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CLERK, SUPREME COURT

Chief Deputy Clerk

IN THE SUPREME COURT OF FLORIDA (Before a Referee)

THE FLORIDA BAR,

Supreme Court Case

No. 90,604

Complainant,

The Florida Bar File No. 96-71,079 (11H)

VS.

ALBERT LOUIS CARRICARTE,

Respondent.

RESPONDENT'S SUPPLEMENT TO THE RECORD ON APPEAL - REPLY BRIEF

ALBERT L. CARRICARTE Attorney for Respondent Florida Bar No.: 012235 8851 SW 62 Terrace Miami, FL 33173-1615 Tel.: (305) 596-9383

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	OK. 0-10
06-25-89 Metro-Dade Police Department Offense - Incident Report	SR. 11-16

LIST OF THE LIES TESTIFIED TO UNDER OATH BY THE COMPLAINANT, MICHAEL A. CARRICARTE, TO THE FLORIDA BAR ON JANUARY 7, 1997 AND AT MY FINAL HEARING ON JUNE 4, 1998

LIES TOLD BY MIKE CARRICARTE IN HIS JANUARY 7, 1997 SWORN STATEMENT TO THE FLORIDA BAR WHICH WAS TAKEN PERSONALLY BY BRANCH STAFF COUNSEL BILL J. HENDRIX AND ASSISTANT STAFF COUNSEL RANDI LAZARUS, WHO WERE NOT INVOLVED IN THIS CASE, AND NOT BY THE ASSIGNED BAR COUNSEL

	LIE TOLD BY MIKE	PAGE
1.	That I threatened and/or discussed former Assistant Bar Counsel Rhonda Lapin	5-8
2.	That the luncheon meeting was called at my insistence	9
3.	That I ranted and raved about Rhonda Lapin	10
4.	That I used expletives about the Florida Bar	10
5.	That I am on "every prescription drug and maybe not prescription drugs, too."	10
6.	That I take uppers to get up in the morning and downers to go to sleep.	10
7 .	That I threatened his kids and his grandchild	11
8.	That I am not capable of performing day-to-day functions	12
9.	That I pull guns on people where I live	14
10.	That the State Attorney has two sealed envelopes on Segredo	14
11.	That I made threats against his kids	15
12.	That Mike has offices overseas	15
13.	That I have thirty, forty guns	15
14.	That I will end up in a tower one day	15-16
15.	That I am always telling people that I can put the whole magazine of my pistol if I were here in	

	this deposition, I would have shown you my gun	16
16.	That Mike has court reports where judges have said to me, "I'm going to put you in jail, Mr. Carricarte."	16
17.	That I wrote a letter that I think I have Ninjas after me	17
18.	That the man that I described as a man his kids took karate classes from maybe six or seven years ago was going to send an affidavit to the Florida Bar	17
19.	That I need to be institutionalized	18
20.	That I called Mike and threatened to kill his son	18
21.	That I was going to kill Mike's Tae Kwon Do expert	18
22.	That the Florida Bar has a real concern for Rhonda Lapin's safety	19
23.	That Mike would pay for my getting help	19
24.	That I have had employees working at Mike's office	19
25 .	That we shut down Mike's computers	19
26 .	That Segredo can get into Mike's computer	20
27.	That a prosecutor sent a thing to the Bar years ago saying that I should not be practicing law	21
28.	That Mike has gotten over 500 pages of faxes from me	23
29.	That I had taken my weapon out at Mike's office when I thought there was a burglar or somebody molesting down there	24
30 .	That Mike doesn't recall that in the ongoing litigation there was an evaluation ordered on me	24-25
31.	That there was an evaluation of Mr. Segredo that said that he was a con man and a thief	25
32.	That I use prescription drugs for which I do not have prescriptions	27

33.	That I said that I was going to kill one of Mike's kids (Mike's problem in telling that lie to the police is that my phone number did not appear on his caller ID be- cause no such call was ever made.)			
34.	That I tell people that I am fully armed before a deposition	29 32		
35.	That my former attorney, the late Steve Kogan, had to get some attorneys to fix up the thing	32		

NOTE TO THE FLORIDA SUPREME COURT: The Complainant, Michael A. Carricarte, told thirty-five (35) five lies under oath to the Florida Bar in his sworn statement of thirty-two (32) pages, or more than on (1) lie per double-spaced page.

LIES TOLD BY MIKE CARRICARTE IN HIS SWORN TESTIMONY AT MY FINAL HEARING BEFORE THE REFEREE ON JUNE 4, 1998

	LIE TOLD BY MIKE	PAGE
36.	That during my employ with Mike, I had access to his client and agency lists	7
37.	That I terminated myself in late December, 1994	7
38.	That I called Mike in late December, 1994 (I did not speak to Mike at all after he fired me on 12/26/94 until he telephoned me on or about July, 1995)	8
39 .	That I ranted and raved at Mike	8
40.	That I stated that it would be a cold day in hell before Mike saw that money again and that I was going to keep the money	9
41.	That I said that Mike would never see that money again	9
42 .	That Mike finished a statement saying that we were	

	doing this under duress	11
43.	That I stated to Mike that it would be a cold day in hell before I would return his funds that I was holding in my trust account	12
44.	That I said that I did not care if Mike turned me over to the Florida Bar because by that time I would have spent the whole deposit of approximately \$110,000	12
45 .	That I said that I would financially negotiate his company's database with his competitors (This is the <u>very same</u> database that Mike has <u>not</u> asked me to return for nearly four (4) years)	13
46.	That I sent Mike a fax in which I said that I was going to be waiting for him in Venezuela	15
47.	That Mike told the truth, the whole truth and nothing but the truth in everything that he testified to in this Bar complaint	41
48.	That to the best of Mike's knowledge he did not tell any lies in any of the testimony that he had given in this Florida Bar complaint	41
49.	That Mike told the truth, the whole truth, and nothing but the truth in every written statement or affidavit that he submitted in this Florida Bar complaint	42
50 .	That I sent Mike 500 faxes	43
51.	That when Mike said 500 pages, he did not mean 500 different faxes	44
52 .	That the State Attorney's Office has two sealed indictments against Arnold Segredo, one of which is for murder	47
53 .	That I told Mike after the last deposition that there's two sealed indictments and one was for murder	48
54.	That I told Mike that if he kept fooling around with Segredo or me, the same thing would happen to him	48
55.	That Segredo bragged about a murder indictment	49

56.	6. That a lady at the State Attorney's Office told Mike that there are two sealed envelopes on Segredo				
57 .	That the State Attorney's Office has a sealed envelope on me	49			
58.	That I said to Mike that if he really knew what Segredo's envelopes were about, Mike would not be fooling with Segredo because one of them, a person got killed and the same thing could happen to Mike or his kids	50			
59.	That there are two envelopes that the State Attorney has on Segredo and there's one on me	50			
60.	That the State Attorney has two sealed envelopes on Segredo, and one is for murder	51			
61.	That someone at the State Attorney's Office absolutely told Mike that they had sealed envelopes on Segredo and me	52			
62 .	That Segredo told Mike "that they had found a person in a canal and that the F.B.I. and the State Attorney had gone to see him and he said one of those envelopes is for murder." (This <u>hysterically delusional lie</u> is a quote from Mike's sworn testimony.)	52			
63.	That Mike has court reports where judges have said to me: "I'm going to put you in jail, Mr. Carricarte."	53			
64.	That Dade County Circuit Judge David Tobin told me: "I'm going to put you in jail, Mr. Carricarte."	53			
65 .	That Dade County Circuit Judge David Tobin told me: "Before this thing is over, you will see the inside of a Dade County Jail."	53-54			
66.	That I told Mike in one of my faxes: "Judge Tobin threatens to throw me in jail."	54			
67.	That I said in one of my faxes how unfair it is, that Judge Tobin is going to throw me in jail	55			
68.	That there was a court ordered evaluation in the ongoing litigation that said that Arnold Segredo is a con man and a thief	59			

69 .	That Adorno & Zeder has that evaluation	59			
70 .	. That Mike has no idea when I stole his computer database that is worth millions				
71.	That on or about the end of December, 1994 I stated to Mike that I had a private and sensitive company database that his competitors would get, so he had to negotiate and not only would I keep the deposit, but I would financially negotiate his company database with his competitors." (This is the very same database that Mike has not asked me to return for nearly four (4) years)	63			
72.	That I had the use of the information detailed in number 70, supra, on or about the end of December, 1994	64			
73.	Mike <u>swore</u> in his first lawsuit me against that there was a secret computer password for access to the computer database and <u>now swears</u> that is <u>not</u> 100 per cent true	68			
74.	That Mike does not know whether I stole the database	68			
75 .	That I sent Mike the database	69			
76.	That I extorted \$25,000 from Mike on or about January 6, 1995	70			
77.	That Mike signed our severance pay agreement of January 6, 1995 under duress (the agreement in which Mike wrote that the wished me "the very best")	71			
78 .	That Mike signed the top part of our severance agreement under duress but that he wrote that he wished me the very best and had intentions of only helping me at the bottom with a good heart	73			
79.	That I was making all kinds of death threats against Mike and his family in the last week of December of 1994 and also in 1995, 1996, 1997 until May of 1998	74-7			
80.	That Mike had reported many of these death threats to the police (Mike failed to produce a single police report at my final hearing despite the subpoena duces tecum that was served upon him)	75			

81.	81. That there are police <u>reports</u> where Mike called the police to report threats made by me against his kids (There is only the phony report that he made on or about December 14, 1996)		
82.	That the injunction in the ongoing litigation states that I could not make threats against Mike	77	
83.	That in the last three and a half years, I made 10, 12, 15 threats against Mike or somebody	79	
84.	That I have called Mike to say: "I'm going to kill your kids."	79	
85.	That the aforesaid threats were made on a monthly basis	79	
86.	That Mike never had conversations with me because of the flame throwing where I say filthy words on the telephone and hang up	81	
87.	That at our luncheon meeting of December 12, 1996, I started unzipping my pistol bag in a crowded restaurant with about 60 people around us	82	
88.	That I put my hand on the zipper which I had to remind Mike that it was a cocked, locked .45	83	
89.	That I put my hand on my gun while in a crowded restaurant surrounded by about 60 people	84	
90.	That Mike never saw Tae Kwon Do Master Diego Perez sitting at the table next to ours at our lunch- eon meeting of December 12, 1996	85	
91.	That I have some chemical imbalance	85	
92.	That Mike did not hire Diego Perez to ambush me outside my home on December 14, 1996	86	
93.	That I leave my gun by the shower	87	
94.	That I sleep with my gun (This is sheer hysteria - Does Mike also contend that I use my gun as a pillow?)	87	

95.	That I told Mike that my gun is always loaded				
96.	That I <u>showed</u> my gun around Mike's office two or three times a month	89			
97.	That I let everybody know that I was totally armed at all times	89			
98.	That I <u>showed</u> my gun around Mike's office approximately 200, 300 or 500 times while working around 120 employees	90			
99.	That I could not enter a meeting unless I had my gun case with me	90			
100.	That Mike told me that I was not to talk to his employees with my gun case	90			
101.	That Mike didn't say that I was <u>showing</u> my gun (<u>This lie totally contradicts</u> Mike's <u>lie #96</u> and <u>lie</u> # <u>98</u> , above, and <u>lie #104</u> , below. How can anybody believe <u>anything</u> that Mike says under oath?)	91			
102.	That I went around reminding everyone that I had a gun case and a gun was in it	91-92			
103.	That I always insinuated that I was fully armed	92			
104.	That I both <u>displayed</u> and insinuated my gun	92			
105.	That I would put my gun case there and I would start the meeting by saying: "Nobody touch this because there is a locked, cocked .45 pistol. Don't touch it."	93			
106.	That there are a lot of Amedex offices around in Latin America (That is a lie because Mike only has <u>agents</u> and not <u>offices</u> outside of Miami)	95			
107.	That Mike's company services and insures a million people in Latin America with four (4) underwriters	96			

supplement to the record on appeal reply brief

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	On 06-27-89 1500) hrs the victims	Brother-in-	Law.contacted.	this invest	igator and	advised					
	On 06-27-89 1500 hrs the victims Brother-in-Law contacted this investigator and advised of the facts in this case as they related to the victim and her husband involvement.											
	On 06-28-89 2000 hrs this investigator responded to the victims residence and spoke											
	with all parties	involved and ver	ified all th	e information	in the orig	inal report	. •					
	on 06-29-89 1730 hrs this investigator responded to the subjects/victims residence and											
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ž	Officer(s) Reporting			ID. Humber(e)/Locator			Dete					
STRAT	Det R Stankiewicz	12 100	O C Montage To	2715-54	56 Assigned To	ا ا حسیع	7-1-89					
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy was mailed to Cynthia Lindbloom, Bar Counsel, The Florida Bar, 444 Brickell Avenue, Suite M-100, Miami, Florida 33131 and to John Anthony Boggs, Staff Counsel, The Florida Bar, 650 Apalachee Parkway, Tallahassee, Florida 32399-2300 this 12th day of December, 1998. I further certify that the size and style of type used in the Respondent's Reply Brief is 12 point Arial Rounded MT Bold.

ALBERT L. CARRICARTE

certificate of servicesupplement to the record on appeal reply brief