

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,
Complainant,

v.

DANIELLE JUSTINE BUTLER,
Respondent.

Supreme Court Case
No. SC21-738

The Florida Bar File Nos.
2021-50,633(17B)FFC; and
2019-50,409(17B)

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Danielle Justine Butler, and files this Conditional Guilty Plea pursuant to Rule 3-7.9 of the Rules Regulating The Florida Bar.

1. Respondent is, and at all times mentioned herein was, a member of The Florida Bar, subject to the jurisdiction of the Supreme Court of Florida.

2. Respondent is acting freely and voluntarily in this matter, and tenders this Plea without fear or threat of coercion. Respondent is represented in this matter.

3. Respondent is currently the subject of Florida Bar disciplinary matters which have been assigned The Florida Bar File Nos. 2021-50,633(17B) and 2019-50,409(17B).

4. The Florida Bar File No. 2021-50,633(17B) is currently pending before a referee with the assigned Case No. SC21-738.

5. In lieu of the bar filing a formal complaint as to the misdemeanor determination regarding The Florida Bar File No. 2021-50,633(17B), respondent stipulates to probable cause. As to The Florida Bar File No. 2019-50,409(17B), respondent waives the right to a probable cause hearing before a grievance committee and stipulates to a finding of probable cause.

6. The disciplinary measures to be imposed upon respondent are as follows:

A. Public reprimand by publication;

B. Completion of The Florida Bar's Ethics School in person within 6 months of the date of the Supreme Court of Florida's order accepting this Conditional Guilty Plea for Consent Judgment and payment of the \$750.00 workshop fee prior to attendance;

C. Respondent shall contact the Diversion/Discipline Consultation Service (DDCS) within 30 days of the date of the Supreme Court of Florida's order accepting this Conditional Guilty Plea for Consent Judgment in order to schedule a DDCS review. Respondent shall fully comply with and implement, at respondent's

sole cost and expense, all recommendations made by DDCS within sixty (60) days of the recommendation, which recommendation shall be in accordance with generally accepted best practices in law firm management and administration. A final review by DDCS staff will be conducted to confirm compliance with, and implementation of, the recommendations of DDCS. DDCS may require such additional interviews or reviews as it may, in its sole discretion, deem necessary or advisable. The minimum fees and costs to be associated with this DDCS review shall be \$2,000.00. Respondent will pay all fees and expenses of DDCS incurred or required in connection with the conduct of its analysis. DDCS will provide the Lawyer Regulation Department of The Florida Bar with status reports;

D. Complete a Continuing Legal Education (CLE) on-line course offered by the National Business Institute (NBI) entitled – Attorney Billing and Timekeeping: A How-to-Guide, (1.00 CLE), within 30 days of the date of the Supreme Court of Florida’s order accepting this Conditional Guilty Plea for Consent Judgment. Respondent understands that the completion of this on-line CLE course shall not be credited towards the CLE reporting requirements that she is required to complete as a member of The Florida Bar. Should this

course no longer be offered, respondent agrees to take an equivalent course approved by The Florida Bar prior to registering for the course. Respondent is responsible for paying all fees and expenses incurred with such CLE. Respondent shall submit an affidavit attesting to the completion of the course; and

E. Payment of the bar's discipline costs.

7. The following allegations and rules provide the basis for respondent's guilty plea and for the discipline to be imposed in this matter:

As to The Florida Bar File No. 2021-50,633(17B) –

A. Respondent entered a plea of no contest to one count of Grand Theft in the Third Degree in Broward County, FL Case No. 21-1493CF10A.

B. Thereafter respondent filed a motion to vacate her plea to the grand theft charge and the court granted her motion.

C. After the court granted respondent's motion to vacate her plea, the grand theft charge was subsequently amended to the misdemeanor charge of obstructing justice.

D. Respondent entered a plea of no contest to obstructing justice, adjudication was withheld, and she was sentenced to 12 months of administrative probation, which was then reduced to 6

months based on full compliance with all conditions, and then terminated based on successful completion.

E. By reason of the foregoing, respondent violated the following R. Regulating Fla. Bar: Rule 4-8.4(b) (commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects).

As to The Florida Bar File No. 2019-50,409(17B) -

A. Respondent was hired by Nicholas Loeb (hereinafter referred to as "the client") for legal representation for the purchase, registration, and legal management of a motor vessel.

B. The respondent charged a flat fee and requested a cost retainer. The client paid the flat fee and the cost retainer.

C. After the closing, the client received an invoice from respondent's law firm requesting reimbursement from the client in the amount of \$8,797.00 for costs and expenses.

D. However, the invoice that respondent's firm sent to the client attributed higher costs to third-party entities than the charges that were listed on the invoices that the client received directly from those same entities.

E. Respondent attributes the inconsistencies in her firm's

cost invoices to an accounting error and an administrative oversight.

F. Respondent reports that the actual costs paid as part of the client's transaction was \$11,401.31, and not \$18,797.00 as listed on the invoice that her firm sent to the client.

G. By reason of the foregoing, respondent violated the following R. Regulating Fla. Bar: Rule 4-1.5(a) (illegal, prohibited, or clearly excessive fees and costs).

8. In mitigation of her actions, respondent asserts the following:

A. 3.3(b)(3) personal problems;

B. 3.3(b)(5) full and free disclosure to the bar or cooperative attitude toward the proceedings;

C. 3.3(b)(10) interim rehabilitation. Respondent has been under the routine care of a therapist.

D. 3.3(b)(11) imposition of other penalties or sanctions; and

E. 3.3(b)(12) remorse.

9. The Florida Bar has approved this proposed plea in the manner required by Rule 3-7.9.

10. If this plea is not finally approved by the referee and the Supreme Court of Florida, then it shall be of no effect and may not be used by the parties in any way.

11. If this plea is approved, then respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.6(q) in the amount of **\$2,765.70**. These costs are due within 30 days of the court order. Respondent agrees that if the costs are not paid within 30 days of this court's order becoming final, respondent shall pay interest on any unpaid costs at the statutory rate. Respondent further agrees not to attempt to discharge the obligation for payment of the Bar's costs in any future proceedings, including but not limited to, a petition for bankruptcy. Respondent shall be deemed delinquent and ineligible to practice law pursuant to Rule 1-3.6 if the cost judgment is not satisfied within 30 days of the final court order, unless deferred by the Board of Governors of The Florida Bar.

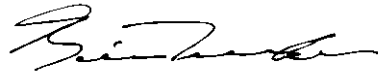
12. Respondent acknowledges the obligation to pay the costs of this proceeding and that payment is evidence of strict compliance with the conditions of any disciplinary order or agreement and is also evidence of good faith and fiscal responsibility. Respondent understands that failure to pay the costs of this proceeding may reflect adversely on any reinstatement proceedings or any other bar disciplinary matter in which respondent is involved.

13. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated this 8th day of February, 2024.

Danielle Justine Butler
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Dated this 8th day of February, 2024.



Brian Lee Tannebaum
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Dated this 8th day of February, 2024.

A handwritten signature in cursive script that reads "Joi Pearsall".

Joi L. Pearsall, Bar Counsel
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