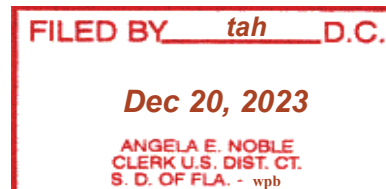


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2023-88  
CASE NO. 23-MC-23862

IN RE: TODD J. HERMAN  
FLORIDA BAR # 87252

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**ORDER OF SUSPENSION**

On October 6, 2023, the Supreme Court of Florida entered an Order of Suspension, suspending Todd J. Herman from the practice of law. *See The Florida Bar v. Herman*, No. SC2023-1117, 2023 WL 6534194 (Fla. Oct. 6, 2023) [ECF No. 1]. The suspension was predicated on The Florida Bar's Petition for Contempt and Order to Show Cause and the attorney's failure to file a response to the Supreme Court of Florida's Order to Show Cause.

The Clerk attempted to serve Mr. Herman 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. (*See* [ECF No. 2]). Service at Mr. Herman's Florida Bar address was signed with an illegible signature and without the designation of "agent" or "addressee." No return receipt was received for service at Mr. Herman's court record address.

Rule 8(a) 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, requires that an attorney admitted to practice before this Court, upon being subjected to reprimand, discipline, suspension, or disbarment by any other court of the United States, to promptly inform the Clerk of the Court. *See id.* After expiration of the time for submitting a response to an order to show cause, the Court may impose the identical discipline or any other sanction the Court deems appropriate. *See* Rule 8(d). Even if service is contested, members of this Bar have an obligation to provide updated


contact information to the Clerk within seven days of any change; “[t]he failure to comply shall not constitute grounds for relief from deadlines imposed by Rule or by the Court.” Local Rule 11.1(g) (alteration added). This obligation to maintain current contact information is reiterated in the Court’s CM/ECF Administrative Procedures Manual, section 3D, compliance with which is mandated by Local Rule 5.1.

Given this background, under Rules 8(a) and (d), Local Rule 11.1(g) 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.” (alteration added; citation omitted)),

**IT IS ORDERED** that Mr. Herman is suspended from practice in this Court, effective immediately. Mr. Herman may not resume the practice of law before this Court until reinstated by order of the Court. *See* Rule 12(a). The Clerk of Court shall strike Mr. Herman 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** that Mr. Herman shall advise the Clerk of Court of all pending cases before this Court in which he is counsel or co-counsel of record. The Clerk of Court shall attempt to serve by certified mail a copy of this Order of Suspension upon Mr. Herman at his court record and Florida Bar addresses.

**DONE AND ORDERED** at Miami, Florida, this 20th day of December, 2023.

  
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**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, Bankruptcy Judges, and Magistrate Judges  
United States Attorney  
Circuit Executive  
Federal Public Defender  
Clerks of Court – District, Bankruptcy, and 11<sup>th</sup> Circuit  
Florida Bar and National Lawyer Regulatory Data Bank  
Library  
Todd J. Herman