

FILED
SID J. WHITE

APR 23 1987

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

CLERK, SUPREME COURT

THE FLORIDA BAR,)
Complainant,)
v.)
ARTHUR G. BRODSKY,)
Respondent.)
_____ /

Supreme Court Case
No. 69,208
(TFB No. 11H87M09)

REPORT OF REFEREE

I. SUMMARY OF PROCEEDINGS: On August 29, 1986, the undersigned was appointed by the Chief Justice of the Supreme Court of Florida to serve as Referee in this case.

PAUL A. GROSS of Miami appeared as Bar Counsel.

ARTHUR G. BRODSKY, Pro se, appeared by filing a consent judgment.

II. FINDINGS OF FACT: On March 26, 1987, the Respondent signed a Consent Judgment for Discipline, wherein he agreed to a plea of guilty to the Complaint in exchange for the following discipline:

Disbarment from the practice of law, without leave to reapply for admission for five (5) years, nunc pro tunc, effective August 13, 1985.

The Consent Judgment was approved by the Bar Counsel, and by the Designated Reviewer in accordance with Rule 3-7.8(b). Bar Counsel reports that the Staff Counsel of The Florida Bar also approved.

By his plea, the Respondent admitted that he was guilty of violating the allegations in the Complaint and of violating the following Disciplinary Rules of the Code of Professional Responsibility: DR 1-102(A)(4), conduct involving dishonesty, fraud, deceit or misrepresentation; DR 1-102(A)(6), conduct that

adversely reflects on fitness to practice law. In addition, by his plea, the Respondent has admitted that he has violating the following Rules of the Florida Bar: Integration Rule, article XI:

Rules 11.02(3)(a) (commission of an act contrary to honesty, justice and good morals)

Rule 11.02(3)(b) (Commission of a crime).

A brief resume of the facts are as follows:

On June 3, 1985 the Respondent pled guilty and on or about August 13, 1985 he was adjudicated guilty in the U.S. District Court, Central District of Illinois of conspiracy to defraud the United States, in violation of Title 18 U.S. Code, Section 371. The Respondent was sentenced to three (3) years imprisonment and fined \$2,500. In a nutshell, the Respondent was involved in an illegal "money laundering" conspiracy.

III. RECOMMENDATION AS TO WHETHER OR NOT THE RESPONDENT SHOULD BE FOUND GUILTY:

The undersigned Referee recommends that the CONSENT JUDGMENT FOR DISCIPLINE be approved by this Court and the Respondent be found guilty of violating the Code of Professional Responsibility, as follows:

Disciplinary Rules 1-102(A)(4), conduct involving dishonesty, fraud, deceit or misrepresentation and 1-102(A)(6), conduct that adversely reflects on his fitness to practice law.

Florida Bar Integration Rules 11.02(3)(a) (Commission of an act contrary to honesty, justice and good morals), Rule 11.02(3)(b) (Commission of a Crime).

IV. RECOMMENDATION AS TO DISCIPLINARY MEASURES TO BE APPLIED:

The undersigned Referee recommends the following discipline: Disbarment from the practice of law in Florida; Respondent not be permitted to apply for readmission for a period of five years,


nunc pro tunc, effective August 13, 1985. Accordingly, Respondent should not be permitted to apply for readmission until August 13, 1990.

V. PERSONAL HISTORY AND PAST DISCIPLINARY RECORD: The Bar Counsel reports the following information: Mr. Brodsky is 42 years of age and was admitted to The Florida Bar during 1970. His past disciplinary record is as follows:

Public reprimand for neglect, The Florida Bar v. Brodsky, 427 So.2d 186 (Fla. 1983); Suspension for 90 days for neglect and misleading a client concerning the status of a case, The Florida Bar v. Brodsky, 433 So.2d 517 (Fla. 1983). Suspension for three years for neglect and refunding a retainer fee with a bad check, The Florida Bar v. Brodsky, 471 So.2d 1273 (Fla. 1985).

VI. STATEMENT OF COSTS AND MANNER IN WHICH COSTS SHOULD BE PAID: The Referee recommends the Respondent pay administrative costs at Referee level, in the amount of One Hundred Fifty (\$150.00) dollars. [Rule 3-7.5(k)(5)].

Dated this 20th day of April, 1987 at Quincy, Gadsden County, Florida.


P. KEVIN DAVEY
Referee
Gadsden County Courthouse
Quincy, Florida 32351
(904) 875-3626

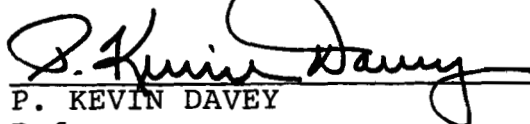
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true copies of the foregoing Report of Referee were mailed this 20th day of April, 1987 to the following persons:

Paul A. Gross, Bar Counsel, The Florida Bar, 211 Rivergate Plaza, 444 Brickell Avenue, Miami, Florida 33131;

John T. Berry, Staff Counsel, The Florida Bar, Tallahassee,
Florida 32301-8226;

Arthur G. Brodsky, #811-60-012, Clark County Jail, P. O. Box 410,
Vancouver, Washington 98666.


P. KEVIN DAVEY
Referee