

**IN THE SUPREME COURT OF FLORIDA**

THE FLORIDA BAR,

Complainant,

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

v.

PHILLIP TIMOTHY HOWARD,

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

Respondent.

\_\_\_\_\_ /

**THE FLORIDA BAR’S RESPONSE TO RESPONDENT’S  
“NOTICE OF VERIFIED FEDERAL COMPLAINT” AND  
REQUEST TO STAY CURRENT ACTION**

Complainant The Florida Bar responds to Respondent Phillip Timothy Howard’s (“Respondent”) “Notice of Verified Federal Complaint for Temporary and Permanent Injunction to Stop Criminal Extortion, Criminal Perjury, Criminal Fraud, and Criminal Enterprise that includes the Florida Bar and Stay of Current Action” (“Notice”), in which Respondent seeks to stay this proceeding until a federal court decides his claims that a number of parties—including this Court—violated federal due process, federal civil RICO, and state civil RICO, and engaged in a “federal civil conspiracy . . . [and] state civil theft.” Notice at 1. The Court should deny Respondent’s request to stay this action.

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This Court correctly dismissed Respondent's notice of intent to seek review of report of referee for failure to file a compliant initial brief on the merits and transcripts in accordance with the Rules Regulating the Florida Bar. On February 23, 2022, the Court denied Respondent's motion for relief from the report of referee and his motion asserting "manifest injustice" (treated as a motion for rehearing), in which Respondent asserted many if not all of the arguments he is now making in a federal complaint filed on March 4, 2022.

Respondent offers no good cause to stay or abate this disciplinary proceeding. *See Fla. Bar v. Lusskin*, 661 So. 2d 1211, 1212 (Fla. 1995) ("[T]his Court clearly has authority to abate any disciplinary proceeding if good cause is shown."). The Notice repeats the same arguments Respondent has already made numerous times to this Court that the complaint giving rise to this disciplinary proceeding was premised on perjury and fraud and that TFB engaged in various misdeeds throughout the disciplinary proceeding. The mere fact that Respondent has now spun these allegations into a new federal lawsuit does not supply good cause for staying this proceeding pending that suit's outcome. *See Fla. Bar v. Winn*, 593

So. 2d 1047, 1048 (Fla. 1992) (“[W]e will not hold these proceedings in abeyance pending Winn’s federal appeal, since this would entangle this Court in speculation about the outcome of a federal proceeding.”).

For all these reasons, this Court should deny Respondent’s request to stay the disciplinary proceeding pending the outcome of his federal lawsuit.

Respectfully submitted on March 10, 2022.

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 10, 2022, a true and correct copy of the forgoing was filed through the Florida Courts E-Filing Portal and served by email to the following:

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