

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Supreme Court Case  
No. SC-

IN RE:  
THE PETITION FOR  
DISCIPLINARY REVOCATION OF  
KIRK JOSEPH GIRRBACH

The Florida Bar File  
No. 2019-50,665(17I)FDR

Petitioner.

\_\_\_\_\_ /

**PETITION FOR DISCIPLINARY REVOCATION WITH  
LEAVE TO APPLY FOR READMISSION**

COMES NOW Petitioner, Kirk Joseph Girrbaach, and submits this Petition  
for Disciplinary Revocation pursuant to Rule Regulating Fla. Bar 3-7.12 and states:

1. Petitioner knowingly and voluntarily submits this petition with full  
knowledge of its effect.
2. Petitioner is 61 years old and has been a member of The Florida Bar  
since July 13, 1990 and is subject to the jurisdiction of the Supreme Court of  
Florida and the Rules Regulating The Florida Bar.
3. The following disciplinary charges are currently pending against the  
Petitioner:

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A. The Florida Bar File No. 2019-50,534(17I) is currently pending at staff level. The allegations concern Petitioner's misuse of trust funds from a real estate closing.

B. The Florida Bar File No. 2019-50,557(17I) concerns a matter in which it is alleged that the Petitioner misrepresented the status of a Lis Pendens.

4. Petitioner by his submission of this Petition makes no admission as to the allegations raised in either grievance.

5. There are no known criminal proceedings against the Petitioner.

6. Petitioner contends that granting this Petition will not adversely affect the public interest, the integrity of the courts, or the confidence of the public in the legal profession. Further, Petitioner contends that granting this Petition will not hinder the administration of justice.

7. Petitioner agrees to reimburse the Complainant, Pamela Shimwell-Mayo in the amount of \$70,000.00, plus interest from June 18, 2018, within 120 days of the date of execution of this document.

8. Petitioner agrees to reimburse the Client Security Fund (CSF) for any and all funds CSF has paid or may pay out for claims resulting from Petitioner's actions.

9. Petitioner agrees to reimburse The Florida Bar for the costs incurred in his disciplinary cases.

10. Petitioner agrees to submit to a complete audit of any trust account(s) and any other account(s) in which Petitioner has placed client funds, if requested to do so by The Florida Bar.

11. Petitioner further agrees to submit a sworn financial affidavit to The Florida Bar attesting to Petitioner's current personal and professional financial circumstances on a form to be provided by The Florida Bar within thirty (30) days, if requested. Said form will be provided by The Florida Bar, if requested.

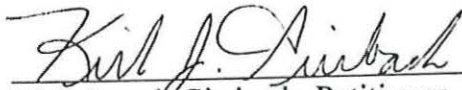
12. Petitioner further agrees to maintain a current mailing address with The Florida Bar for a period of five (5) years after the disciplinary revocation becomes final. Further, Petitioner shall keep the bar advised as to the physical address of Petitioner's home and/or business in the event Petitioner should utilize a post office box or other type of mail drop service during the five (5) year period after the disciplinary revocation becomes final.

13. Petitioner agrees that he will cease transacting any trust funds immediately from his law practice and from his title company, Premier Title. Moreover, he will immediately begin to wind down his practice and will cease the practice of law within thirty (30) days of the execution of this petition.

14. Petitioner understands that the granting of this petition by the Supreme Court of Florida shall serve to dismiss all pending disciplinary cases.

WHEREFORE, Petitioner respectfully requests that this Court grant this Petition and order that Petitioner's membership in The Florida Bar be revoked with leave to seek readmission.


Respectfully submitted,

  
Kirk Joseph Girrbach, Petitioner  
112 N. Birch Road, Apt. 501  
Fort Lauderdale, FL 33304-4352  
954/290-3542  
Florida Bar ID No. 851541  
kirk@guardianlawfl.com

Dated this 2 day of April, 2019.

**CERTIFICATE OF SERVICE**

I certify that this document has been efiled with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida with a copy to Respondent, Kirk Joseph Girrbach, via the efileing portal at [kirk@guardianlawfl.com](mailto:kirk@guardianlawfl.com) and to Staff Counsel, The Florida Bar, via email at [aquintel@floridabar.org](mailto:aquintel@floridabar.org), on this 2nd day of April, 2019.

  
Randi Klayman-Lazarus  
Randi Klayman-Lazarus, Bar Counsel