IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

RICHARD BERNARD CELLER,

Respondent.

_____/

Supreme Court Case
No. SC-

The Florida Bar File
No. 2012-51,628 (17I)

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Richard Bernard Celler, and files this Conditional Guilty Plea pursuant to R. Regulating Fla. Bar 3-7.9(a).

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

2. The respondent is currently the subject of the Florida Bar disciplinary matter listed above.

3. Probable cause in this matter was found by the grievance committee on September 27, 2013.

4. The respondent is acting freely and voluntarily in this matter, and tenders this plea without fear or threat of coercion. Respondent is satisfied with counsel, whose signature is affixed to this plea.

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

A. Public reprimand by publication.

B. Payment of The Florida Bar's costs.

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

A. On or about May 16, 2012, the Honorable Cecilia M. Altonaga entered an Order in the case styled Emigdio Bedova, et al., v. Aventura Limousine & Transportation Service, Inc., et al, Case No. 11-24432 in the United States District Court for the Southern District of Florida.

B. Such Order disqualified respondent from representing the plaintiffs and determined respondent committed misconduct in the Bedova case and in other litigation involving Aventura Limousine & Transportation Service, Inc. (Aventura Limousine).

C. As set forth in the Order, respondent engaged in an ex-parte communication with Scott Tinkler, an officer of the opposing party, Aventura Limousine.

D. As also set forth in the Order, respondent engaged in conduct that disparaged opposing counsel, Jason Coupal, and adversely affected Coupal's relationship with his client.

E. By the conduct set forth above, respondent violated R. Regulating Fla. Bar 4-4.2(a) [In representing a client, a lawyer shall not communicate about the subject of the representation with a person the lawyer knows to be represented by another lawyer in the matter, unless the lawyer has the consent of the other lawyer. Notwithstanding the foregoing, an attorney may, without such prior consent, communicate with another's client in order to meet the requirements of any court rule, statute or contract requiring notice or service of process directly on an adverse party, in which event the communication shall be strictly restricted to that required by the court rule, statute or contract, and a copy shall be provided to the adverse party's attorney.]; 4-4.4 [In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person or knowingly use methods of obtaining evidence that violate the legal rights of such a person.]; 4-8.4(a) [A lawyer shall not violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another.]; and 4-8.4(d) [A lawyer shall not engage in conduct in connection with the practice of law that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage, humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other

lawyers on any basis, including, but not limited to, on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation, age, socioeconomic status, employment, or physical characteristic.].

7. Respondent submits the following as mitigation:

a. Absence of a prior disciplinary record;

b. Full and free disclosure to disciplinary board or cooperative attitude toward proceedings;

c. Remorse.

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

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

10. If this plea is approved, then the respondent agrees to pay all reasonable costs associated with this case pursuant to R. Regulating Fla. Bar 3-7.6(q) in the amount of $1,250.00. These costs are due within 30 days of the court order. Respondent agrees that if the costs are not paid within 30 days of this Court's order becoming final, the respondent shall pay interest on any unpaid costs at the statutory rate. Respondent further agrees not to attempt to discharge the

obligation for payment of the Bar's costs in any future proceedings, including but not limited to, a petition for bankruptcy. Respondent shall be deemed delinquent and ineligible to practice law pursuant to R. Regulating Fla. Bar 1-3.6 if the cost judgment is not satisfied within 30 days of the final court order, unless deferred by the Board of Governors of The Florida Bar.

11. The respondent acknowledges the obligation to pay the costs of this proceeding (and any agreed restitution) and that payment is evidence of strict compliance with the conditions of any disciplinary order or agreement, and is also evidence of good faith and fiscal responsibility. Respondent understands that failure to pay the costs of this proceeding or restitution will reflect adversely on any other Bar disciplinary matter in which the respondent is involved.

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

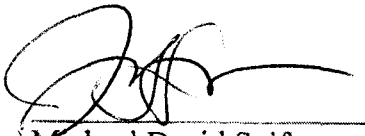
Dated this 30th day of November, 2013.

Richard Bernard Celler
Respondent
600 North Pine Island Road, Suite 400
Plantation, Florida 33324
(954) 318-0268
Florida Bar No. 173370
rceller@forthepeople.com

Dated this 5th day of ~~November~~ December, 2013.

D. David Keller
Counsel for Respondent
Keller Landsberg, P.A.
500 East Broward Boulevard, Suite 1400
Fort Lauderdale, FL 33394-3024
(954) 761-3550
Florida Bar No. 288799
david.keller@kellerlandsberg.eom

Dated this 30 day of ~~November~~ December, 2013.



Michael David Soifer
Bar Counsel
The Florida Bar
Ft. Lauderdale Branch Office
Lake Shore Plaza II
1300 Concord Terrace, Suite 130
Sunrise, Florida 33323
(954) 835-0233
Florida Bar No. 545856
msoifer@flabar.org
lmgarcia@flabar.org