

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,  
  
Complainant,

Supreme Court Case Nos.  
SC19-488 and SC19-1570  
(Consolidated)

v.

The Florida Bar File Nos.  
2016-00,682(2A) and 2019-00,088(2A)

PHILLIP TIMOTHY HOWARD,  
  
Respondent.

\_\_\_\_\_ /

**MOTION FOR EXTENSION OF TIME TO FILE REPORT OF REFEREE**

COMES NOW, The Florida Bar on behalf of the Honorable Paul Spurgin Bryan, and moves this court for an extension of time for the referee to file his report and says:

1. The referee was appointed in Case No. SC19-488 on April 2, 2019 and the report of referee was originally due by September 29, 2019. On July 26, 2019, this Court entered an order granting an extension until January 27, 2020 for the referee to file his report. On November 5, 2019, this Court entered an order granting an extension until March 24, 2020 for the referee to file his report. A final hearing in this matter was scheduled for March 16-18, 2020.

2. The referee was subsequently appointed in Case No. SC19-1570 on September 17, 2019 and the report of referee was originally due by March 15, 2020.

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3. On December 9, 2019, the referee entered an order consolidating the above-referenced cases.

4. On February 18, 2020, this Court entered an order granting an extension until June 22, 2020 for the referee to file his report in the consolidated matter. A final hearing in the consolidated matter was scheduled for May 11-13, 2020, in Tallahassee, Florida.

5. In response to the nationwide impact of COVID-19 and current restrictions in place, counsel for the parties scheduled a case management conference for April 16, 2020. Respondent's counsel reported that due to travel restrictions in New Jersey, he was unable to attend in-person depositions previously scheduled in Tallahassee, Florida, for April 15-16, 2020.

6. Counsel for the parties agreed that a continuance of this matter would be necessary due to the uncertainty of witnesses' ability to travel, current "stay at home" orders in place, the number of witnesses to be called and the anticipated volume of evidence for each case. Additionally, The Florida Bar and the law firm of Respondent's counsel are temporarily closed, and both counsels are currently working remotely at this time.

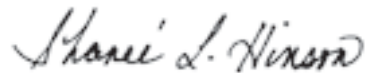
7. In light of the foregoing, a final hearing via video conference would not be practicable.

8. On April 27, 2020, the referee entered an order continuing the final hearing in this matter and scheduled a case management conference for May 13, 2020 to reschedule the final hearing.

9. Both the referee and counsel for the respondent agree to this extension.

WHEREFORE, The Florida Bar prays this Honorable Court will issue an order granting the referee an extension of time until September 21, 2020 to file his report in this matter.

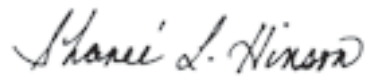
Respectfully submitted,



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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 copies provided to The Honorable Paul Spurgin Bryan, Referee, via his Judicial Assistant, Tilena, J. Gutshall, at [gutshall.tilena@jud3.flcourts.org](mailto:gutshall.tilena@jud3.flcourts.org), to Respondent's Counsel, Alfred Brunetti, at [abrunetti@mdmc-law.com](mailto:abrunetti@mdmc-law.com), [jmyers@mdmc-law.com](mailto:jmyers@mdmc-law.com), [sjohnson@mdmc-law.com](mailto:sjohnson@mdmc-law.com), [amathis@mdmc-law.com](mailto:amathis@mdmc-law.com), and to Patricia Ann Toro Savitz, Staff Counsel, The Florida Bar, at [psavitz@floridabar.org](mailto:psavitz@floridabar.org), on this 28th day of April, 2020.



Shaneé L. Hinson, Bar Counsel