

FILED

SID J. WHITE

AUG 16 1990

CLERK, SUPREME COURT

FLORIDA

Deputy Clerk

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,
Complainant,

v.

Case No.- 74,378 & 74,825

EDITH BROIDA,
Respondent.

RESPONDENT'S REPLY TO ANSWER BRIEF

Respondent replies to the Answer Brief as follows:

1. Complainant for the Bar Warren Stamm has tried to dismiss Respondent's review. Without waiting for a ruling he has nevertheless filed an answer.

2. The Bar formally waived petitioning for review of the Referee's report.

3. The issue now is Respondent's challenge of the referee's report and the Bar's complaint.

4. Respondent has not bothered to read the Answer. It can only be some more tripe and misrepresentations. Respondent has no more time to give to provide experience for Warren Stamm in what he considers to be "litigation".

5. Respondent has accused the Bar of deliberately trying to cast aspersion on the reputation of a person more valuable to society than any member of the Bar or the Courts of this State, or any Bar or Courts of any other State.

6. Warren Stamm with the approval of Jacquéline Needleman appeared in a court case hearing totally unrelated to the case of Julie Feigeles brought here. He was tortiously interfering with the case of a client of mine while he was trying to inject the Bar into that case. Unfortunately Judge Newman did not order him out. As a Judge I would have done so. He has made the Bar

liable to a suit by those clients for his interference with their case.

By appearing there he damaged my reputation with said Judge of the case. He had previously removed the files and kept hearings in that case from proceeding. The files were sent to the North Miami Justice Center to the office of Judge Harvey Baxter. Therefore another Judge became informed of these Bar charges against me. When Judge Simons appeared at the hearing at that Center, which hearing had already been concluded without the referee, Judge Futch, allowing me to notify Judge Simons, and depriving me of the due process right to interrogate Judge Simons, I saw Judge Simons walking toward the courtroom accompanied by Judge Baxter. It is obvious that Judge Simons would discuss the case with Judge Baxter.

7. Now, I live in this community since 1934. My reputation as a person for thirty-five years before I graduated from law school is of the utmost integrity. Occasionally I go to traffic court and Judge Baxter, a traffic court judge, may be scheduled for my case. He is now influenced about me, and I don't know of any restriction against him discussing the matter with other judges.

8. The dues of the 45,000 lawyers of the State are used to pay the salaries of these grievance personnel who engage in conspiracy to benefit large law firms being Stephens, Lynn, and Robert M. Klein, and Mishal, Sloto and Hoffman. The firm of Misham has just been chastised at oral argument by the Third District for improper and fraudulent procedures in a case in trial court.

This case is also for the benefit of Samuel S. Smith, who is the defendant I sued for breach of fiduciary duty as a personal representative and is defended by Robert M. Klein. Mr. Smith has been charged by other lawyers with fraud in other cases.

Mr. Smith should have been disbarred years ago, but this Bar would never take action against him, and supports his conspiracy and fraud in the appeals I have taken against his deceit.

9. It is unbelievable that those staff counsel who are charged with the duty of investigating fraudulent behavior of attorneys would be committing the same kind of actions themselves.

10. Once a Patrick Podsaid was head of the Miami Grievance office and was removed because he never brought charges against corrupt lawyers. Nothing has changed.

11. Who is going to disbar Warren Stamm, Jacqueline Needeleman Randy Clayman Lazarus and any other of the totally unqualified staff counsel of the Miami office? Jacqueline Needleman has headed the Broward office until transferred to Dade by John Harkness. It is most likely that staff of that office are as unqualified.

12. I am truly sorry I did not campaign harder when I ran for the Board in 1986 so that I would have won against A. J. Barranco who gave little to that position. You can be sure that just as I have stopped other impingement of rights I would have changed the grievance procedures and provided a method of charging corrupt lawyers and hiring qualified staff.

13. The Florida Bar is unable to control itself and I will be seeking changes through the legislative process.

14. Before the hearings took place at the Center and by letter prior to that Warren Stamm approached me and asked me to agree to a compromise. No reputable person who is not guilty of anything but honesty and competence agrees to compromise. I refused. I will probably seek to bring an action against the

Bar for its tortious interference with my cases causing me to withdraw from those cases, leaving my clients for whom I acted pro bono, without counsel to recover their losses.

15. The Bar is a rudderless organization held in disrepute by most lawyers and laymen as well. Without an aggressive campaign 768 Dade lawyers voted for me to serve on the Board, because they believed I would improve the Bar.

16. This Respondent has spent a lifetime in service to improving the world in which we live. Through her continued efforts beginning in the 40's there are now minority Black lawyers in greater numbers, and judges on the bench, through the early civil rights movement. Toby Simon, a friend, began his efforts much later. In 1955 in the first year of law practice Respondent acting pro bono successfully sued the Dade Elections Supervisor for a client, changing the law with a decision from circuit judge Pat Cannon that a woman separated from her husband for divorce with legal residence could register to vote.

17. In 1957 and '58 Respondent coordinated two conventions in Miami Beach for the Bar for which she was paid nothing and gave up weeks of her professional time. Her name was probably not even mentioned at the General Assembly which she was too busy to attend. Respondent coordinated a judicial wife's luncheon for a judicial conference as requested to do by the Miami Beach Bar Association of which she was a member, and a dinner for the Florida Association of Women Lawyers, of which she was a member, as requested. As an appointed member of an Unauthorized Practice of Law Committee Respondent made observations submitting a report for the Bar. As a member of the Youth and Delinquency Committee of the Bar I presented an article I authored which had

been published in the University of Louisville Journal of Family Law with recommendations for the solution of the nation's problems with runaway children. (Attached hereto)*

18. As an appointed specialist in youth problems Respondent directed the National Teacher Corps first crash program providing the criteria for the selection of 1680 non-education majors to be trained as teachers in 42 Universities in a three month period to enter 42 different public school disadvantaged areas.

19. Respondent's work enhanced the lives of thousands of minority disadvantaged students- Black, Mexican, Puerto-Rican, Appalachian, Low-income White, in Collier County, Florida, in 41 different States. The program cost four million dollars.

Through the intervention of the Federal government's agencies Respondent for the Department of Labor, Washington, D. C. provided grant programs for the education and training of school dropouts to become employed, removing them from street crime. Respondent coordinated the first federally funded college Upward Bound program to prepare disadvantaged high school students of Washington, D. C. schools for college scholarships.

Through former Senator Dodd in 1965 Respondent's proposal to provide basic education to volunteers for the military instead of rejection for lack of adequate education was implemented by the military.

Governor Bob Graham rejected the proposal to buy the Miami Beach South Pointe developer's land such purchase retarding the redevelopment of South Beach because of Respondent's advice to him, Respondent having run for Mayor of Miami Beach in 1975 and having a greater interest in the welfare of the

City than its Commissioners and community leaders, having been raised in that City and operated two family businesses there, one for 35 years, and one for 25 years, and having been politically and civically active since a young adult from 1941.

In the space of a few years Respondent changed the lives of thousands of underprivileged Americans giving them future opportunity with her work in Washington Federal agencies.

Respondent has frequently offered her recommendations to this Florida Supreme Court's Committees, at Rules hearings, and by amicus briefs. As a sociologist, educator, management specialist, and system expert, as well as attorney her views are somewhat different from those of other attorneys.

A few years ago when Vice-President Bush appeared at a luncheon of the Miami Commission Against Crime Respondent gave him a paper with suggestions for the assault on crime. At a luncheon a year later the Vice-President's speech was a delivery of the suggestions of that paper.

Respondent communicates on major public issues with many members of Congress, the U. S. Senate, the Florida legislature and every Governor of Florida beginning with Leroy Collins. Her recommendations have most often been accepted by these public officials.

In 1986 Respondent, who could have been appointed years before to the Bench but never applied, ran against a 14 year incumbent for circuit court judge. The opposing candidate had been reversed 15 of 16 times after six years as probate judge for acting without jurisdiction and in excess of jurisdiction, an area of law which is a complete enigma to that judge.

In one such case he had entered an order awarding

attorney fees to the lawyer of the proponent of a Will which the Court declared obtained by undue influence. The Order stating the attorney worked hard and therefore the estate should pay abrogated probate law. Said Judge had engaged in nepotism by assigning the sale of two different properties in guardianships before him to his wife who is a real estate broker.

With the ruling in today's news that judicial candidates can debate such issues I would have had no difficulty in winning that campaign had I been able to publicly present such issues.

Following the primary I sued the Judge for campaign violations, one being his control of the press through such powerful friends as former State Attorney Richard Gerstein, now earning his living defending criminals, and Julian Kreiger, the attorney campaign manager of the Judge, also a friend of the Miami Herald, plus his use of an endorsement by Tillman Pearson, retired Third District judge, then still presiding from time to time on this Court and other appeal courts, and other issues such as obtaining endorsements from political figures who never heard of him previously. Had I been the ACLU the case would have proceeded on those issues, but with the courthouse entanglements it became obvious it could not be pursued before a fellow judge.

This Court has denied review of the outrageous award of attorney fees in that case in breach of established law, upheld by the Third District panel containing two new judges.

CONCLUSION:

An outstanding person has been attacked by a collection of unqualified incompetent and irresponsible attorneys who should never have been permitted to become lawyers. Warren Stamm, Jacqueline Needleman, Randi Clayman Lazarus should be disbarred.

They should never be permitted to go on to represent clients in the future. The invasion of on-going lawsuits to the detriment of my clients and my reputation with judges while they sought to find charges against me, and conspiracy with opposing counsel in those cases is sufficient of a lack of responsibility to be attorneys. Speak about civil rights?

Robert M. Klein and his other office attorneys Ilisa Hoffman and Debra Snow, no matter how much the latter has made an impression on this Court as an appeal lawyer, all use misrepresentation of facts and law and failed to research law to know what the case they were defending was about. They should be disbarred, not penalized in any other way, because they cannot change their behavior. They use influence on the courts.

Julie Feigeles practices law by getting judges to support her incompetence. Both she and Dianne Van Ness of the firm of Mishan, Sloto and Hoffman behave as I have never seen lawyers behave in a court of law until the last few years with this new breed of young lawyers who will do anything and have no integrity. They apparently have been successful in having attorneys sell out their clients to them in cases rather than following the facts and law. As I review the prior cases of my clients I see that other lawyers did in fact sell them out, to these lawyers, lawyers who want apparently to be rewarded in other ways by these women who have networked themselves into positions of importance.

As Respondent has previously advised this Court their client, Professional Savings Bank, has been taken by Federal regulators.

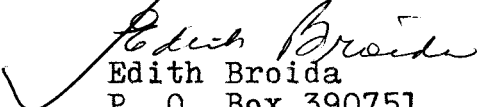
The Third District in an appeal has sanctioned two lawyers of the Mishan firm for misrepresentation of their case in trial court, obtaining a default judgment without cause.

Robert M. Klein's client, Samuel S. Smith, a member of the law firm Ruden, Barnett of which Terrence Russell is also a member, is in a firm which has been sanctioned by the Federal court in a case in which they withheld important evidence. The sanction for millions of dollars. The deceitful legal practice of Samuel S. Smith has not yet been sanctioned by a court, except back many years when he was not yet the favorite of probate judges and before he became President of the Bar, and in a case before Judge Gene Williams in General Jurisdiction in Dade County he was accused of a fraudulent Memorandum of Law. He has never stopped such fraudulent misrepresentation, and deceit.


Samuel S. Smith should be disbarred. Julie Feigeles and Dianne Van Ness should be disciplined, although I doubt they will ever understand what they are really doing in their cases other than making fees for themselves.

Who is going to protect clients from being represented by dishonest lawyers? Who is going to protect the judicial system from such unworthy so-called lawyers who are in fact dangerous? Respondent plans to pursue a course of attempting to correct these inadequacies and has already begun.

Respectfully submitted,


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It is certified a copy of the foregoing was mailed to John Boggs, Florida Bar, Tallahassee, Fla., 32399.



* In the 50's many young people from middle and upper class families developed a new group of runaways.