

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2015-68

**IN RE: REPORT AND RECOMMENDATION
REGARDING CYRUS BISCHOFF
OF AD HOC COMMITTEE ON
ATTORNEY ADMISSIONS, PEER
REVIEW AND ATTORNEY
GRIEVANCE**

FILED by <u>ks</u> D.C. ELECTRONIC
October 23, 2015
STEVEN M. LARIMORE CLERK U.S. DIST. CT. S.D. OF FLA. - MIAMI

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on a Report and Recommendation from the Ad Hoc Committee on Attorney Admissions, Peer Review and Attorney Grievance (the “Committee”) filed pursuant to Rule 3(d) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, with respect to attorney Cyrus Bischoff.

This matter was initially referred to the Committee by letter from United States District Court Judge Robert N. Scola, Jr. dated May 29, 2013, detailing Mr. Bischoff’s lack of candor to the Court and opposing counsel, disrespectful behavior toward Magistrate Judge Alicia M. Otazo-Reyes, and failure to comply with court orders in connection with his representation of the plaintiff in the case of *Margaret Jallali v. USA Funds, West Asset Management, Inc. and Sun Healthcare Group*, Case No. 11-62510-CIV-SCOLA. The Committee appointed a subcommittee to investigate the conduct, which issued a Report on October 4, 2013 recommending that Mr. Bischoff appear before the full Committee.

Mr. Bischoff appeared before the full Committee on April 16, 2014. After careful deliberation, the Committee issued a Report and Recommendation on June 29, 2015, recommending that the Court revoke Mr. Bischoff’s right to practice before the United States District Court for the Southern District of Florida. This Court issued an Order to Show Cause on July 28, 2015, providing Mr. Bischoff a full and fair opportunity to review the Committee’s

recommendation and respond. Mr. Bischoff submitted a response on August 25, 2015.

Pursuant to Rule 3(e) of this Court's Rules Governing Attorney Discipline, the undersigned submitted this matter to the Court for its consideration at a regularly scheduled Judges' meeting held on October 1, 2015. Having reviewed the Report and Recommendation and Mr. Bischoff's response thereto, the attachments, hearing transcripts, and having otherwise considered the matter, by unanimous vote of the Judges in attendance, the Court approved the Committee's Report and Recommendation. Given this background, in accordance with Rule 3(e) and the Court's inherent power to regulate membership in its bar for the protection of the public interest, *see Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991) ("[A] federal court has the power to control admission to its bar and to discipline attorneys who appear before it."),

IT IS ORDERED that said attorney be disbarred from practice in this Court, effective immediately. The attorney may not resume the practice of law before this Court until reinstated by Order of this Court. *See* Rule 9(a). The Clerk of Court shall strike this attorney from the roll of attorneys eligible to practice in the United States District Court for the Southern District of Florida, and shall also immediately revoke the attorney's CM/ECF password.

It is FURTHER ORDERED by this Court that said attorney advise the Clerk of Court of all pending cases before this Court in which he is counsel or co-counsel of record.

IT IS FURTHER ORDERED by this Court that the Clerk of Court serve by certified mail a copy of this Order of Disbarment upon the attorney at his court record address.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 21st day of October, 2015.



Kevin Michael Moore
2015.10.21 15:43:20 -04'00'

K. MICHAEL MOORE
CHIEF UNITED STATES DISTRICT JUDGE

c: All Miami Eleventh Circuit Court of Appeals Judges
All Southern District Judges
All Southern District Bankruptcy Judges
All Southern District Magistrate Judges
United States Attorney
Circuit Executive
Federal Public Defender
Clerks of Court – District, Bankruptcy and 11th Circuit
Florida Bar and National Lawyer Regulatory Data Bank
Library
Cyrus Bischoff