

Appendix B

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Admitted in Alabama,
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July 12, 2011

Via Express Mail

Florida Bar Special Committee on Lawyer Referral Services
c/o Mr. Paul F. Hill
General Counsel
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300

Re: DVD of 411-Pain panel attorney and customers

Dear Chair Wells and Members of the Special Committee:

This letter and accompanying DVD are submitted to the Committee on behalf of 1-800-411-PAIN Referral Service, LLC ("411-Pain"), which is a lawyer referral service under Florida Bar rules.

At its meeting in Orlando on June 22, 2011, the Committee heard from two members of the public.¹ 411-Pain strongly believes that the experiences of these two individuals are not representative of the vast majority of persons who use private lawyer referral services.

Enclosed for your information is a DVD of two customers who used the services of 411-Pain and the attorney to whom they were referred. Please view this short 11-minute video recording prior to the Committee's July 14 conference call. It presents powerful evidence of the benefits that private lawyer referral services bring to the public.

¹ One of these persons, Ms. Branham from Kentucky, was dissatisfied with the experience she had after calling an advertising *law firm*. She did not call a lawyer referral service. One might question the relevance of her experience to this Committee's study of lawyer referral services. Ms. Branham's appearance also raises other questions. How did a Kentucky resident learn of this *Florida* Committee's public hearing? How did she manage to travel all the way to Orlando to speak, despite her self-described physical condition? Who paid her expenses, and why?

Florida Bar Special Committee on Lawyer Referral Services
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Page 2

Also enclosed for your convenience is a copy of my letter to the Committee dated May 31, 2011. (This copy does not include the supporting exhibits. The letter and exhibits recently were posted on the Committee's website.) The letter dispels misconceptions that apparently surround private lawyer referral services in general and 411-Pain in particular. Additionally, the exhibits clearly demonstrate that some of the statements made at the June 22 meeting by the Department of Financial Services representatives concerning the lawyer advertising rules and referral services were incorrect.

Finally, in addition to the recommendations contained in the May 31 letter, 411-Pain would like to offer the following additional suggestions. As mentioned at the meeting, it appears that much of the cause for concern can be traced to what might be called "unregistered" private referral services – those services that, unlike 411-Pain, do not attempt to comply with the standards set by Rule 4-7.10. Perhaps the Bar should consider imposing a reasonable registration fee on legitimate referral services, with the resulting revenue being dedicated to investigation and enforcement efforts aimed at the unregistered, non-complying services. Furthermore, the Bar should maintain on its website a list of all registered referral services. This will make it easier for lawyers to determine which services are complying with the rules and to avoid involvement with non-registered services.

Thank you for your consideration.

Sincerely,

Timothy P. Chinaris

cc: Ms. Kathy J. Bible (w/out encl.)
Ms. Elizabeth Clark Tarbert (w/out encl.)
Dr. Robert Lewin (w/out encl.)
Mr. Lester Perling (w/out encl.)