

**IN THE SUPREME COURT OF FLORIDA
(Before a Referee)**

THE FLORIDA BAR,

**Supreme Court Case
No. SC19-983**

Complainant,

v.

**The Florida Bar File
No. 2018-90,035(02S)**

**JONATHAN STEPHEN
SCHWARTZ,**

Respondent.

_____ /

**RESPONDENT'S MOTION TO LIFT STAY OF REVIEW
OF REPORT OF REFEREE**

The Respondent, Jonathan Stephen Schwartz, pursuant to Article V, Section 15 of the Constitution of the State of Florida, and Florida Rules of Appellate Procedure 9.300, hereby files this Unopposed Motion to Lift Stay of Review of Report of Referee.

1. On October 16, 2020, the Honorable Lizzet Martinez filed her Report of Referee in this Florida Bar disciplinary action. The Referee found Respondent guilty of misconduct justifying disciplinary measures and recommended a ten (10) day suspension from the practice of law. On December 4, 2020, Complainant, The Florida Bar filed a letter with the Clerk of Court indicating that it will not file a notice of intent to seek review of the report of referee.

2. Also on October 16, 2020, the Honorable Lizzet Martinez filed her Report of Referee in case number SC17-1391, a separate Florida Bar disciplinary action. The Referee also found the Respondent guilty of misconduct justifying disciplinary measures and recommends a 90-day suspension from the practice of law followed by a one (1) year term of probation with conditions. On December 4, 2020, Complainant, The Florida Bar filed a letter with the Clerk of Court indicating that it will file a notice of intent to seek review of the report of referee. On December 14, 2020, Complainant, The Florida Bar filed its Notice of Intent to Seek Review of Report of Referee. On December 15, 2020, Respondent filed his Notice of Intent to Seek Review of Report of Referee.

3. The Report of Referee in case number SC19-983 recommended that the ten (10) day term of suspension be served concurrently with the ninety (90) day term of suspension in case number SC17-1391.

4. While the appeal in case number SC17-1391 was pending, Respondent filed an Unopposed Motion to Stay Review of this case until this Court rendered its opinion in case number SC17-1391. On December 17, 2020 the stay was granted.

5. On February 17, 2022, this Honorable Court issued its opinion in case number SC17-1391, ordering that Respondent be suspended from the practice of law for a period of three (3) years, effective March 21, 2022.

6. Accordingly, the Respondent moves this Honorable Court to lift the stay of review of the report of referee filed on October 16, 2020 in this matter and enter an Order lifting the stay, approving the report of referee and imposing the ten (10) day suspension, effective March 21, 2022, to run concurrent with the suspension in case number SC17-1391.

7. Barry M. Wax, Counsel for the Respondent hereby certifies that he has discussed the foregoing Motion for Stay of Review of Report of Referee with Jennifer Falcone, Bar Counsel who does not oppose the relief requested.

WHEREFORE, the Respondent, Jonathan Stephen Schwartz moves this Honorable Court to grant this Unopposed Motion to Lift Stay of Review of Report of Referee.

Respectfully submitted,

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Barry M. Wax

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CERTIFICATE OF SERVICE

I certify a true and correct copy of the foregoing was emailed on this 18th day of March, 2022 to:

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