregoing.

Sincerely,



Patrick Russell
Bar Counsel



PR/am

2:34 PM

08/17/15

Accrual Basis

General Ledger As of August 17, 2015

Type	Date	Num	Name	Memo	Split	Amount	Balance
Client Trust Account							249,119.42
Check	1/2/2014	1929	IBO LUIS ZALDIVAR	FUNDS TO CL	Accounts Rec...	-7,620.50	241,498.92
Payment	1/2/2014		MS/FABIO ORE, VI...	SETTLED F...	Accounts Rec...	10,000.00	251,498.92
Deposit	1/2/2014			Deposit	-SPLIT-	5,937.15	257,436.07
Payment	1/6/2014		HOPE/ROBERTO ...	SETTLED F...	Accounts Rec...	8,794.82	266,230.89
Payment	1/6/2014		CAROL PINEDA	SETTLED F...	Accounts Rec...	6,666.67	272,897.56
Deposit	1/7/2014			Deposit	-SPLIT-	5,783.74	278,681.30
Check	1/8/2014	1934	YAMELA PEREZ	FUNDS TO CL	Accounts Rec...	-2,951.50	275,729.80
Check	1/8/2014	1931	MS/FABIO ORE, VI...	FUNDS TO CL	Accounts Rec...	-9,500.00	266,229.80
Check	1/8/2014	1932	CLAUDIA PINEDA	FUNDS TO CL	Accounts Rec...	-4,396.67	261,833.13
Check	1/8/2014	1933	CAROL PINEDA	FUNDS TO CL	Accounts Rec...	-4,396.67	257,436.46
Payment	1/9/2014		YH/MIGUEL SUAR...	SETTLED F...	Accounts Rec...	2,254.63	259,691.09
Payment	1/13/2014		SANTIAGO ARGOTE	SETTLED F...	Accounts Rec...	10,000.00	269,691.09
Payment	1/13/2014		DOUGLAS HIDALGO	SETTLED F...	Accounts Rec...	14,150.00	283,841.09
Payment	1/13/2014		KENIA GUTIERREZ	SETTLED F...	Accounts Rec...	13,500.00	297,341.09
Payment	1/14/2014		ML/HLDA RODRIG...	SETTLED F...	Accounts Rec...	800.00	298,141.09
Check	1/14/2014	1935	HOPE/ROBERTO ...	FUNDS TO CL	Accounts Rec...	-6,000.00	292,141.09
Payment	1/14/2014		HOPE/YUDISLEID...	SETTLED F...	Accounts Rec...	6,818.84	298,959.93
Check	1/14/2014	1936	C&I MEDICAL	OSNAY TOR...	Operating	-357.58	298,602.35
Payment	1/16/2014		CHIRO/ANGEL TO...	SETTLED F...	Accounts Rec...	3,770.37	302,372.72
Payment	1/16/2014		CNI/ELIZABETH U...	SETTLED F...	Accounts Rec...	8,748.30	311,119.02
Deposit	1/18/2014			Deposit	-SPLIT-	11,013.73	322,132.75
Payment	1/21/2014		ALEIDA MATAMOR...	SETTLED F...	Accounts Rec...	3,500.00	325,632.75
Check	1/23/2014	1941	DOUGLAS HIDALGO	FUNDS TO CL	Accounts Rec...	-9,438.05	316,194.70
Check	1/23/2014	2024	KENIA GUTIERREZ	FUNDS TO CL	Accounts Rec...	-9,164.25	307,030.45
Check	1/24/2014	1944	ML/HLDA RODRIG...	FUNDS TO ...	Accounts Rec...	-800.00	306,230.45
Payment	1/24/2014		MARIA GALLEGO	SETTLED F...	Accounts Rec...	5,500.00	311,730.45
Payment	1/24/2014		WIFREDO DE JES...	SETTLED F...	Accounts Rec...	3,500.00	315,230.45
Payment	1/29/2014		MS/MIGUEL BART...	SETTLED F...	Accounts Rec...	34,000.00	349,230.45
Check	1/30/2014	1945	YAMIR HERNANDEZ	PIP SETTLE...	Operating	-6,677.37	342,553.08
Check	1/30/2014	1946	SOUTH FLORIDA ...		Operating	-662.14	341,890.94
Check	1/31/2014	1948	CYNTHIA BANGO	PROPERTY ...	Accounts Rec...	-1,728.67	340,162.27
Check	1/31/2014	1947	SANTIAGO ARGOTE	FUNDS TO CL	Accounts Rec...	-6,573.00	333,589.27
Check	1/31/2014				Opening Bala...	-27,728.22	305,861.05
General Journal	1/31/2014	39		Balance Adj...	Reconciliation ...	56,741.63	362,602.68
Check	2/1/2014	1949	MS/MIGUEL BART...	FUNDS TO CL	Accounts Rec...	-28,500.00	334,102.68
Deposit	2/2/2014			Deposit	-SPLIT-	5,626.44	339,729.12
Transfer	2/3/2014			MS/MIGUEL ...	Operating	-5,500.00	334,229.12
Check	2/3/2014	1951	MARIA GALLEGO	FUNDS TO CL	Accounts Rec...	-3,568.50	330,660.62
Transfer	2/4/2014			SF/ZUYIME ...	Operating	-500.00	330,160.62
Check	2/5/2014	1952	ALEIDA MATAMOR...	FUNDS TO CL	Accounts Rec...	-2,309.50	327,851.12
Check	2/5/2014	1953	WIFREDO DE JES...	FUNDS TO ...	Accounts Rec...	-2,309.50	325,541.62
Check	2/5/2014	1958	CNI/ELIZABETH U...	FUNDS TO CL	Accounts Rec...	-6,000.00	319,541.62
Payment	2/5/2014		WILFREDO DE JE...		Accounts Rec...	3,500.00	323,041.62
Check	2/5/2014	1953	WILFREDO DE JE...		Accounts Rec...	-2,309.50	320,732.12
Check	2/5/2014	1954	SOUTH FLORIDA ...	JUANA CAN...	Operating	-448.11	320,284.01
Check	2/5/2014	1957	YH IMAGING		Operating	-1,820.04	318,463.97
Check	2/5/2014	1959	AMERICAN THERA...		Operating	-812.63	317,651.34
Check	2/5/2014	1960	INTENSIVE THER...		Operating	-223.32	317,428.02

LOPEZ LEGAL GROUP, P.A.
6175 NW 153 Street, Suite 400
Miami Lakes, FL 33014
Tel: 305-441-0240| Fax: 305-441-0280

October 9, 2015

To: Patrick Russell
Bar Counsel
The Florida Bar
444 Brickell Ave, Rivergate Plaza , Suite # M-100
Miami, Florida 33131-2404

RE: Complaint by Dr. Mario Torres against Anett Lopez
The Florida Bar File No. 2015- 70,058 (11k)

Dear Mr. Russell:

Please find a response to your letter dated September 30, 2015:

In reference to providing the General Ledgers, Cash receipt and disbursement journals, client ledger cards for all of the accounts, please be advised that I have some deposited checks missing. I wrote to the bank and the bank said that they have to send the request to corporate and will be sending me copies next week. I will be able to provide you with a more specific accounting once I receive those checks. I was told that Quickbooks would perform all of those reports for you. However, I am not an expert on Quickbooks and I have hired a bookkeeper/accountant to generate the reports for your and help me link each deposit to each file so that the general ledgers could have the correct client. I am asking for a three week extension in which to provide everything. My new bookkeeper can add the missing deposits and generate the reports you wish after that.

All of the closing statements for all of the settlements for personal injury cases were included in the previously provided information.

As to Anett Lopez Law Group, I started using Quickbooks in April of 2014. I was ordered by LOMAS to do all accounting in Quickbooks. This is why Quickbook only reflects that account starting in April of 2014.

Again, I m unable to properly print reports from Quickbooks as I dont have that knowledge. I printed what I had in the computer. Also, in some cases I did not link the deposits to the necessary account. I have hired a bookkeeping/accountant to performe this duty for me and provide you adequate reports.

I currently requested all checks and deposits for Lopez Flagler Law Group so I can provide you with all of the accounting for this account.

The reason for having so many trust accounts is that they each belong to an actual office I had at the time and I open a different account number so I can keep separate each account from each office.

For the reasons cited above, please provide me with a two week extension in which to provide you with the printed statements. Now that I have a professional bookkeeper/accountant I am sure she can print any report you want.

LOPEZ LEGAL GROUP, P.A.
6175 NW 153 Street, Suite 400
Miami Lakes, FL 33014
Tel: 305-441-0240 | Fax: 305-441-0280

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Anett Lopez

Received Wed 01/27/2016 1:23PM
From Mulligan, Grace<GMulligan@floridabar.org>
Subject Complaint of The Florida Bar against Anett Lopez - The Florida Bar File No. 2016-70,411 (11K-OSC)
To Tynan, Kevin P
cc Russell, Patrick; Thomas Ward; Foster-Morales, Dori
bcc

Good afternoon Mr. Tynan:

Attached please find a letter from Mr. Russell with today's date (without enclosures) regarding the above-referenced case. Please be advised that a copy of this letter and the index of materials are being sent to you via regular mail and certified mail. Should you wish to present a written statement to the Grievance Committee, please make sure to provide it on or before **February 11, 2016**.

Thank you.

Sincerely,

Grace A. Mulligan
Assistant to Patrick Russell
The Florida Bar-Miami Branch
444 Brickell Avenue, Suite M-100
Miami, Florida 33131
Telephone: (305) 377-4445

 email. Print this message only if it is necessary. Nature will thank you! 

 - Letter to Tynan regarding Lopez (OSC).pdf

Exhibit D



The Florida Bar

Miami Branch Office
444 Brickell Avenue
Rivergate Plaza, Suite M-100
Miami, Florida 33131-2404

John F. Harkness, Jr.
Executive Director

(305) 377-4445
www.FLORIDABAR.org

January 27, 2016

Via e-mail to: ktynan@rtlawoffice.com

Kevin P. Tynan, Esq.
Richardson & Tynan P.L.C.
8142 North University Drive
Tamarac, Florida 33321

Re: *Complaint of The Florida Bar against Anett Lopez*
The Florida Bar File No. 2016-70,411 (11K-OSC)

Dear Mr. Tynan:

Please be advised that pursuant to Rules 3-7.4 and 3-7.11 of the Rules of Discipline, Grievance Committee "K" of the Eleventh Judicial Circuit will consider whether good cause exists for your failure to respond to official Bar inquiries in The Florida Bar File No. 2015-70,058(11K). In accordance with Rule 3-7.11(f)(2), the Grievance Committee shall hear the issue of non-compliance and issue findings thereon.

Pursuant to the requirements of Rule 3-7.4(a), Rules of Discipline, attached is a list of the members of Grievance Committee 11 "K." There will be no appearances by either party or by any witnesses in the case.

An index reflecting materials which will be considered by the Grievance Committee, along with copies of said materials, is enclosed herewith. Should you wish to present a written statement to the Grievance Committee pursuant to Rule 3-7.4(h) of the Rules of Discipline, please provide same to me no later than **February 11, 2016**.

If the Committee decides to schedule a live hearing, you will be notified of that fact. The decision whether to hold a live hearing is left to the absolute discretion of the Committee; there is no right to appeal or review this decision.

Sincerely,

Patrick Russell
Bar Counsel
PR/gam

cc: Thomas Steven Ward, Chair (via e-mail only)
Dori Foster-Morales, Designated Reviewer (via e-mail only)

Enclosure

Rule 3-7.4(h) Rights and responsibility of the Respondent. The Respondent may be required to testify and to produce evidence as any other witness unless the Respondent claims a privilege or right properly available to the Respondent under applicable federal or state law. The Respondent may be accompanied by counsel. At a reasonable time before any finding of probable cause or minor misconduct is made, the Respondent shall be advised of the conduct which is being investigated and the rules which may have been violated. The Respondent shall be provided with all materials considered by the committee and shall be given an opportunity to make a written statement, sworn or unsworn, explaining, refuting, or admitting the alleged misconduct.

Index of Materials to be Reviewed

1. Letter to Respondent's legal counsel dated November 19, 2015
2. Email to Respondent's legal counsel dated December 8, 2015

List of Members of Grievance Committee (11K)

(Pursuant to the requirement of Rule 3-7.4(a), the following is a list of the members of the Grievance Committee considering this matter)

Thomas Steven Ward, Chair
Jonathan Daniels Lawrence, Vice-Chair
Andrew Lawrence Rodman, Esq.
Michael Paul Murawski, Esq.
William Robert Seitz, Esq.
David Lee Deehl, Esq.
Stephen A. Kellogg
Diana C. Zulueta
Nicole Lee Berman

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Patrick Russell Esq
THE FLORIDA BAR
444 Brickell Avenue, Suite M-100
Miami, Florida 33131

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TFB File No. 2016-70,411 (11K-05C) *PR*



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- Attach this card to the back of the mailpiece or on the front if space permits.

1. Article Addressed to:

Kevin P. Tynan, Esq.
Richardson & Tynan P.L.C.
8142 North University Drive
Tamarac, Florida 33321

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