

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Supreme Court Case No.
SC18-1646

Petitioner,

v.

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

ELIZABETH JAYNE ANDERSON,

Respondent.

_____ /

REPLY OF RESPONDENT TO ORDER TO SHOW CAUSE

COMES NOW the Respondent, Elizabeth Jayne Anderson, 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 PLLC at Florida Community Bank, Account Number Ending in -7200 after holding a hearing on respondent's motion on November 30, 2018. In reply to the Order to Show Cause, the Respondent states that this Court should enter an order in accordance with the Referee's recommendation to release the Court's Order freezing the Operating Account of Anderson Hew PLLC at Florida Community Bank, account number ending in -7200 (last four digits) with the restrictions recommended by the Referee in his Report.

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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 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 PLLC Operating Account at Florida Community Bank, account ending in -7200.

7. In the normal course of business, Respondent and Ms. Hew used the Anderson Hew Florida Community Bank operating account no. -7200 to receive deposits of their earned legal fees from the Anderson Hew trust accounts maintained at Florida Community Bank.

8. As indicated by the Bar in its Reply, 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 operating account no. -7200.

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 operating account no. -7200.

11. For the above reasons, Respondent requests the Court to enter an Order in accordance with the Referee's recommendations.

Respectfully submitted,

s/ Warren W. Lindsey
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of January, 2019, a true and correct copy of the foregoing was E-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, and copies were served to: Adria E. Quintela, Bar Counsel, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, at aquintela@flabar.org; and Carrie Constance Lee, Bar Counsel, The Florida Bar, 1000 Legion Place, Suite 1625, Orlando, Florida 32801, clee@flabar.org.

/s Warren W. Lindsey _____
WARREN WILLIAM LINDSEY