



# DeBrief

NEWSLETTER OF THE MARION COUNTY BAR ASSOCIATION

FEBRUARY 2009



## President's Letter

Thomas J. Dobbins  
President, Marion County Bar Association

### *Dear Fellow Members of the Bar:*

"It is hard to believe that one month of 2009 has already passed, we have a new President, and the Happy Heart Day of February is almost upon us. Before setting out on your Valentine weekend adventures, I would encourage you to attend the Foreclosure Defense Training Co-sponsored by the MCBA being held on Friday, February 13th.

Our February speaker for our monthly luncheon is going to be Dr. Karen Gold. Dr. Gold is a forensic psychologist in private practice in Ocala. She was educated at the University of Maryland; Loyola College of Maryland; the University of Louisville, Kentucky; Baylor University and the University of Texas Medical Branch in San Antonio. She has 30 years of experience as a forensic examiner and practitioner, is a published author in *The Jury Expert* as well as other law publications, a Certified Medical Investigator Level V, Parenting Coordinator, and Trial Consultant. She has provided services in criminal and civil cases to prosecutors, defense attorneys and pro se litigants, and has received awards for her pro bono activities. She lectures on a wide variety of topics for many different professional disciplines all over the United States and in several foreign countries. Dr. Gold will be speaking with us about her insights into Juries.

Do not forget to mark your calendars for the Law Day Luncheon and activities on May 1st!"

As you are probably aware, our dear friend and colleague, Bob Appleget, died suddenly on Sunday, February 1st. His family has asked that we invite all of you to a celebration of his life. Funeral services will be held at 11 AM Thursday, February 5, 2009, at Christ the King Anglican Church, 3801 N. US Highway 441, on the Living Waters Campus, Ocala, with the Rev. Donald J. Curran officiating. Visitation will be from 10-11 AM at the Church. Hiers Baxley Funeral Services, Ocala, is handling arrangements. In lieu of flowers, it is requested that contributions be made in Bob's honor to Grace School, 4410 SE 3rd Avenue, Ocala, FL 34480.

## Side Bar

### Next Luncheon Meeting

Marion County Jury  
Assembly Room  
Tuesday, February 10, 2008, Noon  
*Speaker - Dr. Karen Gould,  
Jury Consultant*

### Sign up now for golf at RLR Golden Ocala after the Law Day Luncheon on May 1st

Contact Cheri Russell  
for info and to sign up  
[crussell@shelnuttpa.com](mailto:crussell@shelnuttpa.com)

### 2008-2009 Officers:

**Thomas J. Dobbins,**  
President

**Eric Gifford,**  
President-Elect

**Renee Thompson,**  
Treasurer

**Craig Turner,**  
Secretary

Design by:

little black mask  
MARKETING, LLC

## **TWO (2) ROOM OFFICE SPACE AVAILABLE**

located at 108 North Magnolia Avenue, 6th  
Floor, Ocala, Florida.

(The old Ocala National Bank building,  
across from the Courthouse)

Monthly rental of \$700.00 per month,  
includes electricity and use of shared  
conference room.

**If interested please contact Collette at  
Alavi, Bird & Pozzuto, P.A. 352-732-9191,  
Monday through Friday  
8:00 a.m. to 4:30 p.m.**

## **BUILDING SOLD - RELOCATING BY FEB 6th TO NEW FACILITY EVERYTHING MUST GO**

Office Furniture & Equipment, Misc.  
Pieces & Accessories, Desks, Credenzas,  
Secretarial Chairs, 2 Conference Tables &  
Chairs, File Cabinets, Law Books, etc.

**Contact Sharon (352) 732-7140**

## **EXPERIENCED PARALEGAL**

Seeking full-time position. Inactive  
Ohio attorney who practiced law for 10  
years. Previously worked as para- legal  
for prestigious Ocala firm for 16 months  
before recent downsizing. Dependable and  
dedicated team player.

**Call: Linda Whalen – 239-6529**

## **LAW OFFICE FOR SALE OR RENT**

Newly remodeled 1,725 sq. ft. office.  
Can accommodate 3 or 4 attorneys plus  
support personnel. Located at 2603  
S. E. 17th Street, Suite C, Ocala, Florida  
34471. About 1/2 mile from Marion County  
Complex in the old McPherson  
School site. Directly across the street  
from M & S Bank.

Rent \$11.00 sq. ft. triple net or sales  
price \$269,500.00. Call for more details.

**Charles E. Berk Cell No. 352-274-2254**

## **HANK GIEDZINSKI LAW OFFICE LEASE**

Located at 211 NW Third Street, one block  
north of the Courthouse. 2000 sq. ft. classic  
office space on 3/4 acre parcel. Traditional  
furnishing. Ideal for two attorneys with staff.

Three year net lease at \$13.75/sq. ft.  
**Will consider sale with owner financing.  
(352) 351-4774**

## **Clerk's Corner**

### **Tax Deed Sales**

You may not realize that the Clerk plays a big role in preparing for and conducting tax deed sales. When property taxes go unpaid, interested persons can purchase tax deed certificates from the Tax Collector and then apply to the Tax Collector to initiate the property being offered at auction by the Clerk. The Clerk's Office works closely with the Tax Collector's office to identify and provide notice to property owners (assessed and apparent), mortgage holders and other specified lien holders. Clerk notification duties are extensive as set forth in Chapter 197 of the Florida Statutes. Those duties were arguably expanded by the line of cases culminating in the 5th DCA opinion Weingarten Associates, Inc. v. Jocalbro, Inc., 974 So.2d 559 (5th DCA 2008). Tax deed sales are conducted monthly in the Jury Assembly Room. All sales are "As Is" with no warranties provided of any type. The Clerk's tax deed files are available online at [www.marioncountyclerk.com](http://www.marioncountyclerk.com) and can be searched by property owner name, tax number, parcel number or sale date.

*Have a question or suggestion for the Clerk? Submit your question to De Brief and maybe your question or suggestion will educate everyone in the next issue!*

## **Florida Registered Paralegal Program**

Marion County Legal Support Association (MCLSA) will be sponsoring a seminar on the Florida Registered Paralegal Program, set up by Florida Bar Rules, Chapter 20, to go into full effect March 1, 2011. How will this new program effect your firm? What are the requirements for 'grandfathering'? What does it apply to? Will it effect billing? This is a MUST for all office managers and attorneys, as well as local legal assistants and paralegals.

Cost is \$10.00 for MCLSA members, \$5.00 for nonmembers. PLACE: Judicial Center Jury Assembly Room. TIME: 5:30 p.m. - 7:30 p.m. DATE: 2/19/09, Thursday. Registration forms will be faxed to all local bar members, and are also available in the Law Library. Florida Bar approval has been applied for. Continuing education hours are already accepted by NALA, FALSS, and NCRA. Per Courthouse Security, deadline for registration is 2/18/09. No exceptions.

## **Brown Bag Lunch with U.S. District Judge Mickle—RSVP Now!!**

by Stephanie Marchman

FBA is excited to host its second brown bag lunch of 2009. The Honorable Stephan P. Mickle, United States District Judge for the Northern District of Florida, Gainesville Division, will speak with local practitioners about the basics of federal practice. This is a great opportunity to interact with a local federal judge, ask questions pertinent to your practice, and learn about the inner workings of the federal court in Gainesville. The FBA anticipates that this event will be approved for one hour of CLE credit. Lunch is provided, of course.

Limited space is available, so hurry and send your RSVP to Stephanie Marchman at [marchmansm@cityofgainesville.org](mailto:marchmansm@cityofgainesville.org) to reserve your seat. Members of the FBA will have reservation priority.

When: Noon, February 12, 2009

Where: Jury Room of the United States Courthouse, 401 SE First Avenue, Gainesville, FL 32601

Cost: \$10 payable to the North Central Florida Chapter of the FBA, c/o Stephanie Marchman, 200 E. University Ave. Ste. 425, Gainesville, FL 32601

# Foreclosure Defense Training

FRIDAY, FEBRUARY 13th  
8:00 AM to 12:30 PM

4 CLE Hours Credit

FREE - Limited Seating

Pre-Registration Required Workshop topics will include:

THE MORTGAGE MARKET

“OLD SCHOOL— MORTGAGE FORECLOSURE BASICS

LEGAL FRAMEWORK—

CONTRACTS, DEFENSES & RESCUE SCAMS

THE “NEW WORLD” OF PSA’S,  
SECURITIZATION, DEFAULT SWAPS AND BAILOUTS

To Register

Call Lena Smith at 629-0105 x2912 or Email [lenas@clsmf.org](mailto:lenas@clsmf.org)

The Workshop will take place at  
the Ocala Police Department Community Room  
402 S Pine Avenue in Ocala

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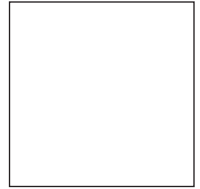
PROGRAM SPONSORED BY:

COMMUNITY LEGAL SERVICES OF MID-FLORIDA’S VOLUNTEER LAWYER PROJECT  
LEGAL ADVOCACY CENTER OF CENTRAL FLORIDA  
AND THE MARION COUNTY BAR ASSOCIATION

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P.O. Box 3583  
Ocala, FL 34478



## Spotlight: Dorothy Sims

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MCBA's own Dorothy Sims, has been published by James Publishing Company! Her book *Exposing Deceptive Defense Doctors* draws on her 25 years in practice and the thousands of doctors she has cross-examined. De Brief interviewed Dorothy about the experience and her book.

### What is your book about?

Exposing doctors who are hired to lie, how to do it, how to research them and how to use technology to slash overhead including outsourcing and the internet as well as how to obtain great trial exhibits and information, for free, from the internet.

### How long have you been working on the book?

10 years—It's over 400 pages.

### Who is the main audience the book seeks to reach?

Lawyers who have practices involving

medical/psychological issues like criminal pros. /def, marital, PI, med mal, Long term disability, social security disability, defense base act cases worker's compensation. The book also has a cd that comes with sample depositions, what to look for, how to research the doctor's background and what to do with it as well as a number of amazing (and free) web sites that really help the practice of law.

### What was your biggest challenge in writing the book?

Editing. Thank God James Publishing has a great editing department. It's over 400 pages and contains hundreds of references supporting positions and references take a lot of work.

### How did you find a publisher for your book?

Actually, one publisher contacted me and I elected not to go with him and I was told to contact James Publishing and with-

in a few days of speaking with the owner of James Publishing, a contract was sent and a check was in the mail. It was easy because, I suppose, no one's ever written about this before and I've given so many speeches (over 200) throughout the US, many attorneys are familiar with my name so he was not concerned about sales.

### Anything else you'd like MCBA members to know about your book?

I am donating a percentage of the profits to the International Federation on Human Rights because my son just returned from their Paris office where he worked as one of their youngest interns (Can you tell I'm proud?) and the stories he wrote and told me were horrific. They need help."

*Exposing Deceptive Defense Doctors can be purchased from James Publishing at [www.jamespublishing.com](http://www.jamespublishing.com)*