

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR

Complainant,

vs.

CASE NO.: SC18-284
The Florida Bar File No.
2017-10,745 (20A)

ESMOND JUDE LEWIS

Respondent.

//

ANSWER AND AFFIRMATIVE DEFENSES

COMES NOW Respondent, Esmond Jude Lewis, and answers the corresponding paragraphs of the Complainant's Complaint as follows:

1. Admitted.
2. Without knowledge therefore denied.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Admitted.
9. Denied.
10. Admitted.
11. Admitted.
12. Denied.

13. Without knowledge therefore denied.
14. Admitted.
15. Denied.
16. Without knowledge therefore denied.
17. Denied.
18. Admitted that a Grievance was filed. Without knowledge therefore denied as to the date of filing.
19. Without knowledge therefore denied.
20. Without knowledge therefore denied.
21. Without knowledge therefore denied.
22. Without knowledge therefore denied.
23. Admitted.
24. Admitted.
25. Denied.
26. Denied.
27. Denied.

FIRST AFFIRMATIVE DEFENSE

28. Respondent continued to communicate and work for and with the Client, Edward Fitzgerald, before, during and after his filing of the Bar Grievance as attorney and client.

At all times, the Respondent remained in a posture of pursuit of the matter he was retained for, as acknowledged by the Client on several occasions. After the August 2017

meeting of the Client and Attorney, the Client indicated that he was no longer willing to pursue the grievance. His involvement in the Grievance Hearing was not in keeping with his stated desire to withdraw his complaint.

SECOND AFFIRMATIVE DEFENSE

29. The response date for the Bar's August 1, 2017 letter was August 11th. Notwithstanding, Respondent mailed a copy of the response to the Bar via Priority Mail as agreed on August 15, 2017. Per the applicable Rule, the response was timely as U.S. Mail was an acceptable mode of response.

THIRD AFFIRMATIVE DEFENSE

30. The response to Bar Counsel's August 1, 2017 was submitted within the 15-day time limit stated in Rule 4-8.4 (g)(1).

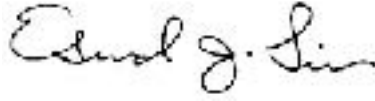
CERTIFICATE OF SERVICE

The undersigned certifies that a copy hereof has been furnished to Chardean Mavis Hill, Esq., The Florida Bar, Tampa Branch 4200 George J. Bean Parkway, Suite 2580 Tampa, Florida 33607-1496, via the Electronic Portal which shall send a notice by electronic mail at chill@flabar.org and yserralta@floridabar.org and tampaoffice@floridabar.org and to Adria E. Quintela, The Florida Bar, 1300 Concord Terrace, Suite 130 Sunrise, Florida 33323 via the Electronic Portal which shall send a notice by electronic mail at aquintel@floridabar.org on this **13th** day of March, 2018.

Esmond J. Lewis, Esq.
ESMOND LEWIS, P.A.
5237 Summerlin Commons Blvd., Ste. 312
Fort Myers, FL 33907

(239) 275-2215, Phone

(866)724-0342, Facsimile

A handwritten signature in black ink, appearing to read "Esmond J. Lewis". The signature is written in a cursive, flowing style.

By: _____

Esmond J. Lewis, Esq.

Florida Bar #: 0894311

Primary Email: esmond@esmondlewislaw.com

Secondary Email: paralegal@esmondlewislaw.com