

## SUPREME COURT DISCIPLINES 21 ATTORNEYS

FOR IMMEDIATE RELEASE

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### **Summaries of orders issued Nov. 13 – Dec. 13, 2013**

The Florida Bar, the state's guardian for the integrity of the legal profession, announces that the Florida Supreme Court in recent court orders disciplined 21 attorneys; disbaring one, suspending 17 and publicly reprimanding three. Three attorneys received more than one form of discipline. They were also placed on probation.

As an official arm of the Florida Supreme Court, The Florida Bar and its Department of Lawyer Regulation are charged with administering a statewide disciplinary system to enforce Supreme Court rules of professional conduct for the 98,000-plus lawyers admitted to practice law in Florida. Key discipline case files that are public record are posted to attorneys' individual online Florida Bar profiles. [To view discipline documents, follow these steps.](#) Additional information on the discipline system and how to file a complaint are available at [www.floridabar.org/attorneydiscipline](http://www.floridabar.org/attorneydiscipline).

Court orders are not final until time expires to file a rehearing motion and, if filed, determined. The filing of such a motion does not alter the effective date of the discipline. Disbarred lawyers may not re-apply for admission for five years. They are required to go through an extensive process that rejects many who apply. It includes a rigorous background check and retaking the bar exam. Historically, less than five percent of disbarred lawyers seek readmission.

**Patricia Ann Arango**, 1800 N.W. 49<sup>th</sup> St., Suite 120, **Fort Lauderdale, suspended** for 30 days, effective Dec. 13, 2013, following a Dec. 5, 2013, court order. (Admitted to practice: 2001) As a non-supervisory and supervisory attorney, Arango did not identify, correct or manage an aspect of a fast-growing litigation division. That resulted in notaries notarizing signatures executed without the presence or active involvement of a lawyer. (Case No. SC13-1929)

**Karen Andrea Caco**, 568 9<sup>th</sup> St. S., Suite 283, **Naples, suspended** until further order, following a Dec. 11, 2013, court order. (Admitted to practice: 2002) Caco pleaded guilty in U.S. District Court for the Middle District of Florida and was adjudicated guilty of one count of knowing possession of immigration documents procured by false claims or statements. (Case No. SC13-2324)

**John J. Doyle**, 2400 Science Pkwy., Suite 1B, **Okemos, Mich., suspended** until further order, following a Nov. 13, 2013, court order. (Admitted to practice: 1993) Doyle is also a member of the State Bar of Michigan. According to a petition for emergency suspension, an order and records from Michigan established a substantial likelihood that Doyle would cause great public harm if he was not suspended. Doyle knowingly and improperly commingled

funds in his trust account. He was shown to have used his trust account to pay personal obligations thereby shielding personal funds from discovery by several tax agencies. (Case No. SC13-1889)

**Nathan James Dygart**, 2240 N. Pow Wow Trail, **Beloit, Wis.**, **suspended** until further order, following a Dec. 13, 2013, court order. (Admitted to practice: 2010) Dygart was found guilty by a jury of two felony counts – unlawful use of computer service and traveling to meet a minor. He was sentenced to a total of 24 months incarceration, as well as 5 years probation for Count 1 and 10 years probation for Count 2. (Case No. SC13-2327)

**Gayle Patricia Ellsworth**, 5 Cedar Pond Drive, Apt. 7, **Warwick, R.I.**, **suspended** for one year, effective immediately, following a Nov. 21, 2013, court order. (Admitted to practice: 1985) Ellsworth is also a member of the State Bar of the Commonwealth of Massachusetts and the Rhode Island Bar Association. She pleaded no contest and was found guilty of carrying a pistol without a license, a felony in Rhode Island. Ellsworth was subsequently suspended in Massachusetts for one year and one day, based on the felony conviction. Ellsworth failed to appear at her May 21, 2013, final sanction hearing. (Case No. SC13-900)

**Marlene Garcia**, 1521 Bella Vista Ave., **Coral Gables**, **suspended** effective immediately, following a Dec. 5, 2013, court order. (Admitted to practice: 1987) Garcia pleaded no contest in court to one felony count of possession of cocaine and was adjudicated guilty. (Case No. SC13-2272)

**Caryn Alina Graham**, P.O. Box 654436, **Miami**, **suspended** for 60 days, effective Dec. 13, 2013, following a Dec. 5, 2013, court order. (Admitted to practice: 2001) As a supervising/managing attorney for a law firm, Graham failed to properly manage some aspects of the fast-growing company. It resulted in numerous problems, including: failure of some attorneys to appear in court before judges in approximately 22 cases; failure to timely cancel foreclosure sales and/or failure to file a publication notice and pay the clerks fees; failure to promptly notify the court or file a substitution of lead counsel for those cases assigned to attorneys who left the law firm, and notaries notarized signatures executed outside their presence. (Case No. SC13-1931)

**Shawn Connelly Gray**, 669 S.W. Linden St., **Stuart**, **disbarred** effective immediately, following a Dec. 12, 2013, court order. (Admitted to practice: 1999) Gray pleaded guilty to four counts of use of a computer to solicit sex acts/minor, and one count of traveling to meet a parent to solicit child sex, both felonies. (Case No. SC13-1573)

**Steve D. Kackley**, 457 S. Commerce Ave., **Sebring**, to be **publicly reprimanded** by publication in the **Southern Reporter**, following a Dec. 12, 2013, court order. Further, Kackley shall be placed on **probation** for five years and sign a rehabilitation contract with Florida Lawyers Assistance, Inc. (Admitted to practice: 1975) In June 2012, Kackley was charged with DUI twice, possession of cannabis and possession of drug paraphernalia, all misdemeanors. In November 2012, he pleaded no contest to two counts of DUI and possession of cannabis. He was sentenced to time served – approximately five months, fines, costs and probation. (Case No. SC13-1933)

**Stephen Bogart Lebow**, 101 N. Ocean Drive, Suite 116, **Hollywood**, **suspended** for two

years, effective 30 days from a Nov. 21, 2013, court order. (Admitted to practice: 1979) Lebow is also a member of the New York State Bar Association. In 2001, Lebow was suspended from practicing law in New York for 18 months. The sanction was based on findings that he neglected a client, failed to promptly refund certain unearned fees, failed to communicate with the client and made misrepresentations to the disciplinary committee during its investigation of the matter. Lebow failed to timely notify The Florida Bar of his New York Bar suspension. (Case No. SC13-1634)

**Ometrias Deon Long**, P.O. Box 3119, **Winter Park, suspended** until further order effective immediately, following a Nov. 21, 2013, court order. (Admitted to practice: 1994) Long was found in contempt for failing to comply with the terms of a July 31, 2012, court order. Long was required to retain the services of a certified public accountant acceptable to The Florida Bar to review his trust account records monthly during the probation period and submit the CPA reports quarterly. (Case No. SC13-1112)

**Marlene C. Montaner**, 2250 S.W. 3<sup>rd</sup> Ave., **Miami, suspended** for 91 days, followed by two years' **probation**, effective February 24, 2014, following a Dec. 11, 2013, court order. (Admitted to practice: 1988) Montaner was found in contempt for failing to comply with the terms of an August 2008 court order directing her to comply with the terms of a rehabilitation contract with Florida Lawyers Assistance, Inc., in which she was required to refrain from using mood altering substances and participate in an abstinence-based self-help program. Montaner admitted to testing positive for cocaine. (Case No. SC13-1186)

**April Arendell Morell**, 56 E. Pine St., Suite 2, **Orlando, suspended** for 90 days, effective Dec. 20, 2013, following a Dec. 5, 2013, court order. Upon reinstatement, Morell shall continue her probation pursuant to a July 25, 2011, court order. (Admitted to practice: 2006) Morell received a 45-day suspension and three years' probation in October 2010. She was also required to enter into a contract with Florida Lawyers Assistance, Inc., Morell subsequently violated the terms of her Florida Lawyers Assistance, Inc. contract by testing positive at least twice for alcohol. (Case No. SC12-2183)

**Stanley Howard Orner**, 2000 Glades Road, Suite 312, **Boca Raton, suspended** for 30 days, effective 30 days from a Dec. 5, 2013, court order. Further, Orner shall attend ethics school. (Admitted to practice: 1994) Orner agreed to reduce a client's bill and during a subsequent telephone conversation regarding their billing dispute, Orner made several inappropriate remarks to the client. He also sent an email to the woman encouraging the woman to pay her bill and he talked to the press about the client's financial situation. Another client received threatening emails and phone calls from Orner. (Case No. SC12-1493)

**Eric Andres Pinaluga**, 101 Puglieses Way, Fl. 1, **Delray Beach, to be publicly reprimanded** following a Nov. 21, 2013, court order. (Admitted to practice: 2001) Pinaluga represented a client in a personal injury case. After receiving the settlement funds, Pinaluga attempted to negotiate a reduction of medical fees with the doctor without success. The client decided to negotiate directly with the doctor. Pinaluga failed to hold any portion of the settlement in his trust account due to the dispute. He also failed to interplead them to the court. Instead, he remitted the funds to the client. (Case No. SC13-1021)

**John Alvin Ramsey, Jr.**, P.O. Box 6063, **Gainesville**, to receive a **public reprimand** to be administered by the designated reviewer, with Ramsey appearing before the Eighth Judicial Circuit Grievance Committee "A," following a Dec. 5, 2013, court order. Further, Ramsey is placed on **probation** for one year. (Admitted to practice: 2008) Ramsey made inappropriate comments to clients, particularly indigent female clients confined in jail, which have interfered with the attorney-client relationship. On one occasion, Ramsey expressed a romantic interest in a client and offered to waive his fee if she agreed to date him after her release. (Case Nos. SC12-2596 & SC12-2606)

**Kamika Victoria Rubin**, 4399 35<sup>th</sup> St. N., Fl. 3, **St. Petersburg**, **suspended** until further order, following a Nov. 21, 2013, court order. (Admitted to practice: 2010) Rubin was found in contempt for failing to respond to an official Florida Bar inquiry. The Bar received a complaint from a client alleging that Rubin had more than \$6,500 of the client's funds and failed to communicate with her regarding the status of her case. The client subsequently retained new counsel. Rubin also failed to fully respond to a subpoena requesting the client's file and trust account records. (Case No. SC13-1387)

**Lance John Ruffe**, 2332 Galiano St., Suite 264, **Coral Gables**, **suspended** for 91 days, effective 30 days from a Nov. 21, 2013, court order. (Admitted to practice: 1999) Ruffe was found in contempt for failing to comply with the terms of an April 16, 2013, suspension order. Ruffe was required to notify his clients, opposing counsel and tribunals of his suspension and provide to The Florida Bar, within 30 days of his suspension, a sworn affidavit listing the names and addresses of all persons and entities that received a copy of his suspension order. Ruffe also failed to provide proof to The Florida Bar that he had scheduled an evaluation with Florida Lawyers Assistance, Inc. (Case No. SC12-1442)

**Bruce E. Warner**, 4000 Hollywood Blvd., Suite 555, **Hollywood**, **suspended** for 90 days, effective 30 days from a Nov. 21, 2013, court order. (Admitted to practice: 1983) Warner was retained by a client and accepted \$7,500 to file a possible modification of alimony petition. At the time, Warner knew or should have know that based on the final judgment of dissolution of marriage entered in the case, the alimony was unmodifiable. In another case, Warner represented a couple in a family law case. He failed to appear at a scheduled hearing, failed to prepare documents for the hearing and failed to notice the husband to appear. The wife notified the court that she had trouble communicating with Warner. Warner also failed to return the call of the magistrate presiding over the case. (Case No. SC13-1616)

**Max Ricardo Whitney**, 494 W. Hillsboro Blvd., **Deerfield Beach**, **suspended** for one year, effective Jan. 18, following a Dec. 5, 2013, court order. (Admitted to practice: 1996) Whitney was hired to provide immigration and legal advice to a client. He failed to communicate with the client and provide adequate representation. In subsequent litigation with the client, Whitney was uncooperative in scheduling hearings, failed to timely produce requested documents and testified falsely at a deposition. (Case No. SC11-1135)

**Paul Bradford Woods**, 1221 Brickell Ave., Fl. 9, Suite 900, **Miami**, **suspended** for 90 days, effective 30 days from a Dec. 5, 2013, court order. (Admitted to practice: 1981) Further Woods shall also attend a professionalism workshop. Woods was retained to

represent clients in a foreclosure sale matter. After a scheduled hearing at which Woods and the debtors convinced the trial court to discharge the debt owed to the bank, an appeals court reversed the decision. The court found that the debtors engaged in fraudulent conduct and Woods' defense of the debtors on appeal was frivolous. (Case No. SC13-383)