

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Complainant,

v.

CATHERINE ROSE FAUGHNAN,

Respondent.

Supreme Court Case
No. SC19-1355

The Florida Bar File
No. 2019-00,049(8B)

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Catherine Rose Faughnan, and files this Conditional Guilty Plea pursuant to Rule 3-7.9 of the Rules Regulating The Florida Bar.

1. Respondent is, and at all times mentioned herein was, a member of The Florida Bar, subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent is acting freely and voluntarily in this matter and tenders this Plea without fear or threat of coercion. Respondent is not represented in this matter.
3. As to The Florida Bar Case No. 2019-00,049, there has been a finding of Probable Cause by the Eighth Judicial Circuit Grievance Committee "B".
4. The disciplinary measures to be imposed upon respondent are as follows:

- A. 90-day suspension; and
- B. Payment of The Florida Bar's costs.

5. Respondent acknowledges that, unless waived or modified by the Court on motion of respondent, the court order will contain a provision that prohibits respondent from accepting new business from the date of the order or opinion and shall provide that the suspension is effective 30 days from the date of the order or opinion so that respondent may close out the practice of law and protect the interest of existing clients.

6. The following allegations and rules provide the basis for respondent's guilty plea and for the discipline to be imposed in this matter:

A. On or about December 3, 2015, respondent took over an ongoing case for Renata and Yuri Sirota (the "Sirotas"). At the time, she was employed by United Global Law Group.

B. The Sirotas paid a fee to United Global Law Group which, at that time, was being run by two other lawyers. Respondent did not receive any portion of the fee.

C. When respondent discovered the unscrupulous business practices of United Global Law Group, she terminated her agreement with them. As one of the attorneys charged with protecting the clients, respondent felt responsible for their individual cases.

D. In December, 2016, respondent, no longer employed by United Global Law Group, attended an unsuccessful mediation with Air Rescue, the opposing party. Shortly after the mediation, respondent told the Sirotas that she filed a claim with Air Rescue's insurance, however there is no record of any such claim being filed. Thereafter, the Sirotas made numerous attempts to contact respondent, with no success.

E. According to the case docket sheet, there was no activity in the case from December 5, 2016, until a Notice of Intent to Dismiss for Lack of Prosecution was filed on January 6, 2018. On April 12, 2018, an Order of Dismissal for Lack of Prosecution was entered. The Sirotas continued to try to contact respondent to no avail.

F. On June 20, 2018, The Florida Bar sent respondent a letter requesting that she contact the Sirotas by July 4, 2018. No response was received. On June 1, 2019, respondent filed her untimely response to the Bar.

G. Beginning in January, 2018, respondent became seriously ill, very suddenly, which rendered her bedridden and unable to speak for a lengthy period of time, forcing her to close her practice and move to The State of New York where she could be cared for by family.

H. Since respondent had already dealt with a bout of thyroid cancer, she was certain that it had returned and became reclusive.

I. Due to respondent's ongoing and pervasive health concerns, she could not work and became indigent.

J. Only recently did respondent regain her voice and strength to respond to The Florida Bar's inquiries.

K. Finally, in August, 2019, respondent was diagnosed with a systemic lymph infection. Respondent had surgery and received the results and treatment two weeks later.

L. Respondent is still being tested for lymph node cancer, resulting from her past diagnosis of thyroid cancer, but the results from the neck dissection showed only an infection at this time.

M. Respondent expressed regret for abandoning the Sirotas, but her ongoing health concerns created a crisis that rendered her incapable of working.

N. Respondent confirmed that she has no intention of returning to Florida and, likely, never be able to practice law again.

O. By reason of the foregoing, respondent has violated the following Rules Regulating The Florida Bar: 4-1.1 Competence; 4-1.2(a) Lawyer to Abide by Client's Decisions; 4-1.3 Diligence; 4-1.4(a) Informing

Client of Status of Representation; 4-1.4(b) Duty to Explain Matters to Client; and 4-8.4(g) A lawyer shall not fail to respond, in writing, to any official inquiry by bar counsel or a disciplinary agency.

7. The Florida Bar has approved this proposed plea in the manner required by Rule 3-7.9.

8. If this plea is not finally approved by the referee and the Supreme Court of Florida, then it shall be of no effect and may not be used by the parties in any way.

9. Respondent agrees to eliminate all indicia of respondent's status as an attorney on social media, telephone listings, stationery, checks, business cards office signs or any other indicia of respondent's status as an attorney, whatsoever. Respondent will no longer hold herself out as a licensed attorney.

10. If this plea is approved, respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.6(q) in the amount of \$1,489.39. These costs are due within 30 days of the court order. Respondent agrees that if the costs are not paid within 30 days of this court's order becoming final, respondent shall pay interest on any unpaid costs at the statutory rate. Respondent further agrees not to attempt to discharge the obligation for payment of the Bar's costs in any future proceedings, including but not limited to, a petition for bankruptcy. Respondent shall be deemed delinquent and ineligible to practice law

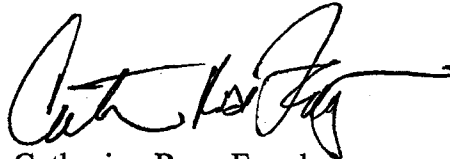
pursuant to Rule 1-3.6 if the cost judgment is not satisfied within 30 days of the final court order, unless deferred by the Board of Governors of The Florida Bar.

11. Respondent acknowledges the obligation to pay the costs of this proceeding and that payment is evidence of strict compliance with the conditions of any disciplinary order or agreement and is also evidence of good faith and fiscal responsibility. Respondent understands that failure to pay the costs of this proceeding or restitution may reflect adversely on any reinstatement proceedings or any other bar disciplinary matter in which respondent is involved.

12. If this plea is approved, and restitution is owed, if the person to whom restitution is owed cannot be located after a diligent search, respondent shall execute an affidavit of diligent search and provide same to The Florida Bar and shall pay the full amount of the restitution to the Clients' Security Fund of The Florida Bar within 30 days of the date of the affidavit of diligent search.

13. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated this 15 day of December, 2019.



Catherine Rose Faughnan
12 Ardsley Rd
Binghamton, NY 13904-1731
(904) 338-5106
Florida Bar ID No.: 34616
katef.faughnanlaw@gmail.com

Dated this 11th day of December, 2019.



James Keith Fisher, Bar Counsel
The Florida Bar
Tallahassee Branch Office
651 East Jefferson Street
Tallahassee, Florida 32399-2300
(850) 561-5845
Florida Bar ID No. 142158
jfisher@floridabar.org