

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Beth Francine Bloom
Beth Stern (Stern is my husband's name)

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: Dade County Courthouse
 73 West Flagler Street, Room 412
 Miami, Florida 33130

Residence: Miami Beach, Florida

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

1962; Bronx, New York

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.

1985 — 1988, University of Miami School of Law; J.D. (*cum laude*), 1988

1982 — 1984, University of Florida; B.S., 1984

1980 — 1982, Broward Community College; A.A., 1982

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.

2010 — present
State of Florida, Eleventh Judicial Circuit
Dade County Courthouse
73 West Flagler Street
Miami, Florida 33130
Circuit Court Judge, Civil Division (2013 — present)
Circuit Court Judge, Criminal Division (2010 — 2013)

1995 — 2010
Miami-Dade County Court
Richard E. Gerstein Justice Building
1351 Northwest 12th Street
Miami, Florida 33125
County Court Judge (1995 — 2010)
Associate Administrative Judge, Criminal Division (January — October 2010)

1987 — 1994
Floyd Pearson Richman Greer Weil
Brumbaugh & Russomanno, P.A.
175 Northwest First Avenue, 25th Floor
Miami, Florida 33130
Attorney (1988 — 1994)
Law Clerk (1987 — 1988)

1992 — 1993
Eleventh Judicial Circuit
Richard E. Gerstein Justice Building
1351 Northwest 12th Street
Miami, Florida 33125
Traffic Magistrate

February — June 1987
Colson Hicks & Eidson
255 Alhambra Circle, Penthouse
Coral Gables, Florida 33134
Law Clerk

September 1986 — February 1987
William P. Cagney, III, P.A. (retired)
Village of Golf, Florida
Law Clerk

Summer 1986
Department of Health & Human Services, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street Southwest, Suite 5M60
Atlanta, Georgia 30303
Summer Legal Intern

1984 — 1985
Scarlett O'Hara's
Oakland Park Blvd
Fort Lauderdale, Florida 33401
Waitress

1984 — 1985
Bennigan's Restaurant
665 West Cypress Creek Road
Fort Lauderdale, Florida 33309
Waitress

Summer 1985
Pinecrest Day Camp
1501 Northeast 62 Street
Fort Lauderdale, Florida 33334
Summer Camp Counselor

Other affiliations (uncompensated):

1988 — present
University of Miami Law Alumni Association
1311 Miller Road
Coral Gables, Florida 33146
Board of Directors (1988 — present)
Judicial Director (1995 — present)
Vice-President, Class Agents (1993 — 1994)
Treasurer (1992 — 1993)

2007 — present
Eleventh Judicial Circuit Historical Society
History Miami Museum
101 West Flagler Street
Miami, Florida 33130
Executive Committee Member

2002 — present
Children's Craniofacial Association
Miami Children's Hospital Foundation
3100 Southwest 62 Avenue
Miami, Florida 33162
Secretary

2011 — 2013

Florida Conference of Circuit Court Judges
Office of the State Courts Administrator, Judicial Education
500 South Duval Street
Tallahassee, Florida 32399
Third District Representative (2011 — 2013)
Executive Board Member (2011 — 2013)

1997 — 2010

Florida Conference of County Court Judges
Office of the State Courts Administrator, Judicial Education
500 South Duval Street
Tallahassee, Florida 32399
Board of Directors (1997 — 2010)
Past President (2003 — 2004)
President (2002 — 2003)
President-elect (2000 — 2002)
Third District Vice President (1998 — 2000)

1998 — 1999

South Florida Inner City Games
1205 Lincoln Road, Suite 220
Miami Beach, Florida 33139
Board Member

1998

Miami Beach Bar Association
Miami Beach, Florida
Board of Directors

1995 — 1998

Temple Emanu-el
1701 Washington Avenue
Miami Beach, Florida 33139
Board of Directors, Sisterhood

1993 — 1995

Central Agency for Jewish Education
4200 Biscayne Boulevard
Miami, Florida 33136
Board of Directors

1993 — 1995

Dade County Citizens Safety Council
13800 Southwest 84th Street

Miami, Florida 33158
Board of Directors

1992 — 1995
Greater Miami Jewish Federation
4200 Biscayne Boulevard
Miami, Florida 33136
Board of Directors, Young Leadership Council

1993 — 1994
American Jewish Committee
9200 South Dadeland Boulevard
Miami, Florida 33156
Board of Directors

1991 — 1994
American Bar Association/Young Lawyers Division
321 North Clark Street
Chicago, Illinois 60654
House of Delegates ‘

1991 — 1994
Academy of Florida Trial Lawyers
(now Florida Justice Association)
218 South Monroe Street
Tallahassee, Florida 32301
Board of Directors, Young Lawyers Section

1990 — 1994
Dade County Bar Association
123 Northwest First Avenue
Miami, Florida 33128
Board of Directors, Young Lawyers Section

1989 — 1994
Dade County Trial Lawyers Association
(now Miami-Dade Justice Association)
Miami, Florida
Board of Directors

1989 — 1993
Amaretto Homeowners Association
Miami, Florida
President (1991 — 1993)
Board of Directors (1989 — 1993)

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 never served in the military. I was not required to register for selective service.

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.

Rodef Shalom Pursuer of Peace Award, Jewish Legal Society (2013)
Judicial Distinction Award, University of Miami School of Law (2011)
Silverman Award, Eleventh Judicial Circuit Historical Society (2010)
Our Kids Leadership Award, Our Kids of Miami-Dade and Monroe Counties (2008)
Champion for Children Award, Miami Bridge Youth and Family Services (2007)
Community Service Award, Mellon Bank (2006)
Child's Heart Award, Juvenile Judges of the Eleventh Judicial Circuit (2006)
Congressional Recognition Award, United States Congresswoman Debbie Wasserman-Schultz (2005)
Presidential Recognition Award, Dade County Bar Association (2005)
Harvey Ford Leadership Award, Florida Conference of County Court Judges (2004)
Trailblazer Award, Florida Conference of County Court Judges (2003)
Special Recognition Award, Florida Conference of County Court Judges (2001)
MADD Award of Distinction, Mothers Against Drunk Driving (2001)
Special Projects Award, Florida Conference of County Court Judges (2001)
Woman of Power, Editorial Board of the *Sunpost Newspaper* (2001)
Women Worth Knowing, Miami Beach Commission on the Status of Women (1998)
Proclamation as "*Honorable Beth Bloom Day*," Miami- Dade County Board of County Commissioners (January 24, 1997)
Proclamation as Honorary Deputy Clerk, Miami-Dade Clerk of Courts Harvey Ruvin (1997)
Certificate of Commendation, Miami-Dade County Commission (1996)
Citizen of the Year Award, Fraternal Order of Police, William Nichols Lodge (1995)
FEMA Meritorious Service Award, Federal Emergency Management Agency (1994)
Pro Bono Service Award, Dade County Bar Association's *Put Something Back* (1994)
Honor Role Model Award, American Association of University Women (1994)
Florida Bar President's Award of Merit, The Florida Bar (1993)
ABA Presidential Recognition Award, American Bar Association (1992)
Certificate of Merit/Recognition for Service to the Bar, Bench and the Public, as Hurricane Andrew Coordinator – Disaster Volunteer Lawyers, Dade County Bar Association (1992)
Thomas Davison, III Service Award, University of Miami Law Alumni Association (1992)
Dade County Trial Lawyers President's Award, Dade County Trial Lawyers Association (1992)

Who's Who in American Law (1990)
 Outstanding Young Women of America (1987)
 Roger Sorino Award, as the Outstanding Law School Graduate, University of Miami
 School of Law (1988)
 Moot Court Board Hall of Fame, University of Miami School of Law (1988)
 Who's Who in American Law Schools (1988)
 Iron Arrow, University of Miami's Leadership Honorary (1987)
 Society of Bar & Gavel, University of Miami's Leadership Honorary (1987)
 Omicron Delta Kappa, National Leadership Honorary (1987)
 American Jurisprudence Award for Appellate Practice & Procedure, University of
 Miami School of Law (1987)
 Outstanding Female Leader of Graduating Class, University of Florida: (1984)
 Florida Blue Key, University of Florida's Leadership Honorary (1984)
 Caucus of Women Leaders, University of Florida: (1984)
 Savant U.F., University of Florida's Leadership Honorary (1984)
 Who's Who in American Colleges & Universities (1984)

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.

Academy of Florida Trial Lawyers (now Florida Justice Association)
 Environmental Law Section (1991 — 1994)
 Secretary
 Board of Directors, Young Lawyers Section (1991 — 1994)
 Trial Notebook Seminar (1992 — 1994)
 Program Co-Chair

American Bar Association/Young Lawyers Division
 House of Delegates (1991 — 1994)
 Disaster Legal Assistance Committee (1993 — 1994)
 National Chair
 State of Florida, Disaster Legal Assistance Program (1992 — 1994)
 Chair
 Communications Committee (1993 — 1994)
 Vice-Chair
 Publications Committee (1992 — 1993)
 Vice-Chair
 Awards of Achievement Competition (1992 — 1993)
 Judge
 Pretrial Practice and Discovery Committee (1992 — 1994)

Cuban American Bar Association (2008 — present)

Dade County Bar Association
 Coordinator, "Perspectives on Professionalism from Retired County Court

Judges of the Eleventh Judicial Circuit” (2005 — 2006)
 County Court Committee Bench-Bar Group (1996)
 Co-Chair
 Board of Directors, Young Lawyers Section (1990 — 1994)
 Subcommittee on Pre-Suit and Post-Trial Mediation (1992 — 1993)
 Chair
 Law Week (1991)
 Co-Chair
 Partnership for Black Professional Opportunity Committee, Co-Chair
 (1991 — 1994)
 High School Mock Trial Competition (1991— 1993)
 Co-Chair
 Mediation Committee (1993 — 1994)
 Vice-Chair
 Mediation Committee (1991 — 1994)
 Judicial Evaluation Committee (1991 — 1994)
 Schools Committee (1991— 1994)
 Civil Litigation Committee (1992 — 1994)

Dade County Trial Lawyers Association (“DCTLA”)
 (now Miami-Dade Justice Association)
 Board of Directors (1989 — 1994)
 Safety Award Committee (1993 — 1994)
 Presidential Gala Committee (1991 — 1994)
 DCTLA Liaison, Miami Project to Cure Paralysis (1991 — 1992)
 DCTLA Liaison, Dade County Medical Association (1993 — 1994)

Eleventh Judicial Circuit Historical Society
 Executive Committee (2007 — present)
 Committee of 100, Eleventh Judicial Circuit Centennial Celebration
 (2009 — 2012)
 Schools Committee, Eleventh Judicial Circuit Centennial Celebration
 (2009 — 2012)
 Chair

Miami Beach Bar Association
 Board of Directors (1998)

Florida Association of Women Lawyers, Miami-Dade Chapter (1992 — present)

Florida Bar
 Code & Rules of Evidence Committee (1992 — 1995)

Florida Conference of County Court Judges
 Past President (2003 — 2004)
 President (2002 — 2003)

President-elect (2000 — 2002)
 Florida Bar Liaison Committee (2005 — 2010)
 Chair
 Parity in Pay Committee (2004 — 2005)
 Chair
 Public Education of the Court Teams (2000 — 2002)
 Chair
 Board of Directors (1997 — 2010)
 Third District Vice President (1998 — 2000)
 Eleventh Circuit Representative (1997 — 1998)
 Education Committee (1998 — 2000)
 Chair
 Education Committee (1995 — 2010)
 Standards for Educational Materials (1996 — 1997)
 Chair
 Criminal Bench Book Committee (1998 — 2001)
 Legislative Committee (1997 — 2005)
 Criminal Rules Committee (1997 — 2010)
 Professional Relations Committee (1997 — 2010)
 Traffic Adjudication Committee (1995 — 2010)
 Civil Rules Committee (1995 — 1997)

Florida Conference of Circuit Court Judges
 Third District Representative (2011 — 2013)
 Executive Board (2011 — 2013)
 Education Committee (2012 — present)

Miami-Dade County Misdemeanor Services Selection Committee, 2006

Miami Law Women, University of Miami School of Law (2004 — present)
 Article V Communications Advisory Group (2003 — 2004)
 Florida Court Education Council (2001 — 2003)
 Eleventh Judicial Circuit Committee on Professionalism (2010)

University of Miami Law Alumni Association
 Judicial Director (1995 — present)
 Vice-President, Class Agents (1993 — 1994)
 Treasurer (1992 — 1993)
 Board of Directors (1988 — present)
 Class Agent (1988 — 1999)
 Class of 1988 Homecoming Committee, Fifth, Tenth, Twentieth and
 Twenty-fifth Reunion Years (1993 — 2003)
 Chair

Through this nomination process, I have discovered that I am listed as a member of the State Federal Judicial Council for Florida, but I do not recall participating in this organization.

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, 1988

There has been no lapse 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.

United States District Court for the Southern District of Florida, 1989

I have allowed my membership in this court to lapse since becoming a state court judge.

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.

Amaretto Homeowners Association (1989 — 1993)

President (1991 — 1993)

Board of Directors (1989 — 1993)

American Association for Justice (formerly the Association of Trial Lawyers of America) (1991 — 1995)

American Israel Public Affairs Committee (1993 — 1994)

American Jewish Committee (1993 — 1994)

Board of Directors

American Judicature Society (1992 — 1999)

Central Agency for Jewish Education
Board of Directors (1993 — 1995)

Children's Craniofacial Association, Miami Children's Hospital (2002 — present)
Co-Founder and Secretary

Dade County Citizens Safety Council (1993 — 1995)
Board of Directors

Dade County Community Relations Board (1996)
First National Conference on Community Relations Steering Committee
Committee on the Impact of Law Enforcement and the Judicial System on
Community Relations
Chair

Girl Scout Council of Tropical Florida (1991 — 1994)
Troop Leader

Greater Miami Jewish Federation (1992 — 1995)
Board of Directors, Young Leadership Council (1992 — 1995)
Program & Education Committee (1993 — 1995)
Vice- Chair
Leadership Development Group (1993)
Co-Chair
Sandra C. Goldstein Lecture Series (1993)
Forum Chair
Zikaron L'atid Mission to Poland and Israel (1993)

GWEN's List (1992 — 1994)

Jewish Women's Circle, Chabad of the Venetian Islands (2005 — present)
Founding Member

Joseph Caleb Community Center 20th Anniversary Celebration
Friends of Caleb Anniversary Planning Committee (1995 — 1996)
Chair

Lawyers Join Hands for Students (2013 — present)
Co-Founder

Leadership Miami, Class of 1988

Listen UP! Program (2010 — present)
Co-Founder and Co-Presenter

Miami Beach Public Library (2003)

Grand Opening Host Committee for Friends of the Miami-Dade Public
Library
Co-Chair

Oliver's Fund (2005 — present)
Co-Founder

South Florida Inner-City Games
Board of Directors (1998 – 1999)

Temple Emanu-el, Miami Beach, Florida (1995 — 1998)
Sisterhood Group
Board Member
Rabbi Search Committee
Secretary

Through this nomination process, I have discovered that I am listed as a member of the Advisory Board for Dress for Success Miami, but I do not recall participating in this organization.

- 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 currently discriminates or previously discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies.

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 four (4) copies of all published material to the Committee.

I have maintained a website since 2013, which is available at
www.JudgeBethBloom.info.

I have been responsible for maintaining a website for the Listen UP! Program since 2012, which is available at www.ListenUPProgram.org.

“Criminal Bench Book for County Court Judges,” produced by the Education Committee of the Florida Conference of County Court Judges, 2003. Copy supplied.

“President’s Page,” the *County Court Courier* editions of the Florida Conference of County Court Judges’ newsletter, 2002 — 2003. Copies supplied where available.

“Conference Forms Legislative Resource Committee,” the *County Court Courier* edition of the Florida Conference of County Court Judges’ newsletter, Spring 2001. Copy supplied.

“Public Education of the Court Teams,” the *County Court Courier* edition of the Florida Conference of County Court Judges’ newsletter, January 2001. Copy supplied.

“Dignity in Law,” The Florida Bar News, July 1, 2002. Copy supplied.

“What’s Doin’ in Dade,” the *County Court Courier* edition of the Florida Conference of County Court Judges’ newsletter, March 1999. Copy supplied.

“Education Committee Report,” the *County Court Courier* edition of the Florida Conference of County Court Judges’ newsletter, March 1999. Copy supplied.

“After Hurricane Andrew: Lawyers Shine in the Middle of Devastation,” The Florida Bar Journal, January 1993. Copy supplied.

“Volunteers Shine Through the Storm,” DCBA Bulletin, December 1992. Copy supplied.

- b. Supply four (4) 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.

Florida Conference of County Court Judges: A Progress Report, prepared as President of the Florida Conference of County Court Judges to Florida Chief Justice Harry Lee Anstead to assist in the annual “State of the Judiciary” address at the Florida Bar Conference, dated May 14, 2003. Copy supplied.

Resolution on behalf of the Florida Conference of County Court Judges in Support of the Judicial Ethics Advisory Committee’s Recommendation of

Aspirational *Pro Bono* Service by Judges to the Supreme Court of Florida, July 12, 2002. Copy supplied.

Resolution on behalf of the Florida Conference of County Court Judges recognizing Calvin Allen, Esquire, dated April 24, 2002. Copy supplied.

- c. Supply four (4) 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.

On November 7, 2002, as Conference President, I presented the Florida Conference of County Court Judges' position regarding the proposed rule change requiring pro bono service reporting by judges before the Supreme Court of Florida. Video recording supplied.

October 1999: In my capacity as the Third District Vice-President, I appeared at an executive meeting for the Florida Conference of County Court Judges. Although I do not have personal copies of any minutes and the meetings were not public, in searching the Internet, I have recently discovered that the meeting minutes from the October 1999 meeting were posted, which I have supplied.

- d. Supply four (4) 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.

I have been extensively involved in teaching judicial and legal education courses. This list represents the speeches and lectures I have been able to identify through searches of my files, computers and Internet databases. I have tried my best to list all such events, although there may be some that I have not been able to identify or locate.

October 2010 — present: Since October 2010, I have co-presented the "Listen UP! Program" to high school and middle school students in Miami-Dade County, Florida. Representative outline supplied.

January 2002 — present: Each year in January, I co-present a four-hour course, "Building Judicial Style," to newly elected and appointed judges at the Florida Judicial College, Orlando, Florida. Representative outline supplied.

November 15, 2013: I was a panelist on the topic of “Ethics,” sponsored by the Hoeveler- Spellman Inns of Court and the University of Miami Partnership for Professionalism, Miami, Florida. The panel discussion focused on challenging ethical issues for attorneys. I have no notes, transcript or recording. The address for the University of Miami School of Law Partnership for Professionalism is 1411 Miller Drive, Coral Gables, Florida 33146.

November 5, 2013: I was one of three invited judges at a program entitled “Meet the Civil Judges,” sponsored by the Dade County Bar Association’s Young Lawyer’s Section, Miami, Florida. The presentation was a question and answer session from young attorneys about the civil division and the job of a judge. I have no notes, transcript or recording. The address for the Dade County Bar Association is 123 Northwest First Avenue, Suite 214, Miami, Florida 33128.

July 17, 2013: I was the graduation speaker at the “I’m Ready” Program for Sentenced Youth, sponsored by the Miami-Dade County Department of Corrections and Rehabilitation, Miami, Florida. Speech supplied.

July 10, 2013: I co-presented the program, “Institutional Justice,” at the Florida Conference of County Court Judges’ Annual Education Conference, Naples, Florida. Outline supplied.

May 15, 2013: I was a panelist on the topic “Professionalism/Civility,” sponsored by the Dade County Bar Association and the Cuban American Bar Association, Miami, Florida. Outline supplied.

March 19, 2013: I was a panelist on the topic, “Thoughts on Leadership,” sponsored by the Ransom Everglades High School’s Women Empowered, Coconut Grove, Florida. Notes supplied.

March 12, 2013: I gave remarks at the Jewish Legal Society when presented with the Rodef Shalom Award in Miami, Florida. Notes supplied.

December 17, 2012: I was the graduation speaker at the “I’m Ready” Program for Sentenced Youth, sponsored by the Miami-Dade County Department of Corrections and Rehabilitation, Miami, Florida. I have no notes, transcript or recording. The address for the Miami-Dade County Department of Corrections and Rehabilitation is 6950 N.W. 41st Street, Miami, Florida 33166.

December 3, 2012: I was a panelist on the topic, “Ethics,” at the Hoeveler-Spellman Inns of Court and the University of Miami School of Law’s Partnership for Professionalism, Ethics Forum, Miami, Florida. This was a panel discussion and question and answer session on certain ethical situations faced by lawyers. I have no notes, transcript or recording. The address for University of Miami School of Law’s Partnership for Professionalism is 1411 Miller Drive, Coral Gables, Florida 33146.

June 18, 2012: I was the luncheon speaker on the topic, "Youth in Criminal Court," sponsored by the Miami Beach Bar Association, Miami Beach, Florida. Notes supplied.

March 2, 2011: I was a panelist on the topic, "The Search for Qualified Candidates for the Miami-Dade Judiciary," sponsored by the Dade County Bar Association, Miami, Florida. Outline supplied.

October 28, 2010: I gave remarks at my swearing in as a Circuit Court Judge, Miami, Florida. Video recording supplied.

July 2010: I presented the program, "Criminal Law 101: Discovery" at the Florida Conference of County Court Judges' Annual Education Conference, Marco Island, Florida. Slide presentation supplied.

April 2010: I was the speaker on the topic, "The Young Jewish Leader," sponsored by the CHABAD Young Leadership's Young Jewish Professionals, Miami, Florida. Speech supplied.

November 2009: I was the speaker on the topic, "My Jewish Life," sponsored by CHABAD, Miami, Florida. Speech supplied.

March 2008, March 2007, March 2006, March 2005, March 2004, March 2003, March 2002, March 2006: Each year since March 2001, I have co-presented a four-hour course, "DUI Law," to newly elected and appointed county court judges at the Florida Judicial College, Orlando, Florida. Representative slide presentation supplied.

January 25, 2007: I was a panelist on the topic, "A View from the Bench," sponsored by the Florida Bar CLE Seminar on Basic Criminal Law Practice, Miami, Florida. Notes supplied.

March 2006: I was the speaker during "Woman's History Month," sponsored by the Women's Chamber of Commerce, Miami, Florida. The topic of the presentation was the importance of women leaders in our community. I have no notes, transcript or recording, but press coverage is supplied. The address for the Women's Chamber of Commerce of Miami-Dade County is Post Office Box 566164, Miami, Florida 33256.

June 9, 2004: I was the presenter on the topic, "Ethics In and Out of the Courtroom," as part of the Miami-Dade County Hearing Officer Training Program, Miami, Florida. Slide presentation supplied.

March 19, 2003: I was the presenter of the "Spirit of Life" Award at the Miami Children's Hospital's Children's Craniofacial Association luncheon, Miami,

Florida. I have no notes, transcript or recording. The address of Miami Children's Hospital's Craniofacial Association is 3100 S.W. 62 Avenue, Miami, Florida 33162.

January 23, 2003: I was a speaker at the Miami-Dade State Attorney's Police-Prosecutor Coordinating Committee, Miami, Florida. The topic covered possession of tobacco product civil citations and the anti-tobacco program in use in Broward County, Florida. I have no notes, transcript or recording. The address for the Miami-Dade State Attorney's Office is 1350 Northwest 12th Avenue, Miami, Florida 33136.

March 2000, March 1999: I co-presented the course "Residential Landlord/Tenant Law" to newly elected and appointed county court judges at the Florida Judicial College, Tallahassee, Florida. Representative outline supplied.

March 1999: I presented the program, "Commercial Motor Vehicle Law," at the National Judicial College, Reno, Nevada. The topic covered the types of commercial motor vehicles, license requirements and the National Highway Traffic Safety Administration's statistics about commercial motor vehicles. I have no notes, transcript or recording. The address of the National Judicial College is College Drive, MS 358, Reno, Nevada 89557.

November 1998, November 1997, November 1996: I presented the course, "Commercial Drivers' License Law" at the DUI Adjudication Lab, Tampa, Florida, sponsored by the Florida Conference of County Court Judges. I have no notes, transcript or recording. The address for the of the DIU Adjudication Lab is the Office of State Courts Administrator, Judicial Education, 500 South Duval Street, Tallahassee, Florida 32399.

November 1998, November 1997, November 1996: I presented the course, "Traffic Infractions," at the DUI Adjudication Lab, Tampa, Florida, sponsored by the Florida Conference of County Court Judges. The topic covered the substantive aspects of the most common moving violation infractions. I have no notes, transcript or recording. The address for the of the DIU Adjudication Lab is the Office of State Courts Administrator, Judicial Education, 500 South Duval Street, Tallahassee, Florida 32399.

May 1998: I swore in the officers and directors during the South Florida Hispanic Chamber of Commerce installation dinner, Miami Beach, Florida. I have no notes, transcript or recording. The address of the South Florida Hispanic Chamber of Commerce is 333 Arthur Godfrey Road, Miami Beach, Florida 33140.

April 1998: I was the speaker on the topic, "Domestic Violence and the Courts," as part of the Miami Beach Police Department's Purple Ribbon Ceremony, Miami Beach, Florida. The presentation discussed the handling of domestic violence cases by the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. I

have no notes, transcript or recording. The address for the Miami Beach Police Department is 1200 Washington Avenue, Miami Beach, Florida 33139.

March 1998: I was the speaker on the topic, "The Court System," to the Miami Beach Senior High School's Legal Club at the Miami Beach Courthouse, Miami Beach, Florida. The presentation discussed the role of a judge and cases handled in our county court. I have no notes, transcript or recording but press coverage is supplied in 12e. The address for the Miami Beach Senior High School is 2231 Prairie Avenue, Miami Beach, Florida 33139.

March 1998: I presented the course, "Judicial Management Techniques," to newly elected and appointed county court judges at the Florida Judicial College, Tallahassee, Florida. The topic covered effective case management techniques in small claims and high volume calendars. I have no notes, transcript or recording. The address of the Florida Judicial College is the Office of the State Courts Administrator, Judicial Education, 500 South Duval Street, Tallahassee, Florida 32399.

October 1997: I was the moderator of the program, "Hope for Generations: Ending the Cycle of Violence," sponsored by the Miami Beach Commission on the Status of Women, Miami Beach, Florida. I have no notes, transcript or recording. The address for the Miami Beach Commission on the Status of Women is 1700 Convention Center Drive, Miami Beach, Florida 33139.

October 1997: I was a panelist on the topic, "Dialogue with a Judge," sponsored by the Justice Teaching Institute Workshop, Ruben Dario Middle School, Miami, Florida. The panel discussed the role of a judge. I have no notes, transcript or recording. The address for Ruben Dario Middle School is 350 Northwest 97 Avenue, Miami, Florida 33272.

May 1997; May 1996: I taught the course, "Florida Criminal Procedure," to law students preparing for the Florida Bar exam, sponsored by West Bar Review, Miami, Florida. Video recording supplied.

April 1997: I presented the program, "Residential Landlord/Tenant Law," at the Florida College of Advanced Judicial Studies, Orlando, Florida. Outline supplied.

March 1997: I was the mistress of ceremonies at the luncheon celebrating the 33rd Anniversary of the Miami-Dade County's Community Relations Board, Miami, Florida. Notes supplied.

March 1997: I moderated a panel on the topic, "The Impact of Law Enforcement and the Judicial System on Community Relations," National Conference on Community Relations, Miami, Florida. The panel discussed certain high profile cases in the Miami-Dade County court system and the speakers discussed their roles. I have no notes, transcript or recording. The address for the Miami-Dade

Community Relations Board is the Stephen Clark Government Center, 111 Northwest First Street, Miami, Florida 33130.

July 1996: I presented the topic, "Florida Residential Landlord/Tenant Law," at the Florida Conference of County Court Judges' Annual Education Conference, Key Largo, Florida. I used the same outline as the one supplied for the April 1997 event.

June 1996: I was the speaker on the topic, "Domestic Violence," at the meeting of Hadassah, Miami, Florida. I have no notes, transcript or recording. The address for Hadassah Miami is 4200 Biscayne Boulevard, Miami, Florida 33136.

May 1996: I was the speaker on the topic, "The Court's Role in Domestic Violence Cases," at the annual meeting of Hadassah, Miami, Florida. The presentation discussed the handling of domestic violence cases in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. I have no notes, transcript or recording. The address for Hadassah Miami is 4200 Biscayne Boulevard, Miami, Florida 33137.

May 1996: I presented the topic, "Arraignments and Pleas," at the National Judicial College, Reno, Nevada. Video recording supplied.

May 1996: I was the speaker on the topic, "What You Don't Know About the Bench," sponsored by Concerned Citizens of Northeast Dade, Aventura, Florida. This presentation discussed the programs and services available in the county court in Miami-Dade County, Florida. I have no notes, transcript or recording. Concerned Citizens of Northeast Dade no longer exists.

April 1996: I was the speaker on the topic, "The County Court: Programs and Services," sponsored by the North Miami Kiwanis, North Miami, Florida. I have no notes, transcript or recording. The address of the North Miami Kiwanis is Milton Fisher, President, 21230 Northeast 19th Avenue, Miami, Florida 33179.

February 1996: I presented a course, "Pre-Trial Diversion in Driving While License Suspended Cases," at the National Judicial College, Reno, Nevada. Video supplied.

January 19, 1996: I was the speaker on the topic, "Joseph Caleb and his Legacy" at the gala dinner for the Joseph Caleb Center's 20th Anniversary Celebration, sponsored by The Friends of the Joseph Caleb Center, Liberty City, Florida. I have no notes, transcript or recording. The address for the Joseph Caleb Center is 5400 Northwest 22 Avenue, Miami, Florida 33154.

January 1996: I was the speaker on the topic, "From Tuition Checks to Paychecks," sponsored by the Greater Miami Jewish Federation, Miami, Florida. This presentation discussed the transition from student to professional. I have no

notes, transcript or recording. The address for the Greater Miami Jewish Federation is 4200 Biscayne Boulevard, Miami, Florida 33137.

November 1995: I was a panelist on the topic, "Leadership Role Models," at the Student Gender Equity Conference sponsored by the Miami-Dade County Public Schools, Miami, Florida. This presentation discussed the importance of a role model in your life. I have no notes, transcript or recording. The address for the Miami-Dade County Public Schools is 1450 Northeast Second Avenue, Room 500, Miami, Florida 33132.

March 1995: I was the speaker on the topic, "Women Judicial Leaders," sponsored by the Miami-Dade Women's Association, Miami, Florida. This presentation discussed local women judges and each woman's contributions to our community. I have no notes, transcript or recording. The address for the Miami-Dade County Commission for Women is 111 Northwest First Street, Suite 660, Miami, Florida 33128.

January 20, 1995, I spoke at my investiture as a Miami-Dade County Court Judge in Miami, Florida. Video recording supplied.

October 26, 1994: I was the speaker on the topic, "Doctors and Lawyers Join Hands to Combat Family Violence Program" at the Dade County Medical Association, Miami, Florida. This presentation discussed domestic violence and the logistics of the program that day. I have no notes, transcript or recording but press coverage is supplied. The address for the Dade County Medical Association is 1501 NW North River Drive, Miami, Florida 33125.

July 24, 1994: I was a speaker on the topic, "Tenants' Rights," at Temple Emanuel. The program covered issues facing tenants following Hurricane Andrew and the rights and responsibilities of landlords and tenants in Florida. I have no notes, transcript or recording. The address of Temple Emanuel is 1701 Washington Avenue, Miami Beach, Florida 33139.

November 1993: I was the speaker on the topic, "State Substantive Law Needed in Training Volunteer Lawyers," at the 1993 ABA Midyear Meeting of ABA/YLD District Representatives, New York, New York. The presentation discussed the unique legal services provided to Florida victims of Hurricane Andrew and the need for training volunteer lawyers on unique substantive law. I have no notes, transcript or recording. The address for the American Bar Association is 32 North Clark Street, Chicago, Illinois 60654.

October 1993: I was the speaker on the topic, "Florida Lawyers' Response to Hurricane Andrew," sponsored by the National Conference of Bar Presidents, Boston, Massachusetts, 1993 NCBP Midyear Meeting. The presentation discussed the services provided by Florida lawyers following Hurricane Andrew.

I have no notes, transcript or recording. The address for the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

May 1993: I was the speaker on the topic, "The Bill of Rights," sponsored by the Miami Beach Senior High School, Miami Beach, Florida. This presentation discussed the importance of our Constitution's Bill of Rights. I have no notes, transcript or recording. The address for Miami Beach Senior High School is 2231 Prairie Avenue, Miami Beach, Florida 33139.

May 1992: I was the speaker on the topic, "Maximizing Damages: Obtaining Optimal Recovery from Small to Substantial Cases," presented to the Rural Legal Services' Attorneys, Miami, Florida. This presentation discussed the importance of demonstrative aids before the jury. I have no notes, transcript or recording. The address for Rural Legal Services is 510 South U.S. Highway 1, Suite 1, Post Office Box 4333, Fort Pierce, Florida 34948.

- 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 four (4) copies of the clips or transcripts of these interviews where they are available to you.

Michael Finch II, "Miami-Dade Court Program Helps Young Inmates Change Their Lives," The Miami Herald, December 17, 2012. Copy supplied.

Lauren Delgado, "Judge Hatcher Formally Announces his Retirement," The Jackson County Floridian, March 22, 2012. Copy supplied.

Debra Leibowitz, "Miami Children's Hospital Diamond Ball," The Miami Herald, October 10, 2010. Copy supplied.

David Ovalle, "Miami Court System Prepares to Celebrate 100 Years," The Miami Herald, September 20, 2010. Copy supplied.

Erik Bojnansky, "Power Women," The Sun Post, October 11, 2007. Copy supplied.

Jennifer Liberto, "Jones' Charisma Draws Admirers on Campaign," The Saint Petersburg Times, November 3, 2006. Copy supplied.

Michelle Hammontree-Garcia, "Moving on Their Own: Teens in the State's Foster System Learned Valuable Skills, Preparing Them to Make it on Their Own," The Miami Herald, August 10, 2006. Copy supplied.

Cindy Krischer Goodman, "Bored? Take Action!; The Biggest Mistake Employers Make is Assuming a Rut will Disappear," The Miami Herald, March 22, 2006. Copy supplied.

Brett Graff, "Charitable Giving in the U.S.," Nightly Business Report, October 19, 2005. Copy supplied.

"SPIRIT Paperless System," Miami-Dade Access TV, March 2005. Video recording supplied.

"It's Your Life Skills Program for Foster Youth," Miami-Dade Access TV. February 2005. Video recording supplied.

Robert Fiore, "DCBA Partners with Judge Beth Bloom, Children's Groups, to Benefit Foster Kids," DCBA Bulletin, November 2004. Copy supplied.

Melinda Melendez, "Attorneys Participate in Clinic for South Florida Teens," The Miami Herald, November 1, 2004. Copy supplied.

Linda Rodriguez Bernfeld, "Paperless Traffic Court Eases Path to Paying Tickets," Community Newspaper, May 3, 2004. Copy supplied.

"Paperless Traffic Court," Channel 10 News, April 15, 2004. Video recording supplied.

"Smoking Tobacco Offender Program," Miami-Dade Television NOW, November 14, 2003. Video recording supplied.

Marilyn Mitzel, "About Face," Channel 7 News, February 2003. Video recording supplied.

"Conference of County Court Judges Celebrates 30th Year," The Florida Bar News, July 1, 2003. Copy supplied.

Debra Leibowitz, "Fundraiser Sure to Bring Out Smiles," The Miami Herald, March 13, 2003. Copy supplied.

CCFA (Children's Craniofacial Association) Brochure, Miami Children's Hospital, Miami, Florida, March 2003. Copy supplied.

Mark Killian, "County Judges Join Education Efforts," The Florida Bar News, August 15, 2002. Copy supplied.

Debra Leibowitz, "Fishing Tourney is Fun – And for a Good Cause," The Miami Herald, July 25, 2002. Copy supplied.

"DUI In-Jail Treatment Program," Miami-Dade Television NOW, August 1, 2001. Video recording supplied.

Amy Brown. "County Judges Work to Coordinate Education Efforts," The Florida Bar News, April 1, 2001. Copy supplied.

Eleanor Ann Miller, "Recapturing Lives of Teens in Trouble," The Miami Herald, August 13, 1998. Copy supplied.

Eleanor Ann Miller, "Troubles Teens Get Help With Tuition, Job Training: The Miami Herald, August 9, 1998. Copy supplied.

Debra Franco, "Grin It, Bear It: Gold E. Locks Guilty," The Miami Herald, March 5, 1998.

Debra Franco, "Old City Hall Repairs Take Longer Than Expected," The Miami Herald, November 16, 1997. Copy supplied.

Morgan Winsor, "Help Agency Needs Help to Survive Domestic Violence Funding May be Cut," The Miami Herald Neighbors Section, October 23, 1997. Copy supplied.

"County Court Bench-Bar Group Formed," Miami Daily Business Review, August 7, 1997. Copy supplied.

"Introducing Judge Beth Bloom," Open to the Public TV Program, November 1996. Video recording supplied.

Jacqueline Charles, "At 20, Caleb Center is Alive and Striving," The Miami Herald January 14, 1996. Copy supplied.

"Doctors and Lawyers Join Hands," Channel 4 News, October 26, 1994. Video recording previously supplied in response to 12d.

Joan Fleischman, "Marlins' GM, TV's Karie Ross Share Romance," The Miami Herald, October 3, 1994. Copy supplied.

Bea Moss, "End Abuse of Elderly, Leader Says," The Miami Herald, March 27, 1994. Copy supplied.

"Beth Bloom Seeks County Court Seat," The Florida Newspaper, February 11, 1994. Copy supplied.

Mark Killian, "Dade Young Lawyers Join with Habitat for Humanity," The Florida Bar News, January 15, 1994. Copy supplied.

David Abels, "After Andrew," ABA/YLD Barrister, Winter 1993. Copy supplied.

“Bloom Donates Magistrate Monies to Establish Floyd Pearson, et al. Fellowship Fund,” DCBA Bulletin December 1993. Copy supplied.

Marsha Fischer, “Miami Lawyer Gets Her Feet Wet with Disaster Assistance,” Miami Jewish Tribune, October 22, 1993. Copy supplied.

“Bloom Working on Flood Relief,” The Florida Bar News, August 15, 1993. Copy supplied.

Tom Saylor, “ABA/YLD Spells Relief,” ABA Journal, December 1992. Copy supplied.

Dimitra Kessenides, “Setting Up Legal Help for Hurricane Victims,” The American Lawyer, November 1992. Copy supplied.

Kevin Spear, “Fatal Crash Offers Chance for Change; Activists Hope a Trial that Stems From the Deaths of Four Farm Workers Will Stop the Abuse of Migrants,” November 26, 1992. Copy supplied.

Don Knudsen, “ABA/YLD-FEMA Partnership to Provide Disaster Legal Services,” The Affiliate, October 1992. Copy supplied.

Mark Killian, “Lawyers Manning Hotlines, Relief Centers, After Andrew,” The Florida Bar News, October 1, 1992. Copy supplied.

Henry Reske, “Lawyers in the Storm,” ABA Journal, September 1992. Copy supplied.

Rosalind Resnick, “Coopers & Lybrand Beefs Up Client Services,” The Miami Herald, September 21, 1992. Copy supplied.

“Lawyers Lead Recovery From Andrew’s Fury,” The Florida Bar News, September 15, 1992. Copy supplied.

“Bloom Named State Chair of the Disaster Assistance Panel,” The Florida Bar News, January 15, 1992. 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.

I served in a quasi-judicial capacity as a Traffic Magistrate from December 1992 to December 1993. I was appointed by the Chief Judge of the Eleventh Judicial Circuit in and for Miami-Dade County to preside over all civil traffic infraction cases and accidents where no bodily injury resulted.

In 1994, I was elected as a Miami-Dade County Court Judge without opposition, and I was re-elected without opposition in 1998, 2004 and 2010. The County Court is the second-tier trial court in Florida and is divided into two separate divisions, Criminal and Civil. The Civil Division has jurisdiction over all small claims cases and civil disputes where the amount in controversy is less than \$15,000 and all landlord tenant and personal injury protection cases. In the Criminal Division, the County Court has jurisdiction over all first and second degree misdemeanors and traffic offenses.

I served in the Criminal Division from 1995 to 2010. I presided over all first and second degree misdemeanors and traffic cases. While presiding at the Caleb Center branch court (1995 – 1997) and the Miami Beach branch court (1997 – 1999), I also handled all civil cases where the amount in controversy was less than \$15,000, and all civil domestic violence injunctions. I was appointed by our Chief Judge to serve as an acting circuit court judge when counterclaims were filed in the branch courthouses and the amount in controversy exceeded \$15,000. In 2000, I transferred to our main criminal courthouse and heard all misdemeanor cases. From January until October 2010, I served as the Associate Administrative Judge overseeing the Traffic Hearing Officers and all traffic cases.

In October 2010, I was appointed as a Circuit Court Judge of the Eleventh Judicial Circuit of Florida by Governor Crist. I was retained without opposition in April 2012 for a six-year term. The Circuit Court is the highest level trial court in Florida and has jurisdiction over all juvenile, family and probate proceedings as well as felony criminal cases and civil cases involving disputes where the amount in controversy exceeds \$15,000, foreclosure and equitable proceedings. The Circuit Court also has jurisdiction over appeals from County Court as well as certiorari review of administrative decisions.

I served in the Criminal Division from October 2010 to January 2013, where I handled all first, second and third degree felonies and capital cases. In an appellate capacity, I was invited to serve as an Associate Judge on the Fourth District Court of Appeal in June 2009. I also serve routinely as an appellate judge for county court and administrative decisions. As such, I sit as a member of a three-judge panel approximately four times per year. I have served in the Civil Division since January 2013. I handle a wide variety of cases including foreclosure, personal injury, commercial disputes, medical malpractice and wrongful death cases.

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

I have presided over approximately 800 cases that have gone to verdict or judgment. I have also presided over and decided more than 1,500 civil and criminal traffic cases while serving in County Court and as a Traffic Magistrate.

i. Of these, approximately what percent were:

jury trials:	40%
bench trials:	60%
civil proceedings:	30 %
criminal proceedings:	70 %

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

As an Associate Judge on Florida's Fourth District Court of Appeal, I authored the following opinions:

Lenhart v. Basora, 100 So. 3d 1177 (Fla. 4th DCA 2012)

Trafalgar at Greenacres, Ltd. v. Zurich American Insurance Company, 100 So. 3d 1155 (Fla. 4th DCA 2012)

As a member of a Circuit Court appellate panel handling appeals from County Court and administrative hearings, I have authored or participated in authoring the following opinions:

U.S. Security Insurance Co. v. Progressive Rehabilitation & Orthopedic Services a/a/o Stephanie Urban, 20 Fla. L. Weekly Supp. 369a (Fla. 11th Cir. Ct. 2013)

State of Florida v. Mitchell, Case No. 10-417 AP (Fla. 11th Cir. Ct. 2012)

United Automobile Insurance Company v. Interscan, Inc. A/A/O Alexis Jaime, Case No. 10-120 AP (Fla. 11th Cir. Ct. 2011)

Rivero v. State of Florida, Case No. 09-527 AC (Fla. 11th Cir. Ct. 2011)

Edelstein v. State of Florida DHSMV, 17 Fla. L. Weekly Supp. 978b (Fla. 11th Cir. Ct. 2010)

As a Circuit Court Judge of the Eleventh Judicial Circuit of Florida, I have authored the below-listed unpublished opinions which are filed in the court file by the Miami-Dade County Clerk of Courts:

Gravante v. TRG-Brickell Point NE, Ltd, Case No. 08-66274 CA 04

State of Florida v. Garcia, Case No. F11-2441

State of Florida v. Carballo, Case No. F10-35759

State v. Dumornay, Case No. F10-34843

State of Florida v. Lee, Case No. F07-30744

State of Florida v. Sosa-Palma, Case No. F10-15257

State of Florida v. Pennyman, Case No. F10-6382

State of Florida v. Diaz, Case No. F10-1294

State of Florida v. Padron, Case No. F08-047434

State of Florida v. Barbosa, Case No. F09-39043A

As a Miami-Dade County Court Judge, I have authored the below-listed published opinions:

State of Florida v. Bastos, 13 Fla. L. Weekly Supp. 1003a (Fla. Miami-Dade Cty. Ct. 2006)

State of Florida v. Reus, 8 Fla. L. Weekly Supp. 792a (Fla. Miami-Dade Cty. Ct.. 2001)

State of Florida v. Luis, 8 Fla. L. Weekly Supp. 791a (Fla. Miami-Dade Cty. Ct. 2001)

State of Florida v. Bishop, 7 Fla. L. Weekly Supp. 213a (Fla. Miami-Dade Cty. Ct. 1999)

Faunce v. Rodriguez and Blaha, 6 Fla. L. Weekly Supp. 31a (Fla. 11th Cir. Ct. 1998)

J.S.M. Construction Corp. v. Bloomfield, 6 Fla. L. Weekly Supp. 617a (Fla. Miami-Dade Cty. Ct. 1999)

State of Florida v. Benedetti, 7 Fla. L. Weekly Supp. 130b (Fla. Miami-Dade Cty. Ct. 1999)

Metropolitan Dade County v. Lloyd, 3 Fla. L. Weekly Supp. 127a (Fla. Miami-Dade Cty. Ct. 1995)

Metropolitan Dade County v. Lloyd, 3 Fla. L. Weekly Supp. 34a (Fla. Miami-Dade Cty. Ct. 1995)

As a Miami-Dade County Court Judge, I have authored the below-listed unpublished opinions which are filed in the court file by the Miami-Dade County Clerk of Courts:

State of Florida v. Taylor, Case No. M-0011929

State of Florida v. Reus, Case No. 454719W

Stat of Florida v. Luis, Case No. 260617W and 7004AWV

State of Florida v. Hanks, Case No. 1641 DED 4

State of Florida v. McAdam, Case No. 6079BYV

State of Florida v. Mahomond, Case No. 377151-W

State of Florida v. Agreda, Case No. 403494-X

State of Florida v. Hernandez-Castellon, Case No. 377161W

State of Florida v. Floril, Case No. 530522W

State of Florida v. Carrero, Case No. 403494X

State of Florida v. Manning, Case No. 2498-CQT

S.F. Properties v. Pierre, Case No. 95-528 CC20

Blue v. Wright, Case No. 93-96-CC 20

As a Florida Bar Referee, designated by the Florida Supreme Court while I was serving as a Miami-Dade County Court Judge, I authored the following Reports of Referee:

The Florida Bar v. Guariglia, Supreme Court Case No. SC07-786

The Florida Bar v. Morales, Supreme Court Case Nos. SC05-2121 and SC06-527

The Florida Bar v. Evans, Supreme Court Case No. SC04-1334

The Florida Bar v. Burke, Supreme Court Case No. SC00-827

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature 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 (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

1. *State of Florida v. Juarez*, Case No. F10-27158c, *affirmed*, Case No. 3D12-1271 (Fla. 3rd DCA 2013).

Defendant Juarez was charged with sexual battery by multiple perpetrators and unlawful sexual activity with a minor. The defendant invited two friends and the 17-year-old victim to his apartment. Following a night of excess drinking, the victim claimed she was drugged and raped by multiple men, including the defendant. The three defendants' trials were severed. The victim's testimony was corroborated by the DNA test results and, following a four-day jury trial, the defendant was found guilty of both counts. I handled all pre-trial motions, the trial, post-trial motions and sentencing.

Attorney for the State:
Abbe S. Rifkin, Assistant State Attorney
1350 Northwest 12th Avenue
Miami, Florida 33136
954-224-3126

Attorney for the Defendant:
Teresa Williams
Williams and Trese
12 Southeast 7th Street, Suite 703
Fort Lauderdale, Florida 33301
954-761-9131

2. *Gillings v. Publix Super Markets, Inc.*, Case No. 10-14103 CA 04.

Plaintiff Gillings was injured after a slip and fall on a polished floor plate. Her injuries were extensive, requiring five separate surgeries and significant therapy. The liability was contested and the case proceeded to jury trial. I presided over the discovery motions, motions in limine and the trial. Many expert witnesses presented in the areas of biomechanics, floor polishing and various medical specialties were presented over the course of a two-week trial. Before the jury returned, the parties resolved the case using a high-low agreement that determined the least and most amount the defendant was responsible for the plaintiff's claims. The jury returned a verdict for the defendant finding no liability.

Attorney for Gillings:
Paul Freedman
Kaplan & Freedman
9410 Southwest 77th Avenue
Miami, Florida 33156
305-274-7533

Attorney for Publix:
Gregory Palmer

Rumberger, Kirk & Caldwell
Brickell Bayview Center, Suite 3000
80 Southwest 8th Street
Miami, Florida 33130
305-358-5577

3. *State of Florida v. Padron*, Case No. F08-47434, *affirmed*, Case No. 3D11-2718 (Fla. 3rd DCA 2013). Opinion supplied.

Defendant Padron was charged with three felonies: armed burglary with an assault, kidnapping and attempted felony murder with a deadly weapon. The defendant forcibly entered a home and terrorized a husband and wife, holding the wife at gunpoint. The wife was able to escape and the defendant gave chase, grabbing the victim and ordering her back into her home. The husband had retrieved his gun and shots were exchanged. The defendant was shot and attempted to flee. The husband tried to restrain the defendant who then pulled a knife from his pocket and stabbed the husband several times. The wife was able to escape and the defendant was ultimately arrested. The jury returned a verdict of guilty on each count. I presided over all pretrial motions, including the motions to suppress the defendant's statements, the search of his person and vehicle, the trial, and sentencing.

Attorney for the State:
Jennie T. Conklin, Assistant State Attorney
1350 Northwest 12th Avenue
Miami, Florida 33136
954-224-3126

Attorney for the Defendant:
Bruce Lehr,
1401 Brickell Avenue, Suite 901
Miami, Florida 33131
305-377-1777

4. *CMGINTDG, Inc., d/b/a CMG International Design Group, Carlos H. Gutierrez, Milda Gutierrez v. Tatiana Ryback, Arguelles, M.D., P.C., Florida Storm Properties, LLC, Rybak's Café, LLC, Vincent Medical Services, P.C. and Anti-Aging Aesthetic and Laser Center, Inc.*, Case No. 09-53480 CA 04.

This was a commercial case involving the design and construction of a restaurant and the interior design of an apartment. Multiple claims and counterclaims were litigated for breach of separate contracts, unlicensed contracting and architectural work, worthless checks, unjust enrichment, fraud, and violations of the Florida Deceptive and Unfair Trade Practices Act (FDUTPA). After a seven-day trial, the jury returned a verdict in favor of the plaintiffs on the claims of breach of contract, worthless checks and in favor of the defendants on the unlicensed

contractor and the FDUTPA claims. I presided over the litigation, all pre-trial motions, the trial, and all post-trial issues.

Attorney for the Plaintiffs:

Daniel Vega
2555 Ponce de Leon Boulevard, Suite 220
Coral Gables, Florida 33134
305-443-2043

Attorney for the Defendants:

Eduardo Rasco
20900 Northeast 30 Avenue, Suite 600
Aventura, Florida 33180
305-937-0300

5. State of Florida v. Chaddock, Case No. B07-002219, et al; State of Florida v. Betancourt, Case No. B07-2220. Opinion supplied.

These criminal cases were part of a consolidated challenge to the constitutionality of Section 21-281(a) of the Miami-Dade County Code. Each of the judges who had similar motions pending in his or her respective division sat in an en masse evidentiary hearing May 3-6, 2007. The Miami-Dade County ordinance at issue made it unlawful for the defendant who has been previously convicted of certain specified sexual offender and sexual predator offenses from residing within 2,500 feet of a school. My decision was that the Miami-Dade County ordinance was constitutional as applied to each of the challenging defendants as reflected in *State of Florida v. Carrero*, Case No. 403494X.

Attorney for the State:

Patrick F. Trese
Williams and Trese
12 Southeast 7th Street, Suite 703
Fort Lauderdale, Florida 33301
954-761-9131

Attorney for Miami-Dade County:

Thomas W. Logue
Third District Court of Appeal
2001 Southwest 117th Avenue
Miami, Florida 33175
305-229-3200

Attorneys for Defendants:

Valerie Jonas
7755 Noremac Avenue

Miami, Florida 33141
305-527-6465

Tristia Bauman
National Law Center on Homelessness and Poverty
2000 M Street NW, Suite 250
Washington, D.C. 20036
202-638-2535

6. *State of Florida v. Bastos, Case # 413969X and State of Florida v. Vlad, Case #7875-DOH*. Opinion supplied.

Theses DUI cases were consolidated with 95 other cases in my division that were heard in an en masse proceeding before the Miami-Dade County Court Judges. An evidentiary hearing was held on the defendants' motion to compel the source code of the intoxilyzer 5000. The source code is the human readable form of the software used by the breath-testing instrument that allows the instrument to function. This hearing brought experts from around the country challenging the integrity of the intoxilyzer 5000. This instrument was manufactured the year prior and in use by police departments throughout Florida to measure a suspected DUI defendant's breath-alcohol content. The significance of these cases was that our rulings affected many individuals in addition to defendants Bastos and Vlad. Jurisdictions throughout the State of Florida were monitoring the outcome of this extensive evidentiary hearing since our findings of fact affected how cases would be prosecuted in other counties. My decision was that the defendants had failed to meet their requisite burdens and I entered an order denying the defendants' Motion to Compel Source Code and Motion for Certification.

Attorney for the State:
Patrick F. Trese
Williams and Trese
12 Southeast 7th Street, Suite 703
Fort Lauderdale, Florida 33301
954-761-9131

Attorneys for Defendants Vlad:
Michael A. Catalano
1531 Northwest 13 Court
Miami, Florida 33125
305-325-9818

Attorneys for Defendants Bastos:
Maggie Arias
Maggie Arias, P.A.
2937 Southwest 27 Avenue, Suite 206

Miami, Florida 33133
305-934-9024

Richard Hersch
Juvenile Justice Center
3300 Northwest 27th Avenue
Miami, Florida 33142
305-638-6229

7. Key Biscayne Claims Adjusters Corp. v. Precision Paint & Body Shop, Inc.,
Case No. 11-34318 CA 04.

This was a breach of contract action for a provision of public adjusting services following the refusal of a party to pay a share of settlement proceeds. This case was litigated for two years and the jury trial lasted four days in September 2013. The trial involved defenses of unclean hands, impossibility of performance and fraud. The jury returned a verdict in favor of the plaintiff for the full amount claimed and rejected each of the affirmative defenses presented. I presided over the litigation, all pre-trial motions, the trial and all post-trial issues.

Attorney for the Plaintiff:
Amado Alan Alvarez
Law Offices of Alvarez & Alvarez-Zane
Post Office Box 772078
Miami, Florida 33177
305-271-1097

Attorney for the Defendant:
Brian H. Pollock
Fair Law Firm
9130 South Dadeland Boulevard, Suite 1500
Miami, Florida 33156
305-230-4884

*8. Crown Linen, LLC v. Angel Pis-Dudot, Hotelier Consulting Services LLC
d/b/a Hotelier Linen Services*, Case No. 09-82761 CA 04.

This was a commercial dispute between a former employee and employer that was litigated for over three years. The trial was bifurcated and the liability portion of the trial lasted five days. The case involved a former employee who used his position as a sales consultant with the plaintiff's company to persuade other hotels to switch to a company the defendant secretly opened. The case involved separate claims of deceptive and unfair trade practices, misappropriation of trade secrets and tortious interference with business relationships. The jury returned verdicts in the plaintiff's favor on the issue of liability and the case was settled on the eve

of the trial on damages. I presided over the litigation, all pre-trial motions, the trial and all post-trial issues relating to liability.

Attorney for the Plaintiff:

Michael B. Feiler
Feiler & Leach
901 Ponce de Leon Boulevard, Penthouse
Coral Gables, Florida 33134
305-441-8818

Attorney for the Defendants:

Eric Ostroff
Meland Russon & Budwick, P.A.
3200 Southeast Financial Center
200 South Biscayne Boulevard
Miami, Florida 33131
305-358-6363

9. *Kinchen v. CSX Transportation, Inc.*, Case No. 10-57997 CA04

The plaintiff was injured while working as a locomotive engineer and brought an action against his employer under the Federal Employer's Liability Act, claiming that his employer failed to provide a safe place to work. The plaintiff's damages were extensive, requiring multiple surgeries and extensive treatment. The jury trial lasted seven days and involved many exhibits and testimony from medical and other technical experts. The jury issued a verdict in favor of the plaintiff for \$1.2 million. I presided over the litigation, all pre-trial motions, the trial and all post-trial issues.

Attorneys for the Plaintiff:

Manuel Reboso
Howard Spier
Rossman Baumberger Reboso Spier & Connelly
44 West Flagler Street, Suite 2300
Miami, Florida 33130
305-373-0708

Attorneys for the Defendant:

Ken Waterway
Kelsey Black
Waterway Black P.A.
1401 East. Broward Boulevard, Suite 204
Fort Lauderdale, Florida 33301
954-320-6220

10. *State of Florida v. Gonzalez*, Case No. F10-14585, *affirmed*, Case No. 3D12-1022 (Fla. 3rd DCA 2013). Opinion supplied.

The defendant landlord was charged with premeditated first degree murder after he killed his tenant. Angered by the victim's refusal to pay rent, the defendant drove to the victim's house to collect the rent in person. The victim had stopped paying rent on his home after being advised by the bank that the home was going into foreclosure. Upon arrival, the defendant confronted the tenant and demanded the rent. An argument ensued after which the defendant walked away. He soon returned with a gun, firing five shots into the victim, killing him in front of his pregnant wife and son. After the five-day jury trial, the defendant was convicted of the lesser included offense of second degree murder. I presided over all pre-trial proceedings, motions in limine, the trial and sentencing.

Attorneys for the State:
Joseph Mansfield
Assistant State Attorney
1350 Northwest 12th Avenue
Miami, Florida 33136
305-547-0334

Warren Eth
Assistant State Attorney
1350 Northwest 12th Avenue
Miami, Florida 33136
305-547-0100

Attorney for the Defendant:
Edward Abramson
Airport Executive Tower #2
7270 Northwest 12th Street, Suite 580
Miami, Florida 33126
305-594-4999

- 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. *Lenhart v. Basora*, 100 So. 3d 1177 (Fla. 4th DCA 2012). Opinion supplied.

Attorneys who played a significant role:

Attorney for Appellant:
Rebecca Mercier Vargas
Kreusler-Walsh Compiani & Vargas

501 South Flagler Drive, Suite 503
West Palm Beach, Florida 33410
561-659-5455

Attorney for Appellee:
Warren Kwavnick
Cooney Trybus Kwavnick Peets, PLC
1600 West Commercial Boulevard, Suite 200
Fort Lauderdale, Florida 33309
954-568-6669

2. *Trafalgar at Greenacres, Ltd. v. Zurich American Insurance Company*, 100 So. 3d 1155 (Fla. 4th DCA 2012). Opinion supplied.

Attorneys who played a significant role:

Attorney for Appellant:
Michael Winkleman
Lipcon, Margulies, Alsina & Winkleman
One Biscayne Tower, Suite 1776
Two South Biscayne Boulevard
Miami, Florida 33131
305-373-3016

Attorney for Appellee:
Gary J. Guzzi
Akerman Senterfitt
One Southeast Third Avenue, Floor 25
Miami, Florida 33131
305-374-5600

3. *State of Florida v. Diaz*, Case No. F10-1294. Opinion supplied.

Attorneys who played a significant role:

Attorney for the State:
Christine Zahralban
Assistant State Attorney
1350 Northwest 12th Avenue
Miami, Florida 33136
305-547-0860

Attorney for the Defendant:
Beresford Landers
Law Offices of Beresford Landers
Post Office Box 612888

North Miami, Florida 33261
786-346-8668

4. *State of Florida v. Luis*, 8 Fla.L. Weekly Supp 791a (Fla. Cty Ct 2001). Opinion supplied.

Attorneys who played a significant role:

Attorney for the State:
Elijah A. Levitt
U.S. Attorney's Office
99 Northeast Fourth Street
Miami, Florida 33132
305-961-9001

Attorney for the Defendant:
Pelayo Duran
The Law Office of Pelayo Duran
4640 Northwest 7th Street
Miami, Florida 33129
305-266-9780

5. *State of Florida v. Dumornay*, Case No. F10-34843. Opinion supplied.

Attorneys who played a significant role:

Attorney for the State:
Loressa Felix
Felix & Brown, PLLC
9100 South Dadeland Boulevard, Suite 1500
Miami, Florida 33156
800-689-0998

Attorney for the Defendant:
Jeff James
1450 N.E. Second Avenue, Suite 430
Miami, Florida 33132
305-995-1304

6. *State of Florida v. Padron*, Case No. F08-047434, *affirmed*, Case No. 3D 11-2718 (Fla. 3rd DCA 2013). Opinion supplied in response to Question 13(c).

Attorneys who played a significant role:

Attorney for the State:
Jennie T. Conklin

Assistant State Attorney
1350 Northwest 12th Avenue
Miami, Florida 33136
954-224-3126

Attorney for the Defendant:
Bruce Lehr
1401 Brickell Avenue, Suite 901
Miami, Florida 33131
305-377-1777

7. *Edelstein v. State of Florida DHSMV*, 17 Fla. L. Weekly Supp. 978b (Fla. 11th Cir. Ct. 2010). Opinion supplied.

Attorneys who played a significant role:

Attorney for the Defendant:
Richard Hersch
Juvenile Justice Center
3300 Northwest 27 Avenue
Miami, Florida 33145
305-638-6229

Attorney for DHSMV:
Jason Helfant
DHSMV Legal Office
Post Office Box 540609
Lake Worth, Florida 33454
561-357-4165

8. *State of Florida v. Bastos*, 13 Fla. L. Weekly Supp. 1003a (Fla. Miami-Dade Cty. Ct. 2006). Opinion supplied in response to Question 13(c).

Attorneys who played a significant role:

Attorney for the State:
Patrick F. Trese
Williams & Trese, L.L.P.,
12 Southeast 7th Street, Suite 703
Fort Lauderdale, Florida 33301
954-761-9131

Attorneys for the Defendants:
Michael A. Catalano
1531 Northwest 13 Court
Miami, Florida 33125

305-325-9818

Maggie Arias
Maggie Arias, P.A.
2937 Southwest 27 Avenue, Suite 206
Miami, Florida 33133
305-934-9024

Richard Hersch
Juvenile Justice Center
3300 Northwest 27th Avenue
Miami, Florida 33142
305-638-6229

9. *Faunce v. Rodriguez and Blaha*, 6 Fla. L. Weekly Supp. 31a (Fla. 11th Cir. Ct. 1998), *affirmed*, 738 So. 2d 487 (Fla. 3rd DCA 1999). Opinion supplied.

Attorneys who played a significant role:

Attorney for the Plaintiff:
Jerry Kahn
Post Office Box 414213
Miami Beach, Florida 33141
305-861-3606

Attorney for the Defendant:
John Lipinski
Post Office Box 848068
Pembroke Pines, Florida 33084
954-966-9477

10. *State of Florida v. Agreda*, Case No. 403494-X, *affirmed*, 15 Fla. L. Weekly Supp. 121c (Fla. 11th Cir. Ct. 2007). Opinions supplied.

Attorneys who played a significant role:

Attorney for the State:
Elijah Levitt
United States Attorneys' Office
99 Northeast Fourth Street
Miami, Florida 33132
305-961-9001

Attorney for the Defendant:
Robert Reiff
The Brickell Bay Club

2333 Brickell Avenue, Suite 1A
Miami, Florida 33129
305-854-5511

- 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 case.

To the best of my knowledge, the following includes all of the opinions where my decision has been reversed. Conservatively, I have handled approximately 800 cases in the County and Circuit Court that have gone to verdict or judgment. Every decision is capable of review by an appellate court and the list below represents approximately 3% of those cases.

Castle Key Insurance Company v. Benitez, 38 Fla. L. Weekly D2226a (Fla. 3rd DCA 2013). I granted a motion to compel and ordered production of an insurer's claim file. The court reversed an order to produce the claim file within the context of a breach of an insurance contract since the issue of whether coverage existed had not been resolved.

Aleman v. U.S. Bank, N.A., etc., No. 3D13-1258 (Fla. 3rd DCA 2013). Based upon the State's confession of error, the court quashed my order denying a motion to stay the proceedings pending payment of costs.

Lawton v. State of Florida, 109 So.3d 825 (Fla. 3rd DCA 2013). This was a post-conviction appeal challenging a sentence of life imprisonment without parole for a non-homicide committed by a juvenile in light of *Graham v. Florida*, 130 S. Ct. 2011 (2010). The sentence had been imposed in 1988. The court reversed and ordered a new sentencing hearing on the life without parole sentence imposed on the attempted first degree murder in the non-homicide case.

Barron v. State of Florida, 37 Fla. L. Weekly D2554c (Fla. 3rd DCA 2012). This was a post-conviction appeal challenging a sentence. Since the record on appeal did not conclusively establish that the defendant was not entitled to relief, the case was remanded for an evidentiary hearing.

Gilchrist v. State of Florida, Case No. 3D11-432 (Fla. 3rd DCA 2012). Upon the State's confession of error, the case was reversed to enter an amended sentencing order awarding the claimed credit for time served.

Carter v. State of Florida, 104 So. 3d 381 (Fla. 3rd DCA 2012). This was a post-conviction appeal challenging a sentence ordering drug offender probation. The court reversed, finding that the record excerpts failed to show there was an agreement to drug offender probation.

Yves Jacques v. State of Florida, 95 So. 3d 419 (Fla. 3rd DCA 2012). This was a post-conviction challenge alleging the court failed to continue the defendant's youthful offender status when he was resentenced following a violation of probation. Since the Court could not discern from the sentencing order that the defendant's youthful offender status was continued as required, the court reversed and remanded so that the sentencing order could be corrected.

Jackson v. State of Florida, 83 So.3d 955 (Fla. 3rd DCA 2012). This was a post-conviction challenge. Since the record on appeal did not conclusively establish that the defendant was not entitled to relief, the case was remanded for an evidentiary hearing.

Ramos-Perez v. State of Florida, Case No. 3D11-1406 (Fla. 3rd DCA 2011). The court reversed the summary denial of the defendant's claim to gain time and remanded the case for a resentencing.

Estrada v. State of Florida, 18 Fla. L. Weekly Supp. 579a (Fla. Cir. Ct. 2011). The appellate court reversed the denial of a motion to suppress a DUI defendant's refusal to submit to a urine test. The Court held that the facts fell short of the probable cause necessary to believe the defendant was under the influence of drugs.

Vargas v. State of Florida, 16 Fla. L. Weekly Supp.1035a (Fla. 11th Cir. Ct. 2009). The appellate court reversed a conviction finding that the officer's testimony during direct examination was a comment on the defendant's exercise of his right to remain silent.

State of Florida v. Ortiz-Rotger, 15 Fla. L. Weekly Supp. 314a (Fla. 11th Cir. Ct. 2008). The appellate court reversed an order suppressing the breath test in this DUI case, finding that there was substantial compliance with the statutory regulations regarding the administration of the test by a public service aide.

Mercado v. State of Florida, 15 Fla. L. Weekly Supp.125a (Fla. 11th Cir. Ct. 2007). The appellate court reversed a DUI conviction, finding that the officer should not have been allowed to testify at trial that certain field sobriety exercises were scientific as it violated a pre-trial ruling precluding such testimony.

State of Florida v. Gilbert, 14 Fla. L. Weekly Supp. 14a (Fla. 11th Cir. Ct. 2005). The appellate court reversed the grant of a motion to suppress holding that the defendant voluntarily gave consent to the administration of the field sobriety exercises.

McKnight v. State of Florida, 13 Fla. L. Weekly Supp. 683a (Fla. 11th Cir. Ct. 2004). The appellate court held that the defendant's motion to vacate his plea should not have been summarily denied where the claim was not refuted by the record.

State of Florida v. Perez, 12 Fla. L. Weekly Supp. 35a (Fla. 11th Cir. Ct. 2004). The appellate court reversed my order granting the defendant's motion to suppress and distinguished the decision of *Danielowitz v. State*, 730 So. 2d 363 (Fla. 2 DCA 1999) on which I had relied. The Court believed that, under the facts of the case, the officer's actions fell within the emergency aid exception and his arrest was lawful.

Acosta v. State of Florida, 11 Fla. L. Weekly Supp. 620c (Fla. 11th Cir. Ct. 2003). The appellate court reversed based upon the State's confession of error. The prosecutor's cross-examination of the defendant elicited her opinion regarding the veracity of two other witnesses who testified. The appellate court concluded that the defendant's testimony concerned a material element in dispute and the jurors may have been prejudiced beyond a reasonable doubt.

Rodriguez v. State of Florida, 9 Fla. L. Weekly Supp. 276a (Fla. Cir. Ct. 2002). The appellate court reversed a conviction and ordered a new trial holding that the refusal to strike a juror for cause was error where there was reasonable doubt as to whether the juror could be impartial.

Bond v. State of Florida, 8 Fla. L. Weekly Supp. 759b (Fla. 11th Cir. Ct. 2001). The appellate court concluded that the defendant's plea was rendered involuntary after the court erroneously advised that if the defendant went to trial, the court could impose restitution. As such, the appellate court found that defendant was unable to weigh the options of a trial or a plea.

Contreras v. State of Florida, 8 Fla. L. Weekly Supp. 754a (Fla. 11th Cir. Ct. 2001). The appellate court ruled that a juror should have been removed for cause during jury selection because the juror expressed a need to hear the defendant's testimony.

State of Florida v. Jones, 9 Fla. L. Weekly Supp. 82b (Fla. 11th Cir. Ct. 2001). The appellate court reversed an order granting a motion to suppress holding that there was substantial compliance with the administrative regulation requiring a 20-minute observation before the administration of a breath alcohol test.

Gerente v. Chirileanu, 6 Fla. L. Weekly Supp. 620a (Fla. 11th Cir. Ct. 1999). Following the entry of an agreed order dismissing one of the defendants, the plaintiff moved to set aside the order based on a mistaken belief that the defendant did not own certain property. The appellate court held that I erred in vacating the

agreed order where a mistake of law (ownership of property) was not a basis for relief from judgment under Fla. R. Civ. P. 1.540.

J.S.M. Construction Corp. v Bloomfield, 6 Fla. L. Weekly Supp. 617a (Fla. 11th Cir. Ct. 1999). The appellate court reversed the order granting default judgment on a recently amended complaint that had not been served on the defendant.

Wayne v. Krassner, 6 Fla. L. Weekly Supp. 534c (Fla. 11th Cir. Ct. 1999). The appellate court reversed an award of attorney's fees in excess of the hourly rate negotiated in the fee agreement even where expert testimony established that the higher rate would be reasonable.

Allstate Insurance Company v. Cofino, 6 Fla. L. Weekly Supp. 470a (Fla. 11th Cir. Ct. 1999). The appellate court held that the language of Florida Statutes, Section 627.736, should not be read to require that personal injury protection benefits be paid once overdue.

Miami Elevator Company v. Marbrad, Inc., 6 Fla. L. Weekly Supp. 401a (Fla. 11th Cir. Ct. 1999). Before trial, I disclosed to the parties that one of the witnesses was a friend of my husband and mine. I invited the parties to file a recusal motion. Because the motion was not verified and no affidavit was attached, I found the motion to be legally insufficient. The defendant appealed and the appellate court ruled that regardless of the technical deficiencies, I was bound to grant the motion to recuse. On remand, I recused myself from the case.

Fortune Insurance Company v. Practice Management Services, 6 Fla. L. Weekly Supp. 398b, *rehearing denied* 6 Fla. L. Supp. 480d (Fla. 11th Cir. Ct. 1999). The court reversed the grant of an award of attorneys' fees and held that no fee for the expert witness was warranted.

Duque v. Saidel, 5 Fla. L. Weekly Supp. 736c (Fla. 11th Cir. Ct. 1998). The appellate court reversed the award damages in excess of the fair market value of a totaled vehicle.

Metropolitan Dade County v. Barnes, 5 Fla. L. Weekly Supp. 52a (Fla. 11th Cir. Ct. 1997). The appellate court reversed an order setting aside the final judgment, concluding that the stipulation which formed the basis of the underlying final judgment was not unconscionable.

- 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.

As a trial court judge in county court and circuit court, 99% of the decisions I issue result in an unpublished opinion. Those opinions which I have personally written are stored in my computer in a directory of the type of case (criminal or

civil) and the name of the party or defendant. The opinions that were not written by me but were submitted by the parties for my review and execution are filed in the court file which is maintained by the Miami-Dade Clerk of Courts.

- 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.

State of Florida v. Hanks, Case No. 1641 DED 4. Copy supplied.

State of Florida v. Diaz, Case No. F10-1294; F07-27130. Copy supplied in response to Question 13(c).

S.F. Properties c/o Judy Clark v. Pierre, Case No. 95-528 CC 20. Copy supplied.

State of Florida v. Padron, Case No. F08-047434. Copy supplied in response to Question 13(c).

State of Florida v. Agreda, Case No. 403494-X. Copy supplied in response to Question 13(c).

State of Florida v. Pennyman, Case No. F10-6382. Copy supplied.

- 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.

I have never sat by designation on a federal court of appeals.

- 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 jurisdiction does not have an automatic recusal system. Florida Rule of Judicial Administration 20160(e) provides that the motion to recuse must be filed within a reasonable time not to exceed ten days after the discovery of the facts that would require disqualification. The motion must be served upon the judge and the judge must rule within 30 days of service. If the judge does not rule within 30 days, the motion is automatically granted. A judge may not dispute the allegations in a motion to recuse, but must accept the allegations in a motion to recuse as true and then determine whether those acts, if true, would warrant recusal.

I have been able to locate the following cases in which motions to recuse or disqualify me were filed:

Southern Wine & Spirits of America v. Liquid International Premium Spirits, Case No. 13-13112 CA 04. I disclosed on the record that the law firm's partner that represented the plaintiff owned property with my husband. Following a request by the defendant's attorney, I recused myself and the case was reassigned to another division.

City of Miami Beach v. the Miami Beach Fraternal Order of Police Lodge, Case No. 12-32304 CA 04. I disclosed on the record that my husband served as President of the Auxiliary of the Fraternal Order of Police several years ago. Based on this disclosure, the plaintiff filed a motion to disqualify me that I granted, and the case was reassigned to another division.

Gables on the Green v. Walbridge Aldinger Company, Case No. 10-30855 CA 04. During the first hearing I conducted on this case, I became aware and disclosed that the defendant's law firm was the same law firm where my brother-in-law is a partner. Based on this disclosure, the plaintiff filed a motion to recuse me that I granted, and the case was reassigned to another division.

Ampuero-Martinez v. Legaspi, Case No. 09-30018. This recusal was requested by motion due to the long-standing personal relationship I have with the plaintiff's attorney of record (my husband and I are the godparents to his daughters). I granted the motion, and the case was reassigned to another division.

Chase Home Finance v. Firtel, Case No. 10-20555 CA 04. I *sua sponte* recused myself as this mortgage foreclosure action was filed against a judicial colleague who is also a friend of mine.

Salazar and Midtown Towing of Miami, Inc. v. Lichtman, Case No. 12-26198 CA-01 (25). I was the successor judge after another judge had recused himself. The case came before me on an emergency motion to enforce a stipulation of

settlement. I scheduled the motion for an evidentiary hearing and declined to delay the hearing to allow the taking of the defendant's deposition. The plaintiff's motion to disqualify was based on my ruling. The motion was denied as legally insufficient.

Genova v. Lagos, Moris, Moris, P.A. and Garcia, Case No. 12-15539 CA04. Plaintiff's motion for disqualification was based on my denial of the plaintiff's emergency motion for protective order as to the taking of the plaintiff's deposition and requiring said deposition to take place before the deposition of a non-party. I denied the motion for disqualification as legally insufficient.

Falls Properties LLC v. Cabrera, Case No. 11-10899 CA04. The attorney for the plaintiff filed his motion to disqualify attaching an email from the attorney for the defendant advising the attorney that I was an associate with him in the law firm of Floyd Pearson et al. in the late 1980s for two years. His email also stated that he was not acquainted with me other than on a professional basis for a brief period of time and we have had no contact with each other for over 20 years. I denied the motion for disqualification as legally insufficient.

U.S. Bank National Association v. Doce, Case No. 10-03146 CA04. The defendant filed a verified motion for recusal stating that the defendant's attorney has a personal relationship with me. Since the attorney is a personal friend of our family and I am the godmother to his daughters, I agreed that my recusal was proper and granted the request.

Miami Elevator Company v. Marbrad, Inc., 6 Fla. L. Weekly Supp. 401a (Fla. 11th Cir. Ct. 1999). Before trial, I disclosed to the parties that one of the witnesses was a friend of my husband and mine. I invited the parties to file a recusal motion. Because the motion was not verified and no affidavit was attached, I found the motion to be legally insufficient. The defendant appealed and the appellate court ruled that regardless of the technical deficiencies, I was bound to grant the motion to recuse. On remand, I recused myself from the case.

State v. Alexandre, Case No. F08-042059. The defendant's motion was based on rulings I made that he believed were unfair. His motion to recuse me was denied as legally insufficient.

State v. Blanco, Citation No. 0080530-I. I conducted a trial on a civil infraction and entered a disposition. The defendant did not appear and the witness was present. I had received a note from my judicial assistant that the attorney for the defendant asked that the case be passed until the end of the calendar. I passed the case until the end of the calendar. The defendant and his attorney failed to appear yet the witness and the officer were present. The hearing was held at the end of the calendar consistent with the attorney's request. This hearing was in accordance with the Florida Rules of Traffic Court. Later that week, I received a copy of a complaint filed by the attorney to the Judicial Qualifications

Commission complaining of my conduct in holding the hearing without the defendant or his attorney present. That complaint was dismissed as being without merit. When a motion for rehearing was scheduled in that case, I continued the hearing to allow the attorney to file a motion to recuse, which he did. I recused myself and the motion was heard by another judge.

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.

I have never sought public office other than my judicial office. I have not had any unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

- 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.

In addition to participating in my own elections, in November 1989, I was appointed as a delegate to the Florida Democratic Party's 1989 State Conference in Hollywood, Florida. In October 1988, I volunteered for presidential candidate Michael Dukakis at his Florida headquarters in Hollywood, Florida; I made calls to prospective voters and assisted with mailings. From July to November 1984, I served as a volunteer Congressional Campaign Supervisor to U.S. Representative Dan Mica's re-election campaign in Broward County, Florida; I assisted with mailings and calling prospective voters. In 1982, I assisted State Representative Jack Tobin and State Representative John Cosgrove in each of their re-election campaigns by serving as a volunteer staff person; I assisted with mailings and calling prospective voters.

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 have never served as a clerk to a judge.

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

I have never practiced 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.

1988 — 1994

Floyd Pearson Richman Greer Weil Brumbaugh & Russomanno
(now named Richman Greer)
396 Alhambra Circle, 14th Floor
Miami, Florida 33134
Attorney

- 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 have never served 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.

Upon graduation from law school, my practice began at Floyd Pearson Richman Greer Weil Brumbaugh & Russomanno as an associate assisting the partners who handled commercial litigation cases. I had the opportunity to handle several cases in the areas of matrimonial, real estate and contract law. After my second year at the firm, I worked primarily in medical malpractice, wrongful death, personal injury and product and premises liability cases.

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

My clients were companies engaged in commercial litigation cases and individuals pursuing claims in wrongful death, medical malpractice and product and premises liability cases.

- 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.

i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|------|
| 1. federal courts: | 0% |
| 2. state courts of record: | 100% |
| 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.

I tried ten cases to verdict. In each case, I was the associate counsel.

i. What percentage of these trials were:

- | | |
|--------------|------|
| 1. jury: | 100% |
| 2. non-jury: | 0% |

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have never practiced before the Supreme Court of the United States.

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:

- the date of representation;
- the name of the court and the name of the judge or judges before whom the case was litigated; and
- the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *Modern Health Care Services v. Republic Health Corporation*, Case No. 86-36132 CA 25

I served as co-counsel for Republic Health Corporation, which had purchased North Miami General Hospital from Modern Health Care Services. Following the sale, \$850,000 of Medicare payments and receivables were claimed to be owed and Republic Health was then sued for civil theft and conversion. The case was litigated for two years in the Eleventh Judicial Circuit in and for Miami-Dade County. The length of the trial was five days before the Honorable Philip Bloom. This case resulted in a verdict against Republic Health Corporation. My participation included handling most depositions, drafting and responding to discovery, preparing and arguing pre-trial motions, and witness and trial preparation. I shared equally in presenting the case to the jury and prepared all post-trial motions.

Co-counsel:

Herman Russomanno
Russomanno & Borrello
150 West Flagler Street, Suite 2800
Miami, Florida 33130
305-373-2101

Opposing counsel:

Ervin Gonzalez
Colson Hicks Eidson
255 Alhambra Circle, Penthouse
Coral Gables, Florida 33134
305-476-7400

2. *M. Barwick and J. Barwick, her husband v. Humana Hospital Corporation, Inc., et al.*, Case No. 89-0793 CA 01

I served as co-counsel for Ms. Barwick in this medical malpractice action. Ms. Barwick was admitted to the hospital for a cerebral angiogram to diagnose the cause of her persistent headaches. During the procedure and while a catheter was in her main blood vessel, the hospital's machine suffered a power disruption and the doctors performing the procedure were unable to visualize the catheter's location. Ms. Barwick, thereafter, developed a blood clot that traveled to her brain resulting in a stroke, right sided-paralysis and blindness. Records reflected that the defendant doctor failed to heparinize the catheter line. Discovery also revealed that the machine had prior electrical problems that were known to the hospital. The case was litigated in the Nineteenth Judicial Circuit in and for Indian River County for three years before the Honorable Charles Smith. The case settled immediately before trial for \$4.2 million. My participation included handling most depositions, drafting and responding to discovery, preparing pre-trial motions, and witness and trial preparation.

Co-counsel:
Herman Russomanno
Russomanno & Borrello
150 West Flagler Street, Suite 2800
Miami, Florida 33130
305-373-2101

Opposing counsel:
A. Russel Bobo (deceased)

3. *N. Curry, as Personal Representative of the Estate of I. Curry, deceased v. Humhosco, Inc., dba Humana Hospital Brandon, et al.*, Case No. 91-CA-006596

I served as co-counsel for Ms. Curry, whose child died following routine surgery. Her child was a star football player at the University of Florida and the case garnered much media attention. This was a complex medical malpractice/ wrongful death action following the doctors' failure to diagnose and treat a sub-acute bacterial endocarditis. The jury returned a verdict for the defendants. This case was litigated over a three-year period in the Sixth Judicial Circuit in and for Pinellas County. The length of the trial was seven days before the Honorable Herbert Baumann. My participation included taking most of the depositions, drafting and responding to discovery, preparing pre-trial motions, and witness and trial preparation. I shared in presenting the case to the jury.

Co-counsel:
Scott Sheftall
One Independent Drive, Suite 3201
Jacksonville, Florida 32202
904-482-4071

Opposing counsel:
Kenneth Deacon
100 Second Avenue South, Suite 902S
St. Petersburg, Florida 33701
727-551-0000

4. *M. Tortora, as Personal Representative of the Estate of Dr. F. Tortora v. James E. Holmes Regional Medical Center*, Case No. 90-1771-CA-J

I served as co-counsel for Ms. Tortora in a wrongful death/medical malpractice action following the death of her husband. Dr. Tortora, a retired dentist, entered Holmes Regional Medical Center for a routine procedure to help his sleep apnea. Following the procedure and while in intensive care, Dr. Tortora went into cardiac arrest. Although the nurses knew that he had a surgically-implanted pacemaker, the hospital failed to properly monitor his recovery. While Dr. Tortora went into cardiac arrest, the heart monitor continued to show a normal sinus rhythm because of the pacemaker.

The case was litigated over a two-year period in the Eighteenth Judicial Circuit in and for Brevard County, Florida. The case was tried in February 1991 before the Honorable Lawrence V. Johnston. The case settled during trial for an amount that remains confidential. My participation included handling most depositions, drafting and responding to discovery, preparing pre-trial motions, and witness and trial preparation.

Co-counsel:
Herman Russomanno
Russomanno & Borrello
150 West Flagler Street, Suite 2800
Miami, Florida 33130
305-373-2101

Opposing Counsel:
Harry Anderson
930 Versailles Circle
Maitland, Florida 32801
407-645-4373

5. *B. Preissner, individually, and as Personal Representative of the Estate of W. Preissner, deceased, and of the Estate of L. Roach, deceased v. Freddie, Inc., et al*, Case No. 92-887

This was a wrongful death action arising out of an automobile crash that killed four people and injured two others. I served as co-counsel to Ms. Preissner, who was a passenger. The crash killed her husband, who was the driver, and her mother, who was also a passenger. The crash occurred as the other driver was travelling in the opposite direction and fell asleep, crossing the median and striking the Preissner vehicle. The case was litigated for two years in the Eleventh Judicial Circuit in and for Miami-Dade County. The case was tried over a five-day period before the Honorable Peter Capua. The case settled during trial. My participation included taking most depositions, drafting and responding to discovery, preparing and arguing pre-trial motions, and witness and trial preparation.

Co-Counsel:
Herman Russomanno
Russomanno & Borrello
150 West Flagler Street, Suite 2800
Miami, Florida 33130
305-373-2101

Opposing counsel:
C. Daniel Petrie, Jr. (deceased)

George C. Bender
Bender, Bender & Chandler
2625 Ponce de Leon Boulevard
Coral Gables, Florida 33134
305-662-1133

6. *D. Fagelson v. Jazzercise, Inc.*, Case No. CACE 90031413

This was a personal injury action. I served as co-counsel to Ms. Fagelson who suffered a multiple wrist fracture and permanent nerve damage following a fall in a Jazzercise class. The Jazzercise class in which Ms. Fagelson was participating was extremely crowded and unsafe, leading to her fall. The case was litigated for two years. The trial lasted four days in February 1992 in the Seventeenth Judicial Circuit in and for Broward County before the Honorable George Brescher. The plaintiff prevailed at trial. My participation included taking most depositions, drafting and responding to discovery, writing and arguing pre-trial motions, and witness and trial preparation. I shared equally in presenting the case to the jury.

Co-counsel:
Scott J. Feder
4649 Ponce de Leon Boulevard, Suite 402
Coral Gables, Florida 33146
305-669-0060

Opposing counsel:
Peter Abraham
19 West Flagler Street, Suite 905
Miami, Florida 33130
305-374-0042

7. *S. Phillips and D. Phillips v. L. Ficarra*, Case No. CACE 90038662

I served as co-counsel for Ms. Phillips, who was injured following an automobile crash. Although liability was admitted, there was a dispute as to the extent of Ms. Phillips's injuries to her back and neck. The case was litigated for two years and went to trial over four days in January 1992 in the Seventeenth Judicial Circuit in and for Broward County before the Honorable Herbert Moriarty. Although Ms. Phillips received treatment for many months from an orthopedist, the trial court did not permit the admission of those medical records at trial due to the doctor's untimely death before trial. The trial court also refused to allow the MRI scans to go back to the jury during deliberations. The jury found in favor of the defendant. The case was appealed and reversed for a new trial in April 1993. The case settled before the second trial. My participation included taking most depositions, preparing and responding to discovery, writing and arguing pre-trial motions, and witness and trial preparation. I shared equally in presenting the case to the jury in the first trial, but I did not participate in

the appeal. The opinion referenced is *Phillips v. Ficarra*, 618 So. 2d 312 (Fla. 4th DCA 1993).

Co-counsel:
Scott J. Feder
4649 Ponce de Leon Boulevard, Suite 402
Coral Gables, Florida 33146
305-669-0060

Opposing counsel:
Michael Robb
7501 Wiles Road, Suite 207
Coral Springs, Florida 33068
954-753-3902

8. *M. Katos v. R. Cushing, D.D.S. et al*, Case No. 90-45250

This was a dental malpractice/failure to diagnose case. I served as co-counsel to Mr. Katos, who developed a stage four squamous cell cancer of his tongue that was not diagnosed by his treating dentist. The case was tried over five days in April 1991 in the Eleventh Judicial Circuit in and for Miami-Dade County before the Honorable Ronald Friedman. The jury returned a defense verdict and we appealed based on the admission of certain expert medical testimony. The Third District Court of Appeal affirmed the judgment, holding that the rulings did not affect the outcome so as to warrant a new trial. My participation included taking most depositions, drafting and responding to discovery, writing and arguing pre-trial motions, and witness and trial preparation. I shared equally in presenting the case to the jury, but I did not participate in the appeal. The opinion referenced is *Katos v. Cushing, D.D.S.*, 601 So. 2d 612 (Fla. 3rd DCA 1992).

Co-counsel:
Herman Russomanno
Russomanno & Borrello
150 West Flagler Street, Suite 2800
Miami, Florida 33130
305-373-2101

Opposing counsel:
Miles McGrane, III
9011 South Dadeland Boulevard, Suite 1500
Miami, Florida 33156
305-374-0003

9. *B. Olson v. Aventura Mall Venture, et al*, Case No. 89-1126

I served as co-counsel to Ms. Olson. This was a premises liability action following Ms. Olson's fall at the Aventura Mall, causing a hip fracture and permanent injury. The dangerous condition was a sidewalk curb and crown left unpainted, concealing the existence of a step-down. The case was tried over three days in January 1989 in the Eleventh Judicial Circuit in and for Miami-Dade County before the Honorable Rosemary Usher Jones. Following a jury verdict in Ms. Olson's favor, the case was appealed, reversed and a directed verdict was thereafter entered in favor of the defendant. The Third District's decision created new law in our district that drop offs from sidewalks to streets, regardless of the surrounding conditions, were insufficient to transform a normally non-negligent condition into a negligent one. My participation included taking most depositions, preparing and responding to discovery, writing and arguing pre-trial motions, and witness and trial preparation. I shared equally in presenting the case to the jury, but I did not participate in the appeal. The opinion referenced is *Aventura Mall Venture v. Olson*, 561 So. 2d 319 (Fla. 3rd DCA 1990).

Co-counsel:

Herman Russomanno
Russomanno & Borrello
150 West Flagler Street, Suite 2800
Miami, Florida 33130
305-373-2101

Opposing counsel:

Steven P. Befera
Cole, Scott & Kissane
9150 South Dadeland Boulevard, Suite 1400
Miami, Florida 33156
786-268-6768

10. *L. Brant, as Personal Representative of the Estate of S. Brant v. L. Zedeck, et al*, Case No. 87-25838 CA 22

I served as co-counsel for Mr. Brant. This was a wrongful death/negligent security action following the murder of Mr. Brant's wife by an intruder while his wife was working in her real estate office. The office building was located in a high-crime area, there were prior incidents in the surrounding area, and the building owners were aware of the need to maintain the security system that was not in use on the day of the incident. The case was tried over four days in December 1990 in the Eleventh Judicial Circuit in and for Miami-Dade County before Judge Robert Kaye. This case resulted in a settlement following closing arguments. My participation included taking most depositions, preparing and responding to discovery, writing and arguing pre-trial motions, and witness and trial preparation. I shared equally in presenting the case to the jury.

Co-counsel:
Herman Russomanno
Russomanno & Borrello
150 West Flagler Street, Suite 2800
Miami, Florida 33130
305-373-2101

Opposing counsel:
Richard H. Bergman
2001 Hollywood Boulevard, Suite 200
Hollywood, Florida 33020
954-923-3533

Steven P. Befera
Cole, Scott & Kissane
9150 South Dadeland Boulevard, Suite 1400
Miami, Florida 33156
786-268-6768

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.)

Teaching Judges, Lawyers and Students

On a national, state and local level, I have been active teaching other judges. For each of the past 16 years, I have taught our circuit and judges statewide as a faculty member of the Florida Judicial College. I have served on the faculty of the National Judicial College, the College of Advanced Judicial Studies, the Florida Conference of County Court Judges and the DUI Adjudication Lab

Together with the Dade County Bar Association's County Court Committee, I created the Bench-Bar Group. Comprised of civil county court judges and attorneys, the group provided a regular forum to discuss ideas and to disseminate information.

For the past 15 years, I have been the coordinator of the University of Miami School of Law's Judicial Internship Program which matches second and third year law students with a state court judge each semester. I also founded the Justice Building and County Court Lunch & Learn Programs to provide a forum to educate lawyers and judges. During this time, I have also served as an adjunct faculty member in the Litigation Skills Program for students at the University of Miami School of Law. I

have served as a faculty member with West Bar Review teaching Florida Criminal Law.

While presiding at the Miami Beach Courthouse, I worked with the Miami Beach Senior High School and the Miami Beach Bar Association to establish the Miami Beach Legal Club, where high school students interested in law had the opportunity to work with local attorneys and have a first-hand look at our court system. As part of the Eleventh Judicial Circuit Centennial Celebration, I have also organized the Romero Britto Artist in Residence Program with the Visual and Performing Arts Academies throughout Miami-Dade County. I implemented a county-wide poster contest with the elementary schools, a speech contest with the middle schools and an essay contest with the high schools. We also developed a curriculum that was taught to each seventh grade civics class during the Centennial Celebration.

Court Programs

In an effort to make the court system more responsive to the community's needs, I created the following programs:

In 2012, I founded the "I'm Ready" Program for youth sentenced as adults in Miami-Dade County and ineligible for Boot Camp due to a medical or psychological issue. Now a permanent part of the Miami-Dade County Department of Corrections and Rehabilitation's Boot Camp Program, this program is aimed at correcting criminal behavior by providing education, training and treatment – services geared to successful re-entry into the community.

In 2007, I founded the Smoking Tobacco Offender Program (S.T.O.P.) to educate teenagers about the health risks of smoking. This was the first school-approved and court sanctioned tobacco education program in Miami-Dade County.

In 2004, I started the "It's Your Life" Skills Program for Foster Youth aging out of the foster care system. This day-long, hands-on, life skills training program educated foster children in the areas of money management, education, employment, consumer issues and housing.

In 2002, I founded the DUI In Jail Treatment Program to reduce recidivism and require treatment for DUI defendants sentenced in misdemeanor cases. Each defendant in custody receives daily substance abuse treatment consisting of individual and group counseling sessions.

In 1996, partnering with the Dade County Bar Association's County Court Committee, I scripted and produced a 12-part television program entitled "Using Your County Court" that aired on WLRN over several months.

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 four (4) copies to the committee.

Litigation Skills Program, University of Miami School of Law, Miami, Florida, 1997 — present (alternate faculty since 2005). This is a trial skills program in which the students perform different parts of a trial and are critiqued by adjunct professors. There is no lecturing by the adjunct professors. There is no syllabus for this course.

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 have a vested deferred compensation fund with the State of Florida based on my contributions each month since 1995. I also am vested with the State of Florida's pension plan (Florida's Retirement System).

I receive copyright income from the "Rube Bloom Music Co." every four months.

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.

If confirmed, I have no plans, commitments, or agreements 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).

See attached Financial Disclosure 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.

My husband, Lyle Stern, is a partner in the real estate company, The Koniver Stern Group. I would recuse myself from any potential litigation involving my husband, his partners or his firm. I also would recuse myself if family members were to appear in a case filed in my division. I am not aware of any other situation that is likely to present potential conflicts of interest when I first assume the bench.

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

I will follow all applicable provisions of the Canons of Judicial Ethics and existing case law and if there is a conflict of interest or appearance of a conflict of interest, I will recuse myself from the case.

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 sitting circuit (and former county) court judge, I am precluded from the practice of law and ethically unable to personally accept any pro bono assignments. However, I stay active in charitable and community concerns. These activities include:

Charitable Foundations

I am the co-founder and presently serve as the secretary of the Children's Craniofacial Association at Miami Children's Hospital. This followed the birth of our second son, who was born with a cleft lip and palate and was born deaf. This organization provides support, resources, hosts an annual picnic and an annual summer "Camp Superstar" for children with craniofacial anomalies and their families.

I am the co-founder of "Oliver's Fund" at the University of Miami Mailman School's Debbie School for the Deaf and Hard of Hearing. This fund allows the school to purchase and maintain loaner hearing aids, FM systems and state of the art technology, improving the students' access to sound and to learning both in and out of the classroom.

Youth Programs

I have volunteered my time serving as the presiding judge in our Teen Court Program. This is an alternative sanctioning program for first-time youthful offenders who agree to allow their peers to determine sentencing instead of the juvenile justice system

I am a co-presenter of the Listen UP! Program to educate high school students through the topic of “teen mistakes that may place you in adult criminal court.” The program addresses the topics of cyberbullying, sexting, possession of marijuana, synthetic cannabis, open house parties, underage drinking, possession of tobacco, DUI, driving-related offenses and fake identification cards

I created and oversee the program, “Lawyers Join Hands for Students” with two local bar associations. We collect unwanted binders, notebooks and supplies and donate on a continual basis to the Miami-Dade County school system’s Homeless Assistance Program and the Education Fund.

Other Pro Bono Work

I have also been involved in substantial pro bono work in other areas. Following Hurricane Andrew, I led the effort to recruit, train and mobilize volunteer lawyers statewide that provided free legal advice to victims. I also created the program, “Halloween for Hurricane Kids,” providing costumes and treats for children in the hurricane-ravaged areas.

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.

On August 16, 2013, I submitted my application to the Florida Federal Judicial Nominating Commission that was convened by Senators Nelson and Rubio and was interviewed by the Commission in Miami, Florida on September 17, 2013. I was advised that evening by the Chair of the Commission that my name was forwarded to both Senators for consideration. On November 7, 2013, I interviewed with both Senators in Washington, D.C. On November 19, 2013, I was advised by Senator Nelson’s staff that my name was forwarded to the White House for consideration. Since November 20, 2013, I have been in contact with

officials from the Office of Legal Policy at the Department of Justice. On January 22, 2014, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On February 6, 2014, the President submitted my nomination to the Senate..

- 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, Beth Bloom, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

02/06/2014

(DATE)

[Signature]

(NAME)

[Signature]

(NOTARY)



ELIZABETH GARIAZZO
MY COMMISSION # FF 033980
EXPIRES: November 8, 2017
Bonded Thru Budget Notary Services