

SUPREME COURT OF FLORIDA

Case No.: SC18-1197

Lower Tribunal Nos.:

2017-10,076 (6B)(HES); 2018-10,237 (6B); 2018-408(6B)

2018-10,489 (6B); 2018-10,715 (6B); 2019-10,001 (6B)

THE FLORIDA BAR,

Petitioner,

v.

MARK P. STOPA,

Respondent.

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**NOTICE OF SUBSTANTIAL COMPLIANCE
AND MOTION FOR EXTENSION OF TIME**

Respondent, Mark P. Stopa, in response to this Court's July 27, 2018 Order, hereby gives notice of his substantial compliance with the terms of that Order and requests a 30-day extension of time to comply with the lone portion thereof which has not yet been completed, and would show:

1. In its Order of July 27, 2018, this Court imposed an emergency suspension on Respondent, directing him to cease practicing law and wind down all pending matters within 30 days ("the Order" or "the Emergency Suspension Order"). The Order also included other, attendant obligations pertaining thereto.

2. Since entry of the Order, Respondent has ceased practicing law entirely. To illustrate, now pending before this Court, Case No. 18SC-1332, is Respondent's Amended Petition for Disciplinary Revocation ("the Amended Petition"). In this same vein, Respondent agreed to extend the time limitations for a trial in the instant proceeding, with the terms of the Emergency Suspension Order remaining in place, to allow this Court time to adjudicate the Amended Petition.

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3. Meanwhile, Respondent has fully complied with nearly every obligation of the Order. To wit:

- a. Respondent has accepted no new clients since the Order
- b. Respondent has ceased representing clients since the Order
- c. Respondent has not initiated any litigation on behalf of clients since the Order
- d. Respondent has not acted as personal representative for any estate, guardian for any ward, or as trustee for any trust since the Order
- e. Respondent has furnished a copy of the Order to all clients, opposing counsel and courts in which he was counsel of record
- f. Respondent has not withdrawn any monies from any trust account related to Respondent's former law practice since the Order
- g. Respondent has received no fees in connection with practicing law since the Order
- h. Respondent has notified the financial institution in which he maintained an account related to the practice of law of the provisions of the Order and provided said institution a copy of the Order

Respondent's compliance with all of these terms and conditions of the Order is full and complete.

4. The lone issue which is incomplete, and for which Respondent seeks an extension of time, is the obligation to withdraw as counsel of record from all pending cases.¹

5. Lest there be any doubt, this Court should rest assured that his former clients, opposing counsels, and the judges presiding over his cases are aware of the Order, as it has been

¹ Respondent was previously advised that his deadline for compliance was extended through September 6, 2018. See Exhibit "A" hereto.

furnished to them. The problem with respect to the withdrawal from all pending cases is the logistics associated with doing so.

6. As of the date of the Order, Respondent was counsel of record in approximately 4,000 cases. Nearly 100% of these cases were in defense of foreclosure lawsuits.

7. On July 27, 2018, the remaining shares of Respondent's former law firm, Stopa Law Firm, P.A., were sold to Richard Mockler, Esq., who renamed the firm Stay In My Home, P.A. ("the Firm"). Since that time, and in compliance with the Order and the obligations of Respondent and Mr. Mockler under The Rules Regulating The Florida Bar, in those cases where Respondent's former client has wanted to continue representation with the Firm, the Firm has been filing a substitution of counsel, with the client's signed consent, and Respondent has been filing, *pro se*, a motion to withdraw. In those cases where the former client has not wanted representation through the Firm, the Firm has not appeared for the client, and Respondent has been filing his own, *pro se*, motion to withdraw.

8. Given the volume of cases in which this task must be accomplished, the process of completing it has been tedious at best. To illustrate, at all times since the Order, at least two people have been working on this project at all times, yet it is still not complete.²

9. Under the circumstances, Respondent requests a 30-day extension of time to complete the process of filing motions to withdraw in cases where he remains counsel of record. If this Court were to grant that relief, Respondent anticipates that motions to withdraw will have been filed in all cases in which he was/is counsel of record by that time, satisfying the only obligation under the Order which, at present, is unsatisfied.

² Homeowners in foreclosure are notoriously difficult to communicate with. It is not uncommon for them to not respond to phone calls or emails and/or to change residences without providing updated contact information.

WHEREFORE Respondent respectfully requests relief in accordance with the foregoing.

/s/ Mark P. Stopa

Mark P. Stopa

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been filed by eportal with The Florida Supreme Court, and true and correct copies have been furnished by email to Matthew I Flicker, Esquire and Katrina S. Brown, Esquire, Bar Counsel, The Florida bar, mflicker@floridabar.org, kschaffhouser@floridabar.org, pmcbride@floridabar.org, nchristopherson@floridabar.org, and tampaoffice@flabar.org, and by email to Adria E. Quintella, Esquire, Staff Counsel, The Florida Bar, aquintel@flabar.org, this 6th day of September, 2018.

/s/ Mark P. Stopa

Mark P. Stopa