

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Supreme Court Case
No. SC-

IN RE:

THE PETITION FOR DISCIPLINARY
REVOCATION OF ROBERT LOUIS
SPALLINA

The Florida Bar File
No. 2016-51,044(15E)FDR

Petitioner.

**PETITION FOR DISCIPLINARY REVOCATION WITH LEAVE TO
APPLY FOR READMISSION**

COMES NOW the Petitioner, Robert Louis Spallina, and submits this
Petition for Disciplinary Revocation pursuant to Rule Regulating Fla. Bar 3-7.12
and states:

1. Petitioner knowingly and voluntarily submits this Petition with full
knowledge of its effect.
2. Petitioner is fifty-one (51) years old and has been a member of The
Florida Bar since September 13, 2001, and is subject to the jurisdiction of the
Supreme Court of Florida and the Rules Regulating The Florida Bar.
3. Petitioner has no prior disciplinary history and no known criminal
charges pending.

4. The Petitioner is currently the subject of three (3) on-going disciplinary matters described as follows:

A. The Florida Bar File Nos. 2016-50,293(17H) and 2016-50,862(17H)

1. Petitioner was a principal in the law firm of Tescher & Spallina, P.A.
2. Petitioner, another attorney and an accountant misappropriated confidential information concerning the impending acquisition of the pharmaceuticals company, Pharmasset, Inc. (Pharmasset) by trading in advance of the public announcement of the acquisition on November 21, 2011.
3. In a meeting on November 8, 2011, Petitioner obtained confidential information from his client, a member of the Pharmasset's Board of Directors (Board Member), concerning the sale of his client's shares to another company.
4. Petitioner shared this confidential information with two friends and used the information to his advantage by buying shares and later selling them to gain an illegal profit of Thirty-Nine Thousand One Hundred Fifty-Six Thousand and 00/100 dollars (\$39,156.00).

5. As a result, civil charges were brought against Petitioner in a case styled *Securities and Exchange Commission v. Robert L. Spallina, et al.*, for violating federal securities law to which Petitioner admitted to insider trading.
6. Petitioner was criminally charged and pled guilty to securities fraud in violation of 15 U.S.C. §§78j(b) & 78ff, 17 C.F.R. §240.10b-5, and 18 U.S.C. §2 and agreed to forfeit to the United States the sum of Thirty-Nine Thousand One Hundred Fifty-Six and 00/100 dollars (\$39,156.00) in the case styled *United States of America v. Spallina*, Case No.16-CR-00269-AET-1. Petitioner, with conditions, was sentenced to two (2) years of probation and ordered to pay a Five Thousand and 00/100 dollars (\$5,000.00) fine.

B. The Florida Bar File No. 2014-50,885(15E)

1. Petitioner added a paragraph to his client's Trust Amendment after the client was deceased in an effort to comply with the client's wishes.
2. The Trust Amendment was presented to the Court by another attorney at which point Petitioner admitted to his wrongdoing.

5. This revocation will not adversely affect the public interest, the purity of the courts, nor hinder the administration of justice nor the confidence of the public in the legal profession.

6. The Petitioner agrees to reimburse The Florida Bar for the costs incurred in his disciplinary cases.

7. The Petitioner shall notify the Bar of any change of address during a two (2) year period to be computed from the date of the entry of this Court's order accepting this Petition for Disciplinary Revocation. Further, the Petitioner shall keep the Bar advised as to the physical address of Petitioner's home and/or business in the event the Petitioner should utilize a post office box or other type of mail drop service.

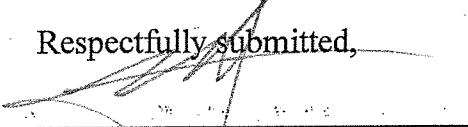
8. The Petitioner understands that the granting of this Petition by the Supreme Court of Florida shall serve to dismiss all pending disciplinary cases.

9. The Petitioner agrees to immediately cease transacting any funds unless approved by the Supreme Court of Florida and not to accept any new clients. The Petitioner further agrees to immediately begin winding down his practice, to give notice to all affected clients, and to cease ALL representations within thirty (30) days of executing this Petition for Disciplinary Revocation.

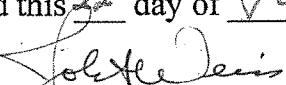
WHEREFORE, the Petitioner respectfully requests this Honorable Court to grant the Petition herein as follows:

That the Petitioner's membership in The Florida Bar be revoked, with revocation to take effect in thirty (30) days to allow Petitioner time to close out his practice and for the entry of any other and further order as this Court deems proper under the circumstances.

Respectfully submitted,


Robert Louis Spallina
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Dated this 22 day of July, 2016.


John A. Weiss
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Dated this 22 day of July, 2016.

CERTIFICATE OF SERVICE

I certify that this document has been E-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida with a copy provided via email to Bar Counsel, Randi Klayman Lazarus at rlazarus@floridabar.org; using the E-filing Portal and via United States Mail to John F. Harkness, Jr., Executive Director of The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300 and via email to Staff Counsel at aquintel@flabar.org on this 25th day of July, 2016.


John A. Weiss