



# INTER ALIA

DECEMBER 2014/JANUARY 2015

NEWSLETTER OF THE MANATEE COUNTY BAR ASSOCIATION

## The American Lawyer



We start anew in 2015, leaving behind a holiday season in which we first offered thanks, followed by a period of giving and reflection, then resolved to do better in the coming year. As lawyers, we are thankful for the privilege of practicing law, and the right to follow great America lawyers – both those in history and those practicing among us. Lawyers great and small have made historic and more modest but no less

important contributions and sacrifices.

A patriot-lawyer who would become our second President took on an unpopular cause by representing British soldiers accused of killing five colonials in the Boston Massacre. By taking the disfavored case in the name of justice for all, it is estimated that his law practice was decimated by more than half. The lawyer went on to spearhead political and diplomatic efforts crucial to success in the American Revolution. Through his life he sowed a tradition among lawyers to put service above self.

The above lawyer's son, our sixth President, famously won the freedom of fifty-three kidnapped Americans sold into slavery in the Amistad case. A chip-off-the-old-block, he championed the cause of helping those with great obstacles to helping themselves.

A country lawyer later became President, prevented the unraveling of the country in the Civil War, and created a model of leadership that will endure forever.

Lawyers made great sacrifices and contributions toward creating equal rights for women and racial equality when such causes appeared most hopeless. Years later, an African-American woman served as Secretary of State.

Lawyers have worked tirelessly over the last quarter-century to assist veterans and the disabled, and to rectify the injustice of persons wrongfully incarcerated.

In 2014, approximately 30,000,000 pro bono hours were logged by attorneys throughout the United States. Local attorneys gave back to the tune of 6,500 hours through Legal Aid of Manasota.

Recently, an attorney who practices in Sarasota worked with the U.S. State Department to force the return of a child illegally removed by a parent to Ecuador. Thanks to these pro bono efforts, the child is now safely at home with her father in the United States.

Last year, a local attorney headed an annual drive to provide turkey dinners to 300 needy families. He missed his target: he helped 325.

A Manatee law firm recently topped the \$100,000.00 mark in scholarship contributions to local students.

Such efforts are examples of a more generalized, pervasive spirit of service by lawyers throughout the 12th Circuit.

In 2014, the Manatee County Bar Association organized community projects and events, including renovation of a local homeless facility to allow construction of a new medical clinic, and a civics education partnership with the Manatee County public schools.

Over the past several months, the Manatee County Young Lawyers Division volunteered to assist veterans, and helped migrant workers to learn English through *Project Light*. Some of these lawyers experienced the privilege of pro bono service for the first time.

Lawyers every day throughout Manatee County devote their personal time to helping clients and others at their own expense without formal pro bono recognition. They serve as directors and volunteers for not-for-profit organizations, and otherwise give their personal time and money to important causes.

The great tradition of the American Lawyer continues. *Paul F. Grondahl, Esq. practices in Bradenton. He is Board Certified by the Florida Bar in Marital & Family Law. He serves as an Officer and Director of the MCBA.*



## A MESSAGE OF THANKS

Dear Members of the Bar:

Twenty (20) years as a Circuit Judge. Twenty-two (22) years as a trial lawyer. White hair. This adds up to one thing...it's time to retire. I know the traditional route has usually been to have a "farewell" dinner. Unfortunately, that's just something I would never be comfortable with.

However, I did not want to end my career without having thanked the members of The Florida Bar practicing in the 12th Judicial Circuit. It has been an honor and a privilege to sit as a Circuit Judge. That job was made much easier by the professionalism and high competence of the many attorneys who have appeared in front of me over the years. I have also truly benefitted from my interactions with the wonderful staff of the various offices and programs that work with the Court.

It is with mixed feelings that I say "goodbye" to all of you. I look forward to retirement, but will deeply miss the relationships.

Thanks to everyone!

*Robert W. McDonald, Jr.  
Circuit Judge*

## NEXT MEETING

**FEBRUARY 25, 2015**

12:00 Noon - Pier 22

Special guests: Visiting from the Second DCA will be Judge Doug Wallace, Judge Nelly Khouzam and Judge Robert Morris.

Speaker & Topic:

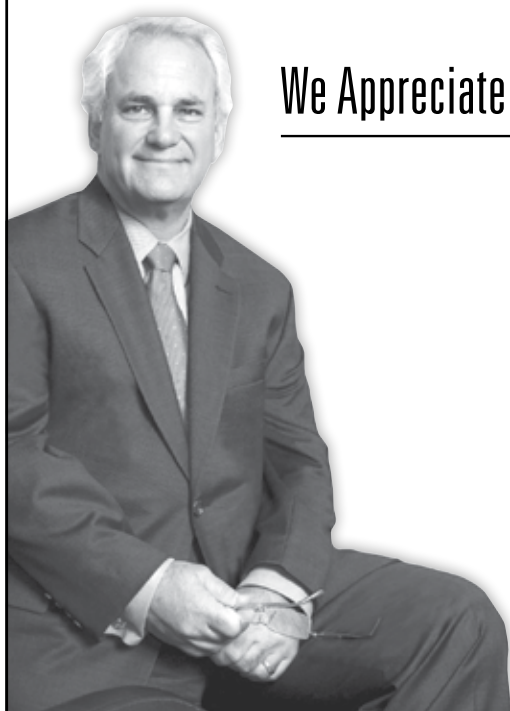
Susan M. Atherton, CPA, CFP Director of Charitable Legacy, Planning and Development  
Manatee Community Foundation

## Manatee YLD Earns Florida Bar YLD Affiliate Grant Funds

Members of the MCBA Young Lawyers Division Board met recently to celebrate their award of two grants from The Florida Bar. The funds will support year their Holidays All Year Long public service project, which will provide a holiday-themed party for at-risk children in the Big Brother & Big Sisters program and for their Java with the Judges project, in which new lawyers are introduced to the operations of their local courthouses through tours, interactions with judges, and a look at behind-the-scenes work.



Pictured R to L: *Jay Horne*, Treasurer – Kallins, Little & Delgado; *Sierra Pino*, Vice-President – Dine Law; *Bryony Swift* – Porges, Hamlin, Knowles & Hawk; *Sean Flynn* – Harrison & Kirkland; *Derek DiPasquale* – Tilden, Prohidney & DiPasquale; *Monica Villaverde-Beck*, President - Law Offices of Monica Villaverde; *Ryan Chapman* – Legal Aid of Manasota; *Ann Breitingner*, Secretary – Blalock Walters; *Amanda Smith* - Blalock Walters; *Aaron Crittenden* – Harllee & Bald; and *Alex John* – Blalock Walters. Not pictured: James Lynch.



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## A LEGEND PASSES

### Judge Lynn N. Silvertooth

*The Manatee County Bar Association mourns the passing of Judge Lynn Silvertooth, who served on the 12th Circuit Court from 1964-1988. The following is the eulogy for Judge Silvertooth, as delivered by Judge Durand J. Adams.....*

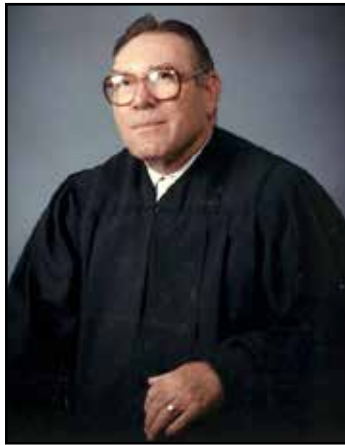
I want to start by making a few observations. Lynn Silvertooth was a simple man who filled up vast quantities of space with his presence. He was a humble man who lived a life filled with great acts of courage and kindness. He was larger than life, but in the end was loved by so many because he had the ability to be one of us. We were all so lucky to have been in the right place at the right time to have had him pass our way. But I believe he would say that he was the lucky one because he loved people so. He was beautiful but maybe not in the conventional way. He did extraordinary things in his life and yet he'd say he was just an ordinary guy.

One of the tough things about talking about Lynn Silvertooth is trying to find the right word to describe what he was and how he lived his life. A word which does both him and his life justice. I have tried, but I can't find it.

I have considered, legendary. Certainly, it does fit. But, Lynn Silvertooth was such an ordinary guy in so many respects that for a man like him the word does not seem to be enough. For Lynn Silvertooth, the word legendary seems almost puny. But, for now, until they invent a better word, legendary will have to do.

So we begin. Judge Lynn Silvertooth was a legendary man who started out in ordinary circumstances. A little about his earlier life. He was born in 1923 in Tennessee but by the time he was three months old he had made his way to Sarasota. He grew up in Sarasota and Bradenton, and as a boy he had a pet alligator which he kept in a pen in his backyard. He attended Bradenton High School where he played on the football team and met a girl named Betty Wilson. They fell in love. After he graduated from high school in 1942, he went to East Mississippi Junior College in Scooba, Mississippi, where he played on the football team. In 1943, at the age of 19, Lynn Silvertooth left school to join the United States Marines. He crossed an ocean to fight in a war that saved the world. He served in the South Pacific until the war was over. After the war, he came home and enrolled in the University of Florida, earning his law degree. More importantly, he also got married to his high school sweetheart, Betty Wilson, who had turned out to be one of the most beautiful girls in the world. He stayed married to her for 68 years, until the day he died. And he loved her every minute of that time. Along the way, he and Betty raised a family and lived their lives, making everything around them a better place.

Now, I want to talk about the legacy of Lynn Silvertooth, the judge. Lynn Silvertooth was a great judge. He had integrity and was respected by everyone. He was very good with young lawyers because he was patient with them and was never abusive. Now make no mistake about it, for a young lawyer, standing in a courtroom and facing a judge as important and physically imposing as Judge Silvertooth could be an intimidating experience. He even looked fearsome, bigger than he actually was, sitting on a bench above everyone else and covered in those black robes. And so, as a young lawyer your heart is pounding when you begin to address the court for the first time and then this man, this great man, puts you at ease by saying, "Relax and take your time, counselor." And then you exhale.



I remember the way he treated everyone with respect, even young and inexperienced lawyers. But there was something else which made Lynn Silvertooth a great trial judge. He never flinched. In 1964, he was appointed to the circuit court bench by Governor Farris Bryant. Very early on in his judicial career he was tested by circumstances on a national scale. In 1967, Sarasota found itself in the crosshairs of one of the most celebrated high profile murder trials of the century. Dr. Carl Coppolino was charged with the murder of his wife and famed defense lawyer F. Lee Bailey was defending him. A media circus was coming to town. Chief Judge Bob Hensley got a call from the Chief Justice of the Florida Supreme Court asking who would take control of the case. Judge Hensley decided to appoint Judge Silvertooth to handle it. Over a hundred members of the press swarmed the courthouse during the trial which lasted almost eight weeks. Judge Silvertooth had to manage the trial and the press on his own. He devised a sophisticated system to accommodate the public, and the press, and the rights of the parties to a fair trial. He did his job brilliantly and almost instantly became known as a champion of public access to the courts and was acknowledged to be an expert on the difficult subject of balancing the delicate issues of the right to a fair trial and the rights of a free press. Judge Silvertooth did not learn these principles by studying them in any school. He learned them in the crucible of a courtroom lit up by the white heat of a trial being conducted under intense national scrutiny, and in that heat he never flinched.

Lynn Silvertooth was always known as a fair judge. Part of his gift was that he had the wisdom to understand from the beginning that every man deserved a fair trial. And that some deserved a second chance and if it were deserved he was willing to give it to them. As tough a judge as he could be when necessary, he had a great well of compassion too. He was, in his own way, a romantic because he believed in the best parts of men. He had compassion, but he did not hold a romantic view of what his responsibilities were. As a trial court judge, he'd say, "You've got a job to do, and you do it. It's that simple." Partly as a result of the way he deftly handled the Coppolino trial, and because of the respect he had earned, Judge Silvertooth was later appointed by the Florida Supreme Court to go down to South Florida to preside over what became known as the Miami Market Connection cases. These were criminal cases involving allegations of corruption brought against judges and other public officials in South Florida. As you can imagine there was enormous public interest in these cases which inevitably brought an almost immeasurable amount of stress to the man who had the responsibility to make sure that fair trials were conducted. Facing even more press coverage than the Coppolino trial, Judge Silvertooth had to walk on his own from his hotel to the courthouse every day, surrounded by the media trying to get him to say something about the cases. Now, Lynn Silvertooth loved to talk but he knew he had to be extremely careful about what he said to reporters. So, when he talked to the press on these daily walks between the courthouse

*(Continued on pg. 5)*



## Attorneys Mark Barnebey & Jonathan Fleece Assume Local Leadership Roles

For the first time, the board of directors of both Manatee Chamber of Commerce and Bradenton Area Economic Development Corporation have elected chairs from the same company – Blalock Walters, P.A. With a history of leadership and commitment to both organizations, Blalock Walters attorneys have served as Chamber and EDC past chairs, board and trustee members, and have participated on various development committees over the past 40 years.



**Jonathan Fleece**

**Jonathan Fleece**, Managing Partner of Blalock Walters, P.A., has been elected 2015 Chair of the Manatee Chamber of Commerce Board of Directors. A member of the Chamber's board since 2010, former Chair of Chamber Health Care Committee, and former Vice Chair of Community Development & Communication, Fleece plans to emphasize five leadership initiatives that support the mission of building a positive business environment while enhancing the community's

quality of life: education and workforce development, technology, workforce housing, and member engagement.

"It is an honor and a privilege to serve as Chair of the Manatee Chamber of Commerce," Fleece said. "Over the course of my chairmanship, I plan to focus on advancing the issues that are important to our economy and community. I look forward to serving alongside my fellow board members and the Chamber team, complementing the outstanding work the organization does on behalf of our business community."

"We are excited to have Jonathan as our Chairman of the Board," said Bob Bartz, President, Manatee Chamber of Commerce. "Jonathan has been very involved in the Chamber for many years and the breadth and depth of his knowledge of our organization and the community will serve us well as he leads us to new heights in 2015."



**Mark Barnebey**

The Bradenton Area Economic Development Corporation, the lead economic development organization for the Bradenton Area's nine communities located south of Tampa Bay, has named **Mark Barnebey**, Principal at Blalock Walters, P.A., Chair of the 2015 Board of Directors. Barnebey has been instrumental in the EDC's growth and its independence from the Manatee Chamber of Commerce, becoming its own not-for-profit corporation in 2012. Barnebey has served

on the EDC Executive Committee, as Secretary, and Chair-Elect.

As Chair, Barnebey will oversee the corporation's strategy of bringing greater diversity to the Bradenton Area's economy and aligning the community's assets with business sectors already in Manatee County.

"I look forward to working with the EDC staff and board members to diversify the local economy by attracting and retaining high-wage jobs for area residents, and connecting existing businesses to the resources they need to succeed," said Barnebey. "Considering the strong regional, national and international competition, it is vital for the growth of our community to have a robust economic development arm, like the EDC."

"Mark Barnebey is the right leader at the right time as the Bradenton Area EDC focuses on a strategic planning process in 2015 that will guide the EDC's work for the next several years," said Sharon Hillstrom, EDC president and chief executive officer. "Mark's extensive community knowledge and abiding commitment to enhancing the quality of life in the Bradenton area will continue to be vital qualities in his role as EDC Chair."

### 2nd DCA to hear Oral Argument

in Bradenton Wednesday - February 25, 2015

beginning at 9:30 am

Courtroom 2A - Manatee County Judicial Center.

All members of the Bar are welcome to observe.

## WILL SEARCH

**IDA MARIE CAPALDI**, born in 1922, and last known address in Sarasota, FL died 11.27.14 in Sarasota County. She was unmarried and had no children.

Her known relatives live in NJ and PA and have been unsuccessful in finding her Last Will and Testament. On behalf of the personal representative of the estate, I am searching for a Will and/or attorney.

Please contact **Dana Laganella Gerling, Esq.**, Affordable Attorney, Gerling Law Group Chartered, 6148 State Road 70 E., Bradenton, FL 34203 (941) 756-6600, with any pertinent information regarding this matter.

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*(Judge Sivertooth continued from pg. 3)*

and his hotel, he talked about nothing but fishing all of the time. The corruption trials took a big toll on Judge Sivertooth. Each night when he arrived back at his hotel room, his right hand would be locked into a tightly gnarled grip. But, he did not flinch and he brought the cases to their legal conclusions. And as someone once said, the way Judge Sivertooth handled those cases helped to bring honor back to the court system.

Lynn Sivertooth was a very likeable man. He was a man of great humor. Judge Bob Hensley once said that "Everybody loves Lynn." That became never more evident than when he was sent down to another circuit by the Supreme Court to clear out a backlog of cases which were choking their court dockets. He was on assignment for six weeks and during that time he lived in a trailer park. Every night Lynn would leave court and go home to the trailer park where he would hang out with the trailer park residents, playing cards and swapping fishing stories. He became so popular with everyone there that by the time he left and returned home to Sarasota, they had elected him mayor of the trailer park.

As great a man as he was, as respected a jurist as he was, he was never above the office. He had the common touch. Judge Hensley said that he was a great judge because he liked people and spread goodwill throughout the community for the justice system. Let me tell you just how far that goodwill spread. Once, back in the early days, during a criminal court sentencing session, Judge Sivertooth realized there were not any deputies or jail personnel present to take some prisoners back over to the jail after court had concluded. So he stood up and said, "Men, follow me", and he personally led the men he had just sentenced, some to prison, back to the county jail without incident.

There was never any doubt about who was in charge when Judge

Sivertooth was in the courtroom.

Key West fishing trips...Lynn Sivertooth loved his family and his church and his community and his country. He loved the law and his cat, Garfield. He loved his cigars.

He loved to play tennis and cards. And he loved to fish and to tell stories. When asked to describe the value of Judge Sivertooth to our local judiciary, Judge Bob Hensley said that Sivertooth brought to the bench a wealth of expertise and innumerable fish stories.

For about fifteen years judges Sivertooth, Hensley and Gilbert Smith, all great friends, would go down to Key West on fishing trips. A particular lawyer would always go with them. When asked about the Key West trips, Judge Hensley said that Sivertooth was the best fisherman. When he was asked why they brought a lawyer along with them each year, Hensley said, "to clean the fish."

When everything is said and done, Judge Lynn Sivertooth was not a hard man to figure out. He loved his country and his family and he was fair and honorable and courageous. He is held in great affection by those of us who had the great fortune to have known him and to have worked with him, and to have had him as an example of how to apply justice. Lynn Sivertooth was a good man in every way. He was a monumental judge. He was a Rushmore judge, meaning if there were ever a mountain on which the faces of giants of the law would be carved, Lynn Sivertooth's face would be on it.

To say he will be missed is like saying we will miss the sun and the moon and the stars. In some ways I think of him as a great and beautiful lion. A lion whose heart gave out when he died at the age of 91 on Sunday, November the 23rd at 12:30 pm. He is survived by his wife, Betty, his son, Jim, and Jim's wife, Lisa and their daughters, Nikki and Shelby, his son-in-law, Gordon, and grandsons Robert and James, and by the memory of his beautiful daughter, Sandy.

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# HOLIDAY PARTY 2014

Members of the Bench and the Bar, friends and colleagues gathered last month at the annual MCBA Holiday Party at ArtCenter Manatee in downtown Bradenton. Sponsored again this year by the **Vita Vining Hermann Denton Group** at **Morgan Stanley**, Bar members were most generous in their gifts in support of the Food Bank of Manatee.

## Morgan Stanley



*The men from Morgan Stanley...and friends – Tim Vining, Richard Morris, Jared Hermann, MCBA President Jeff Goethe, MCBA President-Elect Rob Eschenfelder and John Vita*



*Linda Lutz, Bob Hoyle, Roger Lutz and Patty Petruff*



*Elizabeth Lutz, Donna Sobel and Lori Dorman*



*Jason Reid and Renee Carlson*



*Telese & Scott McKay, Steele & Traci Williams, Terri Cromley, Jennifer Fowler-Hermes with Andrea Johnson*



*Judge Susan Maulucci, Joy Leggett Murphy, Andre Perron, Peggy Schurfranz and Linda Harradine*





*Lynn Groseclose, John Harllee & Sharon Groseclose*



*Jim & Kelly Siegfried with Ed Sobel*



*Fred Moore, Scott Rieth and Brian Iten*



*Chris Vining, Richard Morris, Tina Vining, Garret Barnes, Jared Hermann, John Vita and James Lynch*



*Andrea Johnson, Patrick Bryant & Libby McNary*



*Judge Smith and his wife Anita with Roger Lutz*



*Katie & Tom Mott, Matt Bobulsky, Janelle Esposito, Adam Mohammadbhoy, Aaron Crittenden, Paul & Jennifer Grondahl*

## SCF Paralegal Program Celebrates its 40th Anniversary



As the area's oldest and largest provider of education and training for legal support staff, State College of Florida, Manatee-Sarasota's (SCF) Paralegal/Legal Assistant Program recently celebrated its 40th anniversary at Marina Jack in Sarasota. More than 100 SCF administrators, paralegal faculty, advisory committee members, alumni, and paralegals and attorneys from the community attended the event, which was hosted by the Suncoast Chapter of the Paralegal Association of Florida (PAF).

SCF Paralegal Program Manager Suzanne Bechtol thanked the community for partnering with Manatee Junior College, Manatee Community College and SCF since the program began 40 years ago. "Thank you for playing an important role in enhancing students' education by providing rich and meaningful experiences through mentoring, internships and job opportunities. Together, we will continue the tradition of offering an accessible and affordable education to paralegals in our community," Bechtol said.

Circuit Court Judge Charles E. Williams praised SCF's Paralegal Program for its long history of meeting the area's needs for skilled legal assistants. "As a judge, I recognize the very important work you do to support attorneys by preparing paralegals in our community and look forward to the SCF Paralegal Program continuing for 40 years and beyond," Williams said.

Gary Russell, SCF vice president of academic affairs, presented the Still the One Award to SCF Paralegal Program alumna Stella Mason for her contributions to SCF, the community and the paralegal profession. Mason, a paralegal with Shapiro, Goldman, Babboni and Walsh, is a 1989 SCF alumna who performed extensive research and helped develop the college's curriculum. She also served as an SCF adjunct instructor. "SCF professors were so giving and caring that I felt it was important to give back," Mason said. "SCF offers an excellent education to students because it has a pulse on the needs of the community."

Other program participants were Patricia DeRamus, president of the PAF; Marcia Muldoon, certified paralegal, Matthews Eastmoore Attorneys, and president of the Suncoast Chapter of the PAF; Ellen Wile, advanced certified paralegal and president of the Southwest Florida Paralegal Association; Daisy Vulovich, associate vice president of SCF career and technical education; Barry Puett, SCF chair, social and behavioral sciences; and Cassandra Holmes, executive director, SCF Foundation. Dr. Mike Mears, SCF vice president of strategic initiatives, served as the emcee of the event. SCF Paralegal Program partners included Jan Jung, executive director of the Sarasota County Bar Association, SCF Foundation, Sarasota County Bar Association, Southwest Florida Paralegal Association, Legal of Aid of Manasota, Suncoast Chapter of the Paralegal Association of Florida and the Paralegal Association of Florida. Palm Printing of Sarasota generously donated wine glasses etched with the paralegal anniversary logo.



*Pictured L to R: Circuit Court Judge Charles E. Williams; Venice attorney Skip Berg - Chair of SCF's Paralegal Program advisory committee; Jan Jung - Executive Director, Sarasota County Bar Association; Marcia Muldoon - certified paralegal, Matthews Eastmoore Attorneys and President of the Suncoast Chapter of the Paralegal Association of Florida; Suzanne Bechtol - SCF Paralegal Program manager; and Patricia DeRamus - President, Paralegal Association of Florida.*

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*Members of the MCBA Family Law Section met recently with Family Division Judge Dunnigan and Judge Nicholas. Among those in attendance were Steve Johnson, 2014-14 Section Chair; Jack Hawkins, 2014-15 Section Chair & 1988 MCBA President; Judge Janette Dunnigan; Stanley Swartz, 2001-02 Section Chair & 1997 MCBA President; Paul Grondahl, 2012-13 Section Chair.*

## 2015 Judicial Nominating Commission Nominations To Be Made

**Judicial Nominating Commissions:** One lawyer vacancy for each of the 26 JNCs. The Florida Bar has the opportunity to nominate three lawyers for each Judicial Nominating Commission to the Governor for his appointment. Each appointee will serve a four-year term, commencing July 1, 2015. Applicants must be engaged in the practice of law and a **resident of the territorial jurisdiction** served by the commission to which the member is applying. Commissioners are not eligible for state judicial office for vacancies filled by the JNC on which they sit for 2 years following completion of their term.

Applications must be submitted **no later than 5:30 p.m., Monday, March 2, 2015** in the Executive Director's office of The Florida Bar. Resumes will not be accepted in lieu of an application. Screening committees of the Board of Governors will review all JNC applications. The Executive Committee will then make recommendations to the Board of Governors.

Persons interested in applying for any of these vacancies may download the proper application form (there is a specific JNC application) from The Florida Bar's website, [www.floridabar.org](http://www.floridabar.org), or call Bar headquarters at (850) 561-5757, to obtain the application. Completed applications must be received by the Executive Director, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300 by the March 2 deadline date.



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