

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

GEORGE CROSBY GASKELL, III,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2024-90,008(OSC)

**THE FLORIDA BAR'S PETITION FOR CONTEMPT AND ORDER TO
SHOW CAUSE**

The Florida Bar (the bar) files this Petition for Contempt and Order to Show Cause and requests a 1-year suspension against respondent, George Crosby Gaskell, III. To support this petition, the bar states:

COUNT I

1. In Florida Supreme Court Case No. SC22-0948 [TFB File No. 2022-30,535(19B)], by order dated April 13, 2023, respondent was publicly reprimanded and ordered to comply with all other terms and conditions of the report of referee.

2. Respondent was required to attend and complete The Florida Bar's Trust Accounting Workshop within 6 months of the date of the

Supreme Court of Florida's order, including paying the \$750.00 workshop fee prior to attendance.

3. On April 17, 2023, the bar notified respondent of the conditions associated with his public reprimand to his record bar address and by email specifically to pay for and attend the Trust Accounting Workshop. The letter to respondent's record bar address was returned to sender as undeliverable. See, the bar's letter and email to respondent dated April 17, 2023, and the returned mail dated May 1, 2023, attached hereto as "Composite Exhibit A."

4. When the bar sent out its letter of April 17, 2023, the bar was aware that respondent had relocated to the State of Texas but not the specific city. The initial letter was emailed to respondent's record bar email address and that email was not returned to the bar. As part of the bar's email dated April 17, 2023, the bar reminded respondent that he needed to change his official record bar address, telephone number and email address pursuant to Rule 1-3.3(b), Rules Regulation The Florida Bar. See, "Composite Exhibit A."

5. The bar's initial letter and email dated April 17, 2023, also addressed the \$750.00 fee for the trust accounting workshop. Specifically, respondent had failed to pay the \$750.00 fee associated with attendance of

Ethics School in Supreme Court Case No. SC20-1005 [TFB File No. 2020-30,443(19B)] see Count IV of this petition. As a result, respondent was advised that he would be required to pay the \$750.00 fee in Supreme Court Case No. SC 20-1005 before the bar would accept the \$750.00 fee associated with his attendance at the bar's Trust Accounting Workshop. See, "Composite Exhibit A."

6. On August 21, 2023, the bar sent respondent a noncompliance letter by email only stating that respondent had been scheduled to attend the virtual Trust Accounting Workshop scheduled for September 29, 2023. Respondent was reminded that he would need to pay the \$750.00 fee for his previous attendance at Ethics School in Supreme Court Case No. SC20-1005 and the \$750.00 fee for the Trust Accounting Workshop prior to attending the workshop for a total of \$1,500.00 in workshop fees. See, the bar's email transmitting the bar's letter and the noncompliance letter to respondent dated August 21, 2023, attached hereto as "Composite Exhibit B."

7. The bar's email dated August 21, 2023, to respondent was never returned to The Florida Bar.

8. Respondent failed to remit the \$1,500.00 in outstanding workshop fees prior to the September 29, 2023, scheduled Trust Accounting Workshop.

9. On March 7, 2024, the bar again sent the respondent a noncompliance letter by email only rescheduling respondent to attend the virtual Trust Accounting Workshop scheduled for May 2, 2024.

Respondent was again reminded that he would need to pay \$1,500.00 in fees for his previous attendance at Ethics School in Supreme Court Case No. SC20-1005 and to attend the Trust Accounting Workshop prior to May 2, 2024. See, the bar's email transmitting the bar's letter and the noncompliance letter to respondent dated May 2, 2024, attached hereto as "Composite Exhibit C."

10. The bar's email dated March 7, 2024 to respondent was never returned to the bar.

11. Respondent failed to remit the \$1,500.00 in outstanding workshop fees prior to the May 2, 2024, scheduled Trust Accounting Workshop.

COUNT II

12. In Florida Supreme Court Case No. SC22-0948 [TFB File No. 2022-30,535(19B)], by order dated April 13, 2023, respondent was publicly reprimanded and ordered to comply with all other terms and conditions of the report of referee.

13. Respondent was required to participate in the Fee Arbitration Program of The Florida Bar with Timothy Woodward and Carol Callahan. Respondent was required to comply with this condition by signing a fee arbitration agreement within thirty (30) days of the date of the Supreme Court of Florida. Respondent agreed to be bound by the decision of the arbitrator and make payment in full within the time frame specified in the award or within thirty (30) days of the award becoming final if an award is given to the clients. Failure to abide by the decision of the arbitrator will be in direct violation of this order and will result in respondent being deemed delinquent. In order for The Florida Bar's Fee Arbitration Department to proceed, respondent must first submit an application to the Fee Arbitration Coordinator, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida, 32399-2300, within thirty (30) days of the order of the Supreme Court of Florida accepting the report of referee. Respondent must provide proof of submission of this application to the bar's headquarters office.

14. On April 17, 2023, the bar notified respondent of the conditions associated with his public reprimand to his record bar address and by email, including participating in the bar's fee arbitration program by signing the fee arbitration applications for both Timothy Woodward and Carol Callahan. The bar attached fee arbitration applications to the April 17, 2023, for respondent's convenience. The letter sent to respondent's record bar address was returned to sender as undeliverable. See, "Composite Exhibit A."

15. Respondent failed to submit the completed fee arbitration applications for Mr. Woodward and Ms. Callahan.

16. On August 21, 2023, the bar sent respondent a noncompliance letter by email only stating that respondent had failed to return the completed fee arbitration agreements for Mr. Woodward and Ms. Callahan. See, "Composite Exhibit B."

17. The bar's email dated August 21, 2023, to respondent was never returned to The Florida Bar.

18. Respondent failed to submit the completed fee arbitration applications for Mr. Woodward and Ms. Callahan.

COUNT III

19. In Florida Supreme Court Case No. SC22-0948 [TFB File No. 2022-30,535(19B)], by order dated April 13, 2023, respondent was publicly reprimanded and ordered to comply with all other terms and conditions of the report of referee.

20. Respondent was required to contact Florida Lawyers Assistance, Inc. (FLA, Inc.) for an evaluation within thirty (30) days of the order of the Supreme Court of Florida. Within sixty (60) days of the order, respondent was required to provide the bar's headquarters office with proof that respondent had scheduled an evaluation. Respondent was required to abide by all recommendations made by FLA, Inc. including, but not limited to, entering into a rehabilitation contract. Should a rehabilitation contract result from the FLA, Inc. evaluation, respondent agreed to be placed on probation for the period of the FLA, Inc. contract, but such probationary period shall not exceed five years.

21. On April 17, 2023, the bar notified respondent of the conditions associated with his public reprimand to his record bar address and by email, including contacting FLA, Inc. to schedule an evaluation. The letter sent to respondent's record bar address was returned to sender as undeliverable. See, "Composite Exhibit A."

22. Respondent failed to contact FLA, Inc. and schedule an evaluation.

23. On August 21, 2023, the bar sent respondent a noncompliance letter by email only stating that respondent had failed to contact FLA, Inc. and schedule an evaluation. See, "Composite Exhibit B."

24. The bar's email dated August 21, 2023, to respondent was never returned to The Florida Bar.

25. Respondent failed to contact FLA, Inc. and schedule an evaluation.

COUNT IV

26. In Florida Supreme Court Case No. SC20-1005 [TFB File No. 2020-30,443(19B)], by order dated January 7, 2021, respondent was publicly reprimanded and order to comply with all other terms and conditions of the report of referee and the consent judgment.

27. On December 11, 2020, respondent entered into a consent judgment agreeing to attend and complete Ethics School within 6 months of the Supreme Court of Florida's order accepting the Consent Judgment and respondent agreed to pay the \$750.00 workshop fee associated with attending Ethics School.

28. On January 11, 2021, the bar notified respondent of the conditions associated with his public reprimand, specifically that he attends Ethics School and pay the associated fee of \$750.00 within 6 months of the Court's order. See, the bar's letter to respondent dated January 11, 2021 attached hereto as "Exhibit D."

29. Respondent was scheduled for Ethics School for April 8-9, 2021.

30. Respondent had not yet paid the workshop fee.

31. Respondent completed Ethics School on April 8-9, 2021.

32. Respondent was allowed to attend Ethics School because he had claimed financial hardship and was on an approved payment plan for payment of his disciplinary costs. See, the bar's letter to respondent dated April 6, 2021, approving respondent's payment plan for his disciplinary costs attached hereto as "Exhibit E."

33. Based on respondent's payment plan for disciplinary costs, the bar informed respondent that he could pay the fee associated with Ethics School in three separate payments once the payment plan for disciplinary costs had concluded.

34. The bar calculated that respondent would begin making three installment payments of \$250.00 each to be applied towards the \$750.00

fee beginning on May 1, 2022, and concluding on July 1, 2022 (essentially adding these three additional payments to the end of his current payment plan for disciplinary costs). See, email dated June 2, 2021, from the bar to respondent attached hereto as “Exhibit F.”

35. On June 4, 2021, respondent agreed to the extension of his payment plan to cover the costs of the fee associated with Ethics School. See, email dated June 4, 2021, from respondent to the bar attached hereto as “Exhibit G.”

36. Respondent failed to follow through with the extended payment plan to remit the \$750.00 in three equal installments of \$250.00 beginning May 1, 2022.

37. On July 22, 2022, the bar sent respondent an email reminding him of the previously agreed repayment plan for the \$750.00 and requesting respondent to make the first \$250.00 payment by August 1, 2022. See, email dated July 22, 2022, from the bar to respondent attached hereto as “Exhibit H.”

38. Respondent failed to respond to the bar’s email dated July 22, 2022, and failed to make the first \$250.00 payment by August 1, 2022.

39. On August 21, 2023, the bar sent respondent a noncompliance letter by email only stating that respondent had failed to pay the \$750.00

fee associated with his attendance at Ethics School. See, “Composite Exhibit B.”

40. The bar’s email dated August 21, 2023, to respondent was never returned to The Florida Bar.

41. Respondent failed to remit the \$750.00 fee associated with his attendance at Ethics School.

42. Due to respondent’s noncompliance with this Court’s orders dated January 7, 2021 and April 13, 2023, the bar was obligated to file this Petition for Contempt for noncompliance.

43. The other members of the bar should not have to pay for respondent’s noncompliance with this Court’s order and the instant proceeding. Therefore, the bar is requesting administrative costs of \$1,250.00 against respondent.

The bar respectfully requests this Court enter its order directing respondent, George Crosby Gaskell, III, to show cause why he should not be held in contempt and be suspended for 1-year, be directed to comply with the terms and conditions of the Court's orders in SC20-1005 and SC22-0948 prior to petitioning for reinstatement and assess costs in the amount of \$1,250.00 to The Florida Bar.

Respectfully submitted,



Patricia Ann Toro Savitz
Staff Counsel
The Florida Bar
Headquarters Branch Office
651 East Jefferson Street
Tallahassee FL, 32399
(850) 561-5839
Florida Bar No. 559547
psavitz@floridabar.org

CERTIFICATE OF SERVICE

I certify that this document has been filed via the Florida Courts E-Filing Portal with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida with a copy provided via the portal to Mr. George Crosby Gaskell, III, respondent at gaskellattorney@gmail.com; and that a copy has been provided by United States Mail via Certified Mail No. 7017 0190 0000 0892 2558, return receipt requested to respondent whose record bar address is Post Office Box 1111, Stuart, FL 34995-1111, and by regular U.S. to respondent's alternate address of 701 SE Michael Court, Stuart, FL 34996-3636 on this 24th day of October, 2024.



Patricia Ann Toro Savitz, Staff Counsel

NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY EMAIL ADDRESS

The bar counsel and staff counsel in this matter is Patricia Ann Toro Savitz, whose address, telephone number and primary email address are The Florida Bar, Headquarters, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, (850) 561-5839 and psavitz@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than bar counsel and to staff counsel.

NOTICE OF MANDATORY ELECTRONIC FILING

All parties must file all pleadings, motions, and notices in this matter electronically, with a copy to the referee, through the Florida Courts E-Filing Portal, www.myflcourtagency.com, under Rule Regulating The Florida Bar 3-7.6(h)(5)(A) and (B).