

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,  
Complainant,

Supreme Court Case  
No. SC22-1110

v.

The Florida Bar File  
No. 2019-50,731(15E)FFC

BRIAN ALFRED MANGINES,  
Respondent.

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**CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT**

COMES NOW, the undersigned respondent, Brian Alfred Mangines, 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, albeit felony suspended on August 24, 2022, and subject to the jurisdiction of the Supreme Court of Florida.

2. Respondent is 59 years old. He was admitted to the Connecticut Bar in 1990 and to The Florida Bar in 1997. He is admitted to practice in the U.S. District Court for the Southern District of Florida, the U.S. Bankruptcy Court for the Southern District of Florida, the U.S. District Court for the District of Connecticut, the U.S. District Court for the Southern

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District of New York, and the U.S. Court of Appeals, Second Circuit,  
Respondent permanently retired from the Connecticut Bar earlier this year.

3. Respondent is currently the subject of the disciplinary proceeding as referenced above, which is pending before the Honorable Barbara Duffy.

4. Respondent is acting freely and voluntarily in this matter and tenders this Plea without fear or threat of coercion. Respondent is satisfied with counsel, whose signature is affixed to this plea.

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. On May 16, 2022, respondent pleaded guilty to one count of patient brokering in violation of section 817.505(1), Florida Statutes, a third-degree felony. Adjudication was withheld, and he was sentenced to pay a fine of \$3,000.00 and court costs of \$200.00. He was placed on probation for a term of 24 months, among the conditions of which are that during the period of probation he not (1) in any capacity directly or indirectly perform any work related to healthcare, substance-abuse treatment, clinical lab testing, or recovery housing or (2) engage in the practice of law. The period of

probation may terminate after one year if no violation has occurred and all conditions of probation have been satisfied.

b. The criminal charges against respondent arose from his minority investment in Whole Life Recovery, LLC, and KKMBD, LLC, which were engaged in providing services related to outpatient substance-abuse treatment.

c. Respondent was not involved in the day-to-day operations of either company. His involvement was unrelated to his law practice.

d. The issue in his criminal case was his execution of a marketing agreement drafted by reputable lawyers representing Coastal Labs, Inc., which later made a single payment of \$5,401.10 to KKMBD, which the State asserted was for patient referrals. That was the sole transaction with Coastal Labs.

e. Respondent and his fellow investors were arrested as part of a sweep by the Palm Beach County Sober Home Task Force, which has made more than 100 arrests.

f. Respondent and his fellow investors always acted on advice of counsel and believed that they were acting within the bounds of the law.

g. Respondent has not profited from any of these activities and, in fact, has lost money on his investment. He chose to plead guilty rather than risk a more stringent sentence and subject himself and his family to the economic and emotional burdens that a trial inevitably would impose.

h. By the conduct set forth above, respondent violated R. Regulating Fla. Bar 3-4.3 (Misconduct and Minor Misconduct) and 4-8.4(b) (Misconduct).

6. The disciplinary measures to be imposed upon respondent are as follows and respondent agrees to the imposition of same:

a. A suspension of two (2) years *nunc pro tunc* from August 24, 2022, the date of entry of respondent's felony suspension; and

b. Payment of the bar's costs.

7. Respondent offers the following factors in mitigation:

a. Respondent has no prior disciplinary record with either The Florida Bar or the Connecticut Bar, and he never has been sanctioned by any court.

b. Respondent had no dishonest or selfish motive in investing in Whole Life Recovery, LLC, and KKMBD, LLC.

c. Respondent has made full and free disclosures to the Bar and has exhibited a cooperative attitude throughout these proceedings.

d. Respondent is of good character and enjoys an excellent reputation. Prior to moving to Florida in 1997, he served as the president of the Bridgeport (Connecticut) Bar Association Young Lawyers Division and thereafter as a member of the association's board of directors. He also served as co-chairman of the Young Lawyers Division of the Labor and Employment Section of the Connecticut Bar Association. He volunteered each Law Day by speaking to local high-school and elementary-school students, and he coached a high-school moot court team that made it to the state semifinals in its first year of existence. He also volunteered for Habitat for Humanity. Since moving to Florida in 1997, he has devoted extensive personal time to volunteering for charitable and other organizations. In particular:

(1) Respondent volunteered to handle intakes for Legal Aid Society of Palm Beach County. Most of the cases involved grandparents seeking to adopt their grandchildren because their own children were absentee parents. Respondent had the

utmost respect for those grandparents who were willing to make great personal sacrifices for their grandchildren. He recognized that he was very blessed with a strong and united family unit as the youngest of eight children with parents who were married for 59 years.

(2) Respondent has been very active with Families First of Palm Beach County since 2013, serving on its board of directors and as Chairperson of its Legacy Planning Committee. Families First of Palm Beach County provides a comprehensive continuum of services in abuse prevention, housing, behavioral health, and overall health care to ensure that babies are born healthy and that parents get what they need to keep their families intact and to provide safe, loving homes for their children. The focus is on prevention and early intervention, so that abuse and other issues and the subsequent costs of long-term solutions are avoided.

(3) Respondent has volunteered for the V Foundation for Cancer Research, which funds research for cure of many types of cancer.

(4) Respondent has guest-lectured at several schools and universities, including Palm Beach State College and Kaiser University, and served on the advisory boards of Kaiser University's and South University's legal study programs.

e. Respondent is remorseful about becoming involved in an enterprise that may have engaged in unlawful practices.

8. Respondent acknowledges that the suspension is effective *nunc pro tunc* from August 24, 2022, the date of entry of respondent's felony suspension. The respondent ceased the practice of law on or about, May 16, 2022, the date of his guilty plea, and does not require a 30 day close out period or a provision that prohibits respondent from accepting new business from the date of the order or opinion.

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

10. 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.

11. Respondent agrees to eliminate all indicia of respondent's status as an attorney on email, social media, telephone listings, stationery,

checks, business cards office signs or any other indicia of respondent's status as an attorney, whatsoever.

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) in the amount of \$1,370.00. 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 14<sup>th</sup> day of September, 2022.



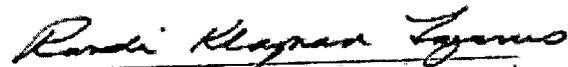
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Dated this 14<sup>th</sup> day of September, 2022.



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Dated this 14th day of September, 2022.



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