

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR

Supreme Court Case No.
SC21-1229

IN RE: THE PETITION FOR
DISCIPLINARY REVOCATION
OF MICHAEL BRADY SCOMA,

The Florida Bar File No.
2022-30,126 (5B) (CDR)

Petitioner.

_____/

MOTION FOR CORRECTED ORDER

COMES NOW Petitioner, MICHAEL BRADY SCOMA, by and through his undersigned counsel, and files this Motion for Corrected Order permitting a 30-day wind down period and states:

1. This Court entered an Order on October 21, 2021, approving Petitioner's uncontested petition for disciplinary revocation, effective immediately. The petition for disciplinary revocation was filed on August 25, 2021, after which the Executive Committee of the Board of Governors considered and voted to support the petition on September 10, 2021, as stated in the Bar's response filed on September 17, 2021.

2. The Order states that disciplinary revocation is "tantamount to disbarment" and directs Petitioner to fully comply with the notice requirements of Rule Regulating The Florida Bar 3-

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5.1(h), which requires Petitioner to immediately furnish a copy of the order to clients, lawyers, and courts in any pending matter.

3. The Order also directs full compliance with Rule 3-6.1, which prohibits lawyers whose disciplinary revocations have been granted from having contact, “including engaging in communication in any manner,” with any client.

4. Without the benefit of a typical 30-day wind down period, Petitioner is prohibited under Rule 3-6.1 from immediately furnishing a copy of the revocation order as required under Rule 3-5.1(h).

5. Pursuant to Rule 3-5.1 of the Rules of Discipline, a disciplinary revocation is tantamount to disbarment and an order of disbarment will, unless otherwise ordered, include a provision that prohibits the respondent from accepting new business from the date of the order or opinion until the date of the court’s order of reinstatement and will provide that the disbarment is effective 30 days from the date of the order or opinion so that the respondent may close out the practice of law and protect the interests of existing clients.

6. In anticipation of the Court order, Petitioner did not accept new clients since August 25, 2021, the date the petition was filed and has worked over the past 60 days to protect clients and transition cases while simultaneously seeking to implement an orderly wind down of his practice. (See Affidavit attached hereto as Exhibit A).

7. Petitioner requests the Court enter an amended order permitting Petitioner the 30-day wind down period set forth in Rule 3-5.1 so that Petitioner can comply with the Court's order and protect the interests of remaining clients.

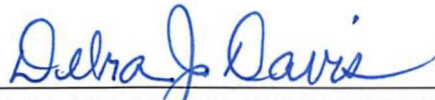
8. Petitioner agrees he will continue to accept no new business.

9. Petitioner acknowledges that the Petition for Disciplinary Revocation filed on August 25, 2021, did not include a specific request for a wind down period; however, Petitioner did not intend to waive the 30-day wind down period in his Petition. The omission of the request was unintended and inadvertent. An administrative oversight should not prejudice clients or preclude Petitioner from complying with the notice requirements of Rule 3-5.1(h).

10. Undersigned Counsel has communicated with The Florida Bar regarding this request and been advised that the Bar takes no position because the Bar supported, and the Court approved, the petition as written.

11. There would be no prejudice in permitting the Petitioner the 30-day wind-down period to close out his practice and protect the interest of his clients.

Respectfully submitted,



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(813) 273-0063
Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that the foregoing Motion for Corrected Order has been E-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, using the E-filing Portal; with a copy

provided via electronic mail to Laura N. Gryb, Bar Counsel, The Florida Bar, at lgryb@floridabar.org; dsullivan@floridabar.org; and orlandooffice@floridabar.org; and via electronic mail to Patricia Ann Toro Savitz, Staff Counsel, The Florida Bar at psavitz@floridabar.org; and mmara@floridabar.org on this 22nd day of October 2021.



DEBRA JOYCE DAVIS, ESQUIRE

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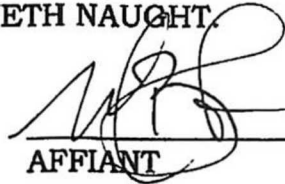
AFFIDAVIT OF MICHAEL BRADY SCOMA

STATE OF FLORIDA

COUNTY OF LAKE

1. I filed my Petition for Disciplinary Revocation on August 25, 2021.
2. From that date, I have not accepted new business.
3. I have been working to transition my litigation cases to other litigation counsel.
4. At present, my firm still represents approximately 60 clients.
5. I understand I have an obligation to immediately furnish a copy of my disciplinary revocation order to clients, and the others included in the rule and withdraw from representation.
6. After receiving the Court's Order on October 21, 2021, I have not and understand I cannot have communication with any clients pursuant to Rule 3-6.1.
7. A wind down period is necessary to comply with the Court's Order and to protect the interests of the remaining clients and ensure they are properly notified of my disciplinary revocation.

FURTHER AFFIANT SAYETH NAUGHT.





AFFIANT

STATE OF FLORIDA

COUNTY OF LAKE

Sworn to and subscribed before me this 22nd day of October
2021, by Michael Brady Scoma, who is personally known to me
or who has produced _____ as identification.



NOTARY PUBLIC-State of Florida

YAMILETH SANCHEZ
MY COMMISSION # HH 004329
EXPIRES: May 28, 2024
Bonded Thru Notary Public Underwriters

Typed, Printed or Stamped Name
of Notary Public

My Commission Expires:

5/28/2024