

IN THE SUPREME COURT OF FLORIDA
(Before A Referee)

THE FLORIDA BAR,

Complainant,

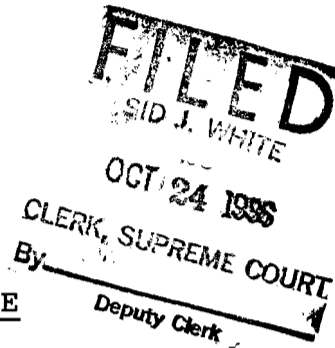
v.

DENNIS SLATER,

Respondent.

CONFIDENTIAL

CASE NO. 67,893
TFB #13B84H56



REPORT OF REFEREE

I. Summary of Proceedings: Pursuant to the undersigned being duly appointed as referee to conduct disciplinary proceedings herein according to article XI of the Integration Rule of The Florida Bar, a final hearing was held on August 1, 1986. The enclosed pleadings, orders, transcripts and exhibits are forwarded to The Supreme Court of Florida with this report and constitute the record in this case.

The following attorneys appeared as counsel for the parties:

For The Florida Bar: Diane Victor Kuenzel

For The Respondent: Walter Lopez

II. Findings of Fact as to Each Item of Misconduct of Which the Respondent is Charged: After considering all the pleadings and evidence before me, I accept the tendered Conditional Guilty Plea for Consent Judgment and hereby adopt the findings of fact as they appear in the Stipulation to Facts which is part of this record.

III. Recommendation as to Whether or Not the Respondent Should Be Found Guilty: I recommend that respondent be found guilty of the following violations of the Code of Professional Responsibility: DR 1-102(A)(4) (engaging in conduct involving misrepresentation by failure to disclose); DR 1-102(A)(5) (engaging in conduct that is prejudicial to the administration of justice); DR 5-103 (maintaining a proprietary interest in a cause of action or litigation conducted for a client).

IV. Recommendation as to Disciplinary Measures to be Applied: In accordance with the Conditional Guilty Plea for Consent Judgment, I recommend that respondent be disciplined by a suspension from the practice of law for a period of two years and four months to run concurrently and coterminously with respondent's original suspension effective October 21, 1981 through February 10, 1984 resulting from his criminal conviction. Also in accordance with the Conditional Guilty Plea for Consent Judgment, I recommend that respondent receive a Public Reprimand with an appearance before the Board of Governors and payment of costs.

V. Personal History and Past Disciplinary Record: After finding of guilt and prior to recommending discipline to be recommended pursuant to Rule 11.06(9)(a)(4), I considered the following personal history and prior disciplinary record of the respondent to wit:

(1) Age: 49

(2) Date Admitted to Bar: 1965

(3) Prior Disciplinary Record: Respondent tendered a Conditional Guilty Plea before this referee in Supreme Court Case Number 67,891 (TFB #13C82H37), a confidential proceeding pending before the Supreme Court.

VI. Statement of Costs and Manner in Which Costs Should Be Taxed: I find the following costs were reasonably incurred by The Florida Bar:

Grievance Committee Level	
Administrative Costs	\$ 150.00
Court Reporter (8/1/85)	51.00
Investigation Expenses	210.14

Referee Level	
Administrative Costs	\$ 150.00
Court Reporter (8/1/86)	78.00

TOTAL AMOUNT DUE TO DATE: \$ 639.14

It is apparent that other costs have or may be incurred. It is recommended that all such costs and expenses together with the foregoing itemized costs be charged to the respondent and that interest at the statutory rate shall accrue and be payable beginning 30 days after the judgment in this case becomes final unless a waiver is granted by The Board of Governors of The Florida Bar.

Dated this 21 day of October, 1986.


HONORABLE RAY E. ULMER, JR.
Referee

Copies furnished to:

Walter Lopez, Counsel for Respondent
Diane Victor Kuenzel, Bar Counsel
John T. Berry, Staff Counsel

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v.

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(TFB No. 13B84H56)

FILED
SID J. WHITE

OCT 24 1986

CLERK, SUPREME COURT

By _____
Deputy Clerk

STATEMENT OF COSTS

1. Grievance Committee Level

1. Administrative costs at the Grievance Committee level, The Florida Bar Integration Rule, article XI, Rule 11.06(9) (a). \$ 150.00
2. Clark Reporting Service (3/1/85)
 - a. Appearance Fee: \$30.00 30.00
 - b. Transcript Fee: (7 pages @ \$3.00) 21.00
3. Staff Investigator Expenses:
(Martin S. Egan)
 - a. Time Expended: 5.1 hrs @ \$35.00 178.50
 - b. Mileage: 113 miles @ \$.28 31.64

Referee Level:

1. Administrative costs at the Referee level, Florida Bar Integration Rule, article XI, Rule 11.06(9) (a) 150.00
2. Official Court Reporter (8/1/86)
 - a. Appearance Fee: \$30.00 30.00
 - b. Transcript Fee: (16 pages @ \$3.00) 48.00

TOTAL AMOUNT DUE TO DATE: \$639.14

The foregoing costs have been incurred in the above-styled cause at the Grievance Committee by The Florida Bar.

BY: *Diane Victor Kuenzel*

DIANE VICTOR KUENZEL
Assistant Staff Counsel
Suite C-49
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Tampa, Florida 33607
(813) 875-9821

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Statement of Costs has been furnished to Walter M. Lopez, Jr., attorney for Respondent at his record Bar address of 2907 South Dale Mabry, Tampa, Florida 33602; and a copy to JOHN T. BERRY, Staff Counsel, The Florida Bar, Tallahassee, Florida 32301-8226; on this 30th day of September, 1986.

Diane Victor Kuenzel
DIANE VICTOR KUENZEL