

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

TIMOTHY JOHN CHUILLI,

Respondent.

Supreme Court Case
No.

The Florida Bar File
No. 2017-70,525(11E)

COMPLAINT

THE FLORIDA BAR, Complainant, files this Complaint against Timothy John Chuilli, Respondent, pursuant to Chapter 3, Rules Regulating The Florida Bar and alleges the following:

1. Respondent is, and at all times mentioned in the complaint was, a Member of The Florida Bar, albeit delinquent in his Bar fees, and currently ineligible to practice law in the State of Florida, but subject to the jurisdiction and disciplinary Rules of the Supreme Court of Florida.

2. Respondent is 54 years old and was admitted to The Florida Bar on May 2, 1992.

3. Prior to the filing of this Complaint, there has been a finding of probable cause by a grievance committee as required by Rule 3-7.3(1), Rules

RECEIVED, 04/18/2018 10:58:26 AM, Clerk, Supreme Court

Regulating The Florida Bar. The presiding member of the grievance committee has approved the instant complaint.

4. Cora Richardson retained Respondent to represent her in a pending civil matter, in *Cora Richardson v. Miguel Carrasco*, Case No. 10-5844 CA (05) in the Eleventh Judicial Circuit Court in and for Miami Dade County, Florida.

5. On or about September 8, 2016, Respondent filed his Notice of Appearance as well as a Motion to Amend the Complaint, and Notice of Hearing in this matter. (A copy of Respondent's Notice of Appearance is attached as Exhibit "A.").

6. A few months later, on or about November 30, 2016 Respondent became delinquent in his Continuing Legal Education Requirements and he became ineligible to practice law in the State of Florida. Respondent also became delinquent in his Bar fees on or about November 1, 2017 and to this day, Respondent remains ineligible to practice law in the State of Florida.

7. While delinquent, Respondent continued to represent Mr. Richardson. At some point the communication between Ms. Richardson and Respondent ceased. Eventually, Ms. Richardson was able to communicate with Respondent, who advised her that he wanted to continue to represent her in this matter. Ms. Richardson agreed. Shortly thereafter, Ms. Richardson again made several

attempts to communicate with Respondent; however, Respondent again failed to respond.

8. On or about March 7, 2017, Ms. Richardson filed a motion to request a trial date and to advise the court that unbeknownst to her Respondent had become ineligible to practice law and that she had been left to represent herself in this matter. (A copy of Ms. Richardson's Motion is attached as Exhibit "B").

9. Respondent did not file a Motion to Withdraw and to this day Respondent remains counsel of record in this case.

10. On March 15, 2017, the court entered an order setting the case for a jury trial for June 5, 2017.

11. Ms. Richardson then made several attempts to contact Respondent requesting that he return her exhibits to her because she needed them for trial. Respondent did not respond to Ms. Richardson's attempts to contact him nor did he return Ms. Richardson's documents to her.

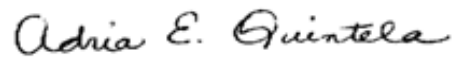
12. On or about March 31, 2017, Ms. Richardson filed a grievance with The Florida Bar. Pursuant to its investigation, counsel for The Florida Bar wrote Respondent on April 18, 2017, May 25, 2017, June 23, 2017, and August 4, 2017, requesting Respondent's position regarding Ms. Richardson's grievance. Respondent failed to respond in writing to any of the letters from The Florida Bar as is required by the Rules Regulating The Florida Bar.

13. Based on the foregoing, Respondent is in violation of rules 4-1.3 (Competence); 4-1.4 (Communication); 4-3.2 (Expediting Litigation); 4-8.4(d) (A lawyer shall not engage in conduct in connection with the practice of law that is prejudicial to the administration of justice, including to knowingly or through callous indifference, disparage, humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other lawyers on any basis, including, but not limited to, on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation, age, socioeconomic status, employment, or physical characteristic); and 4-8.4(g) (A lawyer shall not fail to respond, in writing to any official inquiry by bar counsel or a disciplinary agency) of The Rules Regulating The Florida Bar.

WHEREFORE, The Florida Bar respectfully requests that Timothy John Chuilli, Respondent, be appropriately disciplined in accordance with Chapter 3, Rules Regulating The Florida Bar.



Tonya L. Avery, Bar Counsel
The Florida Bar
Miami Branch Office
444 Brickell Avenue, Suite M-100
Miami, Florida 33131-2404
(305) 377-4445
Florida Bar No. 190292
tavery@flabar.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@flabar.org

CERTIFICATE OF SERVICE

I certify that this document has been e-filed using the E-filing Portal with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida; with copies provided via email using the E-filing Portal to tcflaw@gmail.com; and that a copy has been furnished by United States Mail via Certified Mail No. 7017 0190 0000 0892 3791, Return Receipt Requested, to Timothy John Chuilli, Respondent, whose record bar address is 3015 Coconut Grove Drive, Coral Gables, Florida 33134-6804; and by United States Mail via Certified Mail No. 7017 0190 0000 0892 3807, Return Receipt Requested, to Timothy John Chuilli, Respondent's last known address of 10736 Locust Street, Palm Beach Gardens, Florida 33418; and via email to Tonya L. Avery, Bar Counsel, tavery@flabar.org, on this 18th day of April, 2018.

Adria E. Quintela

ADRIA E. QUINTELA
Staff Counsel

**NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY
EMAIL ADDRESS**

PLEASE TAKE NOTICE that the trial counsel in this matter is Tonya L. Avery, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Miami Branch Office, 444 Brickell Avenue, Rivergate Plaza, Suite M-100, Miami, Florida 33131-2404, (305) 377-4445 and tavery@flabar.org; and eneadle@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Staff Counsel, The Florida Bar, Lakeshore Plaza II, Suite 130, 1300 Concord Terrace, Sunrise, Florida 33323, aquintel@flabar.org.

MANDATORY ANSWER NOTICE

RULE 3-7.6(h)(2), RULES OF DISCIPLINE, EFFECTIVE MAY 20, 2004,
PROVIDES THAT A RESPONDENT SHALL ANSWER A COMPLAINT.