

The following is a real-time transcript taken as closed captioning during the oral argument proceedings, and as such, may contain errors. This service is provided solely for the purpose of assisting those with disabilities and should be used for no other purpose. These are not legal documents, and may not be used as legal authority. This transcript is not an official document of the Florida Supreme Court.

The Florida Bar v. Ronald Leon Bloom

SC06-1025

THE NEXT CASE ON THE CALENDAR THIS MORNING IS THE FLORIDA BAR, RONALD LEON BLOOM.

SCOTT TOZIAN GLEFSH HIEFRNG OENL BEHALF OF MR. BLOOM WHO IS BEFORE THE COURT THIS MORNING, THIS IS A CASE, OF SERIOUS ATTORNEY MISCONDUCT!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!MISCONDUCT, WHERE MR. BLOOM DEBILITATING DRUG ABUSE, CAST OUT ON THE KNOWING INTENTIONAL NATURE OF THE MISCONDUCT THAT HE COMMITTED IN THE CASE, THAT IS THE STANDARD THIS COURT UNSTATED!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!UNSTATED -- SO THAT WHAT DID YOU SAY BECAUSE OF HIS ABUSE I DIDN'T HEAR THE WORD, AFTER THAT.

I DIDN'T HEAR I'M SORRY.

WELL YOU SAID, HE HAD THIS -- PERVASIVE ADICTION, AND --

YES, MA'AM.

YES, KNOWING AND INTENTION!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!INTENTIONAL.

CAST DOUBT.

THAT WAS CATCH PHRASE IN MARTINEZ GENOVA CASE DECIDED LAST DECEMBER BY THIS COURT BUT YOU CAN SEE IF THE RECORD THERE IS A CAUSAL CONNECTION BETWEEN THE DRUG ADICTION!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!ADICTION -- AND THE MISCONDUCT!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!MISCONDUCT.

THE JUDGE DID NOT THE REFEREE DID NOT FIND THAT THE ADDICTION PREVENTED THE MR. BLOOM FROM ENGAGING IN VERY CALCULATING, KNOWING, INTENTIONAL CONDUCT ON AN ONGOING BASIS, THAT DIRECTLY HARMED MANY, MANY CLIENTS -- DID THE REFEREE FIND DIFFERENTLY!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!DIFFERENTLY.

I DISAGREE WITH THAT I THINK HE DID HE SAID THE ONLY PATENT EXPLANATION FOR BEHAVIOR DRUG ADICTION.

THAT IS DIFFERENT THING I MIGHT HAVE A SHOPPING FETISH!!\$\$!!!!!!!!!!!!!!!!FETISH, AND I YOU KNOW SO I OUT OF CONTROL THAT IS THE ONLY EXPLANATION, BUT, THAT DOESN'T MEAN WHOA I'M DOING ISN'T INTENTIONAL DEATH PENALTY CASES ALL THE TIME WE'VE GOT PEOPLE DRUG ADICTIONS!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!ADICTIONS, AND THEY KILL, BECAUSE THEY WANT MONEY FOR FOR DRUGS, NONE OF THOSE CASES HAVE EVER BEEN HELD NOT -- SIMPLY KNOWING INTENTIONAL CONDUCT --

WHEN -- WITH THE LINE KADZ CONSISTENTLY SAID DEGREE OF CULPABILITY IS AFFECTED BY THE JUDGMENT BEING DIMINISHED BY DRUGS.

NOW TALK WHETHER IT IS HOW MITIGATING OR IF IT SHOULD BE MITIGATING IN THIS CASE.

THAT IS RIGHT, IN NO WAY ARE WE SAYING EXCUSE IN THIS CASE, AS YOU CAN SEE FROM OUR BRIEF WE ARE RECOMMENDING MITIGATED BUSINESS BARMENT TO THREE-YEAR SUSPENSION MOST WILL HE THEE SUSPENSION THIS COURT HANDS TOWN.

YOU ARE SAYING THIS WASN'T INTENTIONAL CALCULATING!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!CALCULATING, MISCONDUCT -- ON MR. BLOOM'S PART -- AND I\$\$!!!!I --

WHAT THE REFEREE SAID WAS THAT -- THINKING LOGIC STRICTLY DRIVEN BY IMPAIRED MIND RECOGNIZE LSLEYS UNSOUND JUDGMENT I DON'T KNOW HOW ELSE YOU CAN EXPLAIN THAT THIS CONDUCT WOULD NOT HAVE OCCURRED, BUT FOR THE DRUG USE, AND THAT IS THE MITIGATION, NOT AN EXCUSE, BUT THE MITIGATION. AND THE WINS IN THE CASE -- WITNESSES EIGHT JUDGES EX SUPREME CIRCUIT COURT JUSTICE CHIEF JUDGE 4th CIRCUIT STARTED DRUG COURT PROGRAM - - ARRAY OF PEOPLE SAID THIS A MAN CAN BE REHABILITATED THIS SOMEBODY FOR 30 YEARS, HAD A DISTINGUISHED PRACTICE, AND AS A REFEREE FOUND, ALL THE WITNESSES AGREE THAT IT WAS DIRECT RESULT MISCONDUCT BY!!\$\$!!BY --

I GUESS MY PROBLEM IS WITH THAT, IS EVEN SOMEONE WHO IS DISBARRED WHICH IS A FIVE YEAR -- THIS BEFORE THEY COME BACK, THEY HAVE ALSO TO SHOW REHABILITATION, AND TO ME THE SERIOUSNESS OF AND THE NUMBER OF THE SERIOUS ACTS IN THIS CASE SEEM TO SUPPORT DISBARMENT BASED ON ALL OF OUR CASE LAW.

OH HE I RESPECTFULLY DISAGREE, IF YOU LOOK AT THE TALLER CASE, TALLER, THE RESPONDENT!!\$!!!!!!!!!!!!!!!!!!!!!!!!RESPONDENT, MISAPPROPRIATED 56,000 DOLLARS IN THREE MISAPPROPRIATIONS FIVE-MONTH PERIOD!!\$!!!!!!!!!!!!!!!!PERIOD, THIS COURT SAID WE FIND THE DISTINCTION BETWEEN CONTINUOUS MISAPPROPRIATION OVER LONG PERIOD OF TIME, AS IN CORRESPOND ONNAS TOOK 125,000 DOLLARS, FROM HAVE HIS \$FAMILY'S ESTATE OVER A 3-YEAR PERIOD, AND THE TRAVIS CASE OVER 2-YEAR PERIOD HE TOOK 35,000 DOLLARS OUT, THEY SAID WHEN YOU HAVE INSTANCES WHERE IT IS RELATIVELY FEW INSTANCES, WHICH IN THIS CASE THAT IS WHAT WE HAVE IF YOU LOOK AT THE RECORD.

WHAT WAS THE PERIOD HERE?

WELL, THE MISCONDUCT WAS OVER A TWO-YEAR PERIOD, BUT IT IS PROGRESSAL IT STARTED OUT IN 04, F WITH THE BASC AS THE HEATH \$CASE AS BEING LACK OF COMMUNICATION THOSE TYPES COMPLAINTS THEN INTO THE LOANS WHICH THE BAR HAS CONCEDED WOULD NOT MAKE IT A DISBARMENT CASE THEN EVENTUALLY!!\$!!!!!!!!!!!!!!!!!!!!!!!!EVENTUALLY, IN OCTOBER OF 05, RIGHT NEAR THE END, YOU CAN SEE PROGRESSION OF THE CONDUCT GETTING WORSE WHAT HE BORROWED MONEY FROM MISS FERNANDEZ 5,000 DOLLARS AND THEN, TOOK THE 7,000 DOLLAR EXCUSE ME 10,000 -- 10750 FROM MR. COLBERT, SO THE ONLY.

COLBERT ONE THAT IS THE ONE THEY WENT TO THE.

CHECK CASHING, SO IF OKAY.

THAT WAS AT THE VERY BOTTOM!!\$!!!!!!!!!!!!!!!!BOTTOM.

WHAT IS THE DIFFERENCE BETWEEN THAT SITUATION, AND TAKING MONEY FROM A TRUST ACCOUNT?

I DON'T THINK THERE IS REAL DISTINCTION THERE.

AND REGARDLESS OF ANY -- ISSUES WITH DRUG ABUSE, HAVEN'T WE SAID WHEN YOU TAKE MONEY FROM A TRUST ACCOUNT THAT IN ITSELF, IS A DISBARMENT OFFENSE.

PRESUMPTIVELY SO, YES, SIR IN MY POSITION IS OUR POSITION IS, THAT THE CASE LAW SUPPORTS MITIGATE \$ING THAT, BECAUSE OF THE EXTENT OF HIS ADDICTION, RECORD IS REplete WITH THAT THE REFEREE SUPPORTS, THAT ACTUALLY!!\$!!!!!!!!!!!!!!!!ACTUALLY, HIS FINDINGS, IN TERMS OF THE EXTENT OF THIS MAN'S ADDICTION, SUPPORTS MITIGATION SUPPORT A SUSPENSION!!\$!!!!!!!!!!!!!!!!SUSPENSION, AND YET, HE FOUND THAT HE SHOULD BE DISBARRED BECAUSE HE SHOULD FOCUS ON RECOVERY WHICH IS NOT A STANDARD THIS COURT EVERY USED.

IS THAT THAT IS JUST LOOK AT THE REASONS SOMEONE MIGHT STEAL FROM THEIR CLIENTS, ONE MIGHT BE THE SUPPORT LAVISH LIFESTYLE AND THEN YOU HAVE NO MITIGATION, THE OTHER MIGHT BE, AND YOU KNOW, ONE OF THESE -- SOMEONE IN YOUR FAMILY, HAS EXPENSIVE MEDICAL TREATMENT THAT IS NEEDED, AND THAT IS WHY YOU DO IT. IS THERE -- THE PROBLEM THAT I HAVE WITH WHETHER THIS SHOULD MITIGATE, AGAINST THE DISBARMENT, IS THAT THE TESTIMONY OF THE PERSONS FROM -- HOW HE KNEW FOR YEARS HE HAD ADDICTION.

YES, MA'AM, AND HE REALLY NEVER MADE HE WOULD MAKE -- ATTEMPTS!!\$!!!!!!!!!!!!!!!!ATTEMPTS, TO GET TREATMENT, BUT NONE OF THEM THE WAY I READ THE RECORD WAS REALLY SERIOUS ATTEMPTS, I MEAN AND I COULD SEE IF THIS I KNOW HIS WIFE DIED, TRAGICALLY OF BRAIN CANCER BUT THAT WAS YEARS BEFORE. TO ABOUT THE SPIRALING THAT WAS GOING ON, AND JUST SEEM TO ME THAT WHEN WE ARE LOOKING AT AS I SAID THAT, WE WILL IMPOSE DEATH PENALTY FOR SOMEBODY THAT WOULD KILL, THIS IS -- ADDICTION BUT KILL KNOWINGLY I HAVE A HARD TIME UNDERSTANDING HOW WE ARE GOING TO EXCUSE A LAWYER WHO STILL WAS CAPABLE OF UNDERSTANDING WHAT HE WAS DOING, AND INSTEAD OF GETTING TREATMENT, AND SAYING SOMEONE HAS GOT TO PUT ME IN THERE, I CANNOT PRACTICE ANYMORE, HE JUST CONTINUES TO -- TO STEAL FROM HIS CLIENTS, BIZARRE ACT OF TAKING THE ARTWORK, I DON'T SEE GIVEN THE PERVASIVE NATURE OF IT, AND HIS HISTORY THAT THIS IS THE KIND OF MITIGATION THAT WOULD MITIGATE AGAINST DISBARMENT.

IF I COULD, ADDRESS, THAT AGAIN THE TWO CLIENTS, FOR WHOM ARGUABLY HE STOLE WERE

MISS FERNANDEZ, OCTOBER 15, '05, AND MR. COLBERT, JANUARY 13, '06, VERY BRIEF PERIOD OF TIME. WHERE THE CLIENTS MONEY WAS TAKEN FROM THEM, AND FERNANDEZ SHE GAVE IT TO HIM, HE SAID, I WON'T GIVE YOU YOUR MONEY IF YOU DON'T GIVE ME LOAN SHE NEW ABOUT IT THAT IS -- THAT SHOULD TELL YOU THE DEGREE OF THE IMPAIRMENT OF HIS MIND THAT HE COULD TELL HIS CLIENT THAT NOT THINK SHE WAS GOING TO COMPLAIN, I THINK THAT SUPPORTS HOW DIMINISHED HIS CAPACITY WAS, BUT, TO ANSWER YOUR QUESTION ABOUT HOW HE COULD KNOW HE HAD THIS PROBLEM AND NOT ADDRESS IT. JUDGE OPEN TESTIFIED THIS A DISEASE NOT LACK OF SELF-CONTROL DR. GREENFIELD SAID MOST COMMON FORM OF FAILURE IN ADEQUATE TREATMENT THAT IS WHAT YOU SEE HISTORY OF YOU SEE HISTORY OF TWO WEEK RESIDENTIAL TREATMENTS, WHICH DIDN'T ADEQUATELY ADDRESS IT DOCTOR JUDGE ARNOLD TALKED FURTHER BEEN INVOLVED IN DRUG COURT HOW DIFFERENT PEOPLE HAVE A DIFFERENT -- AT THE TIME OF THE -- ORDER, AT THE TIME OF THE REFEREE'S ORDER, THE REFEREE DID NOT HAVE THE BENEFIT OF OUR DECISION IN MARTINEZ GENOVA!!\$!!!!!!!!!!!!!!GENOVA; IS THAT CORRECT?

I THINK THAT IS CORRECT.

THE ORDER WAS OCTOBER 2006, IT SEEMS TO ME, FROM.

I BELIEVE TAKES CORRECT YES, SIR.

CAN YOU EXPLAIN THE FACTS IN MARTINEZ GENOVA WHY YOU THINK THEY RELEVANT TO THIS CASE.

YES YOUR HONOR, WHAT IN MARTINEZ GENOVA SHE RECEIVED MONEY IN FEBRUARY OF 04, AND WITHIN THREE, 8,000 DOLLARS WITHIN THREE DAYS, SHE DISPERSED THAT MONEY, MONEY SHE WAS SUPPOSED TO HOLD FOR FINANCING A FEE FOR -- TWO WEEKS LATER GETS ANOTHER 52000 DOLLARS!!\$!!!!!!!!!!!!!!\$52,000, AND SHE DISPIERS ALL THAT MONEY WITHIN TWO WEEKS, HAS A NEGATIVE BALANCE IN HER TRUST ACCOUNT. THE KEY TO MARTINEZ, CASE, GENOVA CASE SHE ACCORDING TO THE COURT TOOK BAR EXAM DURING THIS TIME SUPPOSEDLY IMPAIRED 16 HOURS OF SITTING OVER THAT, I THINK, INDICATES SOME CLARITY OF MIND, AND ALSO TRIED A COMPLICATED CASE DURING THAT TIME I THINK MORE IMPORTANTLY, SHE ONLY HAD BEEN A LAWYER FOR LESS THAN A YEAR, SO THERE WAS NO BASELINE TO LOOK AT, AS IN THIS CASE, 30 YEARS -- AND SAY THIS SOMEBODY WHO CAN BE REHABILITATED!!\$!!!!!!!!!!!!!!REHABILITATED, SO SHE -- SHE GETS THE MONEY TAKES IT RIGHT AWAY IN THAT CASE, SHE IS A YOUNG LAWYER HAS NO REAL REPUTATION ESTABLISHED PASSES THE BAR AND RACE TO A COMPLICATED CASE WHICH SUGGESTED THAT ADDICTION WASN'T -- BAD AS EE.

IN MARTINEZ GENOVA AS I RECALL DID RESPONDENT HAVE A HISTORY OF SEXUAL ABUSE OR PHYSICAL ABUSE WITH HUSBAND OR SOMETHING LIKE THAT?

IN MARTINEZ GENOVA I DON'T BELIEVE THAT IS THE CASE NO SHE HAD THREE ARRESTS FOR COCAINE USAGE, NOW IN TALLER CASE HER HUSBAND'S ABUSIVE TO HER -- CASE I TALKED ABOUT THE -- WHERE JUST -- A COUPLE OF MISAPPROPRIATIONS 50,000 DOLLARS OVER A FEW MONTHS, THE COURT SAID, THAT IS BETTER THAN CONSISTENTLY OVER TWO OR THREE YEARS, THAT IS -- PARALLEL WE HAVE IN THIS CASE IS THAT FERNANDEZ, ONE AND THE COLBERT, 10700, HAPPENED IN VERY BRIEF PERIOD WHEN HE ABSOLUTELY --

MR. TO SEE AN!!\$!!!! TOZIAN COULD ASK A GENERAL SKEPTICAL QUESTION.

YES, SIR.

CONCEPTUAL QUESTION HOW DOES THIS FIT INTO THE GENOVA THAT GENTLEMAN A SELL!!\$!!!!!!!!!!SELLER A COMMUNITY PERSON WE SAID SOMETHING TO THE EFFECT THAT YOU DON'T BUILD UP AN ACCOUNT, THAT PERMITS TO YOU STEAL FROM YOUR CLIENTS, IS, IS WHAT YOU ARE SAYING IN CONFLICT WITH THAT? I UNDERSTAND THIS GENTLEMAN HAD A DISTINGUISHED CAREER, BUT I LOOK TO -- TO CORONAS, I SEE THAT DOES NOT EVEN REALLY DOESN'T MITIGATE IT EVEN.

YOU ARE RIGHT, AND, NO BECAUSE -- -- CAREER IS TO TELL YOU THAT -- THERE IS A BASELINE THAT IS REALLY -- IN WHICH WE CAN -- SHOW REHABILITATION IN CORONAS THERE, WAS THE DECISION.

RIGHT BUT THERE WAS TREMENDOUS, TREMENDOUS BASELINE MAIN THE MAN INVOLVED IN EVERY CHARITABLE -- BOARD OF GOVERNORS, ABSOLUTELY!!\$!!!!!!!!!!!!!!ABSOLUTELY, I KNOW THAT IS CORRECT, BUT THERE WAS ABSOLUTELY NOTHING TO MITIGATE THIS CULPABILITY.

WHY NOT?

AND THINK -- THERE IS A DIFFERENCE BETWEEN -- AND --A LAWYER -- [INAUDIBLE]THE COURT -- ARE, INVESTIGATION!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!INVESTIGATION -- ALL RIGHT WE ARE GOING TO GIVE YOU THIS PERK -- THIS COURT AND,CONTINUOUSLY HELD THAT THE TRUST THAT IS GIVEN TO A LAWYER A PERSON WHO HAS BEEN ADMITTED TO THE BAR, IS -- SPECIAL, IT IS ACCEPTING SAL TRUST -- EXCEPTIONAL TRUST, TO ANY OTHER PROFESSION, OUR -- SO THEN -- THE STANDARD THAT WOULD BE APPLICABLE TO NEW ADMITE IS DIFFERENT FROM SOMEONE ALREADY GRANTED THE PRIVILEGE IF THE VIEW -- IF YOU HAVE BEEN GIVEN THIS SPECIAL -- TRUST, YOUR CLIENT IS COME TO YOU, EXPECTATION THAT EVERYTHING THAT YOU DO WILL BE TRUSTED,AND IT IS -- NOT A RIGHT YOU DON'T JUST PAY APPLICATION FEE AND BECOME A LAWYER -- LET ME ASK YOU THIS, APPARENTLY WHAT WE ARE TALKING ABOUT HERE IS THE DIFFERENCE BETWEEN DISBARMENT, AND THREE-YEAR SUSPENSION!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!SUSPENSION. YES, SIR.

WHICH IS THE CLOSEST YOU CAN GET WITHOUT DISBARMENT, SO EXPLAIN WHY THIS IS A DISBARMENT CASE INSTEAD OF A THREE-YEAR SUSPENSION CASE. ALL RIGHT -- THIS COURT HAS CONTINUOUSLY HELD THE -- THAT THE CLIENT -- FUNDS, AND, PRESUMPTION IS THAT -- MR. -- PRESUMPTION IS DISBARMENT -- THE QUESTION IS WHY ARE WE GOING TO DIFFERENTIATE THIS CASE WHY SUSPENSION CASE, AND I WAY THAT WE CAN LOOK AT IS THAT -- ALL CASES, THAT WE CITED -- IN BRIEF, STILL INDICATE CIRCUMSTANCES -- THIS CASE -- THIS ONE OCCASION CITE BLI TOZIAN TALLER CASE, THIS IS ONE, THAT -- A DOCTOR, \$\$!!!! -- WHO MENTALLY ABUSED HER -- FORCED HAVE HER TO TAKE -- THIS COURT -- LOOKED AT THE CIRCUMSTANCES, AND SAID EXCEPT FOR THE PROFESSIONAL -- [INAUDIBLE]THE ROSEN CASE THE BROWN CASE YOU LOOK AT THE EXCEPTIONAL CIRCUMSTANCES, THAT ARE IN THOSE CASES, WHERE THE COURT CHOSE TO -- NOT DISBARR -- ATTORNEY, LOOK AT THIS CASE, IN THOSE CASES THERE IS THREE THINGS THAT JUMP OUT AT YOU ONE OF THEM IS THAT THE ALTERNATIVE!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!ALTERNATIVAL -- ETERNAL -- TRACKAL LAW -- THAT -- CONTINUED ADDICTION -- THEY VOLUNTARILY WENT TO REHABILITATION!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!REHABILITATION -- CRIMINAL CONVICTION!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!CONVICTION -- THEY START PRACTICING LAW, THEY -- AND THESE ARE NOT PRESENT IN THIS CASE.THE RECORD IN THIS CASE THIS IS BASICALLY A DAY AND HALF MITIGATION!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!MITIGATION -- THE AND -- TO ALL THE FACTS IN THE CASE ALL THE -- ALL THE VIOLATIONS!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!VIOLATIONS, THE REFEREE COMES IN -- THIS -- TESTIMONY THE JUDGES MENTAL HEALTH PEOPLE, AND THEN HE MAKES A FINDING THAT BASED UPON THE CONCLUDE!!\$\$!!!!!!!!!!!!THE FACTS THE VIOLATION IN THIS CAR IS SO EGREGIOUS!!\$\$!!!!!!!!!!!!!!!!!!!!EGREGIOUS, THAT I AM GOING TO RECOMMEND -- DISBAR, AFTER CONSIDERING ALL THE MITIGATING CIRCUMSTANCES, AND ALL THE AGGRAVATING -- AGGREGATING CIRCUMSTANCES.

CAN I ASK A QUESTION THEY HAVE -- APPEALED THE FAILURE TO SPECIFICALLY FUND HIS DRUG ADDICTION AS A MITIGATION!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!MITIGATION.EVEN IF THAT WERE FOUND WOULD THAT CHANGE EVERYTHING THAT YOU ARE YOU JUST ARE ARGUING? .

-- [INAUDIBLE] THAT THE REFUGEE RAE -- TWO MITIGATING FACTORS, IF YOU LOOK AT -- LIKE I EXPLAINED BEFORE THAT IS MITIGATION HEARING, AND THE REFEREE FOUND SENTENCES!!\$\$!!!!IVE REPORT -- EXTENSIVE REPORT CONTAINING ALL THE FACTS AND ALL -- EVIDENCE THAT WAS PUT FORTH BY THE WITNESSES.

SO THIS IS A CASE WHERE ADICTION CAUSED THE MISCONDUCT!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!MISCONDUCT, BUT IT COULD ALSO SERVE TO MITIGATE THE MISCONDUCT!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!MISCONDUCT; IS THAT CORRECT? SO IN WEIGHING THAT I GUESS IN ANSWER TO WHAT JUSTICE CONCANTERO WAS SAYING WAS THERE ANY OTHER REASONS THAT HE DEBT VOLUNTARILY PUT HIMSELF INTO REHAB THAT HE DIDN'T MAKE RESTITUTION, ARE THOSE THE OTHER FACTORS THAT WE SHOULD CONSIDER?

YES, MA'AM, AND, LOOK AT DR. BLOOM'S CONDUCT FOR THESE -- YEARS, AS THIS COURT -- POINTED OUT, THAT IN THE MIDDLE OF THIS -- HE WAS -- COCKCAGE!!\$\$!!!!!!!!!!!!!!!!!!!!A COULD CONTAIN CHARGE,!!\$\$!!!!!!!!!!!!!! -- A COCAINE CHARGE, A DISPOSITION!!\$\$!!!!!!!!!!!!!!!!!!!!DISPOSITION,

WHICH REQUIRED HIM TO -- TO -- SOME TYPE OF-- [INAUDIBLE]IN THE MIDDLE OF THIS REHABILITATION!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!REHABILITATION, MR. BLOOM'S -- COUNSEL, SAID ON THE -- SENT A RECORD TO HIS ATTORNEY WHICH JUST ECHOED THAT EVERYTHING MR. BLOOM'S WITNESSES THE REFEREE SAID MR. BLOOM -- REHABILITATION,GOING TO A 12-STEP PROGRAM, ATTENDING AA MEETINGS, HE HAD -- HE HAD NEW APPRECIATION FOR PRACTICE OFLAW AND HE HAD SEVERAL COMPLICATED WORKERS COMP CASES.IT WAS A -- BREAK FROM FEBRUARY, TO -- WHERE HE -- AND HIS OWN COUNSEL SITS THERE AND -- THIS MAN IS -- THE RECORD HE GETS ARRESTED,HE HAS KNEE-JERK REACTION GOES TO ROOB HABITUALTATION REHABILITATION!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!REHABILITATION, SUSPENDED GOES TO REHABILITATION -- -- DURING THE TWO-YEAR PERIOD WAS HE FUNGING AS FUN!!\$\$!!!!FUNNIONING AS A LAWYER, IN OTHER WORDS WAS REPRESENTINGCLIENTS HE WAS GOING TO -- HE ADMITTED IN THE HEARING THAT HE -- PRACTICE OF LAW. HE WAS MAKING MONEY?

YES, MA'AM, THE CHOICE --THAN TO BUY A CAR I'M GOING TO BUY DRUGS.THE COURT -- THE REFEREE ACKNOWLEDGED IT AND SAID A CHOICE OF LIFESTYLE. I THINK THAT THERE IS WHERE THOSE WHO UNDERSTAND ADICTION MIGHT SAY THIS IS FURTHER SYMPTOMATIC OF A SERIOUSLY ILL PERSON, BECAUSE ANY RATIONALE PERSONISN'T GOING TO LOSE EVERY ASSETS THEY HAVE EVER HAD PRESIDENT BUT THE QUESTION HOW ON DAY-TO-DAY BASIS HE APPEARED TO -- HIS COWORKERS,WHAT WAS THE OUTWARD APPEARANCE OF -- HE CONTINUED HE WAS A WORKERS COMP SPECIALIST HE CONTINUED TO RUN HIS -- CLIENTS!!\$\$!!!!!!!!!!!!CLIENTS, WORKERS COMP SETTLECASES HAD TO SETTLE CASES HAD TO WORK TO -- THIS IS WHERE HE WAS GETTING HIS MONEY.NOW -- NOT ONLY GETTING FEESHE WAS -- FROM HIS CLIENTS THROUGH -- SETTLEMENTS -- COMING IN MR. BRILL, WAS WORKING EVEN HIS DOCTOR, DR.GREENEVILLE SAID -- [INAUDIBLE]OF A FUNNIONING, ADDICT, HE STILL MANAGED TO PULL IT OFFSTILL MANAGED TO PULL OFF, THE ABILITY TO PRACTICE LAW.

WAS THERE -- I KNOW THAT THERE IS A-- CLAIM HERE, THAT HE STILLOWES THE FINANCE COMPANY THAT HE HAD TO DEAL WITH ALLOF THIS MONEY, BUT ALL OF THIS OCCURRED DURING THE SAME TWO-YEAR PERIOD.

YES, MA'AM. AND SO, HE WAS ACTUALLY GETTING THE FEES THAT HE FROM HIS CASES, THAT HE WAS SUPPOSED TO TURN OVER, TO THIS FINANCE OR BANK -- AND,BUT HE WAS KEEPING IT. HE HAD -- ENTERED INTO CONTRACTS WITH COMPANY OUT OF NEW YORK CALLED CYBERCEL -- THIS -- THESE CASES CAME RIGHT AFTER HIS REHABILITATION EFFORTS AS A RESULT OF THE DRUG AREST.AND THESE CASES -- ENTERED INTO THE CONTRACT, HE -- SOUGHT THEM OUT THEY DID NOTSEEK HIM OUT, HE RECEIVED, HIS FEE, THESE WERE COURT APPROVED FEES FROM THE CONSULTATION -- HE WAS RECEIVED HIS FEES SETTLED CASES, GAVE HIS -- THIS OTHER -- WAS FWEVEN TO HIM IN TRUST THIS WAS EVEN GO HIM IN TRUST SOMEBODY \$\$ELSE'SPROPERTY HE HAD GIVEN UP ANYRIGHT TO THIS PROPERTY, HE HAD -- CFS, ALL -- MY REAL POINT HERE IS THAT THESE CASES, WERE WORKED ON, AND COMPLETED DURING THE TIME THIS TWO-YEAR PERIOD, THAT WE ARETALKING ABOUT.

AND ANOTHER THING I FIND. WAS THAT A YES TO JUSTICEQUINCE!!\$\$!!!!!!!!!!!!QUINCE? O THIS ALL IN A TWO-YEAR PERIOD!!\$\$!!!!!!!!!!!!PERIOD. THIS CASES WORKING ON THESE CASES UP TILL THE TIMES FOUND -- 2005. JUSTICE CANTERO HAD A QUESTION.

YES INSPIRE WHAT WAS THE EVIDENCE ABOUT WHETHER -- WHEN HE WAS TAKING DRUGS HE WAS TAKING DRUGS DURING THE WORKDAY AND GOING TO COURT OR -- VISITING WITH CLIENTS? WHEN HE HAD BEEN INGESTING DRUGS OR A WEEKEND THING OR -- WHAT IS THE EVIDENCE? YOUR HONOR, THAT IS -- TESTIMONY, I DON'T HAVE THE RECORD -- MR. BLAIN -- SAY IT WAS -- ADDICTION, HE HAD 20 YEAR ADICTION, THE LAST TWO YEARS -- APPARENTLY CAUGHT UP WITH IN MY SOMETIMES WE SEE CASES WHEREA JUDGE REPORTS SOMEBODY TO THE BAR, AT LEAST EXPRESSES CONCERN, BECAUSE SOMEBODY ISSHOWING UP TO COURT, AND INTOXICATED SOMETHING LIKE THAT, THOSE WE DON'T HAVE THOSE KINDS OF FACTS.

THERE WAS TESTIMONY FROM AN ATTORNEY -- REMITTED -- CFS, THAT THEY CALLED IN REGARDS TO THE RESTITUTION THAEFRTS WERE BEING MADE, EFFORTS THAT WERE BEING MADEAS PART OF -- RELATED TO -- MR. BLOONL!!\$\$!!!!M WAS INVOLVED IN DURING THE COURSE OF THE DEPOSITION!!\$\$!!!!!!!!!!!!!!!!DEPOSITION, IN A CASE THEY HAD -- WHY WOULDN'T THREE-YEAR SUSPENSION BE JUST AS ADEQUATE TO PROTECT THE PUBLIC AND YET SEND OUT A STRONG SIGNAL OF CONDEMNATION OF THIS CONDUCT?

YOUR HONOR, I THINK THE FACTS!!\$\$!!!!!!!!FACTS, I THINK THE PROBLEM HERE IS WHAT JUSTICEFIES DISBARMENT, THAT IS THIS IS NOT AN ACCEPTINGSAL CASE, NOT EXCEPTIONAL CASE THAT ISSTANDARD CASE FOR A LAWYER, THE TRUST NOT ONLY HIS CLIENTS!!\$\$!!!!!!!!CLIENTS, BUT PEOPLE THAT HE DEALT WITH ON THE OUTSIDE, ITHINK, THIS COURT HAS RULED THAT THE MAJORITY OF THE TYPES OF CASES THESE TYPES OF CASES RESULT IN DISBARMENT THE REASON IS THAT VIOLATION OF THE TRUST,THE OTHER PROBLEM WE HAVE ISTHAT -- TO THE REFEREE, WHENBELIEVE BLOOM WAS -- FOR SUSPENSION!!\$\$!!!!!!!!!!!!!!!!SUSPENSION, THAT HERE IS AN EXAMPLE OF SOMEBODY THAT CANBE REHABILITATED AND COME BACK AND BE AN ASSET TO THE BAR, BUT THE OTHER SIDE OF THAT STORY IS THAT OKAY, IF MY ADICTION IS SEVERE ENOUGH I CAN DO ANYTHING I WANT I CAN -- ANY WAY I CAN STEAL AS MUCH MONEY AS I WANT TO DO BUT IF I AM SO HOPPED UP ON COCAINE!!\$!THAT I CAN ARGUE THIS WAS NOT INTENTIONAL I'MONLY GOING TO LOSE MY LICENSE THREE YEARS -- I CANCOME BACK I DON'T THINK THAT IS THE ATTITUDE THAT WE NEED TO GIVE TO THE .

THANK YOU FOR YOUR PRESENTATION MR. TOZIAN?

--

THANK YOU I WILL GIVE YOUA EXCESSIVELY MINUTES.

I JUST -- REFERENCE THE COURT TO FACTORS -- ONGOING TO -- CFS LAWYER, WAS ALSO -- WORKED WITH MR. BLOOM, ONREGULAR BASIS, SAID IT BEHAVIOR WAS -- BIZARRE DURING THIS TIME, HE SAID XFL CASES -- A COUPLE OF CASES 12,000 DOLLAR SETTLEMENT 9,000 DOLLAR SETTLEMENT DURING SAME TIME LOSE EVERYTHING HE OWNED.

HE HAD A 20 YEAR ADICTION!!\$\$!!!!!!!!!!!!!!!!ADICTION, CORRECT?

THAT IS WHAT THE RECORD!!\$\$!!!!!!!!RECORD --

IN 1987, AND I THINK THATHAYS -- SO WE DON'T REALLY KNOW IN THIS RECORD WHETHER THERE MAY HAVE BEEN OVER THEYEARS MULTIPLE HARM TO CLIENTS JUST NEVER DISCOVERED.

THERE IS NO INDICATION OFTHAT.

BUT -- BUT HE EVERYONE ALL THESE JUDGES THAT CAME AND SAID WHAT A GREAT GUY HE WAS WITHOUT KNOWING IT THEY WERE SAYING THIS GUY WHO IS A COCAINE ADDICT IS A GRATE GUY.OE A GREAT AWAY WSHT AWARE OF HIS WEREN'T AWARE OF HIS ADICKION!!\$!!!!!!!!!!!!!!!!ADICKION.

THEY WERE AWARE AT THE TIME THEY GIVE THE OPINION BUT THEY WEREN'T OVER.

WE ARE NOT TALKING ABOUT A TWO YEAR ADICTION WE ARE TALKING ABOUT A 20 YEAR ADICTION THAT IS SOME REASON.

I AGREE WITH THAT.

DO I AGREE WITH THAT -- IDO AGREE WITH THAT.

WE THE LAST AS TO MR. WATSON HAD AS TO YOU KNOW, IF WE GO DOWN THE PATHTHAT IT IS JUST A SUSPENSION!!\$!!!!!!!!!!!!!!!!SUSPENSION, HE SAYS THERE ISA THERE IS A REAL CONCERN THAT ANY TIME SOMEBODY JUST GOES OUT STEAL LIKE CRAZY, FROM YOUR CLIENTS, ALL YOU HAVE TO DO TO GET SMACKED ONTHE WRIST IS JUST PROFESS ASMUCH AS YOU CAN, AS MUCH ADICTION AS YOU CAN AND THATDOES HARM, AS I READ IT JUSTCLOSING COMMENT, WOULD YOU WOULD YOU ADDRESS THAT I MEAN THE -- THAT IS ALL LAWYER NEEDS TO DO NOW IS YOU ARE CAUGHT IN SOMETHING,AND YOU SAY OKAY, IT IS DRUGS SO YOU GET TREATSED DIFFERENTLY THAN IF YOU SAIDI GOT CAUGHT AND I DID IT.

I THINK THAT CONCERN IS WELL FOUNDED IF YOU LOOK AT HISTORY OF THE CASE IF YOU LOOK AT THE SHOE MANNER CASETHAT WAS DEFENSE HE USED -- HE DIDN'T FIRE 83-YEAR-OLD FATHER TO SAVE MONEY AND BUYDUGZ!!\$!!!!DUGZ, THAT IS THE POINT OF THIS CASE YOU HAVE THE CASE YOU HAVE CASES WHERE PEOPLE RAISE THAT ISSUE, BUT NOT TO THE EXTENT THAT THIS RECORD SUPPORTS.THE NUMBER OF TWO WEEK RESIDENTIAL -- THIS MAN RECEIVED OVER THE YEARS, THIS ADICTION WAS NOT SOMETHING THAT IS KICKED UP,THIS IS -- I MEAN THERE IS REAL

PROOF OF RESIDENCE SHAL TREATMENT IN ADEQUATE TREATMENT BUT.

THE -- ISN'T THE DEGREE OF TREATMENT, DETERMINED BY THE PATIENT, REALLY? I MEAN YOU CAN OFFER, ALL SORTS OF DIFFERENT TYPES OF TREATMENT!!\$\$!!!!!!!!!!!!!!!!TREATMENT, BUT OVER 20-YEAR PERIOD!!\$\$!!!!!!!!!!!!PERIOD, IN 95 HE WAS ON PROBATION WITH THE BAR I DON'T KNOW ALL ABOUT THAT WE HAVE HAD NUMEROUS FLORIDA BAR -- CONTRACTS, SO THERE WERE THERE WAS TIME, I UNDERSTAND THAT, BUT THE WHOLE POINT IS IT WASN'T UNTIL HE HAD NOWHERE ELSE TO GO, THAT HE MADE THE CHOICE TO GO -- AND I THEY HAVE HAPPENS ALL THE I REALIZE THAT HAPPENS ALL THE TIME YOU ARE TALK OVER 20 YEARS HE HAD AN OPPORTUNITY AS MEASURING EARLIER TO SAY WAIT, THIS IS REALLY OUT OF HAND. I GOT TO ADMIT MYSELF I GOT TO TURN THE CORNER.

I AGREE, IF FIT A CHARACTER FLAW OBSERVATION WOULD BE VALID THE A LOT OF ADDICTS -- THAT IS --

THE PROBLEM IS WHERE DOES IT WHERE DOES IT NOT BECOME MORE THAN JUST THE ADDICTION BUT THE ADDICTION WITH THE CHARACTER FLAW?

THINK IN THIS CASE 30 YEARS DISTINGUISHED PRACTICE WITH NO INDICATION OF CHARACTER FLAW, YOU HAVE THE TWO YEARS OF DOWNWARD SPIRAL I THINK THAT IS THE ANSWER TO THE QUESTION.

PART OF QUESTION, THOUGH AS I UNDERSTAND IT IS THAT DURING THESE AND FOR LACK OF BETTER WORD, LUCID MOMENTS IN WHICH HE IS HAVING A DISTINGUISHED CAREER, VERY EFFECTIVE!!\$\$!!!!!!!!!!!!!!!!EFFECTIVELY REPRESENTING CLIENTS, AND HE IS PARTICIPATING IN THESE TWO WEEK PROGRAMS, WHICH WOULD I ASSUME THAT THESE AT LEAST HAVING -- HE RECIDITY, DURING THAT, THAT WHY DID HE NOT TAKE AN OPPORTUNITY TO TAKE OFF FOR A YEAR OR WHAT!!\$\$!!!!!!WHATEVER THE TIME WOULD TAKE TO RID HIM OF THIS WHEN HE WAS IN A POSITION OF OBJECTIVELY LOOKING AT THE SITUATION THAT HE WAS IN? APPARENTLY HE NEVER NEVER MADE THAT CHOICE, TO SAY WELL EVEN THOUGH I'M GOING TO HAVE SACRIFICE INCOME, FOR A YEAR, OR WHATEVER, BUT HE WAS IN A POSITION TO DO IT. AND IN OTHER WORDS, HE WAS LUCID!!\$\$!!!!!!!!LUCID, HE WAS -- SO HOW DO WE FACTOR IN THE FACT THAT THIS IS -- AN OPPORTUNITY THERE IS, TO DO SOMETHING, ABOUT IT, THAT THE CHOICE MADE NOT TO DO IT? THAT IS THE POWER OF ADDICTION!!\$\$!!!!!!!!!!!!!!!!ADICTION, COUPLED WITH THE TREATMENT!!\$\$!!!!!!!!!!!!!!!!TREATMENT, AND THE OVERSIGHT WHICH IS WHAT HE NEEDED TO GET TO A POINT WHERE HE WOULDN'T WANT TO DO THAT.

BUT WHY DO YOU THINK -- OTHER THAN THE SERIOUSNESS OF THE CHARGES THAT HE IS FACING NOW THAT HE IS NOW MADE A CHOICE YOUR CONTENDING TO ACTUALLY CONFRONT IT SERIOUSLY? WHAT WAS MISSING BEFORE OTHER THAN THE THREAT OF HIS LEGAL LICENSE? HIS -- HIS HE HIT HIS BOTTOM IN THE -- VERNACULAR ADDICTION!!\$\$!!!!!!!!!!!!!!!!ADICTION, AND EVERYBODY ACCORDING TO THE EXPERTS, IS DIFFERENT. BUT, AGAIN, I JUST DON'T THINK YOU CAN -- HE HAS 30 YEARS TRACK RECORD YOU STILL HAVE -- STAGES, 60 YEARS OLD DISBARMENT IS PERMANENT --

WITH OUR ASSISTANCE YOU HAVE BASICALLY DOUBLED YOUR TIME VERY -- THANK YOU WE'LL TAKE THE CASE UNDER ADVISE!!\$\$!!!!!!!!!!!!ADVISEMENTS THE COURT WILL TAKE ITS MORNING RECESS.

ALL RISE.