

>> Marshal: ALL RISE. HEAR YE HEAR YE HEAR YE..THE SUPREME COURT OF FLORIDA IS NOW IN SESSION, ALL WHO HAVE CAUSE TO PLEA, DRAW NEAR, GIVE ATTENTION. YOU SHALL BE HEARD. GOD SAVE THESE UNITED STATES,THE GREAT STATE OF FLORIDA, AND THIS HONORABLE COURT.

LADIES AND GENTLEMEN, THE SUPREME COURT OF FLORIDA. PLEASE BE SEATED.

>> Chief Justice Carlos Muniz: GOOD MORNING AND WELCOME TO THE FLORIDA SUPREME COURT OUR FIRST CASE TODAY

THE FLORIDA BAR V. MICHAEL CHRISTOPHER GRIECO. CASE NO. SC20-1118
JUSTICE COURIEL IS RECUSED.

>> APPEARANCE FOR THE FLORIDA BAR

MARK L. MASON BEFORE I BEGIN I WOULD LIKE TO NOTE IS A PRELIMINARY MATTER. THERE IS AN ORDER SEALING RECORDS IN THIS CASE THAT WAS ENTERED ON JANUARY 31 FOR PURPOSES OF TODAY'S HEARING GIVING THE PUBLIC NATURE.

>> Justice Charles Canady: COUNSEL CAN YOU SPEAK UP A LITTLE BIT.

>> Mark L Mason,Complainant: FOR PURPOSES OF TODAY'S HEARING I WILL NOT REFERENCE THE WITNESS AFFIDAVIT IN THE CRIMINAL CASE SINCE THAT WAS THE BASIS FOR THE SEALING OF THE RECORDS. THIS IS MR. GRIECO'S SECOND DISCIPLINARY CASE SINCE BECOMING A MEMBER OF THE BAR IN 2000. HIS FIRST DISCIPLINARY CASE THE CONDUCT INVOLVED IN THE ONE HE MISLED POLICE INVESTIGATORS INTO FALSELY BELIEVING THAT HIS INQUIRY INTO THE CASE WAS RELATED TO HIS ROLE AS AN ASSISTANT STATE ATTORNEY. IT WASN'T. HE WAS CONTACTING THEM BECAUSE HIS FRIEND WITH A SUSPECT IN THAT INVESTIGATION. HE RECEIVED INFORMATION THAT OTHERWISE WOULD NOT HAVE BEEN SHARED WITH HIM AND HE LATER TOLD THE INVESTIGATORS HE DIDN'T THINK THEY HAD PROBABLE CAUSE FOR AN ARREST. FOR THAT HE RECEIVED A PUBLIC REPRIMAND IN 2008. WE ARE HERE AGAIN BECAUSE WE ARE DEALING WITH SIMILAR MISCONDUCT INVOLVING MISLEADING OTHERS. IN 2 INSTANCES, ONE, RECEIPT OF AN ILLEGAL CAMPAIGN DONATION HE RECEIVED ITS FROM MR. RODRIGUEZ BUT THE MONEY ACTUALLY CAME FROM ANOTHER INDIVIDUAL A NORWEGIAN CITIZEN NAMED. [LISTING NAMES]. HE RECEIVED THIS MONEY KNOWINGLY. THAT WAS THE CRIMINAL CHARGE.

THAT WAS THE CRIMINAL INFORMATION THAT HE PLED NO CONTEST TO THAT HE RECEIVED IT KNOWINGLY AND WILLINGLY. HE LATER RETURNED THAT MONEY AND ACCORDING TO MR. RODRIGUEZ IN HIS TESTIMONY BEFORE THE MIAMI-DADE COMMISSION ON ETHICS, HE WAS TOLD AT THAT TIME IF ANYONE ASKS TELL THEM THAT IT WAS YOUR MONEY.

THE REFEREE FOUND ALL THE FINDINGS OF FACT THAT THE BORROWER WANTED THEM TO FIND MADE ALL THE FINDINGS OF GUILT THAT WE SOUGHT WHICH WAS THREE FINDINGS OF GUILT FOR THE 2 INSTANCES OF MISCONDUCT BOTH RELATED TO THE CAMPAIGN DONATION BUT ALSO TO THE MISLEADING STATEMENTS IN THE PRESS. SPECIFICALLY, THE MONEY WAS DEPOSITED ALONG WITH ABOUT \$200,000 OF OTHER MONEY THAT WAS RAISED WAS DEPOSITED INTO A POLITICAL COMMITTEE

ACCOUNT PEOPLE FOR BETTER LEADERS. ON PAPER THERE WAS NO CONNECTION BETWEEN PEOPLE FOR BETTER LEADERS AND MR GRIECO BUT IN ACTUAL FACT HE HAD EVERYTHING TO DO WITH IT THAT WAS THE FINDING BY THE REFEREE. HE FUND RAISED ALL OF THE MONEY SAVE FOR A SINGLE \$250 DONATION. HE DID ALL THE PAPERWORK TO SET UP THE ORGANIZATION. DID ALL THE COMPLAINTS PAPERWORK GOING FORWARD. SO THIS NOTION WHICH HAS BEEN RAISED IN THE BRIEFS WHILE HE DID NOT OWN AND CONTROL THIS COMMITTEE IT IS REALLY A FICTION BASED UPON HIS USE OF TWO STRAW MEN WHO SERVED AS OFFICERS OF THAT COMMITTEE REALLY PERFORMED NO MEANINGFUL WORK FOR IT AT ALL. THAT WAS ALL DONE BY MR GRIECO.

>> LET ME ASK YOU THIS THE SECOND VIOLATION TO 4-4C THE MISREPRESENTATION TO THE MIAMI HERALD WOULD IT HAVE BEEN DIFFERENT HAVING MADE THAT REPRESENTATION SAY IN THE SPEAKING IN A POLITICAL TYPE OF SETTING WHERE HE IS SPEAKING TO A GROUP OF PEOPLE?

IF HE HAD MADE A MISREPRESENTATION THAT TYPE OF SETTING WOULD IT HAVE BEEN THE SAME VIOLATION?

>> Mark L Mason,Complainant: COULD HAVE BEEN THE SAME VIOLATION. I SAY THAT BECAUSE THE RULES WE CHARGED HIM UNDER ALL THREE OF THEM ARE NOT RELATED TO THE PRACTICE OF LAW SPECIFICALLY. THEY CAN BE VIOLATED BY CONDUCT OUTSIDE THE PRACTICE OF LAW.

>> Justice Meredith Sasso: THAT IS WHAT I'M THINKING. WHAT THE BAR IS SUGGESTING HERE THAT PEOPLE RUN FOR PUBLIC OFFICE IF THEY HAPPEN TO BE LAWYERS, BUT CAN'T MAKE ANY MISLEADING STATEMENTS ANYWHERE?

>> Mark L Mason,Complainant: CORRECT, THIS COURT HAS STATED A LAWYER IS A LAWYER IS A LAWYER THAT'S A DIRECT QUOTE I DID NOT MAKE THAT WHEN A BIRD LAWYER NEVER TAKES OFF HIS LAWYER HAT.

>> Justice Meredith Sasso: COULD'VE BEEN A STATEMENT IN SOMEBODY'S HOUSE FUNDRAISING FUNCTION OR ANY PLACE A LAWYER CAN NEVER MAKE A MISLEADING STATEMENT RUNNING FOR OFFICE?

>> Mark L Mason,Complainant: IN YOUR PROFESSIONAL LIFE I BELIEVE HOW THE STANDARD PHRASES IT IN HEALTH RULE PHRASES IT PRINTS WHAT WE ARE TALKING NOT WANT TO BE VERY CLEAR IT'S NOT POLITICAL RHETORIC TO SAY I HAVE NO INVOLVEMENT IN THIS POLITICAL COMMITTEE. THAT IS NOT POLITICAL RHETORIC IS JUST A FALSE STATEMENT OF FACT. IT IS NOT TRUE.

WHAT'S YOU CONCERNED BY THE FACT THAT THE EVIDENCE OF THE FALSE STATEMENT IS A BLOG THAT IS PICKED UP BY THE MIAMI HERALD VERSUS WORDS DIRECTLY COMING OUT OF SOME OF HIS MOUTH.

>> Mark L Mason,Complainant:

>> I WOULD BE BREAKING GROUND WOULD AGREE IN OUR CASE LAW.

>> Mark L Mason,Complainant: IF THIS WAS BASED SOLELY ON A BLOG ARTICLE I WOULD AGREE THE BLOG ARTICLE IS HOW THIS BEGAN THERE WAS AN HONEST EMAIL THAT THIS BLOGGER REPORTED ON THAT SAID THERE WAS ALLEGATION LINKING HIM TO THE COMMITTEE THEN THERE WERE THE THREE MIAMI HERALD

ARTICLES THE KIND OF DRUM UP AND TURNED TO THIS MUCH BIGGER ISSUE. BUT THIS NOTION THAT ALL WE HAVE IS A BLOG ARTICLE ALL WE HAVE ARE NEWSPAPER ARTICLES IT IS NOT TRUE. WE HAVE THE CONTEXT BECAUSE MR GRIECO WAS TESTIFIED ABOUT THE CONTEXT SEVERAL TIMES. AND SO HIS TESTIMONY IS CONSTANTLY POSSESSED EVERY WHICH WAY ABOUT MY INVOLVEMENT AND I ALWAYS SAID I DIDN'T OWN OR CONTROL ITS. THAT WAS A PRECISELY TRUE STATEMENT.

>> IS AN ISSUE WHEN YOU SAY A LAWYER CAN'T GOVERNMENT MAKE A MISLEADING STATEMENT IN PUBLIC THAT IS NOT REALLY THE ISSUE HERE.

IT IS THE CUMULATIVE CONTEXT AND I THINK WHAT THE REFEREE WAS EMPHASIZING WAS THAT THE VERACITY OF THE ALLEGATION WAS PROVEN THE BAR INVESTIGATION AT THE TRIAL IT IS NOT MERELY A LAWYER SAYING SOMETHING MISLEADING IN PUBLIC RIGHT.

>> Mark L Mason,Complainant: RIGHT IT WAS DONE WITH A SPECIFIC MOTIVE OF TRYING TO OBTAIN HIGHER OFFICE. SPECIFICALLY THE MAYOR'S OFFICE.

>> WAS THAT FINDINGS MADE?

>> Mark L Mason,Complainant:

>> DEFINING AS THE MOTIVE I THOUGHT THERE WAS NO FINDINGS AS TO MOTIVE.

>> Mark L Mason,Complainant: WHAT THE REFEREE SAID SHE WAS TRYING TO WHAT A POLITICAL SCANDAL IN THE REPORT THAT'S WHEN THE FINDING WAS MADE. AND IN THE CONTEXT OF THAT I'M PROVIDING BECAUSE IT WAS TESTIFIED TO WAS HE WAS CURRENTLY IN A CAMPAIGN TO BEAT THE MAYOR AND HE DROPPED OUT OF THE CAMPAIGN SHORTLY AFTER.

>> YOU THINK THE STATEMENTS ALONE OR A WHAT APPEARS TO BE A MISLEADING STATEMENT PROVEN ONLY THROUGH A BLOG, ARTICLE WOULD BE INSUFFICIENT FOR SOMEBODY TO LOSE THEIR LICENSE FOR ONE YEAR.

>> Mark L Mason,Complainant: IF THIS WAS JUST A BLOG ARTICLE AND HE DIDN'T HAVE THE BLOGGER TESTIFY AS TO THE CONTEXT OF THE STATEMENT NO THAT WOULD NOT BE SUFFICIENT FOR ONE YEAR.

>> THE ADDITIONAL CONTEXT HAS TO BE HERE FOR YOUR ARGUMENT.

>> Mark L Mason,Complainant: CORRECT AND THERE IS ADDITIONAL CONTEXT I WANT TO BE CLEAR THIS WASN'T JUST A BAR PUT IN EVIDENCE THE NEWSPAPER ARTICLE WE HAVE TRANSCRIPT OF A THREE DAY MIAMI-DADE COMMISSION ON ETHICS HEARING WHERE THERE WAS SUBSTANTIAL TESTIMONY ABOUT THE CONTEXT FOR THE STATEMENTS.

WHAT THE CONTEXT WAS WAS TO REPORT IS FROM THE MIAMI HERALD INTO HIS OFFICE AND THEY ESTIMATE EVERY WHICH WAY AND HE CATEGORICALLY DENIED ANY INVOLVEMENT. THIS WAS A MISREPRESENTATION BY OMISSION GIVEN HIS IN-DEPTH INVOLVEMENT WITH THAT POLITICAL COMMITTEE.

>> Justice Charles Canady:

>> Chief Justice Carlos Muniz: DO YOU THINK GIVEN THE FACT OF THE PRIOR DISCIPLINARY HISTORY AND THE CHARGE HAVING TO DO WITH THE CRIMINAL ISSUE TO JUSTIFY THE ONE YOUR SANCTION YOU ARE ASKING FOR, DO WE NEED TO

CONSIDER THE OTHER STUFF?

>> Mark L Mason,Complainant: WHEN YOU SAY OTHER STUFF.

>> Chief Justice Carlos Muniz: THE MEDIA ISSUE THE MISLEADING STATEMENTS.

>> Mark L Mason,Complainant: I THINK IT IS ONLY RELEVANT IN THE CONTEXT OF THIS COURT TREATS CUMULATIVE CONDUCT HARSHER THAN WE TREAT ISOLATED INCIDENTS. YES WE HAVE CUMULATIVE MISCONDUCT WITH REGARDS TO THE PUBLIC REPRIMAND AND THE SUBSEQUENT ILLEGAL CAMPAIGN DONATIONS THAT RESULTED IN THE 1STÂ° MISDEMEANOR CHARGE. THAT ALONE IS CUMULATIVE CONDUCT BY THINK IT IS IMPORTANT TO ADDING THE ADDITIONAL CONTEXT OF HE DIDN'T JUST MAKE THIS MISTAKE THIS ACCOUNTING ERROR IT SEEMS LIKE IT IS TRYING TO BE CATEGORIZED IN THE BRIEF AND THAT WAS IT, HE WAS TRYING TO RAISE MONEY SECRETLY THROUGH THIS POLITICAL COMMITTEE AVOID ANY KIND OF INVOLVEMENT ON PAPER AND I THINK ALL OF THAT NEEDS TO BE CONSIDERED COLLECTIVELY IN DETERMINING THE APPROPRIATE SANCTION.

>> Justice Charles Canady: WHAT ABOUT MISLEADING STATEMENTS IN THE COURSE OF THE BAR PROCEEDINGS?

>> Mark L Mason,Complainant: RIGHT, SURE.

>> Justice Charles Canady: THAT IS PART OF THE PICTURE.

>> Mark L Mason,Complainant: THAT IS PART OF THE PICTURE I WAS GOING TO GET TO THAT. THANK YOU. FIRST OFF WHEN HE SENT A LETTER TO THE BAR I SHOULD SAY. [LISTING NAMES] SENT A LETTER ON HIS BEHALF REPRESENTATION MADE WAS THAT MR GRIECO DID NOT INITIALLY TELL THE REPORTERS ABOUT HIS INVOLVEMENT IN THIS POLITICAL COMMITTEE. BECAUSE HE WAS THE LAWYER FOR THE COMMITTEE AND HE WAS NOT AUTHORIZED TO DO SO UNDER ATTORNEY-CLIENT PRIVILEGE. THAT WAS THE ORIGINAL BASIS. PROBLEM WITH THAT POSITION IT WOULDN'T AUTHORIZE HIM TO MAKE MISREPRESENTATIONS TO THOSE REPORTERS.

THE TESTIMONY THEN SHIFTED, BY THE TIME OF THE BAR TRIAL AND SUDDENLY HE IS CATEGORICALLY DENIED EVER BEING THE ATTORNEY FOR THE POLITICAL COMMITTEE OR THE FOUNDERS OF THAT POLITICAL COMMITTEE OR BRIAN GEORGE AND BRIAN ERB OR HIM HE SAID HE ONLY DID CLERICAL WORK HE WAS NEVER A LAWYER. SO HE CHANGED HIS STATEMENT THEN, THEN I NOTED IN HIS ANSWER BRIEF HE CHANGED IT AGAIN. NOW HE'S SAYING WHILE I WASN'T INITIALLY THE LAWYER FOR THE POLITICAL COMMITTEE BUT THEN I BECAME A LAWYER LATER ON WHEN THE PRESS STARTED ASKING QUESTIONS.

THAT IS A STATEMENT MADE WITHOUT CITATION TO ANYTHING IN THE RECORD SUPPORTING IT IT CONTRADICTS THE LETTER HE SENT TO THE BAR WHEN HE SAID HE WAS CHARGED AS THE ATTORNEY WITH ORGANIZING IT FROM THE OUTSET IN AND THE REFEREE FOUND HE OFFERED TO DIAMETRICALLY OPPOSED STATEMENTS YOU CANNOT RECONCILE THEM WHICH APPARENTLY THE ANSWER BRIEF IS TRYING TO DO BY SAYING HE WASN'T ORIGINALLY AND THEN HE WAS. THE REFEREE FOUND HIS SPECIFIC MOTIVE IN DOING THE WAS JUST READING HIS STORY HOWEVER IT SUITED HIM BEST WHENEVER IT SUITED HIM IN THE MOMENT. HE USED THE ATTORNEY-CLIENT PRIVILEGE INITIALLY THAT HIS DEFENSE SHIFTED TO IT'S NOT

RELATED TO THE PRACTICE OF LAW THEREFORE I SHOULD BE DISCIPLINED HARSHLY. BUT TO DO THAT NEEDS TO SAY I WAS NEVER THE LAWYER.

THAT AND THEN TO THIS PATTERN OF MISCONDUCT HERE THAT ALONE I THINK IT'S A BASIS TO SAY, THAT A 90 DAY NON-REHABILITATIVE SUSPENSION IS NOT ENOUGH BECAUSE CLEARLY THIS IS JUST A PATTERN OF DISHONEST CONDUCT THAT BEGAN WITH THE 2008 PUBLIC REPRIMAND BUT IT IS CONTINUED IN THE TO THIS APPEAL VERY FRANKLY. IN MY BRIEF I CITED TO A FEW CASES THAT ALSO DIDN'T INVOLVE THE PRACTICE OF LAW BUT STILL RESULTED IN SIGNIFICANT PENALTIES FOR THE LAWYER.

[LISTING NAMES]

>> HE BROUGHT HIS STATUS AS A LAWYER INTO THE CASE. WHEN HE ARGUED SHE WAS NOT FORTHCOMING BECAUSE HE WAS A LAWYER.

>> Mark L Mason,Complainant: RIGHT IT IS THIS KIND OF NOTION THAT WE ARE GOING TO TREATED AS THOUGH HE IS A LAWYER THEN YOU CAN DO THIS IN THE SAME BREATH HE'S CANCELING SAY I'M A POLITICIAN I NEED TO ENGAGE IN THE ROUGH AND TUMBLE WORDS OF POLITICS, HIS WORDS, WITHOUT CONSTRAINTS THAT WOULD APPLY IF I WAS A LAWYER IN THE COURTROOM.

THIS IS JUST REFLECTING VERY TROUBLESOME VIEW THAT VERY FRANKLY JUSTIFIES A SIGNIFICANT REHABILITATIVE SUSPENSION.

>> THERE ARE DIFFERENT ALLEGATIONS THAT APPLY WHEN YOU ARE ENGAGED IN POLITICAL RHETORIC WHEN YOU'RE ENGAGED IN THE COURTROOM ISN'T YOUR POINT IS NOT THIS POLITICAL RHETORIC IN A VACUUM IT IS THE FULL CONTEXT OF MISLEADING DURING THE BAR INVESTIGATION AND DIVERSITY OF THE ALLEGATIONS BEEN DEMONSTRATED THROUGH THE INVESTIGATION.

>> Mark L Mason,Complainant: CORRECT I'M LOOKING AT THIS FROM A VERY GLOBAL VIEW I'M NOT TRYING TO VIEW IT IN TERMS OF ONLY THE STATEMENTS TO THE PRESS ONLY THE ILLEGAL CAMPAIGN DONATIONS OR ONLY HIS PRIOR PUBLIC REPRIMAND FOR SIMILAR MISCONDUCT. I'M LOOKING AT THIS FULLY WHEN I SAY THAT A SIGNIFICANT SUSPENSION PERIOD IS WARRANTED. I SAY THAT BECAUSE THIS COURT IN RECENT YEARS, TRENDED TOWARDS HARSHER SANCTIONS FOR ATTORNEY MISCONDUCT THIS COURT HAS SUSPENDED LAWYERS MULTIPLE CURES FOR CONDUCT MISCONDUCT THAT WAS ON RELATED TO THE PRACTICE OF LAW. THERE WAS THE.

[LISTING NAMES] CASE IS CITED WHICH INVOLVED YOUNG LAWYER WITH SIGNIFICANT MITIGATION SHE STOLE FROM A COAL STORE \$760 ON THREE SEPARATE OCCASIONS THAT ADDED UP TO \$760.

>> Chief Justice Carlos Muniz: I'M SORRY JUST TO BE CLEAR YOUR POSITION IS NOT ABOUT CLINICAL RHETORIC AT ALL WE ARE TALKING BUT STATEMENTS OF FACT.

>> Mark L Mason,Complainant:

>> Chief Justice Carlos Muniz: RESETTING THROUGH THIS PROCEEDING WE HAD IT IS PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THESE WERE ON THE TRUTH STATEMENTS OF FACT THAT WERE INTENTIONALLY MISLEADING?

>> Mark L Mason,Complainant: CORRECT.

>> Chief Justice Carlos Muniz: IT HAS NOTHING TO DO WITH POLITICAL RHETORIC.

>> Mark L Mason, Complainant: I'M NOT TREATING WHAT HE SAYING IS POLITICAL RHETORIC IS JUST A FALSE STATEMENT OF FACT TO DENY INVOLVEMENT WITH THIS POLITICAL COMMITTEE.

THE REASON I CITED.

[LISTING NAMES] IN MY ARGUMENT IT DIDN'T INVOLVE THE PRACTICE OF LAW IT WAS JUST THE THEFT WAS AT THE REAR SUSPENSION DESPITE SIGNIFICANT MITIGATION. WE ARE NOT SEEKING AS OUR SHY SANCTION HERE WERE SEEKING A ONE YEAR THAT IS MAINLY REFLECTIVE OF THE FACT OF THE CRIMINAL OFFENSES DIFFERENT BUT IT IS STILL WANTING A SIGNIFICANT SUSPENSION. NOT SO WITH THAT IN MIND I WOULD ASK THAT YOU SUSPENDED FOR ONE YEAR.

>> Chief Justice Carlos Muniz: THANK YOU.

>> Benedict P. Kuehne, Respondent: APPEARANCE FOR RESPONDENT BENEDICT P. KUEHNE AT THE TIME OF THESE PROCEEDINGS WAS A REPRESENTATIVE IN THE FLORIDA HOUSE OF REPRESENTATIVES HE IS NOW RETIRED NOT RUNNING FOR REELECTION.

THIS CASE IS ABOUT POLITICAL RHETORIC. NO MATTER THE BAR'S POSITION THE PROOF AT THE TRIAL PROCEEDINGS WAS TRUNCATED, WAS BASED ON AN EXPLORATION OF TESTIMONY THAT SHOULD NOT BE ADMISSIBLE. IT WAS NOT SUBJECT TO ANY REASONABLE CONFRONTATION AND ESSENTIALLY, RESULTED IN MIAMI HERALD NEWSPAPER ARTICLES AND A BLOG POSTING.

>> Chief Justice Carlos Muniz: I'M SORRY TO INTERRUPT YOU.

WE HAVE THE CRIMINAL ISSUE RIGHT?

HOW CAN YOU SAY THE WHOLE THING IS ABOUT POLITICAL RHETORIC?

>> Benedict P. Kuehne, Respondent: THE BRIEFS HAVE POINTED OUT AND THE FLORIDA BAR AS AGREED THERE ARE TWO PARTS TO THIS CASE I CAN ADDRESS THE CRIMINAL CASE FIRST WHICH RAISES THE ISSUE OF THE FACT OF APPLICATION DIRECTLY TO THIS COURT OF THE SEALING STATUTE AND WHAT IS NECESSARY TO PROVE THE BARS PROOF OF AN ADJUDICATION OF GUILT.

AND THE BAR DID THIS ON A SEALED RECORD A RECORD THAT HAD NO CERTIFIED COPIES OF ANYTHING. AND FOR WHICH, REPRESENTATIVE GRIECO WAS ALLOWED TO SAY UNDER LAW I HAVE NOT BEEN CONVICTED OF ANY CRIME. AND THAT STATUTORY LANGUAGE IS QUITE CLEAR OFFERING NO AVAILABILITY FOR USE OF A SEALED PROCEEDING IN THE BAR DISCIPLINARY MATTERS THE STATUTE GOING SO FAR TO SAY THAT THERE IS AN EXCEPTION WHEN IT COMES TO OUR MATTERS BUT THAT DEALS WITH BAR APPLICATION THE LEGISLATURE HAS MADE CLEAR THAT THIS IS NOT USABLE.

THE BAR ATTEMPTED TO PROVE BY CLEAR AND CONVINCING EVIDENCE WHICH HE DID NOT, THAT THERE WAS IN FACT A COMMISSION OF A CRIME OF DISHONESTY. AND WE HAVE HEARD THE BAR TAKE THE POSITION THAT THIS IS A CRIME OF DISHONESTY. WHEN IT IS NOT.

THE POLITICAL CONTRIBUTION, VIOLATION CHARGED, ALL WE KNOW IS WHAT THE CHARGE WAS . NO PROOF BY THE BAR OF WHAT THE UNDERLYING FACTS WERE. NO

EXPLORATION WHETHER THERE WAS A COLLOQUY TO THE COURT ALL OF WHICH WAS SEALED. IN THE BAR TAKES THE POSITION THAT OF COURSE WE KNOW THAT A POLITICAL CONTRIBUTION VIOLATION IS A CRIME OF DISHONESTY WHEN IN FACT THE STATUTE MAKES NO SUCH AUTHORIZATION. AND THE SAME CONDUCT IS ORDINARILY ESTABLISHED.

>> Justice Charles Canady: I DON'T UNDERSTAND THE CRIME HERE IS KNOWINGLY RECEIVING A CONTRIBUTION THAT IS GIVEN IN THE NAME OF SOMEONE OTHER THAN THE REAL CONTRIBUTOR?
ISN'T THAT CORRECT?

>> Benedict P. Kuehne,Respondent: THAT IS THE STATUTE 106.087.

>> Justice Charles Canady: THAT IS WHAT WAS IT AN ISSUE HERE.

>> Benedict P. Kuehne,Respondent: ON THE CRIMINAL CASE YES.

>> Justice Charles Canady: I DON'T UNDERSTAND HOW THAT DOES NOT INVOLVE DISHONESTY.

>> Benedict P. Kuehne,Respondent: IT HAS NEVER BEEN CONSTRUED AS A STATUTE REQUIRING DISHONESTY. SPEAKER IT'S AN INTENT TO DECEIVE TO REPORT A CONTRIBUTION IN THE NAME OF SOMEONE WHO DIDN'T GIVE IT BY ITS FOR VERY NATURE IS AN ACT INTENDS TO DECEIVE.

I'M PUZZLED BY THE ARGUMENT THAT YOU'RE MAKING.

>> Benedict P. Kuehne,Respondent: YOUR HONOR IT MAY BE THAT PROOF COULD ESTABLISH THAT OFFENSE BEING DONE WITH INTENT TO DECEIVE BUT THE CRIME ITSELF AND THE ONLY.

>> Justice Charles Canady: WHY AM I MISSING SOMETHING NOT UNDERSTANDING IT IS INHERENT IN THE CRIME. TO THE EXTENT IT IS DONE INTENTIONALLY IT INVOLVES AN INTENT TO DECEIVE.

>> Benedict P. Kuehne,Respondent: YOUR HONOR.

>> Justice Charles Canady: IT SEEMS LIKE YOU'RE MAKING THIS HIGHLY FORMALISTIC ARGUMENTS THAT DETACHED FROM THE REALITY OF THE UNDERLYING OFFENSE.

>> Benedict P. Kuehne,Respondent: IT IS NOT FORMALISTIC YOUR HONOR IN THE CONNECTION WITH POLITICAL CONTRIBUTIONS MISTAKES INADVERTENCE KNOWING SOMETHING IS NOT INTENTIONALLY DOING SOMETHING WITH THE KNOWLEDGE THAT IT IS WRONG.

THAT STATUTE HAS NEVER BEEN CONSTRUED BY THE FLORIDA ELECTIONS COMMISSION OR THE COURTS TO IMPLY OR INFER, A VIOLATION OF HONESTY, THE SEEDS. IT JUST HAS NOT. IT MAY VERY WELL BE IRAN THAT CIRCUMSTANCES IF PROVEN COULD SHOW THAT SOMEBODY ACTED WITH THAT INTENSE. BUT THERE WAS NO SUCH PROOF OFFERED BY THE BAR IN THIS CASE THERE WAS NO SUCH PROOF IN THE CRIMINAL CASE BECAUSE THE CRIMINAL CASE DID NOT RESOLVE ITSELF WITH A FACT-FINDING BASIS.

AND SINCE THE BAR CHARGED MR GRIECO, WITH THAT VIOLATION UNDER A BAR RULE THAT REQUIRES PROOF THAT IT REFLECTS ADVERSELY ON HIS HONESTY, TRUSTWORTHINESS, AS A LAWYER, THIS POLITICAL ASPECT OF HIS LIFE WHICH WAS FORMATIVE AND VERY POSITIVE WAS MAINTAINED INDEPENDENTLY OF HIS WORK AS

A LAWYER. NONE OF THE PUBLICITY THAT COMES TO THE SECOND PART THAT I WILL GET TO IN A MOMENT CHIEF JUSTICE, DEALT WITH THE ALLEGATION THAT HE WAS HOLDING HIMSELF AS A LAWYER MISLEADING THE PUBLIC. THIS WAS ALL IN THE POLITICAL CONTEXT. THE POLITICAL CONTRIBUTION WHICH COULD HAVE BEEN AN ADMINISTRATIVE LAW VIOLATION BUT INSTEAD WAS CHARGED, FOR WHATEVER REASON, IS A CRIMINAL MISDEMEANOR THE RESOLUTION OF THE CASE LED TO SEALING CEILING AND EXPUNGE THE BAR HAVING NO ADEQUATE PROOF OF THE CONVICTION. AND HAVING NO BASIS UNDER THE STATUTE TO UTILIZE.

>> Justice Charles Canady: MY WRONG AND UNDERSTANDING THAT MR GRIECO SENT A LETTER TO THE BAR TELLING THEM THAT.

>> Benedict P. Kuehne, Respondent: YOUR HONOR'S COUNSEL MYSELF SENT A LETTER UNDER THE REQUIREMENTS OF THE FLORIDA BAR ADVISING OF A DISPOSITION. IT IS NOT EVIDENTIARY.

>> Justice Charles Canady: IT IS AN ADMISSION.

>> Benedict P. Kuehne, Respondent:

>> Justice Charles Canady: WHY IS IT NOT AN ADMISSION I SEE THIS ARGUMENT AS DETACHED FROM REALITY IF I GO TO THE BAR AND SAY LOOK I'VE PLEADED GUILTY TO THIS I GOT A DISPOSITION FOR THIS CRIME AND YOU WANT TO COME LATER AND SAY WELL YOU CAN'T USE THAT AGAINST ME EVEN THOUGH I TOLD YOU THAT HAPPEN.

I DON'T UNDERSTAND THAT.

>> Benedict P. Kuehne, Respondent: YOUR HONOR THERE ARE TWO ASPECTS TO THE TRIAL.

>> Justice Charles Canady: THIS IS A MATTER OF CANDOR HERE.

>> Benedict P. Kuehne, Respondent: I DON'T BELIEVE THE CANDOR APPLIES WHEN THERE IS A STATUTE THAT SAYS AS A MATTER OF LAW MR GRIECO IS ALLOWED TO SAY THAT HE HAS NOT BEEN CHARGED OR CONVICTED OF CRIMINAL CONDUCT THAT IS WHAT THE LEGISLATURE.

>> COUNSEL CAN WE ASK YOU A QUESTION ABOUT THE PROCEEDINGS. AND WHAT HE TESTIFIED UNDER OATH. ACCORDING TO THE REFEREE THE REFEREE FOUND SPECIFICALLY, "HE MADE MISREPRESENTATIONS IN THESE PROCEEDINGS UNDER OATH REGARDING HIS INVOLVEMENT WITH THE PACK AS ITS LAWYER. THE REFEREE ALSO FOUND THAT HE WAS CLEAR THAT YOUR CLIENTS NARRATIVE TESTIMONY REGARDING HIS INVOLVEMENT WITH THE PACK CHANGED DEPENDING ON THE AUDIENCE TO WHOM IT WAS PRESENTED IN THE GOAL WHO WANTED THE STATEMENTS TO COMPASS.

THE BAR HAS ARGUED THAT YOU THEY ARE TAKING A GLOBAL VIEW THEY'RE LOOKING AT NOT ONLY AT THE CRIMINAL OFFENSE THEY'RE LOOKING AT THE PRIOR REPRIMAND THEY ARE LOOKING AT THE STATEMENTS THAT WERE FALSE THAT HE MADE TO THE MIAMI HERALD. AND THEY ARE ALSO LOOKING AT THE STATEMENTS HE MADE DURING THE PROCEEDINGS SHIFTED OVER TIME AND THE REFEREE FOUND WORK MISREPRESENTING.

WHITE ISN'T THAT SUFFICIENT TO GIVE THE BAR WHAT IT IS ASKING FOR WHICH IS A

SUSPENSION FOR EAR PARTICULARLY THE BAR HAS POINTED OUT WE'VE GIVEN A THREE-YEAR SUSPENSION IN AN ANALOGOUS CASE WHERE THIS ATTORNEY WENT TO KOHL'S AND SHE STOLE THREE TIMES IT ADDED UP TO \$750.

WHY SHOULD WE NOT GRANT THE BAR THE RELIEF THEY ARE REQUESTING BASED ON THESE PARTICULAR FINDINGS BASED ON THE HOLISTIC VIEW OF THIS ENTIRE CASE?

>> Benedict P. Kuehne, Respondent: JUSTICE FRANCIS THE PENALTY UNDER ANY CIRCUMSTANCES OF MORE THAN 90 DAYS IS TOO SEVERE NOT SUPPORTED BY ABUNDANT DECISIONS WHICH WE'VE BRIEFED AND THE REFEREE DISCUSSED. LET ME BREAK DOWN YOUR QUESTION I MIGHT INTO TWO PARTS. FIRST, WE DISAGREED AND THE BRIEF MAKES CLEAR THAT WE DISAGREED WITH THE REFEREE'S ACCEPTANCE OF THE BAR'S POSITION OF THIS SHIFTING NARRATIVE.

AND MR GRIECO TESTIFIED HE WAS CROSS-EXAMINED.

HIS TESTIMONY WAS VERY DIRECT ON THE FIRST PART DEALING WITH THE STATEMENTS AND HE CATEGORICALLY DENIED THERE WAS NO IMPEACHMENT WHATSOEVER, NO CONTRADICTORY STATEMENT. HE CATEGORICALLY DENIED OR CONTROLLING POLITICAL COMMITTEES.

DIDN'T TALK ABOUT SAID I DIDN'T ANSWER QUESTIONS ABOUT MY ASSOCIATION WITH IT IS ASSOCIATION WAS EVIDENT CATEGORICALLY DENIED IN THE TESTIMONY AT THE BAR HEARING IS THAT AS A MATTER OF LAW HE IS CORRECT BECAUSE OF THE NATURE OF POLITICAL COMMITTEES AND AS A MATTER OF FACT HE DIDN'T CONTROL THE POLITICAL COMMITTEE SPENT NO MONEY WHATSOEVER. SECOND, YOUR HONOR, MR GRIECO, MADE CLEAR THAT WHEN THE ALARM OCCURRED AND THAT HAROLD MADE THIS THE BLOG THEN THE HAROLD MADE THIS THE POLITICAL RHETORIC ISSUE OF THE DAY MR GRIECO ADVISED THE TWO OWNERS OR CONTROLLERS OF THE POLITICAL COMMITTEE BRIAN GEORGE, AND BRIAN ABRAHAM TO HAVE LEGAL COUNSEL AND IN THAT CAPACITY HE PROVIDED ADVICE TO THEM. PRIOR TO THAT TIME, HE NEVER SAID ANYTHING TO THE CONTRARY. PRIOR TO THAT TIME HE DID NOT ACT AS A LAWYER IN SETTING UP THE COMMITTEE INFECTED TESTIMONY IS FROM.

[LISTING NAMES] UNDISPUTED POLITICAL COMMITTEES ARE SET UP WITHOUT LEGAL ADVICE WHATSOEVER THAT'S A POLITICAL ACTIVITY. AND THIRD, WITH REGARD TO THE JUDGE'S DETERMINATION OF THIS GLOBAL EPISODE OF AN INTENT TO MISLEAD THE PUBLIC, THIS IS EXACTLY THE SLIPPERY SLOPE THE BAR GOT INTO WITH REGARD TO ATTEMPTING TO HOLD MR GRIECO IN HIS POLITICAL CAPACITY RESPONSIBLE FOR GIVING FACTUALLY TRUE INFORMATION, TO THE PUBLIC PRINT TO THE MIAMI HERALD. NOBODY UNDERSTANDS THERE WAS NO PROOF TO WHAT THE PUBLIC THOUGHT OF THIS. AND HAVING AN OBLIGATION IN THE COURT AND THEY CITED A COUPLE OF COURT CASES WHERE A LAWYER HAS AN OBLIGATION TO A JUDGE OR TO THE OPPOSING COUNSEL TO FILL IN THE BLANKS. THERE IS NO SUCH FILL IN THE BLANKS REQUIREMENTS FOR POLITICAL RHETORIC AND YES IT IS POLITICAL RHETORIC IN THIS CASE. SO WE BELIEVE THAT EVEN IF THE COURT IS APPRISED THAT THE FACT OF A CRIMINAL CONVICTION IS INSUFFICIENT WE DO NOT

BELIEVE THERE IS ANY CLEAR AND CONVINCING EVIDENCE TO SUPPORT THE FACT OF MAKING MISLEADING STATEMENTS TO THE PRESS.

PUTTING UP A NEWSPAPER ARTICLE AND ASKING MR GRIECO TO EXPLAIN IT AND HE DOES, WITHOUT CONTRADICTION, IS NOT PROOF THAT A LAWYER HAS MISLED THE PUBLIC IN A CAPACITY THAT WOULD AFFECT HIS TRUSTWORTHINESS AS A LAWYER. ON THE MISDEMEANOR MATTER IF THE COURT FINDS THAT THAT IS SUFFICIENT AND WE'VE RAISED SIGNIFICANT REASONS WHY THERE WAS NO SUFFICIENT PROOF, THIS WOULD WARRANT AT MOST, A 90 DAY SUSPENSION.

>> Justice Charles Canady: WHY YOU SAID THERE WAS NOT SUFFICIENT PROOF OF THE MISDEMEANOR.

>> Benedict P. Kuehne, Respondent: YOUR HONOR THREE REASONS THERE WAS NO CERTIFIED COPY OF CONVICTION WHICH IS THE NATURE OF PROVING THE CASE AND REMEMBER THE FLORIDA BAR ONLY OPERATED ON THE PRESUMPTION RULE RULE THAT SAYS AN ADJUDICATION OF GUILT IS CONCLUSIVE PROOF. THEY DO NOT ESTABLISH AN ADJUDICATION OF GUILT AS THAT PROOF IS REQUIRED UNDER ANY CIRCUMSTANCE.

>> Justice Charles Canady: AGAIN I GO BACK TO WHAT I SAID EARLIER, YOU ADMITTED IT.

IF IT HAS ADMITTED IT IS ADMITTED.

>> Benedict P. Kuehne, Respondent: THAT WAS DONE THROUGH A LAWYER'S LETTER THERE WAS NO TESTIMONY CONNECTING THE LAWYER'S LETTER TO IT ADMISSION.

>> Justice Charles Canady: I DON'T UNDERSTAND WHY THAT IS NOT SUFFICIENT.

>> Benedict P. Kuehne, Respondent: THERE WAS NO CONNECTION TO IT AT THE BAR HEARING BUT SECONDLY, YOUR HONOR, THE FACT THAT THERE IS A EVEN IF THE COURT FINDS THAT SUFFICIENT IT STILL DOESN'T STEP OVER THE LINE OF ESTABLISHING THAT OFFENSE AFFECTS MR GRIECO'S TRUSTWORTHINESS AND HONESTY IN CONNECTION WITH THE PRACTICE OF LAW. THIS WAS HATE TO SAY A SEPARATE MATTER BECAUSE WE WANT TO ENCOURAGE LAWYERS TO BE INVOLVED IN THE POLITICAL PROCESS. BUT THIS WAS ALL IN THE POLITICAL MILIEU NOT HAVING ANY EVEN SLIGHT OVERSIGHT.

>> Justice Meredith Sasso: CAN I ASK YOU A QUICK QUESTION WAS COMPLETE NO CONTEST PLEA.

>> Benedict P. Kuehne, Respondent: DIVIDENDS SUGGEST IT WAS A NO CONTEST PLEA. THAT IS THROUGH A LAWYER LETTER.

>> Justice Meredith Sasso: BACK IN MY CRIMINAL MONDAYS NO CONTEST WHEN ONE ENTERS A NO CONTEST PLEA BASICALLY YOU SAY I'M NOT PLEADING GUILTY I'M NOT PLEADING IN US AND I'M JUST NOT CHALLENGING THE FACTS. HOW IS THAT CONSIDERED AN ADMISSION.

>> Mark L. Mason, Complainant:

>> Benedict P. Kuehne, Respondent: THE BAR RULE ON THE CONCLUSIVENESS DEALS WITH THE ADJUDICATION IF THE ADJUDICATION IS ESTABLISHED HOW IT GOT TO AN ADJUDICATION DOESN'T MATTER. HERE THERE WAS NO ADJUDICATION BUT A WITHHOLD OF ADJUDICATION.

>> Justice Meredith Sasso: ASSUMING FOR A SECOND THAT GRECO IS GOING TO RELY ON THE LETTER SENT TO THE BAR BY THE ATTORNEY LETTER SENT TO THE BAR BY THE ATTORNEY SAYS MR. GRECO PLEADED NO CONTEST IT WOULD BE THE ADMISSION WHETHER IT'S AN ADMISSION OR NOT THERE WOULD BE THE FACTOR DO YOU SEE WHAT I'M SAYING.

>> Benedict P. Kuehne, Respondent: THAT IS THE PROBLEM WE HAVE HERE I'M NOT GOING TO SAY COULD HAVE DONE IT BUT DUE PROCESS WOULD HAVE REQUIRED EVEN AT A BAR PROCEEDING.

>> Justice Charles Canady: THE RULE SPECIFICALLY SAYS DETERMINATION OF GUILT UNDER THE BAR RULES INCLUDES THOSE CASES IN WHICH THE TRIAL COURT IN THE CRIMINAL PROCEEDING ENTERS AN ORDER WITHHOLDING ADJUDICATION OF THE RESPONDENT'S GUILT OF EVENTS CHARGE. SO WITHHOLDING DOES MAKE A DIFFERENCE IN THIS CASE IS WITH THE CONVICTED LAWYER ENTERED A PLEA OF GUILTY TO CRIMINAL CHARGES IN THOSE CASES WHERE THE CONVICTED LAWYER HAS ENTERED A NO CONTEST PLEA TO COMMIT CRIMINAL CHARGES THE FACT THAT IT IS A NO CONTEST PLEA DOESN'T TAKE IT OUT OF BEING A DETERMINATION OF GUILT UNDER THE EXPRESS TERMS OF THE RULE CORRECT

>> THAT IS CORRECT JUSTICE CANADY THE ISSUE BECOMES A NEIGHBOR PROCEEDING WHERE MR GRIECO'S LICENSE IS AT ISSUE AND WE UNDERSTAND THE IMPORTANCE OF THIS TENANT THE BAR SHORT CIRCUIT THE ORDINARY REQUISITE OF PROOF BY NOT USING A CERTIFIED COPY OF CONVICTION WHICH WOULD CONCLUSIVELY ANSWER THOSE ISSUES YOUR HONOR.

THEY DON'T HAVE THAT. THEY DON'T HAVE A HAVE A LAWYER LETTER THAT I UNDERSTAND THE COURT WOULD SAY THAT TO AN ADMISSION THAT IT IS NOT PROOF OF AN ADJUDICATION OR A CRIMINAL CASE RESOLUTION PRINT.

>> Chief Justice Carlos Muniz: YOU CAN HAVE 30 SECONDS TO FINISH.

>> Benedict P. Kuehne, Respondent: FOR THESE REASONS WE WOULD ASK THE COURT TO DETERMINE THAT THERE IS NOT CLEAR AND CONVINCING EVIDENCE OF THE THREE BAR VIOLATIONS AND NO IMPLICATION ON THE PRACTICE OF LAW WITH REGARD TO THE TRADES OF HONESTY INTEGRITY TRUSTWORTHINESS BUT IF THIS COURT DETERMINES THAT THERE IS A VALID BASIS FOR A BAR VIOLATION THE REFEREE'S DETERMINATION OF 90 DAYS IS THE MOST THAT WOULD BE APPROPRIATE. WE THINK AS THE BRIEF REFLECTS THIS IS THE CASE FOR AN ADMONISHMENT. THE PRIOR CONDUCT IN 2004 2008 WHEN MR GRIECO WAS A FOURTH-YEAR LAWYER HAS BEEN SUFFICIENTLY DISTANCED BY A LIFETIME OF GOOD WORK SERVING THE PUBLIC IN THE PROFESSION THANK YOU YOUR HONORS.

>> Chief Justice Carlos Muniz: THANK YOU VERY MUCH.

>> Mark L Mason, Complainant: I HAVE A SLEEP WILL NOT TOUCH ON EVERY POINT I WANTED TO KNOW AND ONE THING I'VE HEARD THE MR GRIECO DID NOT ORIGINALLY SERVE AS A LAWYER FOR PEOPLE FOR BETTER LEGAL STIMULATOR GAVE LEGAL ADVICE TO THE TWO OFFICERS WHEN HE TOLD THEM TO GO AHEAD AND WIND IT UP WASN'T WORTH IT. THIS WAS HIS TESTIMONY AT THE HEARING I JUST WANT TO READ IT. WERE YOU EVER RETAINED BY PEOPLE FOR BETTER LEADERS AS A LAWYER HIS

ANSWER WAS NOT BY THE COMMITTEE NOR BY ANY OF OTHER OFFICERS HE WASN'T A LAWYER. THAT DIDN'T BECOME A NEW ISSUE UNTIL IT WAS RAISED IN THE ANSWER BRIEF NOW IS BEEN RE-RAISED TO DATE IS NOT TRUE. WITH REGARDS TO THE LETTER FROM.

[LISTING NAMES] WHERE HE SPECIFICALLY SAID SLED NO CONTEST THAT IS SUFFICIENT EVIDENCE THE BAR HAS LACKS EVIDENTIARY STANDARD IS MEANT TO REFLECT THE FACT WERE DEALING WITH FLOORS WE WANT TO KNOW WHAT HAPPENED NOT GET HUNG UP ON TECHNICALITIES. WE HAVE AN ADMISSION FROM. [LISTING NAMES] WHO WAS MR GRIECO'S LAWYER.

>> COUNSEL DOES IT CONCERN YOU AT ALL TO THE BAR REQUIRES A LETTER TO BE SENT AND THAT CAN BE USED AS AN ADMISSION AGAINST THEM UNDER YOUR EVIDENTIARY STANDARDS?

>> Mark L Mason, Complainant: NO YOUR HONOR I SAY THAT BECAUSE THE RULE DOES NOT JUST REQUIRE A LETTER TECHNICALLY ALSO REQUIRES HIM TO SEND OVER THE ACTUAL COURT RECORD WHICH WASN'T DONE. WE DIDN'T GET THAT. WE DID HAVE THE UNDERLINED LETTER SO HONESTLY I DON'T THINK THERE WAS ANY INDICATION AT THE OUTSET THAT THIS WAS GOING TO BE AN ISSUE BECAUSE WE WERE SITTING ON THE ADMISSION THE ENTIRE TIME.

WOULD IT HAVE BEEN NICE TO HAVE THE COURT RECORD YES WOULD BEEN NEGATIVE MR GRIECO HAD TURNED THAT OVER WHEN THEY SENT A LETTER BUT IT DIDN'T HAPPEN WE RELIED UPON WHAT WE HAD WHICH WAS SUFFICIENT BY ITSELF TO ESTABLISH DEVOLUTION CHARGE. NOW AS FAR AS THE CASE LOGOS AND NOTION THIS IS AT MOST A 90 DAY SUSPENSION I WOULD ASK YOU TO TURN TO PAGE 65 OF THE ANSWER BRIEF. WHERE TO START CITING TO 11 DIFFERENT CASES THAT THEY SAY SUPPORTS THAT. ALL OF THOSE 11 CASES THE PUNISHMENT WAS EITHER 90 DAYS UP TO THREE YEARS. NOTHING LOWER THAN 90 DAYS. WHEN YOU ARE CONSIDERING THE PATTERN OF DISHONEST CONDUCT I WOULD ASK THAT YOU CONSIDER GOING A LOT HIGHER THAN 90 DAYS AND MORE CLOSER TO THE ONE YEAR SOUGHT BY THE BAR.

THANK YOU.

>> Chief Justice Carlos Muniz: THANK YOU VERY MUCH THE COURT WILL TAKE A TWO MINUTE BREAK WILL BE RIGHT BACK.

>> Marshal: ALL RISE.