

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

CASE NO.: SC20-1602

vs.

The Florida Bar File Nos.

2019-70,188 (11H)

2019-70,358 (11H)

2020-70,056 (11H)

BRUCE JACOBS,

Respondent.

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**AMENDED APPENDIX I TO CORRECTED
REPLY/ANSWER BRIEF OF RESPONDENT**

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Appendix I-	Order Denying Motion for Pro Hac Vice as to Bruce Jacobs without Prejudice in The United States District Court of Hawaii Case No.: 22-00238 JMA-WRP.....	3-6
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STRICKEN

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

NĀ PO‘E KŌKUA,

Plaintiff,

VS.

BANK OF AMERICA
CORPORATION,

Defendant.

) CIVIL NO. 22-00238 JMS-WRP
)
) ORDER DENYING MOTION FOR
) PRO HAC VICE AS TO BRUCE
) JACOBS WITHOUT PREJUDICE

ORDER DENYING MOTION FOR PRO HAC VICE AS TO BRUCE JACOBS
WITHOUT PREJUDICE

On May 31, 2022, local counsel for Plaintiff filed a Motion for Pro Hac Vice on behalf of Mr. Bruce Jacobs (Motion). See ECF No. 3. On June 1, 2022, Defendant filed a Notice of Potential Opposition to the Motion, requesting that if the Court did not deny the Motion pursuant to its discretion under Local Rule 83.1(c)(2)(D), the Court defer ruling on the Motion until Defendant could determine whether it would oppose the Motion. See ECF No. 10. Plaintiff filed a response to Defendant's Notice, arguing Defendant lacked standing to ask the Court to delay ruling on the Motion and that Defendant's request was akin to gamesmanship. See ECF No. 12.

After reviewing the Motion and filings related to it, the Court

DENIES the Motion WITHOUT PREJUDICE pursuant to its discretion under Local Rule 83.1(c)(2)(D). The denial is based on Mr. Jacobs' pending Florida bar complaints, and particularly a court-appointed referee's recent findings with regard to three of those pending complaints "that Jacobs impugned the integrity of the judiciary" as to multiple judges in suits involving subject matter somewhat similar to the issues presented in this action. ECF No. 3 at 7; see also ECF No. 1; ECF No. 10-3 at 30 ("I find that [Mr. Jacobs] demonstrated a pattern of relentless, unethical, and unprofessional behavior towards judges in foreclosure cases.").¹

Of particular concern to the Court, the referee's amended report noted that the evidence reflected that Mr. Jacobs' "unprofessional misconduct is a deliberate and knowing litigation tactic, employed to manipulate the legal system" and that when Mr. Jacobs "does not obtain the relief sought in his motions, he will thereafter file a disparaging and inflammatory motion to disqualify the judge and thereby achieve the desired result." ECF No. 10-3 at 19. The referee's amended report also found that Mr. Jacobs' "intentional and deliberate conduct to impugn

¹ Because the Court is resolving the Motion based on its own discretion, it need not resolve whether Defendant had standing to ask the Court to delay ruling on the Motion. The Court notes, however, that it has reviewed the court records related to Mr. Jacobs' disciplinary matters that Defendant attached to its Notice. See ECF Nos. 10-3, 10-5, 10-7.

the integrity and/or qualifications of the judiciary, occurred over time in various cases” and that “[t]here is clearly a pattern of misconduct and multiple offenses in the charged allegations alone.” ECF No. 10-3 at 31. Further, the “Referee ha[d] been presented with evidence that demonstrates this pattern of misconduct is ongoing even as recent as just the month prior to the Final Hearing in this cause” wherein Mr. Jacobs “filed similarly disparaging motions to recuse” another judge “after a series of filed motions did not yield the result desired.” Id. The referee noted that this ongoing pattern “refutes any suggestion of remorse or rehabilitation.” Id. at 32.

Based on this, the Court is concerned that such conduct was prejudicial to the orderly administration of justice in those matters, that Mr. Jacobs will similarly prejudice the orderly administration of justice in this matter, and that Mr. Jacobs will not abide by this District’s rules and practices.

Under the facts presented in the Motion and other materials before the Court, Mr. Jacobs’ good standing in other jurisdictions and/or federal district courts is thus not determinative here. Instead, the Court finds the pending disciplinary matters still leave ethical doubts about whether Mr. Jacobs should be permitted to practice in this District. Notwithstanding the denial of Mr. Jacobs’ Motion at this time, however, the Court finds Plaintiff will still be adequately

represented by local counsel in this matter.

Mr. Jacobs may resubmit his request to be admitted pro hac vice in this matter after the Florida Supreme Court resolves the pending case involving three of his disciplinary complaints, The Florida Bar vs. Bruce Jacobs, Case No. SC20-1602, and after the resolution of any additional pending complaints, which Mr. Jacobs has indicated he is seeking to consolidate with those Florida Supreme Court proceedings. See ECF No. 3 at 7; see also ECF No. 3-2.

IT IS SO ORDERED.

DATED AT HONOLULU, HAWAII, JUNE 6, 2022.





Wes Reber Porter
United States Magistrate Judge

NĀ PO'E KŌKUA v. BANK OF AMERICA CORPORATION; CIVIL NO. 22-00238 JMS-WRP; ORDER DENYING MOTION FOR PRO HAC VICE AS TO BRUCE JACOBS WITHOUT PREJUDICE