

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

Jeffrey "Jeff" Thomas Kuntz

2. **Position**: State the position for which you have been nominated.

United States District Judge for the Southern District of Florida

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office: Fourth District Court of Appeal
110 South Tamarind Avenue
West Palm Beach, Florida 33401

Residence: Boca Raton, Florida

4. **Birthplace**: State year and place of birth.

1981; Winter Park, Florida

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

2003 – 2006, Suffolk University Law School; J.D., 2006

1999 – 2003, Boston College; B.A., 2003

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2016 – Present
Florida State Courts System
110 South Tamarind Avenue

West Palm Beach, Florida 33301
Chief Judge (2025 – Present)
Appellate Judge (2016 – Present)

2006 – 2016
GrayRobinson, P.A.
401 East Las Olas Boulevard, Suite 1850
Fort Lauderdale, Florida 33301
Shareholder (2014 – 2016)
Senior Associate (2011 – 2014)
Associate (2006 – 2011)

2005
Adorno & Yoss, LLP
350 East Las Olas Boulevard
Fort Lauderdale, Florida 33301
Summer Associate

Other Affiliations (Uncompensated):

2019 – 2025
Boca Raton Little League
PO Box 812701
Boca Raton, Florida 33481
Member, Board of Directors, 2019 – 2025
President, 2021 – 2023
Vice-President, 2020 – 2021; 2023 – 2024

2004
City of Waltham Law Department
610 Main Street
Waltham, Massachusetts 02452
Law Clerk

2003
Office of the Attorney General for the Commonwealth of Massachusetts
One Ashburton Place
Boston, Massachusetts 02108
Intern

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the military. I registered for selective service on or around the time I reached eighteen years of age.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Most Effective Lawyers – Public Interest, Daily Business Review (2015)

Journal of High Technology Law, Suffolk University Law School (2005 – 2006)

Phi Delta Phi Rehnquist Inn, Legal Honor Society, Suffolk University Law School (2004 – 2006)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association (2006 – 2020)

Broward County Bar Association (2006 – 2017)

Craig S. Barnard American Inn of Court (2017 – 2019)

Defense Research Institute (2007 – 2007)

District Court of Appeal Budget Commission (2023 – Present)

Eleventh Circuit Court of Appeals Historical Society (~2010 – 2022)

Federal Bar Association (2008 – 2017)

Federalist Society (2003 – Present)

Florida Conference of District Court of Appeal Judges (2016 – Present)

Treasurer/Secretary (2018 – Present)

Education Committee (2017 – Present)

Florida Court Education Council Dean and Associate Dean Selection Committee (2024)

Florida Court's Technology Commission (2021 – Present)

Florida's Appellate Court Rules Committee (2011 – 2017)

Florida's Rules of Judicial Administration Committee (2017 – 2023)

Florida Supreme Court Historical Society (2009 – Present)

Florida Supreme Court's Appellate Case Management Change Advisory Board (2020 – Present)

Florida Supreme Court's Appellate Court Technology Committee (2020 – Present)

Florida Supreme Court's Judicial Ethics Advisory Committee (2019 – Present)

Chair (2024 – 2025)

Vice-Chair (2023 – 2024)

Forum Club of the Palm Beaches (2016 – 2022)

Fourth District Court of Appeal Historical Society (2014 – Present)

Funding Florida Legal Aid (Florida Bar Foundation) (2021 – 2024)

Board of Directors (2021 – 2024)

Judicial Nominating Commission, Fifteenth Judicial Circuit (2012 – 2016)

Vice-Chair (2015 – 2016)

Martin County Bar Association (2017 – Present)

Palm Beach County Bar Association (2011 – Present)

Phi Delta Phi (Law School Honor Society) (2006 – Present)

South Palm Beach County Bar Association (2016 – Present)

Supreme Court of the United States Historical Society (~2013 – 2022)

Third District Court of Appeal Historical Society (2009 – 2017)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Florida, 2006

District of Columbia, 2009

When I received my Commission to the Fourth District Court of Appeal my membership in the District of Columbia Bar was converted to a judicial membership. There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

Supreme Court of the United States, 2013
United States Court of Appeals for the Fourth Circuit, 2014
United States Court of Appeals for the Tenth Circuit, 2015
United States Court of Appeals for the Eleventh Circuit, 2008
United States Court of Appeals for the Federal Circuit, 2012
United States District Court for the Middle District of Florida, 2006 (Lapsed Due to Judicial Employment)
United States District Court for the Northern District of Florida, 2006
United States District Court for the Southern District of Florida, 2007
United States Court of International Trade, 2012

I have not practiced law since I received my Commission to the Fourth District Court of Appeal on November 21, 2016. However, I do not know of any lapse in membership with the exception of the Middle District of Florida. My membership in the Middle District of Florida lapsed during my time on the Fourth District Court of Appeal.

11. **Memberships:**

a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Junior Achievement of South Florida, Member, Board of Directors (2008 – 2016)
Florida House, Young Ambassador's Council (2015 – 2016)
Leadership Fort Lauderdale (Class of 2016)
Boca Raton Little League, (2019 – 2025)
Board of Directors (2019 – 2025)
President (2021 – 2023)
Vice-President (2020 – 2021); (2023 – 2024)

b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, none of the organizations listed above discriminate on the basis of race, sex, or religion, or national origin.

12. **Published Writings and Public Statements:**

a. List the titles, publishers, and dates of books, articles, reports, letters to the editor,

editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply copies of all published material to the Committee.

With Patrick S. Scott, *LLCs: Not As Creditor-Resistant As They Used To Be*, October 2010. Copy Supplied.

Review of "Open Source Licensing: Software Freedom & Intellectual Property Law" by Lawrence Rosen. Copy Supplied.

Florida Legal Blog. From 2008 until 2016 I wrote a blog focusing on decisions from the Florida appellate courts and the Eleventh Circuit Court of Appeals. The blog is available at <https://www.floridalegalblog.org/>

b. Supply copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

District Court of Appeal Budget Commission Meeting, November 20, 2025. Minutes provided.

Florida Courts Technology Commission Meeting, August 21, 2025. Minutes provided.

District Court of Appeal Budget Commission Meeting, July 28, 2025. Minutes provided.

Annual Meeting of the Judicial Ethics Advisory Committee. June 27, 2025. I have no notes, transcripts or recordings. The address for the Judicial Ethics Advisory Committee, is Florida Supreme Court, Office of the State Court Administrator, 500 South Duval Street, Tallahassee, FL, 32399-1925.

District Court of Appeal Budget Commission Meeting, June 19, 2025. Minutes provided.

Florida Courts Technology Commission Meeting, November 15, 2024. Minutes provided.

Cybersecurity Workgroup Meeting Summary, August 8, 2024. Minutes provided.

District Court of Appeal Budget Commission, Judicial Suite Staffing Workgroup, July 11, 2024. Copy provided.

Annual Meeting of the Judicial Ethics Advisory Committee, June 21, 2024. Minutes provided.

District Court of Appeal Budget Commission Meeting, May 22, 2024. Minutes provided.

District Court of Appeal Budget Commission Meeting, January 9, 2024. Minutes provided.

District Court of Appeal Budget Commission Meeting, September 13, 2023. Minutes provided.

District Court of Appeal Budget Commission Meeting, July 13, 2023. Minutes provided.

Annual Meeting of the Judicial Ethics Advisory Committee, June 23, 2023. Minutes provided.

Annual Meeting of the Judicial Ethics Advisory Committee, June 24, 2022. Minutes provided.

Annual Meeting of the Judicial Ethics Advisory Committee, June 25, 2021. Minutes provided.

Annual Meeting of the Judicial Ethics Advisory Committee, June 19, 2020. Minutes provided.

Ad Hoc Joint Subcommittee on Rule 2.420 Report for October 2019 meeting, Florida Rules of General Practice and Judicial Administration Committee, October 2019. Copy provided.

Annual Meeting of the Judicial Ethics Advisory Committee, June 28, 2019. Minutes provided.

Appellate Court Rules Committee Meeting, June 23, 2017. Minutes provided.

Appellate Court Rules Committee Meeting, January 27, 2017. Minutes provided.

Appellate Court Rules Committee Meeting, October 21, 2016. Minutes provided.

Appellate Court Rules Committee, Civil Practice Committee Meeting, June 1, 2016. Minutes provided.

Appellate Court Rules Committee, Civil Practice Committee Meeting, April 20, 2016. Minutes provided.

Appellate Court Rules Committee Meeting, January 22, 2016. Minutes provided.

Appellate Court Rules Committee Meeting, September 18, 2015. Minutes provided.

Appellate Court Rules Committee Meeting, June 26, 2015. Minutes provided.

Appellate Court Rules Committee, Proposal regarding Rule 9.300 – Agreed Extensions

of Time, January 27, 2015. Copy provided.

Appellate Court Rules Committee, Proposal regarding Rule 9.370, January 26, 2015. Copy provided.

Appellate Court Rules Committee Meeting, September 23, 2013. Minutes provided.

Ad Hoc Subcommittee on Mandate Change, Florida Rules of Appellate Procedure Committee, June 6, 2013. Copy provided.

c. Supply copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

None.

d. Supply copies, transcripts or recordings of all speeches or talks delivered by you including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

February 23, 2026: Presenter, "Presentation to high school ethics class," Saint Andrew's School, Boca Raton, Florida. Presentation provided.

February 10, 2026: Speaker, "Investiture of Judge Shannon Shaw," Fourth District Court of Appeal, West Palm Beach, Florida. Notes provided.

February 3, 2026: Presenter, "Justiciability and Standing," Florida's New Appellate Judge Program, Tallahassee, Florida. PowerPoint provided.

January 8, 2026: Presenter, "Disqualification and Recusal," Florida's Judicial College, Phase I, Kissimmee, Florida. Presentation provided.

October 29, 2025: Presentation, "Judicial Interpretation of Statutes and Contracts," Florida's College of Advanced Judicial Studies, Orlando, Florida. Presentation provided.

October 23, 2025: Presenter, "Presentation to high school ethics class," Saint Andrew's School, Boca Raton, Florida. Presentation provided.

October 7, 2025: Presenter, "Professionalism and Concerns in Preservation," Florida Bar Appellate Practice Section, Videoconference from West Palm Beach, Florida. Outline

provided.

September 16, 2025: Panelist, "Constitution Day," School Board of Palm Beach County, West Palm Beach, Florida. Materials provided.

May 6, 2025: Presenter, "Justiciability and Standing," Florida's New Appellate Judge Program, Tallahassee, Florida. Presentation provided.

April 3, 2025: Panelist, "Judicial Roundtable," Broward County Bar Association and Palm Beach Bar Association, Florida Atlantic University, Boca Raton, Florida. The roundtable event was designed to an opportunity for small group discussions with Florida appellate judges and former Florida Supreme Court justices. I have no notes, transcripts, or recording. The address of the Broward County Bar Association is 1051 SE 3rd Ave, Fort Lauderdale, FL 33316. The address of the Palm Beach County Bar Association is 1507 Belvedere Rd, West Palm Beach, FL 33406.

January 16, 2025: Presenter, "Disqualification and Recusal," Florida's Judicial College, Phase I, Kissimmee, Florida. Presentation provided.

December 12, 2024: Presenter, "Justiciability and Standing," Florida's New Appellate Judge Program, Tallahassee, Florida. Presentation provided.

September 20, 2024: Panelist, "Constitution Day," School Board of Palm Beach County, West Palm Beach, Florida. Materials provided.

May 3, 2024: Presenter, "Judicial Ethics Campaign Forum," Florida's Judicial Ethics Advisory Committee, Fort Lauderdale, Florida. Presentation provided.

March 5, 2024: Presenter, "Justiciability and Standing," Florida's New Appellate Judge Program, Tallahassee, Florida. PowerPoint provided.

November 16, 2023: Presenter, "The Judiciary," Lynn College, Boca Raton, Florida. Presentation provided.

October 26, 2023: Presenter, "Judicial Interpretation of Statutes and Contracts," Florida's College of Advanced Judicial Studies, Orlando, Florida. Presentation provided.

April 28, 2023: Panelist, "Anatomy of an Oral Argument" and "Questions and Answers on the Court Including Technology Issues," Fourth DCA Historical Society, West Palm Beach, Florida. Agenda and notes provided.

April 21, 2023: Presenter, "Discussion on Summary Judgment," South Palm Beach County Bar Association, Delray Beach, Florida. Notes provided.

April 4, 2023: Presenter, "Event for Students Visiting the Palm Beach County Courthouse," American Board of Trial Advocates, West Palm Beach, Florida. Materials

provided.

March 8, 2023: Presenter, "Standards of Review," Florida's New Appellate Judge Program, Tallahassee, Florida. PowerPoint provided.

October 18, 2022: Presenter, "Presentation to Lower School," Saint Andrew's School, Boca Raton, Florida. Presentation provided.

October 17, 2022: Presentation, "Presentation to Middle School Students," Carver Middle School, Delray Beach, Florida. Presentation provided.

May 6, 2022: Presenter, "Judicial Ethics Campaign Forum," Florida's Judicial Ethics Advisory Committee, Fort Lauderdale, Florida. Presentation provided.

May 5, 2022: Presenter, "Presentation to Fifth Grade Students," Nova University School, Davie, Florida. A video showing a portion of the event is available at <https://www.youtube.com/watch?v=lEbbdoIGWm0>.

April 6, 2022: Florida's New Appellate Judge Program, Tallahassee, Florida. I presented a topic titled "Standards of Review." Presentation provided.

February 22, 2022: Presenter, "Jurisdiction and Country Court Appeals," Florida Court Personnel Institute, Kissimmee, Florida. Presentation provided.

December 14, 2021: Presenter, "Zoom With 4th DCA Judges," Fourth DCA Historical Society Event, Videoconference from West Palm Beach, Florida. I do not have any notes, transcripts, or recordings. The address of the Fourth DCA Historical Society is 777 South Flagler Drive, Suite 500 East, West Palm Beach, FL 33401-6194.

November 29, 2021: Presenter, "Presentation to Middle School," Saint Andrew's School Boca Raton, Florida. Presentation provided.

June 26, 2021: Panelist, "A Look Into Florida's Judicial Nominating Commission," Federalist Society, Florida Young Lawyers Summit, Tampa, Florida. A program is provided.

March 26, 2021: Panelist, "Appellate Pet Peeves," Appellate Practice Section, Videoconference from West Palm Beach, Florida. Notes supplied.

December 17, 2020: Panelist, "Standards of Review," Florida Bar Appellate Practice Section, Videoconference from West Palm Beach, Florida. Presentation provided.

October 9, 2020: Presenter, "Standards of Review," Florida's New Appellate Judge Program, Videoconference from West Palm Beach, Florida. Presentation provided.

October 2, 2020: Panelist, "Ineffective Assistance of Counsel on Appeal," Ninth Judicial

Circuit Bench Bar Conference, Videoconference from West Palm Beach, Florida. Outline provided.

June 30, 2020: Panelist, "Judicial Perspectives: Remote Oas," Florida Bar Appellate Practice Section, Videoconference from West Palm Beach, Florida. A document of proposed questions is provided.

June 2, 2020: Panelist, "Town Hall: How COVID-19 is Effecting Practice at the 4th DCA," Palm Beach County Bar Association Seminar, Videoconference from West Palm Beach, Florida. A video of the event is available at <https://youtu.be/onxO-WwI8fs>.

March 2, 2020: Presenter, "Government Presentation to Seventh Grade Students," Carver Middle School, Delray Beach, Florida. Presentation provided.

October 21, 2019: Presenter, "Government Presentation to Seventh Grade Students," Carver Middle School, Delray Beach, Florida. Presentation provided.

May 31, 2019: Presenter, "First Party Insurance Claims," Florida's College of Advanced Judicial Studies, Orlando, Florida. I have no notes, transcripts, or recordings. The address of Florida's College of Avance Judicial Studies is Florida Supreme Court, Office of the State Court Administrator, 500 South Duval Street, Tallahassee, FL, 32399-1925.

May 30, 2019: Presenter, "Statutory Interpretation," Florida's College of Advanced Judicial Studies, Orlando, Florida. Presentation provided.

May 3, 2019: Presenter, "Mock Trial," Carver Middle School Mock Trial, Delray Beach, Florida. The event program and other information is provided.

February 1, 2019: Panelist, "A View from the Bench – Fourth DCA Judges Panel," Appellate Practice Section Presentation, West Palm Beach, Florida. Agenda provided.

November 15, 2018: Presenter, "Presentation to lawyers and student from the King's Academy," Fourth District Court of Appeal, West Palm Beach, Florida. Presentation provided.

November 9, 2018: Presenter, "Government Presentation to Seventh Grade Students," Carver Middle School, Delray Beach, Florida. Materials provided.

November 1, 2018: Presenter, "Lunch Presentation," South Broward Bar Association, Fort Lauderdale, Florida. Notes provided

May 30, 2018: Panelist, "Appellate Perspective: How a Trial Lawyer Presents and Preserves Professionally," Palm Beach County Bar Association, West Palm Beach, Florida. Materials provided.

May 29, 2018: Presenter, "Statutory Interpretation," Florida's College of Advanced

Judicial Studies, Orlando, Florida. Presentation provided.

May 15, 2018: Moderator, "Cerio, Coxe and Spicola on the Future of the Florida Constitution," Federalist Society, Fort Lauderdale, Florida. Invitation and notes provided.

May 4, 2018: Presenter, "Mock Trial," Carver Middle School Mock Trial, Delray Beach, Florida. A video of the event is available at <https://www.youtube.com/watch?v=75mgV43-vOI>.

January 26, 2018: Panelist, "Nova Law Professional Panel," Seventeenth Judicial Circuit by Nova Law School, Fort Lauderdale, Florida. I do not have notes, transcripts, or recordings, but an email outlining the event is provided. The address of Nova Southeastern University Broad College of Law is 3070 Shepard Broad Wy, Davie, FL 33314.

January 11, 2018: Presenter, "Lunch," Dade County Bar Association, Aventura, Florida. Notes provided.

November 13, 2017: Presenter, "Middle School Government Class Presentation," Carver Middle School, Delray Beach, Florida. I do not have notes from our discussion, but the materials provided by the school as a guide for us are provided.

October 27, 2017: Panelist, "Preservation: How to Stay Out of a Legal Jam," Nineteenth Circuit Bench Bar Conference, Port St. Lucie, Florida. I do not have notes, transcripts or recordings, but the event brochure is provided. The address of the Nineteenth Circuit Bench Bar Conference is 311 South Second Street, Suite 200, Fort Pierce, Florida 34950.

October 4, 2017: Speaker, "Benediction," Florida Bar Induction Ceremony at the Fourth District Court of Appeal, West Palm Beach, Florida. Notes provided.

June 22, 2017: Judge, Orseck Moot Court Competition, The Florida Bar, Boca Raton, Florida. I participated in a moot court competition as a judge. Materials provided.

June 16, 2017: Panelist, "LLC Member Disputes Seminar," Palm Beach County Bar Association Seminar, West Palm Beach, Florida. Notes provided.

May 21, 2017: Judge, "Mock Trial," Carver Middle School, Delray Beach, Florida. I do not have any notes, transcripts, or recordings. The address of Carver Middle School is 101 Barwick Rd, Delray Beach, FL 33445.

March 28, 2017: Presenter, "Evidence Seminar," Palm Beach County Bar Association, West Palm Beach, Florida. Outline provided.

e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and

copies of the clips or transcripts of these interviews where they are available to you.

As a judge, I do not give interviews relating to cases, any matters of legal interpretation, or issues likely to come before the court. I do not recall specific interviews but with the assistance of published articles and internet searches I collected the list below.

Kuntz Ascends: New Chief Judge Steers Florida's 4th DCA, Daily Business Review, July 1, 2025. I am unable to obtain a copy of the article but the statement I gave, through our Marshal and Court Information Officer, was as follows: "I am honored to be elected by my colleagues as the next chief judge of the Fourth District Court of Appeal. I look forward to working with my colleagues, and with members of the bar, to serve our district and the people of the State."

Judicial Profile: Judge Jeffrey T. Kuntz, Florida Bar Appellate Practice Section, January 19, 2018. Copy supplied.

GrayRobinson Attorneys Take On Case Against City's Service Fees, Daily Business Review, December 7, 2015. Copy supplied.

Fla. Court Affirms Dismissal Of Couple's Takings Suit, Law360, November 6, 2013. Copy supplied.

Fla. High Court Lets Insurer Appraise Hurricane Claims, Law360, June 30, 2011. Copy supplied.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

July 1, 2025 – Present, Chief Judge
November 21, 2016 – Present, Judge
Fourth District Court of Appeal

The Fourth District Court of Appeal is one of six intermediate appellate courts in Florida. The court has appellate jurisdiction over nearly all final orders and specified non-final orders rendered by the trial courts. There are twelve judges on the court, all appointed by the Governor.

I was appointed by the Governor of Florida to my position. Subsequently, I was retained by the voters in 2018 and 2024. I was elected Chief Judge by my colleagues, and my term as Chief Judge began on July 1, 2025.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment?

As an appellate judge, I have been on the appellate panel for thousands of cases decided by an opinion. I have written approximately 260 authored opinions. I have also written

per curiam opinions and orders, but under our court rules, the judge who wrote any *per curiam* opinion or order may not be disclosed, and those opinions and orders are not considered authored.

i. Of these cases, approximately what percent were:

jury trials:	0%
bench trials:	100%

ii. Of these cases, approximately what percent were:

civil proceedings:	50%
criminal proceedings:	50%

b. Provide citations for all opinions you have written, including concurrences and dissents.

Majority Opinions (Unanimous)

Bankers Life v. Borew, No. 4D2024-1296, 2026 WL 617186 (Fla. 4th DCA Mar. 4, 2026)

David v. Gov't Employees Ins. Co., 4D2024-2441, 2026 WL 530330 (Fla. 4th DCA Feb. 25, 2026)

Alexander, et al v. President Donald J. Trump, No. 404 So. 3d 425 (Fla. 4th DCA 2025)

Black v. Cable News Network, Inc., et al, 423 So. 3d 2 (Fla. 4th DCA 2025)

Cohen v. Cohen, 414 So. 3d 244 (Fla. 4th DCA 2025)

Farrell v. Chartock, 417 So. 3d 30 (Fla. 4th DCA 2025)

Housen v. Universal Prop. & Cas. Ins. Co., No. 401 So. 3d 369 (Fla. 4th DCA 2025)

KAC 2021-1, LLC v. Mary T. Matuszak Irrevocable Tr., 400 So. 3d 5 (Fla. 4th DCA 2025)

Marcellus v. Peterson, 419 So. 3d 1094 (Fla. 4th DCA 2025)

Tesla v. Banner, 411 So. 1 (Fla. 4th DCA 2025)

D Electrician Tech. Services, Inc. v. Tony, 403 So. 3d 225 (Fla. 4th DCA 2024)

Florida Citizens' All., Inc. v. Sch. Bd. of Indian River Cnty., 398 So. 3d 1005 (Fla. 4th DCA 2024)

Eckert Realty Corp. v. Strazzeri, 396 So. 3d 220 (Fla. 4th DCA 2024)

German v. State, 383 So. 3d 516 (Fla. 4th DCA 2024)

Green v. State, 397 So. 3d 73 (Fla. 4th DCA 2024)

Kenny v. Everlong, LLC, 398 So. 3d 418 (Fla. 4th DCA 2024)

Roberson v. State, 383 So. 3d 126 (Fla. 4th DCA 2024)

Spiritis v. Botel, 384 So. 3d 260 (Fla. 4th DCA 2024)

State v. Hubbard, 392 So. 3d 1067 (Fla. 4th DCA 2024), *review granted*, No. SC2024-1522, 2025 WL 79096 (Fla. Jan. 13, 2025)

Testa v. Dolphin Suite, LLC, 391 So. 3d 946 (Fla. 4th DCA 2024)

Woods v. State, 393 So. 3d 742 (Fla. 4th DCA 2024)

City of Fort Lauderdale v. Tropical Paradise Resorts, LLC, 372 So. 3d 663 (Fla. 4th DCA 2023)

Crouse v. Crouse, 368 So. 3d 6 (Fla. 4th DCA 2023)

Funderdome, LLC v. Woolbright Dev., Inc., 358 So. 3d 1250 (Fla. 4th DCA 2023)

Lanigan v. Lanigan, 353 So. 3d 1188 (Fla. 4th DCA 2023)

Lowe v. State, 356 So. 3d 259 (Fla. 4th DCA 2023)

March v. State, 359 So. 3d 801 (Fla. 4th DCA 2023)

Quinn v. Calkins, 355 So. 3d 954 (Fla. 4th DCA 2023)

Quisenberry v. Bates, 359 So. 3d 1 (Fla. 4th DCA 2023)

State v. Acevedo, 366 So. 3d 1096 (Fla. 4th DCA 2023)

State v. Acevedo, 357 So. 3d 130 (Fla. 4th DCA 2023)

State v. Bender, 357 So. 3d 697 (Fla. 4th DCA 2023)

Torres v. Arias, 356 So. 3d 257 (Fla. 4th DCA 2023)

Universal Prop. & Cas. Ins. Co. v. Navlen, 373 So. 3d 334 (Fla. 4th DCA 2023)

Van Zagarella v. State, 358 So. 3d 760 (Fla. 4th DCA 2023)

Barfield v. Doe, 348 So. 3d 1156 (Fla. 4th DCA 2022)

Cayard v. U.S. Bank National Assoc. as Trustee, 338 So. 3d 1136 (Fla. 4th DCA 2022)

Daniel v. State, 336 So. 3d 322 (Fla. 4th DCA 2022)

Daniello v. Settle, 336 So. 3d 1224 (Fla. 4th DCA 2022)

Dean v. State, 337 So. 3d 349 (Fla. 4th DCA 2022)

Fletcher v. McCulloch, 333 So. 3d 1143 (Fla. 4th DCA 2022)

Iemma v. Heichberger, 355 So. 3d 415 (Fla. 4th DCA 2022)

In re Williams, 335 So. 3d 145 (Fla. 4th DCA 2022)

Gooden v. People's Tr. Ins. Co., 336 So. 3d 331 (Fla. 4th DCA 2022)

Kogel v. State, 339 So. 3d 373 (Fla. 4th DCA 2022)

People's Tr. Ins. Co. v. Slavin, 338 So. 3d 276 (Fla. 4th DCA 2022)

Martin Mem'l Health Sys., Inc. v. Gorham, 337 So. 3d 71 (Fla. 4th DCA 2022)

Philip Morris USA, Inc. v. Naugle, 337 So. 3d 13 (Fla. 4th DCA 2022)

Rasor v. Estate of Rasor, 337 So. 3d 346 (Fla. 4th DCA 2022)

RKHUB Logistics LLC v. Eastern Auto. Motor Corp., 344 So. 3d 485 (Fla. 4th DCA 2022)

Shakova v. Pugachov, 345 So. 3d 906 (Fla. 4th DCA 2022)

Singer v. Singer, 347 So. 3d 364 (Fla. 4th DCA 2022)

United Automobile Ins. Co. v. Buchalter, 344 So. 3d 474 (Fla. 4th DCA 2022)

U.S. Bank Nat'l Ass'n v. Grob, 343 So. 3d 114 (Fla. 4th DCA 2022)

Varga v. Dongal Investments, LLC, 345 So. 3d 919 (Fla. 4th DCA 2022)

Abidoshi v. Abidoshi, 326 So. 3d 81 (Fla. 4th DCA 2021)

Bailey v. Bailey, 310 So. 3d 103 (Fla. 4th DCA 2021)

Carlos v. Carlos, 322 So. 3d 1176 (Fla. 4th DCA 2021)

Certified Priority Restoration v. Universal Ins. Co. of N. Am., 322 So. 3d 1178 (Fla. 4th DCA 2021)

Certified Priority Restoration v. Universal Ins. Co. of N. Am., 326 So. 3d 1135 (Fla. 4th DCA 2021)

Dodge v. People's Tr. Ins. Co., 321 So. 3d 831 (Fla. 4th DCA 2021)

Fernalld v. ABB, Inc., 315 So. 3d 1221 (Fla. 4th DCA Mar. 10, 2021)

Franklin v. State, 321 So. 3d 256 (Fla. 4th DCA 2021)

GEICO Gen. Ins. Co. v. Hallandale Beach Orthopedics, Inc., 324 So. 3d 527 (Fla. 4th DCA 2021)

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CA Florida Holdings, LLC v. Aronberg, 360 So. 3d 1149, 1156 (Fla. 4th DCA 2023) (Kuntz, J., concurring)

Dep't of Highway Safety & Motor Vehicles v. Quinn, 315 So. 3d 52 (Fla. 4th DCA 2021) (Kuntz, J., concurring)

R.J. Reynolds Tobacco Company v. Burgess, 294 So. 3d 910 (Fla. 4th DCA 2020) (Kuntz, J., dissenting), disapproved *Prentice v. R.J. Reynolds Tobacco Co.*, 47 Fla. L. Weekly S78 (Fla. Mar. 17, 2022)

Johnson v. State, 268 So. 3d 729, 743 (Fla. 4th DCA 2018) (Kuntz, J., dissenting), *decision quashed*, 295 So. 3d 710 (Fla. 2020)

The Event Depot Corp. v. Frank, 269 So. 3d 559, 563 (Fla. 4th DCA 2019) (Kuntz, J., concurring)

State Farm Fla. Ins. Co. v. Valenti, 285 So. 3d 958, 960 (Fla. 4th DCA 2019) (Kuntz, J., concurring)

Sturgeon v. State, 275 So. 3d 630, 630 (Fla. 4th DCA 2019) (Kuntz, J., concurring)

Fox v. Fox, 262 So. 3d 789, 796 (Fla. 4th DCA 2018) (*en banc*) (Kuntz, J., concurring in part and dissenting in part)

G.A.Q.L. v. State, 257 So. 3d 1058, 1065 (Fla. 4th DCA 2018) (Kuntz, J., concurring in result)

Owens v. Corrigan, 252 So. 3d 747, 751 (Fla. 4th DCA 2018) (Kuntz, J., dissenting)

Twigg v. State, 254 So. 3d 464, 471 (Fla. 4th DCA 2018) (Kuntz, J., concurring)

Delbrouck v. Eberling, 226 So. 3d 929, 935 (Fla. 4th DCA 2017) (Kuntz, J., concurring in result)

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

1. *Alexander v. Trump*, 404 So. 3d 425 (Fla. 4th DCA 2025)

This case involved an appeal by members of the Pulitzer Prize Board of an order denying a motion to dismiss for lack of jurisdiction. On appeal, we concluded the trial court correctly found personal jurisdiction existed over the non-resident defendants.

Counsel for Appellant

Charles D. Tobin
Ballard Spahr LLP
1909 K Street NW Floor 12
Washington, DC 20006
(202)661-2218

Counsel for Appellee

Jeremy D. Bailie
Weber, Crabb & Wein, P.A.
5453 Central Avenue
Saint Petersburg, Florida 33710
(727)828-9919

2. *CA Florida Holdings, LLC v. Aronberg*, 360 So. 3d 1149, 1156 (Fla. 4th DCA 2023) (Kuntz, J., concurring)

This case related to the release of grand jury records in a proceeding involving Jeffrey Epstein. The trial court denied the Palm Beach Post's motion to obtain the records. Our court concluded the trial court applied the wrong standard and remanded the case for further proceedings.

Counsel for Appellant

Stephen A. Mendelsohn
Greenberg Traurig, P.A.
Greenberg Traurig PA
401 E Las Olas Boulevard, Suite 2000
Fort Lauderdale, Florida 33301
(954)768-8225

Counsel for Appellee

Collin D. Jackson
Clerk of the Circuit Court & Comptroller
301 N Olive Ave, Floor 9
West Palm Beach, Florida 33401
(561)355-2983

3. *G.A.Q.L. v. State*, 257 So. 3d 1058, 1065 (Fla. 4th DCA 2018) (Kuntz, J.

concurring in result)

The circuit court granted the state's motion and compelled a minor to provide the passcode to his iPhone. The majority opinion quashed the circuit court's order. Concurring in result only, I wrote that the majority correctly concluded the minor could not be compelled to orally speak to a detective. But I disagreed with the majority that the foregone conclusion doctrine could apply in the circumstance.

Counsel for Petitioner

Eric T. Schwartzreich
Schwartzreich & Associates, P.A.
1 West Las Olas Blvd, Suite 600
Fort Lauderdale, Florida 33301
(954)873-8228

Counsel for Respondent

Anesha Worthy
Office of the Attorney General
1515 North Flagler Drive, Suite 900
West Palm Beach, Florida 33401-3432
(561)837-5013

4. *McGraw v. State*, 245 So. 3d 760 (Fla. 4th DCA 2018)

The defendant appealed an order denying his motion to suppress the results of a warrantless blood draw. Writing for a divided panel, I concluded that a warrantless blood draw does not violate the Fourth Amendment. The opinion examines the U.S. Supreme Court's opinions in *Birchfield* and *McNeely*, and opinions from approximately twenty state courts applying those two decisions. The opinion concluded by rejecting the Fourth Amendment challenge, stating that "[b]ecause Florida's law does not impose criminal penalties, the statute does not violate the Fourth Amendment. And, with an unconscious defendant, the less intrusive alternative of a breath test is not available. In effect, the blood test is the only option."

During the pendency of an appeal to the Florida Supreme Court, the United States Supreme Court issued a decision on the same issue and reaching the same conclusion. *Mitchell v. Wisconsin*, 139 S. Ct. 2525 (2019). The Florida Supreme Court vacated the decision for further consideration based on *Mitchell*. *McGraw v. State*, 289 So. 3d 836 (Fla. 2019). Our decision on remand is reported at *McGraw v. State*, 299 So. 3d 12 (Fla. 4th DCA 2020).

Counsel for Appellant

Benjamin Eisenberg
Public Defender's Office, Fifteenth Circuit

421 3rd Street # 6227
West Palm Beach, Florida 33401
(561)355-7600

Counsel for Appellee

Richard Valuntas
Office of the Attorney General
1515 North Flagler Drive, Suite 900
West Palm Beach, Florida 33401-3432
(561)837-5013

5. *Philadelphia Fin. Mgmt. of San Francisco, LLC v. DJSP Enterprises, Inc.*, 227 So. 3d 612 (Fla. 4th DCA 2017)

In this case we held that federal district court's dismissal of investors' action was a final judgment on the merits with respect to state claims, thus barring second action under doctrine of res judicata.

Counsel for Appellant

Daniel M. Cohen
Cuneo Gilbert & LaDuca, LLP
507 C Street, N.E.
Washington, DC 20002
(202) 789-3960

Counsel for Appellee DJSP Enterprises, Inc.

Sharon L. Kegerreis
Berger Singerman
1450 Brickell Avenue, Suite 1900
Miami, Florida 33131
(305)714-4393

Counsel for Defendant Kumar Gursahaney

Dennis A. Nowak (Retired)
Rumberger, Kirk & Caldwell
Brickell City Tower, Suite 3000
80 S.W. 8th Street
Miami, Florida 33130

Counsel for Appellee David J. Stern

Jeffrey A. Tew

Rennert Vogel Mandler & Rodriguez, P.A.
100 SE 2nd Street, Suite 2900
Miami, Florida 33131
(305)423-3405

6. *Crosby v. Town of Indian River Shores*, 358 So. 3d 444 (Fla. 4th DCA 2023)

The issue in this case was whether Florida's anti-SLAPP statute protects a governmental entity from lawsuits filed by its citizens. Writing for the majority, I concluded the anti-SLAPP statute was intended to protect the people from the government and not the government from the people.

Counsel for Appellant

Edward G. Guedes
Weiss Serota Helfman Cole & Bierman, P.L.
2800 Ponce De Leon Boulevard, Suite 1200
Coral Gables, Florida 33134
(305)854-0800

Counsel for Appellee

Derek J. Angell
O'Connor, Haftel & Angell, PLLC
800 N Magnolia Avenue, Suite 1350
Orlando, Florida 32803
(407)843-2100

7. *City of Fort Lauderdale v. Tropical Paradise Resorts, LLC*, 372 So. 3d 663 (Fla. 4th DCA 2023)

A hotel guest's estate brought claims against the City after the hotel guest was murdered by another guest that was at the hotel through a program to provide housing during COVID-19. The issue on appeal was whether the claims against the City were barred by the doctrine of sovereign immunity. We concluded some claims were barred by the doctrine and others not, and remanded the case to the trial court.

Counsel for Appellant

Hudson C. Gill
Johnson Anselmo
2455 East Sunrise Boulevard
Ft Lauderdale, Florida 33304
(954)463-4100

Counsel for Appellee

Joshua W. Brankamp
Loren & Kean Law
7121 Fairway Drive, Suite 104
Palm Beach Gardens, Florida 33418
(561)615-5701

8. *Johnson v. State*, 268 So. 3d 729, 743 (Fla. 4th DCA 2018) (Kuntz, J., dissenting), *decision quashed*, 295 So. 3d 710 (Fla. 2020)

The defendant argued the trial court failed to conduct a proper *Melbourne/Batson* inquiry after counsel objected to the state's use of a peremptory challenge. The majority reversed. In dissent, I concluded that the defendant waived his challenge to the peremptory strike when he failed to object to the state's proffered nondiscriminatory reason for striking the juror.

Counsel for Appellant

Richard G. Bartmon
7616 Stirling Bridge Boulevard North
Delray Beach, Florida 33446
(561)702-6975

Counsel for Appellee

Kimberly T. Acuña
Office of the Attorney General
1515 North Flagler Drive, Suite 900
West Palm Beach, Florida 33401-3432
(561)837-5013

9. *State v. Hubbard*, 392 So. 3d 1067 (Fla. 4th DCA 2024), *review granted*, No. SC2024-1522, 2025 WL 79096 (Fla. Jan. 13, 2025)

The Office of the Statewide Prosecutor charged the defendant with voter fraud after he registered to vote and voted as a convicted felon. The defendant moved to dismiss the charges arguing the Statewide Prosecutor lacked jurisdiction to prosecute. The trial court granted the motion.

Writing for a divided panel, I wrote that “the OSP may exercise its authority where: (1) the offense occurred in two or more judicial circuits, or (2) the offense “is affecting, or has affected, two or more judicial circuits.”

Counsel for Appellant

Henry Whitaker

950 Pennsylvania Ave NW
Washington, DC 20530
(202)445-8942

Counsel for Appellee

Craig Trocino
University of Miami Law School
1311 Miller Rd
Coral Gables, FL 33146
(305)828-8201

10. *Black v. Cable News Network, Inc.*, et al, 423 So. 3d 2 (Fla. 4th DCA 2025); and
Cable News Network, Inc. v. Black, 374 So. 3d 811 (Fla. 4th DCA 2023)

I have been on the panel for two appeals arising from this case. The underlying case involves a doctor suing a news station for defamation relating to reporting on a medical practice. In the first appeal, we concluded the doctor could not seek punitive damages and reversed the trial court. In the second appeal, we concluded the trial incorrectly entered summary judgment and that the doctor was entitled to a jury trial.

Counsel for Appellant

Thomas A. Clare
Clare Lock LLP
10 Prince Street
Alexandria, VA 22314
(202) 628-7400

Counsel for Appellee

Charles D. Tobin
Ballard Spahr LLP
1909 K Street NW Floor 12
Washington, DC 20006
(202)661-2218

- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

1. *Alexander v. Trump*, 404 So. 3d 425 (Fla. 4th DCA 2025)

Counsel for Appellant

Charles D. Tobin
Ballard Spahr LLP
1909 K Street NW Floor 12
Washington, DC 20006
(202)661-2218

Counsel for Appellee

Jeremy D. Bailie
Weber, Crabb & Wein, P.A.
5453 Central Avenue
Saint Petersburg, Florida 33710
(727)828-9919

2. *CA Florida Holdings, LLC v. Aronberg*, 360 So. 3d 1149, 1156 (Fla. 4th DCA 2023) (Kuntz, J., concurring)

Counsel for Appellant

Stephen A. Mendelsohn
Greenberg Traurig, P.A.
Greenberg Traurig PA
401 E Las Olas Boulevard, Suite 2000
Fort Lauderdale, Florida 33301
(954)768-8225

Counsel for Appellee

Collin D. Jackson
Clerk of the Circuit Court & Comptroller
301 N Olive Ave, Floor 9
West Palm Beach, Florida 33401
(561)355-2983

3. *Amelio v. State*, 253 So. 3d 1150 (Fla. 4th DCA 2018)

Counsel for Petitioner

Alan Lipson
Public Defender's Office, Fifteenth Circuit
421 3rd Street # 6227
West Palm Beach, Florida 33401
(561)355-7600

Counsel for Respondent

Don Rogers
Office of the Attorney General
1515 North Flagler Drive, Suite 900
West Palm Beach, Florida 33401-3432
(561)837-5013

4. *Florida Citizens' All., Inc. v. Sch. Bd. of Indian River Cnty.*, 398 So. 3d 1005 (Fla. 4th DCA 2024)

Counsel for Appellant

Brantley Oakey
Law Office of Brantley Oakey
780 5th Avenue South, Suite 200
Naples, Florida 34102
(239)963-2897

Counsel for Appellee

Jeffrey D. Slanker
Sniffen and Harmon, P.A.
123 North Monroe Street
Tallahassee, Florida 32301
(850)205-1996

5. *KAC 2021-1, LLC v. Mary T. Matuszak Irrevocable Tr.*, 400 So. 3d 5 (Fla. 4th DCA 2025)

Counsel for Appellant

Brian K. Korte
Korte & Associates
8895 N Military Trail, Suite C200
Palm Beach Gardens, Florida 33410
(561) 228-6200

Counsel for Appellee DJSP Enterprises, Inc.

Sharon L. Kegerreis
Berger Singerman
1450 Brickell Avenue, Suite 1900
Miami, Florida 33131
(305)714-4393

6. *Crosby v. Town of Indian River Shores*, 358 So. 3d 444 (Fla. 4th DCA 2023)

Counsel for Appellant

Edward G. Guedes
Weiss Serota Helfman Cole & Bierman, P.L.
2800 Ponce De Leon Boulevard, Suite 1200
Coral Gables, Florida 33134
(305)854-0800

Counsel for Appellee

Derek J. Angell
O'Connor, Haftel & Angell, PLLC
800 N Magnolia Avenue, Suite 1350
Orlando, Florida 32803
(407)843-2100

7. *City of Fort Lauderdale v. Tropical Paradise Resorts, LLC*, 372 So. 3d 663 (Fla. 4th DCA 2023)

Counsel for Appellant

Hudson C. Gill
Johnson Anselmo
2455 East Sunrise Boulevard
Ft Lauderdale, Florida 33304
(954)463-4100

Counsel for Appellee

Joshua W. Brankamp
Loren & Kean Law
7121 Fairway Drive, Suite 104
Palm Beach Gardens, Florida 33418
(561)615-5701

8. *Johnson v. State*, 268 So. 3d 729, 743 (Fla. 4th DCA 2018) (Kuntz, J., dissenting), *decision quashed*, 295 So. 3d 710 (Fla. 2020)

Counsel for Appellant

Richard G. Bartmon
7616 Stirling Bridge Boulevard North
Delray Beach, Florida 33446
(561)702-6975

Counsel for Appellee

Kimberly T. Acuña
Office of the Attorney General
1515 North Flagler Drive, Suite 900
West Palm Beach, Florida 33401-3432
(561)837-5013

9. *State v. Hubbard*, 392 So. 3d 1067 (Fla. 4th DCA 2024), *review granted*, No. SC2024-1522, 2025 WL 79096 (Fla. Jan. 13, 2025)

Counsel for Appellant

Henry Whitaker
950 Pennsylvania Ave NW
Washington, DC 20530
(202)445-8942

Counsel for Appellee

Craig Trocino
University of Miami Law School
1311 Miller Rd
Coral Gables, FL 33146
(305)828-8201

10. *Black v. Cable News Network, Inc., et al*, 423 So. 3d 2 (Fla. 4th DCA 2025); and *Cable News Network, Inc. v. Black*, 374 So. 3d 811 (Fla. 4th DCA 2023)

Counsel for Appellant

Thomas A. Clare
CLARE LOCKE LLP
10 Prince Street
Alexandria, VA 22314
(202) 628-7400

Counsel for Appellee

Charles D. Tobin
Ballard Spahr LLP
1909 K Street NW Floor 12
Washington, DC 20006
(202)661-2218

- e. Provide a list of all cases in which certiorari was requested or granted.

None.

f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

1. *Haver v. City of W. Palm Beach, Inc.*, 298 So. 3d 647 (Fla. 4th DCA 2020), *quashed* *City of W. Palm Beach, Inc. v. Haver*, 330 So. 3d 860 (Fla. 2021): In our opinion, we held that the Florida Supreme Court's caselaw applying the separation of powers doctrine does not preclude a plaintiff from bringing an equitable enforcement action against a city to direct enforcement of zoning codes if plaintiff can show some special damage from an alleged zoning violation.

2. *McGraw v. State*, 245 So. 3d 760 (Fla. 4th DCA 2018), vacated *McGraw v. State*, 289 So. 3d 836 (Fla. 2019): The defendant appealed an order denying his motion to suppress the results of a warrantless blood draw. Writing for a divided panel, I concluded that a warrantless blood draw does not violate the Fourth Amendment. During the pendency of an appeal to the Florida Supreme Court, the United States Supreme Court issued a decision on the same issue and reaching the same conclusion. *Mitchell v. Wisconsin*, 139 S. Ct. 2525 (2019). The Florida Supreme Court vacated the decision for further consideration based on *Mitchell*. *McGraw v. State*, 289 So. 3d 836 (Fla. 2019). Our decision on remand is reported at *McGraw v. State*, 299 So. 3d 12 (Fla. 4th DCA 2020).

3a. *State Farm Mut. Auto. Ins. Co. v. Care Wellness Ctr., LLC*, 240 So. 3d 22 (Fla. 4th DCA 2018), *quashed* 47 Fla. L. Weekly S98 (Fla. Jan. 21, 2022): In this case, we held that deductible for PIP benefits had to be subtracted from total medical charges after application of statutory reimbursement limitation for costs of medical treatment. The Florida Supreme Court reversed reconsideration in light of a subsequently issued Florida Supreme Court opinion.

3b. *Progressive Select Ins. Co. v. Blum*, 238 So. 3d 852 (Fla. 4th DCA 2018), *quashed* 47 Fla. L. Weekly S98 (Fla. Jan. 21, 2022): This case, issued the same day as *Care Wellness Center*, is identical to *Care Wellness Center*.

3c. *USAA Gen. Indem. Co. v. Gogan*, 238 So. 3d 937 (Fla. 4th DCA 2018), *quashed* 47 Fla. L. Weekly S98 (Fla. Jan. 21, 2022): This case, issued the same day as *Care Wellness Center*, is identical to *Care Wellness Center*.

g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

The court does not issue unpublished written decisions.

h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

Van Zagarella v. State, 358 So. 3d 760 (Fla. 4th DCA 2023)

Haver v. City of W. Palm Beach, Inc., 298 So. 3d 647 (Fla. 4th DCA 2020), *quashed City of W. Palm Beach, Inc. v. Haver*, 330 So. 3d 860 (Fla. 2021)

Maldonado v. State, 278 So. 3d 708 (Fla. 4th DCA 2019)

G.A.Q.L. v. State, 257 So. 3d 1058, 1065 (Fla. 4th DCA 2018) (Kuntz, J., concurring in result)

Johnson v. State, 268 So. 3d 729, 743 (Fla. 4th DCA 2018) (Kuntz, J., dissenting), *decision quashed*, 295 So. 3d 710 (Fla. 2020)

Kunz v. Sch. Bd. of Palm Beach County, 237 So. 3d 1026 (Fla. 4th DCA 2018)

McGraw v. State, 245 So. 3d 760 (Fla. 4th DCA 2018), vacated *McGraw v. State*, 289 So. 3d 836 (Fla. 2019)

State v. Sylvestre, 254 So. 3d 986 (Fla. 4th DCA 2018)

Morris v. State, 212 So. 3d 383 (Fla. 4th DCA 2017) (*en banc*)

N.S. v. State, 227 So. 3d 132 (Fla. 4th DCA 2017)

Roundtree v. State, 217 So. 3d 1051 (Fla. 4th DCA 2017)

Spector v. Spector, 226 So. 3d 256 (Fla. 4th DCA 2017)

Stuart v. Ryan, 232 So. 3d 418 (Fla. 4th DCA 2017)

Tobiassen v. State, 213 So. 3d 1045 (Fla. 4th DCA 2017)

i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

None.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a

litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself *sua sponte*. Identify each such case, and for each provide the following information:

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself *sua sponte*;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

Our court uses an automatic system of recusal. Each judge provides a list of people and/or entities to the Clerk of Court and if a match occurs the Clerk of Court automatically reassigns the case to a different member of the court.

I am aware of two cases where a motion to recuse was presented.

Miguel Rodriguez Albisu and Christian Rafart v. State of Florida, 4D2025-3769: In this case, I was not on the assigned panel but the party sought to recuse the entire court. The motion was denied.

Michael D. Weinstein v. Jennifer Weinstein, 4D2024-2244: In this case, after the issuance of the opinion, the appellant moved to recuse me due to our purported employment at the same employer approximately twenty years ago. The motion was denied.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

2012 – 2016

Fifteenth Judicial Circuit Judicial Nominating Commission
Appointed by Governor Rick Scott

2018

Application to Florida Supreme Court Judicial Nominating Commission
I was nominated by the Commission but was not appointed by Governor Ron DeSantis.

2019

Application to Florida Supreme Court Judicial Nominating Commission
I was not nominated by the Commission.

2022

Application to Florida Supreme Court Judicial Nominating Commission
I was not nominated by the Commission.

b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I have never held office or served on any political party's committee or election committee.

16. **Legal Career:** Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I did not serve as a law clerk.

ii. whether you practiced alone, and if so, the addresses and dates;

I did not practice alone.

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each;

2006 – 2016

GrayRobinson, P.A.

401 East Las Olas Boulevard, Suite 1850

Fort Lauderdale, Florida 33301

Shareholder (2014 – 2016)

Senior Associate (2011 – 2014)

Associate (2006 – 2011)

iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I did not serve as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

My law practice focused on general commercial litigation, including commercial litigation matters, insurance disputes, ERISA matters, and banking related cases. My practice was generally focused on Florida's appellate courts and the federal courts located within the State of Florida.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

The types of clients I represented in private practice was diverse, ranging from individuals to corporations to government entities.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

Nearly all my practice was in litigation.

- i. Indicate the percentage of your practice in:

- | | | |
|----|--------------------------|-----|
| 1. | federal courts: | 35% |
| 2. | state courts of record: | 65% |
| 3. | other courts: | 0% |
| 4. | administrative agencies: | 0% |

- ii. Indicate the percentage of your practice in:

- | | | |
|----|-----------------------|------|
| 1. | civil proceedings: | 100% |
| 2. | criminal proceedings: | 0% |

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

Approximately five to ten. Generally, I was associate counsel.

- i. What percentage of these trials were:

- | | | |
|----|-----------|-----|
| 1. | jury: | 15% |
| 2. | non-jury: | 85% |

e. Describe your practice, if any, before the Supreme Court of the United States. Supply copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I appeared as counsel of record in three cases before the Supreme Court of the United States.

In *Executive Benefits Insurance Agency v. Perter H. Arkison, Chapter 7 Trustee*, Case No. 12-1200, I appeared on behalf of the Commercial Law League of America. A copy of the amicus brief is provided.

In *Frantz v. Walled, et al*, Case No. 12-10963, I appeared on behalf of First Service Options, Inc. We waived the right to file a response to the petition for certiorari. A copy of the waiver is provided.

In *Gables Insurance Recovery v. Blue Cross and Blue Shield of Florida*, No. 16-64, I appeared on behalf of the respondent and filed a response to the petition. A copy of the Response to Petition is provided.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
 - b. the name of the court and the name of the judge or judges before whom the case was litigated; and
 - c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.
1. *Merriken v. Am. Maritime Officers Vacation Plan, et al*, No. 02-011689CACE11 (Seventeenth Judicial Circuit, Judge Ana Gardiner); Nos. 4D08-476, 4D08-489 (Fla. 4th DCA) (representation 2007 – 2012). Case citations: *Am. Mar. Officers Union v. Merriken*, 981 So. 2d 544 (Fla. 4th DCA 2008) (Warner, Polen, Hazouri, JJ.); 993 So. 2d 510 (Fla. 2008); 2008 WL 4899126 (S.D. Fla. Sept. 29, 2008) (Judge Adalberto Jordan).

I was involved in this litigation in the state trial court, state appellate court, and in United States District Court. My involvement began in 2007 and continued until approximately

2010. In each court we represented the American Maritime Officers Union. This case involved a former Union member and his claims against the Union. Ultimately, a jury ruled in favor of the Union.

Co-counsel

Philip E. Ward
GrayRobinson, P.A.
401 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, Florida 33301
(954)761-8111

Opposing counsel

William J. Brown (deceased)

2. *Gables Insurance Recovery, Inc. v. Blue Cross and Blue Shield of Florida, Inc.*, No. 14-cv-24098-UU (Southern District of Florida, Judge Ursula Ungaro) (representation 2013 – 2015). Case citations: *Gables Ins. Recovery, Inc. v. Blue Cross and Blue Shield of Florida*, 110 F.Supp.3d 1259 (S.D. Fla. Jan. 6, 2015), *aff'd* by 813 F.3d 1333 (11th Cir. 2015) (Marcus, Jill Pryor, Restani, JJ.), *cert. denied*, 580 U.S. 917 (2016).

In this case we represented Blue Cross and Blue Shield of Florida, Inc. My involvement began in approximately 2013 and continued through approximately 2015. This case involved the preemptive scope of the Employee Retirement Income Security Act. The District Court held the claims were preempted by ERISA. On appeal, the Eleventh Circuit affirmed. The United States Supreme Court denied certiorari.

Co-counsel

Daniel Alter
GrayRobinson, P.A.
401 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, Florida 33301
(954)761-8111

Opposing counsel

G. Bart Billbrough
100 Almeria Avenue, Suite 320
Coral Gables, Florida 33134
(305)359-8081

3. *Devon Neighborhood Ass'n v. Southern Family Insurance Co.*, No. 08-05932 (Seventeenth Judicial Circuit, Judge John Luzzo) (representation 2008 – 2012).

Case citations: *Florida Ins. Guar. Ass'n, Inc. v. Devon Neighborhood Ass'n, Inc.*, 33 So. 3d 48, 54 (Fla. 4th DCA 2009) (Warner, Polen, Taylor, JJ); 67 So. 3d 187 (Fla. 2011).

We represented the Florida Insurance Guaranty Association ("FIGA") in the state trial court, the Fourth District Court of Appeal, and the Florida Supreme Court. My involvement began in approximately 2008 and continued through approximately 2012. The lawsuit was filed against an insurer for hurricane damage. After the insurer was declared insolvent, FIGA was substituted as a party. We represented FIGA in this litigation and demanded appraisal pursuant to the insurance policy. The issue was resolved in the Florida Supreme Court in favor of our client.

Co-counsel

Philip E. Ward
GrayRobinson, P.A.
401 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, Florida 33301
(954)761-8111

Opposing counsel

Daniel S. Rosenbaum
Daniel S. Rosenbaum, P.A.
1700 Palm Beach Lakes Blvd., Suite 600
West Palm Beach, Florida 33401
(561)653-2900

4. *Apothecary Development Corporation, et al v. City of Marco Island, Florida*, No. 2:10-cv-00392-SPC-DNF (Middle District of Florida, Judges Charlene Edwards Honeywell and Sheri Polster Chappell) (representation 2011 – 2014). Case citations: *Apothecary Dev. Corp. v. City of Marco Island*, 995 F.Supp.2d 134 (M.D. Fla. Jan. 22, 2014); 517 F. App'x 890 (11th Cir. 2013) (Dubina, Barkett, Kleinfeld, JJ).

We represented the City of Marco Island in this suit brought by a local business relating to a police investigation into the dispensing of narcotics. My involvement began in approximately 2011 and continued through the end of the lawsuit in approximately 2014. The United States District Court ultimately issued summary judgment in favor of our client.

Co-counsel

Philip E. Ward
GrayRobinson, P.A.
401 East Las Olas Boulevard, Suite 1000

Fort Lauderdale, Florida 33301
(954)761-8111

Opposing counsel

Michael R.N. McDonnell (Deceased)
McDonnell Trial Law
5150 Tamiami Trail North, Suite 203
Naples, Florida 34103

5. *Pantoja v. Edward Zengel & Son Exp., Inc.*, No. 10-20663-CIV (Southern District of Florida, Judge Joan Lenard) (representation 2011 – 2013). Case citations: *Pantoja v. Edward Zengel & Son Exp., Inc.*, 2011 WL 7657384 (S.D. Fla Aug. 5, 2011); 500 F. App'x 892 (11th Cir. 2012) (Dubina, William Pryor, Anderson, JJ).

In this case we represented a 401k benefit plan in a lawsuit brought by a plan participant. My involvement began in approximately 2011 and continued through judgment in approximately 2013. The district court held, and the Eleventh Circuit affirmed, that the money at issue was not a plan asset and entered judgment for our client.

Co-counsel

Daniel Alter
GrayRobinson, P.A.
401 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, Florida 33301
(954)761-8111

Opposing counsel

Sina Negahbani
Law Office of Sina Negahbani
PO Box 566055
Miami, Florida 33256-6055
(305)595-9078

6. *Schinneller v. Seminole Tribe of Florida, L.T.* No. 2013CA024474 (09) (Seventeenth Judicial Circuit, Judge John Luzzo) (representation 2015 – 2016). Case citation: *Seminole Tribe of Florida v. Schinneller*, 197 So. 3d 1216 (Fla. 4th DCA 2016) (May, Warner, Conner, JJ).

In this case we represented the Seminole Tribe of Florida. My involvement began in approximately 2015 and continued through approximately 2016. In this case, the plaintiff filed a lawsuit in a Florida court against the Seminole Tribe of Florida for injuries that allegedly occurred on tribal property. The Seminole Tribe of Florida filed a motion to dismiss based on sovereign immunity. The trial court denied the motion. On appeal, the

appellate court quashed the trial court's order and dismissed the case.

Co-counsel

Mark D. Schellhase
Gray Robinson, P.A.
401 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, Florida 33301
(954)761-8111

Opposing counsel

Jonathan J. Luca
Jonathan J. Luca, P.A.
904 Anastasia Blvd
Saint Augustine, FL 32080

7. *In re Whitehead*, No. 08-15622-BKC-JKO (United States Bankruptcy Court for the Southern District of Florida, Judge John Olson) (representation 2008 – 2009).

In this case we represented a creditor seeking relief from the bankruptcy court's automatic stay. My representation began in approximately 2008 and concluded in approximately 2009. The case involved "whether an interest of the Debtor in certain real property was transferred on the date of recordation of Notices of Lis Pendens or on the date of recordation of a Judgment Lien Certificate." The bankruptcy court ruled in favor of our client.

Co-counsel

Nathan Mancuso
Mancuso Law, P.A.
7777 Glades Road, Suite 100
Boca Raton, Florida 33434
(561)245-4705

Opposing counsel

Paul Orshan
Orshan, P.A.
150 Alhambra Circle, Suite 1150
Coral Gables, Florida 33134
(305)529-9380

8. *Olympus Association, Inc. v. Florida Insurance Guaranty Association*, No. CACE 08-24182(03) (Seventeenth Judicial Circuit, Judge Patti Englander Henning) (representation 2008 – 2011). Case citation: *Florida Ins. Guar. Ass'n, Inc. v.*

Olympus Ass'n, Inc., 34 So. 3d 791 (Fla. 4th DCA 2010) (Taylor, Ciklin, Blanc, JJ).

In this case we represented the Florida Insurance Guaranty Association. My involvement began in approximately 2008 and continued through approximately 2011. Olympus Association filed a lawsuit against its insurance company for hurricane damage. After the insurer was declared insolvent, FIGA was substituted to provide coverage for certain claims. The trial court entered judgment for approximately five million dollars. On appeal, the Fourth District Court of Appeal reversed and resolved a contested issue at the time: whether coverage issues remain to be decided after the issuance of an appraisal award.

Co-counsel

Philip E. Ward
GrayRobinson, P.A.
401 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, Florida 33301
(954)761-8111

Opposing counsel

Melissa Groisman
Greenberg Traurig, P.A.
333 S.E. 2nd Avenue, Suite 4400
Miami, Florida 33131
(305)579-0654

9. *Osborne v. Dumoulin*, No. SC09-751 (Florida Supreme Court) (representation 2010 – 2011). Case citation: *Osborne v. Dumoulin*, 55 So. 3d 577 (Fla. 2011).

In this case we represented, *pro bono*, Denise J. Dumoulin. My representation began in approximately 2010 and concluded in approximately 2011. The United States Court of Appeals for the Eleventh Circuit certified the following question: “Whether a debtor who elects not to claim a homestead exemption and indicates an intent to surrender the property is entitled to the additional exemptions for personal property under Fla. Stat. § 222.25(4).” The Florida Supreme Court revised the question and concluded a party that does not receive the benefit of the homestead exemption is permitted to claim additional exemptions for personal property.

Co-counsel

Patrick Scott
Gray Robinson, P.A.
401 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, Florida 33301

(954)761-8111

Opposing counsel

Leslie Osborne
Rappaport Osborne & Rappaport, PLLC
1300 N Federal Highway, Suite 203
Boca Raton, Florida 33432
(561)368-2200

10. *Wavestone Properties, LLC v. Fortune Dev. Sales Corp.*, Nos. 3D07-1799, 3D07-1798 (Third District Court of Appeal, Judges Gerald Cope, Linda Wells, and Leslie Rothenberg) (representation 2007 – 2009). Case citation: *Wavestone Properties, LLC v. Fortune Dev. Sales Corp.*, 978 So. 2d 830 (Fla. 3d DCA 2008).

In this case we represented Wavestone Properties, LLC. My involvement began in 2007 and concluded in approximately 2009. At issue was the attempt to execute on a \$1.5 million dollar judgment against our client.

Co-counsel

Kristie Hatcher Bolin
Gray Robinson, P.A.
One Lake Morton Drive
Lakeland, Florida 33801
(863)284-2200

Opposing counsel

Richard H. Critchlow
Sperling Kenny Nachwalter
1441 Brickell Avenue, Suite 1100
Miami, Florida 33131
(305)373-1000

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

I have not performed lobbying activities for any client or organization.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution

at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide copies to the committee.

None.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I am vested in the State of Florida's pension plan and am entitled to that benefit upon my retirement. As a result of my judicial service, I am also entitled to receive retirement benefits under the State of Florida to a deferred compensation plan.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

I do not currently, and do not plan in the future, to pursue outside employment.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

When my nomination is formally transmitted to the Senate, I will file my Financial Disclosure Report and supplement this Questionnaire with a copy of that Report.

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

There are no family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts of interest when I first

assume the position to which I have been nominated. I do not anticipate a need to recuse based on my role as a state judge.

Additionally, I will evaluate any real or potential conflict, or relationship that could give rise to appearance of conflict, on a case by case basis and determine appropriate action with the advice of parties and their counsel including recusal where necessary.

b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If confirmed, I will carefully review and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other laws, rules, and practices governing such circumstances.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

As a state judge I am not permitted to pursue pro bono work. As a lawyer, along with a colleague in private practice, we represented the interests of a party pro bono in the Florida Supreme Court. The matter originated in the United States Bankruptcy Court and on appeal the Eleventh Circuit certified questions to the Florida Supreme Court. *See Osborne v. Dumoulin*, 55 So. 3d 577 (Fla. 2011).

Similarly, with a different colleague in private practice, we represented the interests of an individual in a partnership dissolution in a matter that was filed in the Miami-Dade Circuit Court. This representation occurred in approximately 2014 through 2015.

26. **Selection Process:**

a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

In November 2024, I spoke to Senator Rick Scott's Office regarding my interest in seeking a position on the United States District Court for the Southern District of Florida. In February 2025, I was contacted by the Office of White House Counsel and interviewed with that office on February 28, 2025. In March 2026, I was again contacted by the

Office of White House Counsel and informed of my potential nomination to the United States District Court. Since that phone call there have been multiple phone calls and email correspondence with the Department of Justice, Office of Legal Policy.

b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.

AFFIDAVIT

I, JEFFREY T. KUNTZ, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

MARCH 25, 2026
(DATE)

Jeff Kuntz JEFFREY T. KUNTZ
(NAME)

Melissa E. Dufour
(NOTARY)

