

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,
Complainant,

Supreme Court Case
No. SC23-1202

v.

The Florida Bar File
No. 2023-00,305 (2A)

PETER J. PARLOW,
Respondent.

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REPORT OF REFEREE

I. **SUMMARY OF PROCEEDINGS**

The undersigned was duly appointed as referee to conduct disciplinary proceedings according to Rule 3-7.6, Rules of Discipline. The following proceedings occurred:

On August 24, 2023, The Florida Bar filed its Complaint against Respondent. On November 13, 2023, the parties entered into a consent judgment, fully resolving the matter.

All items properly filed and the report of referee constitute the record in this case and are forwarded to the Supreme Court of Florida.

II. FINDINGS OF FACT

Jurisdictional Statement. Respondent is, and at all times mentioned during this investigation was, a member of The Florida Bar, subject to the jurisdiction and Disciplinary Rules of the Supreme Court of Florida.

Narrative Summary of Case. The Respondent was disciplined in Massachusetts via Order of Public Reprimand, dated January 24, 2023, a certified copy of which is attached to the Bar's complaint in this case. By operation of Rule 3-4.6(a), the Order of Public Reprimand is conclusive proof of misconduct. By operation of Rule. 3-4.6(b), the rules of professional conduct to be applied are those of Massachusetts. As set forth in the Order of Public Reprimand, the Respondent was found to have violated Mass. R. Prof. C. 4.2, which prohibits contact by an attorney with a person represented by counsel, absent consent.

III. RECOMMENDATIONS AS TO GUILT.

I recommend that Respondent be found guilty of violating Mass. R. Prof. C. 4.2.

IV. STANDARDS FOR IMPOSING LAWYER SANCTIONS

I accept the consent judgment entered into by the parties and recommend the sanctions agreed to therein.

V. RECOMMENDATION AS TO DISCIPLINARY MEASURES TO BE APPLIED

I recommend that Respondent be found guilty of misconduct justifying disciplinary measures, and that be disciplined by:

- A. Public Reprimand by publication.
- B. Payment of The Florida Bar's costs in these proceedings.

VI. PERSONAL HISTORY, PAST DISCIPLINARY RECORD

Prior to recommending discipline pursuant to Rule 3-7.6(m)(1)(D), I considered the following:

A. Personal History of Respondent:

Age: 59

Date admitted to the Bar: June 1997.

B. Aggravating Factors:

Prior Discipline: None, other than the Massachusetts proceeding at issue in this case.

C. Mitigating Factors: The Respondent pled, has no discipline history and has practiced for a longtime without issue.

VII. STATEMENT OF COSTS AND MANNER IN WHICH COSTS SHOULD BE TAXED

I find the following costs were reasonably incurred by The Florida Bar:

Investigative Costs	\$51.45
Administrative Fee	\$1,250.00

TOTAL	\$1,301.45
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It is recommended that such costs be charged to respondent and that interest at the statutory rate shall accrue and be deemed delinquent 30 days after the judgment in this case becomes final unless paid in full or otherwise deferred by the Board of Governors of The Florida Bar.

Dated this 29th day of November, 2023.

 /s Joshua Hawkes
JOSHUA HAWKES,
Circuit Judge, Referee
301 S. Monroe St., Ste. 301B
Tallahassee, FL 32301-1861

Original To:

Clerk of the Supreme Court of Florida via email to e-file@flcourts.org

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