

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

ASHLEY ANN KRAPACS,

Respondent.

Supreme Court Case

No. SC19-1284

The Florida Bar File

No. 2020-50,062(17I)OSC

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**THE FLORIDA BAR'S REPLY TO RESPONDENT'S  
RESPONSE TO ORDER TO SHOW CAUSE**

The Florida Bar, by and through its undersigned attorney, files its Reply to Respondent's Response to Order to Show Cause and states:

1. The Respondent, Ashley Ann Krapacs, accused Judge Samantha Schosberg Feuer of engaging in ex parte communications by receiving information outside the scope of the evidence. This statement was under oath. After the Bar filed a contempt proceeding concerning that accusation, Ms. Krapacs repeated the same accusation in another document filed in this Court. Allegations of this type are so serious that they may result in a Judge being removed, and also disbarred. See The Florida Bar v. Gardiner, 183 So.3d 240 (Fla. 2014).

2. In her response, Respondent has provided no support or proof that Judge Schosberg Feuer "received" information outside the scope of the evidence. In fact, the Respondent continues to insinuate corrupt conduct in that response. On

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page 3 in Respondent's statement of the facts, she claims one of the bases to disqualify this referee was "due to irregularities." It is the use of this type of unbridled language by a member of The Florida Bar, together with other misconduct, that led to her emergency suspension.

3. Respondent, in an attempt to justify the severe allegation of accusing the presiding judge of engaging in ex parte communications, has provided an explanation which has no basis in logic. As part of the Bar's Petition for Emergency Suspension, the Bar included one of Respondent's posts. The post contained a photograph from a film in which one character points a weapon at another character. Nisha Bacchus, one of the victims herein, was frightened by the violent nature of the photograph. Above the photo it stated, "when opposing counsel tries to use the same exact trick you saw in your last case." Ms. Krapacs personalized the image with the following statement:

ashleykrapacs Ya'll, I just can't with this diva. SIMPLY CANNOT! Nisha Bacchus clearly isn't a fan of my social media. Today, she tells my attorney that she's going to sue me (more) for my recent posts about her. Apparently, she's gone through all the contents of her Bag of Tricks to Mindfuck Sexual Assault Survivors, and now she has to keep reusing the contents. She's already tried using her personal connections at the Florida Bar to silence me. Didn't work. She tried using her connections at the court to silence me. Didn't work. She and her client, Russell J. Williams of Williams Hilal Wigand Grande law firm, even threatened to use personal connections at the state's attorneys office to have me arrested. Even then, I refused to be silenced. This lady is OUT OF CONTROL Nothing

but an evil bully. Bring it, diva. NOTHING they can do to me is going to silence me from speaking the truth about what people like them do to vulnerable #sexualassaultsurvivors. #metoo #timesup #Womensrights #believesurvivors #humanrights #enoughisenough

Nisha Bacchus, who sought and obtained a permanent injunction for cyberstalking against Ms. Krapacs, included the photograph and described it as “an image that includes a shotgun” in her petition. This description was also referenced in the Bar’s Petition for Emergency Suspension. The inclusion of the image was not “an allegation” as asserted by the Respondent. The posted photo represented the escalation of Respondent’s threatening and disparaging conduct. (See Composite Exhibit C of The Florida Bar’s Petition for Emergency Suspension filed on February 20, 2019 in Case No. SC 19-277.)

Respondent attempts to hide behind an interpretation of the term “ex parte” being when action is taken without notice or contestation by any person adversely interested, which in reality, did not occur here, as reflected in the transcript. Respondent is actually arguing that if a presiding judge rules in favor of one party and not the other on a contested matter, that judge has engaged in an ex parte communication. Conceivably, every judge would be subjected to removal and discipline under Respondent’s theory.

4. Respondent continues to misrepresent the record. The Respondent stated:

In the instant case, the Bar made an allegation against Petitioner in case No. SC19-277 that Petitioner posted a photo of a “shotgun” on social media. See Exhibit B, page 20. That allegation was affirmed by Referee without consideration of the evidence in the record in the case and without permitting Petitioner to introduce evidence that indisputably demonstrated this allegation against Petitioner was patently false. (Emphasis supplied.)

The Bar maintains that the only substantive discussion concerning whether the weapon was or was not a shotgun occurred as set forth in the Bar’s supplement to motion for contempt. Despite the Referee’s invitation to Respondent’s counsel to explore the topic, he elected not to do so.

THE COURT: Sustained. We don’t need to go down this road. The bottom line is, if she thought it was a shotgun and it wasn’t a shotgun, then you can talk about that if you feel the need to, but...

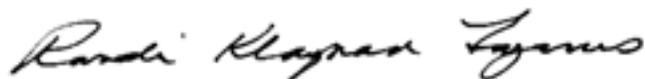
MR. HOPKINS: I’ll move on.

Asserting that Respondent was not permitted to introduce evidence on this issue is contrary to the Referee’s statement.

Additionally, the transcript references provided by the Respondent do not concern “the shotgun versus another weapon” discussion. Rather, those excerpts concern whether the posting of the image by Ms. Krapacs changed one witness’ opinion of the court system and the other witness’ opinion of Ms. Krapacs. In the reference by Ms. Krapacs to her own testimony, there is not any discussion of the

significance of whether the weapon pictured was a shotgun or not; but just that according to Ms. Krapacs, it was a BB gun.

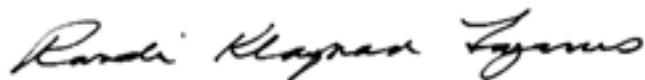
Respectfully submitted,



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### **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 to Ashley Ann Krapacs, Respondent, P.O. Box 21665, Fort Lauderdale, FL 33335-1665, via e-mail at [krpacsaa@gmail.com](mailto:krpacsaa@gmail.com); and to Interim Staff Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, FL 32399-2300, via e-mail at [asackett@floridabar.org](mailto:asackett@floridabar.org), on this 29th day of August, 2019.



Randi Klayman Lazarus, Bar Counsel