

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,  
Complainant,

v.

LEON MENAS BOYAJAN II,  
Respondent.

Supreme Court Case  
No. SC23-0630

The Florida Bar File Nos.  
2021-30,815(05A);  
2022-30,169(05A);  
2022-30,225(05A);  
2022-30,573(05A);  
2022-30,020(05A);  
2024-30,128(05A)

Received, Clerk, Supreme Court

OCT 18 2023

**REPORT OF REFEREE ACCEPTING CONSENT JUDGMENT**

I. **SUMMARY OF PROCEEDINGS**

Pursuant to the undersigned being duly appointed as referee to conduct disciplinary proceedings herein according to Rule 3-7.6, Rules of Discipline, the following proceedings occurred:

On May 5, 2023, The Florida Bar filed its Complaint against Respondent in these proceedings. All of the aforementioned pleadings, responses thereto, exhibits received in evidence, and this Report constitute the record in this case and are forwarded to the Supreme Court of Florida.

II. **FINDINGS OF FACT**

A. **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.

B. Narrative Summary Of Case:

**The Florida Bar File No. 2021-30,815 (05A)**

1. In or around June 2020, Mr. Christopher Kumpf hired respondent to represent him in an action for damages for breach of contract regarding the purchase of real property.

2. On August 6, 2020, respondent filed the civil complaint in Christopher James Kumpf v. Debera Murtaugh and Matthew Ventre, Case No. 2020-CA-000432, in the Circuit Court of the Fifth Judicial Circuit in and for Citrus County, Florida.

3. From approximately September 2020 to January 7, 2021, Mr. Kumpf repeatedly called and e-mailed respondent seeking the status of his case. However, respondent failed to respond to Mr. Kumpf's attempts at communication.

4. On January 8, 2021, respondent provided an update by email to Mr. Kumpf and attached a Motion to Dismiss filed by the defendants on December 29, 2020. Following respondent's January 8, 2021 email to Mr. Kumpf until approximately May 2021, when Mr. Kumpf filed a complaint with the bar, respondent again failed to respond to Mr.

Kumpf's repeated inquiries regarding the status of his case. Respondent also failed to timely transmit pleadings and court orders to Mr. Kumpf and failed to inform Mr. Kumpf of his discovery obligations in the case.

5. On July 13, 2022, the defendants in the lawsuit filed their first request for production of documents. Respondent failed to respond to the request for production and on August 24, 2022, the defendants filed a Motion to Compel Production of Documents and for Sanctions.

6. On November 1, 2022, upon a hearing on defendants' Motion to Compel Production of Documents and Sanctions, the court was advised that the parties agreed to stipulate to an agreed-upon order directing the plaintiff to produce the documents in 20 days from the date of the court's order and for sanctions of \$500.00 for defendants having to bring an action to compel compliance.

7. On November 8, 2022, the trial court entered its order granting the defendants' motion to compel, directing plaintiff to produce the documents within 20 days from the date of the order and imposing a sanction of \$500.00 on Mr. Kumpf. Respondent failed to inform Mr. Kumpf of the stipulated order as well as the obligations in it resulting in Mr. Kumpf failing to pay the \$500.00 sanction. However, on November 28, 2022, a

Satisfaction of Judgment was filed in the case acknowledging that full payment of the \$500.00 had been received.

8. On December 23, 2022, the defendants filed a Motion for Sanctions Pursuant to Fla. R. Civ. P. 1.380(b)(2)(C), due to plaintiff's continuing failure to provide the discovery. The defendants' motion also sought the dismissal of the lawsuit and to award a judgment of \$500.00 in attorney fees.

9. On December 27, 2022, respondent's staff provided Mr. Kumpf a copy of the December 23, 2022 Motion for Sanctions. A hearing on the motion was set for March 27, 2023. On March 22, 2023, respondent filed a response to the defendants' discovery request and an amended response on March 23, 2023, and the hearing was subsequently cancelled.

**The Florida Bar File No. 2022-30,169 (05A)**

10. In February 2010, Mr. James Broccolo and his wife hired counsel and filed a lawsuit against Candelite Health Spas, Inc., the former landlord of their restaurant, Jimmy Diablo's and in or around September 2012, they hired respondent to represent them, and he filed a notice of appearance in the case.

11. Thereafter, respondent failed to take any meaningful action in the case to progress the litigation and on October 3, 2012, a

Notice of Lack of Prosecution and Notice of Hearing was issued by the court and on December 5, 2012, the court ordered that the case remain open.

12. On November 20, 2013, a mediation occurred and resulted in an impasse. Following the mediation in 2013, respondent failed to actively pursue the litigation and the case sat idle again until the court, on January 29, 2016, issued a Notice of Lack of Prosecution and Order Setting Hearing and Directing Filing of a Showing of Good Cause.

13. On April 7, 2016, respondent filed a Response to Notice of Lack of Prosecution and Order Setting Hearing wherein he stated, among other things, that the "lack of prosecution is as result of mistake, negligence or mistake in that the matter was not calendered (sic) as a result of confusion on the part of the undersigned's office with an employee passing away and the undersigned's civil legal assistant changing from full time to part time and that part time assistant's needs to assist her husband in his medical needs through the VA."

14. Respondent also filed a request to produce on April 7, 2016. Despite receiving no response to the request to produce, respondent failed to follow up on the request and did not seek court intervention in obtaining the requested documents at that time.

15. On March 28, 2019, the court issued a third Notice of Lack of Prosecution and Order Setting Hearing and Directing Filing of a Showing of Good Cause. On April 8, 2019, the court issued an Amended Notice of Lack of Prosecution and Order Setting Hearing and Directing Filing of a Showing of Good Cause. Respondent did not provide a written showing of good cause to the court as to why the case should not be dismissed and the matter was set for hearing on June 5, 2019, at 2:30 p.m. On June 5, 2019, at 12:56 p.m., respondent e-filed a Motion to Compel Discovery. Thereafter, on June 5, 2019, the trial court dismissed the case for lack of prosecution as respondent's pleading was not timely pursuant to the court's order.

16. Respondent failed to inform the Broccolos of the June 5, 2019 hearing date and of the court's dismissal of the case. Respondent met with them regarding other legal matters following the dismissal but when the Broccolos inquired about the status of the case, respondent would reply that he "was working on it." In or around January 2021, Mr. Broccolo discovered that the case had been dismissed when he called the courthouse to check on the case's status. Thereafter, Mr. Broccolo confronted respondent regarding the dismissal at which time respondent confirmed that the case had been dismissed.

**The Florida Bar File No. 2022-30,225 (05A)**

17. On or about January 23, 2020, Ms. Trudy Estey and her husband consulted with respondent regarding structural defects with their swimming pool. Respondent agreed to represent the Esteys and took copies of their documents. Respondent promised to write a letter to San Juan Pools and Spas, Inc. and to EML, Inc. regarding the defects.

18. The Esteys paid respondent a \$150.00 consultation fee and a \$1,500.00 retainer.

19. Respondent's office staff informed Ms. Estey that the letters were sent, but Ms. Estey was unable to obtain copies of the letters from respondent's office.

20. In or around March 2020, Ms. Estey called respondent's office again and discovered that the office was closed due to COVID-19.

21. In or around October 2020, Ms. Estey called respondent's office and left a message with respondent's receptionist, who said that respondent would return her call. Ms. Estey continued to call respondent's office and leave messages with respondent's receptionist. Respondent failed to return her telephone calls or otherwise communicate with Ms. Estey until after she filed a complaint with the bar in October 2021.

22. Respondent finally provided a copy of his letter sent to San Juan Pools and Spas, Inc., dated February 24, 2020, with his response to the bar complaint, submitted on November 24, 2021. Respondent never sent a letter to EML, Inc., despite his agreement to do so.

23. On December 27, 2021, respondent issued a refund of the \$1,500.00 retainer fee to Ms. Estey.

**The Florida Bar File No. 2022-30,573(05A)**

24. Thomas Burke, Michael Gegan, and Brandon Boggs are half-brothers. On or about January 24, 2020, Thomas Burke, Brandon Boggs, and Michael Gegan were arrested along with their friend, Alexander Macys, for their alleged involvement in the robbery of a convenience store. At the time of the arrest, Mr. Burke was a former client of respondent.

25. Upon contact with law enforcement, Brandon Boggs made admissions implicating himself and his brothers in the robbery. Mr. Boggs advised law enforcement that he acted as the get-away driver, that Thomas Burke was the masked person who brandished a knife, and that Michael Gegan was the masked person who held the door during the robbery.



26. Upon learning of the arrest, a family member, Shane Gegan, contacted respondent to represent the brothers. Shane Gegan advised that respondent was the family attorney and he had done work for respondent in the past. Respondent advised Shane Gegan that he would represent all three brothers as long as there was not a conflict of interest.

27. On or about January 27, 2020, respondent went to the county jail and consulted individually with Mr. Burke, Mr. Boggs, and Mr. Michael Gegan about their cases and the alleged robbery. After discussing the case with respondent, Mr. Burke advised respondent that he was interested in proceeding with his case *pro se*. Respondent then had individual consultations with Michael Gegan and Brandon Boggs wherein respondent agreed to represent them. At the time that respondent agreed to jointly represent Michael Gegan and Brandon Boggs, respondent failed to explain to them the advantages and risks involved in the joint representation.

28. Respondent did not obtain Michael Gegan's or Mr. Boggs' informed consent with regard to the joint representation, and never sought a waiver of the conflict of interest from either of them. Respondent also did not obtain Mr. Burke's informed consent with regard to respondent's

representation of Mr. Boggs and Mr. Michael Gegan, and never sought a waiver of the conflict of interest from Mr. Burke.

29. Mr. Burke later hired private counsel, Ms. Dale Merrill, to represent him in his case. During respondent's representation of Mr. Boggs and Mr. Michael Gegan, the State sought to have Mr. Boggs and Mr. Michael Gegan testify against Mr. Burke. Counsel for Mr. Burke, Ms. Dale Merrill, contacted respondent and urged him to withdraw from the representation of Mr. Boggs and Mr. Michael Gegan due to the conflict of interest. Respondent advised Ms. Merrill that there was no conflict of interest and refused to withdraw from the representation.

30. On October 26, 2021, Ms. Merrill filed a Motion to Disqualify seeking to have respondent disqualified from representing Mr. Boggs and Mr. Michael Gegan due to the conflict of interest. A hearing on the Motion to Disqualify was held on November 8, 2021. During the hearing, respondent was called as a witness and gave sworn testimony. The trial court questioned respondent regarding whether he ever talked with Mr. Burke about the robbery allegations. Respondent replied, "Uh, I don't believe so." Respondent later testified that he spoke with Mr. Burke at the county jail but told him that he could not represent him. Mr. Burke testified that respondent met with him at the county jail shortly after his

arrest. Mr. Burke further testified that he discussed the robbery case with respondent including an issue relating to the custodial interrogation.

31. The trial court ultimately denied the Motion to Disqualify and permitted respondent to continue representing Mr. Boggs and Mr. Michael Gegan in their criminal cases. Thereafter, the State with the assistance of respondent obtained proffers from Mr. Boggs and Mr. Michael Gegan implicating their brother, Mr. Burke, in the robbery. Mr. Michael Gegan, Mr. Boggs, and Mr. Burke later entered pleas of nolo contendere to the charges. A condition of Mr. Michael Gegan's plea was that he provide truthful testimony as requested by the State.

32. Mr. Michael Gegan, Mr. Boggs, and Mr. Burke were subsequently sentenced. Mr. Michael Gegan and Mr. Boggs received prison sentences that were suspended subject to the successful completion of two years of community control. Mr. Burke received a sentence of fifty years as a Habitual Felony Offender and Prison Release Reoffender in the Florida Department of Corrections.

**The Florida Bar File No. 2022-30,020(05A)**

33. On or about December 2, 2019, Ms. Paula Schulte-Pins hired respondent and paid him \$2,500.00 to represent her in recovering a mobile home which had been left to her by Eldon Schroeder in his last will

and testament. At the time, the mobile home was occupied by a tenant. Although the tenant had a purchase agreement with the decedent, Ms. Schulte-Pins claimed the tenant had failed to fulfill the purchase agreement.

34. After receiving payment from Ms. Schulte-Pins in December 2019, respondent failed to communicate with Ms. Schulte-Pins regarding her case until approximately February 20, 2020.

35. On February 25, 2020, respondent filed a Complaint for Foreclosure in Case Number 2020-CA-000135 in the Circuit Court of the Fifth Judicial Circuit in and for Citrus County, Florida on behalf of Ms. Schulte-Pins. The action sought to foreclose on an agreement for sale and purchase on the mobile home signed by the defendant with Eldon Schroeder. The Complaint alleged that the plaintiff was bringing the suit as Assignee by virtue of a certain assignment from Annette Olson, Executor of the Estate of Eldon Schroeder. The plaintiff stated various documents were attached as exhibits.

36. The defendant filed a Motion to Dismiss on April 27, 2020, arguing that no documents were attached to the Complaint. The Court granted the motion on May 1, 2020 and ordered the plaintiff to file an amended complaint with any referenced exhibits. On May 18, 2020,

respondent filed an amended complaint. However, neither the Agreement for Sale and Purchase or a copy of the letters of appointment of Annette Olson as Executor of the Estate of Eldon Schroeder were attached.

37. The defendant filed a second motion to dismiss arguing that the plaintiff again failed to attach the referenced exhibits. The court granted the motion and ordered the plaintiff to file a second amended complaint, attaching any referenced exhibits in compliance with Rule 1.115 of the Florida Rules of Civil Procedure.

38. On July 9, 2020, respondent filed the Second Amended Complaint for Foreclosure but again failed to attach the correct exhibits and attached the same ones attached to the previous amended complaint. The defendant filed another motion to dismiss which the court granted and ordered the plaintiff to file a third amended complaint within twenty (20) days. The court indicated that failure to attach the referenced exhibits and cure the prior deficiencies may result in a dismissal with prejudice.

39. On September 24, 2020, respondent filed a Third Amended Complaint. The defendant filed a Motion to Dismiss arguing that the plaintiff failed to state a cause of action. The defendant argued that the plaintiff could not foreclose based on the Purchase and Sale Agreement alone and because Mr. Schroeder was a non-resident of Florida, where the

subject property is located, an ancillary probate must occur to transfer the interest in the Purchase Agreement. On November 18, 2020, the court entered an order granting the defendant's Motion to Dismiss and directing the plaintiff to file an amended complaint within thirty (30) days. In its order, the court found that respondent, in the complaint with attachments, failed to establish that an ancillary probate was filed or that Annette Olson had authority to administer the Florida personal property because Mr. Schroeder passed away as a resident of Iowa and his estate was probated in Iowa. The court further found that nothing in the agreement supported a foreclosure because the mobile home was personal property not real property, and nothing was pled or attached to the complaint that demonstrated that a separate mortgage or security instrument was executed to secure payment of the agreement. Thereafter, the case was closed.

40. From approximately September 2020 until August 12, 2021, respondent failed to communicate with Ms. Schulte-Pins regarding the status of her case. Without communicating with Ms. Schulte-Pins, on March 1, 2021, respondent filed an action for Unlawful Entry and Forcible Entry and Unlawful Detainer and Ejectment on her behalf in Case Number 2021-CC-203, in the County Court of the Fifth Judicial Circuit in and for

Citrus County, Florida. The action sought to recover possession of the mobile home. The defendant filed a motion to dismiss on March 12, 2021. On October 1, 2021, the court entered an order granting the defendant's motion to dismiss, with leave for the plaintiff to amend her pleadings or transfer the case to circuit court stating that the mobile home's value was beyond the jurisdiction of the court and Florida Statute 82 only applies to real property, not the mobile home as personal property.

41. On or about October 21, 2021, respondent filed an Amended Complaint and a motion to transfer the matter to circuit court. The court granted respondent's motion on October 28, 2021, and ordered that the matter be transferred to circuit court upon payment of the transfer fee. Thereafter, respondent failed to timely pay the transfer fee and the case was closed.

42. Ms. Schulte-Pins called respondent's office on various dates in January 2022 through April 5, 2022. After failing to receive a response from respondent she emailed his office on April 11, 2022 requesting a status update on her case. However, respondent failed to respond. Ms. Schulte-Pins then contacted the Clerk of Court and learned that the circuit court transfer fee had not been paid and that her cases had

been closed. Respondent did not communicate with Ms. Schulte-Pins again until after she filed a complaint with The Florida Bar in July 2022.

43. On August 11, 2022, respondent filed a motion to reopen in Case Number 2021-CC-203 which was subsequently granted.

**The Florida Bar File No. 2024-30,128(05A)**

44. In or around February 2019, Denise Bean hired respondent to represent her in a family law case. During the representation, respondent failed to adequately communicate with Ms. Bean or timely respond to her requests for information regarding her case. In some instances, respondent's lack of communication with Ms. Bean denied Ms. Bean the opportunity to make informed decisions regarding the representation.

**RECOMMENDATIONS AS TO GUILT**

Pursuant to the consent judgment, I recommend that Respondent be found guilty of violating the following Rules Regulating The Florida Bar:

**The Florida Bar File No. 2021-30,815 (05A):** 4-1.2(a) Lawyer to Abide by Client's Decisions; 4-1.3 Diligence; 4-1.4(a) Informing Client of Status of Representation; 4-1.4(b) Duty to Explain Matters to Client; and 4-8.4(d) Misconduct – conduct in connection with the practice of law that is prejudicial to the administration of justice.



**The Florida Bar File No. 2022-30,169 (05A):** 3-4.3 Misconduct and Minor Misconduct; 4-1.1 Competence; 4-1.2(a) Lawyer to Abide by Client's Decisions; 4-1.3 Diligence; 4-1.4(a) Informing Client of Status of Representation; 4-1.4(b) Duty to Explain Matters to Client; 4-3.2 Expediting Litigation. A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client; 4-8.4(c) Misconduct – conduct involving dishonesty, fraud, deceit, or misrepresentation; 4-8.4(d) Misconduct – conduct in connection with the practice of law that is prejudicial to the administration of justice.

**The Florida Bar File No. 2022-30,225 (05A):** 4-1.4(a) Informing Client of Status of Representation; and 4-1.4(b) Duty to Explain Matters to Client.

**The Florida Bar File No. 2022-30,573(05A):** 3-4.3 Misconduct and Minor Misconduct; 4-1.2(a) Objectives and Scope of Representation; Lawyer to Abide by Client's Decisions; 4-1.4(a) Informing Client of Status of Representation; 4-1.4(b) Duty to Explain Matters to Client; 4-1.7(a) Conflict of Interest; Current Clients; Representing Adverse Interests; 4-1.7(c) Conflict of Interest; Current Clients; Explanation to Clients; 4-1.16(a)(1) Declining or Terminating Representation; When Lawyer Must Decline or Terminate Representation; 4-1.18(c) Duties to Prospective Client;

Subsequent Representation; and 4-8.4(d) Misconduct –conduct in connection with the practice of law that is prejudicial to the administration of justice.

**The Florida Bar File No. 2022-30,020(05A):** 4-1.1 Competence; 4-1.2(a) Lawyer to Abide by Client’s Decisions; 4-1.3 Diligence; 4-1.4(a) Informing Client of Status of Representation; 4-1.4(b) Duty to Explain Matters to Client; and 4-8.4(d) Misconduct – conduct in connection with the practice of law that is prejudicial to the administration of justice.

**The Florida Bar File No. 2024-30,128(05A):** 4-1.4(a) Informing Client of Status of Representation; 4-1.4(b) Duty to Explain Matters to Client.

### III. STANDARDS FOR IMPOSING LAWYER SANCTIONS

I considered the following Standards prior to recommending discipline:

#### 4.4 Lack of Diligence

4.4(b) Suspension. Suspension is appropriate when a lawyer causes injury or potential injury to a client and: (1) knowingly fails to perform services for a client; or (2) engages in a pattern of neglect with respect to client matters.

#### 4.6 Lack of Candor

4.6(b) Suspension. Suspension is appropriate when a lawyer knowingly deceives a client and causes injury or potential injury to the client.

8.1 Violation of Court Order or Engaging in Subsequent Same or Similar Misconduct

8.1(b) Suspension. Suspension is appropriate when a lawyer has been publicly reprimanded for the same or similar conduct and engages in a further similar act of misconduct that cause injury or potential injury to a client, the public, the legal system, or the profession.

3.2(b) Aggravating Factors

- (1) prior disciplinary offenses;
- (3) a pattern of misconduct;
- (4) multiple offenses;
- (9) substantial experience in the practice of law.

3.3(b) Mitigating Factors

- (5) full and free disclosure to the bar or cooperative attitude toward the proceedings

IV. CASE LAW

I considered the following case law prior to recommending discipline:

The Florida Bar v. Eduardo Julio Mejias, 2023 WL 1836950 (Fla. Feb. 9, 2023) – The Court suspended respondent for one year and placed him on probation for 3 years. Mejias engaged in a pattern of misconduct in which he neglected client matters and failed to comply with court orders. In several matters, Mejias was sanctioned by the court. All of the misconduct occurred during the same time period. Mejias had a prior disciplinary history of a public reprimand in 2013.

The Florida Bar v. Thomas, 2020 WL 7042819 (Fla. Dec. 1, 2020) – The Court disapproved the referee's recommended discipline of a 45-day suspension and instead suspended respondent for one year. Thomas represented a complainant in a civil matter involving damage to the complainant's condominium. The court entered summary judgment as to liability in favor of the complainant and reserved ruling on the amount of damages and attorney's fees and costs. Thereafter, Thomas failed to appear at two properly noticed pre-trial conferences. As a result, the court entered an order dismissing the complainant's case without prejudice. The trial court found that Thomas' failure to appear could not be explained as a mere calendaring error and was more than excusable neglect. The consequence of the dismissal resulted in the complainant recovering nothing and being required to pay \$30,563.10 in attorney's fees. Thomas

refiled a new case for the complainant but failed to pursue it. Thomas had a prior disciplinary history of a public reprimand in 2011.

The Florida Bar v. Werre, 2019 WL 6525155 (Fla. Dec. 4, 2019) –

The Court disapproved the Referee's report in part and instead suspended Werre for one year and ordered him to attend Ethics School. The suspension was to run consecutive to the one-year suspension that Werre received in SC18-2082 and SC19-425. Werre failed to diligently pursue a client's bankruptcy case by failing to file a notice of appearance, missing the 341 creditors' meeting, and having no contact with the client or her family lawyer after his initial consultation. In another case regarding a client's bankruptcy petition relating to garnishment for credit card debt, the client was unable to communicate with Werre for over a year and Werre filed the bankruptcy petition one year late. Werre took no action on the bankruptcy case until after the client complained to the bar. The client ultimately received the bankruptcy discharge of the debt. Respondent, however, failed to respond to the bar's investigative inquiries.

The Florida Bar v. Werre, 2019 WL 4335237 (Fla. Sept. 12, 2019) –

The Court suspended Werre for one year and he was required to take the Ethics portion of the Florida Bar examination prior to reinstatement. Werre was hired by a client to handle a bankruptcy, but then failed to

communicate with the client, who terminated his legal services. Werre also failed to return the client's legal documents. Werre was hired by another client to handle a name change for a minor child before the beginning of the school year but took no action for over a year. In both cases, Werre failed to respond to Florida Bar inquiries. Werre had a prior discipline history of a public reprimand in 2015.

The Florida Bar v. Polk, 2019 WL 1397253 (Fla. March 28, 2019) –

The Court approved the uncontested report of referee and suspended Polk for one year. Polk was appointed to represent his client on a criminal appeal. He failed to diligently represent or communicate with his client, to comply with appellate rules and orders, and to timely respond to The Florida Bar. Polk had a prior disciplinary history that included a 90-day suspension with 3 years of probation in 2013, and in 2015, another 90-day suspension to run concurrent with his previous suspension.

V. RECOMMENDATION AS TO DISCIPLINARY MEASURES TO BE APPLIED

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

- A. One-year suspension from the practice of law.
- B. Payment of the disciplinary costs.

Respondent will eliminate all indicia of respondent's status as an attorney on email, social media, telephone listings, stationery, checks, business cards office signs or any other indicia of respondent's status as an attorney, whatsoever.

VI. PERSONAL HISTORY AND PAST DISCIPLINARY RECORD

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

Age: 67

Date admitted to the Bar: January 7, 1983

Prior Discipline:

1. In TFB File No. 1987-22,334(05A), respondent received a Private Reprimand for misconduct involving neglect.
2. In TFB File No. 2002-30,625(058) – respondent received a grievance committee admonishment for minor misconduct involving neglect.
3. In Case No. SC09-2349 – By Court order dated July 8, 2010, respondent received a public reprimand and a 3-year period of probation for neglecting several cases and for failing to adequately communicate with his clients.

4. In Case No. SC11-641– By Court order dated September 20, 2011, respondent received a ten-day suspension from the practice of law followed by a 1-year period of probation to run consecutive to respondent's three years of probation ordered on July 8, 2010. In the first matter, respondent engaged in a pattern of misconduct in which he missed hearings, ignored requests for documents required by the court, and disregarded court orders. In a second matter, respondent failed to adequately communicate with his client and failed to diligently represent him.

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

I find the following costs were reasonably incurred by The Florida

Bar:

Administrative Fee	\$1,250.00
Investigative Costs	\$2,518.96
Court Reporters' Fees	\$684.75
Copy Costs	\$298.80

TOTAL \$4,752.51

It is recommended that such costs be charged to Respondent and that interest at the statutory rate shall accrue and that should such cost judgment not be satisfied within thirty days of said judgment becoming final, Respondent shall be deemed delinquent and ineligible to practice law,



pursuant to R. Regulating Fla. Bar 1-3.6, unless otherwise deferred by the Board of Governors of The Florida Bar.

Dated this 17<sup>th</sup> day of October, 2023.

\_\_\_\_\_/s/\_\_\_\_\_  
Sean David Brewer, Referee

Original To:

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