

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

Civil Case No. 09-80503

JOEL B. ROTHMAN,

Plaintiff,

v.

THE FLORIDA BAR and ADRIA E.
QUINTELA, in her official capacity as Chief
Disciplinary Counsel, Fort Lauderdale Branch,
of the Legal Division of the Florida Bar,

Defendants.

JOINT SCHEDULING REPORT

The parties respectfully report that they have conferred pursuant to this Court's Order of Pretrial Procedures. Pursuant to Local Rule 16.1B(2), the parties hereby submit their Joint Scheduling Report.

1. **Likelihood of settlement.** The parties have discussed the possibility of settlement and believe that there is a possibility that a settlement can be reached. The parties continue to discuss settlement terms.
2. **Likelihood of appearance of additional parties.** Additional parties are unlikely to appear in this case.
3. **Proposed limits on time.**
 - a. **To join other parties and amend the pleadings.** July 15, 2009.
 - b. **To file motions.** All pretrial motions and memoranda of law must be filed by December 15, 2009.
 - c. **To complete discovery.** November 15, 2009.

4. **Proposals for the formulation and simplification of issues, and the number and timing of motions for summary judgment or partial summary judgment.** The parties may be able to limit some issues by settlement. The parties also believe they are likely to agree on most or all of the material facts and can resolve the case as a matter of law. The parties may file cross-motions for summary judgment by December 15, 2009.

5. **Necessity or desirability of amendments to the pleadings.** The parties do not believe that amendments to the pleadings will be necessary unless they are unable to reach settlement as to some of the issues.

6. **The possibility of obtaining admissions of fact and of documents, electronically stored information or things which will avoid unnecessary proof, stipulations regarding authenticity of documents, electronically stored information or things, and the need for advance rulings from the Court on admissibility of evidence.** The parties believe they will be able to agree on most or all of the material facts and the authenticity of relevant documents in the case. The parties doubt there will be a need for advance rulings on admissibility.

7. **Suggestions for the avoidance of unnecessary proof and of cumulative evidence.** The parties believe they can stipulate to most or all of the relevant evidence and that the case can likely be resolved on cross-motions for summary judgment.

8. **Suggestions on the advisability of referring matters to a Magistrate Judge or master.** The parties do not believe that the case should be referred to a Magistrate Judge or master.

9. **A preliminary estimate of the time required for trial.** If a trial is required, the parties estimate that it would require no more than three days.

Dated: June 29, 2009

Respectfully submitted,

<p><u>s/ Bruce S. Rogow</u> Bruce S. Rogow Florida Bar No. 067999 Cynthia E. Gunther Florida Bar No. 0554812 BRUCE S. ROGOW, P.A. Broward Financial Centre, Suite 1930 500 East Broward Blvd. Fort Lauderdale, FL 33394 Phone: (954) 767-8909 Facsimile: (954) 764-1530</p> <p>Gregory A. Beck DC Bar No. 494479, pro hac vice to be filed Brian Wolfman DC Bar No. 427491, pro hac vice to be filed PUBLIC CITIZEN LITIGATION GROUP 1600 20th St., NW Washington, DC 20009 Phone: (202) 588-1000 Facsimile: (202) 588-7795</p> <p><i>Counsel for Plaintiff</i></p>	<p><u>s/Karusha Y. Sharpe</u> Barry Richard Florida Bar Number 0105599 Karusha Y. Sharpe Florida Bar Number 0540161 GREENBERG TRAUERIG, P.A. 101 East College Avenue Tallahassee, FL 32301 Telephone: (850) 222-6891 Facsimile: (850) 681-0207</p> <p><i>Counsel for Defendants</i></p>
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