



THE CIRCUIT COURT OF THE  
**FIFTEENTH JUDICIAL CIRCUIT**  
OF FLORIDA

CHAMBERS OF  
**AUGUST BONAVITA**  
COUNTY JUDGE

PALM BEACH COUNTY COURTHOUSE  
205 NORTH DIXIE HIGHWAY  
WEST PALM BEACH, FLORIDA 33401  
(561)355-2330

July 22, 2020

John A. Tomasino, Clerk,  
Supreme Court of Florida  
500 South Duval Street  
Tallahassee, FL 32399-1927

Re: The Florida Bar v. Peter G. Herman

Supreme Court Case No. SC179-2050  
The Florida Bar File No. 2014-50, 165 (17E)

Dear Mr. Tomasino,

Enclosed, please find courtesy copies of the two (2) Orders on Case Management Conferences held thus far. We understand that your office refrains from accepting these documents until the Referee files the final report; however, the Order dated July 21, 2020 states certain upcoming circumstances that lean towards an extension of time. Counsel for the Bar is to file a motion with the Supreme Court on this matter.

Please contact me with any questions and/or concerns.

Best wishes,

Carey Helmes, Judicial Assistant to the Honorable August Bonavita, Duly Appointed Referee  
Judge Daniel T.K. Hurley Courthouse  
205 N. Dixie Highway; Room #4.2606  
West Palm Beach, FL 33401  
561.355.2330 [chelmes@pbcgov.org](mailto:chelmes@pbcgov.org)

Received, Clerk, Supreme Court

AUG 31 2020

**COPY**

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,  
Complainant,

Supreme Court Case  
No. SC17-2050

v.

The Florida Bar File  
No. 2014-50,165(17E)

PETER G. HERMAN,  
Respondent.

**ORDER ON CASE MANAGEMENT CONFERENCE**

This cause having been before the Court for a Case Management Conference on July 9, 2020 at 2:00 p.m. Joi Pearsall, Bar counsel, David B. Rothman, counsel for respondent and Jeanne T. Melendez, counsel for Respondent appeared via Zoom video. The Court being fully advised in the premises FINDS as follows:

1. On June 18, 2020, the Supreme Court of Florida issued an order remanding this case back to the undersigned Referee to submit an Amended Report & Recommendation addressing the Respondent's advice of counsel defense.

2. Both Counsel for Respondent and the Bar have advised the undersigned Referee that they intend to rely upon the current record in making their respective arguments. It is therefore ORDERED as follows:

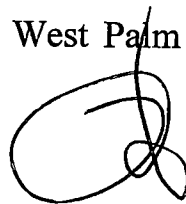
4. The parties shall prepare proposed Findings of Fact and Conclusions of Law on the advice of counsel defense in accordance with the opinion of the

Florida Supreme Court and submit same to the Referee in Word format **on or before October 8, 2020.**

5. Further, this matter is hereby set for a Hearing on **Thursday, October 8, 2020 at 1:00 p.m.** at the Palm Beach County Courthouse, 205 N. Dixie Hwy, Courtroom 4C, West Palm Beach, FL 33401 (unless otherwise noticed by the court). Each side will have thirty (30) minutes to present their closing arguments.

7. The Amended Report of Referee is currently due on September 16, 2020. The undersigned Referee has granted the Respondent's unopposed request for additional time to prepare his proposed Findings of Fact and Conclusions of Law and closing argument. Additionally, as Chair of the Palm Beach County Canvassing Board, it is anticipated the undersigned Referee will be required to attend and oversee canvassing of an expected high volume of vote-by-mail ballots for both the August 18 Primary and November 3, 2020 General Elections. Based on this, the undersigned Referee is requesting that Counsel for the Bar file a motion with the Supreme Court of Florida requesting an extension of time for the undersigned Referee to file the Amended Report of Referee.

DONE and ORDERED in Chambers West Palm Beach, Florida, this 21st day of July, 2020.



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Honorable August A. Bonavita, Referee

Copies provided to:

David Bill Rothman, Respondent's Counsel, Rothman & Associates, P.A., 200 S. Biscayne Blvd., Suite 2770, Miami, FL 33131-5300; via email at [dbr@rothmanlawyers.com](mailto:dbr@rothmanlawyers.com), [jtm@rothmanlawyers.com](mailto:jtm@rothmanlawyers.com)

Jeanne T. Melendez, Respondent's Counsel, Rothman & Associates, P.A., 200 S. Biscayne Blvd., Suite 2770, Miami, FL 33131-5300; via email at [jtm@rothmanlawyers.com](mailto:jtm@rothmanlawyers.com)

Joi L. Pearsall, Bar Counsel, The Florida Bar, Ft. Lauderdale Branch Office, Lake Shore Plaza II, 1300 Concord Terrace, Suite 130, Sunrise, FL 33323; via email at [jpearsall@floridabar.org](mailto:jpearsall@floridabar.org), [esanchez@floridabar.org](mailto:esanchez@floridabar.org)

Patti Ann Savitz, Staff Counsel, The Florida Bar, 651 East Jefferson Street, Tallahassee, FL 32399; via email at [psavitz@floridabar.org](mailto:psavitz@floridabar.org)

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IN THE SUPREME COURT OF FLORIDA  
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THE FLORIDA BAR,

Complainant,

v.

PETER G. HERMAN,

Respondent.

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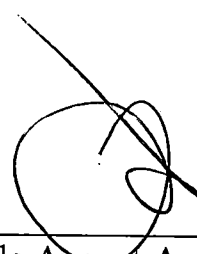
**ORDER ON CASE MANAGEMENT CONFERENCE**

This cause having been before the Court on a Case Management Conference on June 23, 2020 at 2:00 p.m., the parties having appeared via Zoom video conference, the Court being fully advised in the premises FINDS as follows:

1. On June 18, 2020, the Supreme Court of Florida issued an order remanding this case back to the undersigned referee for further proceedings.
2. Joi Pearsall, bar counsel, David B. Rothman, counsel for respondent and Jeanne T. Melendez, counsel for respondent appeared via Zoom video conference.
3. A second case management conference will be held on July 9, 2020 at 2:00 p.m. via Zoom video conference.

4. At the July 9, 2020 case management conference, the Bar will update the court on its position as it relates to these proceedings.

DONE and ORDERED in Chambers West Palm Beach, FL, this 25  
day of JUNE, 2020.

  
\_\_\_\_\_  
Honorable August A. Bonavita, Referee

Copies provided to:

David Bill Rothman, Respondent's Counsel  
Rothman & Associates, P.A., 200 S. Biscayne Blvd., Suite 2770, Miami, FL  
33131-5300; via email at [dbr@rothmanlawyers.com](mailto:dbr@rothmanlawyers.com), [jtm@rothmanlawyers.com](mailto:jtm@rothmanlawyers.com)

Joi L. Pearsall, Bar Counsel  
The Florida Bar, Ft. Lauderdale Branch Office, Lake Shore Plazas II, 1300  
Concord Terrace, Suite 130, Sunrise, FL 33323; via email at  
[jpearsall@floridabar.org](mailto:jpearsall@floridabar.org); [esanchez@floridabar.org](mailto:esanchez@floridabar.org)

Patti Ann Savitz, Staff Counsel  
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