

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,
Complainant,

Supreme Court Case
No. SC21-1666

v.

The Florida Bar File Nos.
2020-30,317 (5B);
2021-30,262 (5B)

R. CHRISTOPHER A. LIM,
Respondent.

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW the undersigned respondent, R. Christopher A. Lim, 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 acting freely and voluntarily in this matter and tenders this plea without fear or threat of coercion. Respondent is represented by counsel in this matter.

3. As to The Florida Bar File Nos. 2020-30,317 (5B) and 2021-30,262 (5B), there have been findings of probable cause by the grievance committee.

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

A. One-year suspension from the practice of law requiring proof of rehabilitation; and

B. Payment of the bar's disciplinary costs.

5. Respondent acknowledges that, unless waived or modified by the Court on motion of respondent, the Court order will contain a provision that prohibits respondent from accepting new business from the date of the order or opinion and shall provide that the suspension is effective 30 days from the date of the order or opinion so that respondent may close out the practice of law and protect the interest of existing clients.

6. Respondent agrees to eliminate all indicia of respondent's status as an attorney on social media, telephone listings, stationery, checks, business cards, office signs or any other indicia of respondent's status as an attorney, whatsoever. Respondent will not hold himself out as a licensed attorney until he has been reinstated as a member of The Florida Bar eligible to practice law in Florida.

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

COUNT I

THE FLORIDA BAR FILE NO. 2020-30,317 (5B)

A. In or around April 2012, Darrin Lavine, a nonlawyer, formed Titans Reserve Group, LLC. Titans Reserve Group operated as a private member association, known as Titans Reserve Group PMA, and provided members, who paid membership fees, with services to assist the members in challenging the validity of mortgage notes in their personal foreclosure defense cases. In or around 2017, respondent, through his law firm known as A.I.M. Law, became “of counsel” to attorney Andrea Marie Roebuck’s firm, Allegiant Law, P.A., which provided members of Titans Reserve Group with legal services. The members would pay Titans Reserve Group for legal services, Titans Reserve Group paid Roebuck’s salary, and Roebuck paid respondent’s salary. Respondent believed Titans Reserve Group was acting as a collection service for attorney’s fees for Roebuck’s firm. Titans Reserve Group was not a registered lawyer referral service in accordance with the Rules Regulating The Florida Bar.

B. Lavine ceased operations of Titans Reserve Group and became involved with The Resilient Group Inc., also known as Resilient Group PMA. Lavine referred members of Titans Reserve Group PMA to Resilient Group. Resilient Group was a private member association that

focused on defending foreclosure cases by claiming the mortgage notes were fraudulent. Resilient Group also offered its members *pro se* support, such as motions and legal research.

C. In late 2017, respondent and Roebuck began working with Allan Campbell's law firm Best Defense Law, both working as "of counsel." Best Defense Law provided legal services to members of Resilient Group. Nonlawyers William Howell and Roderic Boling provided financial assistance to get Best Defense Law's office up and running. Boling and Howell were associated with Resilient Group with Boling eventually becoming the President of Trustees. Howell owned Orlando Ventures, Inc., and several other affiliated businesses that were involved in timeshare divestment. Howell's businesses solicited timeshare owners to hire his businesses to divest their timeshare interests. Best Defense Law handled Howell's timeshare divestment cases, and the fees derived from Howell's cases constituted the majority of Best Defense Law's operating capital. None of Howell's timeshare divestment companies were registered lawyer referral services in accordance with the Rules Regulating The Florida Bar. Howell and Boling engaged in direct solicitation and internet advertising that, if engaged in by an attorney, would be a violation of the Rules Regulating The Florida Bar.

D. When Howell and Boling came to Campbell to start doing foreclosure defense and bankruptcy cases in late 2017, they agreed that they would bring on two attorneys, respondent and Roebuck, to do the foreclosure defense cases. Respondent and Roebuck were given office space in the same building as Best Defense Law and were paid a salary from Campbell's law firm, which was funded by Howell and Boling.

E. The foreclosure cases included cases respondent and Roebuck already had and new cases that came to Best Defense Law, mainly from Resilient Group. Members paid Resilient Group an initial fee of \$1,000.00 per property and \$600.00 per month per property until the foreclosure case was completed. Resilient Group membership fees included payment for legal services to be provided by its experienced team of foreclosure lawyers, according to Resilient Group's website. The former members of Titans Reserve Group PMA and the members of Resilient Group PMA were not given a choice of attorneys to hire directly and, instead, their legal matters were referred to Best Defense Law and assigned, then often re-assigned, to attorneys without prior notice to the clients. Neither Resilient Group PMA nor The Resilient Group, Inc., were registered lawyer referral services in accordance with the Rules Regulating The Florida Bar.

F. When respondent and Roebuck began working with Best Defense Law, it was decided that all cases would be filed with the courts using Campbell's name and e-filing credentials. Campbell's password for both state and federal court e-portal filing systems were available to office staff. In foreclosure cases, after Campbell's notice of appearance was filed in a case, respondent and/or Roebuck would handle the case going forward by using their own e-filing credentials and their own filings.

G. Boling, a nonlawyer, began to exert increasing control over the operations and employees of Best Defense Law. Boling became concerned that Campbell would leave. In anticipation of Campbell's departure, Roebuck formed a similarly named entity called Best Defense Law, P.A. The name was dictated to Roebuck by Boling, who did not want clients to learn of any change in ownership of the law firm.

H. In or around March 2018, Campbell abruptly left Best Defense Law without prior notice, never returning to the office. Roebuck's new firm, Best Defense Law, P.A., became operational upon Campbell's departure. Best Defense Law, P.A., was a separate entity from Allan Campbell's firm. Without a discussion or agreement with Campbell, Roebuck and respondent took over all cases pending at Best Defense Law, except for Campbell's criminal matters. Substitutions of counsel were not

filed on existing foreclosure clients as respondent and Roebuck had already made appearances and filings on Campbell's foreclosure cases. Campbell onboarded no further foreclosure cases as of March 2018. Clients were not notified of Campbell's departure. Respondent was not aware of Campbell's departure until after respondent notified Roebuck that he was also leaving. Roebuck and respondent simply continued on with the cases as if Campbell had not left, and no one outside of Best Defense Law was notified of his departure.

I. Best Defense Law, P.A., operated along the same lines as Campbell had operated Best Defense Law, with the timeshare portion of the cases supporting the law firm, including paying for the legal services for the foreclosure cases.

J. After Campbell left, respondent continued providing legal services to members of Resilient Group, who paid monthly membership fees to Boling with the understanding that a portion of the fees would be used to provide legal services in connection with their pending foreclosure cases. Respondent believed that the fees would be used for expert costs as well as paralegal support to attorneys. Respondent should have inquired further as to scope of collection of fees by Boling. Respondent continued receiving his salary.

K. Roebuck acknowledged that Boling drafted complaints and motions that he provided to Roebuck and/or respondent to use in the foreclosure defense cases. Boling had input on the foreclosure defense cases that came from Resilient Group and were handled by Best Defense Law. Boling acted as a liaison between Best Defense Law and the Resilient Group clients. Boling was routinely included in law firm meetings regarding client matters despite Boling not being an employee of Best Defense Law. Boling had access to attorney-client privileged matters. Respondent also was aware that disbarred attorney Daniel Brodersen had input as to how Best Defense Law handled cases for Resilient Group PMA members.

L. During the time that respondent was with Best Defense Law, respondent appeared at a bankruptcy hearing in February 2018 on behalf of Jodell Altier, a member of Resilient Group. Respondent testified that he was covering the hearing for Campbell and that Jodell Altier was Campbell's client while Campbell testified that respondent was representing Jodell Altier. Also in February 2018, Jodell Altier and her husband, Joseph Altier, were led to believe by Brodersen that a portion of their membership fees were intended as legal fees for Best Defense Law to handle Jodell Altier's bankruptcy case appeal. Respondent was not aware

of Brodersen's actions, but respondent should have known by following up with Jodell Altier and insuring that Altier had his direct contact information. Respondent was aware from his appearance at the bankruptcy court hearing that an appeal in the case was not viable and filing one could result in the imposition of sanctions. Respondent testified that he informed Campbell that an appeal was not viable and believed that his role in representing the Altiers in this matter was finished. However, a notice of appeal was filed on behalf of Jodell Altier on March 7, 2018, using Campbell's e-filing credentials and his signature was affixed to the pleading. The notice of appeal was filed around the time that Campbell's association with Boling ended, and he left Best Defense Law. It was unclear who was responsible for drafting and filing the appeal. The Altiers believed respondent was one of their attorneys, along with Campbell, and respondent believed Campbell was representing them. Campbell denied either knowing or representing Jodell Altier. On January 8, 2019, the court held an evidentiary hearing in the matter to determine whether Jodell Altier should be granted an extension to file an appellate brief for lack of competent legal representation. In doing so, the court attempted to discover the identity of the attorney who filed the appeal and who was supposed to be representing Jodell Altier. During the hearings, it came to

light that attorney Kelley Bosecker drafted documents for Jodell Altier to file *pro se* in the matter at a time when Bosecker was suspended but not yet disbarred. The court was unable to discern who filed the notice of appeal using Campbell's credentials. At the January 8, 2019, hearing, the court ultimately granted Jodell Altier an extension of time to file an appellate brief with the judge stating: "I think under these circumstances I have to give a layperson who's dealing with the lawyers in this case the benefit of the doubt." After which, the judge referred this matter to the bar for further investigation. The manner in which Best Defense Law was structured led to confusion as to which attorney was responsible for handling Jodell Altier's case.

M. By the time these hearings were held, respondent no longer was employed by Best Defense Law, having left shortly after Campbell departed in or around May 2018, having put in his notice to leave at the end of March and being available at the office to help transition his assigned cases until May 2018. Respondent was aware of Bosecker's suspended, and later disbarred, status but admitted he included Bosecker on conference calls with clients Bosecker referred to respondent after her suspension and subsequent disbarment.

N. Although respondent was not aware of the multiple allegations of professional misconduct in connection with the management and funding of Allegiant Law, Best Defense Law and/or Best Defense Law, P.A., respondent should have reasonably inquired and should have reported the attorneys.

O. The following Rules Regulating The Florida Bar provide the basis for the discipline to be imposed in this matter: 3-4.3 (1993, 2018) (Misconduct and Minor Misconduct); 4-1.6(a), (e) (Confidentiality of Information); 4-1.7(a) (Conflict of Interest; Current Clients); 4-1.8(f) (2010, 2018) (Conflict of Interest; Prohibited and Other Transactions); 4-5.3(b), (c) (Responsibilities Regarding Nonlawyer Assistants); 4-5.4(a), (e) (Professional Independence of a Lawyer); 4-5.7(c) (Responsibilities Regarding Nonlegal Services); 4-7.18(a) (2013, 2018) (Direct Contact with Prospective Clients); 4-7.22 (2013) (Referrals, Directories and Pooled Advertising); 4-8.3(a) (Reporting Professional Misconduct); 4-8.4(a) (Misconduct); and 4-8.6(b), (c), (d) (Authorized Business Entities).

COUNT II

THE FLORIDA BAR FILE NO. 2021-30,262 (5B)

P. Respondent represented the appellants in an appeal where the court directed him to show cause within ten days why sanctions

should not be imposed against respondent and the appellants for pursuing a meritless, frivolous appeal. Respondent failed to respond to the court's order, resulting in a second show cause order being issued. Respondent filed responses to both orders, explaining that he had not seen the first order. On October 21, 2020, the court issued an order stating that respondent's response indicated a fundamental lack of understanding of the appellate process. The court noted in its order that attorneys were responsible for routinely and repeatedly viewing the content of their inboxes in order to remain aware of the progress of the cases with which they were involved. The court found that respondent's responses to its orders to show cause were insufficient. Finally, the court ordered respondent to choose, within ten days of the court's order, between two options: 1) receiving an official sanction, including a payment of \$100.00, or 2) avoiding the official sanction by completing eight hours of continuing legal education involving the appellate process. Respondent again failed to respond. As a result, the court sanctioned respondent by ordering him to pay \$100.00 to the Clerk of the Fifth District Court of Appeal and to complete eight hours of continuing legal education within 180 days. Respondent complied with the court's final order and apologized to the court.

Q. The following Rules Regulating The Florida Bar provide the basis for the discipline to be imposed in this matter: Oath of Admission to The Florida Bar; 4-3.1 (Meritorious Claims and Contentions); and 4-8.4(d) (Misconduct).

8. In mitigation, respondent was only "of counsel" to both Campbell's and Roebuck's law firms. Respondent testified that he selected the cases for which he provided legal services, and respondent did meet with and advise the clients. Respondent was suffering from personal or emotional problems [Florida's Standards for Imposing Lawyer Sanctions 3.3(b)(3)]. Respondent was very cooperative and forthcoming with the bar's investigation into these complex matters involving multiple respondent attorneys [3.3(b)(5)]. Unlike Campbell and Roebuck, respondent did not make any misrepresentations to the bar or any judges. However, along with Roebuck, respondent also tried to continue working on the cases to terminate his representation without harming clients after Allan Campbell left without notice to anyone. Respondent was remorseful [3.3(b)(12)]. Finally, respondent was sanctioned by the Fifth District Court of Appeal in that matter and complied with all of the sanctions, completing eight hours of continuing legal education involving the appellate process [3.3(b)(10), (11)].

9. In aggravation, respondent acknowledges the following factors: multiple offenses [Florida's Standards for Imposing Lawyer Sanctions 3.2(b)(4)] and substantial experience in the practice of law [3.2(b)(9)].

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

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

12. If this plea is approved, then respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.6(q), currently totaling \$4,282.55, along with any additional costs incurred that could not be mitigated leading up to the final hearing in this matter. 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.

13. 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 may reflect adversely on any reinstatement proceedings or any other bar disciplinary matter in which respondent is involved.

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

Dated this 28th day of April, 2022.



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Dated this 28th day of April, 2022.



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Dated this 28th day of April, 2022.



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