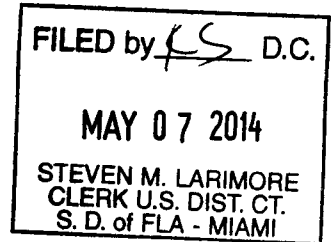


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2014- 43

IN RE: **MAX RICARDO WHITNEY**
 Florida Bar # 73581



ORDER OF SUSPENSION

The Supreme Court of Florida has entered an Order of Suspension dated December 5, 2013, suspending Max Ricardo Whitney from the practice of law. *See The Florida Bar v. Whitney*, 132 So. 3d 1095 (Fla. 2013). The Florida Supreme Court approved the findings of fact and recommendations of guilt in the contested report of referee, but disapproved the recommended sanction of a ninety-day suspension and instead imposed a one year suspension. *Id.* The Clerk served attorney Whitney by certified mail with an Order to Show Cause why this Court should not impose the same discipline, accompanied by the Supreme Court of Florida’s Order of Suspension. Whitney’s attorney responded that Mr. Whitney has no objection to this same disciplinary sanction being imposed in the Southern District of Florida.

Rule 5(a) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, requires that “[a]n attorney admitted to practice before this Court shall, upon being subjected to suspension or disbarment . . . promptly inform the Clerk of the Court of such action.” Rule 5(d) provides in pertinent part that after expiration of the time for submitting a response to an Order to Show Cause, “the Court may impose the identical discipline or may impose any other sanction the Court may deem appropriate.” Given this background, pursuant to Rule 5(a) and (d), 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 suspended from practice in this Court, effective immediately. 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 attempt to serve by certified mail a copy of this Order of Suspension upon the attorney at his court record address.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 2nd day of May, 2014.



FEDERICO A. MORENO
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
 - Max Ricardo Whitney