

**IN THE SUPREME COURT OF FLORIDA
(Before a Referee)**

THE FLORIDA BAR,

Supreme Court Case Nos.
SC 19-488 and SC19-1570

Complainant,

vs.

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

PHILLIP TIMOTHY HOWARD,

Respondent.

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

COMES NOW respondent Phillip Timothy Howard (“Respondent”) in the above consolidated matter, by and through his counsel, on behalf of the Honorable Paul Spurgin Bryan, Referee, and moves this Court for an extension of time for the Referee to file his report and says:

1. The Honorable Paul S. Bryan was appointed as Referee to the first above captioned matter, docketed at Supreme Court Case No. SC 19-488 (“*Fulop Matter*”), on April 2, 2019. On September 17, 2019, the Florida Bar filed a formal complaint in an additional action, the second above captioned matter, docketed at Supreme Court Case No. SC 19-1570 (“*Harris Matter*”). On September 26, 2019, Judge Bryan was appointed as Referee to the *Harris Matter*.

2. Upon the motion of the Florida Bar citing the interests of judicial economy and justice, and with the consent of Respondent, the *Fulop Matter* and *Harris Matter* were consolidated by order of Supreme Court of Florida on December 9, 2019 (collectively, “*Consolidated Matter*”).

3. Subsequently, final hearing on the Consolidated Matter was scheduled to commence on September 9, 2020 and September 21, 2020 was set as the corresponding deadline for submission of the Referee’s Report to this Court.

4. In response to various issues impacting ongoing discovery and the scheduled final hearing date recently raised by the Parties, on August 11, 2020, the Referee entered an order granting an Unopposed Motion to Continue Final Hearing by Respondent and ordered that final hearing be reset for November 16, 17 and 18, 2020 in Tallahassee, Florida. *See* Exhibit A hereto.

5. The Parties consent to the relief sought hereby.

WHEREFORE, Respondent prays this Honorable Court will issue an order granting the Referee an extension of time until December 20, 2020 to file his report in this consolidated matter.

Respectfully submitted,

/s/ James S. Myers

James S. Myers
Florida Bar No.: 64246
McElroy, Deutsch, Mulvaney,
& Carpenter, LLP
201 East Kennedy Boulevard, Suite 815
Tampa, Florida 33602
Phone: 813-285-5520
Email: jmyers@mdmc-law.com

-and-

Alfred R. Brunetti (*pro hac vice*)
McElroy, Deutsch Mulvaney
& Carpenter, LLP
1300 Mt. Kemble Avenue
Morristown, New Jersey 07962-2075
Ph. (973) 993-8100
abrunetti@mdmc-law.com

Attorneys for Respondent

DATED: August 13, 2020

CERTIFICATE OF SERVICE

I certify that the foregoing has been e-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, and provided to The Honorable Paul Spurgin Bryan, Referee, via his Judicial Assistant, Tilena J. Gutshall, at gutshall.tilena@jud3.flcourts.org, and to Bar Counsel, Shanee L. Hinson at shinson@flabar.org on this 13th day of August, 2020.

/s/ James S. Myers
James S. Myers

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00,088(2A)

ORDER ON UNOPPOSED MOTION TO CONTINUE FINAL HEARING

THIS CAUSE having come before this Referee upon Respondent's Unopposed Motion to Continue Final Hearing, currently scheduled for September 9, 10 and 11, 2020, in Tallahassee, Florida, and the Referee having considered said Motion and being otherwise fully advised in the premises, for good cause shown, it is hereby

ORDERED AND ADJUDGED, contingent upon the Florida Supreme Court's entry of an order continuing the current September 21, 2020, deadline for the submission of Referee's Report:

1. Respondent's Unopposed Motion to Continue Final Hearing of above captioned consolidated matter is GRANTED in its entirety; and
2. The final hearing of the above captioned consolidated matter shall be scheduled to be held in Tallahassee, Florida on November 16, 17 and 18, 2020, and the discovery end date shall be October 30, 2020.
3. This Court expressly reserves on the determination of the mode and manner by which such final hearing will be conducted.

DONE and ORDERED this 11th day of August, 2020, Columbia County, Florida.

A handwritten signature in blue ink, appearing to read "Paul Spurgin Bryan", written over a horizontal line.

Hon. Paul Spurgin Bryan, as Referee

T.F.B. v. PHILLIP TIMOTHY HOWARD
SC 19-488 / SC 19-1570