

>> NEXT CASE ON THE DOCKET IS
THE FLORIDA BAR V. JEREMY W.
ALTERS.

>> ARE YOU READY?

>> MAY IT PLEASE THE COURT, MY
NAME IS WILLIAM MULLIGAN AND I
REPRESENT THE FLORIDA BAR IN
THIS MATTER.

ONE THING IS CLEAR, JEREMY
ALTERS VIOLATED 3 OF THE MOST
SACROSANCT PRINCIPLES OF THE
FLORIDA BAR.

FIRST, THIS IS A GARDEN-VARIETY
MISAPPROPRIATION CASE.

JEREMY ALTERS CLAIMS HE
DISCOVERED A TRUST SHORTAGE ON
FEBRUARY 9, 2010, YET HE DID
NOTHING TO PROTECT THE FINANCIAL
INTERESTS OF HIS CLIENTS.

AND ONE YEAR LATER THE DEFICIT
WAS LARGER.

SECOND, JEREMY ALTERS PLACED HIS
PERSONAL INTERESTS IN FRONT OF
THE FINANCIAL INTERESTS OF HIS
CLIENTS BY PAYING PERSONAL, IN
FIRM EXPENSES PRIOR TO RESTORING
THE TRUST AGAIN.

THIRD, JEREMY ALTERS MADE
UNILATERAL DECISION NOT TO
REPORT THE TRUST COUNT SHORTAGES
TO THE FLORIDA BAR AND IN TURN
THIS COURT.

THIS WAS NOT HIS DECISION TO
MAKE.

THIS COURT'S PRECEDENT DICTATES
THAT DISBARMENT IS THE ONLY
APPROPRIATE SANCTION FOR THE
RESPONDENT'S MISCONDUCT IN THIS
CASE.

>> CAN I ASK A QUESTION?

WERE YOU THE RESPONSIBLE PERSON
FOR THIS FILE BACK WHEN THE
EMERGENCY SUSPENSION WAS ISSUED?

>> YES, JUSTICE.

>> COULD YOU TELL ME WHY, WHEN
THE MOTION TO LIFT THAT
SUSPENSION WAS FILED AND THE BAR
BASICALLY DID NOTHING?

>> I AM SORRY, WHAT HAPPENED
WITH IT WAS THE BAR PROSECUTED

THE EMERGENCY SUSPENSION AND
CONTINUE TO PROSECUTE
THEREAFTER.

>> WHY DIDN'T YOU RESPOND
ADEQUATELY TO THE EMERGENCY
SUSPENSION OF THIS IS SUCH A BAD
DEAL?

I ASK BECAUSE BEFORE I VOTED TO
GO ON WITH EMERGENCY SUSPENSION,
PACES THAT WERE THERE, AS AN
EXHIBIT, AND THE BAR TO MY MIND
SEEMED TO STAND MOOT.

>> WE DID NOT.
WE WENT TO A HEARING, A COUPLE
DAYS.

>> WHAT DID YOU FILE HERE?
WHEN DID YOU FILE HERE?

>> WE FILED A PETITION FOR
EMERGENCY SUSPENSION.

>> AFTER THAT.

>> THE REFEREE MOVED TO LIFT THE
SUSPENSION AND THIS COURT HAD AN
ORDER TO SHOW CAUSE AND
SUBSEQUENTLY THIS COURT LIFTED
THE SUSPENSION.

>> HAD NO ALTERNATIVE BECAUSE
THERE WAS NOTHING TO SUSPEND ON.
THAT IS MY QUESTION.

WHY WASN'T THIS MATERIAL
PROVIDED AT THAT TIME?

>> WE MOVED FORWARD AT THAT
TIME.

>> THERE WAS A EMERGENCY MOTION
TO SUSPEND, IT WAS GRANTED BY
THIS COURT AND WAS GRANTED.
AND THEN I THINK A FEW DAYS
LATER IT WAS LIFTED BY THE
REFEREE.

SOMEBODY RECOMMENDED IT.

>> WI-FI COULD EXPLAIN, WHAT
HAPPENED WE FOUND THE SUSPENSION
IN 2011.

WHAT HAPPENED WAS THIS COURT
IMPOSED THE EMERGENCY
SUSPENSION.

THERE WAS A HEARING ON THE
PETITION JANUARY 2012 AND --

>> A HEARING --

>> THE HEARING WAS ON THE
PETITION FOR EMERGENCY

SUSPENSION LIFTED.

>> THERE WAS A MOTION TO SET ASIDE THE RULING TO SUSPEND ON AN EMERGENCY BASIS AND THAT WENT ON A HEARING BEFORE THE REFEREE. THE REFEREE RECOMMENDED THAT WE LIFT THE SUSPENSION.

AND FROM THAT POINT ON, THE BAR CONCENTRATED ON PROSECUTING THIS.

>> THIS COURT SPECIFICALLY LIFTED THE SUSPENSION AND SAID FOR US TO PROCEED THROUGH NORMAL CHANNELS AND THAT HAPPENED. WE PROCEEDED THROUGH NORMAL CHANNELS.

>> THE BAR DID OBJECT TO THE MOTION TO DISSOLVE.

>> YES.

>> AND YOU RESPONDED AND IN ORDER TO SHOW CAUSE, YOU OPPOSE THE REFEREE'S DECISION AND THE COURT WAS SPLIT ON WHETHER TO UPHOLD THE REFEREE'S DECISION OR NOT.

>> THAT IS CORRECT.

>> THERE IS NO QUESTION THERE IS A SIGNIFICANT TRUST ACCOUNT VIOLATION AND I FIND THE REFEREE'S REPORTS SOMEWHAT BAFFLING.

GOING BACK HERE, WE ARE LOOKING AT BETWEEN NOTHING AND DISBARMENT.

IS THIS THE CLEAR PRESUMPTION OF DISBARMENT, MY QUESTION ON IT, AS OF JANUARY 2012, SIX YEARS LATER, HAD THE TRUST ACCOUNT BEEN REPLENISHED BY JEREMY ALTERS?

WHEN DID THAT OCCUR?

>> THE DEFICIT WAS OVER \$1 MILLION STARTING IN FEBRUARY 2010.

ESSENTIALLY THE TRUST ACCOUNT WAS REPLENISHED 13 MONTHS LATER.

>> BY WHAT DATE?

>> MARCH 2011.

>> WHEN THE BAR FILED EMERGENCY SUSPENSION, THE TRUST ACCOUNT

HAD BEEN REPLENISHED?

>> THAT IS CORRECT.

>> WHICH IS DIFFERENT FROM A LOT OF CASES WHERE THE QUESTION IS IS THERE ONGOING DEFICITS?

MY QUESTION IS OBVIOUSLY AGAIN, WHAT YOU SAID, THE TRUST ACCOUNT, TO PAY OPERATING AND PERSONAL EXPENSES CLEARLY A VIOLATION.

AS SOON AS JEREMY ALTERS FOUND OUT, REPORTED, HE DIDN'T DO THAT.

WAS THERE AN ALLEGATION OF CLIENT HARM HERE, WHERE A CLIENT DID NOT RECEIVE THE MONEY HE OR SHE WAS ENTITLED TO AT AN APPROPRIATE TIME?

>> CLEARLY THERE WERE CLIENTS WHO WERE NOT PAID BECAUSE THEY SHOULD HAVE BEEN, THE MONEY WAS NOT TAKEN OUT OF TRUST.

>> IT COULD STAY IN TRUST FOR MONTHS AND THERE MAY NOT BE. THE CLIENT COMPLAINED OUT OF TRUST ACCOUNTS.

>> THERE WASN'T A CLIENT COMPLAINED BUT AN INSTANCE WHERE JEREMY ALTERS PAID ONE CLIENT WITH ANOTHER CLIENT'S MONEY.

>> I UNDERSTAND THAT WAS DECEMBER 2012.

>> DECEMBER 2011.

>> WAS THE CLIENT WHERE HE CLEARLY TOOK MONEY OUT OF THE TRUST TO PAY SOMEBODY, THAT MONEY WAS IN TRUST FOR HIM OR HER, THAT MONEY AT THAT TIME?

>> I CAN'T ANSWER SPECIFICALLY.

>> I'M NOT MINIMIZING THIS, THIS WAS HUGE AND I WANTED TO HEAR HOW THIS PERSON WHO WAS THE RAINMAKER IN THIS FIRM TOOK \$1 MILLION FROM THE OPERATING ACCOUNT WHICH CAME FROM THE TRUST ACCOUNT TO PAY HIMSELF, HOW THAT CAN BE SEEN AS NOT A SUBSTANTIAL SANCTION BUT I WANTED TO GO BETWEEN WHY THIS IS CLEARLY DISBARMENT AS OPPOSED TO

A SUBSTANTIAL MENTION.

>> ONE THING I WOULD LIKE TO CLEAR UP, I ACCIDENTALLY SAID 2011.

IT IS 2010, THE CASE WE ARE REFERRING TO REGARDING THE CLIENT'S MONEY.

>> THE EMERGENCY SUSPENSION COULDN'T OCCUR FOR ANOTHER YEAR AND THE TRUST ACCOUNT WAS REPLENISHED.

>> LET ME ASK YOU SOMETHING ELSE.

A MANAGING PARTNER, SEEMS TO ME A SUBSTANTIAL PART OF THIS, A FEMALE PARTNER WHO WAS ALLEGEDLY IN CHARGE AND THERE WAS SOME DISCIPLINE BROUGHT AGAINST HER BUT IT WAS DIVERSE AND OR SOMETHING.

SHE WAS NEVER SUSPENDED, WAS SHE?

>> KNOW.

>> SO THE BAR AGREED TO SOME MINOR DISCIPLINE FOR HER, ALTHOUGH A LARGE PORTION OF THE TIME THERE WAS THESE TRUST ACCOUNT VIOLATIONS OCCURRED WHEN SHE WAS UNDERSTANDABLY IN CHARGE.

>> I WOULD NOTE THOSE CASES, BETWEEN THIS CASE AND THE OTHER ATTORNEY YOU ARE REFERRING TO ARE APPLES AND ORANGES. THAT CASE IS SOLEA REPORTING CASE AND AS JUSTICE KENNEDY WAS REFERRING TO --

>> WHO DURING THIS. GO OF TIME WAS SIGNING CHECKS AND AUTHORIZING MOVEMENT OF MONEY?

>> THE ONE WHO WAS DOING THE ACTION WAS JEREMY ALTERS'S FOR BROTHER-IN-LAW.

HE WAS THE BOOKKEEPER FOR THE FIRM.

MISS BOLT IS THE ATTORNEY YOU ARE REFERRING TO.

SHE WAS NEVER DIRECTING THE TRANSFER IS.

THERE IS NO REFERENCE THAT SHE

DIRECTED ANY IMPROPER TRANSFERS BUT THERE IS EVIDENCE THAT THE JUDGE DID NOT AGREE WITH CREDIBILITY BUT THERE IS EVIDENCE IN THE RECORD THAT JEREMY ALTERS DIRECTED EVERY TRANSFER IN 2010.

HIS BROTHER-IN-LAW TESTIFIED AT THE BAR LEVEL.

>> WHEN THE REFEREE FOUND THAT WAS NOT CREDIBLE TESTIMONY.

>> WE FIND THAT TO BE ERRONEOUS, THAT FACTOR.

>> LET ME GO BACK TO REPLENISHING THE DAMAGES HERE, THE MONEY, THE TOTAL AMOUNT OF MONEY TAKEN FROM THE TRUST ACCOUNT EVER REPLENISHED, WAS IT EVER RECOVERED?

>> YES.

>> THE FINDING OF A MEDICATOR AND THE FACT THAT THERE WAS GOOD FAITH EFFORT TO MAKE RESTITUTION TO YOU IN AGREEMENT WITH THAT?

>> NOT AT ALL.

>> DID HE NOT MAKE FULL RESTITUTION?

>> THE KEY POINT IS AFTER JEREMY ALTERS WAS AWARE OF THAT, THE DEFICIT GOT LARGER, AND THE RESTITUTION WAS INSTITUTED 13 MONTHS LATER BUT IT WENT HIGHER AFTER HE WAS AWARE OF THE TRUST ACCOUNT SHORTAGE SO THAT IS THE PROBLEM.

WE CAN'T AGREE, WITH GOOD FAITH RESTITUTION BASED ON THAT.

>> WE KNOW WHAT WOULD HAVE HAPPENED IF HE HAD REPORTED THIS AND THE DEFENSE IS HE SHOULD NOT BE SUBJECT TO SANCTIONS FOR NOT REPORTING BECAUSE THE RULE DIDN'T EXPRESSLY REQUIRE THAT BUT WE ALSO KNOW THAT HE FILED HIS MEMBERSHIP STATEMENT AND AFFIRMATIVELY MISREPRESENTED THAT HE WAS IN COMPLIANCE. WHAT WOULD HAVE HAPPENED IF HE HAD BEEN TRUTHFUL IN THAT STATEMENT?

>> IF HE WAS TRUTHFUL IN THAT STATEMENT THE BAR, I CAN'T SAY 100% BUT LIKELY WOULD HAVE OPENED A FILE AND PROCEEDED WITH AN INVESTIGATION AT THAT TIME AND IT WAS HUGE PROBLEMS IN THE TRUST ACCOUNT AND LED TO SERIOUS REPERCUSSIONS FOR JEREMY ALTERS AND HIS FIRM.

>> THE REASON HE WAS ABLE TO KEEP THINGS AFLOAT AND BORROW MONEY FROM HIS TRUST ACCOUNT TO OPERATE HIS FIRM AND ULTIMATELY PAY THE MONEY BACK WHICH WAS A GOOD THING WAS BECAUSE HE MISREPRESENTED ON HIS FORM THAT HE WAS IN COMPLIANCE WITH THE TRUST RULES IN VIOLATION.

>> I WOULD AGREE.

>> I KNOW YOU WANT TO SAY A LOT BUT WE HAVE QUESTIONS.

THE FIRM WAS BROWN, RASH AND CUOMO AND WAS FOUNDED BECAUSE D.H. ET AL. V. ADEPT COMMUNITY SERVICES, INC. ET AL. -- BECAUSE JEREMY ALTERS FUNDED IT.

>> THERE WAS SEED MONEY.

>> IT CAME SOLELY FROM JEREMY ALTERS.

HE FUNDED THE ESTABLISHMENT.

>> NOT 100% CERTAIN BUT HE DID.

>> HE WANTED TO BE A TRIAL LAWYER, TO A LADY NAMED KIMBERLY, NAMED THE MANAGING PARTNER.

>> THERE IS DISAGREEMENT WHAT THAT ROLE WAS BUT YES.

>> AS MANAGING PARTNER I ASSUME MISS BOLT WAS MOVING MONEY AROUND TO KEEP IT GOING.

WHEN I READ IT NEVER MADE MONEY. LIVING OFF OF THE \$2.5 MILLION AND WHEN IT RAN OUT THAT IS WHEN THE TROUBLE BEGAN.

>> AUGUST 2007 IS WHEN IT WAS FORMED SO THEY NEVER MADE MONEY DURING THE ENTIRE TIME OF THE SUBJECT FRAME OF THE COMPLAINT. JEREMY ALTERS WAS THE CONTROLLING SHAREHOLDER THE

ENTIRE TIME IT WAS A MANAGING PARTNER OF THE FIRM FROM THE BEGINNING UP UNTIL SEPTEMBER 2009.

HE KNEW THAT THE FIRM WAS NOT MAKING MONEY THE ENTIRE TIME AND WHAT HAPPENED WAS MISS BOLT WAS ONLY THERE IN THAT ROLE FROM SEPTEMBER 2009 AND IS DISPUTED.

UNDENIABLY SHE IS OUT BY JUNE 22, 2010, AND JEREMY ALTERS WAS MANAGING THEREAFTER.

>> FROM SEPTEMBER 2009 TO OCTOBER 2010, THERE WERE 49 IMPROPER TRANSFERS FROM THE TRUST ACCOUNT.

I TAKE IT DURING THAT GO OF TIME IT WAS MISS BOLT WHO WAS MANAGING PARTNER MOVING MONEY AROUND.

>> I DISAGREE.

THE REASON IS MISS BOLT WAS NO LONGER AT THE FIRM ON JUNE 22ND, NO LONGER MANAGING.

JUNE 22, 2010, IMPROPER TRANSFERS OCCURRED OVER 280,000 TRANSFERS OCCURRED AFTER THAT DATE.

AND THE CLIENT'S MONEY WAS USED TO PAY ANOTHER CLIENT.

THIS IS AFTER MISS BOLT IS NO LONGER MANAGING AND MISS BOLT AND MANY WITNESSES TESTIFIED JEREMY ALTERS'S BROTHER-IN-LAW AND OTHERS, MISS BOLT WASN'T CONTROLLING THE MOVEMENT OF MONEY AT THE FIRM.

>> WE KEEP BRINGING UP MISS BOLT BECAUSE THE REFEREE SEEMED TO ASCRIBE A MUCH GREATER RESPONSIBILITY.

THIS DOES NOT MINIMIZE THE TREMENDOUS TRUST ACCOUNT VIOLATIONS THAT OCCURRED HERE. THE POTENTIAL FOR HUGE CLIENT HARM.

YOU ARE SAYING SHE ALMOST HAD NOTHING TO DO WITH IT WHEN WE ARE LOOKING AT THIS AND THINKING

SHE WAS CERTAINLY COMPLICIT IN WHAT WAS GOING ON DURING THE-- AND SEEMS LIKE EVERY ONE IN THE FIRM, HOW BIG OF A FIRM WAS THIS?

>> WELL, IT VARIED.
IT SWITCHED DEPENDING WHAT WAS GOING ON.

>> UNDER 10?

>> UNDER 10 LAWYERS, THEN IT WENT ABOVE.

BUT FIRMS AND THE LAWYERS KNOW WHEN THEY'RE NOT MAKING MONEY. THEY'RE EITHER BRINGING MONEY IN, ONLY MONEY IS GOING OUT IT'S A HUGE FIRM PROBLEM.

SO IT SEEMS LIKE MISS BOLT WOULD KNOW AS WELL AS MR. ALTERS CERTAINLY SHOULD HAVE KNOWN. BUT I THINK THE ATTEMPT TO MINIMIZE MISS BOLT IS WHERE THE REFEREE HAD TROUBLE WITH THAT IN HER FINDINGS.

>> THE REFEREE DIDN'T HANDLE MISS BOLT'S CASE.

>> REFEREE MADE FINDINGS, CORRECT?

>> CORRECT.

THE PROBLEM IS, MISS BOLT, THERE IS NO EVIDENCE-- THE ONLY EVIDENCE IN THE REGARD MISS BOLT WAS MISTAKES.

THERE WAS NEVER A FINDING IN THE RECORD THAT SHE DIRECTED ANY IMPROPER TRANSFERS.

THE IMPROPER TRANSFERS WERE DIRECTED BY MR. ALTERS.

IF YOU LOOK FROM FEBRUARY 9th, 2010, MR. ALTERS, FEBRUARY 9th, 2010, THE TRUST ACCOUNT IS MILLION DOLLARS MISSING BETWEEN THAT DATE AND DECEMBER 31st, 2010, HE RECEIVED ONE MILLION 280,000 FROM THE FIRM.

CLIENTS, DEFICIT WITH HIGHER. AND EMPLOYEES DIDN'T RECEIVE PAY.

>> WAS HE PAYING THEM MINIMUM SELF.

HE LOANED THE FIRM 2.5 MILLION.
DID HE EVER GET HIS 2.5 MILLION
BACK?

>> I DON'T KNOW ABOUT BUT HE
KNEW THERE WAS SERIOUS TRUST
DEFICIT.

>> WE COULD TALK ABOUT THE CASE
THE REST OF THE DAY.

YOUR TIME IS UP.

WHAT I WILL DO GIVE YOU A COUPLE
MINUTES REBUTTAL AFTERWARDS
SINCE WE HELPED USE UP YOUR
TIME.

COUNSEL.

>> MAY IT BE THE COURT, ANDREW
BERMAN, FROM YOUNG BERMAN, FOR
JERRY ALTERS.

I WANT TO ADDRESS YOUR QUESTION
WHETHER ANY CLIENT DID NOT
RECEIVE MONEY WHEN THEY SHOULD
HAVE RECEIVED THE MONEY.

EXHIBIT 53, THE TRANSCRIPT OF
EMERGENCY SUSPENSION HEARING
FROM 2012, ON PAGE 164 I ASKED
THE BAR THE FOLLOWING QUESTION.
DID YOU HAVE EVIDENCE OF SINGLE
CLIENT WAS NOT PAID ANY MONEY
WHEN IT WAS DUE?

ANSWER, I DON'T ANY KNOWLEDGE OF
IT.

THAT WAS NOT THE CASE.

>> THAT WAS IN 2012, YOU SAID?

>> CORRECT.

>> WHAT HAPPENED AFTER THAT
TIME?

THAT WAS FOR THE EMERGENCY
SUSPENSION HEARING.

WHAT HAPPENED ON THAT KIND OF
QUESTION DURING THE ACTUAL
HEARING WE'RE HERE ON?

>> THE ACCOUNTING WAS ALREADY
DONE BY THE TIME OF THE
EMERGENCY SUSPENSION HEARING.

AS COUNSEL INDICATED BY
MARCH 2011, MONEY HAD BEEN
REPAID.

THE EMERGENCY SUSPENSION WAS NOT
FILED UNTIL DECEMBER 28th,
2011.

SO--

>> I UNDERSTAND THE ACCOUNTING WAS DONE BUT I'M ASKING YOU, WAS THERE ANY EVIDENCE DURING THIS HEARING OF WHETHER OR NOT ANY CLIENT WASN'T PAID, ANY CLIENT HAD TO DELAY GETTING THEIR MONEY.

>> NO.

>> ANY OF THAT?

>> NO.

THAT WAS NOT AN ISSUE.

THAT WAS NOT AN ISSUE.

>> ALMOST AS IF THEY REHASHED WHATEVER HAPPENED AT THE EMERGENCY SUSPENSION.

GO BACK TO DISBARMENT AND BETWEEN NOTHING.

WHY ISN'T YOUR CLIENT AT THE VERY LEAST REQUIRED TO SERVE A SUBSTANTIAL SUSPENSION, IF NOT DISBARMENT FOR BEING RESPONSIBLE FOR A FIRM, HAVING TRUST ACCOUNT MONIES USED TO FUND AND OPERATING ACCOUNT THAT INCLUDED PAYING HIM OVER A MILLION DOLLARS DURING THAT PERIOD OF TIME?

THERE IS NO WAY HE COULD NOT HAVE NOT KNOWN HIS FIRM WAS NOT MAKING MONEY AND HOW COULD HE TAKE A MILLION DOLLARS DURING THAT PERIOD OF TIME TO PAY HIMSELF?

>> SEVERAL RESPONSES TO THAT YOUR HONOR.

FIRST, HE DIDN'T START THE FIRE. KIMBERLY BOLT STARTED THE FIRE. HE DOUSED FLAMES.

SHE DIDN'T PUT A PENNY BACK INTO THE TRUST ACCOUNT.

>> WE'RE NOT-- THIS IS NOT MISS BOLT ON TRIAL.

THIS IS MR. ALTERS ON TRIAL.

>> FROM FEBRUARY 9th, 2010, TO MARCH 2011, HE PUT \$8.9 MILLION INTO THE FIRM. HE ALSO TESTIFIED THAT THE FIRM, ACCOUNTING DEPARTMENT WAS HANDLING HIS OWN PERSONAL EXPENSES AT TIME.

PERSONAL EXPENSES WERE PAID BUT PUTTING MONEY THROUGHOUT THE FIRM DURING THE PARTY.

>> WHEN YOU SAY PUTTING MONEY IN, IS THAT THREW CASES AND OR IS THIS SOMETHING TOTALLY SEPARATE FROM HIS NORMAL WORK AND DOING--

>> COMBINATION OF SETTLING CASES.

THEY HAD SUBSTANTIAL CASELOAD.

>> YOU'RE INCLUDING IN THE NUMBER THE CASES, THE BUSINESS HE IS DOING FOR THE FIRM.

>> YES.

IN ADDITION CO-COUNSEL AGREEMENTS AND LOANS.

AS SOON AS HE FOUND OUT ABOUT THE PROBLEM IN 2010.

THEY GOT A LOAN.

THEY PUT \$100,000 INTO THE ACCOUNT.

THEN IN THE ENSUING--

>> AT THAT POINT THEY ENGAGED MR. ROGO, RIGHT?

HE GAVE THEM A LIST OF THINGS YOU REALLY OUGHT TO BE DOING HERE.

THEY DID NOTHING, RIGHT?

>> I WOULDN'T SAY THEY DID NOTHING.

THEY DIDN'T ENGAGE HIM.

HE WAS SPECIAL COUNSEL AT THE FIRM WHO HAPPENED TO BE HERE WHEN THIS BROKE.

>> DID HE REPORT IT TO THE BAR?

>> AT THE TIME YOU WERE NOT REQUIRED TO SELF-REPORT.

>> DID HE REPLENISH THE TRUST FUND RIGHT THEN.

DID HE REPLENISH THE TRUST FUND AT THAT MOMENT.

>> HE DIDN'T HAVE THE ABILITY TO DO THAT, NO.

>> DID HE HIRE THE SOMEONE TO AUDIT THE TRUST ACCOUNT.

>> IT WAS NOT COMPLICATED ISSUE. IT WAS 20 TRANSFERS IN JANUARY AND FEBRUARY.

>> SO I GUESS THE ANSWER IS NO.

>> THEY HAD A HANDLE ON IT.
>> HE HAD A PROBLEM WITH
MS. BOLT, RIGHT?
HE HAD A PROBLEM WITH MS. BOLT?
DID HE UNDERSTAND, BLAME IT ON
MS. BOLT AT THAT POINT IN TIME.
>> HE BELIEVED SHE MADE HORRIBLE
MISTAKE AND HE TRUSTED HER.
HE STRUGGLED THE WITH FACT
SHOULD HE KEEP HER THERE.
>> THERE WAS SUBSTANTIAL TRUST
FUND SHORTAGE AND HE DID NOTHING
AT THAT POINT IN TIME?
>> I DON'T THINK HE DID NOTHING.
HE MET WITH THE PRINCIPLES.
THIS CAN'T HAPPEN AGAIN.
THE MS. BOLT WILL REVIEW ON
MONTHLY BASIS RECONCILIATIONS
BANK STATEMENTS WITH THE LEDGER
CARDS.
HE CONFIDENCE IN HER.
HE HAD KNOWN HER A LONG TIME.
SHE WAS BOARD CERTIFIED
APPELLATE LAWYER.
SHE HAD OBVIOUSLY ETHICAL
CREDENTIALS.
HE DIDN'T THINK IT WOULD HAPPEN
AGAIN.
>> WHEN HE DISCOVERED HIS TRUST
ACCOUNT VIOLATION, WHERE, DID
MS. BOLT TAKE MONEY FOR HERSELF?
>> SHE DIRECTED MONEY,
ACCOUNTANT, FIRM'S BOOKKEEPER TO
PAY BILLS.
THE MONEY WAS TRANSFERRED FROM
TRUST TO OPERATING.
>> WHOSE BILLS?
WHOSE BILLS?
>> GENERAL FIRM BILLS.
AND--
>> NOT HER BILLS?
>> NOT HER BILLS.
>> OKAY.
>> DID MR. ALTERS NOT KNOW AS OF
THAT TIME THAT AGAIN, I'M GOING
BACK TO, HIS FIRM AND HIS
LAWYERS WERE NOT MAKING MONEY,
AND THEREFORE THERE WAS NOT
ENOUGH ON ANY IN THE OPERATING
ACCOUNT TO PAY THE OPERATING

EXPENSES?

>> NO.

>> HE WAS WHAT?

>> DURING THAT PERIOD OF TIME
THEY ALWAYS MANAGED TO MAKE ENDS
MEET.

IT WAS TOUGH.

>> THEY WERE MAKING END MEET BY
TAKING FROM THE TRUST ACCOUNT.

>> NO.

HE WAS ASKED THAT ON DIRECT AND
CROSS-EXAMINATION.

HE NEVER EQUATED PROBLEMS WITH
THE FIRM WITH TAKING MONEY OUT
OF THE TRUST ACCOUNT.

WHAT HAPPENED, THEY HAD A
5 MILLION-DOLLAR LINE OF CREDIT.
THIS WAS HEIGHT OF THE BANKING
DISASTER IN THIS COUNTRY.
THE BANK CALLED THE 5 MILLION
LINE.

THEY REDUCED IT TO TWO MILLION.
HE HAD TO PAY THAT DOWN.

BY END OF DECEMBER 2009 HE PAID
IT DOWN TO TWO MILLION.

ALL DISPOSABLE CASH HE COULD
HAVE USED FOR THE TRUST ACCOUNT
WAS GONE.

HE WAS GOING THROUGH THE
DIVORCE.

HE HAD SEVERAL PROPERTIES IN
COLORADO.

HE IMMEDIATELY PUT THOSE UP
FOR SALE.

PROCEEDS OF THOSE WENT BACK INTO
THE TRUST ACCOUNT.

BY NOVEMBER, OCTOBER OF 2010, HE
HAD PUT \$865,500 BACK INTO THE
TRUST ACCOUNT TO COVER THE
\$1,200,000 DEFICIT.

IN HIS MIND HE SUBSTANTIALLY
REPAID THE MONEY.

HE WAS NOT IN CONTROL OF THE
FIRM FROM MID-AUGUST OF 2009
UNTIL--

>> THAT IS WHERE I JUST THINK
YOU'RE SAYING THAT, I THINK,
BETTER TO SAY HE JUST WASN'T AS
DILIGENT AS HE SHOULD HAVE BEEN.
WE'RE ALL, I WAS IN A FIRM, I

JUST THINK BACK ON THIS, I HAD ONE OTHER PARTNER. HE HANDLED THE TRUST ACCOUNT BUT I KNEW EVERY MONTH IF OUR FIRM WAS MAKING MONEY OR NOT MAKING MONEY.

THE THOUGHT THAT ANYBODY WOULD THINK THAT THE TRUST ACCOUNT WAS ANOTHER BANK ACCOUNT FOR THEM TO USE TO FUND THE FIRM IS OUTRAGEOUS.

>> IT IS BUT HE WAS-- HE WAS NOT INVOLVED IN THE DAY-TO-DAY OPERATIONS OF THE FIRM BECAUSE--

>> BUT HE SHOULD HAVE BEEN. HE KNEW ABOUT IT.

AM I WRONG IN THINKING THAT HE, ONCE HE HAD THAT MEETING, HE SAT DOWN WITH BRUCE ROGOW AND HE SHOULD DO THESE THINGS AND FAILURE TO DO THAT, HE IS HIGHLY CULPABLE.

WHY AM I WRONG?

>> IF HE REPORTED THE GOOD PROBABILITY THE BAR WOULD CLOSE HIM DOWN.

THIS IS OUR MISTAKE.

WE MESSED UP.

WE DON'T WANT--

>> HE DID IT TO PROTECT HIMSELF? HE FAILED TO FOLLOW THAT ADVICE IN ORDER TO PROTECT HIMSELF?

>> HE WAS TRYING TO KEEP A NUMBER OF SHIPS AFLOAT.

HE WAS TRYING TO REPLENISH IN THE TRUST AT ACCOUNT.

THE ONLY ASSET HE HAD TO REPLENISH THE TRUST ACCOUNT WAS THE SUBSTANTIAL CASES HE HAD.

HE HAD TO KEEP THE FIRM OPERATIONAL IN ORDER TO ATTRACT CO-COUNSEL AGREEMENTS AND OTHER THINGS TO KEEP IT GOING TO KEEP IT GOING TO PAY BACK THE TRUST ACCOUNT.

>> DO YOU ATTEST THE ASSERTION THAT HE FALSIFIED HIS RESPONSE AS TO COMPLIANCE WITH THE TRUST ACCOUNTING REQUIREMENTS WHEN HE

RENEWED HIS MEMBERSHIP IN THE
BAR?

>> NO.

BUT TWO POINTS WITH RESPECT TO
THAT.

>> YOU DON'T CONTEST THAT.

>> THE BAR, NEVER TRIED THAT
ISSUE.

NEVER PUT IT INTO EVIDENCE.

NUMBER TWO, HE HAD OTHER PEOPLE
FILL IT OUT.

NO EXCUSE FOR THAT.

HE TESTIFIED AT EMERGENCY
SUSPENSION HEARING.

HE WAS OUT OF TOWN.

HE TOOK CONSTRUCTIVE
RESPONSIBILITY.

IT SHOULDN'T HAVE HAPPENED.

>> IS THERE CONCEIVABLE UNIVERSE
YOU CAN IMAGINE THIS COURT
WRITING A OPINION IT IS OKAY TO
USE YOUR TRUST ACCOUNT AS LINE
OF CREDIT, TO KEEP YOUR FIRM
AFLOAT AS LONG AS YOU
SUCCESSFULLY RESTORE EVERYTHING
BY HIDING THE PROBLEM.

>> ABSOLUTELY NOT.

ABSOLUTELY NOT.

BUT, AGAIN, THE EVIDENCE IN THIS
CASE, THERE IS SUB ATTENTION
COMPETENT EVIDENCE IN THIS CASE
SHOULD BE BEYOND REPROACH HE WAS
NOT IN CHARGE OF THE TRUST
ACCOUNT WHEN THE BULK OF THIS
OCCURRED.

IN JULY THROUGH NOVEMBER HE WAS.

HE WAS GIVEN FAKE
RECONCILIATIONS IN JULY AND
AUGUST.

HE TOOK VERY ILL IN SEPTEMBER
AND BAR STIPULATED TO THIS HE
WAS OUT SIX OR SEVEN WEEKS.

CAME BACK IN NOVEMBER.

HAD AN ENCOUNTER WITH THE
BOOKKEEPER.

FIRED HIM.

PUT SOMEONE IN CHARGE WHO HAD
WORKED--

>> NOVEMBER OF WHAT YEAR?

>> 2010.

PUT SOMEONE IN CHARGE WHO HAD
RUN ANOTHER LAW FIRM BEFORE,
CINDY RUSSELL.
SHE ALSO HAD AN MBA.
SHE DISCOVERED PROBLEMS.
WITHIN 60 OR 70, OR 80 DAYS
THEREAFTER EVERYTHING WAS FIXED.
>> WERE THERE NO I'M PROPER
TRANSFERS AFTER BOLT MS. BOLT
WAS GONE AND THE FORMER
BROTHER-IN-LAW?
>> NO, THERE WERE.
I COULD BREAK IT DOWN.
THERE WERE SIX IMPROPER
TRANSFERS IN 2009.
>> I'M ASKING ABOUT, THERE IS
FINGERPOINTING AT THESE TWO
OTHER PEOPLE.
>> THERE WERE EIGHT TRANSFERS
BETWEEN JUNE AND DECEMBER.
AND MY POINT IS--
>> THERE WAS DECEMBER IS REALLY
WHERE THEY FOCUSED.
LET'S GO JUST TO DECEMBER.
HE IS BACK FROM HIS HEALTH
ISSUE.
HIS BROTHER-IN-LAW WAS NOW
FORMER.
HIS DIVORCE HAD OCCURRED?
>> NOT AT THAT POINT IN TIME,
NO.
>> WHAT HAPPENED IN DECEMBER OF
2010?
>> HE PUT CINDY RUSSELL IN THERE
AND SHE, THE OFFICE WAS A MESS.
FINANCIAL OFFICE--
>> ISN'T THIS WHEN THE TRUST
ACCOUNT WAS USED FROM, TO PAY
ONE CLIENT, TO PAY ANOTHER?
IS, JUST--
>> YES, YES, BUT THE POINT IS
THE REFEREE FOUND ON PAGE 65 OF
HER REPORT THAT HE DIDN'T KNOW
AT THE TIME THAT HAD OCCURRED,
BECAUSE HE BELIEVED AT THAT
POINT IN TIME STILL 865,000 HAD
BEEN REPAID IN THE TRUST ACCOUNT
SO ENOUGH MONEY TO COVER BOTH OF
THOSE.
THE BAR NEVER ESTABLISHED AT

WHAT POINT HE HAD KNOWLEDGE FROM THE NEW ACCOUNT WHAT WAS GOING ON.

AT SOME POINT HE DID KNOW. THAT IS WHEN HE FREAKED OUT, HE SAID--

>> YOU LOOK AT THE WHOLE CONTEXT OF THIS.

ALL OF THESE PROBLEMS, THIS SHORTAGE THAT WENT ON FOR OVER A YEAR.

IT JUST SEEMS TO ME THAT THERE IS AN IMPERATIVE OBLIGATION TO BE SURE YOU KNOW EXACTLY WHAT IS GOING ON.

WHY WOULD WE NOT SAY THAT THERE IS, IN THESE CIRCUMSTANCES WHERE THERE ARE ALL THESE RED FLAGS FLYING AND WHISTLES BLOWING FOR SOMEONE THEN TO COME AND SAY, WELL, I DIDN'T KNOW, JUST, IT RINGS HOLLOW.

>> IN HIS MIND HE HAD SEVERAL OBJECTIVES.

GET THE TRUST ACCOUNT MANAGED. KEEP THE FIRM GOING.

THAT IS THE ONLY WAY HE COULD DO IT AND REPAYING THE TRUST ACCOUNT OVER TIME.

>> HERE IS THE THING.

WE HEAR MANY TIMES WHEN THERE IS EMERGENCY SUSPENSIONS, PLEASE LET ME GO ON A LITTLE BIT LONGER SO I-- BECAUSE IF I'M SUSPENDED FROM THE BAR I CAN'T MAKE MONEY.

THAT'S WHAT HAPPENS WHEN YOU HAVE COMMITTED, ONE OF THE MOST, PROBABLY FROM A BAR GRIEVANCE--

>> WHEN YOU SAY YOU COMMITTED.

THE REFEREE BAR FOUND THAT STEPHANIE BOLT COMMITTED THE ORIGINAL SIN.

>> HOW IS THIS CASE DIFFERENT THAN THE JURISPRUDENCE FROM OUR COURT WHERE THE SENIOR PARTNER IN A FIRM HAD SOMEONE ELSE DOING THE BOOKKEEPING, AND WITHOUT DISPUTE THE PERSON DOING THE BOOKKEEPING EMBEZZLED THE MONEY AND THE LAWYER, BECAUSE, DIDN'T

STAY ON TOP OF IT, WAS
DISBARRED?

HOW IS THIS CASE DIFFERENT?

>> BECAUSE IN THOSE CASES THAT
YOU'RE REFERRING TO, JUSTICE
LEWIS, THE PERSON WHO WAS DOING
IT WAS NOT A LAWYER.

IN THIS CASE HE HAD DELEGATED
RESPONSIBILITY FOR THE TRUST
ACCOUNT TO A LAWYER FROM, MIDDLE
OF AUGUST UNTIL JUNE OF 2010.
AND SO DURING THAT PERIOD OF
TIME, YOU HAD A LAWYER, BOARD
CERTIFIED LAWYER IN CHARGE OF
THE DAY-TO-DAY OPERATIONS.

>> DID MR. ALTERS REPORT THIS
SERIOUS MISCONDUCT TO THE BAR AS
REQUIRED BY THE CODE OF ETHICS?

>> NO.

RULE 4.8.3 REQUIRES YOU TO
REPORT IT WHEN YOU HAVE
SUBSTANTIAL CONCERN ABOUT
SOMEONE AS FITNESS AND--

>> WHAT DID THE FIRM SPECIALIZE
IN?

WHAT TYPE OF PRACTICE DID THEY
HAVE?

>> PLAINTIFFS FIRM.

THEY WERE TRANSITIONING INTO
MASS TORT, OTHER CLASS ACTIONS.

>> THAT MEANS THEY HAVE TO
ADVANCE COSTS FOR THE CLIENTS,
CORRECT?

>> SUBSTANTIAL, YES.

>> SO IT WAS, AS FAR AS HAVING A
LINE OF CREDIT, THAT WAS
INTENSIVE AS FAR AS MAINTAINING
PRACTICE.

>> YES.

THE PINCH CAME WHEN THE LINE OF
CREDIT WAS CALLED.

NOT BECAUSE THEY HAD DONE
ANYTHING WRONG.

BECAUSE OF THE FINANCIAL CRISIS.
SO MR. ALTERS SPENT HIS TIME UP
AND THROUGH DECEMBER 2009 PAYING
BACK THE BANK.

>> SO HE HAD A WHOLE BUNCH OF
CASES FLOATING OUT THERE WHERE
COSTS HAD BEEN ADVANCED HOPING

TO GET SOME KIND OF RECOVERY AND AT LEAST RECOVER COSTS?

>> THEY WERE MAKING, NOT UNUSUAL PLAINTIFFS FOR FIRM FOR A BAR TO HAVE BAD BALANCE SHEET, UPSIDE DOWN BALANCE CASE.

ONCE YOU SETTLE THE CASE, BACK TO SQUARE ZERO, BORROW MONEY FOR THE NEXT CASE.

>> NOT BORROWING IT FROM YOUR TRUST ACCOUNT.

>> I UNDERSTAND THAT, JUDGE, BUT IN THIS CASE HE ENTERED INTO MAJOR CO-COUNSEL AGREEMENTS WITH OTHER PREEMINENT LAWYERS AROUND THE COUNTRY.

HE GOT LOANS.

>> THAT HAPPENED AFTER HE CAME BACK, THIS GOES BACK TO WHETHER HE SHOULD HAVE REPORTED IT WHEN HE WAS FIRST AWARE, WHICH PROBABLY WOULD HAVE LED TO HIM BEING SUSPENDED.

IT IS SORT OF, IT, IT WAS GOOD FOR THE CLIENT IN A WAY, RIGHT, BECAUSE HE WAS ABLE TO REPAY IT BUT IT IS NOT THE WAY THE BAR RULES ARE INTENDED TO OPERATE.

>> HE HAD A HOBSON'S CHOICE. HE UNDERSTOOD THAT AT THE TIME. DAMNED IF YOU DO, DAMNED IF YOU DON'T.

>> BUT YOU KNOW, YOU CAN'T BREAK THE LAW BECAUSE THAT MIGHT BE OF BENEFIT.

THAT IS SORT OF ONE OF THOSE ETHICAL DILEMMAS.

THIS ONE REALLY ISN'T.

I STILL GO TO THIS, WHY IS IT WE DON'T DISBAR MR. ALTERS, WHY IS A THREE-YEAR SUSPENSION, THE GREATEST SUSPENSION, NOT WARRANTED?

AS JUSTICE LAWSON SAID, WHETHER WE DISBAR OR GIVE A THREE-YEAR SUSPENSION, HOW WOULD WE WRITE THIS TO SAY THIS DEED SERVES NO PUNISHMENT?

>> HE HAS BEEN EFFECTIVELY QUASI-SUSPENDED TO THE 2011.

IF YOU TURN TO THE FLORIDA BAR WEBSITE RIGHT NOW, YOU TYPE IN HIS NAME, SEE A LINE, LAST 10 YEARS DISCIPLINE.

IF YOU CLICK THAT, YOU WILL SEE SUSPENDED WITH CONDITIONS.

WHEN HE HAS NOT BEEN ADJUDICATED YET AS OF THIS MOMENT, HAVING DONE ANYTHING WRONG.

I UNDERSTAND WHERE THE COURT IS GOING TO GO AT SOME POINT BUT THE POINT IS RIGHT NOW DURING THAT PERIOD OF TIME HIS PRACTICE SUFFERED.

IT BASICALLY DISINTEGRATED. THE TYPES OF ARENAS HE WOULD COMPETE FOR CASES WITH MAJOR PLAYERS, ALL LOOK AT THE BAR WEBSITE.

SO HE HAS HAD A BASICALLY AN ALBATROSS AROUND HIS NECK FOR A WRONG TIME.

>> ISN'T THIS FAIR TO SOCIETY, FAIR TO SOCIETY, ALSO SENDING A MESSAGE.

THERE ARE PLENTY OF LAWYERS THAT WANT THESE MASS TORT CASES.

YOU KNOW, MR. ALTERS ISN'T THE ONLY PERSON.

THE QUESTION REALLY IS, SHOULD PLAINTIFFS MASS TORT FIRMS BE ABLE TO TAKE FROM THEIR TRUST ACCOUNT TO FUND THESE CASES? OF COURSE YOU'RE SAYING NO.

>> OF COURSE NOT.

WE'VE NEVER CONTENDED THAT FROM THE BEGINNING.

HE ADMITTED TO ALL THE TRUST ACCOUNT IMPROPER TRANSFERS.

HE ADMITTED THAT FROM THE BEGINNING.

AS A MATTER OF FACT THE FIRST LETTER I WROTE TO THE BAR--

>> I HAVE ONE MORE QUESTION.

IF HE IS SO COGNIZANT OF HOW SERIOUS AN ETHICS BREACH THIS WAS, HOW CAN YOU JUST BLOW AWAY JUSTICE POLE-- POLSTON'S QUESTIONS THAT--

>> IF YOU READ 4-8.3, I HAVE GOT

IT HERE, IT SAYS, A LAWYER HAS TO REPORT ANOTHER LAWYER IF THE VIOLATION RAISES SUBSTANTIAL QUESTION AS TO THE LAWYER'S HONESTY, TRUSTWORTHINESS FOR FITNESS AS LAWYER IN OTHER RESPECTS OF THE HE BELIEVED IT WAS A MISTAKE, A HORRIBLE MISTAKE.

SO IN HIS JUDGMENT--

>> A MILLION DOLLAR MISTAKE.
OVER A MILLION DOLLAR MISTAKE.

>> OF COURSE.

>> SEVERAL TRANSACTIONS, AND THAT IS ALL A MISTAKE?

>> HE BELIEVED AT THE TIME, HE NOW KNOWS DIFFERENTLY--

>> HE WAS AWARE OF A CHECK, MAYBE MORE, COMING OUT OF THE TRUST ACCOUNT GOING INTO THE OPERATING ACCOUNT OF THE FIRM, CORRECT?

>> YES.

>> THAT IS PRETTY SIMPLE.

>> YES.

>> I WOULD HOPE BEGINNING LAWYERS YOU CAN NOT DO THAT AS A MATTER OF ETHIC.

>> OF COURSE YOU CAN'T.

BUT THE POINT IS, THE QUESTION IS, DID HE BELIEVE SHE WAS A THREAT TO THE PUBLIC AT THAT POINT IN TIME OR DO HE BELIEVE SHE MADE A HORRIBLE MISTAKE?

IN THE PREVIOUS ARGUMENT, JUSTICE CANADY, HAS ANYONE BEEN PROSECUTED FOR 4-8.3 VIOLATION? I KNOW OF ONE.

JUDGE GROSS INVOLVED IN OPERATION COURTRROOM.

HE GOT A 4-8.3 TAG ALONG TO THE OTHER DISCIPLINE FOR FAILING TO TURN IN THE LAWYER WHO BRIBED HIM.

THAT IS ONLY INSTANCE WHERE I HAVE SEEN IT HAPPEN.

BUT THESE ARE VERY SUBJECTIVE.

SO THE LAWYER--

>> BUT HE WOULD HAVE KNOWN, AT THAT TIME, THAT IF THE BAR KNEW

WHAT HAD HAPPENED, AND SHE WAS DETERMINED TO BE THE RESPONSIBLE PERSON, SHE WOULD HAVE BEEN SUBJECT TO AN EMERGENCY SUSPENSION, ISN'T THAT CORRECT?

>> PROBABLY.

>> I THINK MOST CERTAINLY.

I SEE THOSE COMING ACROSS, THOSE FACTS.

THAT IS DEFINITELY GOING TO BE EMERGENCY SUSPENSION YOU'RE SAYING HE THOUGHT, EVEN SOME LAWYER WHO, ANY REASONABLE LAWYER, WOULD HAVE UNDERSTOOD WOULD BE SUBJECT TO AN EMERGENCY SUSPENSION, WOULD BE OKAY TO LET THEM KEEP, KEEP THEM IN CHARGE? I JUST HAVE, YOU GOT A MOUNTAIN TO CLIMB WITH THAT.

>> WELL, IN HIS DEFENSE HE WAS HIT BROADSIDE WITH THIS AND HE WAS TRYING TO FIND A WAY TO FIX THE PROBLEM.

YES HE FIXED IT IN HIS OWN WAY. BASED UPON HIS MORAL COMPASS. MAYBE NOT ETHICAL BUT HIS MORAL COMPASS HE DECIDED TO TRY TO SAVE EVERYTHING.

HE DIDN'T WANT TO CLOSE THE FIRM, HAVE 40 FAMILIES OUT ON THE STREET IN THE WORST ECONOMIC DOWNTURN SINCE THE GREAT DEPRESSION.

DIDN'T WANT THE CLIENT'S SECURITY FUND TO STEP IN, IT WAS HOBSON'S CHOICE, NO MATTER WHAT HE DID IT WOULD BE A GOOD OUTCOME NECESSARILY.

STRICT BY THE BOOK.

>> GONE WAY OVER TIME.

THANK YOU.

THANK YOU FOR YOUR ARGUMENT.

LET'S SHOOT FOR TWO MINUTES, OKAY?

SEE HOW FAR THAT GETS US.

>> THANK YOU, JUSTICE.

ONE THING I THINK IS VERY IMPORTANT TO POINT OUT IS, THERE, MR. ALTERS IS SAYING THAT MS. BOLT WAS IN CHARGE AND SHE

WAS RESPONSIBLE FOR THE PROBLEM.
SHE WAS NEVER IN CHARGE OF
MANAGING THE TRUST ACCOUNT.
ONE THING THAT IS VERY CRUCIAL
AT THE TIME THEY MET,
FEBRUARY 9, 2010, MR. ALTERS
ADMITTEDLY KNOWS THERE IS TRUST
ACCOUNT SHORTAGE IN EXCESS OF
MILLION DOLLARS, HE TESTIFIED AT
THE EMERGENCY SUSPENSION, MISS
BOLT AT THAT TIME, HER LIFE, IT
WAS A PERSONAL DISASTER HER LIFE
THAT WAS GOING ON.
HE WAS AWARE OF THIS.
BUT HE PUT HER BACK TO CONTINUE
TO WATCH THE TRUST ACCOUNT AS HE
SAYS BECAUSE SHE NEEDED THIS.
IT WAS IMPORTANT FOR HER.
THIS IS CLIENT MONEY, YET HE
SAYS HE IS PUTTING THIS PERSON
BACK TO MANAGE THE ACCOUNT WHEN
HE KNOWS IT IS OVER A MILLION
DOLLARS MISSING.
>> LET ME-- HE WAS, THE
SUSPENSION WAS LIFTED IN 2011?
>> IT WAS LIFTED IN JANUARY OF
2012.
>> 12.
SIX YEARS AGO.
>> CORRECT.
>> HAS THERE BEEN ANY, I'M
ASSUMING THERE ARE NO OTHER
BARCLAYSES NO EVIDENCE THERE IS
AN ONGOING, THAT THERE IS HAS
BEEN ONGOING OR OTHER
VIOLATIONS, BY MR. ALTERS IT.
>> THERE ARE NO NEW CASES THAT
I'M AWARE OF, JUSTICE.
WOULD I NOTE THREE CASE THIS
COURT SHOULD CONSIDER THE BAR
WOULD OFFER.
FLORIDA BAR VERSUS RUSSO.
FLORIDA BAR VERSUS GILBERT,
WHICH WAS ENTERED THE LAST
COUPLE OF MONTHS.
FLORIDA BAR VERSUS RIGGS.
IN ALL THREE CASES THERE ARE
TRUST ACCOUNT SHORTAGES YOU WILL
NOT SEE ONE WHERE THE SHORTAGE
OCCURS AND IT GETS WORSE

AFTERWARDS.

THAT IS WHAT HAPPENS WITH MR. ALTERS.

HE FINDS OUT THE SHORTAGE, HE SAYS HE FINDS OUT, WE BELIEVE HE KNEW ABOUT IT FROM THE BEGINNING, WHEN HE ADMITS HE FINDS OUT IT GETS WORSE.

>> GOT WORSE FOR HOW MANY DAYS?

>> IT TO THE WORSE, IT WAS HIGHER 13 MONTHS LATER THAN WHEN HE CLAIMS TO HAVE FIRST KNOWN ABOUT IT.

IN THE RUSSO, GILBERT AND RIGGS CASES, RUSSO, HE WAS DISBARRED.

GILBERT, HE WAS DISBARRED.

RIGGS, HE WAS SUSPENDED FOR THREE YEARS.

THIS CASE IS RIGGS TO THE 10th POWER.

MR. ALTERS KNOWING THE TRUST ACCOUNT WAS IN EXCESS OF MILLION DOLLARS SHORT.

HE DIDN'T DO WHAT WAS RIGHT.

HE DID WHAT WAS BEST FOR HIM.

>> THANK YOU.

THANK YOU, COUNSEL FOR YOUR ARGUMENTS, THE COURT IS IN RECESS FOR TEN MINUTES.