

IN THE SUPREME COURT OF FLORIDA

IN RE:

THE PETITION FOR  
DISCIPLINARY REVOCATION OF  
DAVID MICHAEL GOLDSTEIN,

Supreme Court Case  
No.

The Florida Bar File  
No. 2019-70,239(11M-MDR)

Petitioner.

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**PETITION FOR DISCIPLINARY REVOCATION**  
**WITH LEAVE TO APPLY FOR READMISSION**

Petitioner, David Michael Goldstein, submits this Petition for Disciplinary Revocation pursuant to Rule Regulating Fla. Bar 3-7.12 and states:

1. Petitioner knowingly and voluntarily submits this petition with full knowledge of its effect.
2. Petitioner is 71 years old, has been a member of The Florida Bar since May 1, 1973, and is subject to the jurisdiction of the Supreme Court of Florida and the Rules Regulating The Florida Bar.
3. Petitioner has no prior discipline and has never been the subject of criminal proceedings.
4. The following disciplinary charge is pending against Petitioner:
  - A. In *The Florida Bar File No. 2018-70,530(11M)*, Petitioner is alleged to have failed to provide the client with an accounting of the funds Petitioner was holding in trust on his behalf. Petitioner represented the client in

numerous matters over a significant period of time, that in summation, involved a substantial sum of money. A subpoena duces tecum for records, seeking banking and client-related documents and records, dated July 27, 2018, was served on Petitioner. Petitioner sought and was granted an extension of time to comply with the subpoena. Prior to the extended due date, Petitioner informed the Bar he intended to petition for disciplinary revocation, therefore Petitioner did not provide a response to the subpoena.

5. Petitioner contends that granting this Petition will not adversely affect the public interest, the integrity of the courts, or the confidence of the public in the legal profession. Further, Petitioner contends that granting this Petition will not hinder the administration of justice.

6. Petitioner agrees to reimburse the Client Security Fund (CSF) for any and all funds the CSF may pay for claims resulting from Petitioner's conduct.

7. Petitioner agrees to reimburse The Florida Bar for the costs incurred in his disciplinary case:

Administrative Fee	
Rule 3-7.6(q)(1)(I) .....	\$1,250.00
Staff Auditor Costs .....	\$ 1,411.25
Staff Investigator Costs .....	\$ <u>223.42</u>
<b>TOTAL</b>	<b>\$ 2,884.67</b>

8. Petitioner agrees to submit to a complete audit of any trust account(s) and any other account(s) in which Petitioner has placed client funds, if requested to do so by The Florida Bar.

9. Petitioner agrees to submit a financial affidavit to The Florida Bar attesting to Petitioner's current personal and professional financial circumstances on a form to be provided by The Florida Bar within thirty (30) days, if requested.

10. Petitioner agrees to maintain a current mailing address with The Florida Bar for a period of five (5) years after the disciplinary revocation becomes final. Further, Petitioner shall keep the bar advised as to the physical address of Petitioner's home and/or business in the event Petitioner should utilize a post office box or other type of mail drop service during the five (5) year period after the disciplinary revocation becomes final.

11. Petitioner agrees that he will cease transacting any trust funds within ten days of the execution of this petition. Moreover, he will immediately begin to wind down his law practice and will cease the practice of law within sixty days of the execution of this petition.

12. Petitioner understands that the granting of this petition by the Supreme Court of Florida shall serve to dismiss all pending disciplinary cases.

WHEREFORE, Petitioner respectfully requests that this Court grant this  
Petition and order that Petitioner's membership in The Florida Bar be revoked with  
leave to seek readmission.

Respectfully submitted,



David Michael Goldstein, Petitioner

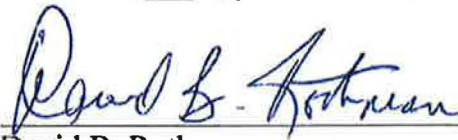
P.O. Box 611266

North Miami, FL 33261

Florida Bar No. 156003

[david@dmgpa.com](mailto:david@dmgpa.com)

Dated this 31<sup>st</sup> day of October, 2018.



David B. Rothman

Attorney for Petitioner

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305/358-9000

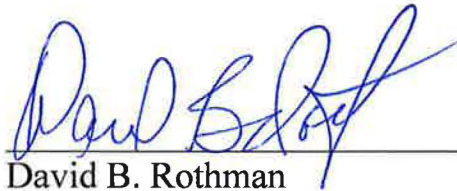
Florida Bar No. 240273

[dbr@rothmanlawyers.com](mailto:dbr@rothmanlawyers.com)

Dated this 31<sup>st</sup> day of October, 2018.

## **CERTIFICATE OF SERVICE**

I certify I have served the original of the foregoing Petition for Disciplinary Revocation With Leave to Apply for Readmission on William Mulligan, Bar Counsel, The Florida Bar, 444 Brickell Avenue, Suite M-100, Miami, FL 33131, Adria E. Quintela, Staff Counsel via email [aquintela@floridabar.org](mailto:aquintela@floridabar.org), on this 1st day of November, 2018, for E-filing with the Honorable John A. Tomasino, Clerk of the Florida Supreme Court using the E-Filing Portal.



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David B. Rothman  
Attorney for Petitioner