

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

MARK D. SIEGEL,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2021-10,641 (12B)

_____ /

PETITION FOR CONTEMPT AND ORDER TO SHOW CAUSE

The Florida Bar, petitioner, pursuant to Rule 3-7.11(f), Rules Regulating The Florida Bar, files this Petition for Contempt and Order to Show Cause, and states:

1. A copy of the Grievance Committee Finding of Non-Compliance and Failure to Respond to Official Bar Inquiry and Contempt is attached to this Petition as "**Exhibit 1**".

2. On June 22, 2021, respondent was sent a letter by regular U.S. Mail to respondent's record bar address advising of a complaint in this case and was requested to respond by July 7, 2021.

3. Respondent failed to respond to The Florida Bar as requested in the letter of June 22, 2021.

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4. On July 20, 2021, respondent was sent another letter, by regular U.S. mail to respondent's record bar address, advising of a complaint in this case and was requested to respond in ten days to the letter.

5. Respondent failed to respond to The Florida Bar as requested in the letter of July 20, 2021.

6. On August 23, 2021, respondent was sent another letter, by regular U.S. mail to respondent's record bar address and by email to respondent's record bar email address, advising of a complaint in this case and was requested to respond in ten days to the letter.

7. Respondent failed to respond to The Florida Bar as requested in the letter of August 23, 2021.

8. None of The Florida Bar's letters or emails to respondent were returned as undeliverable.

9. After a failure to respond to three written, official bar inquiries, respondent was given notice that on October 25, 2021, the Twelfth Judicial Circuit Grievance Committee "B" would hold a hearing on the Request for Issuance of Notice of Non-Compliance and Finding of Contempt.

10. On October 25, 2021, the date of the Twelfth Judicial Circuit Grievance Committee "B" meeting, respondent sent the bar a response to

the Request for Issuance of Non-Compliance and Finding of Contempt. A copy is attached to Exhibit 1 (see Exhibit E).

11. The response addressed the Request for Issuance of Non-Compliance and Finding of Contempt only. The response did not address or reply to the complaint in this matter.

12. The Grievance Committee found that respondent failed to show good cause for failing to respond to the official bar inquiries and that respondent's continued failure to respond was willful.

13. The Grievance Committee found respondent to be in contempt and requested The Florida Bar to file a Petition for Contempt and Order to Show Cause with the Supreme Court.

14. Following the Grievance Committee's meeting on October 25, 2021, bar counsel sent an email to respondent confirming receipt of the response to the request for non-compliance and notified respondent again that no response to the bar complaint had been received. Further, bar counsel's email notified respondent again that he was obligated under the Rules Regulating The Florida Bar to provide a written response to the bar complaint. A copy of the email is attached as **Exhibit 2**.

15. Within the hour, respondent replied to bar counsel's email and stated in part, "[i]f someone from the Florida Bar could please email me the

complaint as an attachment, I will be most certain to respond with haste.”

See **Exhibit 2**.

16. Immediately thereafter bar counsel sent a copy of the bar complaint to respondent via email. Bar counsel requested respondent provide a response by October 29, 2021. See **Exhibit 2**.

17. Despite being provided a fourth opportunity by bar counsel to respond to the bar complaint, respondent failed to provide a written response by October 29, 2021.

18. As of the date of the service of this Petition, respondent has failed to respond to the official bar inquiries dated June 22, 2021, July 20, 2021, and August 23, 2021.

19. The other members of The Florida Bar should not have to pay for respondent’s failure to respond to an official bar inquiry and the initiation of the instant proceeding. Therefore, the Bar is requesting administrative costs of \$1,250.00 against respondent.

WHEREFORE, The Florida Bar requests that this Court suspend respondent pursuant to Rule 3-7.11(f), until such time as respondent fully responds in writing to the official Bar inquiry contained in “**Exhibit 1**” and until further order of this Court.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that this document has been E-Filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, using the E-Filing Portal; and that a copy has been furnished by United States Mail via Certified Mail No. 7016 0750 0000 7021 0109, return receipt requested, to Mark D. Siegel, Respondent, to his official Bar address of 3205 Southgate Cir., Ste. 4, Sarasota, FL 34239-5514, and via email to msiegel@lawsarasota.com; and with a copy to Patricia Ann Toro Savitz, Staff Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, FL 32399-2300, via email to psavitz@floridabar.org, on this 3rd day of November, 2021.



Lindsey Margaret Guinand, Bar Counsel

**NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY
EMAIL ADDRESS**

PLEASE TAKE NOTICE that the trial counsel in this matter is Lindsey Margaret Guinand, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Tampa Branch Office, BranchAddress3, (813) 875-9821 and lguinand@floridabar.org (primary); nstanley@floridabar.org (secondary); and tampaoffice@floridabar.org (secondary). Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Patricia Ann Toro Savitz, Staff Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, FL 32399-2300, via email to psavitz@floridabar.org.