

IN THE SUPREME COURT OF FLORIDA

The Florida Bar,
Petitioner,

Florida Bar File Nos.
20224066(11A),
20244017(11A),
20244018(11A)

v.

Alex Guillamont a/k/a Alejandro
Guillamont Moreno, Anna Weiss,
Lorena Avila, and Kennedys CMK
LLP, a New Jersey limited liability
partnership,

Respondents.

PETITION AGAINST THE UNLICENSED PRACTICE OF LAW

The Florida Bar, Petitioner, files this Petition against Alex Guillamont a/k/a Alejandro Guillamont Moreno (“Guillamont”), Anna Weiss (“Weiss”), Lorena Avila (“Avila”), and Kennedys CMK LLP, a New Jersey limited liability partnership (“Kennedys”), Respondents, pursuant to Chapter 10 of the Rules Regulating The Florida Bar, and alleges:

Allegations Common to All Counts

1. At all times material herein, for purposes of Chapter 10 of the Rules Regulating The Florida Bar, Rule 10-2.1(g) (formerly Rule 10-2.1 (c)) has provided that “...a ‘nonlawyer’ or ‘nonattorney’ is an individual who is not a member of The Florida Bar. This includes, but is not limited to,

lawyers admitted in other jurisdictions....For purposes of this chapter, it constitutes the unlicensed practice of law for a lawyer admitted in a jurisdiction other than Florida to advertise to provide legal services in Florida that the lawyer is not authorized to provide.”

2. At all times material herein, Rule 10-2.2(b)(2) of the Rules Regulating The Florida Bar has provided substantially as follows:

(2) It is the unlicensed practice of law for a nonlawyer to give legal advice, give advice on remedies or courses of action, or draft a legal document for a particular self-represented person. It is also the unlicensed practice of law for a nonlawyer to offer to provide legal services directly to the public.

3. At all times material herein, Rule 4-5.5(b)(1) and (2) of the Rules Regulating The Florida Bar have provided as follows:

(b) Prohibited Conduct. A lawyer who is not admitted to practice in Florida may not:

(1) except as authorized by other law, establish an office or other regular presence in Florida for the practice of law;

(2) hold out to the public or otherwise represent that the lawyer is admitted to practice in Florida;

4. At all times material herein, The Rules Regulating The Florida Bar, Chapter 16, the Foreign Legal Consultancy Rule, Rule 16-1.3(a)(1) and (b), have provided as follows:

(a) Rendering Legal Advice. A person certified as a foreign legal consultant under this chapter may provide legal services in the state of Florida only when these services:

(1) are limited to those regarding the laws of the foreign country in which that person is admitted to practice as a lawyer, counselor at law, or the equivalent;

(b) Representing Status as Member of The Florida Bar.

Foreign legal consultants certified to render services under this chapter must not represent that they are admitted to The Florida Bar or licensed as a lawyer or foreign legal consultant in another state, commonwealth, territory, or the District of Columbia, or as a lawyer, counselor at law, or the equivalent in a foreign country, unless so licensed. Persons certified under this chapter must not use any title other than "Foreign Legal Consultant, Not Admitted to Practice Law in Florida," although such person's authorized title and firm name in the foreign country in which the person is admitted to practice as a lawyer, counselor at law, or the equivalent may be used if the title, firm name, and the name of the foreign country are stated together with the above-mentioned designation.

5. Since on or about April 30, 2018, Respondent Kennedys, a New Jersey limited liability partnership, has been registered with the Florida Division of Corporations as a limited liability partnership, with its principal office in Florida at the street address 1395 Brickell Ave., Suite 610, Miami, FL 33131.

6. At all times material herein, Kennedys Law LLP has been a limited liability partnership registered in England and Wales.

7. Since on or about April 30, 2018, Kennedys Law LLP has been a partner of Respondent Kennedys.

8. Since on or about April 30, 2018, Kennedys Law LLP and its affiliated firms, including but not limited to Respondent Kennedys, have

carried on an international legal practice with offices in Europe, the Middle East, Asia Pacific, and the Americas, including Florida.

9. Respondents have engaged in the unlicensed practice of law in Florida, including Miami-Dade County, Florida, by one or more of the following acts:

COUNT I
(Respondent Guillamont, Case No. 20224066(11A))

10. Respondent Guillamont, at all times material herein, was not and is not a member of The Florida Bar.

11. On or about November 6, 2015, Respondent Guillamont signed a cease and desist affidavit in which Respondent Guillamont acknowledged that certain specified forms of conduct by an unlicensed individual or business in Florida constitute the unlicensed practice of law, and in the affidavit Respondent Guillamont also agreed not to engage in such conduct or otherwise engage in the unlicensed practice of law. A copy of the cease and desist affidavit is attached hereto as Exhibit 1.

12. On or about June 1, 2018, pursuant to the Rules Regulating The Florida Bar, Chapter 16, the Foreign Legal Consultancy Rule, the Florida Supreme Court certified Respondent Guillamont as a foreign legal consultant to provide legal services in Florida that were limited to legal services regarding the laws of England and Spain.

13. Pursuant to Rule 16-1.3(a)(1) of the Foreign Legal Consultancy Rule, on and after June 1, 2018, Respondent Guillamont was authorized to provide legal services in Florida regarding the laws of England and Spain, but at all times material herein, Respondent Guillamont was not and is not otherwise authorized to practice law in Florida.

14. At all times material herein on and after April 30, 2018, Respondent Guillamont has been a partner of Respondent Kennedys.

15. Since on and after April 30, 2018, Respondents Guillamont and Kennedys have had an office or other regular presence in Florida for the practice of law, including offices at 1395 Brickell Avenue, Suite 610, Miami, Florida 33131 and/or at 1111 Brickell Avenue, Suite 1300, Miami, Florida 33131.

16. Since on or after April 30, 2018, Respondents Guillamont and Kennedys have used Kennedys Law LLP's website to hold Respondent Guillamont out to the public with titles not authorized by the Rules Regulating The Florida Bar, Chapter 16, the Foreign Legal Consultancy Rule, Rule 16-1.3(b), for use by a foreign legal consultant, including, "Partner for Latin America and Caribbean practice," and "Foreign Legal Consultant, not authorized to practice Florida law." A copy of a Kennedys Law LLP website excerpt printed out on or about February 1, 2024 is

attached hereto as Composite Exhibit 2 (kennedyslaw.com; heading “Where We Are,” subheading “Latin America and the Caribbean,” subheading “Miami for Latin America and the Caribbean,” subheadings “Profile” and “Qualifications and Admissions”).

17. Since on or after April 30, 2018, Respondents Guillamont and Kennedys have used Kennedys Law LLP’s website to hold Respondent Guillamont out to the public as authorized to provide legal services in or from Florida that are not limited to services regarding the laws of England and Spain; and they have done so by various means, including the use of Kennedys Law LLP’s website to hold Respondent Guillamont out:

a. as the leader of a “...seven-office 60-lawyer strong Latin American and Caribbean practice at Kennedys” and as the leader of a team in Miami, “...the ‘gateway’ to Latin America and the Caribbean...” that “...helps market-leading insurers and reinsurers manage claims, analyse and litigate coverage and related exposures, as well as provide an advisory role for related issues across all lines of business in the Latin American and Caribbean region [including] non-contentious advice and regulatory and policy drafting.”

b. as having been involved in providing legal advice and/or legal services in matters connected to jurisdictions other than England and

Spain, including Peru, Chile, Ecuador, Mexico, Brazil, Bolivia, Argentina, Colombia, and Venezuela.

See Composite Exhibit 2 attached hereto (kennedyslaw.com; heading “Where We Are,” subheading “Latin America and the Caribbean,” subheading “Miami for Latin America and the Caribbean,” subheadings “Profile” and “Work Highlights”).

18. After August 31, 2023, Respondent Guillamont has held himself out as a foreign legal consultant despite not having paid foreign legal consultant annual fees for the year September 1, 2023-August 31, 2024.

COUNT II
(Respondent Weiss, Case No. 20244017(11A))

19. Respondent Anna Weiss, at all times material herein, was not and is not a member of The Florida Bar.

20. On or about November 24, 2015, Respondent Weiss signed a cease and desist affidavit in which Respondent Weiss acknowledged that certain specified forms of conduct by an unlicensed individual in Florida constitute the unlicensed practice of law, and in the affidavit Respondent Weiss also agreed not to engage in such conduct or otherwise engage in the unlicensed practice of law. A redacted copy of the cease and desist affidavit is attached hereto as Exhibit 3.

21. On or about January 1, 2018, pursuant to the Rules Regulating The Florida Bar, Chapter 16, the Foreign Legal Consultancy Rule, the Florida Supreme Court certified Respondent Weiss as a foreign legal consultant to provide legal services in Florida that were limited to legal services regarding the laws of the United Kingdom and Wales.

22. Pursuant to Rule 16-1.3(a)(1) of the Foreign Legal Consultancy Rule, on and after January 1, 2018, Respondent Weiss was authorized to provide legal services in Florida regarding the laws of the United Kingdom and Wales, but at all times material herein, Respondent Weiss was not and is not otherwise authorized to practice law in Florida.

23. At all times material herein on and after April 30, 2018, Respondent Weiss has been a partner of Respondent Kennedys.

24. At all times material herein on and after April 30, 2018, Respondents Weiss and Kennedys have had an office or other regular presence in Florida for the practice of law, including offices at 1395 Brickell Avenue, Suite 610, Miami, Florida 33131 and/or 1111 Brickell Avenue, Suite 1300, Miami, Florida 33131.

25. Since on or after April 30, 2018, Respondents Weiss and Kennedys have used Kennedys Law LLP's website to hold Respondent Weiss out to the public with titles not authorized by the Rules Regulating

The Florida Bar, Chapter 16, the Foreign Legal Consultancy Rule, Rule 16-1.3(b), for use by a foreign legal consultant, including, “Regional Managing Partner for Latin America and the Caribbean” and “Foreign Legal Consultant, not authorized to practice Florida law.” A copy of a Kennedys Law LLP website excerpt printed out on or about February 2, 2024 is attached hereto as Composite Exhibit 4 (kennedyslaw.com; heading “Where We Are,” subheading “Latin America and the Caribbean,” subheading “Miami for Latin America and the Caribbean,” subheadings “Profile” and “Qualifications and Admissions”).

26. Since on or after April 30, 2018, Respondents Weiss and Kennedys have used Kennedys Law LLP’s website to hold Respondent Weiss out to the public as authorized to provide legal services in or from Florida that are not limited to services regarding the laws of the United Kingdom and Wales; and they have done so by various means, including the use of Kennedys Law LLP’s website to hold Respondent Weiss out:

a. as “...an expert in construction, with vast experience in contract management and commercial legal advice, having worked in the construction industry for 15 years. As such she heads up the Construction and Engineering Team for Latin America and the Caribbean.” “Anna is also a member of our Caribbean practice team.”

b. as having been involved in providing legal advice and/or legal services in matters connected to jurisdictions other than the United Kingdom and Wales, including Peru, Chile, Brazil, Bolivia, Argentina, and Jamaica.

See Composite Exhibit 4 attached hereto (kennedyslaw.com; heading “Where We Are,” subheading “Latin America and the Caribbean,” subheading “Miami for Latin America and the Caribbean,” subheadings “Profile” and “Work Highlights”).

COUNT III
(Respondent Avila, Case No. 20244018(11A))

27. Respondent Lorena Avila, at all times material herein, was not and is not a member of The Florida Bar.

28. On or about November 7, 2017, pursuant to the Rules Regulating The Florida Bar, Chapter 16, the Foreign Legal Consultancy Rule, the Florida Supreme Court certified Respondent Avila as a foreign legal consultant to provide legal services in Florida that were limited to legal services regarding the laws of Venezuela.

29. Pursuant to Rule 16-1.3(a)(1) of the Foreign Legal Consultancy Rule, on and after November 7, 2017, Respondent Avila was authorized to provide legal services in Florida regarding the laws of Venezuela, but at all times material herein, Respondent Avila was not and is not otherwise

authorized to practice law in Florida.

30. At all times material herein on and after May 2023, Respondent Avila has been a partner of Respondent Kennedys.

31. At all times material herein on and after April 30, 2018, Respondents Avila and Kennedys have had an office or other regular presence in Florida for the practice of law, including offices at 1395 Brickell Avenue, Suite 610, Miami, Florida 33131 and/or at 1111 Brickell Avenue, Suite 1300, Miami, Florida 33131.

32. Since on or after April 30, 2018, Respondents Avila and Kennedys have used Kennedys Law LLP's website to hold Respondent Avila out to the public with titles not authorized by the Rules Regulating The Florida Bar, Chapter 16, the Foreign Legal Consultancy Rule, Rule 16-1.3(b), for use by a foreign legal consultant, including, "Partner for Latin America and Caribbean practice," and "Foreign Legal Consultant, not authorized to practice Florida law." A copy of a Kennedys Law LLP website excerpt printed out on or about February 2, 2024 is attached hereto as Composite Exhibit 5 (kennedyslaw.com; heading "Where We Are," subheading "Latin America and the Caribbean," subheading "Miami for Latin America and the Caribbean," subheadings "Profile" and "Qualifications and Admissions").

33. Since on or after April 30, 2018, Respondents Avila and Kennedys have used Kennedys Law LLP's website to hold Respondent Avila out to the public as authorized to provide legal services in or from Florida that are not limited to services regarding the laws of Venezuela; and they have done so by various means, including the use of Kennedys Law LLP's website to hold Respondent Avila out as:

a. working "...for major insurers and reinsurers on large and complex claims in Venezuela and Latin America."; as "...focused on regulatory matters and providing legal assistance to international insurers and intermediaries to comply with the regulatory framework for insurance activity in Latin America"; as being "...a member of our Caribbean practice team"; and as enjoying "...expertise handling insurance matters in Argentina, Chile and Ecuador."

b. having "...coordinated global instruction involving more than 52 jurisdictions addressing regulatory queries from reinsurer with international operations."

See Composite Exhibit 5 attached hereto (kennedyslaw.com; heading "Where We Are," subheading "Latin America and the Caribbean," subheading "Miami for Latin America and the Caribbean," subheadings "Profile" and "Work Highlights").

34. After August 31, 2023, Respondent Avila has held herself out as a foreign legal consultant despite not having paid foreign legal consultant annual fees for the year September 1, 2023-August 31, 2024.

35. The aforementioned actions of the Respondents have violated the letter and spirit of this Court's decisions in *The Florida Bar v. Moran*, 273 So.2d 390 (Fla. 1973), *The Florida Bar v. Kaiser*, 397 So.2d 1132 (Fla. 1981), and *The Florida Bar v. Dale*, 496 So.2d 813 (Fla. 1986).

WHEREFORE, Petitioner prays as follows:

1. That this Court issue an opinion ruling that the Respondents' conduct constitutes the unlicensed practice of law.

2. That this Court issue a permanent injunction preventing and restraining Respondents from engaging in the acts complained of and from otherwise engaging in the practice of law in the State of Florida, until such time as Respondents are duly licensed or authorized to practice law in this state.

3. That the costs of this proceeding be taxed against Respondents.

4. That this Court impose, pursuant Rules 16-1.5 and/or 16-1.6 of the Rules Regulating The Florida Bar, Chapter 16, the Foreign Legal Consultancy Rule, or as may be authorized by other applicable law, such

sanctions as this Court may deem proper against Respondents Guillamont, Weiss, and Avila in their capacity as certified foreign legal consultants.

5. That this Court grant such other and further relief as it may deem proper.

Respectfully submitted,

THE FLORIDA BAR

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By: /s/ Susan Papagikos
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Standing Committee on Unlicensed
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CEASE AND DESIST AFFIDAVIT

STATE OF FLORIDA

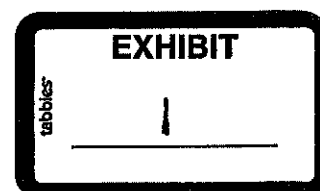
COUNTY OF MIAMI-DADE

BEFORE ME, the undersigned authority, duly authorized to administer oaths, personally appeared, ALEX GUILLAMONT, individually, and on behalf of KENNEDYS LATIN AMERICA LLC, and any successor entities, who after first being duly sworn, upon oath, deposes and says as follows:

1. I am not a member of The Florida Bar and am not licensed to practice law in the State of Florida.
2. I understand that it constitutes a contempt of the Supreme Court of Florida for an unlicensed individual to engage in the practice of law and/or hold himself out as authorized to so practice, in Florida.
3. I further understand that it constitutes the unlicensed practice of law for an unlicensed individual or business in Florida to:
 - (a) in any way hold himself or itself out to the public, including by means of any social media website such as LinkedIn or Facebook, or otherwise represent that he or the business is able to render legal advice or services from Florida;
 - (b) provide legal advice or legal services to other persons and entities;
 - (c) except as authorized by other law, establish an office or other regular presence in Florida for the practice of law;
 - (d) advertise in any manner, whether in business cards, newspapers, television, or in a website, including any social media website such as LinkedIn or Facebook, to provide legal services from Florida which the unlicensed individual or business is not authorized to provide;
 - (e) advertise, operate, or practice from a Florida office of an interstate or international law firm without complying with the requirements of the Florida Supreme Court as described in its opinion in the case The Florida Bar v. Savitt, 363 So.2d 559 (Fla. 1978);
 - (f) or otherwise engage in the unlicensed practice of law.

4. I acknowledge and agree that, pursuant to Rule 4-5.5(b) of the Rules Regulating The Florida Bar, as a lawyer who is not admitted to practice in Florida, I cannot, except as authorized by other law, establish an office or other regular presence in Florida for the practice of law, even if I do not practice Florida or U.S. law.

5. I have been admitted to practice in the United Kingdom and in Spain as an attorney, counselor at law, or the equivalent. Pursuant to Chapter 16 of the Rules Regulating The Florida Bar, if I become certified by the Florida Supreme Court, I can act as a foreign legal consultant in the State of Florida. If I become a certified foreign legal consultant, I acknowledge and agree that, pursuant to Rule 16-1.3(a), I will not be authorized to perform any activity or



service constituting the practice of the laws of the United States, the State of Florida, or any other state, commonwealth, or territory of the United States or the District of Columbia, and that the legal services that I will be authorized to render in the State of Florida will be limited to services regarding the laws of the country or countries where I have been admitted. If I become a certified foreign legal consultant, I further acknowledge and agree that, in accordance with Rule 16-1.3(a)(2), I will not:

- (a) appear for another person as attorney in any court or before any magistrate or other judicial officer or before any federal, state, county, or municipal governmental agency, quasi-judicial, or quasi-governmental authority in the State of Florida, or prepare pleadings or any other papers in any action or proceedings brought in any such court, or before any such judicial officer, except as authorized in any rule of procedure relating to admission pro hac vice, or pursuant to administrative rule;
- (b) prepare any deed, mortgage, assignment, discharge, lease, agreement of sale, or any other instrument affecting title to real property located in the United States, or personal property located in the United States, except where the instrument affecting title to such property is governed by the law of the country or countries where I have been admitted;
- (c) prepare any will or trust instrument affecting the disposition of any property located in the United States and owned by a resident thereof nor prepare any instrument relating to the administration of a decedent's estate in the United States;
- (d) prepare any instrument with respect to the marital relations, rights, or duties of a resident of the United States or the custody or care of the children of such a resident;
- (e) render professional legal advice on the law of the State of Florida, the United States, or any other state, subdivision, commonwealth, or territory of the United States, or the District of Columbia, whether rendered incident to the preparation of a legal instrument or otherwise; or
- (f) render any legal services without utilizing a written retainer agreement that shall specify in bold type that I am not admitted to practice law in the State of Florida nor licensed to advise on the laws of the United States or any other state, commonwealth, territory, or the District of Columbia, and that my practice is limited to the laws of the country or countries where I have been admitted.

6. I further acknowledge and agree that, if I become a certified foreign legal consultant, in accordance with Rule 16-3.1(b), I will:

- (a) use the title "Foreign Legal Consultant, Not Admitted to Practice Law in Florida";
- (b) provide clients with a letter disclosing the extent of professional liability insurance coverage that I maintain, if any, as well as an affirmative statement advising the client that any client aggrieved by me will not have access to the Clients' Security Fund of The Florida Bar, and including a list of activities that I am prohibited from engaging in, as set out in Rule 16-1.3(a)(2)(A)-(F); and

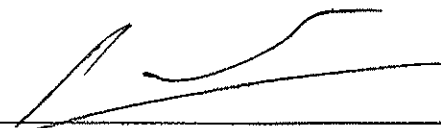
(c) comply with all requirements of Chapter 16 of the Rules Regulating The Florida Bar.

7. I agree that every present and future employee, agent, or independent contractor of mine and all persons acting in concert with me shall be instructed by me to act in accordance with this affidavit.

8. I have read or will read the cases of State v. Sperry, 140 So.2d 587 (Fla. 1962), vacated on other grounds, Sperry v. State, 373 U.S. 379 (1963), The Florida Bar v. Moran, 273 So.2d 390 (Fla. 1973), The Florida Bar v. Kaiser, 397 So.2d 1132 (Fla. 1981), The Florida Bar v. Tate, 552 So.2d 1106 (Fla. 1989), Gould v. Harkness, 470 F.Supp.2d 1357 (S.D. Fla. 2006), The Florida Bar v. Savitt, 363 So.2d 559 (Fla. 1978), Amendments to Rules Regulating The Florida Bar – Advertising Rules, 762 So.2d 392 (Fla. 1999), and Rule 4-5.5, Rule 4-7.11, Rule 10-2.1, and Chapter 16 of the Rules Regulating The Florida Bar, and agree to abide by the requirements of said cases and rules.


9. I agree that I will not engage in any of the aforementioned activities unless and until I am admitted to practice law in this state by the Supreme Court of Florida.

10. By signing this affidavit I am not making any admission of wrongdoing.



ALEX GUILLAMONT, individually, and on behalf of
KENNEDYS LATIN AMERICA LLC, and any successor entities

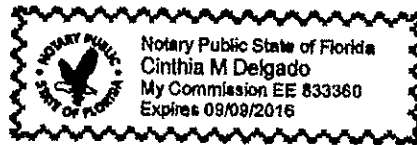
The foregoing instrument was acknowledged before me this 6 day of November 2015, 2015, by ALEX GUILLAMONT, who is personally known to me or who has produced _____ as identification and who did take an oath.



NOTARY PUBLIC (Signature)

Cynthia M. Delgado

Name of Notary Public
(Type, Print or Stamp)
Notary Public, State of Florida



Commission No. EE 833360

My Commission Expires: 9/9/16



Alex Guillamont

Partner for Latin America and Caribbean practice
(Foreign Legal Consultant, not admitted to practice
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Profile

Alex leads the seven-office 60-lawyer strong Latin American and Caribbean practice at Kennedys. He is qualified in Spain (1999) and England and Wales (2003).

He has close to 20 years of experience handling disputes on behalf of leading international insurers and (re)insurers involving major property and energy losses, complex liability, environmental and natural disasters, CAR, surety, political and trade risk, financial institutions and D&O claims, cyber, regulatory compliance and third party administration schemes in the entire region.

Alex and his team of lawyers advise carriers on regulatory issues and strategic deployment of offices, wordings and claims protocols including cyber, audits of ceding companies and underwriting agents. Recent appointments include construction and property cases arising out of IRMA and MARIA hurricanes in the Caribbean and El Niño Costero in Peru, cyber-related claims protocols and wordings throughout the region, project cargo in Peru, political and trade risks matters in Bolivia and Ecuador, and D&O & BBB in Brazil and Venezuela. Alex is also a member of our Caribbean practice team.

Alex frequently speaks at in-house carrier seminars and training workshops, and recognized Latin American & Caribbean industry events, most recently the V Latin American Conference of Marine Insurance in Lima, Peru; the Miami PLUS (Professional Liability Underwriting Society) Event on Cyber in the region and the D&O Liability Insurance Forum in London.

Alex works indistinctively in English and Spanish, and is conversational in Portuguese and French.

Alex regularly volunteers at the Redeptoris Mater Seminary in Miami where he seats at the Board of Trustees and Financial Council. He is an avid kayaker and snorkeler in the Florida Keys.

Alex contributed to Kennedys' 'Global forecast 2024: Evolving insurance risks' report, published in January 2024.

Alex also contributed to the fourth edition of Kennedys' Global Legal Handbook, one of our most popular guides, which outlines the main legal and procedural issues that case handlers may encounter when dealing with claims across 53 jurisdictions globally.



Alex Guillamont is a fantastic attorney; he is world-class. He is very gifted at understanding the context and big picture of legal actions and claims. He is also knowledgeable of the Latin American market.

Chambers Latin America 2024

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EXHIBIT
COMPOSITE
2

01/02/2024

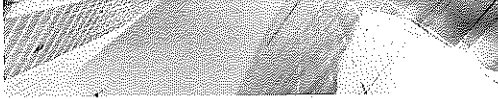
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Profile

Qualifications and admissions

Services and sectors

Market recognition

Work highlights

Qualifications and admissions

- Qualified in Spain in 1999
- Qualified in England and Wales in 2003
- Foreign Legal Consultant, not authorized to practice Florida law; per The Florida BAR



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Work highlights

Work highlights

- Advising reinsurers on construction, property, and political risk matters arising in Caribbean from IRMA & Maria, in Peru from El Niño Costero, and in Chile, Ecuador, and Mexico from earthquakes, involving coverage issues of material damage, physical loss, DSU and BI.
- Advising (re) insurers on mining losses in Mexico, Brazil, and Peru with coverage, adjustment, and handling of insured challenges.
- Recently arbitrated or settled environmental/public liability crude oil disputes in Bolivia and Ecuador and supervising response to third party claims.
- Surety actions in Argentina and Bolivia connected to civil works and energy complexes.
- Monitoring D&O and surety claims and coverage response arising in Brazil, Argentina, Colombia, Peru and other jurisdictions in connection with Lava Jato (Car Wash) investigation.
- Specie and technical lines losses in Central America, Venezuela, Colombia, and Peru.

CEASE AND DESIST AFFIDAVIT

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE ME, the undersigned authority, duly authorized to administer oaths, personally appeared, ANNA WEISS, who after first being duly sworn, upon oath, deposes and says as follows:

1. I am not a member of The Florida Bar and am not licensed to practice law in the State of Florida.

2. I understand that it constitutes a contempt of the Supreme Court of Florida for an unlicensed individual to engage in the practice of law and/or hold herself out as authorized to so practice, in Florida.

3. I further understand that it constitutes the unlicensed practice of law for an unlicensed individual in Florida to:

- (a) in any way hold herself out to the public, including by means of any social media website such as LinkedIn or Facebook, or otherwise represent that she is able to render legal advice or services from Florida;
- (b) provide legal advice or legal services to other persons and entities;
- (c) except as authorized by other law, establish an office or other regular presence in Florida for the practice of law;
- (d) advertise in any manner, whether in business cards, newspapers, television, or in a website, including any social media website such as LinkedIn or Facebook, to provide legal services from Florida which the unlicensed individual is not authorized to provide;
- (e) advertise or practice from a Florida office of an interstate or international law firm without complying with the requirements of the Florida Supreme Court as described in its opinion in the case The Florida Bar v. Savitt, 363 So.2d 559 (Fla. 1978);
- (f) or otherwise engage in the unlicensed practice of law.

4. I acknowledge and agree that, pursuant to Rule 4-5.5(b) of the Rules Regulating The Florida Bar, as a lawyer who is not admitted to practice in Florida, I cannot, except as authorized by other law, establish an office or other regular presence in Florida for the practice of law, even if I do not practice Florida or U.S. law.

5. I have been admitted to practice in the United Kingdom as an attorney, counselor at law, or the equivalent. Pursuant to Chapter 16 of the Rules Regulating The Florida Bar, if I become certified by the Florida Supreme Court, I can act as a foreign legal consultant in the State of Florida. If I become a certified foreign legal consultant, I acknowledge and agree that, pursuant to Rule 16-1.3(a), I will not be authorized to perform any activity or service constituting the practice of the laws of the United States, the State of Florida, or any other state, commonwealth, or territory of the United States or the District of Columbia, and that the legal services that I will be authorized to render in the State of Florida will be limited to services

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regarding the laws of the United Kingdom. If I become a certified foreign legal consultant, I further acknowledge and agree that, in accordance with Rule 16-1.3(a)(2), I will not:

- (a) appear for another person as attorney in any court or before any magistrate or other judicial officer or before any federal, state, county, or municipal governmental agency, quasi-judicial, or quasi-governmental authority in the State of Florida, or prepare pleadings or any other papers in any action or proceedings brought in any such court, or before any such judicial officer, except as authorized in any rule of procedure relating to admission pro hac vice, or pursuant to administrative rule;
- (b) prepare any deed, mortgage, assignment, discharge, lease, agreement of sale, or any other instrument affecting title to real property located in the United States, or personal property located in the United States, except where the instrument affecting title to such property is governed by the law of the United Kingdom;
- (c) prepare any will or trust instrument affecting the disposition of any property located in the United States and owned by a resident thereof nor prepare any instrument relating to the administration of a decedent's estate in the United States;
- (d) prepare any instrument with respect to the marital relations, rights, or duties of a resident of the United States or the custody or care of the children of such a resident;
- (e) render professional legal advice on the law of the State of Florida, the United States, or any other state, subdivision, commonwealth, or territory of the United States, or the District of Columbia, whether rendered incident to the preparation of a legal instrument or otherwise; or
- (f) render any legal services without utilizing a written retainer agreement that shall specify in bold type that I am not admitted to practice law in the State of Florida nor licensed to advise on the laws of the United States or any other state, commonwealth, territory, or the District of Columbia, and that my practice is limited to the laws of the United Kingdom.

6. I further acknowledge and agree that, if I become a certified foreign legal consultant, in accordance with Rule 16-3.1(b), I will:

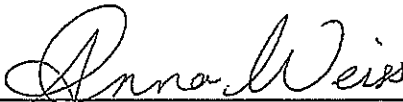
- (a) use the title "Foreign Legal Consultant, Not Admitted to Practice Law in Florida";
- (b) provide clients with a letter disclosing the extent of professional liability insurance coverage that I maintain, if any, as well as an affirmative statement advising the client that any client aggrieved by me will not have access to the Clients' Security Fund of The Florida Bar, and including a list of activities that I am prohibited from engaging in, as set out in Rule 16-1.3(a)(2)(A)-(F); and
- (c) comply with all requirements of Chapter 16 of the Rules Regulating The Florida Bar.

8. I have read or will read the cases of State v. Sperry, 140 So.2d 587 (Fla. 1962), vacated on other grounds, Sperry v. State, 373 U.S. 379 (1963), The Florida Bar v. Moran, 273 So.2d 390 (Fla. 1973), The Florida Bar v. Kaiser, 397 So.2d 1132 (Fla. 1981), The Florida Bar v.

Tate, 552 So.2d 1106 (Fla. 1989), Gould v. Harkness, 470 F.Supp.2d 1357 (S.D. Fla. 2006), The Florida Bar v. Savitt, 363 So.2d 559 (Fla. 1978), Amendments to Rules Regulating The Florida Bar – Advertising Rules, 762 So.2d 392 (Fla. 1999), and Rule 4-5.5, Rule 4-7.11, Rule 10-2.1, and Chapter 16 of the Rules Regulating The Florida Bar, and agree to abide by the requirements of said cases and rules.

9. I agree that I will not engage in any of the aforementioned activities unless and until I am admitted to practice law in this state by the Supreme Court of Florida.

10. By signing this affidavit I am not making any admission of wrongdoing.


ANNA WEISS

The foregoing instrument was acknowledged before me this 24th day of November, 2015, by ANNA WEISS, who is personally known to me or who has produced IL D.L.# [REDACTED] as identification and who did take an oath.


NOTARY PUBLIC (Signature)

Erwin Tolentino

Name of Notary Public
(Type, Print or Stamp)

Notary Public, State of ~~Florida~~ Illinois



Commission No. 760321

My Commission Expires: December 27th, 2015

Anna Weiss

Regional Managing Partner for LATAM and Caribbean
(Foreign Legal Consultant, not admitted to practice
law in Florida) | Miami, **United States**

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Profile

Anna is the Regional Managing Partner for Latin America and the Caribbean. In her role as Regional Managing Partner she is responsible for the management of the business operations of the Miami office and the development and growth of Kennedys' offices in the Latin American and Caribbean region.

Originally from the UK, Anna joined Kennedys in 2013 on relocating to the United States. She commenced her legal career with a leading law firm in London in 2003, qualifying as a solicitor in England and Wales in 2005. She is an expert in construction, with vast experience in contract management and commercial legal advice, having worked in the construction industry for 15 years. As such she heads up the Construction and Engineering Team for Latin America and the Caribbean.

Anna's legal career has also taken her in-house where she was seconded to AEG Europe, the entertainment company that developed the Millennium Dome into The O2. Over the four years or more that Anna worked for AEG Europe, she developed her commercial and corporate legal experience (handling all types of legal agreement, including operating agreements, insurance policies and placement, sponsorship agreements, artist contracts, sports events, venue rentals, funding agreements, planning licences and real estate issues). She also led on the construction and engineering needs of the venue, navigating a range of lifecycle challenges and technical complexities during the development. Anna also acted for the London river transport company Thames Clippers where she negotiated the introduction of Oyster on the riverboats, challenged speed restrictions and handled their sponsorship and operating agreements. Having served as in-house counsel, Anna is equally familiar with handling commercial negotiations and disputes from the perspective of a client.

Now at Kennedys, she brings all her previous experience together to offer her clients an all-encompassing holistic service whatever their needs. With an English Law qualification, Anna is well placed to assist the London Market on losses arising in Latin America and the Caribbean. Anna works for insurers and reinsurers on claims and coverage issues, particularly on CAR/EAR, hurricane damage and property losses. In addition, Anna has extensive experience defending architects and engineers in professional malpractice claims. Anna is also a member of our [Caribbean practice team](#).

More recently, we are seeing an ever-increasing demand for commercial advice for insurers and their insured clients across multiple industry sectors, especially in construction where we are providing non-contentious legal advice on issues pertaining to contract law and procurement. Anna currently advises clients on contract management. Not only does this mitigate against the risk of a full blown claim/dispute, it provides a valuable support for clients to manage disputes at an earlier stage and can assist with the completion of projects in a more amicable way.

Anna contributed to Kennedys' 'Global forecast 2024: Evolving insurance risks' report, published in January 2024.

Anna works in English, Spanish, and French.



Anna Weiss, Regional Managing Partner for Latin America and the Caribbean, is rated for corporate and commercial engagements, along with construction and engineering.

The Legal 500 Latin America 2023

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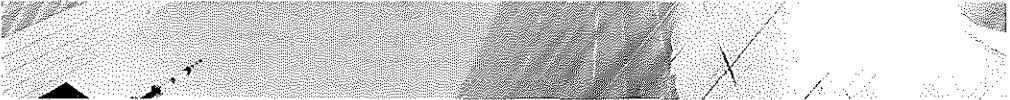
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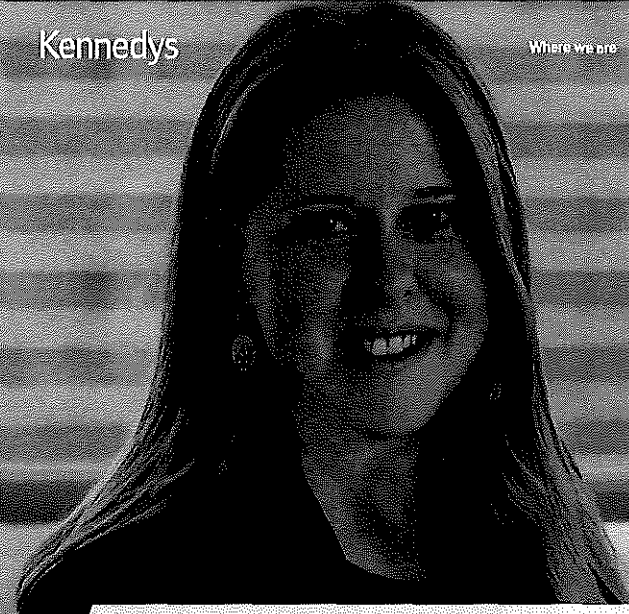
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Qualifications and admissions

- Qualified in England and Wales in 2005
- Foreign Legal Consultant, not authorized to practice Florida Law, per The Florida BAR
- Member of The Construction Lawyers Society of America - CSLA top construction lawyers

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Work highlights

- Handling claims for London Reinsurers, each in excess of \$10 million USD regarding a failing hydro electrical projects in Brazil and Chile
- Managing a \$10 million USD surety claim in Bolivia for an Argentinian insurer
- Advising a large engineering firm on the defence of a claim in Jamaica regarding some construction works they were undertaking on a road way project
- Advising the London Market on Hurricane losses in the Caribbean post Irma and Maria
- Providing non-contentious construction advice to a local Peruvian subcontractor on the contracts governing a newly procured phase of a development in Peru
- Advising a highly specialised client on its contractual negotiations in a development in Kuwait which are subject to English Law in an effort to avoid a claim from arising

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Profile

Lorena works for major insurers and reinsurers on large and complex claims in Venezuela and Latin America. Her experience is also focused on regulatory matters and providing legal assistance to international reinsurers and intermediaries to comply with the regulatory framework for insurance activity in Latin America. Lorena is also a member of our [Caribbean practice](#) team. In addition, Lorena handles medical malpractice claims.

Before joining Kennedys in 2012, Lorena worked for a boutique law firm in Venezuela for six years and she has more than 10 years of legal experience in Latin America.

Lorena is the main researcher for the third edition of *The Guide of insurance and reinsurance law in Latin America and Iberian Peninsula*.

Lorena also contributed to the fourth edition of Kennedys' Global Legal Handbook, one of our most popular guides, which outlines the main legal and procedural issues that case handlers may encounter when dealing with claims across 53 jurisdictions globally.



Associate-to-watch Lorena Avila enjoys expertise handling insurance matters in Argentina, Chile and Ecuador. 'She is a good lawyer,' recognises a peer, whilst a client points out: 'Lorena Avila is a careful and helpful practitioner.'

Chambers Latin America 2023

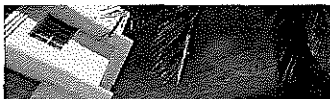
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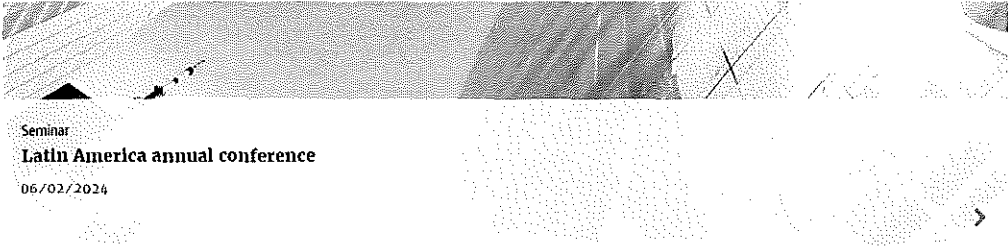
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Qualifications and admissions

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Work highlights

Work highlights

- Advised international reinsurers on the application of the exchange control system in the handling of claims and interpretation of payment clauses in policies subject to Venezuelan law.
Coordinated global instruction involving more than 52 jurisdictions addressing regulatory queries from reinsurer with international operations.
Completed licensing/registration processes in Latin America for international reinsurers and followed up on renewals.
Assisted in the adaptation process of policy wordings for new products to be offered in Latin America by international reinsurer.