

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

ELIZABETH JAYNE ANDERSON,

Respondent.

Supreme Court Case
No. SC18-1646

The Florida Bar File
No. 2018-30,452 (19A) (CES)

REPLY TO ORDER TO SHOW CAUSE

COMES NOW the Petitioner, The Florida Bar, in reply to this Court's Order to Show Cause dated January 22, 2019 and says:

1. On December 19, 2018, the Referee entered an interim report on Respondent's Motion for Order Releasing Operating Account of Anderson Hew PPLC at Florida Community Bank, Account Number Ending in -7200 after holding a hearing on respondent's motion on November 30, 2018.

2. The bar advised the referee at the November 30, 2018 hearing that it took no position regarding respondent's motion.

3. Although respondent filed the motion, her former law partner, Jessica Hew, who is not a party to these disciplinary proceedings, affirmatively requested, through counsel, the release of this Court's order freezing the Operating Account

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of Anderson Hew PLLC for the purpose of using the funds contained therein to pay legitimate, undisputed creditors of the former law firm.

4. The referee recommended releasing the funds from the subject account for the sole purpose of paying the former law firm's creditors.

5. The referee also recommended that under no circumstance, should either respondent or Jessica Hew be paid any funds from the subject account except after subsequent application and order from this Court issued after subsequent hearing.

6. The bar's audit did not identify any funds belonging to clients in the funds frozen in the Anderson Hew Florida Community Bank #7200 operating account.

7. In the normal course of business, respondent and Ms. Hew used the Anderson Hew Florida Community Bank #7200 operating account to receive deposits of their earned legal fees from the Anderson Hew trust accounts maintained at Florida Community Bank.

8. The bar's audit did not identify any shortages in the Anderson Hew Florida Community Bank trust accounts.

9. The bar's audit did not identify any client funds inappropriately transferred from the Anderson Hew Florida Community Bank trust accounts to the Anderson Hew Florida Community Bank #7200 operating account.

10. Therefore, the bar's audit does not indicate any grounds for objecting to the referee's recommendation regarding the Anderson Hew Florida Community Bank #7200 operating account.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that the original hereof has been has been E-Filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida; with copies to Warren William Lindsey, Lindsey & Ferry, P. A. 1150 Louisiana Avenue, Suite 2, Winter Park, Florida 32789-2354, warren@warrenlindseylaw.com, and to Staff Counsel, The Florida Bar, Lakeshore Plaza II, Suite 130, 1300 Concord Terrace, Sunrise, Florida 33323, aquintel@floridabar.org, on this 25th day of January, 2019.



Carrie Constance Lee, Bar Counsel