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## Rotten apples guard The Bar's orchard

By Lesley Winston  
January 5, 2010

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The recent charges of criminal behavior against attorney [Scott Rothstein](#) leave no doubt that he is a bad apple in the "orchard" of the Florida Bar. Unfortunately, there are a substantial number of lawyers just like him still practicing law in Florida, under the control of the Florida Bar. Mr. Rothstein's actions bring to question the Florida Bar's inability to protect Floridians from unethical behavior by one of its members. It seems that the hierarchy of the Florida Bar is only protecting its own interests, and the interests of certain members.

Jesse Diner, president of the Florida Bar, recently used the "one rotten apple" approach to protect the Bar's image. What Mr. Diner failed to mention is the ethical violation and conflict of interest that exists between the Florida Bar, a state agency, and Florida Lawyers Mutual Insurance Company, a private, for-profit attorney malpractice insurance company.

The conflict lies with John Harkness acting as the executive director of the Florida Bar as well as a director of FLMIC. The meshing of these two groups is unethical and leaves the door open for corruption. This special, incestuous relationship protects rogue lawyers who purchase legal malpractice insurance from FLMIC. This conflict of interest leaves Floridians unprotected and vulnerable.

As a director of Baron's Stores Inc., I have witnessed how this incestuous relationship has caused Baron's to be embroiled in a legal malpractice lawsuit against three South Florida attorneys for more than a decade. The attorneys are insured by FLMIC and Great American Insurance Co. The law firm of Greenberg Traurig is counsel for the Florida Bar and also represents the insurers. This conflict of interest aids and abets the insurers to violate federal anti-trust laws and violate Florida insurance law.

Recently, the Florida Supreme Court unanimously granted [Gov. Charlie Crist](#)'s petition to create a statewide grand jury to investigate the corruption of state and local officials as well as judicial misconduct, conspiracy and abuse of power within the Florida legal system. Floridians can only hope that Gov. Crist and Florida Attorney General [Bill McCollum](#) will finally begin to restore order.

No wonder the American Tort Reform Association has once again named South Florida the No.1 judicial "hellhole" in the nation.

Scott Rothstein is "one rotten apple" in the bunch, but the Florida Bar will never launch any serious investigation into matters that can cripple the organization because the "rotten apples" are the ones guarding the entire "orchard."

Lesley Winston is director of Baron's Stores Inc. in North Miami.

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The Florida Bar is in a 12 Count, 12 Trillion Dollar RICO Lawsuit legally related by Judge Shira A. Scheindlin of the US Dis Court NY to a Whistleblower inside the New York Supreme Court Appellate Division First Department Departmental Disciplinary Committee. The Florida Supreme Court and Jorge Labarga are also named defendants. Proskauer Rose is the Center of the Lawsuit and they are also at the center of the Allen Stanford Ponzi, coaching employees on how to lie to the feds. They are being sued for entire Stanford losses in class action. Wonder if the Florida Bar and Proskauer are reporting these liabilities to state and private auditors. For more info www.iviewit.tv

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