

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Case No.: SC20-1602

Complainant,

The Florida Bar File Nos.

v.

2019-70, 188 (11H)

2019-70, 358 (11H)

2020-70, 056 (11H)

BRUCE JACOBS,

Respondent.

**THE FLORIDA BAR'S RESPONSE TO MOTION FOR EXTENSION OF
TIME TO FILE REPLY/ANSWER BRIEF**

THE FLORIDA BAR, by and through its undersigned attorney, responds to the Respondent's motion for an extension to file his reply/cross-answer brief.

The Bar shows to this Court that:

1. The review in this Bar disciplinary proceeding, including both Mr. Jacobs' review and the Bar's cross-review on the issue of sanctions should have been fully briefed and perfected for decision by early May 2022 without extensions, or by mid-June with typical extensions.

2. Mr. Jacobs' two initial lawyers eventually withdrew in late June 2022. For the last two months he has been represented by David J. Winker, who remains his attorney of record. Mr. Jacobs also filed a notice of appearance on June 30 to appear as his own counsel.

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3. The Bar's answer/cross initial brief was filed on August 5. Mr. Jacobs' reply brief was due on Monday, August 29. Mr. Winker did not file that brief or ask for an extension.

4. On August 16, Mr. Jacobs explained in an email that he was discussing bringing on new counsel, and he asked the Bar to agree to another 30-day extension. The Bar agreed to a 15-day, but not to a 30-day extension.

5. On August 26, Mr. Greenberg contacted the Bar to indicate that he would appear, and the undersigned agreed to a 15-day extension from the date the brief was actually due. Mr. Greenberg filed his notice of appearance on August 30.

6. The Bar appreciates that the record is extensive, and that Mr. Greenberg cannot review it all in a few hours. But he chose to appear at this late stage when the brief was already due.

7. When Mr. Winker appeared on March 4, 2022, under similar circumstances, the Bar accommodated his request for a 30-day extension. But this is the second time that Mr. Jacobs' has waited to the last minute to add a lawyer to his team and seek to delay this proceeding. In the interim, he has filed various and sundry motions and other filings that have further delayed this proceeding.

8. Respondent's motion is actually a motion for leave to file a belated brief. There still is no explanation as to why Mr. Winker did not file a timely brief or a motion for extension.

9. Disciplinary proceedings are intended to be expedited proceedings, but Mr. Jacobs appears to be delaying these proceedings intentionally.

10. The Bar will leave to this Court's discretion whether to grant an extension. If an extension is granted, the undersigned will attempt to file any reply brief to the cross-review with little or no extension in order to perfect this case for decision.

Respectfully submitted,

/s/ Chris W. Altenbernd

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of August, 2022, the foregoing was filed and served via the State of Florida's E-Filing Portal to:

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