

IN THE SUPREME COURT OF FLORIDA
(Before A Referee)

THE FLORIDA BAR,

Complainant,

v.

WILLIAM ABRAMSON,

Respondent.

_____ /

Supreme Court Case
No. SC08-1777

The Florida Bar File
No. 2007-51,779(15F)


FILED
THOMAS D. HALL
2009 APR -8 A 10: 56
CLERK, SUPREME COURT

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

William Abramson, respondent, hereby tenders his Conditional Guilty Plea for Consent Judgment pursuant to R. Regulating Fla. Bar 3-7.9(b), and in support thereof states as follows:

1. Respondent is, and at all times material to this action was, a member of The Florida Bar and subject to the jurisdiction and disciplinary rules of the Supreme Court of Florida.

2. Having stated a desire to enter into a Conditional Guilty Plea for Consent Judgment, respondent has been advised by bar counsel that The Florida Bar will recommend that respondent receive a 6 month suspension from the practice of law to be entered nunc pro tunc to January 2, 2009 [the effective date of his current suspension in Supreme Court Case No. SC07-713] and be ordered to pay the costs of this matter.


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3. Predicated upon the bar recommending the aforesaid discipline, respondent hereby agrees to accept discipline in the form of a 6 month suspension from the practice of law to be entered nunc pro tunc to January 2, 2009 [the effective date of his current suspension in Supreme Court Case No. SC07-713] and payment of The Florida Bar's costs in this matter.

4. For purposes of this Conditional Guilty Plea for Consent Judgment, respondent hereby stipulates to the following as findings of fact:

Respondent represented Ricardo Craig in the case styled State of Florida v. Ricardo Craig, Case No. 2006 CT 034479AXX, in the 15th Judicial Circuit in and for Palm Beach County, Florida, the Honorable Sandra Bosso-Pardo presiding. On or about March 28, 2007, while waiting for a verdict to be returned in the Craig matter, respondent was informed of potential juror misconduct. Respondent failed to timely reveal the information he had obtained concerning such potential misconduct to the State and to the Court and instead waited until after the jury had announced its verdict in court. Respondent had an obligation to timely report such potential misconduct to the State and the Court upon learning of it. On or about April 2, 2007, the Honorable Sandra Bosso-Pardo sent a letter to respondent addressing his failure to reveal the potential juror misconduct until after the verdict had been rendered. A copy of this letter was attached to and made part of the Complaint as Exhibit A. On or about April 4, 2007, respondent responded by letter

to the judge's April 2, 2007, letter to him. A copy of this letter was attached to and made part of the Complaint as Exhibit B. Respondent made statements in the letter concerning the qualifications and integrity of Judge Pardo knowing that the statements were false or with reckless disregard to their truth or falsity, including but not limited to:

It is unacceptable for a judge to be dishonest. Your misrepresentation is libelous.

I feel as though you do not yet possess the competence necessary to preside over criminal jury trials.

In conclusion, my error is not even worthy of comparison to your lack of competence to handle a criminal jury trial.

I do not apologize for pointing out your shortcomings, some of which have been included in this correspondence.

Nothing is more depressing for a trial attorney than to try a case before a judge that does not understand the basic rules of criminal law.

5. For purposes of this Conditional Guilty Plea for Consent Judgment, respondent hereby pleads guilty to violating R. Regulating Fla. Bar **4-3.4(a)** [A lawyer shall not unlawfully obstruct another party's access to evidence or otherwise unlawfully alter, destroy or conceal a document or other material that the lawyer knows or reasonably should know is relevant to a pending or a reasonably foreseeable proceeding nor counsel or assist another person to do such an act.]; **4-3.4(c)** [A lawyer shall not knowingly disobey an obligation under the rules of a

tribunal except for an open refusal based on an assertion that no valid obligation exists.]; **4-8.2(a)** [A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, mediator, arbitrator, adjudicatory officer, public legal officer juror or member of the venire, or candidate for election or appointment to judicial or legal office.]; and **4-8.4(d)** [A lawyer shall not engage in conduct in connection with the practice of law that is prejudicial to the administration of justice...].

6. Respondent tenders this Conditional Guilty Plea for Consent Judgment with full knowledge of all rights afforded to respondents in disciplinary proceedings by the Rules Regulating The Florida Bar including, but not limited to the right to an evidentiary hearing before the referee during which The Florida Bar would have the burden of proving its case by clear and convincing evidence.

7. Respondent has been afforded an opportunity to be represented by legal counsel of his choosing and expressly states that he is satisfied with counsel whose signature is affixed to this plea.

8. Respondent understands that The Florida Bar's agreement with this Conditional Guilty Plea for Consent Judgment is conditioned upon approval by The Florida Bar Board of Governors' Designated Reviewer, the Referee, and the Supreme Court of Florida. If rejected, respondent understands that his Conditional



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Guilty Plea for Consent Judgment shall be of no force and effect and the matter will be referred to a referee for a hearing.

9. Respondent understands and agrees that he shall be responsible for paying the bar's fees and costs in these proceedings which, to date, are in the amount of \$1,250.00. In accordance with bar policy, a check for that amount is tendered with this document. Any additional costs incurred by the bar shall be paid by respondent within thirty (30) days after the Supreme Court of Florida enters its disciplinary order in this cause.

10. For purposes of this consent judgment, the parties hereby stipulate and agree that the following factors are applicable in aggravation and mitigation:

A. Aggravating Factors: 9.22

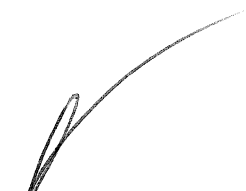
(a) prior disciplinary offenses;

(i) substantial experience in the practice of law.

B. Mitigating Factors:

(e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings;

11. Respondent is not acting under duress nor is he laboring under any physical or mental infirmity which would preclude him from knowingly and intelligently executing and submitting this Conditional Guilty Plea for Consent Judgment.



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12. Respondent acknowledges that this Conditional Guilty Plea for Consent Judgment is tendered knowingly and voluntarily without fear, threat, coercion or promises not set forth in this agreement.

13. Respondent acknowledges that should the conditions set forth herein be met, then this Conditional Guilty Plea for Consent Judgment shall not be subject to modification or withdrawal in any subsequent proceeding.

Respectfully submitted,



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3/16/09

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