

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

CATHERINE ROSE FAUGHNAN,

Respondent.

Supreme Court Case  
No.

The Florida Bar File  
No. 2021-90,002(OSC)

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**THE FLORIDA BAR'S PETITION FOR CONTEMPT AND ORDER TO  
SHOW CAUSE**

Petitioner, The Florida Bar, files its Petition for Contempt and Order to Show Cause and requests a 91-day suspension against respondent, Catherine Rose Faughnan, and says:

1. In Florida Supreme Court Case No. SC19-1355 [The Florida Bar File No. 2019-00,049(OSC)], by order dated January 23, 2020, respondent was suspended for 90 days, effective February 24, 2020.

2. In the order of suspension, respondent was ordered to comply with Rule 3-5.1(h), Rules Regulating The Florida Bar, by notifying her clients, opposing counsel and tribunals of her suspension and providing The Florida Bar within 30 days of her suspension a sworn affidavit listing the names and addresses of all persons and entities that were furnished a copy of the suspension order.

3. On January 28, 2020, The Florida Bar notified respondent of the conditions associated with her suspension to her record bar address and email, specifically the requirement that she submit the sworn affidavit pursuant to Rule 3-5.1(h), Rules Regulating The Florida Bar. See, January 28, 2020, letter and email from The Florida Bar to respondent attached hereto as “Composite Exhibit A.”

4. On February 25, 2020, The Florida Bar notified respondent of her noncompliance with the conditions of her suspension to her record bar address and email, specifically her failure to submit the sworn affidavit pursuant to Rule 3-5.1(h). See, February 25, 2020 letter and email from The Florida Bar to respondent attached hereto as “Composite Exhibit B.”

5. Respondent has not submitted the required affidavit containing a list of persons/entities to which she gave notice of her suspension and provided a copy of the order of suspension.

6. Consequently, The Florida Bar is unaware whether respondent notified any clients, opposing counsel and tribunals of her suspension pursuant to Rule 3-5.1(h).

7. Due to respondent’s non-compliance with this Court’s order dated January 23, 2020, The Florida Bar was obligated to file this Petition for Contempt for noncompliance.

8. The other members of The Florida Bar should not have to pay for respondent's noncompliance with this Court's order and the instant proceeding. Therefore, the Bar is requesting administrative costs of \$1,250.00 against respondent.

WHEREFORE, petitioner, The Florida Bar, respectfully requests this Court enter its order directing respondent, Catherine Rose Faughnan, to show cause why she should not be held in contempt and be suspended for 91 days, comply with the terms of the Court's order in SC19-1355 prior to petitioning for reinstatement, and assess costs in the amount of \$1,250.00 to The Florida Bar.

Respectfully submitted,



Patricia Ann Toro Savitz, Bar Counsel  
The Florida Bar  
Headquarters  
651 East Jefferson Street  
Tallahassee, Florida 32399-2300  
(850) 561-5839  
Florida Bar No. 559547  
[psavitz@floridabar.org](mailto:psavitz@floridabar.org)

## **CERTIFICATE OF SERVICE**

I certify that this document has been E-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, using the E-Filing Portal; with a copy furnished by United States Mail via certified mail No. 7017 0190 0000 0892 2374, return receipt requested, to Respondent, Catherine Rose Faughnan, at her record bar address of 12 Ardsley Road, Binghamton, NY 13904-1731 and by email to [katef.faughnanlaw@gmail.com](mailto:katef.faughnanlaw@gmail.com) on this 20th day of July, 2020.



Patricia Ann Toro Savitz, Bar Counsel

**NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY  
EMAIL ADDRESS**

PLEASE TAKE NOTICE that the bar counsel and staff counsel in this matter is Patricia Ann Toro Savitz, whose address, telephone number and primary email address are The Florida Bar, Headquarters, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, (850) 561-5839 and [psavitz@floridabar.org](mailto:psavitz@floridabar.org). Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than bar counsel and staff counsel.



## The Florida Bar

651 E Jefferson Street  
Tallahassee, FL 32399-2300

Joshua E. Doyle  
Executive Director

850/561-5600  
www.floridabar.org

January 28, 2020

**VIA US Mail and E-Mail to [katef.faughnanlaw@gmail.com](mailto:katef.faughnanlaw@gmail.com)**

Ms. Catherine Rose Faughnan  
12 Ardsley Road  
Binghamton, NY 13904-1731

Re: The Florida Bar v. Catherine Rose Faughnan; Supreme Court Case No.: SC19-1355  
The Florida Bar File No.: 2019-00,049 (8B)

Dear Ms. Faughnan:

Pursuant to the order of the Supreme Court of Florida dated January 23, 2020, you were suspended from the practice of law for a period of 90 days. The effective date of the suspension is February 24, 2020, and automatic reinstatement will occur on May 24, 2020. The filing of a motion for rehearing does not alter the effective date of the suspension. The court's order also assessed costs in the amount of \$1,489.39. Your costs are due in this office no later than March 9, 2020. **Please review the attached Failure to Pay Notice as it may substantially affect your continuing ability to practice law.** If you are interested in being on a payment plan, and you qualify under the Delinquent Costs paragraph in the attached Failure to Pay Notice, you need to contact our office immediately.

You must follow the provisions of Rule 3-5.1(h). A copy of the order must be immediately provided to clients, opposing counsel or co-counsel, and certain courts, and you must provide an affidavit to us verifying that this has been done. A form affidavit is enclosed. Please note, providing a copy of the order to the clerk's office does not satisfy this rule. You must provide a copy of the order to the presiding judge. The executed affidavit must be provided to this office within 30 days of the court order **to wit:** February 24, 2020. If you had no clients or pending matters at the time the order was served in this case, the affidavit should so state. Should you accept employment with a Florida lawyer or law firm, additional requirements apply. Please see Rule 3-6.1 in this respect. In order to avoid an appearance of being a lawyer in good standing, you must eliminate all indicia of attorney status (social media, telephone listings, stationery, checks, business cards, office signs, etc.) during the term of suspension.

# Composite Exhibit A

Ms. Catherine Rose Faughnan

January 28, 2020

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Melissa Mara, Headquarters Paralegal, will be the contact person at The Florida Bar for issues relating to compliance with the court's order. Ms. Mara may be contacted at (850) 561-5776 should there be any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Lisa Chason". The signature is written in a cursive, slightly slanted style.

Lisa Chason, Compliance Coordinator  
Lawyer Regulation Headquarters

Enclosures—Failure to Pay Notice, 3-5.1(h) affidavit

## **FAILURE TO PAY NOTICE**

The Supreme Court of Florida has entered an order assessing costs, fees, imposing fee arbitration and/or restitution obligations. The requirements of this order create certain obligations of which you should be aware.

### **Making Payment**

Please send checks or money orders made payable to "The Florida Bar" to the attention of Lisa F. Chason, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300. Please place The Florida Bar file number on the check so we may extend proper credit for the payment.

Credit card payments are accepted via phone call to Lisa F. Chason at (800) 342-8060, ext. 3186.

### **Delinquent Costs**

Costs are deemed delinquent unless they are paid within 30 days after the recommendation becomes final. The time for payment may be extended by The Board of Governors (hereafter the Board) for good cause shown. In order for the Board to approve an extension of time a payment plan must be requested and certain financial information disclosed. Ordinarily payment plans are not approved unless extreme financial hardship is proven through financial affidavits that include a statement of assets and liabilities.

### **Delinquent Fee Arbitration Award(s)**

Fee arbitration awards are deemed delinquent unless paid within 30 days after the award becomes final.

### **Delinquent Restitution**

Restitution is deemed delinquent unless it is made within the time frame and in the manner provided by the recommendation or the agreement imposing the obligation.

### **Effect of Delinquency**

If costs, restitution or fee arbitration awards become delinquent, you will be deemed a delinquent member of The Florida Bar and as such will not be entitled to practice law in Florida until such time as the delinquency is cured. Cure of the delinquency will include making payment of all required obligations, providing proof of payment, filing a petition for removal of delinquency status and payment of a \$150.00 reinstatement fee. Thereafter the petition will be reviewed and, if appropriate, the delinquency will be removed.

### **Lapse of Membership Status**

Any member who remains delinquent for a period of five years or longer will lose bar membership. A member whose membership has lapsed may return to the practice of law in Florida only through application to the Florida Board of Bar Examiners, which will include taking and passing the bar examination and successful completion of the character and fitness evaluation.

### **Maintaining Contact**

There may be important information that we need to communicate after the recommendation becomes final. For this reason, it is important to maintain an accurate mailing address, telephone number and other contact information. In fact, The Rules Regulating The Florida Bar mandate that all members of The Florida Bar keep current contact information on file.

If you have any questions about these issues please feel free to contact Lisa F. Chason by telephone at (800) 342-8060, ext. 3186.

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

**AFFIDAVIT**

I, Catherine Rose Faughnan, after being duly sworn, say:

This affidavit is submitted pursuant to Rule 3-5.1(h) of the Rules of Discipline in conjunction with the decision in The Florida Bar v. Catherine Rose Faughnan, SC19-1355; The Florida Bar File No. 2019-00,049 (8B).

1. \_\_\_\_\_ I had no client(s) or matter(s) pending when the court order was served on me.

OR

2a. \_\_\_\_\_ I have furnished a copy of the court order to all my clients with matters pending when the court order was served on me; and

2b. \_\_\_\_\_ To all opposing counsel and co-counsel in the matters listed in 2a. above; and

2c. \_\_\_\_\_ To all courts, tribunals, or adjudicative agencies before which I am counsel of record.

AND

3. \_\_\_\_\_ I have notified all state (other than The Florida Bar), federal and administrative bars of which I am a member.

4. \_\_\_\_\_ The names and addresses of all persons and entities that have been furnished with such notification are indicated on the attached list (Exhibit A), and such is a complete listing of all persons and entities notified pursuant to this rule.

FURTHER AFFIANT SAYETH NOT.

\_\_\_\_\_  
Catherine Rose Faughnan

SWORN TO AND SUBSCRIBED before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print/type/stamp commission name of notary

Personally known to me or produced the following identification: \_\_\_\_\_

Return to:  
Melissa M. Mara, CP, FRP  
Certified Paralegal  
The Florida Bar  
651 East Jefferson Street  
Tallahassee, Florida 32399-2300

**Received** Tue 01/28/2020 8:39AM  
**From** Chason, Lisa  
**Subject** Initial Letter  
**To** katef.faugnhanlaw@gmail.com  
**cc**  
**bcc**

Initial Letter - Short Suspension.pdf

Ms. Faughnan,

Attached please find an informational letter regarding the order of the Supreme Court dated January 23, 2020.

Please let me know if you need any further information.

Regards,

Lisa Chason, Compliance Coordinator  
Lawyer Regulation  
The Florida Bar  
651 E Jefferson Street  
Tallahassee, FL 32399-2300  
Tel: (850) 561-3186  
Fax: (850) 561-9403  
lchason@floridabar.org



# The Florida Bar

651 E Jefferson Street  
Tallahassee, FL 32399-2300

Joshua E. Doyle  
Executive Director

850/561-5600  
www.floridabar.org

February 25, 2020

VIA US Mail and E-Mail to [katef.faughnanlaw@gmail.com](mailto:katef.faughnanlaw@gmail.com)

Ms. Catherine Rose Faughnan  
12 Ardsley Road  
Binghamton, NY 13904-1731

Re: The Florida Bar v. Catherine Rose Faughnan; Supreme Court Case No. SC19-1355  
The Florida Bar File No. 2019-00,049(8B)

Dear Ms. Faughnan:

The Florida Bar has not received your affidavit in compliance with Rule 3-5.1(h) as ordered by The Florida Supreme Court. Therefore, you are not in compliance with the terms and conditions of the above-referenced court order.

You were previously notified of this rule by our Lawyer Regulation - Headquarters office on January 28, 2020. A second form affidavit is enclosed for your convenience in fulfilling the requirements of this rule that should be sent directly to my attention at the above address within ten (10) days from the date of this letter. *If you fail to comply with this request, The Florida Bar will file a Petition for Contempt and Order to Show Cause.*

**YOUR PROMPT ATTENTION IS REQUIRED.**

Sincerely,

Patricia Ann Toro Savitz, Staff Counsel  
Lawyer Regulation Headquarters

PATS/mmm

Enclosure - 3-5.1(h) Affidavit

## Composite Exhibit B

**AFFIDAVIT**

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, Catherine Rose Faughnan, after being duly sworn, say:

This affidavit is submitted pursuant to Rule 3-5.1(h) of the Rules of Discipline in conjunction with the decision in The Florida Bar v. Catherine Rose Faughnan, SC19-1355; The Florida Bar File No. 2019-00,049(8B).

1. \_\_\_\_\_ I had no client(s) or matter(s) pending at the time of the order directing me to cease the practice of law.

OR

2a. \_\_\_\_\_ I have furnished a copy of the court order to all my clients with matters pending when the court order was served on me; and

2b. \_\_\_\_\_ To all opposing counsel and co-counsel in the matters listed in 2a. above; and

2c. \_\_\_\_\_ To all courts, tribunals, or adjudicative agencies before which I am counsel of record.

AND

3. \_\_\_\_\_ I have notified all state (other than The Florida Bar), federal and administrative bars of which I am a member.

4. \_\_\_\_\_ The names and addresses of all persons and entities that have been furnished with such notification are indicated on the attached list (Exhibit A), and such is a complete listing of all persons and entities notified pursuant to this rule.

FURTHER AFFIANT SAYETH NOT.

\_\_\_\_\_  
Catherine Rose Faughnan

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

SWORN TO AND SUBSCRIBED before me, by means of \_\_\_ physical presence or \_\_\_ online notarization, this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
(Print, type or stamp Commission Name of Notary Public

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires:

Return to:  
Melissa M. Mara, CP, FRP  
Certified Paralegal  
The Florida Bar  
651 East Jefferson Street  
Tallahassee, Florida 32399-2300

**Received** Tue 02/25/2020 8:22AM  
**From** Mara, Melissa M  
**Subject** The Florida Bar File No. 2019-00,049(8B)/SC19-1355  
**To** katef.faughnanlaw@gmail.com  
**cc**  
**bcc**

Faughnan 2-25-2020.pdf

Dear Ms. Faughnan:

Attached is a letter regarding your noncompliance with the Court's order in the above referenced matter. Your prompt attention is required.

Sincerely,

Melissa M. Mara, CP, FRP  
Certified Paralegal  
Lawyer Regulation Headquarters  
The Florida Bar  
651 East Jefferson Street  
Tallahassee, FL 32399  
Tel: (850) 561-5776  
Fax: (850) 561-9403  
mmara@floridabar.org