

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

Case Nos. SC94965 and SC 00-801
TFB Files Nos. 1998-00,138(4A) and
1999-01,339(4A)

JOHN NEWMAN BRYANT
Respondent.

ANSWER BRIEF

JOHN N. BRYANT, Esquire
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**PRELIMINARY STATEMENT AND STATEMENT
OF THE CASE AND FACTS**

The appellee, John Newsman Bryant who will be referred to as Mr. Bryant and the appellate, The Florida Bar as the Bar. The Bar having never provided the appellee as copy of the transcript, one will not be referred to. Mr. Bryant accepts the facts as found by the Referee in his report dated November 14, 2000. Mr. Bryant further accepts the Recommendation as to disciplinary measures to be applied again as recommended by the Referee on November 14, 2000 with the exception of paragraph three (3) - payment of costs.

SUMMARY OF ARGUMENT AND ARGUMENT

Based upon the affidavits filed by the Bar for costs, the referee has totaled the original affidavit from the Bar in the amount of \$1,534.90 in Case No. SC94965 and \$3633.17 in Case No. SC00-801 for a total of \$5168.07. However, the undersigned believes that the second figure of \$3633.17 in costs was in both cases the amount from the Bar wherein it had already combined the expenses claimed, and therefore the referee was in error in totaling same. The total therefore of costs to be assessed, if you believe all of these expenses are correct and legitimate, would be \$3633.17).

However, the undersigned takes issue with the Florida Bar claiming all these expenses without presenting any statements, bills or receipts to substantiate same. The Bar claims \$750.00 administrative fee which Mr. Bryant does not dispute. Furthermore, Court Reporter fees and transcripts of \$177.50 are not out of line, assuming they would have won the entire case. However, Bar counsel travel expenses (did Mr. Watson stay in the Adams Mark at eat at Ruth Chris both nights?) Would seem to be out of order. Again, there is also no explanation for the investigative costs, witness expenses or photocopying costs listed in the affidavit which the referee evidently took as fact.

Wherefore the undersigned requests that this Honorable Court approve

the report of the referee dated November 14, 2000 with the exception of those costs which are assessed against the undersigned.

John N. Bryant, Esquire
Respectfully Submitted

CERTIFICATE OF SERVICE

I **HEREBY** certify that a copy of the foregoing has been furnished to James Watson, Jr., Esquire, the Florida Bar, 650 Apalachee Parkway, Tallahassee, Florida 33299-2300 by mail this ____ day of April, 2001.

Attorney

CERTIFICATE OF TYPE, SIZE AND ANTI SCAN

Undersigned counsel does hereby certify that the Answer Brief of The Florida Bar v. John Newman Bryant is submitted in 14 point proportionately space Arial font, and that the computer disk with this brief has been scanned and found to be free of viruses, by Norton AntiVirus for Windows.