

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

DENNIS L. HORTON,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2017-30,371 (7B) (CES)

PETITION FOR EMERGENCY SUSPENSION

This petition of The Florida Bar seeks emergency relief and requires the immediate attention of the court pursuant to R. Regulating Fla. Bar 3-5.2. The Florida Bar seeks the emergency suspension of Dennis L. Horton, Attorney No. 187991, from the practice of law in Florida based on facts that establish clearly and convincingly that Dennis L. Horton appears to be causing great public harm by taking improper loans from his clients and commingling trust funds in his operating account that had excessive overdrafts resulting in trust funds being misused for purposes other than those for which they were intended. Those facts supported by the affidavit of Branch Auditor Matthew S. Herdeker, CPA, attached hereto as Exhibit "A" and the transcripts of respondent's sworn statement dated January 10, 2017, and April 6, 2017, attached hereto as Exhibits "B" and "C," respectively, as follows:

RECEIVED, 05/01/2017 03:33:27 PM, Clerk, Supreme Court

1. The filing of this Petition for Emergency Suspension has been authorized by the Executive Director of The Florida Bar.
2. Respondent, Dennis L. Horton, is and at all times hereinafter mentioned, was a member of The Florida Bar and subject to the jurisdiction and disciplinary rules of the Supreme Court of Florida.
3. Respondent is currently the subject of a bar disciplinary matter which has been assigned The Florida Bar file number 2017-30,371 (7B) (CES).
4. The Bar's investigation of this matter has indicated respondent routinely commingled client trust funds in his operating account, rendering it a *de facto* trust account, and, because the operating account had repeated significant overdrafts due to insufficient funds in 2015 and 2016, client funds were misused for purposes other than those for which they were intended. With respect to respondent's trust account, he failed to maintain the minimum required trust accounting records and failed to follow the minimum required trust accounting procedures. Finally, respondent obtained improper loans from elderly clients to cover overdrafts in his operating account and to cover personal and business expenses.
5. The enclosed affidavit of Branch Auditor Matthew Herdeker, CPA, and sworn statement of Dennis L. Horton, are used by the bar to support this Petition for Emergency Suspension.

6. At all times material, respondent maintained a trust account at First Green Bank and two additional trust accounts at CenterState Bank.

7. At all times material, respondent maintained operating accounts at CenterState Bank and at First Green Bank.

8. At all times material, respondent maintained personal checking accounts at CenterState Bank and at First Green Bank.

9. The Florida Bar conducted an audit of respondent's three aforementioned trust accounts for the time period of January 1, 2016 through December 31, 2016.

10. The Florida Bar's Staff Auditor also reviewed respondent's aforementioned operating and personal checking accounts for the time period of July 1, 2013 through December 31, 2016.

11. The bar's audit of respondent's accounts revealed that he repeatedly and significantly overdrafted his operating account maintained at CenterState Bank due to insufficient funds during 2015 and 2016.

12. Respondent incurred overdraft fees in his CenterState Bank operating account totaling \$5,565.00 in 2015 and \$6,265.00 in 2016.

13. For example, in November 2016, the ending daily bank balance in respondent's CenterState Bank operating account was negative twenty-six out of thirty days by as much as \$10,755.11.

14. During his sworn statement to The Florida Bar dated April 6, 2017, respondent testified under oath that he commingled funds by placing credit card payments including cost deposits, into his operating account maintained at CenterState Bank and then failed to timely transfer those funds to his trust account as required by R. Regulating Fla. Bar 5-1.1(a)(1).

15. Respondent utilized client funds he improperly deposited to his CenterState Bank operating account for purposes other than those for which they were entrusted to him.

16. The bar's audit of respondent's trust account maintained at First Green Bank revealed that he failed to follow the minimum required trust accounting procedures.

17. Respondent failed to identify the client matter on all trust account checks, failed to consistently identify the client matter and reasons for transactions in the journal, failed to consistently identify the reasons for transactions on the client ledgers and failed to maintain separate ledgers for each client matter.

18. Respondent failed to provide the bar with reconciliations and monthly comparisons for his CenterState Bank trust account.

19. On or about August 30, 2016, pursuant to a durable power of attorney prepared by respondent and issued to him by Christa M. Barry, a seventy-five year old client who was in deteriorating health, respondent transferred \$30,000.00 of the

\$32,066.34 balance in Ms. Barry's money market account maintained at SunTrust Bank to her checking account maintained at SunTrust Bank.

20. On or about August 30, 2016, respondent transferred the \$30,000.00 from Ms. Barry's SunTrust checking account to respondent's trust account maintained at First Green Bank and recorded it in a ledger titled "Barry, Christa M."

21. Ms. Barry died on September 5, 2016.

22. The following day, on September 6, 2016, respondent transferred \$17,500.00 from the Barry ledger in his First Green Bank trust account to his CenterState Bank operating account by check number 1849. Respondent noted in the memo line of the check that one-half of the amount of the check was for his attorney's fees and the other one-half was for his personal representative fee in the Barry estate.

23. Respondent was not entitled to the fees at this time because the probate court had not appointed respondent as the personal representative for Ms. Barry's estate when respondent issued check number 1849 from his First Green Bank trust account.

24. Respondent used the \$17,500.00 he obtained from Ms. Barry's account to cover an overdraft of \$5,677.38 in his operating account. He also transferred \$3,100.00 from his CenterState Bank operating account to his personal

account maintained at CenterState Bank to cover an overdraft in that account in the amount of \$3,049.84. Respondent also transferred portions of the \$17,500.00 to his other business accounts and to another personal account and paid various operating expenses of his law firm.

25. On October 19, 2016, respondent wrote a check in the amount of \$15,500.00 from the Estate of Christa M. Barry account to himself for fees as personal representative. This same day, respondent's bank dishonored a \$15,000.00 check respondent issued from the account he held pursuant to a power of attorney issued to him by Edward A. Lowman, a seventy-four year old client of respondent. Respondent testified under oath during his sworn statement on April 6, 2017 in response to questioning about the aforementioned transaction that "it wasn't a coincidence . . . I needed that money, so I thought I would take my – take a portion of my personal representative's fee."

26. Respondent represented Edward Lowman in drafting a revocable living trust and a power of attorney.

27. Mr. Lowman requested respondent name himself as a fifty percent beneficiary in the living trust. As such, respondent drafted the fifth amendment to the living trust naming himself as a beneficiary in the distribution, dated July 19, 2011. Rule Regulating Florida Bar 4-1.8(c) expressly prohibits an attorney from preparing on behalf of a client an instrument giving the lawyer or a person related

to the lawyer any substantial gift unless the lawyer or other recipient of the gift is related to the client.

28. In or around September 2016 and October 2016, respondent requested Mr. Lowman loan him money. Mr. Lowman agreed to loan respondent a total of \$90,000.00. Respondent, using the power of attorney issued to him by Mr. Lowman, issued three checks to himself as loans from Mr. Lowman's SunTrust Bank checking account totaling \$90,000.00 on September 9, 2016, September 26, 2016 and October 5, 2016. Respondent failed to follow the requirements of Rule 4-1.8(a) of the Rules Regulating the Florida Bar in obtaining this loan.

29. Respondent used Mr. Lowman's funds to cover overdrafts in his personal checking account and his law firm operating account, to repay a personal loan, and to make payments to the United States Treasury. He also transferred portions of the loans to accounts of his other business entities.

30. Respondent testified under oath during his sworn statement on April 6, 2017 that he initially did not provide a promissory note to Mr. Lowman to secure the loan until approximately November 14, 2016 nor did he advise Mr. Lowman to seek the advice of independent legal counsel regarding the transaction.

31. In addition to the abovementioned \$90,000.00 in loans, on October 5, 2016, respondent issued a check for \$1,000.00 to himself from Mr. Lowman's SunTrust checking account. He deposited the funds into his operating account

maintained at CenterState Bank to cover an overdraft and to make a payment to the United States Treasury.

32. Mr. Lowman did not give respondent authorization to issue the \$1,000.00 check, and when he discovered it, he closed his SunTrust Bank account.

33. Respondent maintained that he was entitled to the \$1,000.00 as compensation for various services he provided to Mr. Lowman while acting under the power of attorney.

34. Respondent testified under oath during his sworn statement on April 6, 2017 that he did not create an invoice for these services and arrived at the amount of \$1,000.00 by estimating the time he believed he spent on the services.

35. On October 14, 2016, respondent wrote another check to himself in the amount of \$15,000.00 from Mr. Lowman's SunTrust Bank account and attempted to deposit the funds into his personal checking account maintained at CenterState Bank.

36. Mr. Lowman did not agree to loan respondent the \$15,000.00.

37. On October 19, 2016, CenterState Bank returned the check for insufficient funds because Mr. Lowman had removed most of the funds from his SunTrust checking account with a "Closing Debit."

38. Between 2014 and 2017, respondent provided legal advice and services to Richard O'Connell, age eighty-five.

39. At all times material, Mr. O'Connell resided in an assisted living facility and relied on a certified nursing assistant for his daily needs.

40. Prior to August 2014, Mr. O'Connell's checking accounts maintained at Chase Bank were titled in his name only and reflected his home address.

41. Thereafter, respondent, pursuant to the power of attorney prepared by respondent and issued to him by Mr. O'Connell, changed the name on the accounts to reflect respondent's name as power of attorney and changed the mailing address. Commencing with the August 2014 statements, Mr. O'Connell's accounts maintained at Chase Bank were changed to reflect "Richard O'Connell or Dennis L Horton POA." On or around November 4, 2014, respondent issued a letter to Chase Bank directing the bank to change the address on the bank statements for Mr. O'Connell's bank accounts to respondent's law office address.

42. From August 2014 through November 2016, respondent issued eighty checks totaling \$139,540.00 from Mr. O'Connell's Chase Bank checking accounts and deposited the funds into his law firm operating accounts.

43. Respondent testified under oath during his sworn statement that these payments were for various legal services he provided to Mr. O'Connell but that he did not prepare an engagement agreement for Mr. O'Connell nor did he draft invoices reflecting the legal services provided in 2015 and 2016.

44. From December 2015 through November 2016, respondent issued twenty-five checks totaling \$44,850.00 from his personal checking account or operating accounts payable to Richard O’Connell and deposited the funds back into Mr. O’Connell’s Chase Bank checking accounts.

45. Respondent testified under oath during his sworn statement on April 6, 2017 that there were times when Mr. O’Connell’s checking account “would fall short.” Respondent testified that he deposited funds into Mr. O’Connell’s checking account to pay Mr. O’Connell’s medical bills and caregiver.

46. On or around November 22, 2016, subsequent to the commencement of the bar’s investigation in this matter, respondent issued a letter to Mr. O’Connell informing him for the first time of respondent’s compensation for 2015 and 2016.

47. In the letter, respondent attempted to explain his fees. Respondent failed to disclose, however, the total amount he paid himself in 2015 and 2016 and the amounts he returned to Mr. O’Connell.

48. In 2015, respondent paid himself a total of \$43,000.00 from Mr. O’Connell’s checking account and returned \$4,800.00, for a net total of \$38,200. Respondent represented to Mr. O’Connell in the letter that his compensation for 2015 was \$38,200.00.

49. In 2016, respondent paid himself \$82,840.00 from Mr. O’Connell’s checking accounts and returned \$40,050.00, for a net total of \$42,790. Respondent

represented to Mr. O'Connell in the letter that his compensation for 2016 was \$39,760.

50. In the letter, respondent also enclosed timesheets previously not sent to Mr. O'Connell and offered to provide legal services for Mr. O'Connell in 2017 for no charge.

51. Mr. O'Connell also maintained a brokerage account with JP Morgan Chase.

52. On or around February 12, 2016, Mr. O'Connell signed a letter, prepared by respondent, authorizing respondent to "liquidate and use monies for my care from my JP Morgan Chase Brokerage Account."

53. Between February 2016 and January 2017, the brokerage account statements were addressed to respondent's office address.

54. From February 2016 through December 2016, respondent made sixteen transfers totaling \$66,500.00 from Mr. O'Connell's JP Morgan Chase brokerage account to Mr. O'Connell's savings account maintained at Chase Bank.

55. Respondent testified under oath during his sworn statement on April 6, 2017 that he made the transfers when Mr. O'Connell ran short of money. Respondent testified that he used the funds to pay for Mr. O'Connell's expenses, such as his certified nursing assistant.

56. In some instances, respondent used the funds from Mr. O'Connell's JP Morgan Chase brokerage account primarily for his own benefit.

57. On February 17, 2016, respondent transferred \$5,000.00 from Mr. O'Connell's JP Morgan Chase brokerage account to Mr. O'Connell's Chase Bank savings account. On February 18, 2016, respondent transferred the \$5,000.00 from the Chase Bank savings account to Mr. O'Connell's checking account maintained at Chase Bank. On the same day, respondent transferred the \$5,000.00 from the Chase Bank checking to respondent's operating account maintained at CenterState Bank by issuing check number 1982. Respondent then used the funds in his operating account to cover an overdraft, to pay overdraft charges in the operating account, the Internal Revenue Service and Thomson Reuters.

58. On February 22, 2016, respondent transferred \$5,000.00 from Mr. O'Connell's JP Morgan Chase brokerage account to Mr. O'Connell's Chase Bank savings account. On February 25, 2016, respondent transferred \$4,000.00 of the \$5,000.00 to Mr. O'Connell's checking account maintained at Chase Bank. On the same day, respondent transferred \$3,850.00 of those funds to his CenterState Bank operating account by check number 1938. From the operating account, respondent then transferred a portion of the funds to one of respondent's other business entities and made payments on a debt owed by respondent to the Internal Revenue Service.

59. On July 11, 2016, respondent transferred \$3,500.00 from Mr. O'Connell's JP Morgan Chase brokerage account to Mr. O'Connell's Chase Bank savings account. On July 12, 2016, respondent transferred \$2,650.00 of the \$3,500.00 to Mr. O'Connell's Chase Bank checking account. On the same day, respondent transferred the \$2,650.00 to his CenterState Bank operating account by check number 1989. From the operating account, respondent used the funds to cover an overdraft, to pay an overdraft fee in the operating account and transferred portions to his personal checking accounts.

Wherefore, by reason of the foregoing, respondent has violated the following Rules Regulating The Florida Bar:

A. 4-1.8(a) A lawyer shall not enter into a business transaction with a client or knowingly acquire an ownership, possessory, security, or other pecuniary interest adverse to a client, except a lien granted by law to secure a lawyer's fee or expenses, unless: (1) the transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed and transmitted in writing to the client in a manner that can be reasonably understood by the client; (2) the client is advised in writing of the desirability of seeking and is given a reasonable opportunity to seek the advice of independent legal counsel on the transaction; and (3) the client gives informed consent, in a writing signed by the client, to the essential terms of the transaction

and the lawyer's role in the transaction, including whether the lawyer is representing the client in the transaction.

B. 4-1.8(b) A lawyer shall not use information relating to representation of a client to the disadvantage of the client unless the client gives informed consent, except as permitted or required by these rules.

C. 4-1.8(c) A lawyer shall not solicit any substantial gift from a client, including a testamentary gift, or prepare on behalf of a client an instrument giving the lawyer or a person related to the lawyer any substantial gift unless the lawyer or other recipient of the gift is related to the client. For purposes of this subdivision, related persons include a spouse, child, grandchild, parent, grandparent, or other relative with whom the lawyer or the client maintains a close, familial relationship.

D. 4-1.15 A lawyer shall comply with The Florida Bar Rules Regulating Trust Accounts.

E. 4-8.4(c) A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation, except that it shall not be professional misconduct for a lawyer for a criminal law enforcement agency or regulatory agency to advise others about or to supervise another in an undercover investigation, unless prohibited by law or rule, and it shall not be professional misconduct for a lawyer employed in a capacity other than as a lawyer by a

criminal law enforcement agency or regulatory agency to participate in an undercover investigation, unless prohibited by law or rule.

F. 5-1.1(a)(1) A lawyer must hold in trust, separate from the lawyer's own property, funds and property of clients or third persons that are in a lawyer's possession in connection with a representation. All funds, including advances for fees, costs, and expenses, must be kept in a separate bank or savings and loan association account maintained in the state where the lawyer's office is situated or elsewhere with the consent of the client or third person and clearly labeled and designated as a trust account except: (A) A lawyer may maintain funds belonging to the lawyer in the lawyer's trust account in an amount no more than is reasonably sufficient to pay bank charges relating to the trust account; and (B) A lawyer may deposit the lawyer's own funds into trust to replenish a shortage in the lawyer's trust account. Any deposits by the lawyer to cover trust account shortages must be no more than the amount of the trust account shortage, but may be less than the amount of the shortage. The lawyer must notify the bar's lawyer regulation department immediately of the shortage in the lawyer's trust account, the cause of the shortage, and the amount of the replenishment of the trust account by the lawyer.

G. 5-1.1(b) Money or other property entrusted to an attorney for a specific purpose, including advances for fees, costs, and expenses, is held in trust

and must be applied only to that purpose. Money and other property of clients coming into the hands of an attorney are not subject to counterclaim or setoff for attorney's fees, and a refusal to account for and deliver over such property upon demand shall be deemed a conversion.

H. 5-1.2(b) Records may be maintained in their original format or stored in digital media as long as the copies include all data contained in the original documents and may be produced when required. The following are the minimum trust accounting records that must be maintained: (1) a separate bank or savings and loan association account or accounts in the name of the lawyer or law firm and clearly labeled and designated as a "trust account"; (2) original or clearly legible copies of deposit slips if the copies include all data on the originals and, in the case of currency or coin, an additional cash receipts book, clearly identifying the date and source of all trust funds received and the client or matter for which the funds were received; (3) original canceled checks or clearly legible copies of original canceled checks for all funds disbursed from the trust account, all of which must: (A) be numbered consecutively; (B) include all endorsements and all other data and tracking information; and (C) clearly identify the client or case by number or name in the memo area of the check; (4) other documentary support for all disbursements and transfers from the trust account including records of all electronic transfers from client trust accounts, including: (A) the name of the

person authorizing the transfer; (B) the name of the recipient; (C) confirmation from the banking institution confirming the number of the trust account from which money is withdrawn; and (D) the date and time the transfer was completed.

(5) original or clearly legible digital copies of all records regarding all wire transfers into or out of the trust account, which at a minimum must include the receiving and sending financial institutions' ABA routing numbers and names, and the receiving and sending account holder's name, address and account number. If the receiving financial institution processes through a correspondent or intermediary bank, then the records must include the ABA routing number and name for the intermediary bank. The wire transfer information must also include the name of the client or matter for which the funds were transferred or received, and the purpose of the wire transfer, (e.g., "payment on invoice 1234" or "John Doe closing").

(6) a separate cash receipts and disbursements journal, including columns for receipts, disbursements, transfers, and the account balance, and containing at least: (A) the identification of the client or matter for which the funds were received, disbursed, or transferred; (B) the date on which all trust funds were received, disbursed, or transferred; (C) the check number for all disbursements; and (D) the reason for which all trust funds were received, disbursed, or transferred;

(7) a separate file or ledger with an individual card or page for each client or matter, showing all individual receipts, disbursements, or

transfers and any unexpended balance, and containing: (A) the identification of the client or matter for which trust funds were received, disbursed, or transferred; (B) the date on which all trust funds were received, disbursed, or transferred; (C) the check number for all disbursements; and (D) the reason for which all trust funds were received, disbursed, or transferred; and (8) all bank or savings and loan association statements for all trust accounts.

I. 5-1.2(d) The minimum trust accounting procedures that must be followed by all members of The Florida Bar (when a choice of laws analysis indicates that the laws of Florida apply) who receive or disburse trust money or property are as follows: (1) The lawyer is required to make monthly: (A) reconciliations of all trust bank or savings and loan association accounts, disclosing the balance per bank, deposits in transit, outstanding checks identified by date and check number, and any other items necessary to reconcile the balance per bank with the balance per the checkbook and the cash receipts and disbursements journal; and (B) a comparison between the total of the reconciled balances of all trust accounts and the total of the trust ledger cards or pages, together with specific descriptions of any differences between the 2 totals and reasons for these differences. (2) The lawyer is required to prepare an annual detailed list identifying the balance of the unexpended trust money held for each client or matter. (3) The above reconciliations, comparisons, and listings must be

retained for at least 6 years. (4) The lawyer or law firm must authorize, at the time the account is opened, and request any bank or savings and loan association where the lawyer is a signatory on a trust account to notify Staff Counsel, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, in the event the account is overdrawn or any trust check is dishonored or returned due to insufficient funds or uncollected funds, absent bank error. (5) The lawyer must file with The Florida Bar between June 1 and August 15 of each year a trust accounting certificate showing compliance with these rules on a form approved by the board of governors. If the lawyer fails to file the trust accounting certificate, the lawyer will be deemed a delinquent member and ineligible to practice law.

WHEREFORE, based on the aforementioned facts, the bar asserts the respondent has caused, or is likely to cause, immediate and serious harm to clients and/or the public and that immediate action must be taken for the protection of the respondent's clients and the public. Therefore, pursuant to R. Regulating Fla. Bar 3-5.2, The Florida Bar respectfully requests this court to:

A. Suspend respondent from the practice of law until further order of this court.

B. Order respondent to accept no new clients from the date of this Court's order and to cease representing any clients after 30 days from the date of this Court's order. In addition, respondent shall cease acting as a power of attorney for

any client, personal representative for any estate, as guardian for any ward, and as trustee for any trust and will seek to withdraw from said representation within thirty days from the date of this court's order and will immediately turn over to any successor the complete financial records of any estate, guardianship or trust upon the successor's appointment.

C. Order respondent to furnish a copy of the suspension order to all clients, opposing counsel and courts before which Dennis L. Horton is counsel of record as required by Rule 3-5.1(h) of the Rules of Discipline of The Florida Bar and to furnish Staff Counsel with the requisite affidavit listing all clients, opposing counsel and courts so informed within 30 days after receipt of the court's order.

D. Order respondent to refrain from withdrawing or disbursing any money from any trust account related to respondent's law practice until further order of this court, a judicial referee appointed by this court or by order of the Circuit Court in an inventory attorney proceeding instituted under R. Regulating Fla. Bar 1-3.8, and to deposit any fees, or other sums received in connection with the practice of law or in connection with the respondent's employment as a personal representative, guardian or trustee, paid to the respondent after issuance of this Court's order of emergency suspension, into a specified trust account from which withdrawal may only be made in accordance with restrictions imposed by this Court. Further, respondent shall be required to notify bar counsel of The

Florida Bar of the receipt and location of said funds within 30 days of the order of emergency suspension.

E. Order respondent to not withdraw any money from any trust account or other financial institution account related to respondent's law practice or transfer any ownership of any real or personal property purchased in whole or in part with funds properly belonging to clients, probate estates for which respondent served as personal representative, guardianship estates for which respondent served as guardian, and trusts for which respondent served as trustee without approval of this court, a judicial referee appointed by this court or by order of the Circuit Court in an inventory attorney proceeding instituted under R. Regulating Fla. Bar 1-3.8.

F. Order respondent to notify, in writing, all banks and financial institutions where the respondent maintains an account related to the practice of law, or related to services rendered as a personal representative of an estate, or related to services rendered as a guardian, or related to services rendered as a trustee, or where respondent maintains an account that contains funds that originated from a probate estate for which respondent was personal representative, guardianship estate for which respondent was guardian, or trust for which respondent was trustee, of the provisions of this Court's order and to provide all the aforementioned banks and financial institutions with a copy of this Court's order. Further, respondent shall be required to provide Bar Counsel with an affidavit

listing each bank or financial institution respondent provided with a copy of said order.

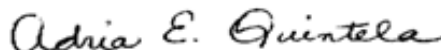
G. Order respondent to immediately comply with and provide all documents and testimony responsive to a subpoena from The Florida Bar for trust account records and any related documents necessary for completion of a trust account audit to be conducted by The Florida Bar.

H. And further to authorize any Referee appointed in these proceedings to determine entitlement to funds in any trust account(s) frozen as a result of an Order entered in this matter.

Respectfully submitted,



Carrie Constance Lee, Bar Counsel
The Florida Bar
Orlando Branch Office
1000 Legion Place, Suite 1625
Orlando, Florida 32801-1050
(407) 425-5424
Florida Bar No. 552011
clee@floridabar.org
orlandooffice@floridabar.org



ADRIA E. QUINTELA
Staff Counsel
The Florida Bar
Lakeshore Plaza II, Suite 130

1300 Concord Terrace
Sunrise, Florida 33323
(954) 835-0233
Florida Bar No. 897000
aquintel@floridabar.org

/s/ John F. Harkness, Jr.
JOHN F. HARKNESS, JR.
Executive Director
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300
(850) 561-5600
Florida Bar No. 123390
jharkness@floridabar.org

CERTIFICATE OF SERVICE

I certify that this document has been E-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida with a copy provided via email to Respondent's Counsel, Brett Alan Geer, at brettgeer@geerlawfirm.com; using the E-filing Portal and that a copy has been furnished by United States Mail via certified mail no 7017 0190 0000 0892 4941, return receipt requested to Respondent's Counsel, Brett Alan Geer, The Geer Law Firm, 3030 N. Rocky Point Drive W., Suite 150, Tampa, Florida 33607-7200, and via email to Carrie Constance Lee, Bar Counsel, 1000 Legion Place, Suite 1625, Orlando, Florida 32801, clee@floridabar.org, orlandooffice@floridabar.org on this 1st day of May, 2017.

Adria E. Quintela

ADRIA E. QUINTELA
Staff Counsel
The Florida Bar
Lakeshore Plaza II, Suite 130
1300 Concord Terrace
Sunrise, Florida 33323
(954) 835-0233
Florida Bar No. 897000
aquintel@floridabar.org

NOTICE OF DESIGNATION OF PRIMARY EMAIL ADDRESS

PLEASE TAKE NOTICE that bar counsel in this matter is Carrie Constance Lee, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Orlando Branch Office, The Gateway Center, 1000 Legion Place, Suite 1625, Orlando, Florida 32801-1050, (407) 425-5424 and clee@floridabar.org, orlandooffice@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than bar counsel and to Adria E. Quintela, Staff Counsel, The Florida Bar, Lakeshore Plaza II, Suite 130, 1300 Concord Terrace, Sunrise, Florida 33323, aquintel@floridabar.org.