

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,
Complainant,

Supreme Court Case
No. SC-

v.

The Florida Bar File
No. 2020-50,724 (7B)

WENDY ARLENE HAUSMANN,
Respondent.

_____ /

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Wendy Arlene Hausmann, 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. 2020-50,724 (7B).

3. As to TFB File No. 2020-50,724 (7B), there has been a finding of probable cause by the grievance committee.

4. Respondent is acting freely and voluntarily in this matter and

EXHIBIT A

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tenders this plea without fear or threat of coercion. Respondent is represented by counsel in this matter.

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

A. Public reprimand to be administered by publication.

B. A one-year period of probation with Florida Lawyers

Assistance, Inc. with the following conditions:

i. Respondent will participate actively in the program offered by Florida Lawyers Assistance, Inc., by signing a contract with that organization within thirty (30) days of the order of the Supreme Court of Florida. Respondent shall follow all recommendations by Florida Lawyers Assistance, Inc. during the entire probation period. This contract is not the result of any substance abuse.

ii. Respondent will pay a FLA, Inc., registration fee of \$250.00 and a probation monitoring fee of \$100.00 per month directly to FLA, Inc. The Florida Bar will monitor respondent's compliance with her FLA, Inc. contract, including nonpayment of the monthly monitoring fees. Should respondent fail to pay FLA, Inc., respondent's failure to pay will be reported to The

Florida Bar and the bar will follow up, with regards to respondent's noncompliance, up to and including holding respondent in contempt for failure to pay the monthly monitoring fees.

C. Payment of the bar's disciplinary costs.

6. The following allegations provide the basis for respondent's guilty plea in this matter:

A. Mr. Gilhooly, on behalf of Pompano Senior Squadron Flying Club (hereinafter referred to as "the Club"), filed a bar complaint alleging a conflict of interest.

B. The Club hired respondent to assist in several matters and the Club paid respondent for her legal services in August and October of 2018 and in January of 2020.

C. In December of 2019, the treasurer of the Club, Carl Kennedy, asked respondent to loan money to the Club.

D. At her own risk and purely for the benefit of the Club, respondent loaned \$10,000.00 without requiring interest.

E. A promissory note was not executed by the parties and respondent failed to advise the Club to seek independent counsel.

F. The Club reimbursed respondent for the loan in two payments in February and March of 2020.

G. The Club terminated respondent's legal services on February 19, 2020.

H. Later, the Club began an investigation of the treasurer and former board member, Mr. Kennedy, for misappropriation. Civil litigation then occurred between the Club and Mr. Kennedy.

I. Respondent represented Mr. Kennedy, the former board member, in some of those proceedings.

J. In several instances, when Mr. Kennedy appeared *pro se*, respondent assisted him with the pleadings and failed to ensure that the pleadings noted that they were prepared with the assistance of counsel.

K. The trial court judge ultimately disqualified respondent due to the conflict pursuant to Rule 4-1.9. Respondent appealed the trial court's order disqualifying her as counsel and the non-final order was affirmed by the Fourth District Court of Appeal.

L. In response to the bar complaint, respondent stated that she believed that she did not have an on-going attorney-client relationship with the Pompano Senior Squadron Flying Club.

Respondent asserted that she was asked to review the Club bylaws on several occasions.

M. Respondent had previously served as Mr. Kennedy's family law attorney and felt that he was being bullied by opposing counsel and the Club's Board of Directors during the civil litigation. As such, respondent became involved in the litigation but received no benefit as she was providing the legal representation free of charge.

7. The following Rules Regulating The Florida Bar provide the basis for the discipline to be imposed in this matter: 4-1.2(c) (Limitation of Objectives and Scope of Representation); 4-1.7(a) Conflict of Interest; Current Clients. Representing Adverse Interests); 4-1.7(b) (Conflict of Interest; Current Clients. Informed Consent); 4-1.8(a) Conflict of Interest; Prohibited and Other Transactions. Business Transactions with or Acquiring Interest Adverse to Client); 4-1.9(a) (Conflict of Interest; Former Client); and 4-8.4(d) (Misconduct; Prejudicial to the Administration of Justice).

8. In mitigation, respondent did not have a dishonest or selfish motive [Florida Standards for Imposing Lawyer Sanctions 3.3(b)(2)]; respondent was experiencing personal family problems at the time of the misconduct [3.3(b)(3)]; she was forthcoming and cooperative with the bar

[3.3(b)(5)]; respondent was sanctioned by the disqualification of the court [3.3(b)(11)]; and she expressed sincere remorse for her misconduct [3.3(b)(12)]. In aggravation, respondent has substantial experience in the practice of law, admitted in 2000 [3.2(b)(9)].

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 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.

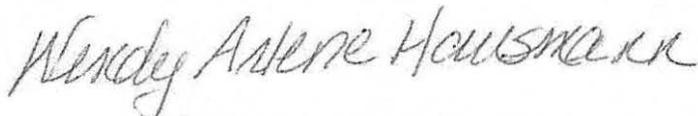
11. If this plea is approved, then respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.6(q) in the amount of \$2,377.78. These costs are due within 30 days of the Court order. Respondent agrees that if the costs are not paid within 30 days of this Court's order 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

the final Court order, unless deferred by the Board of Governors of The Florida Bar.

12. 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.

13. 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.



Wendy Arlene Hausmann
Respondent
20283 State Road 7, Suite 400
Boca Raton, FL 33498-6904
(561) 477-5353
Florida Bar No. 304300
hausmannw@aol.com

Dated this 28th day of April, 2022.



Nicole M. Reid
Counsel for Respondent
120 E. 4th Avenue, Suite B-2
Mount Dora, FL 32757-7600
(321) 234-2478
Florida Bar No. 96109
nicole@reidlegalsolutions.com

Dated this 28th day of April, 2022.



Carrie Constance Lee
Bar Counsel
The Florida Bar
Orlando Branch Office
The Gateway Center
1000 Legion Place, Suite 1625
Orlando, FL 32801-1050
(407) 425-5424
Florida Bar No. 552011
clee@floridabar.org
orlandooffice@floridabar.org