

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Supreme Court Case
No. SC22-1211

Complainant,

The Florida Bar File
No. 2023-70,119(11P) OSC

v.

STEVEN EDWARD AMSTER,

Respondent.

_____ /

VERIFIED RESPONSE TO ORDER TO SHOW CAUSE

Petitioner, STEVEN EDWARD AMSTER, through undersigned counsel, submits the following Verified Response to this Court’s September 14, 2022, Order to Show Cause:

1. This is a contempt proceeding wherein the Bar seeks to compel the Respondent to submit a written response to a pending Bar grievance, as he had not previously responded to same despite requests that he do so.

2. The Respondent filed his initial response to the underlying grievance designated as Florida Bar File Number 2022-70,521(11P) on June 30, 2022 (hereinafter “Yester-Garrido grievance”). The primary issue in this grievance concerned a refund of fees paid by the complainant to the Respondent in 2018 and the

RECEIVED, 09/28/2022 04:23:20 PM, Clerk, Supreme Court

Respondent's position that he had made such refund to a third party that he believed was the complainant's ex-wife and agent.

3. The Florida Bar did forward requests for additional information and the Respondent admittedly did not submit a timely response, as he could not locate materials that would have been responsive to those requests. Instead, he was attempting to secure affidavits from the individuals that had knowledge of his payments of fee reimbursements. He has recently had some limited success in that regard, but has nonetheless commenced refund payments to the complainant, in that the complainant has asserted that he never received benefit of any payments previously tendered by the Respondent.

4. On September 28, 2022, the Respondent submitted via e-mail a full and complete response to the follow up requests for further information. See Exhibit A attached. As such there is no longer a need for the Court's intervention seeking to compel the Respondent to file a written response to the Bar's written request for further information.

5. The Respondent fully understands that his current compliance does not end the Court's inquiry into this issue and that

he needs to explain the reasons for his tardy submission of a response to a grievance. As such, the Respondent offers the following to mitigate his delay in providing a timely response to the Bar:

A. As he did not use a law firm or personal check to make the refunds payments at issue, he had no records that he could rely upon to document his refunds.

B. As is noted above he attempted to contact the individual who had accepted the funds in question to secure an affidavit, but that effort did not result in an affidavit.

C. He has contacted the complainant and has made arrangements for installment payments of the refund at issue and has made his first payment.

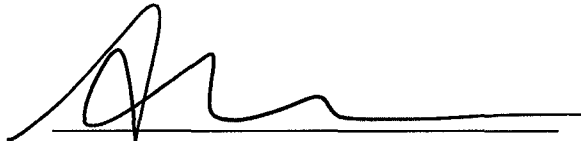
D. He has never previously been disciplined by the Bar.

6. The Respondent's failure to timely respond was not meant to hinder the administration of justice or meant as an affront to the authority of this Court or The Florida Bar. Further, his failure to timely respond was not for the purpose of delay, as he believes that he has not violated the R. Regulating Fla. Bar regarding the matters raised in the Yester-Garrido grievance

WHEREFORE, based on the foregoing, the Petitioner, STEVEN EDWARD AMSTER, respectfully requests that this Honorable Court note his compliance and for such other relief as the Court deems appropriate.

VERIFICATION

The Petitioner, STEVEN EDWARD AMSTER, herby affirms, under penalty of perjury, that the foregoing is true, correct and complete.

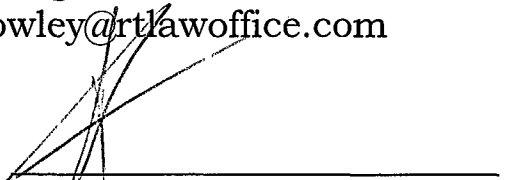


STEVEN EDWARD AMSTER

Respectfully submitted,

RICHARDSON & TYNAN, P.L.C.
Attorneys for the Respondent
8142 North University Drive
Tamarac, Florida 33321
Telephone: 954-721-7300
Facsimile: 954-721-4742
ktynan@rtlawoffice.com
mcrowley@rtlawoffice.com

By:



KEVIN P. TYNAN, ESQUIRE
Florida Bar No: 710822

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY this Notice has been furnished by electronic mail only to Rita Florez, Bar Counsel, The Florida Bar,

444 Brickell Ave., Suite M-100, Miami, FL 33131
(rflorez@floridabar.org; cporta@floridabar.org) and to Patricia Ann
Toro Savitz, Staff Counsel, The Florida Bar, at
psavitz@floridabar.org on this 28th day of September 2022.

By: 

KEVIN P. TYNAN, ESQUIRE

LAW OFFICES
RICHARDSON & TYNAN, P.L.C.
8142 NORTH UNIVERSITY DRIVE
TAMARAC, FLORIDA 33321

KEVIN P. TYNAN
NOLA M. RICHARDSON

TELEPHONE
(954) 721-7300

September 28, 2022

Via email only – rflorez@floridabar.org

Rita Florez, Esq.
Bar Counsel, The Florida Bar
444 Brickell Avenue, Suite M-100
Miami, FL 33131

Re: Complaint against Steven Amster, Esq.
TFB File No. 2018-70,593 (11L)

Dear Ms. Florez:

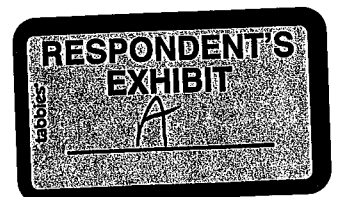
Enclosed please find Mr. Amster's letter of today's date wherein he responds as best he can to your previous inquiries in this matter. As he did not make the initial refund payments by check, he has no hard proof of his prior payments and has no other record that would be responsive to your request.

Very Truly Yours,


KEVIN P. TYNAN, ESQ.

KPT/itm

cc: Client
Complainant



STEVEN E. AMSTER, P.A.

4000 Ponce de Leon Blvd.
SUITE 470
CORAL GABLES, FL. 33146

TELEPHONE (305) 371-2455

FACSIMILE (305) 517-8171

E-MAIL: s_atty@bellsouth.net

September 27, 2022

To Whom It May Concern:

Please accept this brief note as an explanation for my handling of the return of legal fees in the above-referenced Florida Bar case. As you are aware, the return of Mr. Yester's fee was done in a quite casual manner with little or no regard to protecting my own interests. I considered Mr. Yester a quasi-member of my family due to the fact that I have known his ex-wife for well over 20 years and his daughter was my associate attorney. I felt comfortable that once the fee was returned the situation would be resolved. Unfortunately, at the time that I was representing Mr. Yester I was in the throes of a personal and financial nightmare. I was beginning the legal process to end my 17 year marriage (with two young devastated children), my father was in Mt. Sinai hospital with only months to live, and my practice (Criminal) was in a two year decline due to a massive reduction of arrests in Dade County, Florida.

The emotional and financial trauma made it near impossible for me to properly conduct my business. Mr. Yester was sympathetic but knew he needed to find new counsel. I of course agreed to refund his fee in full with the caveat that I would have to pay it back over time. Based on our relationship and my dire financial situation we agreed to a payment plan. Shortly after our agreement I received a phone call on my personal cell from a Vivian Lacorra who claimed to be the girlfriend of Mr. Yester charged with the task of collecting the \$30,000.00 refund. She had all the detailed information of my arrangement with Mr. Yester which certainly caused me to believe that she was legitimate. Furthermore, I contacted Mr. Yester's ex-wife who confirmed Ms. Lacorra's connection to Mr. Yester. When I informed Ms. Lacorra that I would need time to make multiple payments she became irate and extremely aggressive. Eventually we agreed to a period of time with payments of \$5,000.00 each.

During the time that it took for me to complete the \$30,000.00 refund I never received further communication from Mr. Yester. Again, due to my unfortunate financial situation I was paying the installments with whatever cash I could get my hands on. I

sold personal items and used whatever legal fees I had earned prior to each scheduled payment date. Thus, the entire \$30,000.00 was paid in cash to Ms. Lacorra. Due to my humiliation and Ms. Lacorra's unpleasant demeanor I had no desire to make her acquaintance. Therefore, a courier service (Ready Courier) was used for each payment delivered to Ms. Lacorra (courier's affidavit attached). Upon the filing of Mr. Yester's complaint, I hired an investigator to look into Ms. Lacorra's current location and status. It appears that Ms. Lacorra is somewhat of a con artist with multiple lawsuits pending against her and her family. I now realize that I was the victim of Ms. Lacorra and my own lack of investigation prior to turning over the funds. Based on the foregoing I am fully aware that this is not Mr. Yester's fault, nor should he be penalized for my failure to confirm Ms. Lacorra's intentions.

Approximately 3 weeks ago Mr. Yester reached out to me personally and requested a moment to chat. During our conversation Mr. Yester apologized for the filling of the complaint but stated that he felt he had no other option because of the lack of my response to the request for payment. I explained to Mr. Yester that I did not respond due to the fact that none of the emails were directly from him, and I felt it was some form a fraudulent scheme. I further explained to Mr. Yester the scenario involved in the payments made to Ms. Lacorra and he has agreed to help me in any legal action deemed necessary. Mr. Yester also agreed that the amount to be returned is a total of \$30,000.00. I have already made the first installment to Mr. Yester and the balance will be paid in full within a 5-month period. Mr. Yester has stated that he understands that I was a victim of a fraud committed by Ms. Lacorra and will be filing a request to dismiss his previous bar complaint.


Sincerely yours,

A handwritten signature in black ink, appearing to read 'STE' with a long, sweeping underline.

Steven E. Amster

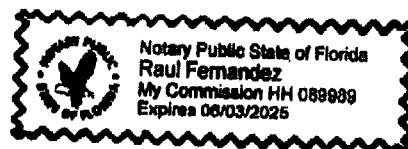
Before me, the undersigned authority personally appeared, , who after being duly sworn, deposes and states the following:

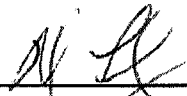
1. That my name is Nancy Camacho, DOB 08/17/55.
2. That I am the owner of Ready Courier Service for 24 years located at 11591 SW 28 Street, Miami, Fl. 33165.
3. That in my 24 years I have serviced multiple Law Firm 's and businesses including the Law Office of Steven E. Amster
4. That Steven Amster retained my services to deliver multiple payments on multiple trips to a Ms. Vivian Lacarro.
5. That these payments totaled approximately \$30,000.00.
6. That on each delivery I would meet Ms. Lacarro between 73rd Avenue and Indian Creek.



NANCY CAMACHO

NOTARY CERTIFICATION
SWORN AND SUBSCRIBED before me
This 27th day of SEPT., 2022.





Signature of Notary Public

Print, Type or Notary Stamp

Personally Known _____ or Produced ID X Type Produced: DRIVERS LIC.