

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2023-31
CASE NO. 22-MC-23973

IN RE: SCOTT TULLY KALISCH
FLORIDA BAR # 367877

FILED BY CW D.C.

May 10, 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIA

ORDER ON FINAL REPORT AND RECOMMENDATION

On July 6, 2022, Chief United States District Judge Cecilia M. Altonaga referred by letter attorney Scott Tully Kalisch to the Ad Hoc Committee on Attorney Admissions, Peer Review, and Attorney Grievance for investigation concerning the attorney's actions and omission as counsel in *United States v. Reynaldo Crespo Marquez*, Case No. 21-20050-Cr (S.D. Fla.) [ECF No. 1]. Following that referral, on November 29, 2022, the Committee issued a Proposed Report and Recommendation [ECF No. 3] giving Mr. Kalisch 14 days to respond in accordance with Rule 6(c)(2)(B)(ii) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys. After no response was filed, the Court issued an Order to Show Cause [ECF No. 6] and Mr. Kalisch filed a Response [ECF No. 7] disagreeing with the Committee's recommended disbarment.

After a hearing before the Committee [ECF No. 10], the Committee submitted a Final Report and Recommendation [ECF No. 11] to the Court on February 24, 2023. An Order to Show Cause [ECF No. 12] was issued on February 27, 2023, giving Mr. Kalisch an opportunity to respond to the Final Report and Recommendation. Mr. Kalisch filed a Response [ECF No. 13], stating that "there is no good cause to show why the Committee's Final Report and Recommendation should not be adopted."

In accordance with Rule 6(c)(2)(B)(v) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys, Local Rules of the United States District Court for the Southern District of Florida, the Undersigned submitted this matter to the Court for its consideration at a regularly scheduled Judges' Meeting held on May 4, 2023. Upon review of the Final Report and Recommendation, response, and attachments, by unanimous vote of all District Judges and Senior Judges eligible to vote in attendance at the meeting, the Court approved and adopted the Committee's Final Report and Recommendation in full.

Given this background, in accordance with Rule 6(c)(2)(B)(v) 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 the Committee's Final Report and Recommendation is **ADOPTED**, and the matter is **CLOSED**.

IT IS FURTHER ORDERED, consistent with the Final Report and Recommendation, as follows:

1. Mr. Kalisch is suspended from practice in the United States District Court for the Southern District of Florida for 60 days.
2. Within one year of the date of this Order, Mr. Kalisch must perform 100 hours of *pro bono* legal service with a particular focus on domestic violence matters.
3. Mr. Kalisch must submit quarterly reports (starting on the 90th day after the date of this Order) to the Committee concerning and detailing (on a date, time, and services-rendered basis) his efforts to complete *pro bono* legal services required by the Court. These reports

must be submitted until Mr. Kalisch has met the time-commitment requirements specified in paragraph 2 above.

DONE AND ORDERED in Miami, Florida, this 10th day of May, 2023.



CECILIA M. ALTONAGA
CHIEF UNITED STATES DISTRICT JUDGE

- c: All South Florida Eleventh Circuit Court of Appeals Judges
All Southern District of Florida District Judges
All Southern District of Florida Bankruptcy Judges
All Southern District of Florida 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
William C. Hearon, Chair, Ad Hoc Committee on Attorney Admissions, Peer Review,
and Attorney Grievance
Scott Tully Kalisch
Brian L. Tannebaum, Counsel for Scott Tully Kalisch
Henry P. Bell, Counsel for Scott Tully Kalisch