# IN THE SUPREME COURT OF FLORIDA (Before a Referee)

THE FLORIDA BAR, Complainant,

Supreme Court Case

No. SC18-1279

v.

The Florida Bar File No. 2019-70,032(11J)

JOHN H. FARO, Respondent.

# NOTICE OF APPEAL (Report of Referee)

NOTICE IS GIVEN that the Respondent, JOHN H. FARO, is herein timely filing and serving this *Notice of Appeal* of the *Report of Referee*, in the above captioned matter, with the Supreme Court of Florida, on June14, 2021. A copy of the *Report of Referee* is annexed hereto. The *Report of Referee* is final, (no request for reconsideration or modification having been filed by either the Complainant or by the Respondent)

JOHN H. FARO, ESQ., FBN 527,459

# REPORT OF REFEREE

# IN THE SUPREME COURT OF FLORIDA (Before a Referee)

THE FLORIDA BAR,	Supreme Court Case No. SC18-1279
Complainant,	
	The Florida Bar File
V.	No. 2019-70,032(11J)
JOHN H. FARO,	
Respondent.	

### **REPORT OF REFEREE**

#### I. SUMMARY OF PROCEEDINGS

Pursuant to the undersigned being duly appointed as Referee to conduct disciplinary proceedings herein according to Rule 3-7.6, Rules of Discipline, the following proceedings occurred:

On August 3, 2018, The Florida Bar filed its Complaint against Respondent in these proceedings. The instant matter is predicated upon disciplinary proceedings brought against Respondent by the Office of Enrollment and Discipline (OED) of the United States Patent and Trademark Office (USTPO) in proceeding no. D2015-27.

On August 13, 2018, the Honorable Jeri B. Cohen was assigned by the Chief Judge of the Eleventh Judicial Circuit to serve as the Referee in this cause. On September 13, 2018, Respondent filed his Motion to Stay the proceeding based on his appeal of the findings of fact and law in the underlying case. On October 1, 2018, Judge Cohen entered an agreed order granting Respondent's Motion to Stay. On November 2, 2018, the Supreme Court of Florida entered an order staying the proceedings before the Referee until such time as the U.S. District Court for the Eastern District of Virginia had concluded its review of Respondent's appeal, and further directing Respondent to advise the court every ninety days of the status of the federal proceedings, as well as notify the court when the federal court had concluded its review.

On February 5, 2019, Respondent filed a Notice of Status of Judicial Review of Patent Office Director Final Order of Suspension dated February 9, 2018, and Motion of Stay. On February 25, 2019, the Supreme Court of Florida entered an order directing the Bar to file a written response as to why Respondent should not be under current suspension in Florida pending the appeal from the Patent Office Director Final Order of Suspension. On March 12, 2019, the Bar filed its response as ordered by the Court.

On April 2, 2019, the Supreme Court of Florida entered an order granting Respondent's February 5, 2019 Motion to Stay, and further directing Respondent to comply with the same requirements as set forth in

the court's previous order entered on November 2, 2018. Subsequent status reports were filed with the Supreme Court of Florida on July 22, 2019, October 30, 2019, February 28, 2020, and June 17, 2020.

On August 31, 2020, the undersigned was appointed to serve as the new Referee due to the previous Referee's impending retirement. On September 30, 2020, a case management conference was held and it was determined that the appellate review of the U.S. Patent Office discipline order in the underlying proceedings had been concluded, and the instant matter was ready to proceed before the undersigned Referee.

On October 20, 2020, Respondent filed a Motion to Dismiss and Alternatively, For Judgment on the Pleadings. On November 12, 2020, a hearing was held on Respondent's Motion to Dismiss, and Respondent's motion was denied.

On December 4, 2020, The Florida Bar filed its Partial Motion for Summary Judgment, with corresponding exhibits. On December 8, 2020, Respondent filed his Motion for Summary Judgment, with corresponding exhibits. On December 18, 2020, a hearing on The Florida Bar's and Respondent's Motions for Summary Judgment was held. On January 20, 2021, an order was entered granting the Bar's motion and denying Respondent's motion.

On February 1, 2021, the final hearing commenced solely on the issue of discipline. Not having concluded on that date, the final hearing was continued to February 8, 2021; however, due to Respondent having sustained an injury, the continuation of the final hearing was rescheduled to and held on March 12, 2021.

All items properly filed including pleadings, recorded testimony (if transcribed), exhibits in evidence, and the report of Referee constitute the record in this case and are forwarded to the Supreme Court of Florida.

The following persons appeared at the final hearing:

On behalf of The Florida Bar: Arlene Kalish Sankel

Chief Branch Discipline Counsel 444 Brickell Avenue, Suite M-100

Miami, Florida 33131

On behalf of the Respondent: Robert C. Josefsberg, Esq.

One SE Third Avenue, Suite 2300

Miami, Florida 33131

Respondent initially appeared *pro se* and then as co-counsel subsequent to Mr. Josefsberg's filing of his notice of appearance in this proceeding.

## II. <u>FINDINGS OF FACT</u>

<u>Jurisdictional Statement.</u> Respondent is, and at all times mentioned during this investigation was, a member of The Florida Bar, subject to the jurisdiction and Disciplinary Rules of the Supreme Court of Florida.

Narrative Summary of Case. In granting the Bar's Motion for Partial Summary Judgment as to four rule violations, the undersigned Referee relied on Rules Regulating the Florida Bar 3-4.6, which states in relevant part:

A final adjudication in a disciplinary proceeding by a court or other authorized disciplinary agency of another jurisdiction, state or federal, that a lawyer licensed to practice in that jurisdiction is guilty of misconduct justifying disciplinary action will be considered as conclusive proof of the misconduct in a disciplinary proceeding under this rule.

Consequently, the proof of undisputed material facts resulted in the undersigned Referee finding Respondent guilty as charged on all rule violations. Those undisputed facts constitute the Referee's findings of fact as follows:

- A. This is a reciprocal discipline action based on disciplinary action taken against Respondent by the United States Patent and Trademark Office (USPTO).
- B. Respondent became a patent attorney registered to practice before the USPTO on March 3, 1971. On August 2, 2017, Respondent was the subject of a Final Order issued by the USPTO suspending him for a period of eight months and thereafter until passage of the MPRE and reinstatement by the Office of Enrollment and Discipline Director. This Final Order issued following Respondent's appeal of the earlier Initial Decision

issued by Administrative Law Judge J. Jeremiah Mahoney, who concluded that, on the basis of clear and convincing evidence<sup>1</sup>, Respondent had violated numerous rules of the USPTO Code of Professional Responsibility.<sup>2</sup> The August 2, 2017 Final Order affirmed the earlier September 15, 2016 decision by the Administrative Law Judge. The factual findings set forth in the following paragraphs formed the basis for Respondent's suspension from the USPTO and are contained in the August 2, 2017 Final Order.<sup>3</sup> They are the findings of the undersigned Referee.

#### The USPTO Final Order Dated August 2, 2017

- C. On September 20, 2002, the USPTO issued a final Office Action ("First Final Rejection") rejecting claims 2 through 22 of a patent application, which had been filed by EPRT Technologies, Inc. ("EPRT") on September 7, 2000.
- D. Subsequent to the rejection, and at EPRT's request,

  Respondent emailed EPRT co-inventor and executive David Estes on

<sup>1</sup> Clear and convincing is the same evidentiary standard to be applied in Florida Bar disciplinary proceedings. See *The Florida Bar v. Rayman*, 238 So.2d 594 (Fla. 1970).

<sup>2</sup> The hearing before the Administrative Law Judge was conducted on May 10-11, 2016 in Miami and included testimony from EPRT President and CEO Katherine Blake, attorney Meredith Chaiken (EPRT's counsel in the related malpractice case) and respondent, John Faro.

<sup>3</sup> In the interest of brevity, the factual findings have been consolidated to some extent from the August 2, 2017 Order.

November 19, 2002 to discuss the application as drafted by prior counsel.

Ultimately, Mr. Estes e-mailed Respondent on November 22, 2002,

authorizing him to begin work on the application.

- E. Respondent submitted to the USPTO a Power of Attorney and Revocation of Prior Powers on December 12, 2002, signed by Katherine Blake, EPRT co-founder and president.
- F. On January 30, 2003, the USPTO issued a non-final Office Action in response to a Request for Continued Examination filed by Respondent on January 16, 2003. Respondent filed a response to that Office Action on March 14, 2003, which was rejected in another non-final Office Action issued on June 4, 2003.
- G. On November 12, 2003, Respondent filed an amendment to the application; however, after additional pleadings related to the amendment, the USPTO issued a Notice of Non-Responsive Amendment to Respondent on January 8, 2004.
- H. After receiving calls from the USPTO patent examiner assigned to the application, Respondent filed a response on February 9, 2004, but it was deemed non-compliant.
- I. On August 12, 2004, the USPTO issued a Notice of Abandonment ("First Abandonment") for the patent application, citing

Respondent's failure to file a compliant response to the January 2004 notice. The First Abandonment stated that the patent examiner had left voice messages for Respondent on July 9, July 19, and July 20, 2004, the last call informing Respondent that the application would be deemed abandoned if he did not contact the examiner by July 23, 2004. Respondent did not return any messages and the application was deemed abandoned.

- J. Respondent filed a Petition to Revive the patent application on October 28, 2004. It stated that the application was unintentionally abandoned because Respondent had not received the January 2004 Notice. The Petition was granted on January 18, 2005.
- K. On April 19, 2005, the USPTO issued a final Office Action ("Second Final Rejection") rejecting claims 3, 4, and 23-25 of the application.
- L. On June 20, 2005, Respondent sent Ms. Blake and Mr. Estes an e-mail with the subject "Re: Statis [sic] of Patents." The email stated that "the US examiner has issued an office action (non-final rejection) and I shall set up an interview with her shortly" (emphasis in original).

- M. Respondent filed a Notice of Appeal ("First Appeal") on June 30, 2005. On July 27, 2005, he informed Ms. Blake and Keith Wendell, CEO of EPRT, of the appeal.
- N. On November 14, 2005, the USPTO issued a final Office Action ("Third Final Rejection") rejecting claims 23-25 and objecting to claims 3 and 4.
- O. The first substantive page of the USPTO Office Action defines the "Period for Reply" and informed Respondent that, in all capital letters, "a shortened statutory period for reply is set to expire 3 month(s) or thirty (30) days, whichever is longer, from the mailing date of this communication." The same section also stated that the application would become abandoned if a reply was not received within the reply period.
- P. On November 29, 2005, Respondent sent Ms. Blake and Mr. Estes an e-mail with the subject "Allowed subject matter," and related the contents (albeit, inaccurately) of the Third Final Rejection. Respondent's e-mail did not mention EPRT had three months to file a reply. There is no indication that anyone at EPRT received a copy of the Third Final Review.
- Q. Respondent appealed the Third Final Rejection ("Second Appeal") to the Board of Patent Appeal and Interferences (Board) on

February 2, 2006. The USPTO patent examiner answered the Second Appeal on August 31, 2006.

- R. On June 1, 2009, the Board issued its Decision on Appeal ("Board Decision"), affirming the Third Final Rejection's conclusions as to claims 3,4, and 22-25. The first page of the Board Decision included a foot note announcing the two-month period to file an appeal or initiate a civil case; the final page stated, "no period for taking any subsequent action in connection with this appeal may be extended." The Board Decision was sent to Respondent's record bar address.
- S. On August 14, 2009, USPTO issued a Notice of Abandonment regarding the patent application because all claims had been rejected, the application had not been amended, and because no appeal was filed within the two-month window. The Notice of Abandonment was sent to Respondent's record bar address and stated that a message had been left on his answering machine on August 6, 2009.
- T. Respondent claims he did not receive the Notice of Abandonment.
- U. Beginning in 2010, Ms. Blake contacted Respondent several times to determine the status of the application. Respondent eventually e-

mailed Ms. Blake, stating that he had "attempted to determine the status of the patent [applications] and have yet to hear back from my inquiries."

- V. In March 2011, Ms. Blake contacted Respondent by phone to discuss the application; however, he abruptly ended the call and did not answer when she immediately called him back.
- W. Throughout 2011, Ms. Blake sent seven increasingly urgent e-mails to Respondent attempting to learn about the status of the patent application. Each e-mail indicated that she had also tried to reach him by phone. Respondent never responded.
- X. Eventually, EPRT hired the Farahmand Law Firm to pursue possible legal action against Respondent. On October 21, 2011, attorney Roger Farahmand sent Respondent a letter requesting the status of the patent application. On October 28, 2011, Respondent responded by faxing a copy of the Board Decision denying the appeal. Respondent did not include a copy of the Notice of Abandonment. EPRT was not aware of the June 1, 2009 Board Decision or abandonment at any time prior to October 28, 2011.
- Y. On October 31, 2011, attorney Farahmand wrote Respondent requesting a complete copy of the client's file, but Respondent did not

provide the file to Mr. Farahmand nor to anyone at EPRT. Finally, EPRT obtained the file by subpoena to Respondent's ex-wife.

Z. Based on the findings set forth above, Respondent was found to have committed multiple violations of the USPTO Code of Professional Responsibility, including 37 C.F.R 10.23(a)<sup>4</sup> and (b)<sup>5</sup> via 10.23(c)(8)<sup>6</sup>; 37 C.F.R 10.77(c)<sup>7</sup>; 37 C.F.R 10.84(a)(1) and (2)<sup>8</sup>; and 37 C.F.R 10.112(c)(4)<sup>9</sup>. (See p. 12-13 of Ex. "A".) In sum and substance, these specific rules prohibit a USPTO practitioner from engaging in an array of conduct including, but not limited to lack of communication, lack of diligence, and conduct prejudicial or damaging to the client.

<sup>4 37</sup> C.F.R. 10.23(a): A practitioner shall not engage in disreputable or gross misconduct 5 37 C.F.R. 10.23(b): A practitioner shall not (1) Violate a Disciplinary Rule. (2) Circumvent a Disciplinary Rule through actions of another. (3) Engage in illegal conduct involving moral turpitude. (4) Engage in conduct involving dishonesty, fraud, deceit, or misrepresentation. (5) Engage in conduct prejudicial to the administration of justice. (6) Engage in any other conduct that adversely reflects on the practitioner's fitness to practice before the Office).

<sup>6 37</sup> C.F.R. 1023(c)(8): Conduct which constitutes a violation . . . includes, but is not limited to: . . . Failing to inform a client or former client or failing to timely notify the Office of an inability to notify a client or former client of correspondence received from the Office or the client or former client's opponent in an inter partes proceeding before the Office when the correspondence (i) could have a significant effect on a matter pending before the Office, (ii) is received by the practitioner on behalf of a client or former client and (iii) is correspondence of which a reasonable practitioner would believe under the circumstances the client or former client should be notified.

<sup>7 37</sup> C.F.R. 10.77(c): A practitioner shall not: (c) Neglect a legal matter entrusted to the practitioner.

<sup>8 37</sup> C.F.R. 10.84(a): A practitioner shall not intentionally: (1) Fail to seek the lawful objectives of a client through reasonably available means permitted by law and the Disciplinary Rules.... (2) Fail to carry out a contract of employment entered into with a client for professional services.... (3) Prejudice or damage a client during the course of a professional relationship....

<sup>9 37</sup> C.F.R. 10.112(c)(4): A practitioner shall:....Promptly pay or deliver to the client as requested by a client the funds, securities, or other properties in the possession of the practitioner which the client is entitled to receive.

### The USPTO Final Order Dated February 9, 2018

AA. Respondent sought reconsideration as to the August 2, 2017 Final Order, resulting in entry of a USPTO Final Order dated February 9, 2018. (See February 9, 2018 Final Order attached as Exhibit "B".) This "second" Final Order affirmed in its totality the earlier decision of August 2, 2017.

#### The Federal Court's Review of Respondent's USPTO Sanctions Orders

- BB. Following entry of the USPTO Final Orders detailed above,

  Respondent sought review through the federal courts.
- CC. To begin, review was sought in the Federal District Court for the Eastern District of Virginia whereupon the earlier decisions of USPTO were affirmed. In rendering its decision to affirm, the Court set forth as its reasons the specific findings entered earlier (and summarized above) by the USPTO. The Court specifically noted that Respondent was provided a hearing before the administrative law judge in Miami, and that he appeared and presented both testimony and other evidence. The Court also addressed the authority under which the USPTO could regulate the conduct of attorneys and other persons appearing before it, as well as their authority to suspend or exclude from practice before them any attorney or person. The Court further concluded that ample substantial evidence

existed in support of the USPTO suspension order. Finally, concluding that the decision of the USPTO to suspend Respondent's license to practice before them was neither arbitrary, capricious, nor an abuse of discretion, the Federal District Court for the Eastern District of Virginia affirmed the earlier Final Order of Suspension of the USPTO.

DD. Following entry of the Federal District Court's Order,
Respondent sought review in the United States Court of Appeals for the
Federal Circuit. By Judgment dated February 11, 2020, the Federal
Appellate Court per curiam affirmed the lower court's decision.

EE. Thereafter, on April 10, 2020, the United States Court of Appeals for the Federal Circuit issued its Mandate. Respondent sought no further review.

### III. RECOMMENDATIONS AS TO GUILT.

As indicated in my order granting summary judgment in favor of The Florida Bar, I recommend that Respondent be found guilty of violating the following Rules Regulating The Florida Bar: Rule 4-1.3 (Diligence), Rule 4-1.4 (Communication), Rule 4-1.2(a) (Objective and Scope of Representation – Lawyer to Abide by Client's Decision); and Rule 4-1.16(d) (Declining or Terminating Representation - Protection of Client's Interest).

#### IV. STANDARDS FOR IMPOSING LAWYER SANCTIONS

I considered the following Standards prior to recommending discipline:

#### LACK OF DILIGENCE

4.4(b) Suspension is appropriate when a lawyer causes injury or potential injury to a client and: (1) knowingly fails to perform services for a client or (2) engages in a pattern of neglect with respect to client matters.

#### PRIOR DISCIPLINE ORDERS

8.1(b) Suspension is appropriate when a lawyer has been publicly reprimanded for the same or similar conduct and engages in a further similar act of misconduct that causes injury or potential injury to a client, the public, the legal system, or the profession.

### V. <u>CASE LAW</u>

I considered the following case law prior to recommending discipline:

- The Florida Bar v. Morrison, 669 So.2d 1040 (Fla. 1996);
- The Florida Bar v. Jordan, 705 So.2d 1387 (Fla. 1998);
- The Florida Bar v. Shoureas, 892 So.2d 1002 (Fla. 2004);
- The Florida Bar v. Varner, 992 So.2d 224 (Fla. 2008); and
- TFB v. Suarez-Silverio, Supreme Court Case No. SC17-592 Supreme Court Order dated April 20, 2017

#### Consent Judgment dated February 24, 2017

#### VI. <u>AGGRAVATION AND MITIGATION</u>

Aggravating Factors- I find the following aggravating factors apply in aggravation and specifically accept The Florida Bar's presentation and argument on aggravation.

• 3.2(b)(1) prior disciplinary offenses;

Respondent has previously been disciplined three times: 2018, 2011, and 1995. Further discussion of these priors is set forth below.

• 3.2(b)(3) a pattern of misconduct;

The similarities between Respondent's 2011 and 1995 prior discipline cases with the instant case evidences a pattern of a lack of appropriate and sufficient communication with clients.

Additionally, within the findings in the instant case there is a pattern of lack of communication with both the client and the USPTO, as well as a pattern of neglect.

• 3.2(b)(4) multiple offenses;

Multiple offenses are evidenced by the four distinct rule violations of which Respondent has been found guilty, including lack of diligence and communication (rules 4-1.3 and 4-1.4), failure to protect the client's interest by not returning the client file upon termination (rule 4-1.16(d)), and failing to pursue the client's objectives (rule 401.2(a)).

• 3.2(b)(7) refusal to acknowledge the wrongful nature of the conduct;

Respondent affixes blame on a myriad of persons for his own misconduct, including his ex-wife for not providing him with the client's file, the receptionist at his virtual office for not ferreting his mail, the client for not asking the right questions, and so on. In a Motion for Rehearing to the USPTO, he even accuses the Office of the Executive Director of the USPTO of "palpable" misconduct and fraud." He attributes these proceedings to misunderstanding not by himself, but by his former client, the USPTO, the U.S. District Court, and so on. Respondent consistently refuses to accept responsibility for his own misconduct and has exhibited an absolute lack of recognition of his own fault and has shown no remorse. Moreover, this Referee finds that there is also no acceptance of fault nor sorrow by Respondent for his prior misconduct. He is simply unwilling to be held accountable and sees absolutely no wrong in his prior actions that have resulted in disciplinary rulings against him.

• 3.2(b)(8) vulnerability of the victim;

In that the client was necessarily reliant on Respondent for all communications from the USPTO regarding their patent application, I find the client to have been a vulnerable victim.

3.2(b)(9) substantial experience in the practice of law;

Respondent was admitted to The Florida Bar in 1976. Prior to that he was admitted to the Massachusetts Bar in 1969, the Delaware Bar in 1970, the Ohio Bar in 1971, and to practice before the USPTO in 1971.

• 3.2(b)(10) indifference to making restitution;

Despite having entered into a settlement agreement in a malpractice case emanating from the same facts underlying the instant disciplinary matter, Respondent failed to abide by the terms of his agreement, the enforcement of which was denied by the court based on the interim loss of jurisdiction. I also find this further evidence of Respondent's lack of remorse.

Finally, I make the following additional findings in support of aggravation:

- a. In the course of settlement discussions in the malpractice case, it is apparent that Respondent endeavored to preclude both the client's corporate representative and her attorney from voluntarily testifying in any disciplinary proceedings against him. I find this to have been a bad faith effort at obstruction of the disciplinary process.
- b. Although unable to quantify the financial loss to the client, I find that Respondent's client was left economically weaker as a result of the Respondent's misconduct.
- c. I find that Respondent's debt to the IRS, as evidenced by tax liens for the years 2004-2015, is further evidence of his pattern of conduct with respect to his failure to honor his financial obligations.

Mitigating Factors: I find the following mitigating factors apply.

- 3.3(b)(2) absence of a dishonest or selfish motive;
- 3.3(b)(11) imposition of other penalties or sanctions.

# VII. RECOMMENDATION AS TO DISCIPLINARY MEASURES TO BEAPPLIED

I recommend that Respondent be found guilty of misconduct justifying disciplinary measures, and that he be disciplined by:

A. Suspension for a period of three years. In making this recommendation, I specifically note my lack of confidence that

Respondent would not repeat these same rule violations going forward.

B. Payment of The Florida Bar's costs in these proceedings.

Respondent should eliminate all indicia of Respondent's status as an attorney on social media, telephone listings, stationery, checks, business cards office signs or any other indicia of Respondent's status as an attorney, whatsoever. Respondent will no longer hold himself out as a licensed attorney during the suspension period.

### VIII. PERSONAL HISTORY, PAST DISCIPLINARY RECORD

Prior to recommending discipline pursuant to Rule 3-7.6(m)(1)(D), I considered the following:

Personal History of Respondent:

Age: 77

Date admitted to the Bar: January 21, 1986

Prior Discipline:

- Respondent was suspended for ten days by order of the Supreme Court of Florida dated April 27, 1995, in *Supreme Court Case No. 84,351*, for failing to respond to his client's requests for information regarding invoice charges, failing to furnish a final bill with an accounting for unexpended retainers, and failing to remit the balance of such unexpended retainers prior to the filing of a bar grievance.
- Respondent received a public reprimand by order of the Supreme Court of Florida dated July 13, 2011 in *Supreme*

Court Case Nos. SC10-872 and SC11-431, for failing to communicate to the client that certain decisions would result in the abandonment of the client's trademark application.

• Respondent was suspended for a period of 90 days by order of the Supreme Court of Florida dated September 28, 2018, in *Supreme Court Case No. SC16-1408*, for communicating with a person who was represented by counsel.

# IX. STATEMENT OF COSTS AND MANNER IN WHICH COSTS SHOULD BE TAXED

The Florida Bar, having been successful in this matter, shall be awarded their necessary taxable costs of this proceeding and shall submit their statement of costs, as well as a motion to assess costs against Respondent.

Dated this 16th day of April, 2021.

/s/ Jason Emilios Dimitris

The Honorable Jason Emilios Dimitris Circuit Court Judge and Referee Miami Dade Children's Courthouse 155 NW 3<sup>rd</sup> Street, Room #14-321 Miami, Florida 33128

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#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the *Respondent's NOTICE OF APPEAL*, has been provided to The Honorable Jason E. Dimitris, Referee, via his service email at <a href="mailto:11thfc203@jud11.flcourts.org">11thfc203@jud11.flcourts.org</a> and his Judicial Assistant's email at <a href="mailto:hnguyen@jud11.flcourts.org">hnguyen@jud11.flcourts.org</a>; to Arlene Kalish Sankel, Esq., Chief Branch Discipline Counsel, via email at <a href="mailto:asankel@floridabar.org">asankel@floridabar.org</a> and <a href="mailto:nbeairt@floridabar.org">nbeairt@floridabar.org</a>; and to Patricia A. Toro Savitz, Esq., Staff Counsel, via email at <a href="mailto:psavitz@floridabar.org">psavitz@floridabar.org</a> on this 14th day of June, 2021.

JOHN H. FARO, ESQ., FBN 527,459

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