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IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

RAQUEL DALILA LEVY,

Respondent.

_____/

Supreme Court Case
No. SC-

The Florida Bar File
No. 2021-30,192 (7A)

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Raquel Dalila Levy, and files this Conditional Guilty Plea pursuant to Rule 3-7.9 of the Rules Regulating The Florida Bar.

1. Respondent is, and at all times mentioned herein was, a member of The Florida Bar, subject to the jurisdiction of the Supreme Court of Florida.

2. Respondent is currently the subject of a Florida Bar disciplinary matter which has been assigned The Florida Bar File No. 2021-30,192 (7A). Respondent waives the right to a probable cause hearing before a grievance committee and stipulates to a finding of probable cause in reference to this matter.

EXHIBIT A

3. Respondent is acting freely and voluntarily in this matter and tenders this plea without fear or threat of coercion. Respondent is represented in this matter.

4. The disciplinary measures to be imposed upon respondent are as follows:

A. Public reprimand to be administered by publication.

B. Completion of an office procedures and record-keeping analysis by and under the direction of the Diversion/Discipline Consultation Service (DDCS). Respondent shall contact DDCS within 30 days of the court's order approving the consent judgment in order to schedule a DDCS review. The DDCS analysis shall consist of, at a minimum, an initial review and a final review confirming compliance with any recommendations made by DDCS. DDCS may require additional interviews or reviews as it may, in its sole discretion, deem necessary or advisable. Respondent shall comply with and implement, at respondent's sole cost and expense, all recommendations made by DDCS within 60 days of the recommendation. The minimum fees and costs to be associated with this DDCS review shall be $2,000.00. DDCS will provide the Lawyer

Regulation Department of The Florida Bar with status reports as to ordered analysis.

C. Respondent shall attend The Florida Bar's Ethics School within six months of the Court's order in this matter. Respondent will pay the $750.00 fee for her attendance at Ethics School prior to attendance.

D. Payment of the bar's disciplinary costs.

5. The following allegations and rules provide the basis for respondent's guilty plea and for the discipline to be imposed in this matter:

A. Complainant alleges that he contacted respondent after receiving her information from The Florida Bar's Lawyer Referral Service. Complainant states that he was seeking assistance in filing a claim against the drug manufacturer Purdue Pharma in a mass tort class action pending in the federal courts. Respondent personally screens inquiries from prospective clients, but she asserts that her law practice consists almost entirely of settling pre-suit personal injury cases and that she advised complainant that her firm would not handle that sort of legal matter; however, respondent admits that she may well have transferred the call to her office staff to explain why. In contrast, complainant alleges that after speaking with respondent,

she told him that he would be contacted by her paralegal to gather more information. Complainant spoke to respondent's paralegal, who was a disbarred lawyer. The paralegal sent complainant one of the firm's contingency fee contracts and statement of client's rights for contingency fee cases. Respondent was unaware of this contact between her paralegal and complainant. Respondent stated that this was done without her consent because, as stated, she does not litigate cases and her firm focuses almost exclusively on settling personal injury claims pre-suit.

B. Complainant alleges he completed the paperwork he received from the disbarred lawyer/paralegal and returned it to the office where he met with the disbarred lawyer. Complainant never met with respondent in person but advised that he called and left messages for her at the office and that she did not return any of the calls.

C. Respondent's office manager received calls from Complainant but could not find a case file for him and did not believe he was a client of the firm. However, the office manager wanted to assist the Complainant and submitted a claim form on complainant's behalf to an agent for Purdue Pharma in the class action case.

Respondent's office manager acted without Respondent's knowledge or permission.

D. Respondent admits that she spent very little time in her law office supervising her employees during this time because she is a single mother caring for her two minor children, one of whom has a severe medical condition.

E. Although, respondent and the disbarred lawyer submitted the notice of her intent to employ the disbarred lawyer and quarterly affidavits, as required by Rule 3-6.1 of the Rules Regulating The Florida Bar, she admitted that she failed to review the rule or the affidavits before signing and was unaware that the disbarred lawyer was prohibited from having direct client contact. Respondent admitted that the disbarred lawyer spoke with clients on the phone and met with clients on a few occasions at the office.

F. Respondent no longer employs the disbarred lawyer or her office manager. Respondent now receives and reviews her emails directly and has tried to be present in the office more to avoid a similar situation from occurring in the future.

G. Respondent is very active in her local community, seeking to protect animal rights. The only litigation she involves herself in relates to those pro bono causes.

H. By reason of the foregoing, respondent admits to violating the following Rules Regulating The Florida Bar: 3-6.1(d) [Employment of Certain Attorneys or Former Attorneys, Prohibited Conduct]; 4-1.3 [Diligence]; 4-5.3 [Responsibilities Regarding Nonlawyer Assistants]; and, 4-8.4(a) [Misconduct].

6. In mitigation, respondent has no prior disciplinary history [Florida's Standards for Imposing Lawyer Sanctions 3.3(b)(1)]; respondent was experiencing family health issues when the misconduct occurred [Florida's Standards for Imposing Lawyer Sanctions 3.3(b)(3)]; and, she expressed remorse [Florida's Standards for Imposing Lawyer Sanctions 3.3(b)(12)]. In aggravation, respondent was admitted to The Florida Bar in 2011 and has substantial experience in the practice of law [Florida's Standards for Imposing Lawyer Sanctions 3.2(b)(9)].

7. The Florida Bar has approved this proposed plea in the manner required by Rule 3-7.9.

8. If this plea is not finally approved by the Board of Governors of The Florida Bar and the Supreme Court of Florida, then it shall be of no effect and may not be used by the parties in any way.

9. If this plea is approved, then respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.6(q) in the amount of $2,156.30. These costs are due within 30 days of the court order. Respondent agrees that if the costs are not paid within 30 days of this court's order becoming final, respondent shall pay interest on any unpaid costs at the statutory rate. Respondent further agrees not to attempt to discharge the obligation for payment of the Bar's costs in any future proceedings, including but not limited to, a petition for bankruptcy. Respondent shall be deemed delinquent and ineligible to practice law pursuant to Rule 1-3.6 if the cost judgment is not satisfied within 30 days of the final court order, unless deferred by the Board of Governors of The Florida Bar.

10. Respondent acknowledges the obligation to pay the costs of this proceeding and that payment is evidence of strict compliance with the conditions of any disciplinary order or agreement and is also evidence of good faith and fiscal responsibility. Respondent understands that failure to

pay the costs of this proceeding will reflect adversely on any other bar disciplinary matter in which respondent is involved.

11. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated this 30th day of July, 2021.

Raquel Dalila Levy
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Dated this 30 day of July, 2021.

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Dated this 30th day of July, 2021.

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