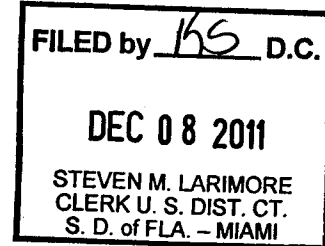


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2011-104

IN RE: WILLIAM SUMNER SCOTT
Florida Bar # 947822



ORDER DENYING SCOTT'S MOTION FOR RECONSIDERATION OF ORDERS 2011-98 AND 2010-124

On November 30, 2011, this Court received a Motion for Reconsideration of Orders 2011-98 and 2010-124 in which the above-named attorney requests a hearing to contest this Court's issuance of reciprocal discipline based upon the allegation that he was not provided notice of the application of the exception in Florida Bar Rule 4-8.4(c) in his state court disciplinary proceedings. Preceding this motion and subsequent to this Court's Order of Reciprocal Suspension on October 14, 2010, which was predicated upon the Florida Supreme Court's three (3) year suspension, see The Florida Bar v. Scott, 39 So. 3d 309 (Fla. 2010), Scott has filed four different requests for rehearing or reconsideration with this Court, all of which have been previously determined to be without merit.

Scott's first request, on October 16, 2010, took the form of a Motion for Reconsideration of Order of Suspension Filed October 14, 2010 and Request for Hearing, in which he contended that this Court failed to afford him the opportunity for a hearing or due process of law by not considering the defenses he raised against the disciplinary proceedings before the Florida Supreme Court. Scott's second request came on December 2, 2010, with a Motion for Dismissal of Suspension Proceeding Before this Court, arguing that his suspension violates the Federal Whistleblower Act and the Florida Anti-SLAPP Act. This Court responded with an Order denying the motions on December 10, 2010, explaining that the procedural requirements of Rule 5(b)(2) of the Rules Governing Attorney

Discipline were followed and that Scott has not raised any of the grounds specified in Rule 5(e) that may be used to contest reciprocal discipline.

On December 17, 2010, Scott filed a third request in a Motion for Reconsideration of Denial of Motion for Reconsideration entered on December 10, 2010, arguing that the facts and law used to support the Florida Supreme Court suspension deserve a separate hearing because they are flawed and that the U.S. Commodity Future Trading Commission is to blame for the unethical actions of which he is accused. This Court again responded with an Order Denying the Motion on January 25, 2011, explaining that none of the arguments raised in the motion fall within the applicable grounds to contest reciprocal discipline under Rule 5(e). The Court also warned Scott, for the first time, of the possibility of sanctions if future multiple successive motions are filed.

Scott filed a fourth request on October 29, 2011, which took the form of a Notice of Ancillary Proceeding, in which he notified this Court that he filed a proceeding with the Florida Supreme Court to contest his suspension based upon the allegation that he was not given notice of the use of the exception in Florida Bar Rule 4-8.4(c) in his state suspension. Although entitled a "Notice," Scott twice requested that this Court allow him a hearing to consider the same argument in his ancillary proceeding for reconsideration of this Court's October 14, 2010 Order of Suspension. This Court, in a November 14, 2011 Order, recognized that even if the "Notice" is construed as a motion for rehearing or reconsideration, Scott has not raised any new issues that would warrant reconsideration under Rule 5(e), as Rule 4-8.4(c) was stated as grounds for the suspension in both the Amended Report of Referee and Florida Supreme Court Order of Suspension. For the second time, this Court warned Scott of the possibility of sanctions for continuing to file multiple successive motions, regardless of form.

Now, before this Court is Scott's fifth request for rehearing or reconsideration and second request after being cautioned against filing multiple successive motions. Again, Scott restates his

arguments regarding Florida Bar Rule 4-8.4(c) as raised in his previously filed Notice of Ancillary Proceeding.

Given this background, and the Court being fully advised of the matter, it is

ORDERED that Scott's Motion for Reconsideration of Orders 2011-98 and 2010-124 is DENIED.

DONE and ORDERED at Miami, Miami-Dade County, Florida, this 7th day of December, 2011.



FEDERICO A. MORENO
CHIEF UNITED STATES DISTRICT JUDGE

c: Honorable Joel F. Dubina, Chief Circuit Judge, Eleventh Circuit Court of Appeals
All Miami Eleventh Circuit Court of Appeals Judges
All Southern District Judges and Magistrate Judges
United States Attorney
Federal Public Defender
Eleventh Circuit Clerk's Office
Attorney Admissions Clerk
William Sumner Scott