

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Supreme Court Case
No. SC-

IN RE:

The Florida Bar File No.
2017-30,645 (9E)

THE PETITION FOR DISCIPLINARY
REVOCATION OF DANIEL
NEWTON BRODERSEN

Petitioner.

**PETITION FOR DISCIPLINARY REVOCATION WITH LEAVE TO
APPLY FOR READMISSION**

COMES NOW the petitioner, Daniel Newton Brodersen, and submits this
Petition for Disciplinary Revocation pursuant to Rule Regulating Fla. Bar 3-7.12
and states:

1. Petitioner knowingly and voluntarily submits this petition with full knowledge of its effect.
2. Petitioner is 56 years old and has been a member of The Florida Bar since June 25, 1987, and is subject to the jurisdiction of the Supreme Court of Florida and the Rules Regulating The Florida Bar.
3. The petitioner has the following discipline history:
 - a. In The Florida Bar v. Brodersen, 24 So. 3d 560 (Table)(Fla. 2009), respondent was suspended for one year from the practice of

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law for conduct involving misrepresentation and false statements made regarding a client's case and the bar's initial investigation of the matter.

4. The following disciplinary charges are currently pending against the petitioner:

- a. In The Florida Bar File No. 2016-30,990 (09E), The Florida Bar audited respondent's trust account for the period November 1, 2015 through November 30, 2016. The bar's audit revealed a shortage ranging from \$6,154.65 to \$34,631.22 in respondent's trust account during the audit period. During this time, respondent improperly commingled trust funds with his personal funds; made at least one disbursement from the trust account to himself without documentation to support his entitlement to the funds; and, failed to account for client funds that deposited into his personal checking and business operating accounts. The bar's investigation also determined that respondent employed a former lawyer, whose disciplinary revocation had been granted by the Florida Supreme Court, as an independent contractor and failed to provide notice to the Florida Bar or quarterly reports pursuant to Rule 3-6.1, of the

Rules Regulating The Florida Bar. The respondent attributes the shortage in his trust account to theft by the former lawyer who directed respondent to disburse funds in foreclosure surplus matters to individuals he later learned were not the legitimate recipient(s).

Respondent did not notify The Florida Bar or law enforcement of the theft by the former lawyer. Respondent did take measures to replace the funds and ensure payments were made to the legitimate recipients. Respondent also failed to maintain the required trust account records during the audit period.

5. This revocation will not adversely affect the public interest, the purity of the courts, nor hinder the administration of justice nor the confidence of the public in the legal profession.

6. The petitioner agrees to reimburse the Clients' Security Fund of The Florida Bar for any and all payments imposed as a result of his defalcations.

7. The petitioner agrees to reimburse The Florida Bar \$1,250.00 for costs incurred in his disciplinary case.

8. The petitioner agrees to permit the bar to audit any and all trust accounts and any other accounts over which has signatory as either an attorney-at-law, fiduciary, or trustee.

9. The petitioner has provided The Florida Bar with a sworn financial affidavit.

10. The petitioner shall notify the bar of any change of address during a two year period to be computed from the date of the entry of this court's order accepting this petition for disciplinary revocation. Further, the petitioner shall keep the bar advised as to the physical address of petitioner's home and/or business in the event the petitioner should utilize a post office box or other type of mail drop service.

11. The petitioner understands that the granting of this petition by the Supreme Court of Florida shall serve to dismiss all pending disciplinary cases.

WHEREFORE, the petitioner respectfully requests this Honorable Court to grant the petition herein as follows:

A. That the petitioner's membership in The Florida Bar be revoked, with revocation to take effect in 30 days to allow petitioner time to close out his practice.

Dated this 6th day of February, 2017.

Respectfully submitted,


A handwritten signature in black ink, appearing to read "Daniel Newton Brodersen", written over a horizontal line.

Daniel Newton Brodersen
1238 E. Concord Street
Orlando, Florida

(407)797-9572
Florida Bar ID No.: 664197
brodersend@gmail.com

CERTIFICATE OF SERVICE

I certify that this document has been Efiled with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida with a copy hand delivered to Daniel Brodersen, Respondent, and via email at brodersend@gmail.com, using the Efiling Portal; and that a copy has been sent by United States Mail to John F. Harkness, Jr., Executive Director of The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300; and by email to Staff Counsel at aquintel@floridabar.org on this 6th day of February, 2016.



Karen Clark Bankowitz, Bar Counsel
The Florida Bar
1000 Legion Place, Suite 1625
Orlando, Florida 32801
(407) 425-5424
Florida Bar No. 0706531
kbankowitz@floridabar.org