

Judicial Application to the Fifth District Court of Appeal

Therese Ann Savona



**APPLICATION FOR NOMINATION TO THE
FIFTH DISTRICT COURT OF APPEAL**

Instructions: Respond fully to the questions asked below. Please make all efforts to include your full answer to each question in this document. You may attach additional pages, as necessary, however it is discouraged. In addition to the application, you must provide a recent color photograph to help identify yourself.

Full Name: Therese Ann Savona **Social Security No.:** [REDACTED]

Florida Bar No.: 0077618 **Date Admitted to Practice in Florida:** 4/21/2010

1. Please state your current employer and title, including any professional position and any public or judicial office you hold, your business address and telephone number.

Cole, Scott & Kissane, P.A. – *Partner*
1900 Summit Tower Blvd.
Suite 400
Orlando, FL 32810-5912

2. Please state your current residential address, including city, county, and zip code. Indicate how long you have resided at this location and how long you have lived in Florida. Additionally, please provide a telephone number where you can be reached (preferably a cell phone number).

[REDACTED]
November 6, 2018 – Current

Cell: [REDACTED]

3. State your birthdate and place of birth.

Birthdate: September 10, 1983
Place of birth: Winter Park, FL

4. Are you a registered voter in Florida (Y/N)?

Yes

5. Please list all courts (including state bar admissions) and administrative bodies having special admissions requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have ever been suspended or resigned. Please explain the reason for any lapse in membership.

State of Florida – 04/21/2010
Supreme Court of the United States – 11/2/2015
Southern District of Florida – 06/18/2010 (*Lapse in membership due to no longer practicing in the Southern District; membership is current*)

Northern District of Florida – 06/23/2011
 Middle District of Florida – 08/4/2016
 Eleventh Circuit Court of Appeals – 05/15/2018

6. Have you ever been known by any aliases? If so, please indicate and when you were known by such alias.

No

EDUCATION:

7. List in reverse chronological order each secondary school, college, university, law school or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, the date the degree was received, class standing, and graduating GPA (if your class standing or graduating GPA is unknown, please request the same from such school).

School	Class Standing	Dates of Attendance	Degree
St. Thomas University, School of Law –	Mid 50%*	Aug. 2006-May 2009	J.D. (May 16, 2009)
Rollins College	4.0 GPA	Summer 2003, Summer 2004	N/A (only took summer classes)
University of Miami	3.5 GPA	Aug. 2002-May 2006	B.S. in Communication (May 12, 2006)
Bishop Moore Catholic High School	Top 10%*	Aug. 1998-May 2002	High School Diploma

**Requested*

8. List and describe any organizations, clubs, fraternities or sororities, and extracurricular activities you engaged in during your higher education. For each, list any positions or titles you held and the dates of participation.

St. Thomas Law Review - *Notes and Comments Editor* (2008-2009)
 Moot Court Executive Board – *Secretary* (2008-2009)
 Robert Orseck Memorial Moot Court Coach – *First Place* (Summer 2008)
 John J. Gibbons Criminal Procedure Moot Court – *Competitor* (Spring 2008)
 Dean’s List – Spring 2009 (3.5 GPA)
 Dean’s List – Fall 2008 (3.7 GPA)
 Moot Court – *Member* (2007 – 2009)
 St. Thomas Law Review – *Member* (2007-2009)
 Burton D. Wechsler National First Amendment Moot Court Competition – *Research Assistant* (Fall 2007)

EMPLOYMENT:

9. List in reverse chronological order all full-time jobs or employment (including internships and clerkships) you have held since the age of 21. Include the name and address of the employer, job title(s) and dates of employment. For non-legal employment, please briefly describe the position and provide a business address and telephone number.

September 2015 – Present

Cole, Scott & Kissane, P.A – *Partner*
1900 Summit Tower Blvd., Suite 400
Orlando, FL 32810
321-972-0000

Participate in all aspects of appellate litigation for civil cases in both state and federal courts; provide litigation support for trial attorneys in both state and federal courts; provide mentorship to law clerks and new associates; assist with administrative tasks for Orlando office to ensure approximately 80 attorneys and 20 staff members meet goals and have billable time entered; participate as a member of the Firm’s marketing group related to e-blasts, webinars, social media, and website; participate as a member of the Orlando office’s Return to Work Committee to address individual issues related to the coronavirus pandemic; provide “lunch n’ learns” to attorneys on appellate and litigation issues.

November 2012 – September 2015

Florida Department of Health, Prosecution Services Unit – *Chief Appellate Counsel*
4052 Bald Cypress Way
Tallahassee, FL 32399
850-245-4956

Served as Chief Legal Counsel for the Prosecution Services Unit and is responsible for handling all Appellate matters within the General Counsel’s Office; provided legal services to the agency by representing the agency in all appellate cases, including, but not limited to: conducting legal research, drafting memoranda of law, motions, and other pleadings, drafting appellate briefs, and presenting oral arguments; represented the agency in appellate proceedings in all state courts; provided information and reports to delegated authority on all appellate matters; studied legislation and other sources of relevant information to assess and recommend policy and procedural modifications; provided legal research assistance to the attorneys, and developed training materials for presentation to agency attorneys, investigators and staff; assisted in proofreading and review of emergency orders for conformity with the law and consistent application of agency policy; reviewed and commented on written exceptions to DOAH recommended orders; assisted with other routine legal tasks, as assigned, including, but not limited to, review and research on proposed or pending legislation and on proposed rules; maintained appellate case files, appellate brief bank files, and reading files; and responded to inquiries from counsel, the public, and other agencies regarding current cases, agency policy, and public record requests

August 2010 – November 2012

Office of the Attorney General, Criminal Appellate Division – *Assistant Attorney General*

PL-01, The Capitol
Tallahassee, FL 32399

Represented the State of Florida in over 250 criminal appeals; researched, wrote, and filed briefs in state appeals, direct appeals of criminal convictions, post-conviction appeals, and state habeas corpus cases; researched, wrote, and filed jurisdictional and merit briefs in the Florida Supreme Court; responded to writs of prohibition and orders to show cause; presented oral argument in front of the First District Court of Appeal; and participated in moots for attorneys arguing cases in the First District Court of Appeal and Florida Supreme Court.

May 2010 – June 2010

Ice Legal, P.A. – *Associate*
6586 Hypoluxo Road, Suite 350
Lake Worth, FL 33467
561-729-0530

Researched appellate issues and drafted appellate briefs for foreclosure appeals; handled all aspects of case including docketing statements, motions, records on appeals; provided support to litigation attorneys by researching questions on cases.

September 2009 – December 2009

Ninth Judicial Circuit Court, Hon. John M. Kest – *Intern*
Osceola County Courthouse
2 Courthouse Square
Kissimmee, FL 34741
407-742-3500

Drafted orders for civil and dependency judges; conducted legal research pertaining to pre-trial hearings and trials; wrote memos advising the judge of legal issues in current cases; edited a judicial newsletter.

August 2008 – May 2009

St. Thomas University School of Law, Appellate Litigation Clinic
Miami-Dade Public Defender's Office – *Intern*
1320 NW 14th Street
Miami, FL 33125
305-545-1600

Worked on two criminal appeals including a juvenile delinquency case and a second-degree murder case; wrote appellate briefs on both cases with an intern that were filed with the Third District Court of Appeal; successfully presented the oral argument as Appellee for the second-degree murder case in front of the Third District Court of Appeal which upheld the trial court's ruling.

Summer 2008

Miami-Dade State Attorney's Office – *Intern*
1350 NW 12th Avenue
Miami, FL 33136
305-547-0100

Wrote appellate briefs; conducted legal research for an Assistant State Attorney in the Felony Division; advised the Assistant State Attorney of legal issues in current cases.

Summer 2006

San Pedro Scripture Camp – *Assistant Director*

2400 Dike Road

Winter Park, FL 32792

407-671-6322

Assisted camp director with overnight for middle school students through high school students; developed schedules and programs for campers and counselors.

- 10.** Describe the general nature of your current practice including any certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

My current practice is devoted entirely to civil appellate practice throughout Florida’s appellate courts, as well as several federal appellate courts. I became Board Certified in Appellate Practice by the Florida Bar as of June 1, 2018. In addition to being responsible for all appellate filings and oral arguments, I also assist trial attorneys with litigation support, including drafting: evidentiary and dispositive motions; responses to evidentiary and dispositive motions; jury instructions and verdict forms; objections to trial exhibits; *Daubert* motions and responses to *Daubert* motions; and motion for rehearing/reconsideration. Previously, I handled criminal appeals from 2010 through 2012 for the Florida Office of the Attorney General, where I was responsible for all briefs and oral arguments. In 2012 through 2015 while at the Florida Department of Health, I handled administrative law appeals from final orders issued by professional boards against health care professionals, and responses to petitions for review of emergency suspension/restriction orders. From 2015 through approximately 2018, I handled civil trial litigation in cases involving medical malpractice, wrongful death, professional liability, and condominium/homeowners association. Currently, typical clients are insured defendants.

- 11.** What percentage of your appearance in court in the last five years or in the last five years of practice (include the dates) was:

	Court		Area of Practice
Federal Appellate (2019-2020)	_____ 1 %	Civil	_____ 100 %
Federal Trial (2018-2020)	_____ 2 %	Criminal	_____ 0 %
Federal Other	_____ 0 %	Family	_____ 0 %
State Appellate	_____ 40 %	Probate	_____ 0 %

(2018-2020)			
State Trial	<u>56</u> %	Other	<u>0</u> %
(2015-2018)			
State Administrative	<u>1</u> %		
(2018-2020)			
State Other	<u>0</u> %		
TOTAL	<u>100</u> %	TOTAL	<u>100</u> %

If your appearance in court the last five years is substantially different from your prior practice, please provide a brief explanation:

From 2010 through 2015, I appeared exclusively in Florida’s district courts of appeal and the Florida Supreme Court, with one or two federal habeas corpus cases in the United States District Court for the Northern District of Florida.

12. In your lifetime, how many (number) of the cases that you tried to verdict, judgment, or final decision were:

Jury?	<u>0</u>	Non-jury?	<u>0</u>
Arbitration?	<u>0</u>	Administrative Bodies?	<u>2</u>
Appellate?	<u>approx. 492</u>		

13. Please list every case that you have argued (or substantially participated) in front of the United States Supreme Court, a United States Circuit Court, the Florida Supreme Court, or a Florida District Court of Appeal, providing the case name, jurisdiction, case number, date of argument, and the name(s), e-mail address(es), and telephone number(s) for opposing appellate counsel. If there is a published opinion, please also include that citation.

Case: *Palace Resorts, Inc., et al v. Chacko*
Jurisdiction: Third District Court of Appeal
Case No.: 3D19-1015
Date of Argument: February 21, 2020
Citation: Unpublished Disposition – Per Curiam Affirmed
Opposing Appellate Counsel:
 Brant C. Hadaway, Esq.
 Gary E. Davidson, Esq.
 Xingjian Zhao, Esq.
 (305) 375-9220
bhadaway@diazreus.com

gdauidson@diazreus.com
xzhao@diazreus.com

Case: *Security First Insurance Company v. True Builders, Inc. a/a/o Lorenzo Rivera-Cruz*

Jurisdiction: Second District Court of Appeal

Case No.: 2D17-5165

Date of Argument: March 5, 2019

Citation: Unpublished Disposition – Per Curiam Affirmed

Opposing Appellate Counsel:

Nicholas A. Shannin, Esq.

407-985-2222

nshannin@shanninlaw.com

Case: *Poornima & Avanash Charitable Foundation, Inc. v. The River Club Association, Inc.*

Jurisdiction: Fifth District Court of Appeal

Case No.: 5D17-2410

Date of Argument: December 13, 2018

Citation: Unpublished Disposition – Per Curiam Affirmed

Opposing Appellate Counsel:

Diego Handel, Esq.

386-252-4493

dhandel@bellsouth.net

Case: *Florida Department of Health v. Choy*

Jurisdiction: First District Court of Appeal

Case No.: 1D14-3233

Date of Argument: March 10, 2015

Citation: Unpublished Disposition – Per Curiam Affirmed

Opposing Appellate Counsel:

Timothy M. Cerio, Esq.

Andy V. Bardos, Esq.

850-577-9090

tim.cerio@gray-robinson.com

andy.bardos@gray-robinson.com

Kristie Hatcher-Bolin, Esq.

863-284-2256

kristie.hatcher-boling@gray-robinson.com

Amy W. Schrader, Esq.

850-425-7510

aschrader@bakerdonelson.com

Jay A. Ziskind, Esq.

305-753-5990
jaz@ziskindlaw.com

Case: *Borges v. Department of Health*
Jurisdiction: Third District Court of Appeal
Case No.: 3D13-1529
Date of Argument: June 16, 2014
Citation: 143 So. 3d 1185
Opposing Appellate Counsel:
Randall M. Shochet, Esq.
352-354-4518
rshochet@shochetlaw.com

Nancy Stein-McCarthy, Esq.
561-994-7310
nmccarthy@milbermakris.com

Case: *Christian v. Department of Health, Board of Chiropractic Medicine*
Jurisdiction: Second District Court of Appeal
Case No.: 2D12-3768
Date of Argument: January 8, 2014
Citation: 161 So. 3d 416
Opposing Appellate Counsel:
Matthew J. Conigliaro, Esq.
813-229-4254
mconigliaro@carltonfields.com

Case: *Castellon v. Florida Department of Health*
Jurisdiction: Third District Court of Appeal
Case No.: 3D13-0642
Date of Argument: September 24, 2013
Citation: 130 So. 3d 748
Opposing Appellate Counsel:
Jerome Billy Ullman, Jr., Esq.
305-358-0284
bill@billullman.com

Case: *Fernandez v. Department of Health, Board of Nursing*
Jurisdiction: Fourth District Court of Appeal
Case No.: 4D12-3431
Date of Argument: July 2, 2013
Citation: 120 So. 3d 117
Opposing Appellate Counsel:
Lawrence E. Besser, Esq.
305-577-3873
lbesseresq@yahoo.com

Case: *Gaukhman v. Department of Health, Board of Dentistry*

Jurisdiction: Second District Court of Appeal

Case No.: 2D12-0917

Date of Argument: May 3, 2013

Citation: Unpublished Disposition – Per Curiam Affirmed

Opposing Appellate Counsel:

Dennis Grossman, Esq.

516-466-6690

No e-mail addressed listed on Florida Bar

Case: *Kyle Walling v. State of Florida*

Jurisdiction: First District Court of Appeal

Case No.: 1D11-4434

Date of Argument: November 15, 2012

Citation: 105 So. 3d 660

Opposing Appellate Counsel:

Tatiana A. Bersch, Esq.

334-269-1803

tbertsch@eji.org

Benjamin A. Maxymuk, Esq.

334-834-1180

maxymuk@copelandfranco.com

Case: *Romero v. State of Florida*

Jurisdiction: First District Court of Appeal

Case No.: 1D11-2122

Date of Argument: October 16, 2012

Citation: 105 So. 3d 550

Opposing Appellate Counsel:

Bryan Gowdy, Esq.

904-350-0075

bgowdy@appellate-firm.com

Case: *Raymond Louis Smith v. State of Florida*

Jurisdiction: First District Court of Appeal

Case No.: 1D11-4040

Date of Argument: March 13, 2012

Citation: 93 So. 3d 371

Opposing Appellate Counsel:

Glenna Joyce Reeves, Esq.

850-668-7622

joycer10@centurylink.net

Case: *Gerome Berry v. State of Florida*

Jurisdiction: First District Court of Appeal

Case No.: 1D10-2627
Date of Argument: January 19, 2012
Citation: 86 So. 3d 595
Opposing Appellate Counsel:
A. Victoria Wiggins, Esq.
850-606-8543
victoria.wiggins@flpd2.com

Case: *Thomas v. State of Florida*
Jurisdiction: First District Court of Appeal
Case No.: 1D10-1613
Date of Argument: November 15, 2011
Citation: 78 So. 3d 644
Opposing Appellate Counsel:
James T. Miller, Esq. (deceased)

Case: *Melinda Jean Catrett v. State of Florida / Porsha J. Rougas v. State of Florida / Michael S. Cummings v. State of Florida*
Jurisdiction: First District Court of Appeal
Case No.: 1D10-3094, 1D10-3117, 1D10-3569
Date of Argument: February 15, 2011
Citation: 58 So. 3d 300
Opposing Appellate Counsel:
Barbara J. Busharis, Esq. (*counsel for Melinda Jean Catrett and Porsha J. Rougas*)
850-606-8516
barbara.busharis@flpd2.com

William B. Richbourg, Esq. (*counsel for Michael S. Cummings*)
850-434-9994
wbrlaw@bellsouth.net

Case: *State of Florida v. Carlos Sanchez*
Jurisdiction: Third District Court of Appeal
Case No.: 3D08-1085
Date of Argument: April 28, 2009
Citation: Unpublished Disposition – Per Curiam Affirmed
Opposing Appellate Counsel:
Natalia Costea, Esq.
305-400-6182
natalia.costea@ice.dhs.gov

14. Within the last ten years, have you ever been formally reprimanded, sanctioned, demoted, disciplined, placed on probation, suspended, or terminated by an employer or tribunal before which you have appeared? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No.

15. In the last ten years, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain full.

No.

16. For your last six cases, which were tried to verdict or handled on appeal, either before a jury, judge, appellate panel, arbitration panel or any other administrative hearing officer, list the names, e-mail addresses, and telephone numbers of the trial/appellate counsel on all sides and court case numbers (include appellate cases). *This question is optional for sitting judges who have served five years or more.*

Case: *In Re: Julie Baker Zalloum v. River Oaks Community Services Association, Inc., River Oaks III Homeowners' Association, Inc., Laura A. Prevesk, US Bank National Association, Wean & Malchow P.A.*

Court: United States District Court, Middle District of Florida, Orlando Division

Case No.: 6:19-cv-798-Orl-78 (appeal from adversary proceeding in bankruptcy court)

Counsel:

Trial and Appellate Counsel for Julie Baker Zalloum:

- Julie Baker Zalloum, *pro se*

Appellate Counsel for River Oaks Community Services Association, Inc. and Laura A. Prevesk

- Therese Savona, Esq.

Trial Counsel for River Oaks Community Services Association, Inc. and Laura A. Prevesk

- Ian Koven, Esq., ian.koven@csklegal.com, 561-383-9214
- Barry Postman, Esq., barry.postman@csklegal.com, 561-383-9234

Appellate Counsel for River Oaks III Homeowners' Association, Inc. and Wean & Malchow P.A.

- Helena Malchow, Esq., hgmalchow@wmlo.com, 407-999-7780

Trial Counsel for River Oaks III Homeowners' Association, Inc. and Wean & Malchow P.A.

- Helena Malchow, Esq., hgmalchow@wmlo.com, 407-999-7780

**US Bank National Association did not appear in appeal*

Case: *Palace Resorts Travel, Inc., et al. v. Flynn*

Court: Third District Court of Appeal

Case No.: 3D20-0025

Counsel:

Trial Counsel for Palace Resorts Travel, Inc., et al.

- Trevor Hawes, Esq., trevor.hawes@csklegal.com, 904-672-4099
- David Caballero, Esq., david.caballero@csklegal.com, 786-268-6408
- Steven Safra, Esq., steven.safra@csklegal.com, 786-268-6418

Appellate Counsel for Palace Resorts Travel, Inc., et al.

- Scott Cole, Esq., scott.cole@csklegal.com, 305-350-5346
- Therese Savona, Esq.

Trial Counsel for Flynn

- Michael S. Black, Esq., mblack@marlaw.com, 305-271-8301
- Stefanie A. Black, Esq., sblack@marlaw.com, 305-271-8301
- Robert L. Parks, Esq., bob@rlplegal.com, 305-271-8301
- Gabriel A. Garay, Esq., gabe@rlplegal.com, 305-271-8301
- Ana Lanuza, Esq., ana@rlplegal.com, 305-271-8301

Appellate Counsel for Flynn

- Joel S. Perwin, Esq., jperwin@perwinlaw.com, 305-779-6090

Case: *Linsay Enrique, et al. v. In Re: Julio Iparraguirre v. Safepoint Insurance Company*

Court: Third District Court of Appeal

Case No.: 3D19-1506

Counsel:

Trial Counsel for Safepoint Insurance Company

- Dania Battle, Esq., danialbattle@csklegal.com, 786-268-6821
- Andrea Vega Travieso, Esq., andrea.vegatravieso@csklegal.com, 786-268-6775

Appellate Counsel for Safepoint Insurance Company

- Therese Savona, Esq.

Trial Counsel for Linsay Enrique/Julio Iparraguirre

- Gregory Saldamando, Esq., greg821@gmail.com, 786-498-2210

Appellate Counsel for Linsay Enrique/Julio Iparraguirre

- Melissa Giasi, Esq., melissa@giasilaw.com, 813-816-1880
- Erin Berger, Esq., eberger@giasilaw.com, 813-816-1880

Case: *Agneri Martinez v. Allan Shebovsky*

Court: Fifth District Court of Appeal

Case No.: 5D19-0732

Counsel:

Trial Counsel for Martinez

- Don McKeever, Esq., mckeever@mckeeverlaw.com, 407-628-4878
- Heather Trombly, Esq., attorneyhtrombly@gmail.com, 321-430-8171

Appellate Counsel for Martinez

- Don McKeever, Esq., mckeever@mckeeverlaw.com, 407-628-4878
- Nicholas Seidule, Esq., nseidule@mckeeverlaw.com, 407-628-4878
- Heather Trombly, Esq., attorneyhtrombly@gmail.com, 321-430-8171

Trial Counsel for Shebovsky

- Scott Shelton, Esq., scott.shelton@csklegal.com, 321-972-0011
- Tyler Kobylinski, Esq., tkobylinski@forthepeople.com, 407-420-1414

Appellate Counsel for Shebovsky

- Therese Savona, Esq.

Case: *Allied Tube and Conduit Corporation, et al. v. Latitude on the River Condominium Association, Inc.*

Court: Third District Court of Appeal

Case Nos.: 3D19-2054; 3D19-2053; 3D19-2051; 3D19-2048; 3D19-2046; 3D19-2044

Counsel:

Trial Counsel for Allied Tube & Conduit Corporation; Atkore International, Inc.; and Tyco Fire Products, L.P

- Eric S. Boos, Esq., eboos@shb.com, 305-358-5171

Appellate Counsel for Allied Tube & Conduit Corporation; Atkore International, Inc.; and Tyco Fire Products, L.P

- Daniel B. Rogers, Esq., drogers@shb.com, 305-358-5171
- Eric S. Boos, Esq., eboos@shb.com, 305-358-5171

Trial Counsel for The Lubrizol Corporation and Lubrizol Advanced Materials, Inc.

- Joy Spillis Lundeen, Esq., jlundeen@stearnsweaver.com, 305-789-3200
- Kelly R. Melchiondo, Esq., kmelchiondo@stearnsweaver.com, 305-789-3200

Appellate Counsel for The Lubrizol Corporation and Lubrizol Advanced Materials, Inc.

- Kelly R. Melchiondo, Esq., kmelchiondo@bilzin.com, 305-789-3200
- Jeffrey J. Lauderdale, Esq., jeffrey.lauderdale@lubrizol.com, 440-347-5753

Trial Counsel for Suffolk Construction Company, Inc.

- Juan Diaz, Esq., jdiaz@suffolk.com, 561-832-1616
- Robert A. Carlson, Esq., rcarlson@lee-lawfirm.com, 305-377-2323
- Anne-Solenne Rolland, Esq., arolland@lee-lawfirm.com, 305-377-2323

Appellate Counsel for Suffolk Construction Company, Inc

- Robert A. Carlson, Esq., rcarlson@lee-lawfirm.com, 305-377-2323
- Courtney Willoughby, Esq., cwilloughby@lee-lawfirm.com, 305-377-2323

Trial Counsel for Miami Riverfront Partners, LLC

- Jill Nexon Berman, Esq., jillnberman@gmail.com, 305-577-4177
- Heather Woods, Esq., hwoods@rvmlaw.com, 305-577-4177

Appellate Counsel for Miami Riverfront Partners, LLC

- Jill Nexon Berman, Esq., jillnberman@gmail.com, 305-577-4177

Trial Counsel for Georg Fischer Harvel, LLC

- Scott M. Sarason, Esq., ssarason@rumberger.com, 305-358-5577
- Jens Ruiz, Esq., jruiz@rumberger.com, 305-358-5577

Appellate Counsel for Georg Fischer Harvel, LLC

- Scott M. Sarason, Esq., ssarason@rumberger.com, 305-358-5577

Trial Counsel for Summers Fire Sprinklers, Inc.

- Robert De Flesco, III, Esq., robert.deflesco@csklegal.com,
- Taylor Scheiner, Esq., taylor.scheiner@csklegal.com,
- Kevin Schumacher, Esq., kevin.schumacher@csklegal.com,

Appellate Counsel for Summers Fire Sprinklers, Inc.

- Therese Savona, Esq.

Trial Counsel for Latitude on the River Condominium Association, Inc.

- Jason Rodgers-da Cruz, Esq., jrodgers@siegfriedrivera.com, 305-442-3334
- Helio De La Torre, Esq., hdelatorre@siegfriedrivera.com, 305-442-3334
- Stuart Sobel, Esq., ssobel@siegfriedrivera.com, 305-442-3334
- Alton C. Hale, Jr., Esq., ahale@siegfriedrivera.com, 305-442-3334
- Patrick Montoya, Esq., patrick@colson.com, 305-476-7400

- Joseph Matthews, Esq., joseph@jmatthews-pa.com, 305-761-2323
Appellate Counsel for Latitude on the River Condominium Association, Inc.
- William Allen Bonner, Esq., abonner@colcon.com, 305-476-7400
- Patrick Montoya, Esq., patrick@colson.com, 305-476-7400

Case: *Hadi A. Shalhoub, D.O., et al. v. Dwight Irwin, Personal Representative of the Estate of Deloris Irwin*

Court: Fourth District Court of Appeal

Case No.: 4D19-3817

Counsel:

Trial Counsel for Shalhoub, et al.

- Randall Bolinger, Esq., randall.bolinger@csklegal.com, 407-775-3535
- Kara Graham, Esq., kara.graham@csklegal.com, 407-775-3525

Appellate Counsel for Shalhoub, et al.

- Therese Savona, Esq.

Trial Counsel for Irwin

- Dane Ullian, Esq., dullian@gouldcooksey.com, 772-231-1100
- David Carter, Esq., dcarter@gouldcooksey.com, 772-231-1100

Appellate Counsel for Irwin

- Andrew Harris, Esq., aah@FLAppellateLaw.com, 561-721-0400

17. For your last six cases, which were either settled in mediation or settled without mediation or trial, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases). *This question is optional for sitting judges who have served five years or more.*

Over the past few years, the majority of my practice has focused on appellate practice and litigation support. While there are cases that were settled and/or mediated that I handled on appeal or assisted with litigation support, I was not directly involved in these settlements. Additionally, while there were trial litigation cases I worked on, there were some I was not involved directly with the settlement discussions whether settled at mediation or without mediation. Below, please find the last six cases I actively worked towards settlement with or without mediation:

Case: *Robert Nichols, Jr. and Suzanne Nichols, his wife, v. Irfan Imami, M.D, B.S.A., LLC, a Florida Limited Liability Company, d/b/a Tepas Healthcare, Joseph A. Wasselle, M.D., Osler HMA Medical Group, LLC, a Florida Limited Liability Company d/b/a Osler Medical Group, and Holmes Regional Medical Center, Inc.*

Court: Eighteenth Judicial Circuit, In and For Brevard County, Florida

Case No.: 05-2016-CA-015340

Counsel:

Trial Counsel for Robert Nichols, Jr. and Suzanne Nichols:

Nancy La Vista, Esq., 561-899-2107

Michael S. Smith, Esq., 561-899-2100

Trial Counsel for Irfan Imami, M.D. and B.S.A., LLC:

Kevin T. O'Hara, Esq., 407-622-6725
Trial Counsel for Joseph A. Wasselle, M.D.:
Robert Swift, Esq., 321-972-0010
Therese Savona, Esq.
Trial Counsel for Osler HMA Medical Group:
Richards Ford, Esq., 407-843-3939
Chad Leeper, Esq., 321-610-5800
Michael Kerwin, Esq., 321-610-5800
Trial Counsel Holmes Regional Medical Center:
Mary Jaye Hall, Esq., 407-423-8571
R. Samuel Dunaway, III, Esq., 407-457-5000

Case: *W. John Sauter, as Personal Representative for the Estate of Patricia Sauter, deceased, v. Robert E. Barden, M.D., Robert Emmet Barden, M.D., P.A., and Rockledge HMA LLC d/b/a Wuesthoff Medical Center Rockledge*

Court: Eighteenth Judicial Circuit, In and For Brevard County, Florida

Case No.: 05-2017-CA-010917

Counsel:

Trial Counsel for W. John Sauter:

J. Clancey Bounds, Esq., 407-644-5151

T'anjuiming "Ming" A. Marx, Esq., 407-644-5151

Trial Counsel for Robert E. Barden, M.D. and Robert Emmet Barden, M.D., P.A.:

Richards Ford, Esq., 07-843-3939

Chad Leeper, Esq., 321-610-5800

Trial Counsel for Rockledge HMA LLC:

Scott Shelton, Esq., 321-972-0011

Therese Savona, Esq.

Case: *Francisco Villanueva and Mildred Fernandez, husband and wife, v. 205 West Highway 436 Holdings, LLC, a foreign limited liability company, EcoLab, Inc., a foreign corporation,*

Court: Eighteenth Judicial Circuit, In and For Seminole County, Florida

Case No.: 2016-CA-000811-11J-K

Counsel:

Trial Counsel for Plaintiffs:

Brent R. Bigger, Esq., 813-609-2993

William Lee Clark, Esq., 813-783-4900

Trial Counsel for 205 West Highway 436 Holdings, LLC:

Robert Swift, Esq., 321-972-0010

Therese Savona, Esq.

Trial Counsel for EcoLab, Inc.:

Jon Hernan, Esq., 407-585-7600

Justin Niznik, Esq., 407-585-7602

Richard Morgan, Esq., 612-339-8682

Doug Pfeifer, Esq., 612-339-8682

Case: *Thomas G. Caffery and Kathryn Caffery, as Co-Guardian Advocates for Anna Caffery v. American Living, Inc., a Florida corporation, and Behavioral Support Services, Inc., a Florida corporation*

Court: Ninth Judicial Circuit, In and For Orange County, Florida

Case No.: 2015-CA-11679-O

Counsel:

Trial Counsel for Plaintiffs:

Scot D. Warner, Esq., 321-972-1889

Deborah G. Warner, Esq., 321-972-1889

Dominick Salfi, Esq., 407-774-2700

Trial Counsel for American Living, Inc.

Dennis O'Connor, Esq., 407-843-2100

Doug Polk, Esq., 407-843-2100

Trial Counsel for Behavioral Support Services, Inc.

Robert Swift, Esq., 321-972-0010

Therese Savona, Esq.

Case: *James M. Hustoles and Laura Hustoles, his wife, v. John P. Griffin, M.D., Brevard Emergency Services, P.A., Jeffery P. Borkoski, M.D., Med-Link Staffing, Inc., Lloyd E. Bennett, M.D., Health First Physicians, Inc., Holmes Regional Medical Center, Inc. d/b/a Holmes Regional Medical Center*

Court: Eighteenth Judicial Circuit, In and For Brevard County, Florida

Case No.: 05-2014-CA-023946

Counsel:

Trial Counsel for Plaintiffs

Hector More, Esq., 407-420-1414

Trial Counsel for John P. Griffin, M.D. and Brevard Emergency Services, P.A.

Kevin T. O'Hara, Esq., 407-622-6725

Trial Counsel for Jeffery P. Borkoski, M.D. and Med-Link Staffing, Inc.

Robert Swift, Esq., 321-972-0010

Therese Savona, Esq.

Trial Counsel for Lloyd E. Bennett, M.D., Health First Physicians, Inc., and Holmes Regional Medical Center, Inc. d/b/a Holmes Regional Medical Center

Scott Baughan, Esq., 321-403-4078

Case: *Rafael L. Rodriguez v. Wayne Ivey as Sheriff of Brevard County, Florida; Armor Correctional Health Services, Inc., a Florida Corporation; Juan Nunez, M.D.; Rafael Perez-Espejo, M.D.; and Circles of Care, Inc., a Florida Corporation*

Court: Eighteenth Judicial Circuit, In and For Brevard County, Florida

Case No.: 05-2013-CA-39739

Counsel:

Trial Counsel for Rafael L. Rodriguez

Gregory Donoghue, Esq., 321-725-1499

N. John Hedrick, Jr., Esq., 321-725-1499

Robert D. Hoag, Esq., 321-725-1499

Trial Counsel for Wayne Ivey as Sheriff of Brevard County, Florida

Robert Swift, Esq., 321-972-0010
Therese Savona, Esq.
Trial Counsel for Armor Correctional Health Services, Inc. and Juan Nunez, M.D.
S. Renee Stephens Lundy, Esq., 407-422-4310
Trial Counsel for Rafael Perez-Espejo, M.D.
Francis Sheppard, Esq., 407-872-7300
Mary Nardella, Esq., 407-966-2680
Trial Counsel for Circles of Care, Inc.
Richards Ford, Esq., 407-843-4949
Jennifer Edwards, Esq., 813-228-7000

- 18.** During the last five years, on average, how many times per month have you appeared in Court or at administrative hearings? If during any period you have appeared in court with greater frequency than during the last five years, indicate the period during which you appeared with greater frequency and succinctly explain.

For the past three years, my practice has focused exclusively on appellate practice and litigation support. During that time, I averaged approximately one Court appearance per month. The prior two years my practice largely focused on litigating at the trial level in the areas of medical malpractice, wrongful death, and professional liability, and would have Court appearances in trial court approximately three to six times a month.

- 19.** If Questions 16, 17, and 18 do not apply to your practice, please list your last six major transactions or other legal matters that were resolved, listing the names, e-mail addresses, and telephone numbers of the other party counsel.

Please see responses to Questions 16, 17, and 18.

- 20.** During the last five years, if your practice was greater than 50% personal injury, workers' compensation or professional malpractice, what percentage of your work was in representation of plaintiffs or defendants?

99% of cases for defendants, and 1% of cases for plaintiffs.

- 21.** List and describe the five most significant cases which you personally litigated giving the case style, number, court and judge, the date of the case, the names, e-mail addresses, and telephone numbers of the other attorneys involved, and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant.

Case: *Hadi A. Shalhoub, D.O., Sebastian HMA Physician Management, LLC d/b/a Advanced Surgical Associates, and Sebastian River Medical Center v. Dwight Irwin, Personal Representative of the Estate of Deloris Irwin*

Case No.: 4D19-3817

Court: Fourth District Court of Appeal

Judges: Warner, May, and Klingensmith

Date of case: Disposed of June 3, 2020

Clients: Hadi A. Shalhoub, D.O., Sebastian HMA Physician Management, LLC d/b/a Advanced Surgical Associates, and Sebastian River Medical Center

Involvement and significance of case: I handled all aspects of the appellate litigation. This case was significant because it addressed the testimonial nature of credentialing information of a physician and whether the information could be questioned during upcoming depositions. While case law in Florida discusses providing patients with information about physicians through Amendment 7 to Florida's Constitution, the Constitution and current case law is silent as to whether a patient is entitled to testimonial discovery on a physician's credentialing information. The Fourth District denied the Petition without prejudice for objections to be raised during the depositions, and noted Petitioners could seek a petition for writ of certiorari to review future orders overruling objections to specific questions, if necessary.

Other attorneys involved:

Appellate Counsel for Irwin: Andrew Harris, Esq., andrew@harrisappeals.com, 561-721-0400

Case: *Juliana Araujo v. Winn-Dixie Stores, Inc.*

Case Nos.: 3D18-2475, 3D18-204

Court: Third District Court of Appeal

Judges: Fernandez, Scales, Hendon

Date of case: October 16, 2019

Clients: Winn-Dixie Stores, Inc.

Citation to opinion: 290 So. 3d 936

Involvement and significance: I handled all aspects of this appellate litigation. This case was factually unremarkable and involved a slip-and-fall at one of Winn-Dixie's stores. The issues on appeal, however, addressed issues present at most stages of a civil trial. These included whether: 1) the jury should have been instructed on the adverse inference of burden shifting presumption; 2) reversible error occurred in opening statement; 3) redaction of irrelevant information in Appellant's medical records consisted an abuse of discretion; 4) a treating physician could be questioned about financial relationship with Appellant's counsel based on *Worley v. Central Florida, YMCA*, 228 So. 3d 18 (Fla. 2017); 5) reversible error occurred in closing argument; 6) cumulative error occurred; and 7) the trial court abused its discretion in denying attorney's fees requested under Florida Rule of Civil Procedure 1.380(c). Preservation issues were prevalent on Issues 1, 2, and 5.

Other attorneys involved:

Appellate Counsel for Araujo: Blair Dickert, Esq., bdickert@kpattorney.com, 561-494-2809

Case: *Florida Department of Health v. Peter V. Choy, M.D.*

Case No.: 1D14-3233

Court: First District Court of Appeals

Date of case: March 13, 2015

Client: Florida Department of Health

Citation to opinion: 160 So. 3d 412 (Table)

Involvement and significance: I handled all aspects of this appellate litigation. This case was significant because it addressed a professional board's action against a licensee and the proper procedure and circumstances for deviating downward from a recommended

discipline where the licensee committed malpractice and made misrepresentations to a patient leading to the patient's death, and altered medical records. After a formal hearing before an Administrative Law Judge ("ALJ"), a Recommended Order found Dr. Choy did not advise a patient of pancreatic cancer, and upon learning of the patient's death from pancreatic cancer, electronically revised his original, contemporaneous medical records to show Dr. Choy did advise the patient of the diagnosis. Dr. Choy admitted to altering these records during the court of the Department's case against his license. The ALJ found the Department proved Dr. Choy: made deceptive, untrue, or fraudulent representations in the practice of medicine; failed to identify the material, later alterations he made to the patient's medical records; committed medical malpractice while treating the patient by failing to inform the patient in a timely manner of the pancreatic tumor and not referring the patient in a timely manner to a specialist; and concealing a material fact by altering the original medical record and producing the altered records to the Department. The ALJ recommended revocation of Dr. Choy's license, in accordance with the disciplinary guidelines. The Board of Medicine adopted all factual findings and legal conclusions in the Recommended Order, with the exception of the recommended discipline. The Board deviated downward from the Recommended Order's discipline, noting Dr. Choy's prior disciplinary actions against his license, and changing the discipline to suspension for six months, followed by probation for five years.

Other attorneys involved:

Appellate Counsel for Dr. Choy:

Timothy M. Cerio, Esq., tim.cerio@gray-robinson.com, 850-577-9090

Andy V. Bardos, Esq., andy.bardos@gray-robinson.com, 850-577-9090

Kristie Hatcher-Bolin, Esq., kristie.hatcher-boling@gray-robinson.com, 863-284-2256

Amy W. Schrader, Esq., aschrader@bakerdonelson.com, 850-425-7510

Jay A. Ziskind, Esq., jaz@ziskindlaw.com, 305-753-5990

Trial Counsel/Appellate Counsel for the Department:

Daniel Hernandez, Esq., dhernandez@shutts.com, 813-227-8114

Case: *Shimeeka Gridine v. State of Florida*

Case No.: 1D10-2517

Court: First District Court of Appeal

Date of case: Opinion issued December 30, 2011; certified question of great public importance to Florida Supreme Court; opinion quashed and remanded on March 19, 2015, case no SC12-1223.

Client: State of Florida

Citation to opinion: 89 So. 3d 909

Involvement and significance: I handled all aspects of this appellate litigation. This case was significant as it was one of the first few cases in Florida that addressed sentencing of juveniles tried as adults for non-homicide crimes, particularly whether a term of years sentences was the functional equivalent to a sentence of life without the possibility of parole, and whether the sentence violated the then-recent opinion of *Graham v. Florida*, 560 U.S. 48 (2010). Gridine was 14-years old at the time he was charged as an adult for the crimes of attempted first degree murder, attempted armed robbery, and aggravated

battery. Gridine pled guilty to the three counts, adjudicated guilty on all three counts, and was sentenced to a 70-year sentence.

Other attorneys involved:

Appellate Counsel for Gridine: Gail Anderson, Esq.,
gailanderson004@centurylink.net, 850-766-0855

Case: *Clarence William Burnette v. State of Florida*

Case No.: 1D11-920

Court: First District Court of Appeal

Date of case: January 10, 2013

Client: State of Florida

Citation to opinion: 103 So. 3d 1059

Involvement and significance: I handled all aspects of this appellate litigation.* This case was significant because it addressed a fundamental error involving the jury instruction of a criminal defendant being presumed innocent until proven guilty in a case where the defendant was charged with possession of child pornography video files. Although inherent in our judicial system, this instruction was not read to the jury, and was not objected to at the trial court level. Burnette raised the issue for the first time on appeal, which I conceded error to.

*After briefing concluded, I left the Office of the Attorney General for the Department of Health, and a colleague of mine from the Attorney General's office was substituted as counsel. The substituted counsel had no other involvement in the case, and did not actively litigate the case based on its procedural posture and oral argument not being held on the issue.

Other attorneys involved:

Appellate Counsel for Clarence William Burnette: Adam Tanenbaum, Esq.,
tanenbauma@1dca.org, 850-487-1000

22. Attach at least two, but no more than three, examples of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach a writing sample for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

Please find attached copies of two appellate briefs that I was solely responsible for researching and drafting. The first is an Answer Brief in the case of *Juliana Araujo v. Winn-Dixie Stores, Inc.*, case number 3D18-2475. The second is an Initial Brief in the case of *Palace Resorts Travel, Inc., et al., v. Cecilia J. Flynn*, case number 3D20-0025.

PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE

23. Have you ever held judicial office or been a candidate for judicial office? If so, state the court(s) involved, the dates of service or dates of candidacy, and any election results.

No.

24. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name(s) of the commission, the approximate date(s) of

each submission, and indicate if your name was certified to the Governor's Office for consideration.

No.

25. List any prior quasi-judicial service, including the agency or entity, dates of service, position(s) held, and a brief description of the issues you heard.

N/A

26. If you have prior judicial or quasi-judicial experience, please list the following information:

(i) the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance;

(ii) the approximate number and nature of the cases you handled during your tenure;

(iii) the citations of any published opinions; and

(iv) descriptions of the five most significant cases you have tried or heard, identifying the citation or style, attorneys involved, dates of the case, and the reason you believe these cases to be significant.

N/A

27. Provide citations and a brief summary of all of your orders or opinions where your decision was reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, attach copies of the opinions.

N/A

28. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, attach copies of the opinions.

N/A

29. Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give the date, describe the complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.

N/A

30. Have you ever held an attorney in contempt? If so, for each instance state the name of the attorney, case style for the matter in question, approximate date and describe the circumstances.

N/A

31. Have you ever held or been a candidate for any other public office? If so, state the office, location, dates of service or candidacy, and any election results.

N/A

NON-LEGAL BUSINESS INVOLVEMENT

32. If you are now an officer, director, or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

N/A

33. Since being admitted to the Bar, have you ever engaged in any occupation, business or profession other than the practice of law? If so, explain and provide dates. If you received any compensation of any kind outside the practice of law during this time, please list the amount of compensation received.

No.

POSSIBLE BIAS OR PREJUDICE

34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications of cases or litigants for which you, as a general proposition, believe it would be difficult for you to sit as the presiding judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

There are no types of cases that I believe would be difficult for me to preside over, or which I believed I would have a conflict.

PROFESSIONAL ACCOMPLISHMENTS AND OTHER ACTIVITIES

35. List the titles, publishers, and dates of any books, articles, reports, letters to the editor, editorial pieces, or other published materials you have written or edited, including materials published only on the Internet. Attach a copy of each listed or provide a URL at which a copy can be accessed.

Author

Florida Law Update: New Law Requires Consent for Pelvic Examinations and Defines Reproductive Battery, CSKLegal.com, News and Events, July 1, 2020, available at <https://www.csklegal.com/news/florida-law-update-new-law-requires-consent-for-pelvic-examinations-and-defines-reproductive-battery/>

Unchartered Waters? An Overview of Navigating Department of Health Disciplinary Proceedings, THE TRIAL ADVOCATE, VOL.39, NO. 2 (July 2020)

Araujo v. Winn-Dixie Supermarkets, CSKLegal.com, News and Events, April 1, 2020, available at <https://www.csklegal.com/news/araujo-v-winn-dixie-supermarkets/>

The Growing Pains of Graham v. Florida: Deciphering Whether Lengthy Term of Years Sentences for Juvenile Defendants can Equate to the Unconstitutional Sentence of Life Without the Possibility of Parole, 25 ST. THOMAS L. REV. 473 (Spring 2012)

Editor

Patrick M. Delaney, *Sorry Linus, I Need Your Smartphone, I Mean Security Blanket: How the Rise of the Smartphone, Constant Connectivity with the Internet, and Social Networks Provide a Platform for Juror Misconduct*, 24 ST. THOMAS L. REV. 473 (Summer 2012)

HUGH M. THOMAS, *THE NORMAN CONQUEST: ENGLAND AFTER WILLIAM THE CONQUEROR* (ROWMAN & LITTLEFIELD PUBLISHERS, INC. 2008)

Excerpt of book available at:

https://www.google.com/books/edition/The_Norman_Conquest/5xnvEVqzUIMC?hl=en&gbpv=1&printsec=frontcover

- 36.** List any reports, memoranda or policy statements you prepared or contributed to the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. Provide the name of the entity, the date published, and a summary of the document. To the extent you have the document, please attach a copy or provide a URL at which a copy can be accessed.

N/A

- 37.** List any speeches or talks you have delivered, including commencement speeches, remarks, interviews, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place they were delivered, the sponsor of the presentation, and a summary of the presentation. If there are any readily available press reports, a transcript or recording, please attach a copy or provide a URL at which a copy can be accessed.

AMERICAN BAR ASSOCIATION, SECTION OF LITIGATION: MIAMI JUDICIAL INTERN OPPORTUNITY PROGRAM ORIENTATION, PART I - *The Great Recession: Lessons Learned from the 2008 Financial Crisis* (June 19, 2020)

This presentation to judicial interns focused on how law students can still excel despite the coronavirus pandemic. The judicial interns heard from a panel of attorneys that graduated during the Great Recession in 2008 and 2009 to hear how to overcome limited opportunities in the workplace, make the most of difficult situations, and to remain positive despite unknowns due to societal and economic forces.

ST. THOMAS UNIVERSITY SCHOOL OF LAW, *Recession Proof! Lessons Learned – Getting Hired During a Time of Crisis* (Zoom Webinar, August 26, 2020)

This presentation to recent law school graduates focused on how law students can still excel despite the coronavirus pandemic. The graduates heard from a panel of attorneys that graduated during the Great Recession in 2008 and 2009 to hear how to overcome limited opportunities in the workplace, make the most of difficult situations, and to remain positive despite unknowns due to societal and economic forces.

- 38.** Have you ever taught a course at an institution of higher education or a bar association? If so, provide the course title, a description of the course subject matter, the institution at which you taught, and the dates of teaching. If you have a syllabus for each course, please provide.

No.

- 39.** List any fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement. Include the date received and the presenting entity or organization.
 Recognition for Service as Chief Appellate Counsel from Department of Health – *August 2015*
- 40.** Do you have a Martindale-Hubbell rating? If so, what is it and when was it earned?
 No.
- 41.** List all bar associations, legal, and judicial-related committees of which you are or have been a member. For each, please provide dates of membership or participation. Also, for each indicate any office you have held and the dates of office.
 Orange County Bar Association – *Approx. 2015 – Present*
 Florida Defense Lawyers Association – *Early 2020 – Present*
 Central Florida Association for Women Lawyers – *Approx. 2016-2018*
 Federalist Society – *Early 2020 – Present*
 American Bar Association – *Approx. 2010 – 2012*
- 42.** List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in the previous question to which you belong, or to which you have belonged since graduating law school. For each, please provide dates of membership or participation and indicate any office you have held and the dates of office.
 St. Mary Magdalen Catholic Church – 2006-Present
 The First District Appellate American Inn of Court – *Alumni, 2014-Present*
- 43.** Do you now or have you ever belonged to a club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion (other than a church, synagogue, mosque or other religious institution), national origin, or sex (other than an educational institution, fraternity or sorority)? If so, state the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected to serve on the bench.
 No.
- 44.** Please describe any significant pro bono legal work you have done in the past 10 years, giving dates of service.
 N/A
- 45.** Please describe any hobbies or other vocational interests.
 I enjoy traveling, learning new languages, playing the piano, baking, spending time with family, attending Pure Barre classes, reading about history, and spending time with my husband and our dogs.

46. Please state whether you have served or currently serve in the military, including your dates of service, branch, highest rank, and type of discharge.

N/A

47. Please provide links to all social media and blog accounts you currently maintain, including, but not limited to, Facebook, Twitter, LinkedIn, and Instagram.

Facebook: Profile – Therese Savona

Twitter: Profile - @ThereseSavona

LinkedIn: Profile – Therese A. Savona

Instagram: Profile - theres savona

FAMILY BACKGROUND

48. Please state your current marital status. If you are currently married, please list your spouse's name, current occupation, including employer, and the date of the marriage. If you have ever been divorced, please state for each former spouse their name, current address, current telephone number, the date and place of the divorce and court and case number information.

Marital status: Married

Spouse: Charles Ray Criddle

Spouse's current occupation: Firefighter/EMT

Spouse's employer: City of Orlando Fire Department

Date of marriage: December 22, 2018

49. If you have children, please list their names and ages. If your children are over 18 years of age, please list their current occupation, residential address, and a current telephone number.

My husband and I are currently expecting our first child in March 2021.

CRIMINAL AND MISCELLANEOUS ACTIONS

50. Have you ever been convicted of a felony or misdemeanor, including adjudications of guilt withheld? If so, please list and provide the charges, case style, date of conviction, and terms of any sentence imposed, including whether you have completed those terms.

No.

51. Have you ever pled nolo contendere or guilty to a crime which is a felony or misdemeanor, including adjudications of guilt withheld? If so, please list and provide the charges, case style, date of conviction, and terms of any sentence imposed, including whether you have completed those terms.

No.

52. Have you ever been arrested, regardless of whether charges were filed? If so, please list and provide sufficient details surrounding the arrest, the approximate date and jurisdiction.

No.

53. Have you ever been a party to a lawsuit, either as the plaintiff, defendant, petitioner, or respondent? If so, please supply the case style, jurisdiction/county in which the lawsuit was filed, case number, your status in the case, and describe the nature and disposition of the matter.

Case style: *James A. Cocores, M.D. v. Therese A. Savona*

Jurisdiction: Circuit Court of the Fifteenth Judicial Circuit, Palm Beach County, Florida

Case number: 500-2017-CA-009553

Status in the case: Defendant

Disposition: Dismissed

Description: Dr. Cocores is a health care provider whose license was prosecuted by the Florida Department of Health during my employment. I was not involved in the prosecution of Dr. Cocores, or the emergency action taken against Dr. Cocores' license. After the Florida Department of Health issued an Emergency Suspension Order of Dr. Cocores' license, Dr. Cocores petition the First District Court of Appeal for review of the emergency order in case number 1D13-1391. At the time, I was serving as the Chief Appellate Counsel for the Florida Department of Health, and responded on behalf of the Department arguing why the First District should affirm the Department's emergency order. The First District issued a per curium opinion denying Dr. Cocores' petition. Several years later, Dr. Cocores filed lawsuit against individuals who were involved in some part of the Department's case. Notably, the complaint Dr. Cocores' filed in the case naming me as a defendant was silent as to any action taken on my behalf or any alleged malpractice, and discussed actions taken regarding the prosecution of the case in the context of libel and slander. Dr. Cocores filed this action against me, as well as 26 other cases against other individuals and entities related to the Department's investigation and prosecution. Dr. Cocores moved to dismiss the case voluntary, which was granted by the trial court.

54. To your knowledge, has there ever been a complaint made or filed alleging malpractice as a result of action or inaction on your part?

No.

55. To the extent you are aware, have you or your professional liability carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the name of the client(s), approximate dates, nature of the claims, the disposition and any amounts involved.

No.

56. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, provide the particulars of each finding or investigation.

No.

57. To your knowledge, within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers, clients, or the like, ever filed a formal complaint or accusation of misconduct including, but not limited to, any allegations involving sexual

harassment, creating a hostile work environment or conditions, or discriminatory behavior against you with any regulatory or investigatory agency or with your employer? If so, please state the date of complaint or accusation, specifics surrounding the complaint or accusation, and the resolution or disposition.

No.

58. Are you currently the subject of an investigation which could result in civil, administrative, or criminal action against you? If yes, please state the nature of the investigation, the agency conducting the investigation, and the expected completion date of the investigation.

No.

59. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you, this includes any corporation or business entity that you were involved with? If so, please provide the case style, case number, approximate date of disposition, and any relevant details surrounding the bankruptcy.

No.

60. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.

No.

61. Please explain whether you have complied with all legally required tax return filings. To the extent you have ever had to pay a tax penalty or a tax lien was filed against you, please explain giving the date, the amounts, disposition, and current status.

Yes, I have complied with all legally required tax return filings.

HEALTH

62. [REDACTED]

63. [REDACTED]

64. [REDACTED]

[REDACTED]

65. [REDACTED]

66. [REDACTED]

67. [REDACTED]

68. [REDACTED]

69. [REDACTED]

70. [REDACTED]

SUPPLEMENTAL INFORMATION

71. Describe any additional education or experiences you have which could assist you in holding judicial office.

Please see Response to Question 72.

72. Explain the particular contribution you believe your selection would bring to this position and provide any additional information you feel would be helpful to the Commission and Governor in evaluating your application.

As an appellate practitioner, I believe my experience handling criminal appeals, administrative law appeals, civil appeals, and providing litigation support to prosecutors and civil trial attorneys provides me with a diverse background that lends itself to the variety of cases and legal issues handled by an appellate judge. On a personal note, I was raised by two physicians – my father, who emigrated from Italy at a young age, learned English, and went on to become a pediatrician, and my mother, who was raised in a blue-collar family and was one of three women in her medical school class. My parents instilled in us a sense of duty to others through respect and hard work, with a foundation in faith and doing what is right, even when it is difficult. It is that mentality, work ethic, and perseverance which I believe have allowed me to excel in my field, and would continue to allow me to contribute to the citizens of the state of the Florida as an appellate judge. I believe the role of an appellate judge is not to legislate from the bench but to be guided by the text of a rule, statute, or constitutional provision.

REFERENCES

73. List the names, addresses, e-mail addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for a judicial position and of whom inquiry may be made by the Commission and the Governor.

1. The Honorable Stephanie W. Ray
Chief Judge
First District Court of Appeal
2000 Drayton Drive
Tallahassee, FL 32399
rays@1dca.org
Office: (850) 717-8162
2. The Honorable Thomas David Winokur
First District Court of Appeal
2000 Drayton Drive
Tallahassee, FL 32399-0001
winokurt@1dca.org
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4. The Honorable Garnett “Gar” Wayne Chisenhall, Jr.
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CERTIFICATE

I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(1), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Further, I stipulate I have read, and understand the requirements of the Florida Code of Judicial Conduct.

Dated this 12th day of October, 2020.

Therese A. Savona
Printed Name

[Signature]
Signature

(Pursuant to Section 119.071(4)(d)(1), F.S.), . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.

FORM 6
FULL AND PUBLIC
DISCLOSURE OF
FINANCIAL INTEREST

PART A – NET WORTH

Please enter the value of your net worth as of December 31 or a more current date. [Note: Net worth is not calculated by subtracting your *reported* liabilities from your *reported* assets, so please see the instructions on page 3.]

My net worth as of October 11, 2020 was \$268,144.87.

PART B - ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000. This category includes any of the following, if not held for investment purposes; jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use.

The aggregate value of my household goods and personal effects (described above) is \$ 134,200.00

ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)	VALUE OF ASSET
401(a) with State of Florida (retirement account made up of stocks and bonds)	\$40,672.07
Roth IRA (Charles Schwab)	\$15,170.07
401(k) with Cole, Scott & Kissane (Charles Schwab)	\$60,563.83
Bank accounts (USAA)	\$296.88
Bank accounts (Addition Financial)	\$12,327.44
Property, Volusia County, FL	\$380,000.00
Life insurance (Northwestern Mutual)	\$19,926.19

PART C – LIABILITIES

LIABILITIES IN EXCESS OF \$1,000 (See instructions on page 4):

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
Addition Financial (personal vehicle) 1000 Primera Blvd. Lake Mary, FL 32746	\$27,202.15
Lakeview Loan Servicing (mortgage; joint and several liability) 4425 Ponce de Leon Blvd. 5-251 Coral Gables, FL 33146	\$359, 871.12

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

PART D – INCOME

You may ***EITHER*** (1) file a complete copy of your latest federal income tax return, *including all W2's, schedules, and attachments*, ***OR*** (2) file a sworn statement identifying each separate source and amount of income which exceeds \$1,000 including secondary sources of income, by completing the remainder of Part D, below.

I elect to file a copy of my latest federal income tax return and all W2's, schedules, and attachments.
 (if you check this box and attach a copy of your latest tax return, you need not complete the remainder of Part D.)

PRIMARY SOURCE OF INCOME (See instructions on page 5):

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
Cole, Scott & Kissane, P.A.	9150 S Dadeland Blvd, Ste 1400, Miami, FL 33156	\$175,000.00

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person—see instructions on page 6]

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE
N/A			

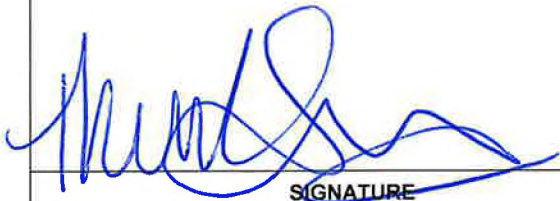
PART E – INTERESTS IN SPECIFIC BUSINESS [Instructions on page 7]

	BUSINESS ENTITY #1	BUSINESS ENTITY #2	BUSINESS ENTITY #3
NAME OF BUSINESS ENTITY	N/A	N/A	N/A
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.


 SIGNATURE

STATE OF FLORIDA

COUNTY OF Orange

Sworn to (or affirmed) and subscribed before me this 12th day of OCT, 2020 by GRISELL GOFFINET


 (Signature of Notary Public—State of Florida)

GRISELL GOFFINET

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification

Type of Identification Produced



Redacted Copy of Application
Non-Public Financial Information, Writing Samples,
and FDLE Disclosure Are Not Attached.