

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,

Complainant,

v.

CURTIS LEE ALLEN,

Respondent.

Supreme Court Case No.  
SC20-1470

The Florida Bar File Nos.  
2018-10,591 (13C)  
2019-10,191 (13C)  
2020-10,608 (13C)

---

**CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT**

COMES NOW, the undersigned Respondent, Curtis Lee Allen, 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 currently the subject of three (3) Florida Bar disciplinary matters which has been assigned The Florida Bar File Nos. 2018-10,591(13C), 2019-10,191(13C), and 2020-10,608(13C). As to The Florida Bar File Nos. 2018-10,591(13C) and 2019-10,191(13C), there has been a finding of probable cause by the grievance committee. As to The Florida Bar File No. 2020-10,608(13C), respondent waives the right to a probable cause hearing before a grievance committee and stipulates to a finding of probable cause.

3. Respondent is acting freely and voluntarily in this matter and tenders this Plea without fear or threat of coercion. Respondent is represented in this matter by Lansing Charles Scriven.

4. The disciplinary measures to be imposed upon respondent are as follows:

- A. Public reprimand to be administered by publication.
- B. Respondent shall complete The Florida Bar's Professionalism Workshop within six months from the date of the Supreme Court's order approving this conditional guilty plea for consent judgment. Respondent shall be responsible for payment of the \$750.00 registration fee.
- C. Respondent shall pay the costs incurred by The Florida Bar in this disciplinary proceeding.

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

The Florida Bar File No. 2018-10,591(13C): During the course of taking the deposition of a witness on September 26, 2017 in a case regarding potential insurance fraud, respondent became unprofessional in his questioning of the witness who he believed was repeatedly lying. At one point during his questioning, respondent stated that he knew the presiding judge and asked the witness to explain to him why the presiding judge should not put the witness in jail for lying to respondent. Although respondent believed he had a legitimate purpose for questioning the witness in this manner, he acknowledges that the witness could have perceived his questions as serving no legitimate purpose other than to harass or intimidate him.

By reason of the foregoing, respondent admits to violation of the following Rules Regulating The Florida Bar: Rule 4-4.4(a), (Respect for rights of third parties); and 4-8.4(d) (Conduct in connection with the practice of law that is prejudicial to the administration of justice).

The Florida Bar File No. 2019-10,191(13C): In Pasco County Case No. 2016-CA-2348, (i) the trial court entered an Order Governing Case Management and Conduct of Counsel on May 24, 2018, wherein the trial court stated it had to intervene and set case management directives for both respondent and opposing counsel due to both counsel engaging in unprofessional behavior toward each other during the course of the litigation; and (ii) the trial court entered an Order on Plaintiff's Motion Seeking Order Directing Return and Deletion of Inadvertently sent Plaintiff's Email; Retrieval of All Disseminated Copies; Prohibition of Further Dissemination; Sanctions, on January 4, 2018, wherein the trial court ordered respondent's client and/or respondent to reimburse Plaintiff \$494.94. The trial court found that respondent failed to respond to Plaintiff's counsel's multiple inquiries concerning a privileged email communication inadvertently sent to respondent, which required Plaintiff to file a motion and set a hearing before the trial court. Prior to the hearing, respondent did attempt to discuss the situation with opposing counsel during a deposition in order to avoid the need for a hearing. Respondent did not appear at the ensuing hearing and sent substitute counsel who advised the trial court that the subject email was deleted automatically by his law firm's server. Substitute counsel could provide no reason why that information could not have been relayed to opposing counsel before the hearing.

By reason of the foregoing, respondent admits to violation of the following Rules Regulating The Florida Bar: Rule 4-4.4(b), (Respect for rights of third parties); and 4-8.4(d) (Conduct in connection with the practice of law that is prejudicial to the administration of justice).

The Florida Bar File No. 2020-106,608 (13C): In Orange County, Case No. 2017-CA-011236-O, the trial court entered an Order Granting Plaintiff's Motion for Entry of Judgment by Default on March 10, 2020 ("Order"). The Order made findings that respondent engaged in unprofessional and aggressive behavior, consisting of improper treatment of plaintiff's counsel during court hearings, email correspondence and depositions; improper treatment of the individual plaintiffs and their witnesses (evidenced in deposition transcripts); disrespect for the trial court and the orders of the trial court; and an otherwise lack of professionalism in defending the case. The trial court, in part as a result of respondent's conduct, and in part because of the client's conduct, granted the Plaintiffs' Motion for Entry of Judgment by Default and struck the Defendant's Answer and Affirmative Defenses.

By reason of the foregoing, respondent admits to violation of the following Rules Regulating The Florida Bar: Rule 4-3.4(c) (Fairness to opposing party and

counsel); Rule 4-4.4(a), (Respect for rights of third parties); and 4-8.4(d) (Conduct in connection with the practice of law that is prejudicial to the administration of justice).

6. The following aggravating factors set forth in the Standards for Imposing Lawyer Sanctions, Standard 3.2(b) are applicable:

(3) a pattern of misconduct;

(4) multiple offenses; and

(9) substantial experience in the practice of law (respondent was admitted to practice law in the State of Florida on September 22, 1994).

7. The following mitigating factors set forth in the Standards for Imposing Lawyer Sanctions, Standard 3.3(b) are applicable:

(1) absence of a prior disciplinary record;

(2) absence of a dishonest or selfish motive;

(3) personal or emotional problems (respondent was going through a contested and stressful divorce during this time frame, which affected his ability to control his emotions);

(5) full and free disclosure to the bar or cooperative attitude toward the proceedings; and

(12) remorse.

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

9. 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.

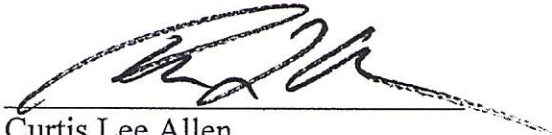
10. If this plea is approved, then respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.6(q) in the amount of \$1,345.00. These costs are due within 30 days of the court order. Respondent agrees that if the costs are not paid within 30 days of this court's order 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.

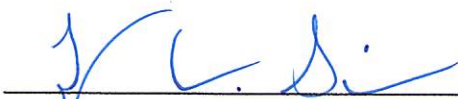
13. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated: 12-23-20



Curtis Lee Allen  
Respondent  
400 N. Ashley Dr., Ste. 2300  
Tampa, FL 33602-4305  
(813) 281-1900  
Florida Bar ID No.: 8028  
[callen@butler.legal](mailto:callen@butler.legal)

Dated: 12-23-20



Lansing Charles Scriven  
Counsel for Respondent  
3903 Northdale Blvd., Ste. 100E  
Tampa, FL 33624-1862  
(813) 940-4000  
Florida Bar ID No.: 729353  
[lanse@lansescriven.com](mailto:lanse@lansescriven.com)

Dated: December 23, 2020

Kimberly Walbolt

Kimberly Anne Walbolt

Bar Counsel

The Florida Bar, Tampa Branch Office

2002 N. Lois Ave., Suite 300

Tampa, Florida 33607-2386

(813) 875-9821

Florida Bar ID No. 105593

[kwalbolt@floridabar.org](mailto:kwalbolt@floridabar.org)