

were closed. For this reason, no reference to such files will be made in this letter.

The following files about you resulted in disciplinary sanction:

<u>File No.</u>	<u>Disposition</u>	<u>Court Order Date</u>
2002-70.505	Emergency Suspension	11/13/2001
2002-70.726	Disbarment	7/11/2002

The Following files were opened about you and did not result in discipline:

<u>File No.</u>	<u>Disposition</u>	<u>Court Order Date</u>
2000-70.271	Dismissal	8/02/2002
2002-70.480	Dismissal	6/18/2002

The following files have been opened about you and action has not been concluded:

<u>File No.</u>	<u>Status</u>
	NONE

I trust this information will be of assistance to you. If you have any questions regarding this correspondence, please call (850) 561-5774.

Sincerely,

133a

/S/
Kathryn Nelson
Administrative Support V
Legal Division

KN/kb

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EXHIBIT A2

**The Florida Bar
651 East Jefferson Street
Tallahassee, FL 32399-2300**

September 22, 2008

Ms. Anne G. Telasco
764 Jay Street, Apt. 2
Rochester, NY 14611

Re: Request for Information concerning
Anne Georges Telasco,
Bar #939420

Dear Ms. Telasco:

This letter is in response to your inquiry regarding your discipline history with The Florida Bar. You were admitted to practice in Florida on June 25, 1992, and you are currently disbarred, therefore ineligible to practice law in Florida, effective July 11, 2002.

1. Disbarred, effective 7/11/2002
2. Suspended, effective 12/14/2001

The Bar purges files that are closed by bar counsel or grievance committee without imposing sanctions, one year after the date the files were closed. For this reason, no reference to such files will be made in this letter.

The following files about you resulted in disciplinary sanction:

<u>File No.</u>	<u>Disposition</u>	<u>Court Order Date</u>
2002-70.505(11F)	Emergency Suspension	11/13/2001
2002-70.726(11F)	Disbarment	07/11/2002

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The Following files were opened about you and did not result in discipline:

<u>File No.</u>	<u>Disposition</u>	<u>Court Order Date</u>
2000-70.271(11F)	Dismissal	8/02/2002
2002-70.480(11F)	Dismissal	6/18/2002

The following files have been opened about you and action has not been concluded:

<u>File No.</u>	<u>Status</u>
	NONE

I trust this information will be of assistance to you.

Sincerely,

136a

/S/

John F. Harkness, Jr., Executive Director
Official Custodian of Records

Sworn to and subscribed before me this 23rd day
of September, 2008, by John F. Harkness, Jr. who
is personally known to me.

/S/

NOTARY PUBLIC, Vicki S. Brand

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EXHIBIT B

THE FLORIDA BAR,
Complainant,

v. The Florida Bar File
No. 2002-70,726(11F)

ANNE GEORGES TELASCO,
Respondent.

AMENDED REPORT OF REFEREE

L. SUMMARY OF PROCEEDINGS:

Pursuant to the undersigned duly appointed as Referee for the Supreme Court of Florida to conduct disciplinary proceedings as provided for by Rule 3-7.6 of the Rules Regulating The Florida Bar, the following proceedings occurred:

On January 11, 2002 (sic), the Florida Bar filed its complaint against Respondent as well as its request for Admissions in these proceedings. On April 19, 2002, a final hearing was held in this matter. All of the pleadings, transcripts, notices, motions, orders and exhibits are forwarded to the Supreme Court of Florida with this report and the foregoing constitutes the record of the case.

The following attorneys appeared as counsel for the parties:

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For the Florida Bar:
Randolph M. Brombacher
Suite M-100, Rivergate Plaza
444 Brickell Avenue
Miami, Florida 33131

For Respondent:
No Appearance

II. FINDINGS OF FACT:

After considering all the pleadings and evidence before me, including but not limited to the Court's Order dated March 4, 2002 deeming matters admitted, of which pertinent portions are commented upon below, I find the following:

A. Jurisdictional Statement. Respondent is, and at all times mentioned during this investigation was a member of The Florida Bar, albeit suspended pursuant to Supreme Court Order dated November 13, 2001, and therefore subject to the jurisdiction and Disciplinary Rules of the Supreme Court of Florida.

B. Narrative Summary of Case.

1. That Respondent entered into eight (8) separate Agreements with eight (8) separate clients – Venicia Soupart, Exanise Marcellus, Lucia Joseph, Marie Darcelin, Fontaine Baptiste, Carlkine Jaboin, Yolette Moval, and Francoise Luc.
2. That the (sic) these said Agreement[s] provided that Respondent would file separate suits on behalf of each client against Sheraton ITT.
3. That the central issue or allegations of each of these suits being employment discrimination by Sheraton ITT.

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4. That Respondent represented three (3) of these aforementioned clients in three (3) separate trials; each resulted in a defense verdict and/or outcome.
5. That a fourth trial for a fourth client resulted in a Fifty Thousand Dollar judgment (\$50,000.00) for the fourth client.
6. That after the fourth trial, Sheraton ITT offered to pay Three Hundred Thousand Dollars (\$300,000.00) as part of a global/comprehensive settlement for all eight (8) clients.

7. That the eight (8) clients each agreed to such a global/comprehensive settlement.

8. That the sum of the recovery for such a global/comprehensive settlement was to be shared by all eight (8) clients whether or not their individual case had been tried previously and/or resulted in a plaintiff or defense verdict.

9. That the settlement funds were received and disbursed by Respondent with Respondent retaining \$120,000.00 for her contingency fee.

10. That additionally, Respondent charged various "costs" to the eight (8) clients totaling One Hundred Thousand Dollars (\$100,000.00).

11. That the eight (8) clients were to ultimately receive Ten Thousand Dollars (\$10,000.00) in settlement funds.

12. That Respondent maintained a Trust account identified as Anne Georges Telasco, P.A. Trust Account No. 7228155394, maintained at Great Western Bank, now

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known as Washington Mutual Account No. 834-068022-7, at times material herein.

13. That with regard to Three Hundred Thousand Dollars (\$300,000.00) settlement funds, a draft in the amount of \$50,000.00 from a settlement with River Orchid Investment d/b/a Sheraton Gateway Hotel (Sheraton ITT) was deposited into the Respondent's above referenced trust account on or about May, 1999.

14. That over the course of the next 5 months, five similar deposits, in the amount of \$50,000.00 each, were made to Respondent on behalf of the eight said clients so that the total amount deposited to her trust account was approximately \$300,000.00.

15. That all Three Hundred Thousand Dollars (\$300,000.00) pertaining to the above-referenced Sheraton settlement have been withdrawn from said trust account by Respondent to satisfy personal and business obligations both related and unrelated to the eight (8) said clients.

16. That as of February 28, 2001, the balance in Respondent's said trust account was \$0.00.

17. That to date, Respondent has failed to remit any of the said settlement funds to her clients, in spite of her current obligation to have, at a minimum, \$80,000.00 in settlement funds held on their behalf.

18. That a review of Respondent's trust account disclosed not only evidence of Respondent's misappropriation, but Respondent's failure to maintain trust accounting records and adhere to required trust accounting procedures.

19. That Respondent has failed to comply with a duly executed and served subpoena requiring the production, on or before

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October 29, 2001, of original bank statements, cancelled checks, deposit slips, client ledger cards, receipt and disbursement journals, bank and client reconciliation form respondent's trust account and any account in which Respondent has placed funds pertaining to the said Sheraton settlement.

20. That to date, Respondent has not produced any of the above referenced subpoenaed records.

III. RECOMMENDATION AS TO GUILT:

As to each allegation of the complaint, the Referee made the following recommendations as to guilt or innocence; I find the Respondent guilty as charged.

IV. RULE VIOLATIONS FOUND:

Respondent has violated Rule 4-8.4(b) (A lawyer shall not commit a criminal act that reflects

adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects) and Rule 4-8.4(c) (A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation); of the Rules of Professional Conduct as well as Rule 5-1.1(a) (Money or other property entrusted to an attorney for a specific purpose, including advances for costs and expenses is held in trust and must be applied only to that purpose) and 5-1.2(f) (failure to comply with a subpoena) of the Rules Regulating Trust Accounts.

**V. RECOMMENDATION AS TO
DISCIPLINARY MEASURES TO BE APPLIED:**
The Respondent was duly served with The Florida Bar's complaint in Case No. SC01-1198, on January 14, 2002, by certified mail, return receipt requested,

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pursuant to Rule 3-7.11(b) of the Rules Regulating The Florida Bar. No answers or any other responses have been received from the Respondent in the above styled case in spite of the bar having made every effort to properly serve the Respondent with subsequent pleadings in this case at her record bar address.

Since that time, the bar has made every effort to properly serve the Respondent with subsequent

pleadings in this case at her record bar address as well as other addresses discovered by the bar.

Given the Respondent's failure to participate in the proceedings or indicate the slightest interest in continuing to practice law, I make the following recommendations as to the disciplinary measures to be applied:

A. The Respondent shall be disbarred from the practice of law pursuant to Rule Regulating Florida Bar 3-5.1(f).

B. The costs of these proceedings shall be assessed against the Respondent.

VI. PERSONAL HISTORY, PAST DISCIPLINE RECORD AND AGGRAVATING AND MITIGATING FACTORS: Prior to recommending discipline pursuant to Rule 3-7.6(k)(1), I considered the following:

A. Personal History of Respondent:
Age: 40

Date Admitted to the Bar: June 25, 1992

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B. Florida Standards for Imposing Lawyer Sanctions implicated in the Respondent's professional misconduct:

4.11 *Disbarment is appropriate when a lawyer intentionally or knowingly converts client property regardless of injury or potential injury.*

4.61 Disbarment is appropriate when a lawyer knowingly or intentionally deceives a client with the intent to benefit the lawyer or another regardless of injury or potential injury to the client.

5.11(b) Disbarment is appropriate when a lawyer engages in serious criminal misconduct, a necessary element of which includes intentional interference with the administration of justice, false swearing, misrepresentation, fraud, extortion, misappropriation, or theft.

5.11(f) Disbarment is appropriate when a lawyer engages in any other intentional conduct involving dishonesty, fraud, deceit, or misrepresentation that seriously adversely reflects on the lawyer's fitness to practice.

7.1 Disbarment is appropriate when a lawyer intentionally engages in conduct that is a violation of a duty owed as a professional with the intent to obtain a benefit for the lawyer or another, and causes serious or potentially serious injury to a client, the public or the legal system.

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C. Aggravating Factors:

- 9.21(b) dishonest or selfish motive;
- 9.21(c) a pattern of misconduct;
- 9.21(d) multiple offenses; and
- 9.21(i) substantial experience in the practice of law.

Respondent's failure to respond to the Bar's inquiry and non-appearance at the final hearing were also considered as additional aggravating circumstances.¹⁵⁴

D. Mitigating Factors:

- 9.31(a) absence of prior disciplinary record.

There were no other known mitigating circumstances presented.

I am aware that The Florida Bar's recommendation of disbarment is in keeping with Florida law and the rationale that

¹⁵⁴ The Florida Bar v. Summers, 728 So.2d 739 (Fla. 1999)

misappropriation of client funds ranks at the top of the “hierarchy of offenses” for which attorneys may be disciplined.¹⁵⁵ In addition I am cognizant of the fact that disbarment is the presumed sanction for

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attorneys who misappropriate client funds.¹⁵⁶

Based on the above rule violations, the seriousness of the Respondent’s misconduct, her uncooperative attitude toward these proceedings indicated by her failure to respond and non-appearance at the final hearing, the Florida Standards for Imposing Lawyer Discipline (as enumerated above), the aggravating circumstances,

¹⁵⁵ The Florida Bar v. Benchimol, 681 So.2d 663 (Fla. 1996) (In disciplinary proceedings, the Supreme Court held that disbarment was warranted by attorney’s misappropriation of client trust funds, misappropriation of law firm funds, commingling of client and firm funds with personal funds, and pattern of dishonesty and misrepresentation, notwithstanding lack of prior disciplinary history); see also The Florida Bar v. Shuminer, 567 So.2d 430, (Fla. 1990) (Court held that misappropriation of clients’ funds warrants disbarment); see also The Florida Bar v. Weinstein, 635 So.2d 21 (Fla 1994) and The Florida Bar v. Simring, 612 So.2d 561 (Fla. 1993) where these courts held that misappropriation of client funds and failure to maintain proper trust account records warrants disbarment.

¹⁵⁶ Florida Standards for Imposing Lawyer Sanctions. §4.11 and the The Florida Bar v. Shanzer, 572 So.2d 1382 (Fla. 1991).

the absence of significant mitigating evidence, and the case law cited by Bar counsel at the final hearing, I agree with The Florida Bar's recommendation and recommend the Respondent be disbarred from the practice of law in Florida.

VII. STATEMENT OF COSTS AND RECOMMENDATION AS TO THE MANNER IN WHICH COSTS SHOULD BE TAXED: I find that the following costs were reasonably incurred by the Florida Bar in these proceedings and should be assessed against Respondent:

Administrative fee.....	\$750.00
Court Reporter's attendance at Exanise Marcellus & Marie Darcelin's Deposition taken on October 11, 2001	406.00
Professional Translating Services on October 12, 2001	325.00
Court Reporter's attendance at Fontane	
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Baptiste's deposition Taken on October 12, 2001	261.60

Expert witness fee.....	300.00
Professional Translating Services	
On December 11, 2001	520.00
Court reporter's attendance	
at hearing held before Judge Scola	
held on March 7, 2002	60.00
Staff Investigator's fee	750.67
Staff Auditor's fee	1,655.28
	<u>\$5,028.55</u>

It is recommended that the foregoing costs be assessed against Respondent. It is further recommended that execution issue with interest at a rate of 10% to accrue on all costs not paid within 30 days of entry of the Supreme Court's final order unless a waiver is granted by the Board of Governors of the Florida Bar.

DATED this 29 day of April, 2002.

/S/
ROBERT N. SCOLA, JR., REFEREE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Report of Referee has been mailed to

honorable Thomas D. Hall, Clerk, Supreme Court
of Florida, Supreme

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Court Building, 500 South Duval Street,
Tallahassee, Florida 32399-1927 and that true and
correct copies were mailed by regular mail to John
Anthony Boggs, Staff counsel, the Florida Bar, 650
Apalachee Parkway, Tallahassee, Florida 32399-
2300; to Randolph Max Brombacher, Bar Counsel
444 Brickell Avenue, Suite M-100 Rivergate Plaza,
Miami, Florida 33131; and to Anne Georges
Telasco, Respondent, at 7320 Biscayne Boulevard,
Miami, Florida 33138-5151, on this 29 day of April,
2002.

/S/
ROBERT N. SCOLA, JR., REFEREE

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EXHIBIT C

**Supreme Court of Florida
THURSDAY, JULY 11, 2002**

**CASE NO.: SC02-44
Lower Tribunal No.: 2002-70,726(11F)**

**THE FLORIDA BAR
Complainant(s)
vs.
ANNE GEORGES TELASCO
Respondent(s)**

The uncontested report of the referee and amendment thereto are approved and respondent is disbarred, effective immediately.

Judgment is entered for The Florida Bar, 650 Apalachee Parkway, Tallahassee, Florida 32399, for recovery of costs from Anne Georges Telasco in the amount of \$5,028.55, for which sum let execution issue.

Not final until time expires to file motion for rehearing and, if filed, determined. The filing of a motion for rehearing shall not alter the effective date of this disbarment.

A True Copy

Test:

/S/

Thomas D. Hall
Clerk, Supreme Court

Kb

Served:

David W. Bianchi
Randolph Max Brombacher
Anne G. Telasco
Hon. Robert N. Scola, Jr., Judge
John Anthony Boggs

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EXHIBIT D1

**United States District Court - Southern
District of Florida**

In recognition of the outstanding service and
dedication

To this Honorable Court and its pro bono program,
The Volunteer lawyers' Project

Anne Telasco

Is hereby conferred this

Certificate of Appreciation

So ordered and recorded before this

Honorable Court,

This 5th day of June, 1998 A.D.

/S/

**Edward B Davis
Chief United States District Judge**

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EXHIBIT D2

**Local -On The Boulevard – A Lawyer with a
Heart (Article)**

**Miami Herald – Talent Billboard
Entertainment News & Views, June 22 - 28,
2001**

By Lynn Roberson, Contributing Writer

Perhaps Shakespeare would never have said, “let’s kill all the lawyers” if he’d met Anne Georges Telasco, an attorney who lives and works on Biscayne Boulevard. Because of her focus on race, age ad gender discrimination in the workplace, Telasco is one of forty attorneys, world wide, summoned to Oxford University to take part in their famous Round Table Forum. She’s declined this year, “because I can’t leave my clients – they trust me to find them some peace.”

Telasco represents ladies whose homes flood with sewage, workers who loose their jobs because “they aren’t Hispanic,” battered women afraid to end their marriages and doctors on the verge of nervous breakdowns. She doesn’t mind taking on “the big boys” – international corporations, prestigious law firms – even though she practices alone, because “I know it’s the right thing to do.” Her efforts are noticed. Telasco is one of the rare

female solo practitioners to be an experienced member of the Federal Bar.

She's gearing up her private practice now to fit the mood of the Renaissance on Biscayne Boulevard — new signage, lush landscaping and secure parking. "When I bought the building in 1995, it was practically untouched. It had been a doctor's office since the 1930's." While her classmates from the University of Miami Law School were buying bay front homes in CocoPlum, driving Jaguars and operating lavish office suites on Brickell Avenue, Telasco, a single mother, moved her son and daughter into her building's back apartment and opened Telasco & Associates in the front office space. Since then, she's spearheaded a successful class action suit, conducted four federal trials, raised her children, cared for her mother, written an acclaimed collection of poems, published by Vantage Press and distributed Public roast chicken to street people who drift by her 7320 address. "I haven't had much time for remodeling until now," Telasco says. "But something about living and working on the Boulevard helps me feel in touch."

Since her childhood in Haiti, Telasco has made a practice of being in touch. Her poetry is imbued with images of nature, of children, some with "eyelashes worn away by tears." She spoke French and Creole when she immigrated to Miami and entered Notre Dame high School. "My classmates laughed at my English," she says. "I came home

and cried. Then I learned," Poetry has given her perspective and articulated her strength. In the *Sun Walks With Me*, she writes, "In spite of my frailties, I inherited the earth."

As an attorney, Telasco's insight serves her well. "When clients come to see me, they're hungry, I feed them. If they're thirsty, they drink, whether its coke or café au lait. Then I listen. I believe that the law was established to correct a wrong and there usually is a way through the law to find a remedy, to correct the wrong. I assure the client that I will do as much research, as much work, for as long as it takes, to find the remedy. Whatever the battle they're in, they're not alone. I tell them, 'we're going to be just fine,' and they like the 'we.'"

For information on Anne G. Telasco, Telasco & Associates, P.A. 7320 Biscayne Boulevard, specializing in family, labor, business and discrimination law, personal injury and appeals, call 305-754-4466.

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EXHIBIT D3

New York International
Independent Film & Video
Festival 2005 in Los
Angeles

Best Directorial Debut of
a Short Film

Anne G. Telasco for
"In God's Shadow"

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EXHIBIT D4

**RESUME OF
ANNE G. TELASCO
764 Jay Street
Rochester, N.Y. 14611
Phone: 347-545-2496
Email: agtelasco@aol.com**

EDUCATION

New York Film Academy Screenwriting & Digital
New York, New York Filmmaking
Nov. 2004 – April 2004

University of Miami Juris Doctor
School of Law Sep. 1988 to May 1991
Coral Gables, Florida

Barry University B.S. in Management
Miami, Florida Jan. 1985 to Sept. 1988

Charron Williams College Legal Secretary Diploma
Miami, Florida Sept. 1983 to June 1984

Notre Dame Academy High School Diploma
Miami, Florida Aug. 1978 to June 1982

WORK EXPERIENCE

07/07 – Present Property Management
Rochester, NY.

159a

01/10 – 10/10	Film maker. Wrote, filmed, produced and edited feature film In God's Shadow which was given critical acclaim by the 2010 Film Independent Screenwriters Lab, Los Angeles, CA
04/05 – 07/06	Film maker. Wrote, produced, edited and directed, 4 short films: <i>In God's Shadow</i> , <i>The Writer</i> , <i>The Common Thread</i> and <i>Fate</i> .
04/03 – 10/04 & 5/04 -6/07	Paralegal The Henriques Group, n/k/a Henriques Law & Mediation Group, Miami, Florida. Provided litigation support for a wide selection of cases and practice areas.
01/98 –1999	Adjunct Law Professor University of Miami School of Law, Coral Gables, Florida. Created and taught family law workshop, the "Enforcement of Parental Obligations."
01/93 – 10/01	Founding Share Holder & Attorney at the Law Offices of Telasco & Associates, P.A., Practice provided legal services – Family Law, Civil Rights Act, The Fair Labor Standard Act.

160a

Uniform Commercial Code,
Business Law, and Employment
Law. Filed Appeals to the Third
District Court of Florida, Federal
Court and the Florida Supreme
Court as well as the United
States Supreme Court.

04/92 - 01/93

Attorney
Law Offices of Stephen
Cahen, P.A.,
Miami, Florida; Duties
same as listed in practice
above.

02/88 - 12/92

Law Clerk.
Law Offices of Stephen
Cahen, P.A., Miami, Florida.

07/84 - 10/87

Administrative Secretary
Metropolitan Dade County
Dept. of Human Resources
Office of Health Services,
and Placement Services
Program.

HONORS

2005

*Winner of Best Directorial
Debut.*

Received for short Film "In
God's Shadow" at the New
York International Film and
Video Festival in Las Vegas
& Los Angeles;

Winner of Best Score

Received for the short Film
"In God's Shadow," at the

161a

New York International
Film Festival in New York.
See www.nyfilmvideo.com

2001 Invited to participate in the Oxford Round Table Forum in Oxford England. 1 of 40 attorneys worldwide extended this honor.

PROFESSIONAL ASSOCIATIONS

2005 – Present Member of the Screen Actors Guild

2005 – Present Member of Film Independent

1994 – 10/01 Member of the Federal Trial Bar

162a

1993 – 10/01	Member of the Federal Bar
1993 – 10/01	Member of the Academy of Florida Trial Lawyers
1993 – 10/01	Member of the American Bar
1992 – 10/01	The Florida Bar. Resigned 11/2001. Details can be found at www.allpeopleslaw.com

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EXHIBIT D5

Dec. 8, 1998

Mr. Telasco:

This is in regards to my letter I received. Now this don't seem fair, when you first met me you almost cryed (sic) after you saw my head, sure right now I'm healed but what I had to go through to get it, I don't want to sound ungrateful, because when no one else would take my case, you did and for that I'm eternally grateful but can I ask you to do this one last thing put this back before them \$4,000.00 four thousand. The reason is I'm getting out of hear (sic) next year, I still have a bandage on my head, finding a job right away will be hard enough and with \$2,000.00 (2 thousand) I'll have a better chance if you do this. I'll forever be in your death (sic). Thank you.

Respectfully yours

/S/
Thomas Wilcox

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**Law Offices of Anne G. Telasco, P.A.
7320 Biscayne Blvd.
Miami, Florida 33138**

February 8, 1998 (sic)

Thomas Wilcox
#021649-Work Camp M-2119-S
Tomaka Institution
3950 Tiger Bay Road
Daytona Beach, Florida 32124

Re: Wilcox v. Abdul-Wasi,
Case No.: 96-0427 CIV HIGHSMITH

SETTLEMENT STATEMENT

Settlement Amount	\$3,500.00
Anne G. Telasco, P.A., fee (40)	\$1,400.00
ATTORNEY'S FEES	
\$1,400.00	

Costs	
Fax outgoing: 8 pages X \$1.00/page	\$8.00
Postage: Stamps fee	\$55.00
Copies: 263 copies x \$.25/copy	\$65.75
Administrative costs	\$150.00
Medical Records fee	\$375.22

Filing and service fee	\$280.00
Detective fee	\$175.00
Parking	\$58.75
Mileage	\$116.12
 TOTAL COSTS	
	\$1,284.29

Total owed to ANNE G. TELASCO P.A.
\$2,684.29

FUNDS DUE TO CLIENT \$815.71
CREDIT TO CLIENT. \$1,184.29

PAYMENT TO MR. WILCOX IS. \$2,000.00

I, Thomas Wilcox, #021649, have read the statement carefully and understand and accept the settlement. I have received \$2,000.00 from TELASCO & ASSOCIATES, P.A. as full settlement of my case Wilcox v. Abdul-Wasi, Case No.: 96-0427 CIV HIGHSMITH.

/S/ _____ Dated: 2-10-1999
Thomas Wilcox

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EXHIBIT E

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,
Complainant,

v.

ANNE GEORGES TELASCO,
Respondent.

/

The Florida Bar File Nos.: 2000-70, 271 (11F),
2000-70, 394 (11F), 2000-70, 395 (11F),
2000-70, 396 (11F), 2000-70, 397 (11F),
2000-70, 398 (11F), 2000-70, 399 (11F),
2000-70, 446 (11F)

AFFIDAVIT OF HODELIN F. RENE

1. I, Hodelin F. Rene, was born in Haiti. I am a Creole Translator. Creole and French are my first languages. I provided a variety of services to different Haitian organizations and individual Haitians in the Greater Miami Area. The organizations included, but are not limited to,

Haitian Pastor's Coalition of Miami, the Haitian Medical Association Miami Chapter, to Haitians with immigration problems or seeking political asylum.

2. I am over the age of 21 and otherwise competent to file this Affidavit.'

3. I am personally familiar with the facts stated in this Affidavit.

4. The following facts which are within my own personal knowledge is submitted for use in the above-styled case and for all other lawful purposes.

5. I was employ as a translator by Anne Georges Telasco of the firm of Telasco & Associates, in the City of Miami, Dade county, Florida

6. I provided translation services to the following Haitians Clients, of Telasco & Associates, P.A., who are the complainants in the above captioned case, Marie M. Darcelin, Lucia Joseph, Venicia Soupart, Fontane Baptist, Exanise Marcellus, Carline Jaboin, Yolette Moval, Francoise Luc and Lucia Joseph in their case against Sheraton Gateway Hotel.

6. I translated from English to Creole, information regarding various issues, relevant to these clients cases to each of them simultaneously in a face to face setting, together in a meeting room.
7. On several occasions, I provided transportation to several of these Haitian Clients from the Law Offices to the Court and returned with them after the court proceedings were completed for the day.
8. I translated from English to Creole the settlement amount, the payment plan by Sheraton, the costs incurred by the firm, the monetary distribution of \$10,000.00 to each clients and the date distribution would be made to them and all other settlement terms and provisions before they agreed to the settlement amount. After that, each client signed the Settlement Agreement.
9. I know the individual clients understood the settlement agreement which I translated to them because after I translated the documents to them I then asked each in turn to explain to me what they heard me say to them. I did this to determine to what extent they, the clients, understood what I communicated from the written agreement. When any of the clients did not understand (as evidenced by their interpretation) I repeated the statement until they indicated an understanding of what I had interpreted to them.

10. I reiterated their oral agreement to share the settlement proceeds equally and their agreement to pay all costs to include the fees of Troy Harris, Esq.

11. During court proceedings, I sat with these clients in designated areas, to explain, in Creole, what was going on and when they were needed for testimony in the Court room. On one occasion, I was approached by a Black Female Lawyer who introduced herself to me a Marilyn Hollifield from the law Firm of Holland & Knight who asked me whether I was an attorney with Telasco & Associates.

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12. There was at least one occasion wherein I went to the home of one of the clients to bring them to the law office, because of a lack of transportation.

13. These translation sessions took place at the law Offices and at the Court House, in downtown Miami.

14. My involvement, as described, occurred during several sessions lasting approximately 1 ½ to 2 hours over the course of several weeks.

15. I was compensated by Telasco & Associates, P.A. for my translation Services.

/S/
Hodelin F. Rene
Affiant

State of Georgia
County of Dekalb

BEFORE ME, the undersigned authority, personally appeared Hodelin F. Rene, who produced his Department of Human Health Resources/CDC as identification, and who after being duly sworn, deposes and says that the foregoing document has been read and executed, and information contained therein are true and correct.

SWORN TO AND SUBSCRIBED before me this 29 day of October, 2001

/S/
Notary Public
State of Georgia at Large
My Commission Expires: April 16, 2002.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Letter of Immediate and Permanent Resignation from the Florida Bar was fax (305)377-4519 to Randolph Max Brombacher, Esq., at 444 Brickell Avenue, Suite M-100, Miami, Florida 33131 This 30th of October 2001.

/S/

Anne G. Telasco, Esq.
7320 Biscayne Blvd
Miami, Florida 33138
Phone: (305)754-4466
Fax: (305)754-9074
FBN: 939420

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EXHIBIT F

AFFIDAVIT

STATE OF FLORIDA)
COUNTY OF DADE) **NO CASE NAME AND
NO CASE NUMBER;**

**AFFIDAVIT JUMPED
FROM NUMBER 11 TO
NUMBER 38**

Before me, the undersigned authority, this day personally appeared Carlos J. Ruga, who being duly sworn states:

1. My name is Carlos J. Ruga. I am a Certified Public Accountant, licensed in the State of Florida and employed for over sixteen (16) years as the Miami Branch Staff Auditor by the Florida Bar.
2. At the request of bar counsel a subpoena duces tecum was issued by the Honorable Robert N. Scola Jr. referee in Florida Bar v. Anne Georges Telasco Supreme Court Case No. SC01-1198, directing respondent to appear before the undersigned and produce all her trust account records.
3. This subpoena was predicated upon the complaint of eight (8) individuals who averred that

respondent represented them in an employment discrimination suit against Sheraton Gateway Hotel. In January 1999, the complainants agreed to a settlement in which starting February 1999, Sheraton would pay \$50,000.00 every month for six (6) months for a total of \$300,000.00. The settlement was to be divided equally between all eight (8) clients in July 1999.

4. On or about July 19, 1999, respondent prepared a settlement statement in which she was to receive \$120,000.00 for attorney's fees and deducted costs in the amount of \$131,552.30 leaving a balance \$48,447.70 to be divided between the eight (8) clients Respondent credited \$31,552.30 to the clients so each could receive \$10,000.00.

5. Respondent's clients refused to accept the settlement, did not receive any funds

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from respondent, requested a statement itemizing the costs charged and when respondent refused to provide this information they filed a complaint with the Florida Bar.

6. On or about October 16, 2001, a subpoena was issued to respondent commanding her to appear before me on October 29, 2001, at 10:00 a.m. at the Florida Bar offices and produce at that time original bank statements cancelled checks, deposit slips, client ledger cards, receipt and disbursement journals, bank and client

reconciliation from the account identified as Anne Georges Telasco, P.A., Trust Account No. 7228155394, maintained at Great Western Bank, now known as Washington Mutual Account No.834-068022-7, any trust account in which she had signatory capacity, and any account in which she has placed funds pertaining to the settlement of River Orchid Investment d/b/a Sheraton Gateway Hotel, for the period of January 1, 1999, to the present. In addition, a subpoena was also served upon the banking institutions requesting respondent's records.

7. Respondent failed to appear on October 29, 2001, and has not produced any records as of this date.

8. On October 29, 2001, Great Western Bank delivered the bank statements of the account identified as Telasco and Associates P.A. Trust Account number 834-068002 for the period of January 1, 1999 to February 28, 2001.

9. My review of the bank statements revealed that during the period of February 1999 to July 1999, respondent deposited in her trust account the \$50,000.00 of the Sheraton settlement each month for a total of \$300,000.00.

10. My review of the bank statement also revealed that respondent used all the \$300,000.00 from the Sheraton matter to pay for personal or business matters unrelated to the clients. The

balance in the trust account on February 28, 2001, was \$0.00, the clients have not

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received any funds and respondent should have has in trust at the very least the \$80,000.00 of the clients portion plus the disputed costs charged to the clients.

11. We have an outstanding subpoena with Washington Mutual and we will obtain the rest of the bank records in order to complete the audit, but it has been the undersigned's experience that bank records such as the ones sought take several weeks and in many instances, months, before they are located, reproduced and forwarded.

[NUMBERS 12 TO 37 IS MISSING FROM AFFIDAVIT]

38. In my professional opinion, based upon the preliminary investigation of respondent's bank records, as reflected in this affidavit, there is clear, convincing and undeniable evidence the respondent has misappropriated client funds. It is also my opinion that respondent represents a clear and present danger to the public.

FURTHER AFFIANT SAYETH NAUGHT

/S/

CARLOS J. RUGA

Sworn to and subscribed before me this 30th day of October 2001.

176a

/S/
NOTARY PUBLIC

My commission expires: May 14, 2005
Commission #DD 025518

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EXHIBIT G

**Law offices of Telasco & Associates, P.A.
7320 Biscayne Blvd.
Miami, Florida 33138**

July 1, 1999

To: MARIE M. DARCELIN
LUCIA JOSEPH
FONTAINE BAPTISTE
VENICIA SOUPART
FRANCOISE LUC
YOLETTE MOVAL
CARLINE JABOIN
EXANISE MARCELLUS

Subject: Disbursement of Settlement Funds

This month is the last month that Sheraton will be making its Final Settlement Payment. As I informed you during the mandatory meeting held in my office, the settlement funds will be disbursed to all eight (8) Plaintiffs in July 1999 regardless of who won or lost her case as all of the Plaintiffs agreed in the beginning of the lawsuit. I will need you to come to the office during the week of July 19, 1999 to pick up your check. Please call the office

and advise as to the time you will be able to pick up your check.

As agreed, everyone who paid \$100.00 towards the costs of interpreters for this case will be reimbursed. Each plaintiff will also receive \$10,000.00 out of the settlement funds. When you come in please bring your social security and drivers license if you drive.

I hope that this letter find[s] all of you in good health.

Sincerely

/S/
Anne G. Telasco, Esq.

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EXHIBIT H1

**Goldfarb, Gold, Gonzalez & Wald, P.A.
100 Southeast 2nd Street
Suite 3900
Miami, Florida 33131**

November 24, 1999

Cynthia Ann Lindbloom,
Asst. Staff Counsel
The Florida Bar
Rivergate Plaza – Suite M-100
444 Brickell Avenue
Miami, Florida 33131-2404

**Re: Fontaine Baptiste, et al.
vs.
Anne Georges Telasco, Esq.**

Dear Ms. Lindbloom:

This will acknowledge my receipt of copies of your letter to Ms. Telasco dated October 18, 1999 and her response to you with a hand-written date of October 27, 1999. I sincerely appreciate you keeping me informed regarding the status of this matter and request that you continue to do so.

I am deeply troubled regarding many of the items included in the unexecuted settlement statement dated July 19, 1999 which Ms. Telasco provided to you. There are basic mathematical errors in several of the entries (including witness fees for trial and service of process) and, more importantly, based on my experience, many of Ms. Telasco's claimed costs are simply not credible. I have highlighted those particular items on Ms. Telasco's settlement statement which are especially deserving, in my opinion, of closer scrutiny, including a mysterious credit to the Plaintiffs in the amount of \$31,552.30 as well as the additional paragraph which she chose to insert in the settlement statement provided to you.

As you are aware, to date Ms. Telasco has refused to provide you with the alleged settlement agreement executed by the Plaintiff, and given *the extremely high index of suspicion* raised by her own settlement statement, I would suggest to you that it is imperative that The Bar obtain a copy of same, whether from Ms. Telasco or from defense counsel.

I am formerly requesting on behalf of Mr. Baptiste that The Florida Bar immediately file a formal grievance against Ms. Telasco and that you devote your full attention and resources to this matter. I would urge you to perform an immediate and detailed accounting in this matter, including

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requiring Ms. Telasco to provide you with copies of all invoices and bills relating to the costs claimed on her settlement statement. I would appreciate it if you would contact me upon your receipt of this letter to let me know how The Bar will proceed and to further discuss this matter.

Thank you in advance for your continued cooperation and attention to this matter.

Very truly yours,

/S/
Jonathan D. Wald

cc: Mr. F. Baptiste

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EXHIBIT H2

**The Florida Bar
Rivergate Plaza, Suite M-100
444 Brickell Avenue
Miami, Florida 33131-2402**

December 9, 1999

Anne Georges Telasco, Esquire
7320 Biscayne Blvd.
Miami, Florida 33138-5151

Re: Complaint by Exanise Marcellus against
Anne Georges Telasco, Esquire
The Florida Bar No.: 2000-70,399(11F)

Complaint by Marie Darcelin against
Anne Georges Telasco, Esquire
The Florida Bar No.: 2000-70,396(11F)

Complaint by Lucia Joseph against
Anne Georges Telasco, Esquire
The Florida Bar No.: 2000-70,394(11F)

Complaint by Yolette Moval against
Anne Georges Telasco, Esquire
The Florida Bar No.: 2000-70,397(11F)

Complaint by Venicia Soupart against
Anne Georges Telasco, Esquire
The Florida Bar No.: 2000-70,395(11F)

Complaint by Francoise Luc against
Anne Georges Telasco, Esquire
The Florida Bar No.: 2000-70,398(11F)

Complaint by Fontaine Baptiste against
Anne Georges Telasco, Esquire
The Florida Bar No.: 2000-70,271(11F)

Complaint by Carline Jaboin against
Anne Georges Telasco, Esquire
The Florida Bar No.: 2000-70,446(11F)

Dear Ms. Telasco:

Please find enclosed a copy of Mr. Wald's correspondence dated November 24, 1999.

Your response to the above within seven (7) days of the date of this letter with a copy to the Complainants is requested.

Sincerely,

/S/
CYNTHIA ANN LINDBLOOM
Assistant Staff Counsel
cc: Exanise Marcellus

Marie Darcelin
Francoise Luc
Yolette Moval
Venicia Soupart
Francoise Luc
Fontaine Baptiste
Carline Jaboin

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EXHIBIT I

**The Florida Bar
Rivergate Plaza, Suite M-100
444 Brickell Avenue
Miami, Florida 33131-2404**

MEMORANDUM

To: Randolph M. Brombacher
Assistant Staff Counsel
From: Carlos J. Ruga, Branch Auditor
Re: Anne G. Telasco,
TFB File No. 2000-70,271(11F)
Date: July 14, 2000
.....

Pursuant to your directives on or about July 6, 2000, I met with respondent in order to ascertain that the costs charged to the complainants in the Sheraton matter, were incurred and paid. During our meeting respondent provided the following records and explanations:

PARALEGAL AND LAW CLERK EXPENSES
Respondent charged her clients in this matter a total of \$21,300.00 and as evidence produced copies of checks, 1099's and W-2's for the years 1997, 1998

and 1999, totaling \$38,253.44. Most of the charges were from 1998. In addition, respondent produced copy of the front page of The Florida Bar Journal from October 1998, sent to Troy Donahue Harris at her offices.

Respondent stated that before she took the Sheraton case, her practice was small and she had only a part time secretary. That due to the extremely large volume of work needed to litigate this case, she had to hire outside help in order to keep up with the opposing party.

Since the amount of payments exceed the amount charged to the clients (\$38,253.44 minus \$21,300.00 = \$16,953.44) I questioned respondent on this difference. Respondent advised me that some of the payments made to the paralegal and law clerks were for research and were charged on the West Law and Lexis expenses.

WESTLAW & LEXIS EXPENSES – Respondent charged her clients in this matter a total of \$21,520.00 and as evidence produced a check in the amount of \$6,000.00 payable to West Group and invoices from Lexis-Nexis totaling \$3,675.12. Respondent stated that the balance of the costs charged for legal research was paid directly to the paralegal and law clerks working with her in the Sheraton case and the payments are reflected in the 1099's and W-2's for the years 1997,

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1998 and 1999, and listed as paralegal and law clerks.

Respondent further stated the expenses incurred in legal research were exclusively in the Sheraton case and never had those costs before or after the Sheraton case. All the paralegal, legal assistants and lawyers were dismissed as soon as the case was finished.

PHOTOCOPIES – Respondent charged her clients in this matter a total of \$20,800.00 and as evidence produced checks and invoices totaling \$4,366.60 from outside copying and also produced a log in which reflected thousands of copies done in house. In addition, respondent produced a copy of Defendant Motion to Tax Costs in Sheraton matter and in that motion the opposing party stated that they had spent in a total of \$2,472.71 for photocopies for just one (1) of the eight (8) cases. This amount multiplied by 8 cases is \$19,781.68 spent in copies by the opposing party and the motion was dated May 27, 1998.

FAX EXPENSES – Respondent charged her clients in this matter a total of \$2,520.00 and produced copies of checks to Office Depot and cash totaling \$867.02 and stated that those expenses were made for paper and toner. In addition,

respondent produced a log which reflected numerous faxes sent in connection with the Sheraton matter.

POSTAGE AND COURIER - Respondent charged her clients in this matter a total of \$4,600.00 and produced copies of checks for courier services totaling \$2,598.43 and a log in which reflected a substantial amounts of postage expended in connection with the Sheraton matter. The log reflecting the photocopies, fax and postage expenses are attached to this memorandum.

Based upon the records reviewed and my meetings with respondent it appears that the costs charged to the clients were incurred and paid. The costs of Paralegal/Law Clerk and West Law and Lexis generally are not charged to the clients when the case is on a contingency bases, but in this case it is not that clear. Respondent had only a part-time secretary in her office, the case the complainants brought to her was a case of discrimination. The complainants are eight black Haitians and they could not find anybody to take their case. A big hurdle in the case was that the EEOC investigated the matter and found no cause to proceed. Respondent took the case and had four (4) Federal trials, lost three (3) and finally prevailed on one. The costs had to be staggering and to compound the problem it appears that respondent did not keep proper accounting records. Respondent advised me that the records were

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scattered in approximately 50 boxes of documents related to the case.

If you have any questions regarding the contents of this memorandum, please contact me at your convenience.

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EXHIBIT J1

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)
**Supreme Court Case
No. SC01-1198**

THE FLORIDA BAR,
Complainant,

v.

ANNE GEORGES TELASCO,
Respondent.

/

The Florida Bar File Nos.: 2000-70, 271 (11F),
2000-70, 394 (11F), 2000-70, 395 (11F),
2000-70, 396 (11F), 2000-70, 397 (11F),
2000-70, 398 (11F), 2000-70, 399 (11F),
2000-70, 446 (11F)

**LETTER OF IMMEDIATE AND PERMANENT
RESIGNATION FROM THE FLORIDA BAR**

I see the shadow of justice and feel its destructive
blows to my disenchantment.

By Anne Georges Telasco, Esq.

To Judge Scola and the Justices of the Florida Supreme Court

I have been a lawyer in private practice since January 1993, over 9 years. As a Haitian and bilingual attorney, I have served all types of clients. With my Haitian clients, I have always been able to communicate with them in [creole], our native language. I have been to trials and have settled cases for clients. I have disbursed at least \$2,500,000.00 to clients over the years. I have never had any problems with any of my clients, most specifically my Haitian clients because I failed to communicate with them.

I have filed an answer and affirmative defenses in response to the Florida Bar's Complaint, i.e., failure to communicate costs to my Haitian clients, in this matter. The answer is comprehensive. I am respectfully requesting that the Supreme Court carefully read the answer and review its attachments to see the treatment the Florida Bar afforded me for over 28 months.

The Bar investigated me for over 28 months. During this 28 months, the Florida Bar never spoke to the 8 complainants. Instead, they spoke to an attorney by the name of Jonathan D. Wald from the Law Firm of Goldfarb, Gold, Gonzalez & Wald, P.A.

Mr. Wald is an attorney who was approached by the 8 complainants back in 1993 to handle the

racial discrimination case which I accepted and is the subject of the Florida Bar's investigation. Mr. Wald did not accept the cases because he felt it was too much trouble. I took this case and worked on this case for over 5 years. Four of the eight cases went to 4 complete federal jury trials. Each trial comprised of over 25 witnesses. Each trial lasted 4 to 5 day. The jury returned 2 guilty verdicts and 2 not guilty verdict for defendant. One of the guilty verdict the jury awarded zero dollar as compensatory damage and the second the jury awarded \$50,000.00 punitive damage and zero dollar compensatory damage. The Defendant appealed the \$50,000.00 award. The costs of these cases were well over \$120,000.00. The clients were aware of the costs and agreed to pay them. The eight clients also agreed to share all settlement funds received equally because of the

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common struggled and concerted effort it required from all of them to win.

When the fourth trial concluded, several days of negotiation ensued which resulted in a settlement of the case for \$300,000.00. All eight clients participated in the settlement negotiations. Because the Defendant was a dissolved corporation and did not have \$300,000.00 readily available, it agreed and the clients accepted payments of the

\$300,000.00 in 6 installments of \$50,000.00 per month for 6 months. All clients agreed to the terms of the settlement. Being aware of my costs, and before the offer was accepted, I agreed to pay not less than \$10,000.00 to each client if they accepted the settlement. A [creole] translator was present during settlement negotiations. Once the offer was accepted and we agreed on the format of the agreement, a translator read each page of the settlement agreement to the clients and initialed each page as he read the documents to them and asked them if they understood the terms of settlement before each client signed the Agreement. Copy of Translator's affidavit attached. I was able to locate the Translator in Atlanta within the past few days. The original affidavit will be forwarded to the court upon receipt.

After the settlement agreement was executed, I received several calls from Baptiste, the complainant who originally brought the case to me and whom Mr. Wald use to initiated the Florida Bar's investigation, requesting that the clients who lost not be paid contrary to their agreement. Thus, this would make it necessary to disburse the \$80,000.00 in four ways instead of 8. Mr. Baptiste also informed me that since he brought me the case, he is entitled to receive more money then the other clients. I informed Mr. Baptiste that these demands were unacceptable.

After the Defendant paid the full \$300,000.00 on July 1999, I sent a letter to the 8 clients to come to pick up \$10,000.00. I also called them. Instead, I received a call from Mr. Wald who informed me that he had been retained by Mr. Baptiste and he is requesting that I send him **original** receipts, canceled checks and invoices reflecting my expenditures in the case since 1993 so that he may verify my costs. I refused because of Mr. Wald's tone and condescending attitude in making the request. I am not Mr. Wald's paralegal or lackey. I earned my law degree and my license as Mr. Wald earned his.

At this point, Mr. Wald reviewed my settlement statement and advised Mr. Baptiste that my costs were not real, others were suspect, the credit which I gave in order to disburse \$10,000.00 to them was mysterious. He proceeded to write a letter for Mr. Baptise to take to the Florida Bar. The Florida Bar began their investigation. During the next 3 months, Mr. Baptist manage to get the other 7 clients to sign Mr. Wald's letter. The Florida Bar launched their investigation of my representation of the clients. The Florida Bar and Mr. Wald's deep concern was that I failed to communicate my costs to the 8 clients. The clients were not aware of these costs. They should not pay these costs. I should pay for these costs myself. "I made too much money." All documents requested by the Bar was provided to them. The Florida Bar kept Mr. Wald abreast of the result of their investigation.

When the Florida Bar send a copy of my letter responding to the complaint to Mr. Wald, Mr. Wald wrote his letter to the Florida Bar using his law firm's letter head. In this letter, Mr. Wald reiterated what he had told Mr Baptiste, "...based on my experience, many of Ms. Telasco's claimed costs are simply not credible. I have highlighted those particular items on Ms. Telasco's settlement statement which are especially deserving, in my opinion, of closer scrutiny, including a mysterious credit to the Plaintiffs in the amount of \$31,552.30 as well as the additional paragraph which she chose to insert in the settlement statement provided to you." "I am formerly requesting on behalf of

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Mr. Baptiste that the Florida Bar immediately file a formal grievance against Ms. Telasco and that you devote your full attention and resources to this matter. I would urge you to perform an immediate and detailed accounting in this matter, including requiring Ms. Telasco to provide you with copies of all invoices and bills relating to the costs claimed on her settlement statement. I would appreciate it if you would contact me upon your receipt of this letter to let me know how The Bar will proceed and to further discuss this matter." Within a few days of Mr. Wald's Request, the Florida Bar referred the case to the Grievance Committee with Mr. Joseph

Ganguzza as the investigative member. The Florida Bar demanded that I provide **original** receipts, canceled checks and invoices reflecting my expenditures in the case since 1993 so that it may verify my costs and expenses. Mr. Ganguzza, suggested that to put an end to my problem I should go to Mr. WaLd to have him disburse the settlement funds.

I met with Mr. Carlos Ruga, the Bar's auditor on April 17, 2000, May 31, 2000 and again on July 6, 2000. My three (3) separate meetings with Mr. Ruga lasted over five (5) hours. At that time I provided all of the documents requested by the Florida Bar to confirm the expenses incurred in the cases of the above-named complainants. Among the documents which I provided to Mr. Ruga were original canceled checks, W2 and 1099 forms for all legal staff who were hired exclusively to work on the claimants cases, original canceled checks, receipts and itemized documents reflecting usage and payments for faxes, copies (to include a copy of Defendant's motion for cost and expenses reflecting the similarity of my costs verses Defendant's), postage and courier fees, Westlaw and Lexis charges for nationwide federal electronic research incurred including canceled checks and copies of bills. Mr. Ruga generated a report as a result of his investigation. Once this report was completed, the Bar refused to give me a copy of the report in light of my several requests. The Bar finally gave me a copy of the report after I made a third documented

demand for a copy of the report. A copy of Mr. Ruga's report was not given to the clients. [This report reflects that all costs and expenses were incurred and paid for].

During the week of August 8, 2000, Mr. Ruga called me to inform me that he had presented his report to the Grievance Committee at their meeting. I was not given notice of this meeting. At this meeting, the Committee verbally proposed through Mr. Ruga that I pay \$3,000.00 to each claimant as reimbursement of the costs (since the Committee was not satisfy with the costs documentation I provide for Lexis and Westlaw in light of my explanation) and to write a letter admitting to minor misconduct.

In response, I informed Mr. Ruga that I would adhere to the monetary reimbursement, not because I believe these expenses were improper but rather because I wanted this matter concluded. However, I refused to acknowledge that I committed any misconduct, whether or not minor.

On or about August 16, 2000, I received a call from Mr. Ruga asking me for my decision

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as to the proposed settlement offer. I informed him that I would not write such a letter. Further, to

support my unwillingness to accept such improper blame, I informed him that I had received a letter from Jonathan D. Wald, Esq., dated August 14, 2000 informing me that I would be sued for malpractice by at least four (4) of the eight (8) complainants, as the other four (4) had not made up their minds.

IT IS CLEAR THAT,

In this non-conventional case, it is an error for Mr. Wald, Mr. Ganguzza and the Florida Bar to intervene to define costs after the clients agree to pay costs they were aware of from any funds received from the defendant in the case.

It is error for Mr. Wald, Mr. Ganguzza and the Florida Bar to completely disregard written and executed contract and agreement thoroughly explained and understood by clients (when translator executed and initial each page of said contract).

It is error for Mr. Wald, Mr. Ganguzza and the Florida Bar to refuse to accept the Florida Bar auditor's report, refused to give a copy of said report to me, refused to include said report in their package to secure probable cause before the grievance committee and failed to inform the clients of their findings, that is, the costs and expenses were incurred and paid for.

It is error and malicious for these eight clients to take me to the Florida Bar to be investigated believing that the Bar will make me give them more money (extort money from me) contrary to their agreement, understanding and knowledge of the disbursement.

It is error for the Florida Bar to allow Mr. Wald to use it as its instrumentality in the hope of getting a disciplinary action against me which would give him an upper edge on any case he may bring against me on behalf of the clients for his own financial gain.

The contract between the clients and I states, that I may incur any costs necessary to properly handle the case. In this non-conventional case, costs borne by the clients were define by the clients and the lawyer. Clients did not pay one dime except that 7 of the 8 clients paid \$100.00 toward the translators' fee because I ran out of money in the fourth case and the translator would not go to court to translate if I did not make a small deposit towards her fees. The clients were not spending any money, the possibility of winning was dim, they all agreed to all of the costs outlined on the settlement statement. They had nothing to loose except me. During the deposition of three of the 8 clients, they testified that I usually meet with all 8 of them weekly, biweekly or monthly. It depends on the need of the case. I also write them and call them whenever I need them. I always communicate with

them in creole (sic). They never had a problem understanding me since we speak the same native language. I also meet with them after each trial to discuss the costs and expenses.

THE EFFECT ON MY LIFE

Mr. Wald's action of informing the clients that my costs and expenses were not real and the Florida Bar's relentless pursue of taking away my privilege to practice law to support my family and I have affected my mental and emotional well being and have had a negative impact on my financial status. These clients believe and have informed my potential/prospective clients that I stole their money. *This has affected my business for the past 28 months.*

I found myself taking Xanax, an anti-depressant, sleeping and anxiety medication. I started at .05 and had gone

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up to 2 milligram. With the help of my Haitian mother, about 9 months ago, I started to eat several pieces of raw garlic and aloe daily to alleviate my nerves, my fast and irregular heartbeat and sleeplessness due to the stress. For the past couple of weeks, I have been getting 1 to 2 hours of sleep. Some days I am depress and other days I am angry.

This has also affected those people who are most important to me, my two minor children and my mother. I have fought a long and hard fight. Now it is time to retreat if I am to keep my sanity and keep my home and those who are dear to me safe.

THE FLORIDA BAR'S UNBRIDLED POWER

Mr. Wald, Mr. Ganguzza and the Florida Bar see it fit to eliminate me from the practice of law since they have unbridled power. To accept any sort of compromise for one second from the Bar would be to validate their gross abuse of power and to in effect legitimize the mockery they have made of the investigative system and the Florida Bar's motto "Advancing the Competence and Public Responsibility of Lawyers." Worse of all it would be to admit that I have taken advantage of my clients by stealing from them.

At the outset of this case, I complained to the Florida Bar about Mr. Ganguzza's partiality and bias not towards the complainant but toward Mr. Wald and his agenda. I further informed them that Mr. Wald's action speaks volume in that he is a silent yet active member of the grievance committee whose objective is to destroy me. My plea fell on deaf ears.

The law is designed to protect the least powerful, to operate evenhandedly without regards to stature, connections or money. This is not the case. The

Florida Bar launched an almost 28 months investigation, which is ongoing, of my costs and expenses which was clarified by its auditor. The Bar's unreasonable request that I produce original receipts and canceled checks for in-house copies, faxes and postage when they know and acknowledge that it is not possible to provide these items except time logs. I have spent thousands of dollars in costs and attorney's fees and several hundreds of hours fighting the Florida Bar for the past 28 months.

RELINQUISHMENT OF MY LICENSE TO PRACTICE LAW

To allow the Bar to continue to persecute me, disturb my peace, the lives of my beloved children and mother for the sake of my license for one more day is unacceptable. Furthermore, I am tired. -- The Florida Bar may have my license to practice law in this state. By relinquishing this privilege, I have reclaim my peace of mind.

It is only fitting that I relinquish my right to practice law with one of my favorite prayers since justice refuses to accommodate me,

Lord, look toward me and have pity on me
For I am alone and afflicted
Relieve the troubles of my heart
And take me out of my distress

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Put an end to my affliction and my suffering
Behold, my enemies are many
And they hate me violently
Preserve my life and rescue me
For I take refuge in you
Lord my God.

DEPOSITION TESTIMONY

Mr. Ganguzza

When I asked Mr. Ganguzza, does the Bar have any rule or regulation in a situation where a lawyer raise concerns about an investigating member being bias and partial? He answered, "No. This issue has not been in the grievance committee consideration or deliberations or by the Bar." Pages 7 lines 15 - 25. The deposition will reflect that Mr. Ganguzza never spoke to any of the complainants except to Mr. Wald. A copy of Mr. Ruga's report was not included in the package to the grievance committee when these reports deal directly with the issues of costs in this case the only issues pending. I had to demand that a copy be included in the package to the grievance committee. The Florida Bar has refused to accept the report of its own auditor, A certified Public Accountant who has been working for the Bar for over 16 years and has conducted 400 to 500 audits for the Bar. Page 5 line

4-25, page 6 lines 1-25, page 12 lines 1-25. Mr. Ruga's Deposition.

Request by eight clients to have simultaneous deposition

When I subpoena three of the 8 clients for deposition, they refuse to attend the deposition when they arrive at my office, claiming that the only way they would give me their deposition is if all 8 of them were present and they would give me the deposition simultaneously. Of course, Mr. Brombacher felt that this request was reasonable. See Statement on the Record page 3 line14 to 19.

Mr. Wald

Mr. Wald has never participated in a federal trial much less a racial, federal discrimination trial. Deposition of Wald. Page 7, lines 1-25 and page 8 line 1 -9.

Page 11, line 17 to 25 and page 12 line 1 -25. Mr. Wald told the 8 clients that they are my victim and he will get them money from the state compensation fund to help them. However, Mr. Wald does not remember whether the clients signed a contract with him or not. Mr. Wald prepared the letter which Baptist took to the Florida Bar from information provided by Baptist only. Page 14 lines 19 -25, page 15 1-25, page 16 lines 1-25. Mr. Wald also informed these clients that my costs were not

credible, real or legitimate. As a matter of fact, they were highly suspicious. Page 23, line 1-25, page 24, lines 1-25. Page 28, line 19-20. Mr. Wald admit his opinion as to the legitimacy of my costs are irrelevant since he is not an expert witness. Page 30 lines 16-25, Page 31-32. It is clear that Mr. Wald trashed me to these 8 clients regardless of the consequences to my life and law practice without knowing anything about the cases.

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Mr. Wald has a vague recollection of receiving Mr. Ganguzza's report and did not receive a copy of Mr. Ruga' report. He did not bother to call the clients and tell them of the result of this report. Page 25, line 22-25, page 26-28, page 36 lines 18-25.

Page 19, lines 12-25, page20, line 1-21. I am the only attorney he remember making such a request from.

Marie Darcelin

Page 7, lines 7-9, page 23, line 10-14 they never met me alone. I always call meetings for all of them. Page 9 lines 13-14 we speak the same language I always speak to them in creole (sic). Page 19 & 20 lines 1-25 they were told of the \$300,000.00 settlement and I further told them my fee would be 33% of the settlement and they each

expected to receive the at least \$20,000.00. the settlement statement was also presented to them when they came to sign the agreement. The \$10,000.00 was also in the statement. Even if they took the \$10,000.00 they would still come after me for money because there was more money missing. Page 22 line 7-11 I would only give them \$10,000.00 I would not give them \$10,000.00 more.

I never advance any other offers of settlement by Sheraton besides the \$300,000.00 offer. Page 23, line 18-22.

I explained all my costs to her. Page 23 line 23-25, page 24, line 1-4. Page 26 line 6-7, she expected to receive \$50,000.00,

All of them came to my office to pick up the check supposedly at 5:00 p.m. on July 19, 1999 and they all left at 5:30 p.m. Page 30 line 22-25, page 31 line 1-3. Page 32 line 2-20 I always set appointment for all 8 clients together.

Page 33 line 3-25, page 34, 35 and 36, I informed them of my expenses after each trial. I always communicated with them. I listed all of my cost to them and went over it with them after every trial. the attorney, Troy Harris was to be paid out of the funds received from the case not from my funds.

Page 37 line 20-25, I told them that I would work for them for 30%. Page 38 line 2-25, Mrs. Darcelin

feel she is entitled to \$50,000.00. when they agree to the \$300,000.00 settlement, to accept the \$10,000.00 disbursement they never had any intention of accepting the \$10,000.00 disbursement and they would still go to the Bar.

Page 41 lines 2-24 their problem is that they do not believe that my expenses are real. They are too much. Not that I never communicated with them about the expenses. But I did not tell them exactly how much they would amount to.

Exanise Marcellus

Page 8 line 1-17 I conversed with them exclusively in [creole]. I told them that I would take the

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case however, I did not know whether we would succeed in the case. We may then again we may succeed.

Page 22 lines 2-17 all 8 clients waited outside my office for 3 hours, I open the blinds, they hear us conversing inside yet we did not open for them finally they left.

Page 24 lines 1015 I kept them informed about their case. I always spoke to them. Contact all 8 of them by letter or phone call to come in. I met with

them once a week, every two week or once a month page 44 lines 17-25. Page 45 lines 10.

Page 32-36, she was never told of the costs except cost totaling to about \$600.00. my cost did not amount to \$1,000.00. They were not aware of any other costs. She knows nothing about the translators' costs. It is my own business.

Page 46 lines 3-25, page 47-50 the letter prepared by Mr. Wald which all eight clients signed which launched the investigation by the Bar was not read by Ms. Marcellus. She signed it because "if the eight of us complain to the Bar" (page 47 line 21-22) she would get more money. They gave her the letter to sign and she signed it because she is suppose to. She is not aware of the content of the letter.

Page 51 line 2-25, page 52 lines 1-25. She did not come to my office after she received my july 1, 1999 letter informing them of the disbursement. The saw me for the first time at the deposition. The Florida Bar and I will decide how much money she is entitled to because she does not know how much money all of them are entitled to. Whatever agreement that was made in my office as far as the amount of disbursement is not important right now. What is important is the total of money that the Florida Bar said they should receive regardless of the agreement.

Page 57 line 22-23, page 58-59 even if we took the \$10,000.00 we would still pull you into court. We are entitled to more then \$10,000.00. by going to the Bar they will get more money.

Fontane Baptiste

Page 8 lines 25, page 9 line 1-19 I told them I would collect 33% of the settlement. Costs was to be deducted from my 33%.

Page 15, line 1-8. Baptiste felt that those who lost their case should not receive any money in spite of the agreement.

Page 25 line 10-16 there were two settlement offer \$300,000.00 and \$695,000.00.[ku]

Page 49 lines11-25, page 50-54 Mr.. Baptiste came to my office on July 19 to pick up the check he and all the other clients waited for 45 minutes with all 8 clients. They heard some child crying, I looked at the window of my office and did not open the door to them. They did not come back to pick up the money. However they call me but my office who has been in business for the past 9 years phone was disconnected, a non-publish number.

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CONCLUSION

After their deposition I realized the greed and hatred fueled by Mr. Wald and the Florida Bar in these 8 clients has a mind of its own. They will do and say whatever it takes to collect more money. A reading of the Deposition will reveal that each of these clients told a different story. More disturbing is the fact that their story is completely different from the letter they signed and submitted to the Bar on September 1999. The recurring theme of their statement is that my costs and expenses are false. Each story is embraced by the Bar and they demand an explanation from me in a concrete and tangible form.

I know that the public interest will be adversely affected by the action of the Florida Bar. It has affected the purity of the courts and hinder the administration of justice and the confidence of the public in the legal profession.

(Please forgive any grammatical errors. I did not have the time nor the energy to have this letter edited).

Respectfully submitted,

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 10/30/01 in Miami, Dade County Florida.

/S/

Anne G. Telasco, Esq.

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EXHIBIT J2

October 30, 2001

Hand-delivery to Judge Robert N. Scola, Jr.
 175 N.W. 1st Avenue
 Room 2025
 Miami, Florida 33128

Re: The Florida Bar vs. Anne G. Telasco, Esq.
The Florida Bar File Nos.: 2000-70, 271 (11F),
2000-70, 394 (11F), 2000-70, 395 (11F),
2000-70, 396 (11F), 2000-70, 397 (11F),
2000-70, 398 (11F), 2000-70, 399 (11F),
2000-70, 446 (11F)

Notice of Resignation, Letter of Immediate and Permanent Resignation from the Florida Bar and Notice of Filing Deposition was received this **10/30/01** (filled in by hand by Bailiff) by Jermaine Jones.

/S/

Jermaine Jones, Bailiff

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EXHIBIT K1

**FAX ID: OCT. 26, 2001 / 9:17AM / FLORIDA
BAR / NO. 1138**

IN THE SUPREME COURT OF FLORIDA

Supreme Court Case No.

The Florida Bar File
No.: 2002-70,480(MRS-11F)

THE FLORIDA BAR,
Complainant,

v.
ANNE GEORGES TELASCO,
Respondent.

/

**PETITION FOR DISCIPLINARY
RESIGNATION**

Anne Georges Telasco, Respondent, Pursuant to Rule 3-7.12 of the Rules of Discipline, petitions this Court to accept his (sic) disciplinary resignation and states as follows:

1. Respondent is and at all times hereinafter mentioned was a member of The

Florida Bar subject to the jurisdiction of the Supreme Court and the Rules of Professional Conduct.

2. Respondent is 39 years old and was admitted to the Florida Bar on June 25, 1992.

3. Respondent is acting freely and voluntarily in tendering this Petition for Disciplinary Resignation and is represented by and has received the advice of counsel.

4. The following constitutes a statement of Respondent's past and

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pending disciplinary record and criminal proceedings in which Respondent has been a defendant:

a. The Florida Bar File Nos. 2000-70,271(11F), 2000-70,394(11F), 2000-70,395(11F), 2000-70,396(11F), 2000-70,397(11F), 2000-70,398(11F), 2000-70,399(11F), 2000-70,446(11F), **Supreme Court Case Number SC01-1198**, complaints of Marie M. Darcelin, Lucia Joseph, Fontaine Baptiste, Venicia Soupart, Francoise Luc,

Yolette Moval, Carline Jaboin, Exanise Marcellus are pending at referee level and involves allegations of *failure to properly disburse funds and allocated costs* in your settlement with River Orchids Investment Corp. d/b/a Sheraton Riverhouse Hotel.

b. Respondent has no prior discipline and has not been a defendant in any criminal proceeding.

5. Based upon the above stated facts, Respondent wishes to submit the instant Petition for Disciplinary Resignation with leave to apply for readmission to The Florida Bar after a period of three (3) years from the effective date of said resignation. *Respondent understands that this Petition for Disciplinary Resignation will be considered by the Board of Governors of the Florida Bar who will determine whether to oppose or not oppose this three (3) year disciplinary resignation before the Supreme Court of Florida. Accordingly, in the event the Board of Governors of the Florida Bar determines to oppose this three (3) year disciplinary resignation, Respondent agrees that this Petition for Disciplinary Resignation shall be for a period of five (5) years and that same shall be*

**FAX ID: OCT. 26, 2001 / 9:17AM / FLORIDA
BAR / NO. 1138**

considered as such by both the Florida Bar and the Florida Supreme Court. Respondent further understands that he (sic) must apply for readmission through the "Board of Bar Examiners pursuant to Rule 3-7.10(a) of the Rules of Discipline regardless of the duration of his disciplinary resignation.

6. Respondent believes that the public interest will not be adversely affected by the granting of this petition and same will not adversely affect the purity of the courts, nor hinder the administration of justice, nor the confidence of the public in the legal profession.

7. Respondent agrees to reimburse The Florida Bar for the following cost incurred in the disciplinary cause referenced herein as follows:

Administrative Costs:	\$750.00
Rule 3-7.6(o)(1)(I)	
Auditing Costs:	
	TOTAL

8. Respondent agrees to disburse to each Marie M. Darcelin, Lucia Joseph, Fontaine Baptiste, Venicia Soupart, Francoise Luc, Yolette Moval, Carline Jaboin, Exanise Marcellus the sum of Ten Thousand Dollars and No Cents (\$10,000.00)

as set forth in the Respondent's "July 19, 1999 settlement Statement," attached hereto as Exhibit "A" on or Before November 1, 2001.

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**FAX ID: OCT. 26, 2001 / 9:17AM / FLORIDA
BAR / NO. 1138**

9. Respondent also agreed to disburse to each Marie M. Darcelin, Lucia Joseph, Fontaine Baptiste, Venicia Soupart, Francoise Luc, Yolette Moval, Carline Jaboin, Exanise Marcellus the sum of Three Thousand Dollars and No Cents (\$3,000.00) from Respondent's proceeds as set forth in Exhibit "A" on or before November 1, 2002 (sic) so that the total amount Respondent is obligated to disburse to each of the eight clients as set forth in both paragraphs 8 & 9 of this Petition is Thirteen Thousand Dollars and No Cents (\$13,000.00).

10. Respondent acknowledges and agreed that this Petition for Resignation is not subject to modification nor revocation.

11. Respondent further agrees that her affidavits dated _____, attached hereto as Exhibit "B" and Exhibit "C", and all affirmations and statements contained therein, shall be considered part and parcel of Respondent's Petition for Disciplinary Resignation and further, that

Respondent agrees to be bound by all affirmations and statements contained within said affidavit.

Respectfully submitted,

(not signed)

Anne Georges Telasco, Respondent
7320 Biscayne Boulevard
Miami, Florida 33138

**Case 1:19-cv-22135-RS Document 53 Entered
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BAR / NO. 1138**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Petition for Disciplinary Resignation was hand-delivered to Randolph M. Brombacher, Bar Counsel, the Florida Bar, 444 Brickell Avenue, Suite M-100, Miami, Florida 33131 this _____ day of _____, 2001

William Ullman
Attorney for Respondent

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EXHIBIT K2

**FAX ID: OCT. 26, 2001 / 9:17AM / FLORIDA
BAR / NO. 1138**

IN THE SUPREME COURT OF FLORIDA

Supreme Court Case No.

The Florida Bar File
No.: 2002-70,480(MRS-11F)

THE FLORIDA BAR,
Complainant,

v.
ANNE GEORGES TELASCO,
Respondent.

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

BEFORE ME, the undersigned authority,
personally appeared Anne Georges Telasco,
respondent, who first being duly sworn, says:

1. I am a member of the Florida Bar.
2. I make this affidavit freely and with full

understanding of the consequences of doing so.

3. I have filed a Petition for Disciplinary Resignation with the Supreme Court of Florida and agree that this affidavit shall be attached to said Petition for Disciplinary Resignation and considered a part thereof.

4. I will accept no new clients from the date of this affidavit and I will

**Case 1:19-cv-22135-RS Document 53 Entered
on FLSD Docket 03/03/2020 Page 138 of 300**

**FAX ID: OCT. 26, 2001 / 9:17AM / FLORIDA
BAR / NO. 1138**

cease representing any existing clients after sixty (60) days of signing this affidavit.

5. I will advise all my clients, in writing, of my resignation from The Florida Bar and will furnish Bar counsel with The Florida Bar with the requisite affidavit listing all clients so informed within sixty (60) days after signing this affidavit. I understand that I must still comply with Rule 3-5.1(g) of the Rules of Discipline upon entry of the Supreme Court Order approving my resignation.

6. I will take steps to close all trust accounts which I maintain within sixty (60) days of signing this affidavit. I further agree to provide staff

counsel of The Florida Bar written and verifiable evidence of the closure of said account(s).

7. I further agree that if I engage in the practice of law subsequent to sixty (60) days from today, or do not comply with the terms of this affidavit, that same may constitute contempt of the Supreme Court of Florida, and I may be sanctioned for such contempt by permanent disbarment.

(not signed)

Anne Georges Telasco, Respondent
Florida Bar No. _____
7320 Biscayne Boulevard
Miami, Florida 33138

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BAR / NO. 1138**

The foregoing instrument was acknowledged before me this _____ day of February, 2001, By Anne Georges Telasco, Respondent who is personally known to me or who produced _____, and who did/did not take an oath.

Notary Public
State of Florida at Large

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing affidavit was hand-delivered to Randolph M. Brombacher, Bar Counsel, The Florida Bar, 444 Brickell Avenue, Suite M-100, Miami, Florida 33131 this ____ day of October, 2001.

(not signed)

Anne Georges Telasco, Respondent
7320 Biscayne Boulevard
Miami, Florida 33138

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EXHIBIT L1

November 6, 2001

The Florida Supreme Court
c/o Judge Robert N. Scola, Jr.
175 N.W. 1st Avenue, Room 2025
Miami, Florida 33128

Hand Delivery

Re: The Florida Bar vs. Anne G. Telasco, Esq.
The Florida Bar File Nos.: 2000-70, 271 (11F),
2000-70, 394 (11F), 2000-70, 395 (11F),
2000-70, 396 (11F), 2000-70, 397 (11F),
2000-70, 398 (11F), 2000-70, 399 (11F),
2000-70, 446 (11F)

Notice of Filing Settlement Funds and letter with
all pertinent attachents, and Notice of Filing was
received this 6th day of November, 2001 by
Jermaine Jones.

/S/
Jermaine Jones, Bailiff

**Case 1:19-cv-22135-RS Document 53 Entered
on FLSD Docket 03/03/2020 Page 143 of 300**

EXHIBIT L2

**Law Offices of Telasco & Associates, P.A.
7320 Biscayne Blvd.
Miami, Florida 33138**

November 6, 2001

The Florida Supreme Court
c/o Judge Robert N. Scola, Jr.
175 N.W, 1st Avenue, Room 2025
Miami, Florida 33128

Hand Delivery

Re: The Florida Bar vs. Anne G. Telasco, Esq.
The Florida Bar File Nos.: 2000-70, 271 (11F),
2000-70, 394 (11F), 2000-70, 395 (11F),
2000-70, 396 (11F), 2000-70, 397 (11F),
2000-70, 398 (11F), 2000-70, 399 (11F),
2000-70, 446 (11F)

Dear Judge Scola:

Enclosed you will find Cashier Check number 634428674 in the amount of \$49,147.70, made payable to The Florida Supreme Court. This check reflects the disbursement due to the complainant pursuant to the Settlement Statement dated July

1999, and reimbursement of \$100.00 paid by seven of the eight complainants, to exclude Mr. Baptiste, toward translator's expenses. A copy of the Settlement Statement is attached as Exhibit "A."

On July 1, 1999 a letter was sent to the complainants to pick up their checks followed by several calls from me. The complainant did not pick up their check but instead, with the help of Mr. Wald, initiated their complaint with the Bar. Letter attached as Exhibit "B."

On October 26, 1999 I placed the Bar, Mr. Wald, Mr. Ganguzza and the complainants on notice that I will withdraw the credit I gave them in the event the Bar's investigation continues. This is evidenced by page 4 of the attached Settlement Statement dated July 19, 1999 which was mailed and received by all concern (sic). This

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Settlement Statement states in part "Telasco & Associates, P.A. Reserves the Right to Withdraw the Credit of \$31,552.30 it gave to the Plaintiffs in the event more time and effort is spent to clarify this nonsense." I have invoked Telasco & Associates, P.A. right to withdraw the credit.

On December 28, 1999 pursuant to the Bar and Mr. Wald's request, I forwarded a letter to Mr.

Wald, the Bar and Mr. Ganguzza explaining this credit --- which Mr. Wald referred to as a "Mysterious Credit." This letter was mailed and received by all concern. Letter attached as Exhibit "C."

Please note: Exhibit A and B were used as exhibits by the Bar during these proceedings. All of the above exhibits are part of the court file.

Respectfully submitted,

/S/
Anne G. Telasco, Esq.

cc: Randolph M. Brombacher, Esq.
Assistant Staff Counsel
The Florida Bar
Rivergate Plaza, Suite M-100
444 Brickell Avenue
Miami, Florida 33131-2404

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EXHIBIT L3

**IN THE SUPREME COURT OF FLORIDA
(Before a Referee)**

Supreme Court Case No.: SC01-1198

**THE FLORIDA BAR, IN THE SUPREME
COURT OF FLORIDA
(Before a Referee)
Supreme Court Case
No. SC01-1198**

**THE FLORIDA BAR,
Complainant,**

v.

**ANNE GEORGES TELASCO,
Respondent.**

/

**The Florida Bar File Nos.: 2000-70, 271 (11F),
2000-70, 394 (11F), 2000-70, 395 (11F),
2000-70, 396 (11F), 2000-70, 397 (11F),
2000-70, 398 (11F), 2000-70, 399 (11F),
2000-70, 446 (11F)**

NOTICE OF FILING SETTLEMENT FUNDS

Respondent, ANNE GEORGES TELASCO, hereby file a Cashier Check in the amount of \$49,147.70, made payable to the Supreme Court of Florida. This check reflects the disbursement due to the complainant pursuant to the Settlement Statement dated July 1999 and reimbursement of \$700.00 paid by seven of the eight complainant, to excluded (sic) Mr. Baptiste, toward translator's expenses. The letter dated November 6, 2001 addressed to Judge Scola and its attachments which is filed simultaneously with this Notice is incorporated and made a part of this Notice.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was faxed to: Randolph M. Brombacher, Attorney for the Florida Bar, 444 Brickell Avenue, Suite M-100, Miami, Florida 33131 this 6th day of November, 2001.

/S/

Anne G. Telasco, Esq.
7320 Biscayne Blvd.
Miami, Florida 33138
FBN: 939420

EXHIBIT L4

OFFICIAL CHECK
Washington Mutual Bank, FA
Check No.: 634428674

Match the amount in words with the amount in
numbers

WASHINGTON
MUTUAL **\$49,147.70**

***** Nov. 6, 2001 49 THOUSAND 147 DOLLARS
AND 70 CENTS *****

PAY
TO
THE **THE FLORIDA SUPREME COURT**
ORDER
OF

DRAWER: WASHINGTON MUTUAL BANK, FA

/S/
AUTHORIZED SIGNATURE

REMITTER TELASCO & ASSOCIATES, P.A.
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EXHIBIT L5

**The Florida Bar
Rivergate Plaza, Suite M-100
444 Brickell Avenue
Miami, Florida 33131-2404**

April 24, 2002

Mr. Jonathan D. Wald, Esq.
100 S.E. 2nd Street Suite 3900
Miami, Florida 33131

Re: The Florida Bar vs. Anne G. Telasco, Esq.
The Florida Bar File Nos.: 2000-70, 271 (11F),
2000-70, 394 (11F), 2000-70, 395 (11F),
2000-70, 396 (11F), 2000-70, 397 (11F),
2000-70, 398 (11F), 2000-70, 399 (11F),
2000-70, 446 (11F)

Supreme Court Case No.: SC01-1198

Dear Mr. Wald:

I am pleased to inform you that I have arranged the deposit of \$49,147.70 to "The Clerk of the County and Circuit Court, Eleventh Circuit" for the above referenced matter.

The funds were deposited on April 24, 2002 in Administrative File, Reference Number 02000011CA01. (See enclosure).

Parenthetically I should state that there is always a possibility that there is an issue as to the source of these funds. However one can directly infer from the enclosed order that Ms. Telasco remitted these funds to the court which were due and owing to your clients as a result of her representation against Sheraton. I would think you would need to document the fact that these funds are not subject to any other claim before the Court can disburse, otherwise I do not think there will be any other issue pursuing these funds on behalf of your clients.

Sincerely,

/S/
RANDOLPH M. BROMBACHER
Bar Counsel
Enclosures

cc: Marie Darcelin, Lucia Joseph, Fontane
Baptiste, Venicia Soupart, Francoise Luc
Yvette Moval, Carline Jarboin,
Exanise Marcellus

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EXHIBIT L6

**The Florida Bar
Inquiry/Complaint Form**

Please carefully review this inquiry/complaint form after you have included all information according to the instructions found on the other side of this form. Note that there is a requirement for you to execute the oath at the end of this form. False statements made in bad faith or with malice may subject you to civil or criminal liability. You are required to certify that you have read the pamphlet "Complaint Against A Florida Lawyer" before submitting this form.

PART ONE:

Venicia Soupart	Anne G. Telasco
301 NW 150 Street	7320 Biscayne Blvd.
Miami, FL	Miami, FL 33138
Phone: 305-688-0764	Phone: 305-754-4466
Social Security #000-00-4285	

Have you contacted the Florida Bar
ACAP program before filing this
Complaint? Y Yes N No

PART TWO: Can any person testify about what was said and done, not done, or agreed upon by you and the attorney? Y Yes No

PART THREE: I have read and, to the best of my ability, followed the instructions on the back of this form.

(A) The specific thing or things I am complaining about are: **Attorney Anne Telasco Hold our settlement money.**

(B) In support of those things listed above, the FACTS of my complaint are: _____

PART FOUR: Under penalty of perjury I declare the foregoing facts are true, correct and complete. I further certify that I have read and understand the information contained in the pamphlet "Complaint Against a Florida Lawyer." I also understand that the filing of a Bar complaint will not toll or suspend any applicable statute of limitations pertaining to my legal matter.

/S/
Venicia Soupart
3/18/02

Document Stamped Date: Received on March 22, 2002 by The Florida Bar - Miami

**Case 1:19-cv-22135-RS Document 53 Entered
on FLSD Docket 03/03/2020 Page 155 of 300**

EXHIBIT M1

**IN THE SUPREME COURT OF FLORIDA
(Before a Referee)**

Supreme Court Case No.: SC01-1198

THE FLORIDA BAR, Complainant,	The Florida Bar File Nos.
	2000-70,271(11F)
	2000-70,394(11F)
	2000-70,395(11F)
	2000-70,396(11F)
v.	2000-70,397(11F)
	2000-70,398(11F)
ANNE GEORGES TELASCO, Respondent.	2000-70,399(11F)
	2000-70,446(11F)

Referee Robert N. Scola Jr.

MOTION TO WITHDRAW

At the request Anne Georges Telasco, Bill Ullman moves to withdraw as counsel for Anne Georges Telasco.

/S/
Anne Georges Telasco 11/07/01

CERTIFICATE OF SERVICE

I certify that this document was faxed and mailed on **November 8, 2001** to: Randolph M. Brombacher, Attorney for the Florida Bar, 444 Brickell Avenue, Suite M-100, Miami, Florida 33131,.

/S/

Bill Ullman
Attorney for Anne Georges Telasco
5120 First Union Financial Center
200 South Biscayne Boulevard
Miami, Florida 33131
PH: (305)358-0284
FAX: (305) 374-3756
E-mail: billullman@yahoo.com

**Case 1:19-cv-22135-RS Document 53 Entered
on FLSD Docket 03/03/2020 Page 157 of 300**

EXHIBIT M2

**Clerk of Courts
11th Judicial Circuit of Florida
Miami-Dade County**

**Civil/Family/Probate Justice System Docket
Information**

**FLORIDA BAR (THE) vs. PETITION FOR
INVENTORY ATTORNEY**

Case Number (LOCAL): 2002-11-CA-01

Filing Date: 1/2/2002

Case Number (STATE): 13-2002-CA-000011-0000-01

**Dockets Retrieved: 32
Judicial Section: 60**

Date	Docket Entry	Comments
01/09/04	NOTICE: OF FILING RECEIPTS	
11/19/03	ISSUED COURT REGISTRY CHECK	\$49,147.70 #51417 GOLDFARB, GOLD GONZALEZ, & WALD, P.A. TRUST ACCOUNT
11/19/03	LETTER OF CORRESPONDENCE	GOLDFARB, GOLD, AUTH KAREN HOOTS, P/U CHK 051417 FLDRLID

11/19/03	TEXT	HANDED CK #51417 TO KAREN HOOTS
10/06/03	TEXT	ORDER GRANTING PET TO DISBURSE FUNDS (ANNE TELASCO)
09/17/03	TEXT	NOTICE OF HEARING BEFORE WRONG JUDGE (TELASCO)
09/17/03	TEXT	ORDER ON FINAL REPORT OF INVENTORY ATTY (CARLOS MENDEZ)
08/21/03	NOTICE OF HEARING APPT.	09/09/2003: 10:00AM
08/15/03	NOTICE OF HEARING APPT.	08/22/2003: 10:00AM
05/21/03	TEXT	NOTICE OF HEARING 6-10-2003 AT 9:00AM (ANNE TELASCO)
05/21/03	TEXT	RENEWED PETITION TO DISBURSE FUNDS
05/05/03	TEXT	FINAL REPORT OF INVENTORY & REQUEST (CARLOS MENDEZ)
04/29/03	TEXT	AGREED ORDER TO RETURN FILES TO CLERK ETC

(FOULKES)

4/23/03	NOTICE OF HEARING	MOTIONS 05/06/2003: 09M00A
4/23/03	TEXT	PETITION TO DISBURSE FUNDS (ANNE GEORGES TELASCO)
4/14/03	TEXT	REPORT OF INVENTORY ATTY LEWIS B FREEMAN FOR (FOULKES)
11/18/02	TEXT	INTERIM REPORT OF INVENTORY ATTORNEY (CARLOS MENDEZ)
10/21/02	ENTRED OR DUPLICATED IN ERROR	LCOR
10/18/02	TEXT	ORDER APPOINTING INVENTORY ATTORNEY
10/16/02	TEXT	ORDER TRANSFERRING CUSTODY OF RESPONDENTS FILES ETC.

Case 1:19-cv-22135-RS Document 53 Entered
on FLSD Docket 03/03/2020 Page 158 of 300

10/16/02	TEXT	PETITION FOR ORDER TRANSFERING CUSTODY OF ETC
10/01/02	TEXT	ORDER APPOINTING INVENTORY ATTORNEY
10/01/02	TEXT	PETITION FOR APPT OF INVENTORY ATTNY (MICHAEL A FOULKES)
09/30/02	TEXT	PETITION FOR APPOINTMENT ON INVENTORY (CARLOS MENDEZ)
9/25/02	ORDER	DIRECTING CLERK OF COURT TO TAKE CUSTODY OF RESP FILES
4/24/02	COURT REGISTRY	\$49,147.70 #1487 DEPOSIT TELASCO & ASSOC.
4/24/02	TEXT	ORDER APPOINTING INVENTORY ATTORNEY (ROBERT N. SCOLA JR)
2/24/02	ENTERED OR DUPLICATED IN ERROR	TEXT
01/02/02	CIVIL COVER	

239a

01/02/02 COMPLAINT

01/02/02 FINAL JUDGMENT J \$ 0.00 BK:00001
PG:0001 DN01

01/02/02 ORDER OF 60 FM:09 00160
TRANSFER
(REASSIGNMENT)
SECTION

VIEWED THE WEEK OF NOVEMBER 20, 2008

**Case 1:19-cv-22135-RS Document 53 Entered
on FLSD Docket 03/03/2020 Page 160 of 300**

EXHIBIT M3

**THE BASTARDIZED COPY OF TELASCO'S
RESIGNATION THE FLORIDA BAR FILED
WITH THE FLORIDA SUPREME COURT.**

FILED
THOMAS S. MALL
DEC 9 2001
CLERK, SUPREME COURT
BY

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,
Complainant,
vs.
ANNE GEORGES TELASCO,
Respondent.

The Florida Bar File Nos.
2000-70, 271 (11F), 2000-70, 394 (11F)
2000-70, 395 (11F), 2000-70, 396 (11F)
2000-70, 397 (11F), 2000-70, 398 (11F)
2000-70, 399 (11F), 2000-70, 446 (11F)

SUPREME COURT CASE
No.: SC01-1198

LETTER OF IMMEDIATE AND PERMANENT RESIGNATION
FROM THE FLORIDA BAR

I see the shadow of justice and feel its destructive blows to my disenchanted.
By Anne Georges Telasco, Esq

To Judge Scola and the Justices of the Florida Supreme Court

I have been a lawyer in private practice since January 1993, over 9 years. As a Haitian and Bilingual attorney, I have served all types of clients. With my Haitian clients, I have always been able to communicate with them in creole, our native language. I have been to trials and have settled cases for clients. I have disbursed at least \$2,500,000.00 to clients over the years. I have never had any problems with any of my clients, most specifically my Haitian clients because I failed to communicate with them.

I have filed an answer and affirmative defenses in response to the Florida Bar's Complaint in this matter. The answer is comprehensive. I am respectfully requesting that the court carefully read the answer and review its attachment to see the treatment the Bar afforded me for over 28 months.

The Bar investigated me for over 28 months. During this 28 months, the Bar never spoke to the 8 complainants. Instead, they spoke to an attorney by the name of Jonathan D. Wald. Mr. Wald is an attorney who was approached by the 8 complainants back in 1993 to handle the racial discrimination case which I accepted and is the subject of the Bar's investigation. Mr. Wald did not accept the case because he felt it was too much trouble. I took this case and worked on this case for over 5 years. Four of the eight cases went to 4 complete federal jury trials. Each trial comprised of over 25 witnesses. Each trial lasted 4 to 5 days. The jury returned 2 guilty verdicts and 2 not guilty verdicts for defendant. One of the guilty verdict the jury awarded zero dollar as compensatory damage and the second the jury awarded \$30,000.00 punitive damage and

Exhibit "M3"

common struggled and concerted effort it required from all of them to win.

When the fourth trial concluded, several days of negotiation ensued which resulted in a settlement of the case for \$300,000.00. All eight clients participated in the settlement negotiations. Because the Defendant was a dissolved corporation and did not have \$300,000.00 readily available, it agreed and the clients accepted payments of the \$300,000.00 in 6 installments of \$50,000.00 per month for 6 months. All clients agreed to the terms of the settlement. Being aware of my costs, and before the offer was accepted, I agreed to pay not less than \$10,000.00 to each client if they accepted the settlement. A creole translator was present during settlement negotiations. Once the offer was accepted and we agreed on the format of the agreement, a translator read each page of the settlement agreement to the clients and initialed each page as he read the documents to them and asked them if they understood the terms of settlement before each client signed the Agreement. Copy of Translator's affidavit attached. I was able to locate the Translator in Atlanta within the past few days. The original affidavit will be forwarded to the court upon receipt.

After the settlement agreement was executed, I received several calls from Baptiste, the complainant who originally brought the case to me and whom Mr. Wald used to initiate the Bar's investigation, requesting that the clients who less not be paid contrary to their agreement. Thus, this would make it necessary to disburse the \$50,000.00 in four ways instead of 8. Mr. Baptiste also informed me that since he brought me the case, he is entitled to receive more money than the other clients. I informed Mr. Baptiste that these demands were unacceptable.

After the Defendant paid the full \$300,000.00 on July 1999, I sent a letter to the 8 clients to come to pick up \$10,000.00. I also called them. Instead, I received a call from Mr. Wald who informed me that he had been retained by Mr. Baptiste and he is requesting that I send him original receipts, canceled checks and invoices reflecting my expenditures in the case since 1993 so that he may verify my costs. I refused because of Mr. Wald's tone and condescending attitude in making the request. I am not Mr. Wald's paralegal or lackey. I earned my law degree and my license as Mr. Wald earned his.

At this point, Mr. Wald reviewed my settlement statement and advised Mr. Baptiste that my costs were not real, others were suspect, the credit which I gave in order to disburse \$10,000.00 to them was mysterious. He proceeded to write a letter for Mr. Baptiste to take to the Florida Bar. At this point, the Florida Bar began their investigation. During the next 3 months, Mr. Baptiste manage to get the other 7 clients to sign Mr. Wald's letter. The Florida Bar launched their investigation of my representation of the clients. All documents requested by the Bar was provided to them. The Florida Bar kept Mr. Wald abreast of the result of their investigation. When the Bar send a copy of my letter responding to the complaint, Mr. Wald wrote his letter to the Florida Bar using his law firm's letter head. In this letter, Mr. Wald reiterated what he had told Baptiste, "...based on my experience, many of Ms. Telasco's claimed costs are simply not credible. I have highlighted those particular items on Ms. Telasco's settlement statement which are somewhat dubious in my opinion of those amounts but nothing more than that in the

Mr. Baptiste that the Florida Bar immediately file a formal grievance against Ms. Telason and that you devote your full attention and resources to this matter. I would urge you to perform an immediate and detailed accounting in this matter, including requiring Ms. Telasco to provide you with copies of all invoices and bills relating to the costs claimed on her settlement statement. I would appreciate it if you would contact me upon your receipt of this letter to let me know how The Bar will proceed and to further discuss this matter." Within a few days of Mr. Wald's Request, the Bar referred the case to the Grievance Committee with Mr. Ganguzzo as the investigative member. The Bar demanded that I provide original receipts, canceled checks and invoices reflecting my expenditures in the case since 1993 so that it may verify my costs and expenses. Mr. Ganguzzo suggested that to put an end to my problem I should go to Mr. Wald to have him disburse the settlement funds.

Mr. Wald and the Bar's attorney fueled the clients belief that my costs were non-existent and therefore, they want to be reimbursed. Mr. Wald even advised the clients that he would represent them by going to a Fund to get money for them since they are my victims and I have taken their money.

I met with Mr. Carlos Ruga, the Bar's auditor on April 17, 2000, May 31, 2000 and again on July 6, 2000. My three (3) separate meetings with Mr. Ruga lasted over five (5) hours. At that time I provided all of the documents requested by the Florida Bar to confirm the expenses incurred in the cases of the above-named complainants. Among the documents which I provided to Mr. Ruga were original canceled checks, W2 and 1099 forms for all legal staff who were hired exclusively to work on the claimants cases, original canceled checks, receipts and remitted documents reflecting usage and payments for fax, copies (to include a copy of Defendant's motion for cost and expenses reflecting the similarity of my costs versus Defendant's), postage and courier fees, Westlaw and Lexis charges for nationwide federal electronic research incurred including canceled checks and copies of bills. Mr. Ruga generated a report as a result of his investigation. Once this report was completed, the Bar refused to give me a copy of the report in light of my several demands. The Bar finally gave me a copy of the report after I made a third documented demand for a copy of the report. A copy of Mr. Ruga's report was not given to the clients.

During the week of August 6, 2000, Mr. Ruga called me to inform me that he had presented his report to the Grievance Committee at their meeting. I was not given notice of this meeting. At this meeting, the Committee verbally proposed through Mr. Ruga that I pay \$3,000.00 to each claimant as a reimbursement of the costs (since the Committee was not satisfied with the costs documentation I provide for Lexis and Westlaw in light of my explanation) and to write a letter admitting to minor misconduct.

In response I informed Mr. Ruga that I would adhere to the monetary reimbursement, not because I believe these expenses were improper but rather because I wanted this matter concluded. However, I refused to acknowledge that I committed any misconduct, whether or not

as to the proposed settlement offer. I informed him that I would not write such a letter. Further, to support my unwillingness to accept such improper blame, I informed him that I had received a letter from Jonathan D. Wald, Esq., dated August 14, 2000 informing me that I would be sued for unpractice by at least four (4) of the eight (8) complainants, as the other four (4) had not made up their minds.

IT IS CLEAR THAT,

In this non-conventional case, it is an error for Mr. Wald, Mr. Garguza and the Florida Bar to intervene to define costs after the clients agree to pay costs they were aware of.

It is error for Mr. Wald, Mr. Garguza and the Florida Bar to completely disregard written and executed contract and agreement thoroughly explained and understood by clients when translator executed and initial each page of said contract.

It is error for Mr. Wald, Mr. Garguza and the Florida Bar to refuse to accept the Bar's auditor's report, refused to give a copy of said report to me, refused to include said report in their package to secure probable cause before the grievance committee and failed to inform the clients of their findings, that is, the costs and expenses were incurred and paid for.

It is error and malicious for these eight clients to take me to the Bar to be investigated believing that the Bar will make me give them more money (exon money from me) contrary to their agreement, understanding and knowledge of the disbursement.

It is error for the Bar to allow Mr. Wald to use it as its instrumentality in the hope of getting a disciplinary action against me which would give him an upper edge on any case he may bring against me on behalf of the clients.

The contract between the clients and I states, that I may incur any costs necessary to properly handle the case. In this non-conventional case, costs borne by the clients were define by the client and the lawyer. Clients did not pay one dime except that 7 of the 8 clients paid \$100.00 toward the translator fee because I ran out of money in the fourth case and the translator would not go to court to translate if I did not make a small deposit towards her fees. The clients were not spending any money, the possibility of winning was dim, they all agreed to all of the costs outlined on my settlement statement. They had nothing to loose except me.

THE EFFECT ON MY LIFE

Mr. Wald's action of informing the clients that my costs and expenses were not real and the Florida Bar's relentless pursue of taking away my privilege to practice law to support my family and I have affected my mental and emotional well being and have had a negative impact on my financial status. These clients believe and have informed my prospective clients that I stole their

up to 2 milligram. With the help of my Haitian mother, about 9 months ago, I started to eat several pieces of raw garlic and allow to alleviate my nerves, my fast and irregular heartbeat and sleeplessness due to the stress. For the past couple of weeks, I have been getting 1 to 2 hours of sleep. Some days I am depressed and other days I am angry.

This has also effected those people who are most important to me, my two minor children and my mother. I have fought a long and hard fight. Now it is time to retreat if I am to keep my sanity and keep my home and those who are dear to me safe.

THE FLORIDA BAR'S UNBRIDLED POWER

Mr. Wald, Mr. Ganguzza and the Bar see it fit to eliminate me from the practice of law since they have unbridled power. To accept any sort of compromise for one second or five years from the Bar would be to validate their gross abuse of power and to in effect legitimize the mockery they have made of the investigative system and their motto "Advocacy, the Competence and Public Responsibility of Lawyers." Worse of all it would be to admit that I have taken advantage of my clients by stealing from them.

At the outset of this case, I complained to the Bar about Mr. Ganguzza's partiality and bias not towards the complainant but toward Mr. Wald and his agenda. I further informed them that Mr. Wald's action speaks volume in that he is a silent yet active member of the grievance committee whose objective was to destroy me. My plea fell on deaf ears.

The law is design to protect the least powerful, to operate evenhandedly without regards to stature, connections or money. This is not the case. The Bar launched an almost 28 months investigation, which is ongoing, of my costs and expenses which was clarified by its auditor. The Bar's unreasonable request that I produce original receipts and canceled checks for in-house copies, faxes and postage when they know and acknowledge that it is not possible to provide these items except time logs. I have spent thousands of dollars in costs and attorney's fees. I have spent several hundreds of hours fighting the Bar for the past 28 months.

RELINQUISHMENT OF MY LICENSE TO PRACTICE LAW

To allow the Bar to continue to persecute me, disturb my peace, the lives of my beloved children and mother for the sake of my license for one more day is unacceptable. Furthermore, I am tired. - The Florida Bar may have my license to practice law in this state. By relinquishing this privilege, I have restrain my peace of mind.

It is only fitting that I relinquish my right to practice law with one of my favorite prayers,

Lord, look toward me and have pity on me

Put an end to my affliction and my suffering
Behold, my enemies are many
They hate me violently
Preserve my life and rescue me
For I take refuge in you
Lord my God.

DEPOSITION TESTIMONY

Mr. Gangaza

When I asked Mr. Gangaza, does the Bar have any rule or regulation in a situation where a lawyer raised concerns about an investigating member being bias and partial? He answered, "No." This issue has not been in the grievance committee consideration or deliberations or by the Bar." Pages 7 lines 15 - 25. The deposition will reflect that Mr. Gangaza never spoke to any of the complainants except to Mr. Wald. A copy of Mr. Raga's report was not included in the package to the grievance committee when these reports dealt directly with the issue of costs in this case the only issues pending. I had to demand that a copy be included in the package to the grievance committee. The Florida Bar has refused to accept the report of its own auditor, A certified Public Accountant who has been working for the Bar for over 16 years and has conducted 400 to 500 audits for the Bar. Page 5 line 4-23, page 6 lines 1-25, page 12 lines 1-25. Mr. Raga's Deposition.

Request by eight clients to have simultaneously deposition

When I subpoena three of the 8 clients for deposition, they refuse to attend the deposition when they arrive at my office, claiming that the only way they would give me their deposition is if all 8 of them were present and they would give me the deposition simultaneously. See Statement on the Record page 3 line 14 to 19.

Mr. Wald

He has never participated in a federal trial much less a racial, federal discrimination trial.
Deposition of Wald. Page 7, lines 1-25 and page 8 line 1 - 9.

Page 11, line 17 to 25 and page 12 line 1 -25. Mr. Wald told the 8 clients that they are my victim and he will get them money from the state compensation fund to help them. However, Mr. Wald does not remember whether the clients signed a contract with them or not. Mr. Wald prepared the letter which Baptist took to the Florida Bar from information provided by Baptist only. Page 14 lines 19 -25, page 15 1-25, page 16 lines 1-25. Mr. Wald also informed these clients that my costs were not credible, real or legitimate. As a matter of fact, they were highly suspicious. Page 23, line 1-25, page 24, lines 1-25. Page 26, line 19-20. Mr. Wald admit his

Mr. Wald has a vague recollection of receiving Mr. Ganguzzi's report and did not receive a copy of Mr. Raga's report. He did not bother to call the clients and tell them of the result of this report. Page 25, lines 22-25, page 26-28, page 36 lines 18-25.

Page 19, lines 12-25, page 20, line 1-21 I am the only attorney he remembers making such a request from.

Marie Darcelin

Page 7, lines 7-9, page 23, line 10-14 they never met me alone. I always call meetings for all of them. Page 9 lines 13-14 we speak the same language I always speak to them in creole. Page 19 & 20 lines 1-25 they were told of the \$300,000.00 settlement and I further told them my fee would be 33% of the settlement and they each expected to receive at least \$20,000.00. The settlement statement was also presented to them when they came to sign the agreement. The \$10,000.00 was also in the statement. Even if they took the \$10,000.00 they would still come after me for money because there was more money waiting. Page 22 line 7-11 I would only give them \$10,000.00 I would not give them \$10,000.00 more.

I never advance any other offers of settlement by Sheraton besides the \$300,000.00 offer. Page 23, line 18-22.

I explained all my costs to her. Page 23 line 23-25, page 24, line 1-4. Page 26 line lines 6-7, she expected to receive \$50,000.00.

All of them came to my office to pick up the check supposedly at 5:00 p.m. on July 19, 1999. And they all left at 5:30 p.m. Page 30 line 22-25, page 31 line 1-3. Page 32 line 2-10 I always set appointment for all 8 clients together.

Page 33 line 3-21, page 34, 35 and 36, I informed them of my expenses after each trial. I always communicated with them. I listed all of my costs to them and went over it with them after every trial. The attorney, Troy Harris was to be paid out of the funds received from the case not from my fees.

Page 37 lines 20-25, I told them that I would work for them for 30%. Page 38 lines 2-25, Mrs. Darcelin feels she is entitled to \$50,000.00. When they agreed to the \$300,000.00 settlement to accept the \$10,000.00 disbursement they never had any intention of accepting the \$10,000.00 disbursement and they would still go to the Bar.

Page 41 lines 2-24 their problem is that they do not believe that my expenses are real. They are too much. Not that I never communicated with them about the expenses. But I did not tell them exactly how much they would amount to.

case. However, I did not know whether we would succeed in the case. We may then again we may not succeed.

Page 22 lines 2-17 all 8 clients waited outside my office for 3 hours, I open the blinds, they hear us conversing inside yet we did not open for them. Finally they left.

page 24 lines 10-15 I kept them informed about their case. I always spoke to them. Contact all 8 of them by letter or phone call to come in. Met with them once a week, every two week or once a month page 44 lines 17-25. Page 45 lines 10.

Pages 32-36, she was never told of the costs except cost totaling to about \$600.00. My cost did not amount to \$1,000.00. They were not aware of any other costs. She knows nothing about the translators' costs. It is my own business.

Page 46 lines 3-25, page 47-50 the letter prepared by Mr. Wahl which all 8 clients signed which launched the investigation by the Bar was not read by Ms. Marcellus. She signed it because "if the eight of us complain to the Florida Bar" (page 47 line 21-22) she would get more money. They gave her the letter to sign and she signed it because she is suppose to. She is not aware of the content of the letter.

Page 51 line 2-25, page 52 lines 1-25, she did not come to my office after she receive my July 1, 1999 letter informing them of the disbursement. She saw me for the first time at the deposition. The Florida Bar and I will decide how much money she is entitled to because she does not know how much money all of them are entitled to. Whatever agreement that was made in my office as far as the amount of disbursement is not important right now. What is important is the total amount of money that the Florida Bar said they should receive regardless of the agreement.

Page 57 line 22-23, page 58-59- even if we took the \$10,000.00 we would still pull you into court. We are entitled to more then \$10,000.00. By going to the Bar they will get more money.

Fontaine Baptiste

page 8 lines 23, page 9 line 1-19 I told them I would collect 33% of the settlement. Costs was to be deducted from my 33%.

Page 15, line 1-8. Baptiste felt that those who lost their case should not receive any money in spite of the agreement.

Page 23 line 10-16 there were two settlement offer \$300,000.00 and \$695,000.00.ku

Page 49 lines 11-25, pages 50-54 Mr. Baptiste came to my office on July 19 to pick up the check he and all the other clients waited for 45 minutes with all 8 clients. They heard some child crying.

Conclusion

After their deposition I realized the greed and hatred fueled by Mr. Wald and the Bar in these 8 clients has a mind of its own. They will do and say whatever it takes to collect more money. A reading of the Deposition will reveal that each of these clients told a different story. More disturbing is the fact that their story is completely different from the letter they signed and submitted to the Bar on September 1999. The recurring theme of their statement is that my costs and expenses are false. Each story is embraced by the Bar and they demand an explanation from me in a concrete and tangible form.

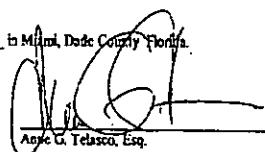
I know that the public interest will be adversely affected by the action of the Florida Bar. It has affected the party of the courts and hinder the administration of justice and the confidence of the public in the legal profession.

(Please forgive any grammatical errors. I did not have the time nor the energy to have this letter edited).

Respectfully submitted,

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 10/30/01 in Miami, Dade County Florida.



Angie G. Telasco, Esq.

**Case 1:19-cv-22135-RS Document 53 Entered
on FLSD Docket 03/03/2020 Page 170 of 300**

EXHIBIT N1

**FLORIDA SUPREME COURT CASE DOCKET
CASE NUMBER: SC01-1198 - CLOSED**

THE FLORIDA BAR
vs.
ANNE GEORGES TELASCO

Lower Tribunal Case(s); 2000-70,271(11F),
2000-70,394(11F), 2000-70,395(11F),
2000-70,396(11F), 2000-70,397(11F),
2000-70,398(11F), 2000-70,399(11F),
2000-70,446(11F)

10/05/2008 10:30

Date			
Docketed	Description	Filed By	Notes
5/30/2001	COMPLAINT	CO Florida Bar BY: CO Randolph Max Brombacher 69879	(O&I)
5/30/2001	REQUEST- ADMISSION	CO Florida Bar BY: CO Randolph Max Brombacher. 69879	(O&I)
6/14/2001	No Fee Required		

6/18/2001 Order-Referee
Appointment
(Disciplinary) Hon. Joseph P.
Farina
C.J., 11th Circuit

6/25/2001 LETTER PE Anne G. Telasco (copy)
dated

BY: Anne G Telasco

6/21/2001, from

Respondent to Bar. Counsel
advising him that she received the acknowledgment letter
from the court, but never received the complaint or request
for admissions and advised him that she will be filing a
motion for extension of time to respond to the complaint once
she receives the documents.

Case 1:19-cv-22135-RS Document 53 Entered on FLSD
Docket 03/03/2020 Page 171 of 300

7/2/2001 LETTER PE Anne G. Telasco (copy) dated
BY: Anne G Telasco 6/25/2001,
from Respondent to Bar

Counsel advising him that she has received the complaint and
request for admissions.

7/9/2001 REFEREE
APPOINTED HON.ROBERT
N. SCOLA, JR.
11TH JUD
CIRCUIT

7/20/2001 ORDER-
CIRCUIT
ORDER OMNIBUS
SCHEDULE
AFTER STATUS
CONFERENCE
(SENT TO
REFEREE)

9/17/2001	ORDER- OTHER	GRANTING REQUEST FOR ENLARGEMENT OF DISCOVERY DEADLINE (COPY)
9/24/2001	ORDER- OTHER COURT	GRANTING REQUEST ENLARGEMENT OF DISCOVERY DEADLINE UP TO AND INCLUDING 10/19/01.
11/02/2001	ORDER- OTHER COURT	GRANTING REQUEST FOR ENLARGEMENT OF DISCOVERY DEADLINE AND SUMMARY JUDGMENT FILE DATE - (COPY)
11/13/2001 LETTER PE: Anne G. Telasco DATED 11/12/01 PE: Anne G. Telasco WITH ENCLOSED DOCUMENTS		
11/19/2001	ORDER- OTHER COURT	ON MOTION TO DISMISS AND MOTION TO ABATE PROCEEDINGS. THE COURT HAS REVIEWED THE RESPONDENT'S MOTION TO DISMISS

BASED UPON HER
SUBMITTED
RESIGNATION AND
THE BAR'S MOTION
TO ABATE
PROCEEDINGS BASED
UPON THE
SAME GROUND.
AFTER CONSIDERING
THE WRITTEN
SUBMISSIONS,
THE MOTION TO
DISMISS IS
DEFERRED
PENDING
ACCEPTANCE
OF THE
RESPONDENT'S
RESIGNATION FROM
THE BAR. THE BAR'S
MOTION TO ABATE
PROCEEDINGS IS
GRANTED.

7/18/2002 NOTICE-
DISMISS
(Voluntary) CO Florida
Bar BY: CO
Randolph Max
Brombacher
69879

8/2/2002 DISP-DISM
UPON
VOLUNTARY
CONSIDERATION
(FLA BAR)
OF THE FLORIDA
BAR'S NOTICE
OF VOLUNTARY
DISMISSAL, THE

254a

ABOVE-STYLED
CAUSE IS HEREBY
VOLUNTARILY
DISMISSED.

10/6/2002 RECORD ACC #03-556
CENTER SRC#65860

10/05/2008 10:33 AM

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EXHIBIT N2

FLORIDA SUPREME COURT CASE DOCKET

Case Number: SC01-2893 – CLOSED

THE FLORIDA BAR
vs.
ANNE GEORGES TELASCO

Lower Tribunal Case(s); 2000-70,271(11F), 2000-70,394(11F),
2000-70,395(11F), 2000-70,396(11F), 2000-70,397(11F), 2000-
70,398(11F), 2000-70,399(11F), 2000-70,446(11F)

Date	10/05/2008 10:30	Docketed	Description	Filed By	Notes
12/6/2001		PETITION- RESIGNATION (DISCIPLINARY)		RS Anne G. Telasco By: RS Bill Ullman	
1/25/2002		No Fee Required			
4/26/2002		ORDER – DISMISSAL		FAILURE TO FILE PROPER PETITION FOR DISCIPLINARY RESIGNATION WITHIN 15 DAYS MAY RESULT IN	

256a

DISMISSAL

6/18/2002 DISP – DISMISSED-
FAILURE TO COMPLY

10/8/2002 RECORD ACC #03-556
CENTER SRC#75265

10/05/2008 10:33 AM

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EXHIBIT N3

FLORIDA SUPREME COURT CASE DOCKET

Case Number: SC01-2423 – CLOSED

**THE FLORIDA BAR
vs.
ANNE GEORGES TELASCO**

Lower Tribunal Case(s); 2002-70,505(11F-MES)

10/05/2008 10:30

Date			
Docketed	Description	Filed By	Notes
11/7/2001	PETITION- SUSPENSION (EMERGENCY)	CO Florida Bar BY: Randolph Max Brombacher 69879	O & I
11/8/2001	No Fee Required		
11/13/2001	DISP. SUSPENSION (EMERG CLOSE OUT)	AUTOMATICALLY EFFECTIVE 30 DAYS	

258a

1/23/2002 NOTICE CO Florida Bar OF
BY:CO Randolph UNAVAIL-
Max Brombacher ABILITY
60879

7/1/2002 RECORD ACC #03-128 -
CENTER SRC #71832

10/05/2008 10:34 AM

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EXHIBIT N4

**FLORIDA SUPREME COURT CASE DOCKET
CASE NUMBER: SC02-44 - CLOSED**

**THE FLORIDA BAR
vs.
ANNE GEORGES TELASCO**

Lower Tribunal Case(s); 2002-70,726(11F)

Date	Docketed	Description	Filed By	Notes
1/8/2002		COMPLAINT	PT Florida Bar BY: PT Randolph Max Brombacher 69879	O&I
1/8/2002		REQUEST- ADMISSIONS	PT Florida Bar BY: PT Randolph Max Brombacher	O&I
1/10/2002		No Fee Required		10/05/2008 10:34 AM
1/15/2002		ORDER- REFEREE APPOINTMENT		HON. JOSEPH P. FARINA C.J., 11 TH JUD

	(DISCIPLINARY)	CIRCUIT
1/23/2002	NOTICE Max REFEREE)	PT Florida Bar BY: PT Randolph Brombacher 69879
2/5/2002	REFEREE APPOINTED	OF UNAVAILABILITY -(SENT TO HON.ROBERT TN SCOLA JR. 11 TH CIRCUIT
5/3/2002	REFEREES REPORT	WITH DISKETTE, AMENDED REPORT AND MISCELLA- NEOUS PLEADINGS
5/3/2002	AFFIDAVIT/ STATEMENT OF COSTS	
5/3/2002	RECORD/ TRANSCRIPT	7 VOLUMES
5/28/2002	LETTER-FLA BAR (WILL NOT PETITION FOR REVIEW)	RESPONDENT HAS UNTIL 6/10/02, TO FILE A PETITION FOR REVIEW

261a

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**7/11/2002 DISP- (COSTS \$5,028.55)
DISBARMENT
(IMMEDIATELY)**

**10/25/02 RECORD ACC #03-902
CENTER SRC #309436**

10/05/2008 10:34 AM

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EXHIBIT O1

The money orders Telasco was able to recover reflecting that in 2002 around the time the Bar was creating cases and hiding the fifth case it created against her, she had moved to and was living in New York State.

263a

105-12703-105

INTERNATIONAL
MONEY ORDER

Traveler's Express MoneyGram
PURCHASER'S RECEIPT

PAY TO THE
ORDER OF Robert Weidner

PURCHASE
SIXTY FIVE DOLLARS (\$65.00)
INCLUDES TAXES AND FEES

AMOUNT \$65.00

CODE 001

REVERSE PLEASE READ THIS SIDE

REGISTRATION NUMBER 10000000000000000000000000000000

105-12701-105

INTERNATIONAL
MONEY ORDER

Traveler's Express MoneyGram
PURCHASER'S RECEIPT

PAY TO THE
ORDER OF Robert Weidner

PURCHASE
SIXTY FIVE DOLLARS (\$65.00)
INCLUDES TAXES AND FEES

AMOUNT \$65.00

CODE 001

REVERSE PLEASE READ THIS SIDE

REGISTRATION NUMBER 10000000000000000000000000000000

105-12515-585

INTERNATIONAL
MONEY ORDER

Traveler's Express MoneyGram
PURCHASER'S RECEIPT

PAY TO THE
ORDER OF Robert Weidner

PURCHASE
SIXTY FIVE DOLLARS (\$65.00)
INCLUDES TAXES AND FEES

AMOUNT \$65.00

CODE 001

REVERSE PLEASE READ THIS SIDE

REGISTRATION NUMBER 10000000000000000000000000000000

264a

UNITED STATES
POSTAL SERVICE

CUSTOMER'S RECEIPT

Keep This Receipt For Your Records	Robert W. Berry 116-46-9751-1, Belmont, MA Book Sent 1/12/02	100051	\$700.00
04395414644 2002-01-12 100051 \$700.00			

UNITED STATES
POSTAL SERVICE

CUSTOMER'S RECEIPT

Keep This Receipt For Your Records	Robert W. Berry 116-46-9751-1, Belmont, MA Book Sent 1/12/02	100051	\$50.00
04395414665 2002-01-12 100051 \$50.00			

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EXHIBIT O2

OFFICIAL CHECK
Washington Mutual Bank, FA
Check No.: 765691319

Match the amount in words with the amount in
numbers

WASHINGTON
MUTUAL **\$7,500.00**

******* Oct 27, 2003 SEVEN THOUSAND FIVE
DOLLARS AND 00 CENTS *******

PAY
TO
THE **RICHARD MARTIN**
ORDER
OF

DRAWER: WASHINGTON MUTUAL BANK, FA
/S/

AUTHORIZED SIGNATURE
ANNE TELASCO
RENT FOR 6 MONTHS

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1935 - 2016

Martin, Sr. - Richard Anthony

passed away at home in Harlem, October 24, 2016. He leaves behind his daughter Sam and his son Richard Jr., their partners Frank and Kelly, sister Cecille, nephews Anthony and Robert, ex-wife Sigrid Gray, longtime companion Kathryn Boyce-Piper and grandchildren Oscar and Astrid as well as a plethora of friends, students and partners in crime.

Richard was born in the parish of St. Andrew, Kingston, Jamaica on July 15, 1935 to Kathleen Blackman Martin and Oscar Martin. He was the second to last of 6 children: Meritha, Marcelline, Norma, Lionel and Cecille.

At 10, he followed his mother to New York City and lived with his family in on 143rd Street in Harlem. He attended Power Memorial HS where his skinny Jamaican legs made him a track and cross-country champion.

At 17, he joined the Air Force and served in Morocco as a radar technician and honed his love for science fiction scouting for UFOs in the peaceful, cold war-era North African skies. Upon

his return to the States he was disrespected by an INS agent and vowed never to become an American if this was the way they treated their black citizens. He remained a Permanent Resident until his death.

Richard was an avid skier and was certified by the Canadian Ski Instructors Alliance. He introduced many people of color to the sport long before there was such a thing as a Jamaican bobsled team. His crew cut a colorful swath on and off the slopes with their wild partying and exquisite skiing style. The ski clubs he created and the trips he sponsored helped finance his family's passion for the sport. He always had a hustle and his dutiful family and friends were always by his side, "doing projects," whether it was schlepping cases, laying sheet rock or hawking his latest invention.

He was a member of Local 644 of the International Photographers Union, first as a still photographer then as a cameraman shooting news on film for WPIX and other stations. He also worked as Director of Photography: lighting was his favorite discipline.

He was the executive director of the Community Film Workshop, an NEA-funded program developed to introduce women and other minorities to film and video. When that program was defunded he started his own production company. He went on to become an adjunct professor at The New School

and NYU, where his lighting and visual storytelling classes excited a generation of filmmakers.

In 1997, he created the Drum Television Network, another training and production center, first out of the basement of his brownstone in Hamilton Heights and later from the facility he created on 125th Street, where he inspired and trained another generation of shooters, editors and storytellers, again with a focus on women and ethnic minorities.

Teacher, mentor, friend and consummate Harlemite, he will be missed by anyone whose life he touched but his spirit and energy will live on in the projects and endeavors of those he inspired.

To Plant Memorial Trees in memory, please visit our Sympathy Store.

Published in New York Times from Oct. 30 to Oct. 31, 2016.

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EXHIBIT O3

New York Film Academy

This diploma confirms to all persons that

Anne Georges Telasco

has successfully completed the
Eight-Week Screenwriting Program

/S/

**David Klein
Senior Director
March 2004**

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EXHIBIT O4

New York Film Academy

This diploma confirms to all persons that

Anne Georges Telasco

has successfully completed
the New York Film Academy's
Five Week Digital Filmmaking
resulting in the completion of 3 short films.

/S/

Devin Crowley
Director
April 2004

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EXHIBIT P1

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)
The Florida Bar Case No.: 2002-70,726(11F)

Supreme Court Case No.: SC02-44

THE FLORIDA BAR,
Complainant,

v.

ANNE GEORGES TELASCO,
Respondent.

**THE FLORIDA BAR'S MOTION FOR
ORDER DEEMING MATTERS ADMITTED**

THE FLORIDA BAR, Complainant, having propounded Request for Admissions, pursuant to Florida Rules of Civil Procedure, Rule 1.370, Rule 1.370, requiring Respondent to admit or deny facts set forth in the Request for Admissions be deemed admitted, and as grounds therefore shows the following:

1. That the Complaint and Request for Admissions was served by regular mail on Respondent, Anne Georges Telasco, at 7320 Biscayne Boulevard Miami, Florida 33138-5151 on January 7, 2002 and received on January 14, m 2002.

2. That the Complaint and Request for Admissions was served by Certified Mail on the Respondent at her official record bar address of 7320 Biscayne Boulevard, Miami, Florida 33138-5151, on January 7, 2002, and

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received on January 14, 2002. (A copy of the Return Receipt is attached hereto as Exhibit "A").

3. That as of this date, no answers or objections have been received by the Florida Bar to the Request for Admissions.

4. That in accordance with Rule 1.370(a), Florida Rules of Civil Procedure, the matters are admitted unless the party to whom the request is directed serves upon the person requesting the admissions a written answer or objections addressed to the matters written 30 days after service of the request ... a defendant shall not be required to serve answers or objections before the

expiration of 45 days after service of process and initial pleading upon her.

5. The Rule 3-7.11(b) of the Rules Regulating The Florida Bar states, "Every member of the Florida Bar is charged with notifying the Florida Bar of a change of mailing address or military status."

6. That according to Rule 3-7.11(b) of the Rules Regulating The Florida Bar, the Mailing of registered or certified papers or notices in these rules to the last mailing address of an attorney as shown by the official records in the office of the executive director of The Florida Bar shall be sufficient notice and service unless this Court shall direct otherwise.

WHEREFORE, the Complainant respectfully requests this Honorable

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Referee to enter an Order deeming the matters in the Request for Admissions as being admitted, pursuant to Rule 1.370(a), Florida Rules of Civil Procedures.

/S/
RANDOLPH MAX BROMBACHER

Bar Counsel

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Motion Deeming Matters Admitted was mailed to the Honorable Robert N. Scola, Jr., at Thomas E. Lawson "courthouse Center, 175 N."W. 1st Avenue, Room 2025, Miami, Florida 33130, and a true and that true and correct copy was mailed to Anne Georges Telasco, Respondent, at 7320 Biscayne Boulevard, Miami, Florida 33138-5151, and John Anthony Boggs, Staff counsel, the Florida Bar, 650 Apallachee Parkway, Tallahassee, Florida 32399-2300 on this 28 day of February, 2002.

/S/
RANDOLPH MAX BROMBACHER
Bar Counsel

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EXHIBIT P2

**IN THE SUPREME COURT OF FLORIDA
(Before a Referee)
The Florida Bar Case No.: 2002-70,726(11F)**

Supreme Court Case No.: SC02-44

THE FLORIDA BAR,
Complainant,
v.
ANNE GEORGES TELASCO,
Respondent.

/

**ORDER ON THE FLORIDA BAR'S MOTION
FOR ORDER DEEMING MATTERS
ADMITTED**

THIS CAUSE having come before this Referee, and the Referee having examined the files of these proceedings and having found no response to the Complainant's Request for Admissions, and the Referee being duly advised in the premises.

IT IS HEREBY ORDERED AND ADJUDGED that the matters contained in the Complainant's Request for Admissions are hereby taken as admitted.

DONE AND ORDERED in Chambers at
Miami, Dade County, Florida, this 4 day of March,
2002.

/S/
ROBERT N. SCOLA, JR., REFEREE

Copies furnished to:
Randolph Max Brombacher, Bar Counsel
Anne Georges Telasco, Respondent

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EXHIBIT Q1

**IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA**

**GENERAL JURISDICTION
DIVISION**

CASE NO:02-000011CA01

**THE FLORIDA BAR,
Plaintiff,**

v.

**ANNE GEORGES TELASCO,
Defendant.**

RENEWED PETITION TO DISBURSE FUNDS

Petitioners, VENICIA SOUPART, YOLETTE MOVAL, CARLINE JARBON (sic), LUCIA JOSEPH, FONTANE BAPTISTE, MARIE DARCELIN, EXAMISE (sic) MARCELLUS and FRANCOISE LUC, by and through their undersigned counsel, hereby file this Renewed Petition to Disburse Funds, and as grounds therefore state:

1. Undersigned counsel appeared before this Honorable Court on May 6, 2003 petitioning the Court to disburse the settlement funds held by the court registry in the above-referenced matter. The court instructed undersigned counsel to contact the State Attorney's Office and attempt to ascertain the origin of said funds.

2. Contact was made with David Sherman, Esquire, in the State Attorney's Office. He is the attorney in said office handling the criminal case against Ms. Telasco. He advised that he had absolutely no knowledge of the origin of the funds, nor did he think it was possible to trace the origin of the funds.

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3. Attorney Sherman did direct my attention to the attached correspondence dated April 24, 2002 from Randolph Brombacher to myself regarding the reissuance of the check into the court registry. Judge Scola's order directed that the funds received by the Florida Bar from Ms. Telasco be redeposited into the court's registry. Attached as exhibit "1" said correspondence and Order.

2.(sic) Based upon the foregoing order of Judge Scola and the advice of the State Attorney's office, the undersigned respectfully requests that this

Court enter an Order allowing the clerk of the court to issue a check made payable to "Goldfarb, Gold, Gonzalez & Wald, P.A. Trust Account" in the same amount as the check previously issued by Ms. Telasco as referred to above. Immediately upon clearance of said check, the undersigned counsel proposes to disburse the funds to each of the eight (8) above-named Petitioners in equal amounts, and to file copies of each respective trust account check along with a receipt signed by each Petitioner, with the Clerk of the Court and the Florida Bar.

WHEREFORE, Petitioners, VENICIA SOUPART, YOLETTE MOVAL, CARLINE JARBON (sic), LUCIA JOSEPH, FONTANE BAPTISTE, MARIE DARCELIN, EXAMISE (sic) MARCELLUS and FRANCOISE LUC, respectfully request this Honorable Court to enter an Order in accordance with the above set forth Renewed Petition.

I HEREBY CERTIFY that a true and correct copy of the foregoing Renewed Petition to Disburse Funds was mailed this 20 day of May, 2003, to: RANDOLPH M. BROMBACHER, ESQUIRE, Attorney for the Florida Bar, Rivergate Plaza, Suite M-100, 444 Brickell Avenue, Miami, FL 33131-2404; DAVID SHERMAN, ESQUIRE, State Attorneys

280a

Office, 1350 NW 12th Avenue, Miami, FL 33125.

Law Offices of Goldfarb, Gold, Gonzalez & Wald,
P.A.

100 Southeast Second Street
Suite 3900
Miami, Florida 33131

By: /S/
Jonathan D. Wald, Esq.

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EXHIBIT Q2

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

Supreme Court Case No. SC01-1198

THE FLORIDA BAR,
Complainant,

v.

ANNE GEORGES TELASCO,
Respondent.

/

The Florida Bar File Nos.: 2000-70, 271 (11F),
2000-70, 394 (11F), 2000-70, 395 (11F),
2000-70, 396 (11F), 2000-70, 397 (11F),
2000-70, 398 (11F), 2000-70, 399 (11F),
2000-70, 446 (11F)

ORDER ON MOTION TO REISSUE
WASHINGTON MUTUAL BANK'S OFFICIAL
CHECK SO THAT IT MAY BE MADE
PAYABLE TO THE CLERK OF THE COUNTY
AND CIRCUIT COURT, ELEVENTH CIRCUIT

THIS CAUSE coming before this Referee and
this Referee being fully advised in the premise

finds that the Motion To Reissue Washington mutual Bank's Official Check so that it may be made payable to The Clerk of the County and Circuit Court, Eleventh Circuit is granted:

1. An employee or designee of the Florida Bar shall return the original check – Washington Mutual Bank's "Official Check" dated November 6, 2001, Check Number 634428674, made payable to "The Florida Supreme Court" in the amount of for FORTY-NINE THOUSAND ONE HUNDRED FORTY SEVEN DOLLARS AND SEVENTY CENTS (\$49,147.70) – to Washington Mutual Bank concomitantly with a copy of this Order.

2. At that time Washington Mutual Bank shall a) void the original check, Check Number 634428674 and b) reissue a second check made payable to The Clerk of the County and Circuit Court for the exact same amount – FORTY-NINE THOUSAND ONE HUNDRED FORTY SEVEN

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DOLLARS AND SEVENTY CENTS (\$49,147.70).

DONE AND ORDERED in Chambers at Miami, Dade County, Florida, this 19th day of April, 2002.

/S/
ROBERT N. SCOLA, JR.
Referee

cc: Randolph Max Brombacher, Bar Counsel
Anne Georges Telasco, Respondent
Thomas D. Hall, Clerk, Supreme Court

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EXHIBIT Q3

From: The Florida Bar
To: anne anne@allpeopleslaw.com
Subject: State to State Newsletter – fall 2018
Date: Tue, Oct 16, 2018 6:02 am

The Florida Bar
www.Floridabar.org

THE FLORIDA BAR  OUT-OF-STATE DIVISION

Dear Out of State Members,

The latest issue of **State-to-State**, the official newsletter of the Out of State Division of The Florida Bar is now available.

Take a look inside to learn more about:

* From TFB President Michelle Suskauer: New benefit helps Bar members run production, profitable practices.

* Call for nomination: Florida Bar Out-of-State Pro Bono Service Award

285a

* Recent Florida cases may narrow defenses available to lawyers in malpractice actions.

Please click on the link below:

OOSD newsletter Fall 2018-FINAL.pdf

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**THE FLORIDA BAR
OUT OF STATE DIVISION
(850) 561-5624**
<http://www.flabaroutofstaters.org/index.htm>

The Florida Bar
651 East Jefferson St., Tallahassee, Florida 32399-
2300
Phone (850)561-5600, Fax (850) 561-9413

www.floridabar.org

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EXHIBIT Q4

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

February 2, 2009

Anne George[s] Telasco
764 Jay Street, Apt. 2
Rochester, NY 14611

RE: Telasco v. FL Bar

Dear Mr. [s] Telasco:

The above-entitled petition for a writ of certiorari was postmarked January 26, 2009 and received February 2, 2009. The papers are returned for the following reason(s):

The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was July 11, 2002. Therefore, the petition was due on or before October 9, 2002. Rules 13.1, 29.2 and 30.1. when the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the court no longer has the power to review the petition.

Sincerely,

William K. Suter, Clerk
By _____ /S/
Erik Fossum, (202) 479-3392, Enclosure

**Case 1:19-cv-22135-RS Document 53 Entered
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No. 08M66

Title: Anne Georges Telasco, Petitioner
v.
The Florida Bar
Docketed: February 20, 2009
Lower Ct: Supreme Court of Florida
Case Nos: (SC02-44)

*****Date*****Proceedings and
orders*****

Feb 17, 2009 Motion of petitioner to direct the
Clerk
to file a petition for a writ of certiorari out of time
filed

Feb 25, 2009 DISTRIBUTED for Conference of
March
20, 2009.

Mar 23, 2009 Motion Denied

*****Name*****
*****Address*****Phone****
Attorneys for Petitioner:

Party name: Anne Georges Telasco

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**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

March 23, 2009

Anne Georges Telasco
764 Jay Street, Apt. 2
Rochester, NY 14611

**RE: Anne Georges Telasco v. The Florida Bar
No.: 08M66**

Dear Ms. Telasco:

Since the motion to direct the Clerk to file a petition for a writ of certiorari out of time in the above-entitled case was denied March 23, 2009, your \$300.00 Cashier's Check is herewith returned.

Sincerely,
William K. Suter, Clerk
By /S/

Jeffrey Atkins
(202) 479-3263

Enclosures

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EXHIBIT Q5

NO. 08M66

In the
SUPREME COURT OF THE UNITED STATES

ANNE GEORGES TELASCO,
Petitioner,

v.
THE FLORIDA BAR,
Respondent.

**On Petition for a Writ of Certiorari to
The Florida Supreme Court**

PETITION FOR WRIT OF CERTIORARI

ANNE GEORGES TELASCO, *PRO SE*
Pro Se, Petitioner
764 Jay Street, Apt. 2
Rochester, New York 14611
Telephone: (585) 672-4614

JOHN F. HARKNESS, JR., ESQ.*
Executive Director
The Florida Bar

291a

651 East Jefferson Street
Tallahassee, Florida 32399
Telephone: (850) 561-5600
*Counsel of Record

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QUESTIONS PRESENTED

- I. Whether Petitioner's action for corrective relief from The Florida Bar's unconstitutional orders of suspension and disbarment should be treated like a habeas action which is not subject to time bars where Petitioner *only seeks* relief from the collateral consequences which flow directly from said unconstitutional orders, Petitioner's injuries can only be redressed by a favorable judgment for corrective relief from this court, and Petitioner's actual ongoing injuries from the unconstitutional orders meet the case-or-controversy requirement under Article III, §2 of the United States Constitution?
- II. When Petitioner has no adequate remedy from The Florida Bar's unconstitutional suspension and disbarment orders except through a judgment from this court by this petition, is this court's acceptance of Petitioner's action for *corrective relief* in accord with the mandate of the United States Constitution and this court's fundamental tradition that no citizen should be left remediless and defenseless against substantial civil disabilities and collateral

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Page ii

consequences which flow from unconstitutional judgments?

III. Whether The Florida Bar's actions of not giving Petitioner notice or opportunity to defend prior to disbarment and its deliberate misrepresentation and concealment of material facts to secure the suspension and disbarment orders against Petitioner deprive Petitioner of procedural due process and violate the equal protection clause of the fourteenth amendment of the United States Constitution?

IV. Whether The Florida Bar's actions of intercepting all material documents Petitioner filed with the court in case number SC01-1198, manipulating the dating and filing of documents, creating five frivolous, sham cases against Petitioner, publishing and placing in the public records the sham cases and unconstitutional orders to Petitioner's detriment violate Petitioner's rights under the fifth and fourteenth amendment of the United States Constitution?

V. Whether the Florida Bar violated Petitioner's rights under the fifth and fourteenth

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amendment of the United States Constitution and acted out of the bounds of legal authority when it ignored all well established substantive and procedural constitutional safeguards as it arbitrarily and without cause investigated Petitioner for over 28 months, permanently disbarred Petitioner from the legal profession by misrepresenting and concealing material facts and not giving Petitioner notice of the sham cases it brought against?

VI. Whether The Referee, Justice Robert N. Scola, Jr.'s actions of deliberately misrepresenting and concealing material facts in his report, aiding The Bar intercept, backdate and manipulate the filing of material documents Petitioner filed with the court in case number SC01-1198, entering orders and submitting reports that are grounded in partisan interests and contravene well established rules of procedure to Petitioner's detriment, violated his duty as the minister of justice and severely compromise the integrity of the judiciary and our legal system?

VII. Whether The Florida Bar, by and through its attorneys and the Referee, Justice Robert N.

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Scola Jr., were deviant in their responsibilities of promoting and preserving the integrity of the legal profession, protecting rights and pursuing justice when *they allowed* Jonathan D. Wald, The Bar's favored member, to use The Bar, the courts and the judicial system to disparage, humiliate and cause serious injuries to Petitioner?

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Page v

PARTIES TO THE PROCEEDING

Pursuant to Rule 14.1(b), the following list identifies all of the parties.

The Petitioner appearing *pro se* is Anne Georges Telasco.

The Respondent is the Florida Bar.

There are no corporate parties.

29. The Bar through its Executive Director, John F. Harkness, Jr., continues to misrepresent facts.

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A) In preparation of this petition, Petitioner requested a certified copy of her disciplinary history and complete records from the Florida Bar. Pet. App. 429. In response thereto, she received her disciplinary history (Pet. App. 430-431) and a copy of the "*alleged* complaint" of the *eight* clients that supposedly triggered case SC02-44 (Pet. App. 432-447) without a cover letter or certification.

B) On September 9, 2008, Petitioner renewed her request. Pet. App. 449-450. On September 22, 2008, Mr. Harkness sent a second copy of her disciplinary history to her reiterating that The Bar purged Petitioner's file *after one year* and the documents provided are the *only* documents remaining (Pet. App. 464-466) contrary to rule Rule 3-7.1(b). Pet. App. 509.

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EXHIBIT R1

**NEW YORK STATE SUPREME COURT
APPELLATE DIVISION, FOURTH
DEPARTMENT
M. DOLORES DENMAN COURTHOUSE
50 EAST AVENUE, SUITE 200
ROCHESTER, NEW YORK 14604
(585) 530-3100 Fax (585) 530-3247**

March 18, 2019

Anne Georges Telasco
764 Jay Street
Rochester, NY 14611

Re: Application for Admission

Dear Ms. Telasco:

Your application for admission to the New York State Bar requires additional information as indicated below. Please submit to this office:

[X] Gennivieve Henriques completed both a Good Moral Character Affidavit and Law-Related Employment Affidavit on your behalf. Per the instructions on the Good Moral Character affidavit "affidavits should not be completed by persons who

also complete employment affidavits on applicant's behalf." You either need to submit an additional Good Moral Character Affidavit or you need a Law-Related employment Affidavit completed by someone other than Gennivieve Henriques.

A Certificate of Good Standing and Grievance Letter from the Florida State Bar regarding your status at the time of retirement.

Pro Bono Compliance Affidavit.

Affidavit updating your application.

State Board of Law Exminer's Certification Letter (when received).

Thank you.

/S/
Lisa Sweet
Admissions Office

www.courts.state.ny.us/ad4

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EXHIBIT R2

**Anne Georges Telasco
764 Jay Street
Rochester, NY 14611
Phone: 585-201-2492**

April 12, 2019

Appellate Division, Fourth Department
Attorney Admissions
Ms. Lisa Sweet
M. Dolores Denman Courthouse
50 East Avenue, Suite 200
Rochester, NY 14604

**Re: Anne Georges Telasco
BOLE ID: B10030535
NCBE Number: N10017053
Date of Birth: 7/27/1962**

Dear Ms. Sweet:

Please find attached,

1) Two Form Affidavit as to my Solo Practice from attorneys Michelle A. Smith and Marc A. Douthit;

2) The Grievance Letter from the Florida Bar. They have not issued A certificate of Good Standing;

3) A sworn response to The Bar Grievance letter with supporting documents attached thereto; and Affidavit updating my application.

Since I cannot use the pro bono hours that I completed with Attorney G.O.L. Henriques because she completed one of the Good Moral Character forms on my behalf, I am unable to provide a completed pro bono certificate at this time. I am in the process of attempting to find an organization that I can use to complete a new set of pro bono hours.

Your assistance is greatly appreciated.

Sincerely,

/S/
Anne G. Telasco

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EXHIBIT R3

**NEW YORK STATE SUPREME COURT
APPELLATE DIVISION, FOURTH
DEPARTMENT
M. DOLORES DENMAN COURTHOUSE
50 EAST AVENUE, SUITE 200
ROCHESTER, NEW YORK 14604
(585) 530-3100 Fax (585) 530-3247**

April 16, 2019

Anne Georges Telasco
764 Jay Street
Rochester, NY 14611

Re: Application for Admission

Dear Ms. Telasco:

Your application for admission to the New York State Bar requires additional information as indicated below. Please submit to this office:

[X] Gennivieve Henriques completed both a Good Moral Character Affidavit and Law-Related Employment Affidavit on your behalf. Per the instructions on the Good Moral Character affidavit "affidavits should not be completed by persons who

also complete employment affidavits on applicant's behalf." You either need to submit an additional Good Moral Character Affidavit or you need a Law-Related employment Affidavit completed by someone other than Gennivieve Henriques.

Rider to your application to include your period of solo practice.

Pro Bono Compliance Affidavit.

Affidavit updating your application.

State Board of Law Exminer's Certification Letter (when received).

Thank you.

/S/
Lisa Sweet
Admissions Office

www.courts.state.ny.us/ad4

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EXHIBIT T1

**Property Record Report
7320 Biscayne Blvd Miami FL, USA**

Building Size	Year Built	Last Sold
3,373 sq ft	1953	Apr 2016

Price History

Date	Description	Price
Change		
Apr. 22, 2016	Sold	\$2,400,000.00
NA		

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https://www.zillow.com/homedetails/7320-Biscayne-Blvd-Miami-FL-33138/43827901_zpid/

7320 Biscayne Blvd., Miami, FL 33138
--beds --baths 3,373 sqft

Price / Tax History of 7320 Biscayne Blvd

Date Source	Event	Price	S/sqft
04/22/16 Sold		\$2,400,000 +2,230%	\$711
06/29/12 Sold		\$103,000-84.7%	\$30
10/23/10 Listing removed		\$675,000-50.9%	
		\$200 Mahogany Real...	
10/05/10 Listing for sale		\$675,000-50.9%	
		\$200 Mahogany Real...	
07/24/10 Listing removed		\$1,375,00	\$407
		Mahogany Real...	
09/10/08 Price change		\$1,375,000-19.1%	\$407 -
06/26/08 Listed for sale		\$1,700.00-41.4%	\$504
		Agent	
03/06/08 Listing removed		\$2,900,000	\$859 --
09/27/07 Listing for sale		\$2,900,000+3,525%	\$859
		Agent	
04/14/95 Sold		\$80,000	\$23

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EXHIBIT T2

Detail by Entity Name

Florida Limited Liability Company
7320 BISCAYNE LLC

Filing Information

Document Number	L11000029456
FEI/EIN Number	45-0632284
Date Filed	03/10/2011
Effective Date	03/09/2021
State	FL
Status	INACTIVE
Last Event	ADMIN DISSOLUTION FOR ANNUAL REPORT
Event Date Filed	09/28/2018
Event Effective Date	NONE

Principal Address

1521 Alton Road #595
MIAMI BEACH, FL 33139

307a

Changed:03/29/2016

Mailing Address
1521 Alton Road #595
MIAMI BEACH,FL 33139

Changed:03/29/2016

Registered Agent Name & Address
NARVAEZ,DAMIAN M
1521 Alton Road #595
MIAMI BEACH,FL 33139

Address Changed: 03/29/2016

Authorized Person(s)Detail

Name& Address
Title MGRM
NARVAEZ,DAMIAN M
1521 Alton Road #595
MIAMI BEACH,FL 33139

Annual Reports

Report Year	Filed Date
2015	01/29/2015
2016	03/29/2016
2017	04/05/2017

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Detail by Entity Name

Florida Limited Liability Company
TRIFECTA 7320 BISCAYNE, LLC

Filing Information

Document Number	L16000064726
FEI/EIN Number	81-2222826
Date Filed	04/01/2016
State	FL
Status	ACTIVE

Principal Address
260 Crandon Blvd
Suite 32 #428
Key Biscayne, FL 33149

Changed:03/29/2016

Mailing Address
260 Crandon Blvd
Suite 32 #428
Key Biscayne, FL 33149

Changed: 10/12/2016

Registered Agent Name & Address

Grant, Michael L, Esq
Warren & Grant
4440 PGA Boulevard
Suite 200
Palm Beach Gardens, FL 33410

Name Changed: 02/02/2018

Address Changed: 02/02/2018

Authorized Person(s)Detail

Name & Address
Title Manager
TRIFECTA PARTNERS, INC.
260 Crandon Blvd
Suite 32 #428
Key Biscayne, FL 33149

Annual Reports

Report Year	Filed Date
2017	01/23/2017
2018	02/02/2018
2019	02/10/2019

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EXHIBIT U

**ANNE G. TELASCO
GREAT LAKES ID: 10-2424626**

Account Details

Consolidation Loans
U.S. DEPARTMENT OF EDUCATION (760581)
Balance \$281,941.04
Payment Reference Number: 102424626000004

Not currently Due

Although no payment is due at this time, you may
continue to make payments on this account.

Balance & Status

In forbearance until 09/30/2020

Principal:	\$265,399.58
Accrued Interest:	
	\$16,541.46
Total Balance as of Jun 26, 2020:	
	\$281,941.04

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311a

Disbursements

Disb Date	Status	Fees	Check Amount
------------------	---------------	-------------	---------------------

07/31/2000	Disbursed		
Fees		Check Amount	
\$0.00			\$81,001.21

Printed from mygreatlakes.org on 6/26/2020,
7:43AM Central Time

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EXHIBIT V

**Police say Lauderhill man called 911 before
deadly confrontation**

By: Juan Ortega and Sofia Santana, Sun Sentinel

April 6, 2011 / Lauderhill

A 21-year-old man with a history of mental illness called 911 and summoned police to his front lawn moments before one or more of the officers shot and killed him, police said Wednesday.

Cedric Telasco called 911 about 1:50 a.m. March 29 and gave the operator a description of himself, warning that there was a "black guy, really good looking" standing in a doorway with a knife. Police should "just come and do what you have to do," he said, according to the audiotape of the 911 call.

When three Lauderhill officers reached the home in the 7100 block of Northwest 49th Court, they found Telasco outside with a knife, police said.

Police have not said exactly what led one or more of the officers to shoot Telasco, and the

officers' names have not been released. According to police, Telasco had a history of mental illness.

As they wait for answers, Telasco's family prepared for his funeral, remembering a charismatic young man with many friends and the dream of making a living out of his love of cars.

Jahra McLawrence, the attorney representing the family, declined to discuss Telasco's history. McLawrence provided a statement from the family, describing the second oldest of four siblings as passionate about auto work and planning a future as a mechanical engineer.

According to the Telasco family:

He had lived in Broward County the past 10 years, graduating from Nova High School in 2007. He was pursuing an associate's degree at Broward College, while holding several jobs.

He loved working on cars, especially his own. But he also made sure the cars of his parents, Gerald Telasco and Nadege Lanoue, were well-maintained.

He was a great brother to his three siblings: Valerie, 25, Christian, 14, and Gregory, 11. He was caring and protective, and loved telling jokes.

He enjoyed assembling model cars and playing video games. From a young age, he excelled at hockey, soccer, track and field, fencing, swimming and karate.

The viewing will be from 6 p.m. to 9 p.m. Friday at Living Word Fellowship Church, 5770 W. Oakland Park Blvd., Lauderhill. The funeral will begin at 11 a.m. Saturday at St. Clement Catholic Church, 2975 N. Andrews Ave., Fort Lauderdale.

jcortega@tribune.com or 954-356-4701

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EXHIBIT W1

**FORM 1040 U.S. Individual Income Tax
Return 2006**

Anne G Telasco
7320 Biscayne Blvd
Miami, FL 33138

Exemptions – Telasco claimed 3 Dependents

1. Anngelica Eshesimua	Daughter
2. Hardhi E. Harris	Son
3. Yva J. Freel	Mother

TELASCO'S INCOME FOR THE YEAR IS \$9,200
FOR 4 PEOPLE.

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EXHIBIT W2

**FORM 1040 U.S. Individual Income Tax
Return 2008**

Anne G Telasco
Rochester, NY 14611

Exemptions – Telasco claimed 2 Dependents

1. Anngelica Eshesimua Daughter
2. Yva J. Freel Mother

TELASCO'S INCOME FOR THE YEAR IS \$29,590
FOR 3 PEOPLE

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EXHIBIT W3

**FORM 1040 U.S. Individual Income Tax
Return 2016**

Anne G Telasco
Rochester, NY 14611

Exemptions – Telasco claimed 1 Dependents

1. Anngelica Eshesimua Daughter

TELASCO'S INCOME FOR THE YEAR IS \$18.978
FOR 2 PEOPLE

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EXHIBIT W4

**FORM 1040 U.S. Individual Income Tax
Return 2018**

Anne G Telasco
Rochester, NY 14611

Exemptions – Telasco claimed 1 Dependents

1. Anngelica Eshesimua Daughter

TELASCO'S INCOME FOR THE YEAR IS \$15,371
FOR 2 PEOPLE

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EXHIBIT W5

**FORM 1040 U.S. Individual Income Tax
Return 2019**

Anne G Telasco
Rochester, NY 14611

Exemptions – Telasco claimed 1 Dependents

1. Anngelica Eshesimua Daughter

TELASCO'S INCOME FOR THE YEAR IS \$15,523
FOR 2 PEOPLE

APPENDIX D

**Case 1:19-cv-22135-RS Document 66 Entered
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE No.: 19-CV-22135-RS

ANNE GEORGES TELASCO,
Plaintiff,

v.

THE FLORIDA BAR,
Defendant.

/

**THE FLORIDA BAR'S MOTION TO DISMISS
SECOND AMENDED COMPLAINT AND
INCORPORATED MEMORANDUM OF LAW**

THE FLORIDA BAR ("The Bar" or "Defendant"), moves to dismiss with prejudice the Second Amended Verified Complaint ("Complaint") filed by ANNE GEORGES TELASCO ("Ms. Telasco" or "Plaintiff"), on the following grounds:

- The Florida Bar is afforded absolute immunity from liability in the performance of its disciplinary responsibilities.
- Plaintiff's claims for damages are barred by the Eleventh Amendment to the United States Constitution and the applicable statute of limitations.
- The Second Amended Complaint fails to state a claim upon which relief can be granted.
- To the extent Plaintiff seeks review or reversal of her disciplinary proceedings, Plaintiff's claims are barred by the *Rooker-Feldman* doctrine.

The more particular grounds for this motion and supporting authority are set forth in the following memorandum of law.

BACKGROUND

Defendant, The Florida Bar, acting as an arm and agent of the Florida Supreme Court, regulates the practice of law in Florida. Included within The Florida Bar's duties is the authority to enforce the rules of professional conduct, to discipline persons practicing within the State of

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Florida that violate such rules, and to respond to inquiries regarding a member's disciplinary history or status to practice law. Plaintiff, Ms. Telasco, a former member of The Florida Bar, is subject to

The Bar's rules of professional conduct and The Bar's disciplinary authority.

Plaintiff passed The Florida Bar Examination in 1992 and opened her own law firm in 1993. Compl., ¶¶ 23-24. On or about November 24, 1999, a Bar complaint was made against Plaintiff concerning settlement payments made to eight clients Plaintiff represented in discrimination lawsuits against Sheraton ITT. *Id.* at ¶¶ 76-79. The Bar began an investigation of the complaint, including a financial audit. *Id.* at ¶¶ 79-80.

After a 28-month investigation, Plaintiff completed her own "permanent resignation package" and hand-delivered it to Bar Counsel and Judge Robert N. Scola, Jr., the referee assigned to preside over The Bar case(s) opened as a result of the investigation. *Id.* at ¶¶ 104-107. However, Plaintiff failed to seek permission from the Florida Supreme Court to resign as a member of The Florida Bar. *Id.* at ¶ 150 ("The Bar ... claim[ed] "that Telasco failed to file a proper petition for resignation."); *see also*, Rule 3-5.1(j) (2001), Rules Regulating The Florida Bar. As a result, Plaintiff's disciplinary proceedings continued to conclusion, including the submission of an Amended Referee's Report by Judge Scola. Compl., ¶¶ 178-199. On July 11, 2002, the Florida Supreme Court issued an order that approved the report of referee and disbarred Plaintiff. *Id.* at 203; Ex. C.

In 2008, after becoming a resident of New York, Plaintiff sought admission to The New York Bar. *Id.* at ¶ 134, 141. In order to meet the requirements for admission in New York, Plaintiff “made a request for a grievance letter and a letter of good standing from The Florida Bar.” *Id.* at ¶ 142. The Florida Bar “did not issue a letter of good standing,” instead Plaintiff received a “grievance letter.” *Id.* at ¶¶ 142-143. Plaintiff ultimately did not submit her 2008 application to

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The New York Bar. *Id.* at ¶ 226. By 2009, Plaintiff had discovered five Florida Bar disciplinary cases. *Id.* at ¶ 219. She attempted to challenge the order of disbarment and filed a Petition for Writ of Certiorari with the United States Supreme Court. *Id.* The Petition was denied as untimely – having been filed seven years after Plaintiff’s disbarment. *Id.*

In 2018, Plaintiff re-applied for admission to The New York State Bar. *Id.* at 230. Plaintiff received a letter from The Florida Bar dated March 23, 2018, which was “an exact match” to the 2008 letter she received from The Florida Bar. *Id.* at ¶ 231. The March 23, 2018 letter (“Bar Letter”) was addressed solely to Plaintiff at her service address in this case located on Jay Street in Rochester, New York. *See* Compl. at Ex. A. The letter identifies

Plaintiff's disciplinary history, including her emergency suspension in 2001 and her disbarment in 2002. *Id.*

Plaintiff filed this lawsuit against The Florida Bar on May 24, 2019. The Second Amended Complaint ("Complaint") alleges (1) defamation per se; (2) common law general defamation; and (3) defamation by implication. Plaintiff's 65-page, 318-paragraph Complaint with 235 pages of exhibits describes the disciplinary proceedings which led to Plaintiff's disbarment. Plaintiff seeks damages arising 18 years ago—purportedly stemming from her 2002 disbarment—due to her inability to pay her student loans since 2002 (¶ 306), stress induced facial nerve neuroma in 2004 (¶ 307), and home foreclosure in 2012 (¶ 305), among other damages allegations.

ARGUMENT

I. PLAINTIFF'S CLAIMS ARE BARRED BY ABSOLUTE IMMUNITY.

The application of absolute immunity is appropriate to consider on a motion to dismiss because the harm in requiring defendants to defend a case through trial when the case should have been dismissed at the earliest stages of litigation are irreparable. *Jenne v. Maranto*, 825 So. 2d 409, 415 (Fla. 4th DCA 2002) (Erroneous denial of immunity causes irremediable harm incapable

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of being corrected on a final appeal). *See, e.g., Douglas v. City of Dunedin*, 202 So. 2d 787 (Fla. 2d DCA 1967) (Affirmative defenses appearing on face of complaint which clearly defeat claims for relief are to be considered for purposes of motion to dismiss).

The Florida Bar is an official arm of the Florida Supreme Court, acting at all times under the supervision and control of the Court. *Dade-Commonwealth Title Ins. Co. v. North Dade Bar Ass'n*, 152 So. 2d 723, 726 (Fla. 1963); Ch. 1, Introduction, R. Regulating the Fla. Bar; R. Regulating Fla. Bar 2-3.1 and 3-3.1. Florida state and federal courts have consistently held that, in the performance of its disciplinary functions, The Florida Bar and its agents act as an official arm of the Florida Supreme Court and enjoy absolute immunity for such functions. *E.g., Carroll v. Gross*, 984 F.2d 392, 393 (11th Cir. 1993); *Solomon v. Supreme Court of Florida*, No. 03-7002, 2003 WL 1873939 at *1 (D.C. Cir. April 2, 2003); *Tindall v. The Florida Bar*, 1997 WL 689636 at *4, 11 Fla. L. Weekly Fed. D312 (M.D. Fla. Oct. 14, 1997), *aff'd*, 163 F.3d 1358 (11th Cir. 1998); *Ippolito v. State of Florida*, 824 F. Supp. 1562, 1572 (M.D. Fla. 1993); *Solomon v. Supreme Court of Florida*, 816 A.2d 788, 789 (D.C. App. 2002); *Kee v. Bailey*, 634 So. 2d

654 (Fla. 3d DCA 1994); *Mueller v. The Florida Bar*, 390 So. 2d 449, 452-53 (Fla. 4th DCA 1980).

Likewise, federal circuit courts across the nation have consistently applied absolute immunity to professional regulatory boards and their members, including bar related entities, with respect to the conduct of their disciplinary functions. *See, e.g., Slavin v. Curry*, 574 F.2d 1256, 1266 (5th Cir. 1978), *overruled on other grounds*, 604 F.2d 976 (5th Cir. 1979); *Stein v. Disciplinary Bd.*, 520 F.3d 1183, 1193-94 (10th Cir. 2008); *Werle v. Rhode Island Bar Assoc.*, 755 F.2d 195, 198-200 (1st Cir. 1985); *Clulow v. Oklahoma*, 700 F.2d 1291, 1298-99 (10th Cir. 1983), *overruled on other grounds*, 781 F.2d 640 (10th Cir. 1984); *Ginger v. Circuit Court*, 372 F.2d 621, 624-25 (6th Cir. 1967); *McFarland v. Folsom*, 854 F. Supp. 862, 875 (M.D. Ala. 1994); *Ivancie v.*

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State Bd. of Dental Exam'rs, 678 F. Supp. 1496, 1498 (D. Colo. 1988); *Rosenfeld v. Clark*, 586 F. Supp. 1332, 1340 (D. Vt. 1984), *aff'd*, 760 F.2d 253 (2d Cir. 1985).

The overwhelming weight of the above-cited authority demonstrates that The Florida Bar (and its agents) are immune from suits premised upon acts undertaken in an official capacity pertaining to

disciplinary proceedings. As the Supreme Court has noted, "the doctrine of judicial immunity is thought to be in the best interests of 'the proper administration of justice ... [for it allows] a judicial officer, in exercising the authority vested in him [to] be free to act upon his own convictions, without apprehension of personal consequences to himself.'" *Stump v. Sparkman*, 435 U.S. 349, 363, 98 S. Ct. 1099 (1978) (quoting *Bradley*, 80 U.S. (13 Wall.) at 347). Irrespective of a judge's status in the hierarchy of the judicial system, the need for independence and for freedom from the threat of a suit for damages is an indispensable ingredient in the proper administration of justice. *Cf. Butz*, 438 U.S. at 511, 98 S. Ct. 2894 ("Judges have absolute immunity not because of their particular location within the Government but because of the special nature of their responsibilities.").

Here, Ms. Telasco makes no factual allegations to indicate that the absolute judicial immunity to which The Bar is entitled was somehow overcome. Judicial immunity can be overcome in only two sets of circumstances. *See Figueroa v. Blackburn*, 208 F.3d 435, 443 (3d Cir. 2000). First, judicial immunity provides no protections from liability from nonjudicial acts, i.e. actions not taken within judicial capacity. *Id.* Second, judicial immunity provides no protections for actions, though judicial in nature, taken in complete absence of all jurisdiction. *Id.* Neither set of circumstances is present here.

The Bar Letter provided to Ms. Telasco is wholly consistent with its official duties as an arm of the Florida Supreme Court. Neither did The Bar act in the complete absence of jurisdiction.

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The Supreme Court has instructed that in determining the scope of a judge's jurisdiction, that jurisdiction

must be construed broadly where the issue is the immunity of the judge. A judge will not be deprived of immunity because the action he took is in error, was done maliciously, or was in excess of his authority; rather, he will be subject to liability only when he has acted in the 'clear absence of all jurisdiction.

Stump, 435 U.S. at 356-57 (quoting *Bradley*, 80 U.S. (13 Wall.) at 351). Generally, therefore, where there is some "jurisdiction, there is sufficient jurisdiction for immunity purposes." *Barnes v. Winchell*, 105 F.3d 1111, 1122 (6th Cir.1997).

Ms. Telasco alleges, among other things, that The Bar intentionally fabricated disciplinary cases and fraudulently misrepresented facts to the circuit court and the Florida Supreme Court. Compl. e.g., ¶¶ 13, 50, 67, 144, 219. Even if true, which The

Florida Bar disputes, The Florida Bar is still entitled to judicial immunity. "Taken to its logical extreme, the argument is that whenever a judge makes an error of law or procedure in a matter properly before him or her, that judge is not entitled to judicial immunity or, stated somewhat differently, a judge does not have jurisdiction to make a mistake. That, of course, is preposterous." *See Figueroa v. Blackburn*, 208 F.3d 435 (3d Cir. 2000); *see also, Tucker v. Outwater*, 118 F.3d 930, 936 (2d Cir. 1997) (declaring that a judge's failure to follow local procedural rules in arraigning a defendant is an act in excess of jurisdiction, but such "mistakes are precisely the kind of 'procedural errors,' albeit 'grave,' that do not deprive a judge of subject matter jurisdiction-or judicial immunity") (quoting *Stump*, 435 U.S. at 359, 98 S. Ct. 1099), *cert. denied*, 522 U.S. 997, 118 S. Ct. 562, 139 L.Ed.2d 402 (1997).

Further, The Florida Bar is specifically entitled to absolute immunity for defamation. In the performance of its official functions, including responding to inquiries regarding a former member's disciplinary history or status, The Florida Bar is part of the judiciary and enjoys absolute

immunity from liability for claims for defamation. *Zavadil v. The Florida Bar*, 197 So. 3d 596 (Fla. 4th DCA 2016) (holding that “maintaining an accurate public listing of attorneys, including whether or not they are in good standing and able to practice, is an integral part of The Bar’s duties, *as is responding to inquiries regarding an attorney’s status.*” (emphasis added)). Furthermore, even if Plaintiff’s claims are true, the absolute privilege protects public servants from liability for defamation no matter how false, malicious or badly motivated the complained-of communication. *E.g., McNayr v. Kelly*, 184 So. 2d 428 (Fla. 1966).

Mueller v. The Florida Bar is instructive. In *Mueller*, an attorney disbarred by the Florida Supreme Court filed an action against The Florida Bar that included claims for defamation against The Bar and one of The Bar’s employees for releasing a press release containing allegedly untrue information to the news media. This Court pointed out that with regard to defamation, “the rule in Florida is that words spoken or written by public servants in judicial, legislative and executive activities are protected by absolute privilege from liability for defamation.” *Mueller*, 390 So. 2d at 451. The Court noted that the rule extends only to the words or acts that are within the scope or authority of the public servant’s office. *Id.* The Court also noted that precedent and public policy dictate that a broad definition be given to the term “scope of office.” *Id.* In affirming the dismissal of the

complaint with prejudice, the Court found that it was clearly within the scope of the authority of The Bar employee, who was a staff counsel, to advise appellant's clients and his prospective clients, including the public at large, of his disbarment. *Id.* at 452. This Court went on to hold that The Bar and its employee had absolute immunity from the disbarred attorney's lawsuit. *Id.* The Court found that the privilege effectively barred further inquiry into the accuracy of the information released or the motives for releasing it. *Id.*; *see also Spano*, 968 So. 2d at 674-675 (affirming dismissal with prejudice of a complaint for defamation against Florida Bar employees

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because "the alleged statements were absolutely privileged because they were made by The Bar employees in connection with their official duties").

Here, Plaintiff complains regarding The Bar Letter she requested setting forth her disciplinary history and status with The Florida Bar. Compl. ¶¶ 230-231. The Florida Bar responded to her inquiry as an integral part of its duties. As such, The Florida Bar is absolutely immune from this suit.

**I. PLAINTIFF'S CLAIMS FOR DAMAGES
ARE BARRED BY ELEVENTH
AMENDMENT IMMUNITY AND**

**APPLICABLE STATUTE OF
LIMITATIONS.**

The Eleventh Amendment to the United States Constitution bars suits against a state in federal court, whether for damages or injunctive relief, in the absence of a waiver by the state of its Eleventh Amendment immunity.¹ *Pennhurst State School and Hosp. v. Halderman*, 465 U.S. 89, 104 S. Ct. 900 (1984); *Edelman v. Jordon*, 415 U.S. 651, 94 S. Ct. 1347 (1974). The "state" for Eleventh Amendment purposes includes state instrumentalities such as The Florida Bar. *Vierling v. Celebrity Cruises, Inc.*, 339 F.3d 1309, 1314 (11th Cir. 2003) (citing *Shands Teaching Hosp. & Clinics, Inc. v. Beech St. Corp.*, 208 F.3d 1308, 1311 (11th Cir. 2000)); *Kaimowitz v. The Florida Bar*, 996 F.2d 392, 393 (11th Cir. 1993); *Carroll*, 984 F.2d at 393; *Geer v. Harkness*, 1344 Fed. Appx. 312, 314 n.2 (11th Cir. 2005). In conducting its disciplinary responsibilities, The Bar is acting in its official capacity in the exercise of a delegated constitutional function of the Court. *Ippolito v. State of Florida*, 824 F. Supp. 1562, 1574 (M.D. 1993). See also Fla. Const. Art. V §

¹ The Eleventh Amendment to the United States Constitution provides:

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United

States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

U.S. Const. amend. XI.

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15. As such, actions for damages against The Bar arising out of such disciplinary functions cannot be entertained by Federal courts. *Kaimowitz v. The Florida Bar*, 996 F.2d 1151 (11th Cir. 1993).

Finally, Plaintiff seeks monetary recovery for purported damages arising from her unemployability after her disbarment in 2002 (unpaid student loan payments), 2004 (stress induced ear and facial tumor), 2005 (inability to advance in the entertainment industry), 2008 (loss of potential clients and associates who reviewed dockets), and 2012 (home foreclosure). Compl. at ¶¶ 305-307, 314. The statute of limitations for defamation in Florida is two years. Fla. Stat. §95.11(4)(g). Even if Plaintiff's allegations were true, documented, non-speculative, and not barred by Eleventh Amendment immunity, Plaintiff's claims for damages stemming from her 2002 disbarment are time-barred.

**II. THE SECOND AMENDED
COMPLAINT FAILS TO STATE A**

**CLAIM UPON WHICH RELIEF
CAN BE GRANTED.**

To state a claim for defamation under Florida law, a Plaintiff must plausibly allege five elements (1) publication; (2) falsity; (3) knowledge or reckless disregard as to the falsity, or at least negligence on a matter concerning a private person; (4) actual damages²; and (5) that the statement be defamatory. *Jews for Jesus v. Rapp.*, 997 So. 2d 1098, 1106 (Fla. 2008). Plaintiff has not plausibly alleged any of the five requisite elements, most notably the requirement that there be a publication of a false or defamatory statement.

² Plaintiff cannot connect any of her claims for defamation with a valid basis for damages. Her damages, as alleged in the Second Amended Complaint, are the result of disciplinary findings and Orders by the Florida Supreme Court, not the March 2018 Bar Letter addressed to her with a recitation of her disciplinary history. Because of the Eleventh Amendment immunity afforded The Florida Bar, Plaintiff cannot recover on a claim for damages. See § II, supra.

A. Plaintiff Has Not Plausibly Alleged the Element of Publication.

Plaintiff's initial complaint was filed some 17+ years after her disbarment and claims damages allegedly arising from a March 23, 2018, publication of defamatory statements to The New York Bar. In support of its allegations, Plaintiff's Second Amended Complaint repeatedly alleges that The Florida Bar "published" information "to The New York Bar" on March 23, 2018. Amd. Compl. ¶¶ 238, 242, 244-246, 248. But this repetitive allegation is conclusory and definitively contradicted by the exhibits to the Complaint, which show The Florida Bar did not "publish" anything to The New York Bar.

Plaintiff alleges publication through her own submission to The New York Bar. *Id.* at Ex. R2. However, Florida has not recognized a compelled self-defamation exception to the publication requirement. *See Valencia v. Citibank International*, 728 So. 2d 330 Fla. 3d DCA 1999) (holding that Florida law does not provide for the elimination of the requirement of publication to a third person under the doctrine of compelled self-defamation, "nor are we prepared to create such an exception."). Hence, Plaintiff fails to allege the "publication" of any information to a third-party as required for a plausible claim of defamation. *See, e.g., Doe v. Am. Online, Inc.*, 783 So. 2d 1010, 1016 (Fla. 2001) (noting that publication in a defamation

claim requires the dissemination of false information to a person other than the defamed person).

Here, The Florida Bar did not communicate any information regarding Telasco to The New York Bar, or anyone else, other than Telasco herself who is the allegedly defamed individual. As such, Plaintiff cannot plausibly allege the existence of "publication" necessary to maintain her claims.

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B. Plaintiff Has Not Plausibly Alleged the Existence of a False or Defamatory Statement.

Plaintiff admits the existence of her disciplinary cases. Compl. at 74-232. Just because Plaintiff believes that the underlying disciplinary cases were "fabricated" or "fraudulent" does not change the fact that the disciplinary cases exist. The Bar Letter truthfully set forth the facts contained in Plaintiff's disciplinary history as acknowledged in the allegations of the Complaint. *Id.* The Bar Letter merely recited the facts contained in Plaintiff's disciplinary history, including her emergency suspension in 2001 and her disbarment in 2002.

Further, while Plaintiff's Complaint makes it perfectly clear that she believes she "resigned" and should not have been "disbarred," she attaches no evidence to plausibly establish that she was allowed to resign in 2001 in accordance with then-existing Rule 3-5.1(j)³ of the Rules Regulating The Florida Bar, which provided in pertinent part:

A respondent *may* be allowed to resign membership in The Florida Bar in lieu of defending against allegations of disciplinary violations. *If accepted by the Supreme Court of Florida*, a disciplinary resignation terminates the respondent's status as a member of the bar (emphasis added).

Plaintiff did not and cannot allege that she ever sought permission from the Florida Supreme Court to resign from The Florida Bar in 2001, because she did not. She simply filed a "letter of immediate and permanent resignation" in one of the disciplinary cases, which was regarded as a nullity and of no legal consequence.

Because she did not seek or obtain permission from the Florida Supreme Court to resign as a member of The Florida Bar, as required by then-existing Rule 3-5.1(j), she was ultimately

³ To the extent necessary, the Court may take judicial notice of the Rule 3-5.1(j) in accordance

with F.R.E. 201(b) and (c) as the substance of the Rule in existence at the time of Plaintiff's disciplinary proceedings in 2001 and 2002 can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

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disbarred at the conclusion of her disciplinary proceedings. The fact that she was disbarred is not false or defamatory, and cannot supply the basis for a claim of defamation.⁴

C. The Florida Bar is Immune from Liability for Defamation, Pursuant to Section 768.28(9), Florida Statutes.

Plaintiff's defamation claims fail pursuant Section 768.29(9), Florida Statutes. Section 768.29(9)(a), Florida Statutes, states in pertinent part:

No officer, employee, or agent of the state or of any of its subdivisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function, unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting

wanton and willful disregard of human rights, safety, or property.

The Second Amended Complaint fails to allege any conduct or motive that would place The Florida Bar within the exception stated in the above quoted provision. In this regard, Plaintiff's conclusory allegations are insufficient to withstand a motion to dismiss. *See P.C. B. Partnership v. City of Largo*, 549 So. 2d 738 (Fla. 2d DCA 1989); *McClelland v. Cool*, 547 So. 2d 975 (Fla. 2d DCA 1989).

⁴ In any event, a statement that is substantially true is not actionable as defamation, if the "gist" or the "sting" of the statement is correct. *Jews for Jesus*, 997 So. 2d at 1108-09. Under the substantial truth doctrine, a statement does not have to be perfectly accurate to be true for purposes of a defamation claim. *See Smith v. Cuban American Nat. Foundation*, 731 So. 2d 702, 706 (Fla. 3d DCA 1999) (citing *Masson v. New Yorker Magazine*, 501 U.S. 496, 517 (1991); *Haynes v. Alfred A. Knopf, Inc.*, 8 F.3d 1222, 1227 (7th Cir. 1993); *Nelson v. Associated Press, Inc.*, 667 F. Supp. ¶1468, 1477 (S.D. Fla. 1987); *Woodard v. Sunbeam Television Corp.*, 616 So. 2d 501, 503 (Fla. 3d DCA 1993); *McCormick v. Miami Herald Publ'g Co.*, 139 So. 2d 197, 200 (Fla. 2d DCA 1962)). Any discrepancies Plaintiff may have with the terms of The Florida Bar's letter reciting her disciplinary history are not actionable because of the substantial truth doctrine.

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**III. PLAINTIFF'S CLAIMS ARE
OTHERWISE BARRED BY THE
ROOKER- FELDMAN DOCTRINE.**

To the extent Plaintiff seeks this Court's review or reversal of the disbarment order that she sincerely believes was fabricated, Plaintiff's claims are barred by the *Rooker-Feldman* doctrine.

The *Rooker-Feldman* doctrine precludes federal courts from reviewing final state court decisions in judicial proceedings. "It is well-settled that a federal district court lacks jurisdiction to review, reverse, or invalidate a final state court decision." *Dale v. Moore*, 121 F.3d 624, 627 (11th Cir. 1997) (citing *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 416 (1923)). "The doctrine applies not only to claims actually raised in the state court, but also to claims that were not raised in the state court but are 'inextricably intertwined' with the state court's judgment." *Powell v. Powell*, 80 F.3d 464, 467 (11th Cir. 1996).

Rooker-Feldman is derived in part from 28 U.S.C. § 1257, wherein Congress prescribed that:

Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of any State is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution or the treaties or statutes of, or any commission held or authority exercised under, the United States.

28 U.S.C. § 1257(a). In short, the United States Supreme Court is the only court with potential appellate jurisdiction over final decisions in state court proceedings for all issues actually raised and all issues not raised but inextricably intertwined therewith.

Here, Plaintiff purports to seek damages for the last 19 years of harms caused by the Order

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of Disbarment. Compl. ¶¶ 302-316. Plaintiff alleges that her sole reason for re-applying to The New York Bar was not to practice law. *Id.* at 233. Her hope was that the “New York Bar would review all of the evidence that she has produced ... and view

[her disbarment as] a fabrication by The Florida Bar." *Id.* Unfortunately, Plaintiff's attempt to have her disbarment order reviewed by the United States Supreme Court, the only court with jurisdiction to review orders of the Florida Supreme Court, was initiated too late. Plaintiff cannot now challenge her disbarment or the documents associated with her disciplinary action in this court due to the *Rooker-Feldman* doctrine.

IV. CONCLUSION

For the foregoing reasons, and because further amendment would be futile, The Florida Bar respectfully requests that this Court grant its Motion to Dismiss the Second Amended Complaint with prejudice. *See Sibley v. Lando*, 437 F.3d 1067, 1073 (11th Cir. 2005) (finding that "the district court did not abuse its discretion in declining to permit [plaintiff] to amend his complaint because that amendment, as well as the other requested actions, would be futile"); *Nelson v. U.S.*, 392 Fed.Appx. 681, 684 (11th Cir. 2010); *Case v. Riley*, 270 Fed.Appx. 908, 911 (11th Cir. 2008); *Salas v. Pierce*, 297 Fed.Appx. 874, 879 (11th Cir. 2008); *Nettles v. G. Harry Stopp, Jr., P.A.*, 2009 WL 54889, *3 (N.D. Fla. Jan. 06, 2009); *Rogers v. Barron*, 2008 WL 4274489, *5 (N.D. Fla. Sep. 11, 2008).

s/Karusha Y. Sharpe
Karusha Y. Sharpe
Florida Bar No. 0540161
Barry Richard
Florida Bar No. 105599
Greenberg Traurig, P.A.
101 East College Avenue
Tallahassee, FL 32301
Telephone: (850) 222-6891
sharpek@gtlaw.com
s: hoffmanm@gtlaw.com
richardb@gtlaw.com
s: trammellc@gtlaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed via the CM/ECF system which will serve Plaintiff via email, as consented to, this 26th day of March, 2020.

S/KARUSHA Y. SHARPE
ACTIVE 49342689v1

APPENDIX E

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
FLORIDA

ANNE GEORGES TELASCO,
Rochester, New York

Plaintiff, Civil Action
No.:19-CV-22135-RS

v.

THE FLORIDA BAR,
Suite M100, Rivergate Plaza
444 Brickell Avenue
Miami, Florida 33131-2404
Defendant.

PLAINTIFF'S MEMORANDUM OF LAW IN
OPPOSITION TO DEFEDANT'S MOTION TO
DISMISS SECOND AMENDED VERIFIED
COMPLAINT WITH PREJUDICE

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I. INTRODUCTION

Telasco respectfully submits this Memorandum of Law in opposition to The Florida Bar's Motion to Dismiss Second Amended Verified Complaint with Prejudice (D.E. 66) under Federal Rules of Civil Procedure 12(b)(1) and Rule 12(b)(6).

Telasco's Complaint (D.E. 53) alleges three causes of action. Count I for Common Law *Defamation Per Se*, Count II for *General Defamation*, and Count III for *Defamation by Implication*. *See* Second Amd. Verified Compl. ¶ 237-317.

II. LEGAL STANDARDS

A) Legal Standard for a 12(b)(1) Motion to Dismiss

Rule 12(b)(1) of the Federal Rules of Civil Procedure provides that in considering a motion to dismiss for lack of subject matter jurisdiction, this court must apply 28 USC §1332 (a)(1) which grants original jurisdiction of all civil actions where

the matter in controversy exceeds the sum of \$75,000.00 between citizens of different states. Telasco adequately pled that her causes of action exceeds \$75,000.00 and complete diversity exist between herself, a citizen of New York, and The Florida Bar, a citizen of Florida. *See Second Amd. Verified Compl. ¶ 1-3.*

The Bar is also a state agency and the jurisdiction of this court over it and Telasco's *tort action for defamation* are authorized by Florida Statute Section 768.28. Furthermore, Telasco has timely complied with the pre-suit notice requirement of Section 768.28(6)(a). *See Second Amd. Verified Compl. ¶ 4-7.* Telasco's traditional tort action is timely under §768.28(6)(a), *Fla. Stat. (2019);*¹⁵⁷ *Fla. Stat. Section §95.11(4)(g) (2019);*¹⁵⁸ and *Florida's Multiple Publication Rule*

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¹⁵⁷ “An action may not be instituted on a claim against the state or one of its agencies or subdivisions unless the claimant presents the claim in writing to the appropriate agency, and... to the Department of Financial Services, within 3 years after such claim accrues” § 768.28(6)(a), *Fla. Stat. (2019).*

¹⁵⁸ Florida Statutes Section 95.11(4)(g) (2019) places a two-year limitation on defamation actions. Section 95.11 is applicable because Plaintiff's claim is not distinguishable in any material respect from a traditional common law libel per se claim.

which states that an action for defamation accrues whenever a defamatory statement is made, and each repetition of the same defamatory matter by the same defamer, whether to a new person or to the same person, *is a separate and distinct publication, for which a separate cause of action arises. Thus, each single defamatory statement constitutes a new cause of action for statute of limitation purposes.* See Doe v. Am. Online, Inc., 783 So.2d 1010, 1017 (Fla. 2001); Musto v. Bell South Telecommunications, 748 So.2d 296 (Fla. App. 1999); and Wagner, Nugent, Johnson, Roth, Romano, Erikson & Kupfer, P.A. v. Flanagan, 629 So.2d 113, 114 (Fla. 1993). See Second Amd. Verified Compl. ¶ 10.

B) Legal Standard for a 12(b)(6) Motion to Dismiss

To survive a Rule 12(b)(6) motion to dismiss, a plaintiff must plead sufficient facts to state a claim that is "plausible on its face." "... To meet this "plausibility standard," a plaintiff must "plead factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." See Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009). In considering the motion, *the court accepts all factual allegations of the complaint as true and construes them in the light most favorable to the plaintiff.* See Pielage v. McConnell, 516 F.3d 1282, 1284 (11th Cir. 2008).

Courts should limit their "consideration to the well-pleaded factual allegations, documents central to or referenced in the complaint, and matters judicially noticed." See La Grasta v. First Union Sec., Inc., 358 F.3d 840, 845 (11th Cir. 2004).

A complaint should not be dismissed for failure to state a claim unless it appears "beyond doubt that the plaintiff can prove no set of facts in support of his claims which would entitle him to relief." See Conley v. Gibson, 355 U.S. 41, 45-46 (1957) and Cortec Ind., Inc. v. Westinghouse Credit Corp., 503 U.S. 960 (1992).

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The Florida Bar's Motion to Dismiss (D.E. 66) alleges that 1) It is afforded absolute immunity from liability in the performance of its disciplinary responsibilities; 2) Telasco's claims for damages are barred by the Eleventh Amendment to the United States Constitution and the applicable statute of limitations; 3) The Second Amended complaint fails to state a claim upon which relief can be granted; and 4) To the extent Telasco seeks review or reversal of her disciplinary proceedings, her claims are barred by the Rooker-Feldman doctrine.

Telasco has reviewed all the authorities cited by The Bar and finds them to be uniformly

distinguishable because the cases refer to actions grounded in "*constitutional tort*."

C) The Bar has not Presented any Evidence to Warrant Dismissal with Prejudice

"In most circumstances, the trial court's dismissal of a complaint for failure to state a cause of action should be without prejudice to the plaintiff's amendment to the complaint to cure the deficiencies." *See K.R. Exch. Serv., Inc. v. Fuerst, Humphrey, Ittleman, PL*, 48 So.3d 889, 895 (Fla. 3rd DCA 2010). Telasco's Second Amended complaint should not be dismissed with prejudice since 1) she had not abused the privilege of amending; 2) The Bar has not demonstrated that it would be prejudice by this court's granting an amendment; and 3) it has not established that an amendment would be futile. *See Exposito v. Pub. Health Trust of Miami-Dade Cnty.*, 141 So.3d 663 (Fla. 3rd DCA 2014). In *Rety v. Green*, 546 So.2d 410, 417, 426 (Fla. 3rd DCA 1989), Rety proceeded to trial on his *sixth amended complaint*. The court held that the trial court properly allowed an amendment to Rety's defamation count to correct a technical error therein because no prejudice to the said defendant was shown below.

III. STATEMENT OF FACTS RELEVANT TO MOTION

Telasco's causes of action are grounded on The Florida Bar's malicious, willful, and/or negligent publishing of the *Grievance Letter dated March 23, 2018* which automatically

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incorporated the Amended Referee's Report dated April 29, 2002 and Judgment of Disbarment for *theft* dated July 11, 2002 to The New York Bar. *See* Second Amd. Verified Compl. ¶ 11.

Background: After five years working on 8 discrimination cases, the cases settled for \$300,000. *See* Second Amd. Verified Compl. ¶ 56-67. Prior to Telasco's acceptance of the cases, Mr. Baptiste and the other 7 clients had attempted to secure the services of another attorney, Jonathan D. Wald (a Caucasian attorney), who advised them that the case was a hard case to prove since EEOC had made a previous finding that there was no discrimination by Sheraton ITT and most importantly, he demanded \$5,000.00 from each of the 8 clients as a retainer which they did not have. With Mr. Wald's decision not to represent them, the clients then sought Telasco's representation. After the case settled, Mr. Baptiste requested a higher payout and demanded to exclude the two clients who did not receive a money judgment at trial. Telasco Refused. *See* Second Amd. Verified Compl. ¶ 74-76.

Thereafter, Mr. Baptiste took the *itemized settlement statement* he received from Telasco to Mr. Wald, who then demanded that Telasco provide him with a copy of the confidential settlement agreement and access to her files, claiming a need to review her costs and expenditures against the itemized settlement statements she had given to her 8 Haitian clients. Telasco refused his request. Mr. Wald sent a letter to The Bar on November 24, 1999 demanding that a formal grievance be filed against Telasco. *Mr. Wald's letter propelled the investigation to disbar Telasco. See Second Amd. Verified Compl. ¶ 77-79, 168-170.*

The Bar assigned its auditor, Mr. Carlos J. Ruga, who had been working with The Bar for over 15 years and had conducted over 500 audits for The Bar, to audit Telasco's financial records by reconciling her receipts, cashed checks, expenses, and invoices with the costs and expenses outlined in the settlement statement. On July 14, 2000, Mr. Ruga issued his report

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which stated that all of the costs and expenses listed in the settlement statements had been incurred and properly paid for. The Bar ignored Mr. Ruga's report and refused to give a copy of the report to Telasco. The Bar's case against Telasco

continued for another 16 months (1 year and 4 months) after it received Mr. Ruga's Report. *See* Second Amd. Verified Compl. ¶ 80-95.

On Friday, October 26, 2001, 28 months (2 years and 4 months) into the case, The Bar prepared and presented Telasco with a boiler plate Petition for Disciplinary Resignation and an Affidavit for Telasco's signature. Telasco was told by her attorney at that time, Mr. William Ullman and Mr. Randolph Brombacher, Bar counsel, that all she needed to do was to sign the resignation documents in order to resign and signing the documents would end her troubles. The resignation documents made no mention of Mr. Ruga's report or the professional Creole translator's affidavit (*See* Second Amd. Verified Compl. ¶ 68), as they recite the same charges the auditing report states were without merit, that is, "Telasco failed to properly disburse funds and allocate costs in the settlement to her former clients." *See* Second Amd. Verified Compl. ¶ 96-102. *Paragraph 4 (b) of the petition for disbarment reflects that for the almost 10 years in practice at that time, Telasco had never been disciplined, reprimanded, investigated, sued for malpractice nor prosecuted for any unethical or criminal behavior.* *See* Second Amd. Verified Compl. ¶ 103.

Telasco informed Mr. Ullman that she would not sign the resignation documents. Mr. Ullman told her that her refusal to sign the resignation

documents was like "*waving a red flag in front of a raging bull.*" The stress of the 2 years and 4 months long investigation had taken its toll on Telasco's mental, emotional, physical wellbeing and had drained her finances. On Tuesday, October 30, 2001, two working days after The Bar presented Telasco with the resignation documents, she prepared her own resignation which included all of the depositions

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and pertinent documents she had generated in representing herself against Mr. Wald's claim and hand-delivered them to The Referee, Judge Robert N. Scola, and The Bar. *See* Second Amd. Verified Compl. ¶ 104-106.

During October 31 through November 5, 2001, South Florida was under hurricane Michelle watch. *See* Hurricane info attached as Exhibit "A." On November 6, 2001, Telasco went to her bank, purchased the cashier's check from her trust account and thereafter closed her operating and trust accounts. Telasco hand-delivered the notice of filing settlement funds, the cashier's check payable to The Florida Supreme Court in the amount of \$49,147.70, the sum owed to her former clients which had never been collected, to Judge Scola and The Bar. Judge Scola's Bailiff signed the

delivery receipt. See Second Amd. Verified Compl. ¶ 107.

The Bar deliberately confiscated the check Telasco submitted for distribution to her 8 former clients and proceeded to lead Telasco's clients and the court to believe that Telasco stole these same settlement funds. See Second Amd. Verified Compl. ¶ 168-170.

The Bar falsified and doctored an affidavit which it claimed is a product of Mr. Ruga's audit and presented it to The Referee. This affidavit claimed that a) Telasco violated Section 812.014 of the Florida statutes, a second degree felony, because she misappropriated \$80,000.00 of her clients' settlement funds when The Bar had actual possession and control of the same funds; b) that Telasco's conduct, characteristics, and condition are incompatible with the proper exercise of her legal profession when Telasco was in good standing with the Bar, the courts and her clients for the almost 10 years of practice; c) Telasco is not trustworthy as an individual and business associate; and d) Telasco is a clear and present danger to the public as a licensed and practicing attorney ("The Bar's actions" or "its actions"). See Second Amd. Verified Compl. ¶ 162-166.

Based on The Bar's actions and fraudulent representations to the court, the Referee entered an amended report on April 29, 2002 adopting and legitimizing The Bar's false claims and recommended that Telasco be *disbarred for theft* because 1) she stole \$80,000.00 from her clients, and 2) *her conduct and character make her a clear and present danger to the public as a licensed practicing attorney*. See Second Amd. Verified Compl. ¶ 179-199. This *ex parte and by default Theft Judgment* has and continues to subject and expose Telasco to hatred, distrust, ridicule, contempt, disgrace and obloquy. See Second Amd. Verified Compl. ¶ 136-140, 159, 243, 257.

A. Timeline – The Bar and the Settlement Funds Telasco Submitted to it

On April 19, 2002, The Bar sought and obtained an order to reissue the cashier's check it received from Telasco on November 6, 2001 to be made payable to the Clerk of Court, *as that check was now-stale dated*. See Second Amd. Verified Compl. ¶ 201. On April 24, 2002, The Bar deposited the reissued check using a different file it created in the circuit court. See Second Amd. Verified Compl. ¶ 166(d). The Bar misnamed the file *The Florida Bar v. Petition for Inventory Attorney* so Telasco would never discover it if she had searched the circuit court data and the case would remain under The Florida Supreme Court's

radar since it reported to said court that Telasco stole all of her clients' funds and made no distribution to her clients. *See* Second Amd. Verified Compl. ¶ 202, 212-218. The Bar kept a copy of Mr. Wald's renewed petition to disburse funds which he filed in this case *using the proper case name* in Telasco's in-house bar file. This motion insinuates that there was a criminal case pending against Telasco by the state attorney's office because The Bar did not know the source of the funds Telasco submitted to it. *See* Second Amd. Verified Compl. ¶ 177(d). *The docket of this case was pulled*

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32 times as of September 2008 when Telasco discovered it. See Second Amd. Verified Compl. ¶ 207-218.

On April 29, 2002, 10 days after The Referee entered the order to reissue the stale-dated check, he filed his report recommending that Telasco be disbarred for theft. *See* Second Amd. Verified Compl. ¶ 200-202.

The Bar deliberately manipulated the dockets of each of the 5 cases it fabricated against Telasco in bad faith, with the motive and with the malicious purpose of giving the court, prospective clients and potential business associates of Telasco

the *false impression* that Telasco is a thief, she is untrustworthy, shameless, unethical, unscrupulous, unprincipled and should be shunned and ostracized from all that is decent. *See* Second Amd. Verified Compl. ¶ 14, 206.

In 2018, Telasco studied for The New York Bar exam and re-applied for admission to said Bar. *The New York Bar requested a grievance letter for Telasco from The Florida Bar.* The purpose of this letter is to inform the requesting third party, The New York Bar, of any character flaws and/or grievance proceedings filed against Telasco, the nature of said proceedings, and their outcome. *See* Second Amd. Verified Compl. ¶ 230. The Bar is well aware of this procedure as it is customary for *all state bars*, including The Florida Bar, to make such a request from bar applicants. The Grievance Letter with its accompanying documents is The Florida Bar's response to The New York Bar's inquiry about Telasco's status. *See* Second Amd. Verified Compl. ¶ 247-248.

On or about March 27, 2018, Telasco received the grievance letter from The Florida Bar dated March 23, 2018. This grievance letter was an exact match to the 2008 grievance letter The Bar issued in response to The New York Bar's inquiry. The March 23, 2018 grievance letter was issued 10 years after The Florida Supreme Court and The Florida Bar became fully aware,

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via Telasco's writ of certiorari filed with the United States Supreme Court on February 20, 2009, that its *judgment of disbarment for theft* against Telasco was fraudulently acquired and is the product of fabricated charges. *See* Second Amd. Verified Compl. ¶ 230-232, 255-257.

Detailed facts supported with undisputed direct documentary evidence of The Bar's fraudulent actions, the gravamen of its judgment of disbarment *for theft* against Telasco are delineated with specificity in paragraphs 50-218 of the Second Amended Verified Complaint.

As a direct and proximate result of The Bar's actions, Telasco suffered and *continues to suffer* significant harm and damages which naturally, proximately, and necessarily result from the publication of the libelous letter ("damages"). *See* Second Amd. Verified Compl. ¶ 302-315.

IV. ARGUMENT

A) Pleading Requirement

In *Brown v. McKinnon*, 964 So.2d 173 (Fla. 3rd DCA 2007) the court held that Section 768.28(9)(a), Fla. Stat. (2005) makes clear that in order for a plaintiff to succeed in piercing the

statutory immunity defense, she must make a good faith allegation in the complaint that the state agency *either* "acted outside the scope of its authority," "in bad faith," "malicious purpose" or "a manner exhibiting wanton and willful disregard of human rights, safety, or property." Telasco's Second Amended Complaint properly and affirmatively alleges detailed facts supported by undisputed direct evidence that The Bar acted outside the scope of its duties and authority, in bad faith, with malicious purpose and with reckless disregard for the truth. *See* Second Amd. Verified Compl. ¶ 259-264, 273.

B) The Rooker-Feldman Doctrine is not Applicable to Telasco's Traditional Tort Action

Under The Rooker-Feldman doctrine, a "*frustrated bar applicant*" may bring one of two *constitutional tort challenges* in federal court against The Bar. The first is a challenge to a state's

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general rules and procedures governing admission to the state's bar; and the second is a challenge to a state court's decision that has resulted in the unlawful denial of admission to a bar applicant." *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 416

(1923). The gravamen of Telasco's traditional defamation action rests upon The Florida Bar's tortious actions of defaming her. She is seeking compensation for the severe *harm caused to her as a direct and proximate result of The Bar's tortious actions*. See Second Amd. Verified Compl. ¶ 237-317. Telasco is not seeking to have the judgment of disbarment for *Theft* reversed or modified and she is not seeking a declaratory and/or injunctive relief to undo said judgment. *The Doctrine is not applicable to Telasco's action.*

C) The 11th Amendment to the U.S. Constitution does not Bar Telasco's Tort Action

In *Uberoi v. Supreme Court of Florida*, 819 F.3rd 1311 (11th Cir. 2016) the court held that "The Florida Supreme Court [The Florida Bar] is a Department [Agency] of the State of Florida."

The Florida Legislature has waived sovereign immunity from traditional tort suits to the extent set out in Section 768.28, Florida Statute (2018). The statute authorizes recovery of tort damages against Florida or any of its agencies or subdivisions for "*negligent or wrongful acts of any [state agency] employee while acting within the scope of his office [it's authority].*" Id. § 768.28(1). The waiver is limited to circumstances in which the state would be liable if it were a private person. Id. § 768.28(1), (2). Moreover, the statute provides

that the state or its agencies may be held liable for damages for traditional torts under state law "*in accordance with the general laws of this state.*" Id. § 768.28(1). *See Rudloe v. Karl*, 899 So.2d 1161 (Fla. 1st DCA 2005).

In Trianon Park Condominium Ass'n, Inc. v. City of Hialeah, 468 So.2d 912, 917 (Fla. 1985) the court held that "*The statute's [768.28] sole purpose was to waive that immunity which prevented recovery for breaches of existing common law duties of care.* ... This effectively means

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that the identical existing duties for private persons apply to governmental entities." *See Gamble*, 779 F.2d at 1514-1515.

In Paul v. Davis, 424 U.S. 693 (1976) the court held that when defamation is committed by a public body, it *is not a constitutional tort* because the interest in reputation that the common law tort of defamation protects is not a species of liberty or property within the meaning of the due process clauses of the Fifth and Fourteenth Amendments.

In Rudloe, Mr. Rudloe filed a complaint alleging that Dr. Karl's account defamed him by insinuating that he had stolen a "priceless Neopilina specimen... from the lab [because the rare specimen] ... later show[ed] up for sale in Mr.

Rudloe's Gulf Specimen Company catalog." FSU filed a motion to dismiss "on the basis of sovereign immunity." The trial court granted FSU's motion to dismiss. The District Court reversed the order holding that "Sovereign immunity is no bar to Mr. Rudloe's negligent defamation claim.... We find no merit in FSU's highly problematic assertion that it enjoys blanket immunity for anything editors of its alumni publications say, write or allow to be published about FSU alumni....Like the supreme court in *City of Pinellas Park v. Brown*, 604 So.2d 1222, 1226 (Fla.1992), we cannot accept [FSU] petitioners' argument in favor of sovereign immunity in this case..." *Id* at 1165.

In *Mueller v. Florida Bar*, 390 So.2d 449, 451 (Fla. 4th DCA 1980) the court held that "In the area of defamation, the rule in Florida is that words spoken or written by public servants in *judicial* ... activities are protected by absolute privilege from liability for defamation. ... *the privilege extends only to words or acts within the scope of the authority of the public servant.* ...We have previously distinguished absolute privilege from the concept of sovereign immunity." See *Cobbs Auto Sales, Inc. v. Melvin Coleman*, 353 So.2d 922 (Fla. 4th DCA 1978).

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In *Cobbs*, the court held that, "The defense of privilege is a separate and distinct concept from sovereign immunity... The doctrine of sovereign immunity was a rule laid down by the ruling authority that he, because he was the ruler, could do no wrong and therefore was immune from *any* charges that he had done wrong. The legislature, by enacting Section 768.28, decided this common law doctrine should be removed from the law of Florida...."

Base on the foregoing, The Bar is a state agency subject to Section 768.28 and The 11th Amendment to the U.S. Constitution is inapplicable to Telasco's claim.

D) It is Improper for The Bar to Raise the Affirmative Defense of Absolute Immunity in a Motion to Dismiss

In *Randazzo v. Fayer*, 120 So.3d 164 (Fla. 1st DCA 2013) The court was taxed with an order granting a motion to dismiss. The court held "... *we find that it was improper to raise the affirmative defense of absolute immunity in a motion to dismiss because its applicability is not "clearly apparent on the face of the complaint. ... Immunity is a fact intensive issue that may be raised in a motion to dismiss only in "exceptional cases in which the facts giving application to the defense are clearly apparent on the face of the complaint.*" Also See *Schreidell v. Shoter*, 500

So.2d 228 (Fla. 3d DCA 1987); *Riggs v. Cain*, 406 So.2d 1202, 1203 (Fla. 4th DCA 1981).

In reversing the order granting the “*Motion to Dismiss on Witness [judicial] Immunity*” the court held that “it is not clear from the four corners of Appellant’s complaint that the defense of absolute immunity applies to the allegedly defamatory statement ... Nor can we determine from the complaint that Appellee’s allegedly defamatory statement was *made in the course of an ongoing judicial or quasi-judicial proceeding and was related to the subject of inquiry....*”

In *Fariello v. Gavin*, 873 So. 2d 1243 (Fla. 5th DCA 2004) the court held that “... immunity is an affirmative defense that should be pled by the party asserting it, and which may thereafter be considered *after the facts are fleshed out* by summary judgment or trial. ...The

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defense is ...generally raised affirmatively in an answer or other responsive pleading, but *may be asserted in a motion to dismiss if its applicability is demonstrated on the face of the complaint or exhibits.* ...if the alleged defamatory words are indeed subject to an absolute privilege, such privilege is not disclosed by the

allegations of plaintiff's amended counterclaim and therefore may not be asserted in a motion to dismiss, but rather must be pleaded as a defense."

In Nodar v. Galbreath, 462 So. 2d 803 (1984), The Supreme Court held that in determining whether there exists a privilege in a published communication, the crucial question is whether the communication published is "*within the generally accepted standards of decent conduct.*" Restatement (Second) of Torts § 595 (1976). *Under the common law of Florida, the mode, manner, or purpose of the communication go to the question of abuse or forfeiture of the privilege. See Kirvin v. Clark, 396 So.2d 1203 (Fla. 1st DCA 1981).*

The Bar's claim of an absolute privilege and sovereign immunity is not disclosed within the confines of Telasco's Second Amended Complaint because *Telasco alleges* 1) that The Bar's actions against her were not made within the scope of its duties as mandated by Fla. Stat. Ann. §768.28(9)(a) (See Second Amd. Verified Compl. ¶ 259-264); 2) The Bar's actions against Telasco do not fall "*within the generally accepted standards of decent conduct;*" and 3) *The Bar forfeited any immunity it may have had because of its criminal actions against Telasco. See Second Amd. Verified Compl. ¶ 270-275.* The Bar may not assert absolute privilege or sovereign immunity in a motion to dismiss.

E) The Florida Bar's Has Not Met its Burden of Showing that it is Entitled to Absolute Privilege or Sovereign Immunity

A government official [agency] "asserting this defense [sovereign immunity] bears the initial burden of showing that he [agency] was acting within his discretionary authority [duties]." See *Moore v. Sheriff of Seminole City.*, No. 17-14779, 2018 WL 4182120, at *2 (11th Cir. 2018).

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1) The Bar's Actions were not Taken in Furtherance of Official Bar Duties

In *Cassell v. India*, 964 So.2d 190, 194 (Fla. 4th DCA 2007) the court held that "...*The term "duties" extends to all matters which he [the agency] is authorized to perform.* ...The decisions have ... *always imposed as a limitation upon the immunity that the official's [agency's] act must have been within the scope of his [its] powers;* ... official [state agency] powers, since they exist only for the public good, never cover occasions where the public good is not their aim, and hence that *to exercise a power dishonestly is necessarily to overstep its bounds.*"

In *DelMonico v. Traynor*, 116 So.3d 1205 (Fla. 2013) The Florida Supreme Court held that "We hold that Florida's absolute privilege ...was

never intended to sweep so broadly as to provide absolute immunity from liability to an attorney for alleged defamatory statements... *a qualified privilege instead should apply ...so long as the alleged defamatory statements bear some relation to or connection with the subject of inquiry in the underlying lawsuit. ...where the statements do not bear some relation to or connection with the subject of inquiry in the underlying lawsuit, the defendant is not entitled to the benefit of any privilege—either absolute or qualified....* why should a person be absolutely privileged to defame another in the course of a judicial proceeding by making slanderous statements wholly outside of the inquiry before the court? ...*The ends of justice can be effectually accomplished by placing a limit upon ... counsel who avails himself of his situation to gratify private malice by ...making libelous statements, which have no relation to, or connection with, the cause in hand or the subject-matter of inquiry.*

The person whose good name suffers has, or ought to have, the right to vindicate his reputation by an appeal to the courts, instead of taking the law into his own hands. ... The person accused may have suffered great financial loss by the slander published under the protection of the lawwhere the trial court determines that the alleged defamatory statements, assuming they

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were made, are not connected with or related to the subject of inquiry, then the defendant to a defamation action would be afforded no privilege at all,..” Delmonico at 1213.

In *Fridovich v. Fridovich*, 598 So.2d 65 (Fla.1992), the court held that “There is no benefit to society or the administration of justice in protecting those who make *intentionally false and malicious defamatory statements* to the police [court]. ...We believe the law should provide a remedy in situations such as this.”

The Florida Bar’s actions against Telasco were not authorized, were not activated in furtherance of *its official purpose* of pursuing disbarment of unethical attorneys and were not an integral part of the process of addressing complaints against attorneys. The destruction of an attorney in good standing at the behest of the members of The Bar’s fraternity and social club is not within the scope of The Bar’s authority as an arm of the Florida Supreme Court in the matters of the regulation of attorneys. See *Thomas v. Tampa Bay Downs, Inc*, 761 So.2d 401, 404 (Fla. 2nd DCA 2000) and *Zavadil* at 597. ***The Bar acted beyond the scope of its duties and the absolute privilege it assumes to be available does not attach.***

2) Integral to the Requirement for Absolute and Sovereign Immunity is Truth and Good Motives which are to be Determined by the Jury

In *Axelrod v. Califano*, 357 So.2d 1048, 1052 (Fla. 1st DCA 1978) the defendant's publication branded Axelrod a thief and forger. The court held that the publication was actionable per se because it falsely and maliciously charges Axelrod with the commission of a crime. The court quoted Article I, Section 4 of the Florida Constitution which states that "Every person may speak, write, and publish sentiments on all subjects but shall be responsible for the abuse of that right...In all...civil actions for defamation the truth may be given in evidence. ...under this Article, the truth of the publication is a good defense if the matter charged as defamatory is true *and* was

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published with good motives. See *Drennen v. Westinghouse Elec. Corp.*, 328 So.2d 52, 54-55 (Fla. 1st DCA 1976) and *Ramos v. Miami Herald Media Co.*, 132 So.3d 1236 (Fla. 3rd DCA 2014).

The issues of truth and good motives are normally to be resolved by the jury. Drennen at 55. "...when the evidence is conflicting as to the existence or nonexistence of privilege or there is

sufficient evidence to indicate that the privilege may have been exceeded or abused, there is a mixed question of law and fact, and the fact issue is to be determined by the jury. *Axelrod* at 1052.

3) The Bar Made a False Report of Criminal Behavior Against Telasco

In *Int'l Sec. Mgmt. Grp., Inc. v. Rolland*, 271 So.3d 33, 48 (Fla. 3rd DCA 2018) the court quoting *Valladares v. Bank of Am. Corp.*, 197 So.3d 1, 10 (Fla. 2016) held that: “[A] cause of action is available to one injured as a result of a false report of criminal behavior to law enforcement when the report is made by a party which has knowledge or by the exercise of reasonable diligence should have knowledge that the accusations are false or acts in a gross or flagrant manner in reckless disregard of the rights of the party exposed.”

In *Claridy v. Golub*, 632 Fed. Appx. 565 (11th Cir. 2015) the state attorney relied on the falsified report of arrest in deciding to prosecute Plaintiff and in defining the charges against him. The court held a *person who reports a crime acts maliciously when he "knows the report is false or recklessly disregards whether the report is false."* The court quoted *Lloyd v. Hines*, 474 So. 2d 376, 379 (Fla. 1st DCA 1985) which held that “*an officer's use of fraud or corrupt means to obtain a warrant gives rise to individual liability under Section 768.28(9)(a).* Accordingly, Defendant

[officer] is not entitled to judgment on the state law claims based on immunity provided by Section 768.28(9)(a).

The court further indicated that in deciding whether the defendant is entitled to immunity under the plaintiff's version of the facts, *the inquiry is whether "certain given facts" demonstrate*

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that defendant's conduct violates 'clearly established law or rights at the time of the incident of which a reasonable person would have known (See Crenshaw v. Lister, 556 F.3d 1283, 1289 (11th Cir. 2009) and Dalrymple v. Reno, 334 F.3d 991, 994 (11th Cir. 2003)) or "...whether the state of the law at the time of an incident provided fair warning to the defendant..." See Terrell v. Smith, 668 F.3d 1244, 1256 (11th Cir. 2012).

One of The Bar's core functions is to protect the public by prosecuting unethical attorneys. See Second Amd. Verified Compl. ¶ 43. However, *The Bar used fraud and corrupt means to secure an ex parte default judgment of disbarment for theft against Telasco by falsely representing to the court that she stole \$80,000.00 from her clients and her conduct and character make her a clear and present danger to the public as a licensed practicing attorney.* The Bar's conduct violated clearly

established law. It is liable for defamation *per se* and is not entitled to the immunity provided by § 768.28(9)(a).

F) Telasco's Complaint Sufficiently Alleges all of the Elements of her Causes of Action

Defamation is defined as "the unprivileged publication of false statements which naturally and proximately result in injury to another." See Wolfson v. Kirk, 273 So. 2d 774, 776 (Fla. 4th DCA 1973) and Jews for Jesus, Inc. v. Edith Rapp, 997 So.2d 1098, 1106 (Fla. 2008).

"[A] publication is libelous *per se* or actionable *per se*, if, when considered alone without innuendo: (1) it charges that a person has committed an infamous crime; (2) it tends to subject one to hatred, distrust, ridicule, contempt, or disgrace; or (4) it tends to injure one in his trade or profession." See Blake v. Giustibelli, 182 So.3d 881, 884 (Fla. 4th DCA 2016). In Kirvin v. Cark, 396 So.2d 1203 (Fla. 1st DCA 1981) the defendant accused plaintiff of violating Section 836.05 of the Florida statutes (1979) which is a felony of the second degree. Defendant alleged that the defamatory words were absolutely privileged because they were published in the course

of a judicial proceedings. The court held that the allegations that Plaintiff violated the Florida Statute which amounted to the commission a felony of the second degree is sufficient to state a cause of action for defamation per se.

Defamation by Implication "arises, not from what is stated, but from what is implied when a defendant (1) juxtaposes a series of facts so as to imply a defamatory connection between them, or (2) creates a defamatory implication by omitting facts, ...the defamatory language must affirmatively suggest that the author intends or endorses the inference." *See Jews for Jesus* at 1106-1107. Telasco's complaint sufficiently alleges all of the elements of her causes of action against The Bar. *See* Second Amd. Verified Compl. ¶ 162-166.

1) Third Party Publication by The Florida Bar

In *Tyler v. Garris*, 292 So. 2d 427, 429 (Fla. 4th DCA 1974) the court held that the only requirement for publication is that "the defamatory matter must have been communicated to some third person in order for same to be actionable."

In *Sirpal v. University of Miami*, 684 F. Supp.2d 1349, 1361 (S.D. Fla. 2010) Sirpal alleges that Defendant Dr. Potter defamed him when he falsely told a University of Florida official that Sirpal stole protein samples from the University's

lab and had altered the image in the *JBC* article (“predicament”). Defendants argue that “because Sirpal fully disclosed all the facts of his predicament to the University of Florida, the element of third party publication is missing. The court held that “Sirpal does not allege that Dr. Potter committed defamation *when Sirpal disclosed* his situation to the University of Florida, but that Dr. Potter committed defamation when *Dr. Potter spoke* with the University of Florida. Thus, ..., *an official at Sirpal's former university made a statement—a publication—to an official at a prospective university.*” The court concluded that the fact that “Sirpal *may have fully disclosed the facts*

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underlying his predicament before Dr. Potter spoke with the University of Florida is irrelevant: each repetition of a defamatory statement is a publication.” The court held that Sirpal’s defamation count states a claim and he met the publication requirement.

In *Dupuy v. Samuels*, 397 F.3d 493, 504, 510 (7th Cir. 2005) the court held that *third party publication requirement is satisfied when the plaintiff's status is disseminated to his potential employer by operation of law during the hiring process.*

In Zavadil the court held that "maintaining an *accurate* public listing of attorneys, including whether or not they are in good standing and able to practice, is an integral part of the [Florida] Bar's duties, *as is responding to inquiries regarding an attorney's status.*" *Id.* at 597.

In Matthews v. Deland State Bank, 334 So.2d 164, 166 (Fla. 1st DCA 1976) the court held that a disregard for the truth in reporting ..., especially when coupled with the *failure to correct the inaccuracies, constitutes libel per se.*

In the instant case, Telasco alleges that upon application for membership to The New York State Bar, *as a condition to admission, Telasco had to give authorization to The New York Bar to conduct a background investigation on her. This investigation entails a request for a grievance letter from The Florida Bar inquiring into Telasco's status with said Bar.* The purpose of this letter is to inform the *requesting third party, The New York Bar, of any character flaws, grievance proceedings filed against Telasco, the nature of said proceedings and their outcome.* The grievance letter is mandated by *the rules and laws regulating admission to all state bars to include The Florida Bar.*

For the reasons discussed above Telasco has met the publication requirement of her defamation claim.

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2) Falsity

The Bar has failed to address or deny Telasco's allegations and has not challenged the authenticity of the direct documentary evidence that are attached to her complaint in support of her allegations. Moreover, The Bar has not produced any documents to support its claim that Telasco is a thief, one of the central issues of Telasco's defamation case. *See* Second Amd. Verified Compl. ¶ 162-166.

3) Damages

Telasco adequately alleges her damages. *See* Second Amd. Verified Compl. ¶ 48-49, 302-315. *See Jews for Jesus* at 1109. In *Dupuy*, the court recognized the damages that befall an individual like Telasco when it held that "when a state actor [The Florida Bar] casts doubt on an individual's "good name, reputation, honor or integrity" ...it makes it "virtually impossible for the [individual] to find new employment in his chosen field." *Id* at 493.

VI. CONCLUSION

For the foregoing reasons, Telasco respectfully requests that this honorable Court deny The Florida Bar's motion to dismiss Telasco's Second Amended Verified Complaint with Prejudice.

Dated: April 20, 2020 Respectfully submitted,

/S/

Anne Georges Telasco, Pro Se
Rochester, New York 14611
Phone: 585-201-2492
Email: agtelasco@aol.com

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed via CM/ECF on this 21st day of April 2020 and served upon the following:

Barry Scott Richard, Esq.
Karusha Young Sharpe, Esq.
Greenberg Traurig PA,
101 East College Avenue,
Tallahassee, FL 32301

/S/

Anne Georges Telasco, *Pro Se*

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/S/

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EXHIBIT A

[https://en.wikipedia.org/wiki/List_of_Florida_hurricanes_\(2000%E2%80%93present\)](https://en.wikipedia.org/wiki/List_of_Florida_hurricanes_(2000%E2%80%93present))

2001 Atlantic hurricane season

. June 12, 2001 – Subtropical Depression Alison moves through Alabama and Georgia, with its outer rainbands producing up to 10.1 inches (357 mm) of rain at the Tallahassee Regional Airport. The rainfall destroys 10 homes and damages 599 others. With monetary damage totaling \$20 million (2001 USD, \$27.3 million 2017 USD). Eight people died in the state, five of which due to rip currents.

. August 6, 2001 – After meandering for several days in the eastern Gulf of Mexico, Tropical Storm Barry makes landfall at Santa Rosa Beach, producing heavy rainfall across much of Florida which peaks at 11.7 inches (297 mm) in Stuart. The storm kills two in the state and leaves \$1.5 million in damage (2001 USD, \$2.05 million 2017 USD).

. September 14, 2001 – Tropical Storm Gabrielle hits Venice, dropping moderate to heavy rainfall including a peak total of 15.1 inches (384 mm) in

Parrish. The combination of flooding from rainfall and gusty winds causes \$230 million in damage (2001 USD) and one direct death, and high waves from the storm indirectly kills a person in the Florida Keys.

November 5, 2001 – Hurricane Michelle passes to the south of the state, dropping up to 4.99 inches (127 mm) of rainfall and causing \$10.07 million in damages (2001 USD). The hurricane spawns two tornadoes, resulting in \$16,000 of damage (2001 USD).

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**CNN.com
Florida Keys under evacuation order**

MIAMI, Florida (CNN) - South Florida braced Saturday for Hurricane Michelle, as the storm's outer bands reached Cuba.

Monroe County Emergency Management officials issued a mandatory evacuation of the Florida Keys Saturday at 7 a.m. EST, for all visitors and non-residents.

Boasting sustained winds of 130 mph, forecasters said they expect the storm will continue to gain strength, possibly becoming a Category 4 hurricane later Saturday.

The eye of Michelle meandered in the Caribbean Saturday morning, but the storm is expected to resume moving northward later in the day, moving over western Cuba late Saturday or early Sunday.

The Miami-based National Hurricane Center has issued a hurricane watch for the Florida Keys from Ocean Reef Westward to the dry Tortugas Islands. The Cuban government has upgraded its own hurricane watch to a warning for the provinces from Pinar Del Rio Eastward to Ciego de Avila, as well as the Isle of Youth.

The hurricane is expected to bear down on Cuba within 24 hours, which could get up to 20 inches of rain.

A tropical storm watch is also in effect for the island of Grand Cayman.

At 7 a.m. Est, the center of Michelle was about 205 miles (330 Kilometers) south-southwest of the western tip of Cuba. Hurricane force winds extend outward up to 30 miles (45 Kilometers) from the center, and tropical storm force winds extend up to 145 miles (230 Kilometers).

In Havana, workers have been boarding up hotel windows and residents have been stocking up on water and canned food. On national television, President Fidel Castro said on Friday there was no panic in the country and that residents were prepared to face any eventuality. He joked about the hurricane, telling Cubans they had faced worse than that.

Michelle is blamed for at least 10 deaths in Central America. Heavy rain from the storm system has forced thousands of people from their homes.

--CNN Havana Bureau Chief Lucia Newman contributed to this report

APPENDIX F

**IN THE UNITED STATES DISTRICT COURT
FOR THE ELEVENTH CIRCUIT**

Appellate Docket No.: 20-13272-EE

ANNE GEORGES TELASCO,
Plaintiff/Appellant,
v.
THE FLORIDA BAR,
Defendant/Appellee.

**APPEAL FROM THE UNITED STATES
DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
FLORIDA**

**INITIAL BRIEF OF APPELLANT
CIVIL APPEAL**

BY: ANNE GEORGES TELASCO
Pro Se Appellant
agtelasco@aol.com

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V. CONCLUSION (page 30 of brief)

Granting Appellant's request would work no revolution in the law of government accountability nor frustrate the purpose of sovereign immunity. However, permitting The Florida Bar to bring an action against Appellant and then retreat behind a claim of Sovereign Immunity would be violative of our constitutional structure and the working of our system of accountability.

Dated: November 11, 2020

Respectfully submitted,

/S/
Anne Georges Telasco, *Pro Se* Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed via CM/ECF on this 11th day of November 2020 and served upon the following: Mary Hope Keating, Esq., Barry Scott Richard, Esq., Karusha Young Sharpe, Esq. Greenberg Traurig PA, 101 East College Avenue, Tallahassee, FL 32301.

Anne Georges Telasco
Pro Se Appellant
agtelasco@aol.com

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APPENDIX G

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
FLORIDA**

Civil Action No.: 19-CV-22135-RS

ANNE GEORGES TELASCO,
Rochester, New York
Plaintiff,

v.

THE FLORIDA BAR,
an unincorporated association,
Suite M100, Rivergate Plaza
444 Brickell Avenue
Miami, Florida 33131-2404
Defendant.

**PLAINTIFF'S AMENDED FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS**

Pursuant to Fed. R. Civ. P. 34, the Plaintiff requests Defendant to produce and permit inspection and copying of the documents listed in this request. The inspection and performance of related acts shall be made at a site agreed upon by the parties, within 30 days of service of this request.

III. DOCUMENTS DEMANDED

16. A complete copy of The Florida Bar File 2000-70,271 AND corresponding Florida Supreme Court Case No.: SC01-1198 opened 12/09/1999 & closed on 10/06/2002.

17. A complete copy of The Florida Bar File 2002-70,480 AND corresponding Florida Supreme Court Case No.: SCO1-2893 opened 12/06/2001 & closed on 10/08/2002.

18. A complete copy of The Florida Bar File 2002-70,505 AND corresponding Florida Supreme Court Case No.: SCO1-2423 opened 11/7/2001 & closed 07/01/2002.

19. A complete copy of The Florida Bar File 2002-70,726 AND corresponding Florida Supreme Court Case No.: SC02-44 opened 1/8/2002 & closed 10/25/2002.

20. A complete copy of The Florida Bar Case No.: 2002-11-CA-01 - The Florida Bar vs. Petition for Inventory Attorney a/k/a The Florida Bar vs. Anne Georges Telasco opened 1/2/2002 & closed 1/9/2004.

21. A complete copy of Anne Georges Telasco Florida Bar file that is made available to the public for inspection.

22. A complete copy of all invoices for trust account identified in paragraph 12 of the Amended

Report of Referee dated April 29, 2002 as account number 7228155394 from Great Western Bank a/k/a 834-068022-7.

23. A complete copy of the trust account invoice dated February 28, 2001, reflecting a balance of \$0.00 identified in paragraph 16 of the Amended Report of Referee dated April 29, 2002.

26. A copy of all documents which reflect that Telasco misappropriated her former clients' settlement fund.

Dated: October 29, 2019

Respectfully submitted,

Anne Georges Telasco, Pro Se
Rochester, New York 14611
Phone: 585-201-2492
Email: agtelasco@aol.com

APPENDIX H

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on FLSD Docket 11/27/2019 Page 1 of 7

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
FLORIDA

Civil Action No.: 19-CV-22135-RS

ANNE GEORGES TELASCO,
Plaintiff,

v.
THE FLORIDA BAR,
Defendant.

DEFENDANT'S MOTION TO STAY
DISCOVERY AND PRETRIAL DEADLINES
AND INCORPORATED MEMORNDUM OF
LAW

Defendant, THE FLORIDA BAR, pursuant to Fed. R. Civ. P.26(c) and (d) and the Court's inherent powers, moves the Court for entry of an Order temporarily staying discovery and all pretrial deadlines imposed by the Court, the Local Rules, and the Federal Rules of Civil Procedure until the Court rules on pending dispositive and

substantive motions. In support of this Motion, Defendant state as follows:

IV. CONCLUSION.

Defendant's request for stay is reasonable, and there is good cause to hold the pretrial deadline and discovery until after the Court assesses the legal arguments set forth by the parties in the pending motions described above. Further, the relief sought herein is necessary to handle the case in the most economical fashion, yet with sufficient time to comply with reset or extended

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pretrial deadlines and complete discovery, if necessary, consistent with the scheduling obligations of counsel. Finally, the relief sought in this Motion is not for delay, but so that justice may be done.

WHEREFORE, Defendant requests that all pretrial deadlines and discovery be stayed until resolution of the pending dispositive and substantive motions.

Respectfully submitted,
GREENBERG TRAURIG, P.A.
101 East College Avenue
Tallahassee, FL 32301
By: /s/ Karusha Y. Sharp

APPENDIX I

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
FLORIDA**

Civil Action No.: 19-CV-22135-RS

ANNE GEORGES TELASCO,
Rochester, New York
Plaintiff,

v.

THE FLORIDA BAR,
Defendant.

**PLAINTIFF'S FIRST SET OF REQUESTS FOR
ADMISSIONS**

Plaintiff, ANNE GEORGES TELASCO, submits the following Requests for Admissions to Defendant, THE FLORIDA BAR, pursuant to Rule 36(a)(1)(B) of the Federal Rules of Civil Procedure.

Letter from Bar Counsel Randolph
Brombacher Acknowledging Receipt of the
Settlement check dated April 24, 2002 [D.E. 53
at page 151] Attached as Exhibit "E"

First Set of Admissions, Request 37. Admit that The Bar's letter dated April 24, 2002 is a true and authentic copy of the genuine original letter from Bar's Counsel, at the time, Rudolph M. Brombacher to Jonathan D. Wald, Esq.

ANSWER:

First Set of Admissions, Request 38. Admit that Rudolph M. Brombacher was The Bar's counsel and was authorized to write the letter dated April 24, 2002 to Jonathan D. Wald.

ANSWER:

First Set of Admissions, Request 39. Admit that The Bar's letter dated April 24, 2002 states that "...once can directly infer from the enclosed order that Ms. Telasco remitted these funds to the court which were due and owing to your [Mr. Wald] clients as a result of her representation against Sheraton."

ANSWER:

First Set of Admissions, Request 40. Admit that the letter dated April 24, 2002 to attorney Wald was made at or near the time of the regularly conducted activity to which it pertains.

ANSWER:

First Set of Admissions, Request 41. Admit that the letter dated April 24, 2002 to attorney Wald was made by Rudolph M. Brombacher a person with knowledge of the activity to which the

letter pertains or was made from information transmitted by a person with knowledge of the activity to which the letter pertains.

ANSWER:

First Set of Admissions, Request 42. Admit that the letter dated April 24, 2002 to attorney Wald was prepared and kept by The Florida Bar in the course of regularly conducted activity of its business, organization, occupation or calling.

ANSWER:

First Set of Admissions, Request 43. Admit that the letter dated April 24, 2002 to attorney Wald was made in the regular practice of the activity to which the letter pertains.

ANSWER:

First Set of Admissions, Request 44. Admit that the letter dated April 24, 2002 to Attorney Wald is self-authenticated within the meaning of Federal Rule of Evidence 902(1)(B).

ANSWER:

First Set of Admissions, Request 45. Admit that all foundational requirement for the admission of the letter dated April 24, 2002 to attorney Wald have been satisfied.

ANSWER:

First Set of Admissions, Request 46. Admit that The Bar fabricated documents and created

false charges for theft against Telasco an attorney in good standing in its ex parte pretextual grievance procedure against Telasco.

ANSWER:

First Set of Admissions, Request 47. Admit that The Bar fabricated documents and created false charges against Telasco in its ex parte, by default pretextual grievance procedure in order to justify and to secure a judgment of disbarment for theft against her.

ANSWER:

First Set of Admissions, Request 48. Admit that The Bar misrepresented facts ex parte to the court that Telasco, an attorney in good standing, stole her clients' settlement funds when all the while The Bar had and was fully aware that it had possession and complete control over the same fund it claimed said Telasco stole.

ANSWER:

First Set of Admissions, Request 49. Admit that The Bar fabricated evidence, doctored the affidavit of its auditor and fraudulently misrepresented to the court that Telasco committed a felony by misappropriating her clients' settlement funds when The Bar had actual possession and control of the same funds.

ANSWER:

First Set of Admissions, Request 50. Admit that The Bar fabricated evidence, doctored the affidavit of its auditor and fraudulently misrepresented to the court that Telasco's conduct, characteristics, and condition are incompatible with the proper exercise of her legal profession when Telasco who had been practicing law for almost 10 years had an impeccable record as an attorney and individual.

ANSWER:

First Set of Admissions, Request 51. Admit that The Bar fabricated evidence, doctored the affidavit of its auditor and fraudulently misrepresented to the court that Telasco is a clear and present danger to the public as a licensed and practicing attorney when Telasco was in good standing and doing pro bono work for the Federal and State courts and had received numerous accolades for her pro bono work.

ANSWER:

First Set of Admissions, Request 52. Admit that The Bar is a state agency and Telasco's tort action for defamation per se, general defamation and defamation by implication against The Bar is authorized by section 768.28 of the Florida Statutes.

ANSWER:

First Set of Admissions, Request 53. Admit that The Bar used **fraud and corrupt means** when it fraudulently fabricated documentary evidence and

presented said evidence to the court in order to secure an ex parte by default a judgment of disbarment for theft against Telasco.

ANSWER:

Settlement Check dated November 6, 2001
Telasco Submitted to The Florida Bar for
Distribution to her former clients [D.E. 53 at
page 149] Attached as Exhibit "F"

First Set of Admissions, Request 54. Admit that the Washington Mutual Bank Cashiers Check Number 634428674 dated November 6, 2001 in the amount of \$49,147.70 cents [D.E. 53 at page 149] is a true and authentic copy of the genuine and original check Telasco submitted to The Bar.

ANSWER:

First Set of Admissions, Request 55. Admit that the Washington Mutual Bank Cashiers Check Number 634428674 dated November 6, 2001 in the amount of \$49,147.70 represented the settlement funds which were due to Telasco's clients.

ANSWER:

First Set of Admissions, Request 56. Admit that the settlement check is self-authenticated within the meaning of Federal Rule of Evidence 902(9).

ANSWER:

First Set of Admissions, Request 57. Admit that the settlement check was kept by The Florida

Bar in the course of regularly conducted activity of its business, organization, occupation or calling.

ANSWER:

First Set of Admissions, Request 58. Admit that all foundational requirement for the admission of Washington Mutual Bank Cashiers Check Number 634428674 dated November 6, 2001 in the amount of \$49,147.70 cents have been satisfied.

ANSWER:

Order on Motion to Reissue Washington Mutual Bank Check Number 634428674 Dated April 19, 2002 [D.E. 53 at page 201] Attached as Exhibit "G"

First Set of Admissions, Request 59. Admit that the Order on Motion to Reissue Washington Mutual Bank Official Check [D.E. 53 at page 201] so that it may be made payable to the clerk of the County and Circuit Court, Eleventh Circuit dated April 19, 2002 is a true and authentic copy of the genuine and original motion.

ANSWER:

First Set of Admissions, Request 60. Admit that the Order on Motion to Reissue Washington Mutual Bank Cashiers Check Number 634428674 dated November 6, 2001 in the amount of \$49,147.70 voided the November 6, 2001 cashiers check Telasco submitted to The Bar and for The Bank to reissue a second replacement check since

the check that Telasco gave was now about 7 months old and stale dated.

ANSWER:

First Set of Admissions, Request 61. Admit that the Order on Motion to Reissue Washington Mutual Bank official Check dated April 19, 2002 was made at or near the time of the regularly conducted activity to which it pertains.

ANSWER:

First Set of Admissions, Request 62. Admit that the Order on Motion to Reissue Washington Mutual Bank official Check dated April 19, 2002 was made by the Referee, Judge Scola, a person with knowledge of the activity to which the order pertains or was made from information transmitted by a person with knowledge of the activity to which the order pertains.

ANSWER:

First Set of Admissions, Request 63. Admit that the Order on Motion to Reissue Washington Mutual Bank official Check dated April 19, 2002 was prepared by the Referee, Judge Scola, and kept by The Florida Bar in the course of regularly conducted activity of its business, organization, occupation or calling.

ANSWER:

First Set of Admissions, Request 64. Admit that the Order dated April 19, 2002 is self-

authenticated within the meaning of Federal Rule of Evidence 902(1)(B).

ANSWER:

First Set of Admissions, Request 65. Admit that the Order dated April 19, 2002 was made in the regular practice of the activity to which the order pertains.

ANSWER:

First Set of Admissions, Request 66. Admit that all foundational requirement for the admission of Order dated April 19, 2002 have been satisfied.

ANSWER:

Florida Bar Auditor, Mr. Carlos Ruga's Report dated July 14, 2000 [D.E. 53 at page 116] Attached as Exhibit "I"

First Set of Admissions, Request 76. Admit that the Bar's Auditor, Mr. Carlos J. Ruga's Report dated July 14, 2000 [D.E. 53 at page 116] is a true and authentic copy of the genuine original report.

ANSWER:

First Set of Admissions, Request 77. Admit that Carlos J. Ruga was The Bar's Branch Auditor and was authorized to audit and write the report dated July 14, 2000.

ANSWER:

First Set of Admissions, Request 78. Admit that the Bar's Auditor, Mr. Carlos J. Ruga's Report

dated July 14, 2000 states that "based upon the records reviewed and my meetings with Respondent [Telasco] it appears that the costs charged to the clients were incurred and paid for."

ANSWER:

First Set of Admissions, Request 79. Admit that the Bar's Auditor, Mr. Carlos J. Ruga's Report dated July 14, 2000 dispelled Mr. Wald's claim that Telasco expenses and costs were not incurred by her.

ANSWER:

First Set of Admissions, Request 80. Admit that the Bar's Auditor, Mr. Carlos J. Ruga's Report dated July 14, 2000 was made at or near the time of the regularly conducted activity to which it pertains.

ANSWER:

First Set of Admissions, Request 81. Admit that the Bar's Auditor, Mr. Carlos J. Ruga's Report dated July 14, 2000 was made by Mr. Carlos J. Ruga a person with knowledge of the activity to which the letter pertains or was made from information transmitted by a person with knowledge of the activity to which the documents pertain.

ANSWER:

First Set of Admissions, Request 82. Admit that the Bar's Auditor, Mr. Carlos J. Ruga's Report

dated July 14, 2000 was prepared by Mr. Carlos J. Ruga and kept by The Florida Bar in the course of regularly conducted activity of its business, organization, occupation or calling.

ANSWER:

First Set of Admissions, Request 83. Admit that the Bar's Auditor, Mr. Carlos J. Ruga's Report dated July 14, 2000 was made in the regular practice of the activity to which the report pertains.

ANSWER:

First Set of Admissions, Request 84. Admit that the Bar's Auditor, Mr. Carlos J. Ruga's Report dated July 14, 2000 is self-authenticated within the meaning of Federal Rule of Evidence 902(1)(B).

ANSWER:

First Set of Admissions, Request 85. Admit that all foundational requirement for the admission of Mr. Carlos J. Ruga's Report dated July 14, 2000 have been satisfied.

ANSWER:

Affidavit of Carlos Ruga dated October 30, 2001 [D.E. 53 at page 105] Attached as Exhibit "K"

First Set of Admissions, Request 113. Admit that The Bar's auditor's Affidavit dated October 30th, 2001 [D.E. 53 at page 105] is a true and authentic copy of the genuine original affidavit.

ANSWER:

First Set of Admissions, Request 114. Admit that the Affidavit of Carlos Ruga dated October 30, 2001 is a true and authentic copy of the Affidavit The Bar filed with The Referee and The Florida Supreme Court.

ANSWER:

First Set of Admissions, Request 115. Admit that The Bar's auditor's Affidavit dated October 30th, 2001 states that "Telasco gave a \$31,552.30 credit to her 8 former clients so each client would receive \$10,000.00 from the settlement."

ANSWER:

First Set of Admissions, Request 116. Admit that The Bar's auditor's Affidavit dated October 30th, 2001 states that "On or about July 19, 1999, respondent [Telasco] prepared a settlement statement in which she was to receive \$120,000.00 for attorney's fees and deducted costs in the amount of \$131,552.30 leaving a balance of \$48,447.70 to be divided between the eight (8) clients. Respondent [Telasco] credited \$31,552.30 to the clients so each could receive \$10,000.00."

ANSWER:

First Set of Admissions, Request 117. Admit that The Bar's auditor's Affidavit dated October 30th, 2001 numbering jumps from number 11 to number 38.

ANSWER:

First Set of Admissions, Request 118. Admit that number 38 of The Bar's auditor's Affidavit dated October 30th, 2001 states that Telasco is a clear present danger to the public.

ANSWER:

Dated: March 19, 2020
Respectfully submitted,

Anne Georges Telasco, Pro Se
Rochester, New York 14611
Phone: 585-201-2492
Email: agtelasco@aol.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct original of the foregoing was sent via priority mail United States Postal Service on this 19th day of March 2020 to the following: Barry Scott Richard, Esq., Karusha Young Sharpe, Esq., Greenberg Traurig PA, 101 East College Avenue, Tallahassee, FL 32301.

Anne Georges Telasco, *Pro Se*
Rochester, NY 14611

APPENDIX J

**Case 1:19-cv-22135-RS Document 69 Entered
on FLSD Docket 04/07/2020 Page 1 of 5**

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
FLORIDA**

Civil Action No.: 19-CV-22135-BB

ANNE GEORGES TELASCO,
Plaintiff,
v.

THE FLORIDA BAR,
Defendant.

**DEFENDANT'S MOTION TO STAY
DISCOVERY**

Defendant, THE FLORIDA BAR (“Defendant”), pursuant to Fed. R. Civ. P. 26(d) and the Court’s inherent powers, moves the Court for entry of an Order temporarily staying discovery until the Court rules on Defendant’s pending dispositive and substantive Motion to Dismiss Second Amended Complaint (the “Motion”). In support of thereof, Defendant states as follows:

III. CONCLUSION.

Defendant's request for stay is reasonable, and there is good cause to hold discovery until after the Court assesses the legal arguments set forth by the parties in Defendant's Motion and Plaintiff's (yet to be filed) response. Further, the relief sought herein is necessary to handle the

¹ To date, Plaintiff's discovery has been filed with the Court and stricken [Docs. 63, 64, 65], but not properly served upon Defendant.

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case in the most economical fashion, yet with sufficient time to complete discovery, if necessary, consistent with the scheduling obligations of counsel. Finally, the relief sought in this Motion is not for delay, but so that justice may be done.

WHEREFORE, Defendant requests that discovery be stayed until resolution of Defendant's pending dispositive and substantive Motion to Dismiss.

Respectfully submitted,
GREENBERG TRAURIG, P.A.
101 East College Avenue
Tallahassee, FL 32301
By: /s/ Karusha Y. Sharpe

APPENDIX K

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on FLSD Docket 05/08/2020 Page 1 of 4

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
FLORIDA

Civil Action No.: 19-CV-22135-BB

ANNE GEORGES TELASCO,
Plaintiff,
v.

THE FLORIDA BAR,
Defendant.

DEFENDANT'S REPLY TO ITS MOTION
TO STAY DISCOVERY

Defendant, THE FLORIDA BAR, hereby files its reply in further support of its Motion to Stay Discovery, [D.E. 69], and in response to Plaintiff's opposition memorandum [D.E. 74].

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on FLSD Docket 05/08/2020 Page 2 of 4

¹ The undersigned was able to locate a version of the discovery requests served by mail and withdraws the assertion that service was improper. Nevertheless, 231 Requests for Admissions regarding cases that are 18 years old is likely per se burdensome. Moreover, Plaintiff is correct that Defendant's Motion to Stay is tantamount to a request for protection from her requests. (footnote)

/Karusha Y. Sharpe
Karusha Y. Sharpe
Florida Bar No. 0540161
Barry Richard
Florida Bar No. 105599
Greenberg Traurig, P.A.
101 East College Avenue
Tallahassee, FL 32301

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed via the CM/ECF system which will serve Plaintiff via email, as consented to, this 8th day of May, 2020.

s/KARUSHY Y. SHARPE

