

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

Civil Case No. 09-80503-Civ-RYSKAMP/VITUNAC

JOEL B. ROTHMAN,

Plaintiff,

vs.

THE FLORIDA BAR and ADRIA E.
QUINTELA, in her official capacity as
Chief Disciplinary Counsel, Fort
Lauderdale Branch, of the Legal Division
of The Florida Bar,

Defendants.

STIPULATION FOR SETTLEMENT

The parties hereby stipulate as follows for purposes of settlement:

1. Plaintiff challenges the constitutionality of a number of Florida Bar advertising rules and seeks both declaratory and injunctive relief.
2. Pursuant to instructions from the Florida Supreme Court, The Florida Bar is currently engaged in a review of all of the Bar's advertising rules and will file a report with the Florida Supreme Court recommending possible modifications upon completion of the review.
3. The parties have agreed that it would best serve the interests of reduced costs to the parties and preservation of judicial resources to await the submission of the Bar's recommendations before determining whether continued litigation is necessary.

4. During the period of time that the Bar is undertaking a review of its advertising rules, it will consider a lawyer's online profile to be a communication at a prospective client's request under Rule 4-7.1(f) if it appears on a website that allows creation of public or private profiles as part of a legal or business directory, or ratings site, and if the lawyer's profile may be reached by searching for or selecting the lawyer's name under circumstances where it is reasonably clear that the user is accessing information about the lawyer. This stipulation is not intended to cover information that would otherwise be prohibited by the rules if that information is automatically displayed within the result of a general search inquiry not designed to produce information about the particular advertising lawyer.

5. A stipulation of dismissal without prejudice will be signed and entered at the same time as this Stipulation for Settlement.

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