

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

GABE KAIMOWITZ,

Respondent.

Supreme Court Case  
No. SC-

The Florida Bar File  
No. 2017-00,116 (8B) OSC

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

Petitioner, The Florida Bar, files this, its Petition for Contempt and Order to Show Cause and requests an order disbaring respondent, Gabe Kaimowitz, and says:

1. On November 21, 2014, this Court suspended respondent for two years effective thirty days from the date of this Court's order. Respondent's effective starting suspension date was December 22, 2014. Respondent remains suspended through the filing of this Petition.

2. This Court further ordered that respondent be placed on probation for a period of 18 months under the terms and conditions set forth in the referee's report. One of the terms in the referee's report was that, as a condition of

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reinstatement, respondent undergo a mental health evaluation and comply with any reasonable recommended treatment.

3. On November 26, 2014, The Florida Bar sent respondent a letter advising him that he was suspended from the practice of law in the State of Florida for two years beginning December 22, 2014. See Exhibit A.

4. Respondent was, thereafter, suspended by the United States District Court, Middle District of Florida, Orlando Division, and remains suspended there through the filing of this Petition.

5. On August 25, 2016, respondent attempted to file a pleading in the United States District Court, Middle District of Florida, Orlando Division in the case of Marie L. Henry v. The Florida Bar, Jack Harkness, Jr. Jan K Wichrowski, Adria Quintela (JoAnn Stalcup died in June), case number 6:15-cv-1009-Orl-CEM-TBS. See Exhibit B.

6. Respondent was not the attorney of record in the case cited in paragraph five above, so the docket clerk was required to seek direction from the Court prior to docketing the motion. After further inquiry, it was discovered that respondent was a suspended attorney both in the State of Florida and the Middle District of Florida.

7. In his pleading cited in paragraph five above, respondent misled the Court by indicating that he was an attorney admitted to practice “In this Court since 1987.” This was a patently false statement.

8. In his pleading cited in paragraph five above, respondent continued to disparage judges and attorneys by making outrageous allegations that were not supported by the evidence. See paragraph 3 of Exhibit B.

9. Respondent affirmatively stated in his pleading cited in paragraph five above, that “... he has not and will not ask [Marie Henry] to consent to this offered representation...” See paragraph 12 of Exhibit B.

10. On September 7, 2016, respondent filed a Notice of Appeal on Marie Henry’s behalf in the case cited in paragraph five above. See Exhibit C.

11. On September 7, 2016, respondent filed a Petition to allow him to represent Marie Henry in the case cited in paragraph five above. See Exhibit D.

12. Respondent claims that he is not suspended, but rather that he is a retired attorney. Respondent is and continues to be suspended by order of this Court.

13. On July 23, 2016, respondent submitted a petition to elect “retired” status at The Florida Bar. The petition was accepted by The Florida Bar and respondent is now deemed “retired”. No matter how respondent twists his status

The Florida Bar has no authority to remove, lift or stay respondent's suspension by the Florida Supreme Court.

14. Further, in this Court's November 21, 2016 Order, respondent was ordered to pay costs in the amount of \$7,427.28. Respondent has failed to make any attempt to pay these costs or request a payment plan. The costs have been reduced to a civil judgment. See Exhibit E.

15. 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, Gabe Kaimowitz, to show cause why he should not be held in contempt and be disbarred for his willful failure to comply with the terms of the Court's order in SC13-754, and assess costs in the amount of \$1,250.00 to The Florida Bar.

Respectfully submitted,

A handwritten signature in cursive script that reads "James K. Fisher".

James Keith Fisher, Bar Counsel  
The Florida Bar  
Tallahassee Branch Office

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**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 with a copy provided via email to respondent, at [gabrielhillel@gmail.com](mailto:gabrielhillel@gmail.com); using the e-filing portal and that a copy has been furnished by United States Mail, return receipt requested to Respondent, whose record bar address is P.O. Box 140119, Gainesville, Florida 32614-0119, on this 14th day of September, 2016.

A handwritten signature in black ink that reads "James K. Fisher". The signature is written in a cursive style with a large initial "J" and "F".

James Keith Fisher, Bar Counsel

**NOTICE OF DESIGNATION OF PRIMARY EMAIL ADDRESS**

PLEASE TAKE NOTICE that bar counsel in this matter is James Keith Fisher, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Tallahassee Branch Office, 651 East Jefferson Street

Tallahassee, Florida 32399-2300, (850) 561-5845 and [jfisher@flabar.org](mailto:jfisher@flabar.org). Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than bar counsel and to Staff Counsel, The Florida Bar, Lakeshore Plaza II, Suite 130, 1300 Concord Terrace, Sunrise, Florida 33323, [aquintel@flabar.org](mailto:aquintel@flabar.org).