

**IN THE CIRCUIT COURT FOR THE 15TH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY, FLORIDA**

AURORA LOAN SERVICES LLC,

GENERAL  
DIVISION

JURISDICTION

Plaintiff,

CASE NO.

vs.

50 2008 CA 031809XXXX MB

Division: AW

DANIEL CIANCIOOTTO; ALISA  
CIANCIOOTTO A/K/A ALISA BARI  
CIANCIOOTTO; ANY AND ALL UNKNOWN  
PARTIES CLAIMING BY, THROUGH,  
UNDER, AND AGAINST THE HEREIN  
NAMED INDIVIDUAL DEFENDANT(S)  
WHO ARE NOT KNOWN TO BE DEAD OR  
ALIVE, WHETHER SAID UNKNOWN  
PARTIES MAY CLAIM AN INTEREST AS  
SPOUSES, HEIRS, DEVISEES, GRANTEES  
OR OTHER CLAIMANTS; MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS,  
INC.; CANYON LAKES HOMEOWNERS  
ASSOCIATION INC.; JOHN DOE AND  
JANE DOE AS UNKNOWN TENANTS IN  
POSSESSION,

**MOTION FOR  
DISQUALIFICATION OF  
COUNSEL AND FOR  
DISGORGEMENT OF  
ATTORNEY'S FEES**

Defendants.

\_\_\_\_\_ /

The Defendants, DANIEL CIANCIOOTTO and ALISA CIANCIOOTTO, move to disqualify JOHN A. WATSON from continuing to appear in this case as their counsel and for the disgorgement of the \$1,000 paid to WATSON in attorney's fees on the following grounds:

**I. JOHN WATSON Has A Conflict of Interest in that He—Through the Firm With Which He is Associated—Represents the Plaintiff, AURORA LOAN SERVICES LLC in Other Cases.**

JOHN WATSON entered into a verbal contract with the Cianciottos and collected \$1,000 for the legal services of his firm, Watson and Associates in the defense of this case.<sup>1</sup> Although JOHN WATSON disclosed that he had a relative who represents banks in foreclosure actions, he did not disclose that: 1) he is associated with that firm; and 2) that, in other cases, he actually appears in court on behalf of the Plaintiff in this case, AURORA LOAN SERVICES LLC. (“AURORA”). He did not obtain any signature from the Cianciottos consenting to his representation despite this conflict of interest.

The “relative” to whom JOHN WATSON referred is his brother, Marshall C. Watson, the principal of the Law Offices of Marshall C. Watson, P.A. (the “MARSHALL WATSON FIRM”), a law firm “which strictly represents mortgage lenders and servicers throughout Florida.”<sup>2</sup> JOHN WATSON is “Of Counsel” with the MARSHALL WATSON FIRM, a relationship that existed before this case was filed (*see*, MARSHALL WATSON FIRM Letterhead dated July 10, 2008<sup>3</sup>) and continued until as recently as March 12, 2010 (*see* MARSHALL WATSON FIRM Letterhead on letter to Judge Sasser;<sup>4</sup>). JOHN WATSON appears as “Of Counsel” on MARSHALL WATSON FIRM letterhead in a case in which the

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<sup>1</sup> Check for payment of services (account numbers redacted) (Exhibit A).

<sup>2</sup> Firm profile on the Law Offices of Marshall Watson, available at:  
<http://www.marshallwatson.com/WatsonLaw/default.htm>

<sup>3</sup> *Thornburg Mortgage Home Loans, Inc. v. Cohen*, Case No. 50 2008 CA 021367XXXX MB (Palm Beach County) (Exhibit B<sub>1</sub>). The instant case was filed October 10, 2008.

<sup>4</sup> *JP Morgan Chase Bank v. Kling*, Case No. 50 2009 CA 005065XXXX MB (Palm Beach County) (Exhibit B<sub>2</sub>).

MARSHALL WATSON FIRM represents the Plaintiff, AURORA—the very same Plaintiff in this case.<sup>5</sup> JOHN WATSON even appeared personally to represent AURORA in that case.<sup>6</sup>

The address of JOHN WATSON’s firm is identical to that of the MARSHALL WATSON FIRM (both are: 1800 N.W. 49th St., Suite 120, Fort Lauderdale, FL 33309). In fact, Mr. Cianciotto delivered the check for JOHN WATSON’s services to the receptionist at the MARSHALL WATSON FIRM. The receptionist gave Mr. Cianciotto a business card when he delivered the payment; the business card was that of the MARSHALL WATSON FIRM.<sup>7</sup> Additionally, JOHN WATSON can be reached by dialing the main MARSHALL WATSON telephone number. The email JOHN WATSON has listed with the Florida Bar<sup>8</sup> and on his own website<sup>9</sup> is tied to the MARSHALL WATSON FIRM email server:

John.Watson@marshallwatson.com.

When confronted with this conflict of interest,<sup>10</sup> JOHN WATSON responded by pointing to his own letterhead as a demonstration that he has no financial relationship to the MARSHALL

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<sup>5</sup> *Aurora Loan Services, LLC. v. Montoya*, Case No. CACE 09 025991 (Broward County) (“*Montoya*”)(Exhibit B<sub>3</sub>).

<sup>6</sup> Excerpt from Transcript of Hearing in *Montoya* (Exhibit C).

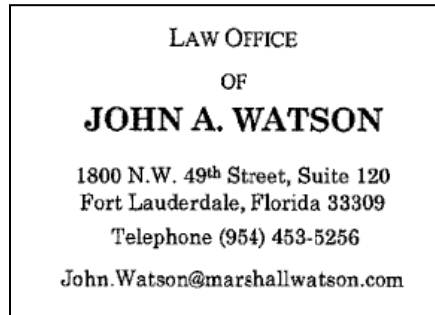
<sup>7</sup> Exhibit D.

<sup>8</sup> Exhibit E. Notably, JOHN WATSON’s firm listed with the Florida Bar is “Watson and Associates, P.A., an entity which became inactive and was administratively dissolved in September of 2009 (Exhibit F). The address listed is a P.O. Box, but Rule 1-3.3 of the Rules Regulating the Florida Bar requires that an attorney provide the physical location or street address of his principal place of employment to the Florida Bar. *See Lewis v. Fifth Third Mortg. Co.*, --- So.3d ----, n. 1 (Fla. 3d DCA 2010).

<sup>9</sup> Exhibit G.

<sup>10</sup> Letter to John Watson, dated March 29, 2010 (Exhibit H—without exhibits which have been filed separately).

WATSON FIRM.<sup>11</sup> That letterhead, however, displays the address of the MARSHALL WATSON FIRM, and the marshallwatson.com email address:



While insisting that he is simply “a solo practitioner,” he conceded that he maintains a “rent-free office at [his] brother’s office,” and serves the MARSHAL WATSON FIRM in an “Of Counsel” capacity. Despite these admissions, he categorically denied that there existed any conflict of interest and refused to refund the fee paid him by the Cianciottos.<sup>12</sup>

Notably, this is not the only case in which JOHN WATSON has represented defendants in cases brought by banks who are clients of the MARSHALL WATSON FIRM. According to the Court’s docket for the case of *Deutsche Bank National Trust Co. v. Ca Thi Phan*, Case No. 502008CA037584XXXXMB (Palm Beach County), JOHN WATSON is representing the Defendant. The MARSHAL WATSON FIRM, however, are the attorneys for Deutsche Bank National Trust Co. in eight cases defended by Ice Legal, P.A.

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<sup>11</sup> Letter from John Watson, dated March 31, 2010 (Exhibit I).

<sup>12</sup> *Id.*

## II. For Purposes of Conflicts Analysis, an “Of Counsel” Attorney Is Treated as a Member of the Firm.

According to an Ethics Update published in the Florida Bar News, December 1, 1997,<sup>13</sup> attorneys who are “Of Counsel” must be treated as a firm member for purposes of determining conflicts of interests:

Before forming an "Of Counsel" relationship, a firm should consider the fact that the "Of Counsel" lawyer is treated as a firm member for conflict of interest analysis. Pursuant to Rule 4-1.10(a) of the Rules of Professional Conduct, while lawyers are associated in a firm, none of them may knowingly represent a client when any one of them practicing alone would be prohibited from doing so by other conflict of interest rules, including Rules 4-1.7, 4-1.8 (c), and 4-1.9. Because an "Of Counsel" lawyer is treated as a member of the firm, conflicts will be imputed to and from a firm's "Of Counsel" lawyer. Thus, the firm's system for checking conflicts of interest must include a check against clients represented by the "Of Counsel" lawyer outside the firm if the "Of Counsel" lawyer engages in other practice.

Since, by his own admission, JOHN WATSON is “Of Counsel” with the MARSHAL WATSON FIRM, the conflict of interest analysis must be determined by treating JOHN WATSON as a member of that firm. The readily apparent conflict, therefore, is twofold: 1) it is a conflict of interest for JOHN WATSON to represent the defendants in this case against AURORA (a client of the firm of which he is deemed to be a member); and 2) it is conflict for the MARSHALL WATSON FIRM to represent AURORA against homeowners when JOHN WATSON is representing homeowners against AURORA. *See also*, Summary of ABA Formal Opinion 90-357, *Use of Designation “Of Counsel”*<sup>14</sup> (“Another practical factor in limiting the number of ‘of counsel’ relationships one attorney may have is the fact that there is an attribution

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<sup>13</sup> Reproduced in the Informational Packet “Of Counsel” courtesy of The Florida Bar Ethics Department, available at:

[https://www.floridabar.org/TFB/TFBResources.nsf/BC390EF1565832AE85256A4F006AEEA8/9938DB3C232B321785256B29004BEF32/\\$FILE/Ofcslpkt.pdf](https://www.floridabar.org/TFB/TFBResources.nsf/BC390EF1565832AE85256A4F006AEEA8/9938DB3C232B321785256B29004BEF32/$FILE/Ofcslpkt.pdf)

<sup>14</sup> Also reproduced in the published in Informational Packet “Of Counsel” courtesy of The Florida Bar Ethics Department, *Id.*

to the 'of counsel' attorney of all the disqualifications of each firm, and, likewise, attribution from the 'of counsel' attorney to each firm, of each of those disqualifications. See Model Rule 1.10(a.); Ethics Opinion 61-20 ("It is improper for an attorney to institute an action against a client represented by another who is listed "of counsel" on the letterhead of the first attorney.")

**III. Having Undertaken Representation for Which He Has a Conflict of Interest, JOHN WATSON must disgorge his fees to the Defendants.**

Allowing an attorney to profit from activities frowned upon by the Florida Bar is a violation of public policy. In *Morrison v. West*, --- So. 3d ---- (Fla. 4th DCA 2010), the appellate court ordered the disgorgement of fees where the attorney was found to have engaged in the unauthorized practice of law, by failing to comply with the Florida Bar Rules and Florida Statutes. The Court explained that "[t]he reason for prohibiting the practice of law by those who have not been examined and found qualified to practice ... is done to protect the public from being advised and represented in legal matters by unqualified persons over whom the judicial department can exercise little, if any, control ...." This public policy, explained the court, would prevent the attorney from benefiting from his own wrongdoing.

Prohibiting the representation of clients by attorneys with conflicts of interest derives from the same public policy of ensuring that the public is advised and represented in legal matters by qualified and properly motivated attorneys. As in *Morrison*, this public policy should be enforced by requiring JOHN WATSON to disgorge his fees. See *Chandris, S.A. v. Yanakakis*, 668 So. 2d 180 (Fla. 1995) (contingent fee agreement that does not conform to the Rules of Professional Conduct is void as against public policy and an attorney cannot recover attorney's fees under such agreement); *The Florida Bar v. Rodriguez*, 959 So.2d 150 (Fla. 2007) (concluding that "permitting [the attorney] to retain his ill-gotten gains would fail to provide a deterrent and could actually encourage misconduct by greedy lawyers."), citing with approval *In*


*re Hager*, 812 A.2d 904, 923 (D.C. 2002) *reinstatement granted*, 878 A.2d 1246 (D.C. 2005) (holding that “[i]t is the general rule ... that where an attorney violates his or her ethical duties to the client, the attorney is not entitled to a fee for his or her services.”).

Accordingly, JOHN WATSON should be ordered to disgorge fees that he obtained through an engagement clouded by a conflict of interest prohibited by the Florida Bar Rules.

**WHEREFORE**, DANIEL CIANCIOFFO and ALISA CIANCIOFFO ask this Court to disqualify JOHN WATSON from further representation of them in this matter and to return the attorneys’ fees paid for his services.

Dated: April 6, 2010.

**ICE LEGAL, P.A.**  
Counsel for Defendant  
1975 Sansburys Way, Suite 104  
West Palm Beach, FL 33411  
Telephone: (561) 729-0530  
Facsimile: (866) 507-9888

By:   
THOMAS E. ICE  
Florida Bar No. 0521655

**VERIFICATION OF MOVANTS**

Under penalties of perjury, I declare that I have read the foregoing **MOTION FOR DISQUALIFICATION OF COUNSEL AND FOR DISGORGEMENT OF ATTORNEY’S FEES** and that the facts stated in it are true (§ 92.525(2) Fla. Stat. 2009).

  
DANIEL CIANCIOFFO

  
ALISA CIANCIOFFO

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by mail this April 8, 2010 to all parties on the attached service list.

**ICE LEGAL, P.A.**  
Counsel for Defendant  
1975 Sansburys Way, Suite 104  
West Palm Beach, FL 33411  
Telephone: (561) 729-0530  
Facsimile: (866) 507-9888

By: 

THOMAS E. ICE  
Florida Bar No. 0521655

**SERVICE LIST**

Elsa Hernandez Shum, Esq.  
LAW OFFICES OF DAVID J. STERN, P.A.  
900 South Pine Island Road Suite 400  
Plantation, FL 33324-3920  
(954) 233-8000  
*Plaintiff's counsel*

John A. Watson, Esq.  
LAW OFFICE OF JOHN A. WATSON  
1800 N.W. 49th Street, Suite 120  
Fort Lauderdale, Florida 33309



PNC

ALISA B. CIANCIOFFO 06-00 [REDACTED] 1667  
 DANIEL CIANCIOFFO  
 10635 HILLTOP MEADOW POINT  
 BRYNTON BEACH, FL 33437

DATE 10/21/08

PAY TO THE ORDER OF Watson & Associates Trust Acct \$ 1000.00

One Thousand Dollars DOLLARS

National City

MEMO Mortgage Loan 783-0000 [Signature]

Front

[REDACTED]

READ DEPOSIT ONLY  
 WATSON & ASSOCIATES, P.A.  
 TRUST ACCOUNT

FOR DEPOSIT ONLY  
 NORTHERN TRUST BANK OF FLORIDA  
 FT. LAUDERDALE, FLORIDA

Back

This is an image/copy of a check you wrote or deposited. Please refer to your available balance since this item may not be credited to or debited from your account at this time.

Exhibit A

Managing Attorneys  
Marshall C. Watson  
Caryn A. Graham

Associate Attorneys  
Alicia L. Accinelli  
Patricia A. Arango  
Courtney J. Bannan  
Anissa Bolton  
Jessica Cabrera  
Mizell Campbell  
Tara Castillo  
Linda Chelvam  
Connie Delisser  
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Jeffrey Fonseca  
April Harriott  
Maurice Hinton



**LAW OFFICES**

OF MARSHALL C. WATSON

1800 NORTH WEST 49TH STREET, SUITE #120  
FORT LAUDERDALE, FLORIDA 33309

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Carri L. Pereyra  
Amy Post  
Roger Rathbun  
Michele F. Schiavinato  
Andrew Scolaro  
Karen Thompson  
Noel J. VanDenHouten  
Scott R Weiss

Of Counsel  
John A. Watson

July 10, 2008

**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES ACT  
15 U.S.C. SECTION 1692, AS AMENDED**

RE: Property Address: 385 MULBERRY GROVE ROAD, ROYAL PALM BEACH, FL  
33411  
0018671412  
Owner: TOMER COHEN  
Mortgagor: TOMER COHEN  
Our File #: 08-36248

1. The Plaintiff, THORNBURG MORTGAGE HOME LOANS, INC., is the creditor to whom the debt is owed by those individuals who are obligated under the promissory note and mortgage.
2. The debtor may dispute the validity of this debt, or any portion thereof, within 30 days of receipt of this Notice. If the debtor fails to dispute the debt within 30 days, the debt will be assumed valid by the creditor.
3. If the debtor notifies the creditor's law firm in writing within 30 days from receipt of this notice that the debt, or any portion thereof, is disputed, the creditor's law firm will obtain verification of the debt, or a copy of a judgment and a copy of the verification will be mailed to the debtor by the creditor's law firm. Collection efforts, resulting in additional attorney fees and costs however, will continue during this 30 day period until this office receives the written request for verification.
4. If the creditor named herein is not the original creditor, and if the debtor makes a written request to the creditor's law firm within 30 days of receipt of this Notice, the name and address of the original creditor will be mailed to the debtor by the creditor's law firm. Collection efforts, resulting in additional attorney fees and costs however, will continue during this 30 day period until this office receives the written request for the name and address of the original creditor.

08-36248

**Exhibit B<sub>1</sub>**

03/12/2010 15:59 FAX

0001/0003

**Managing Attorneys**  
Marshall C. Watson  
Caryn A. Graham



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OF MARSHALL C. WATSON

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Albert Buznik  
Jessica Cabrera  
Antonio Campos  
Tara Castillo  
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Connie Delisser  
Jenny Dziorney  
Ingrid Fadit  
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Luke Fynn  
Joanne Galipault  
Michael Gelety  
Cherri-Ann Giannell  
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Giselle Hugues  
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Lea Vandergriff  
Barbara Vendrell  
Angela Vittiglio  
Lynn Marie Vous  
Scott Weiss  
Darian Williams  
Vaios Zamakis

**Of Counsel**  
John Watson  
David Tabb  
George Zamora

March 12, 2010

Honorable Meenu Sasser  
Circuit Civil Judge  
205 North Dixie Hwy  
West Palm Beach, FL 33401

**RE: JPMORGAN CHASE BAK, NATIONAL ASSOCIATION v. TOMMY KLING A/K/A THOMAS KLING,; JOHAN HAGSTROM, et al.**  
Case No.: 50 2009 CA 005065 XXXX MB (AW)  
MCW-File Number 09-07535

Dear Judge Sasser:

Enclosed please find a copy of the Notice of Cancellation of Hearing. The Original has been filed with the Clerk. Should you have any questions, or require additional information, please do not hesitate to contact this office.

Thank you for your consideration in this matter.

Sincerely,

09-07535\_Kling, Tommy

**Exhibit B<sub>2</sub>**

Managing Attorneys  
Marshall C. Watson  
Caryn A. Graham

Associate Attorneys  
Antonio Alonso  
Patricia A. Arango  
Owei Belleh  
Michael Bohnenberger  
Anissa Bolton  
Carolyn Budnik  
Jessica Cabrera  
Mizell Campbell  
Tara Castillo  
Linda Chelvam  
Connie Delisser  
Nathalie F. Demesmin  
Ingrid Fadil  
April Harriott  
Mark C. Holmberg  
Tenia Hunter  
Cherri-Ann Glannell  
Vida E. Jasaitis  
Jeffery Jones  
Karen Marozsan  
Sean Marshall  
Melody A. Martinez



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Chad Muney  
Wm. David Newman, Jr  
Rebecca Nilsen  
Carri L. Pereyra  
Charlene Pinkney-Bean  
Amy Post  
Roger Rathbun  
Robin Reyes  
Kristen Rosenthal  
Andrew Scolaro  
Alan Schwartzseid  
Nalini Singh  
Gail Sparks  
Karen Thompson  
Lea W. Vandergriff  
Noel J. VanDenHouten  
Scott R Weiss  
Valentina Weis

Of Counsel  
John A. Watson

April 29, 2009

**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES ACT  
15 U.S.C. SECTION 1692, AS AMENDED**

RE: Property Address: 16582 NW 6TH STREET HOLLYWOOD, FL 33028  
Owner: DIANA MONTOYA A/K/A DIANNA MONTOYA  
Mortgagor: SERGIO JIMENEZ  
Our File #: 09-24552

1. The Plaintiff, AURORA LOAN SERVICES, LLC, is the creditor to whom the debt is owed by those individuals who are obligated under the promissory note and mortgage.
2. The debtor may dispute the validity of this debt, or any portion thereof, within 30 days of receipt of this Notice. If the debtor fails to dispute the debt within 30 days, the debt will be assumed valid by the creditor.
3. If the debtor notifies the creditor's law firm in writing within 30 days from receipt of this notice that the debt, or any portion thereof, is disputed, the creditor's law firm will obtain verification of the debt, or a copy of a judgment and a copy of the verification will be mailed to the debtor by the creditor's law firm. Collection efforts, resulting in additional attorney fees and costs however, will continue during this 30 day period until this office receives the written request for verification.
4. If the creditor named herein is not the original creditor, and if the debtor makes a written request to the creditor's law firm within 30 days of receipt of this Notice, the name and address of the original creditor will be mailed to the debtor by the creditor's law firm. Collection efforts, resulting

**Exhibit B<sub>3</sub>**





IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA  
CASE NO. CACE09025991

AURORA LOAN SERVICES, LLC,

Plaintiff,

-vs-

DIANA MONTOYA a/k/a DIANNA  
MONTOYA, et al.,

Defendants.

HEARING BEFORE THE HONORABLE MARC H. GOLD

Monday, February 8, 2010  
BROWARD COUNTY COURTHOUSE, Room #1005  
Fort Lauderdale, Florida  
2:52 p.m. - 3:00 p.m.

Reported By:  
Joyce L. Bluteau, RPR, FPR  
Notary Public, State of Florida  
Conсор & Associates Reporting and Transcription  
West Palm Beach Office  
Phone - 561.682.0905

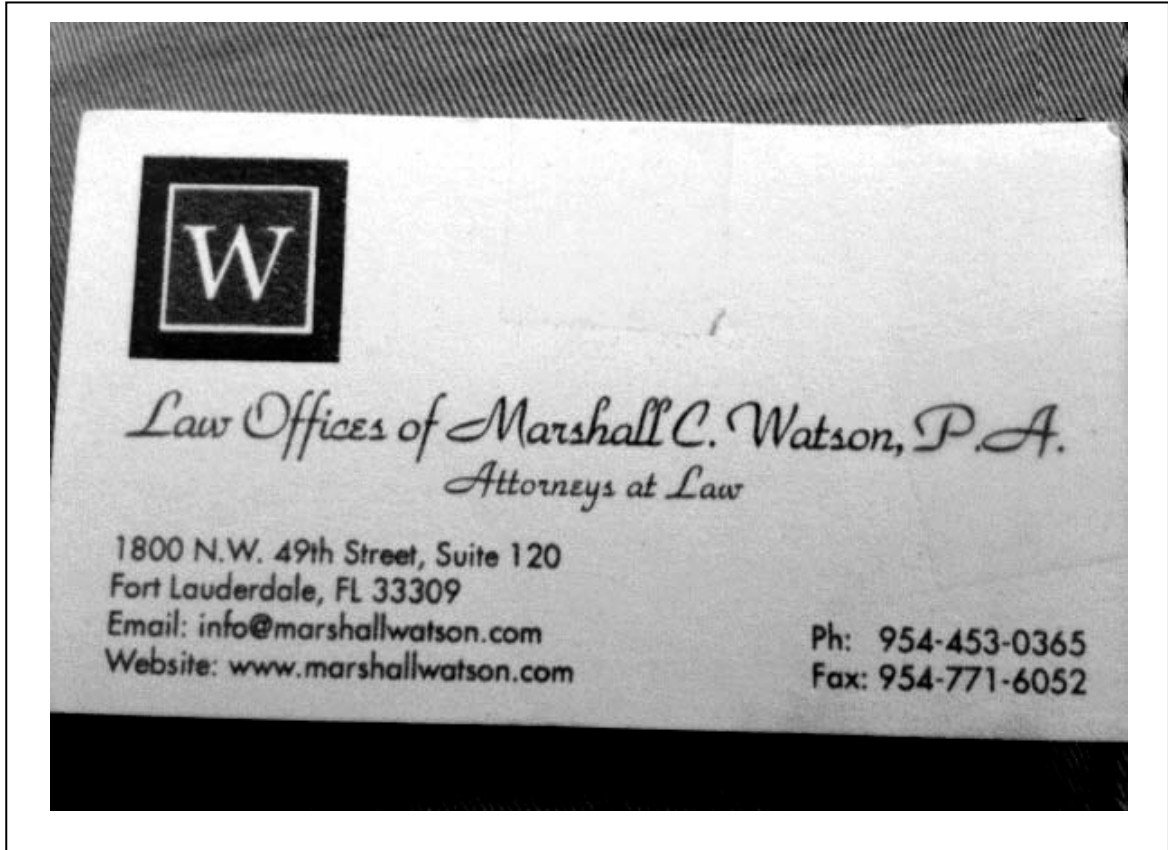
Hearing Before Judge Marc H. Gold (For Judge Lynch)

Page: 1

**Exhibit C**



1 APPEARANCES :  
2  
3 On behalf of the Plaintiff:  
4 JOHN WATSON, ESQ.  
5 LAW OFFICES OF MARSHALL C. WATSON, P.A.  
6 1800 N.W. 49th Street  
7 Suite 120  
8 Fort Lauderdale, Florida 33309  
9 954.453.0365  
10  
11 On behalf of the Defendants:  
12 JOSHUA MILLER, ESQ.  
13 ICE LEGAL, P.A.  
14 1975 Sansburys Way  
15 Suite 104  
16 West Palm Beach, Florida 33411  
17 561.793.5658  
18  
19  
20  
21  
22  
23  
24  
25



**Exhibit D**

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**John Adair Watson**

**Member in Good Standing**

**Eligible to practice in Florida**

ID Number: 340197  
 Address: Watson and Associates, P A  
 PO Box 11066  
 Fort Lauderdale, Florida 333391066  
 United States  
 Phone: 954.8037515  
 Fax: 954.3511699  
 E-Mail: john.watson@marshallwatson.com

County: Broward  
 Circuit: 17  
 Admitted: 05/13/1982

Sections: Real Property Probate and Trust Law

10-Year Discipline History **None**

Law School: Nova Southeastern University - Shepard Broad Law Center  
 Graduation Year: 1982  
 Degree: Doctor of Jurisprudence/Juris Doctor

Firm: Law Office of John A. Watson  
 Website: www.johnwatsonlaw.com  
 Firm Size: One  
 Occupation: Private Law Practice  
 Martindale-Hubbell: AV [Peer Review Rating](#)  
 State Courts: Florida

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**Exhibit E**



Member Search

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*[Revised: 03-23-2010 ]*

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<http://www.floridabar.org/names.nsf/0/0AEB20395817443285256A830072BBCD?OpenDocument>[4/5/2010 11:58:37 AM]

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FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS

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**Detail by Officer/Registered Agent Name** Officer/RA Name Search

**Florida Profit Corporation** Submit

WATSON & ASSOCIATES, P.A.

**Filing Information**

**Document Number** P93000025446  
**FEI/EIN Number** 650398802  
**Date Filed** 04/01/1993  
**State** FL  
**Status** INACTIVE  
**Last Event** ADMIN DISSOLUTION FOR ANNUAL REPORT  
**Event Date Filed** 09/25/2009  
**Event Effective Date** NONE

**Principal Address**

1800 N.E. 49TH ST.  
 #120  
 FORT LAUDERDALE FL 33309 US  
 Changed 02/13/2003

**Mailing Address**

P.O. BOX 11066  
 FT. LAUDERDALE FL 33339 US  
 Changed 02/08/1996

**Registered Agent Name & Address**

WATSON, JOHN A  
 1800 N.W. 49TH ST.  
 #120  
 FORT LAUDERDALE FL 33309  
 Address Changed: 02/13/2003

**Officer/Director Detail**

**Name & Address**

Title P

WATSON, JOHN A  
 2409 NE 27TH AVENUE  
 FT. LAUDERDALE FL 33305 US

**Annual Reports**

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**Exhibit F**

John A. Watson

# Law Office Of John A. Watson

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Suite 120, Fort  
Lauderdale, Florida  
33309  
Telephone: 954-803-  
7515

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Attorneys

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*Free Consultation. Over 25 years of  
experience.*

John A. Watson  
Member

Email: [john.watson@marshallwatson.com](mailto:john.watson@marshallwatson.com)

**Practice Areas:** Real Estate; Foreclosures; Wills; Probate; Estate Planning; Creditors Rights; Bankruptcy; Corporate Formation; Contracts; Asset Protection; General Practice; Mortgages; Civil Litigation; Commercial Real Estate; Landlord and Tenant Law; Real Estate Litigation; Trusts and Estates; Corporate Law; Business Formation.

**Admitted:** 1982, Florida; U.S. District Court, Southern, Middle and Northern Districts of Florida; U.S. Court of Appeals, Eleventh Circuit

**Law School:** Nova Southeastern University, J.D., 1982

**College:** Wake Forest University, B.A., 1978

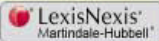
**Member:** The Florida Bar (Member, Real Property, Probate and Trust Law Section); Attorneys' Real Estate Council of Broward County, Inc.

**Biography:** Phi Alpha Delta.

**Transactions:** "In Re Aloma Square, Inc.," 116 B.R. 828.

**Born:** Fort Lauderdale, Florida, March 8, 1956

**ISLN:** 902928198



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**Exhibit G**



1975 SANSBURY'S WAY ~ SUITE 104  
WEST PALM BEACH, FL 33411  
561.729.0530  
FAX: 1.866.507.9888  
www.icelegal.com

THOMAS E. ICE, ESQ.  
DUSTIN A. ZACKS, ESQ.  
CHRIS T. IMMEL, ESQ.  
ENRIQUE NIEVES III, ESQ.

March 29, 2010

John A. Watson, Esq.  
LAW OFFICE OF JOHN A. WATSON  
P.O. Box 11066  
Fort Lauderdale, FL 33339-1066  
(954) 803-7515

Re: *Aurora Loan Services LLC v. Cianciotto*, Case No. 50 2008 CA 031809XXXX  
MB (Palm Beach County)

Dear Mr. Watson,

Please be advised that we have been retained by Daniel and Elisa Cianciotto to represent them in the above-referenced foreclosure case filed by Aurora Loan Services, LLC ("Aurora") (see attached Notice of Appearance).

We cannot help but notice that you have been representing the Cianciottos in this action, even though you are an attorney with the Law Offices of Marshall Watson, P.A. which represents, or has represented, Aurora in eleven of our cases. Indeed, you appeared and argued a hearing on behalf of Aurora in a case in which the Marshall Watson firm is counsel of record. (*See Aurora Loan Services, LLC v. Montoya*, Case No. CACE 09 025991 (Broward County), excerpt of transcript of hearing February 8, 2010, showing appearances of counsel attached.) We note that you have also represented homeowners against Deutsche Bank National Trust Company, an entity represented by the Marshall Watson firm in eight of our cases.

Regardless of where one comes out on the question of whether or not representing homeowners against a client that you are also representing in other cases is an ethical transgression, it would appear undeniable that, as an Aurora attorney, you could not have had the Cianciottos' interests at heart in this case. Accordingly, it would seem imperative that you immediately withdraw from the representation of the Cianciottos and refund to them all the fees that you collected for

**Exhibit H**

your services, which we understand to be \$1,000. Please make your check payable to the Cianciottos and forward to my attention at the Ice Legal, P.A. address.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Ice", with a horizontal line extending to the left and a small flourish to the right.

Thomas E. Ice, Esq.

cc: Daniel and Elisa Cianciotto  
Marshall Watson, The Law Offices of Marshall Watson, P.A.  
Court File

2 | Page

LAW OFFICE  
OF  
**JOHN A. WATSON**

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REPLY TO:

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Fort Lauderdale, Florida 33339  
Telecopier (954) 772-4132

March 31, 2010

Thomas E. Ice, Esq.  
Ice Legal, P.A.  
1975 Sansburys Way  
Suite 104  
West Palm Beach, Florida 33411

RE: Aurora Loan Services LLC vs. Daniel Cianciotto, et al.  
Case No. 502008CA031809XXXXMB

Dear Mr. Ice:

I am in receipt of your e-mailed letter dated March 29, 2010 and am responding thereto. As you can see from this letterhead, I am not, and never have been, an attorney employed by The Law Offices of Marshall C. Watson. I am a solo practitioner and have a rent-free office at my brother's office. I do serve his firm in an "Of Counsel" capacity but am not, and never have been, on my brother's firm's payroll. I think your confusion concerning my relationship with my brother's firm comes from the fact that I covered a hearing for my brother's firm which you noted in your letter in which your firm represented the defendant/homeowner and my brother's firm represented the Plaintiff. In case you do not already know, I act as a coverage attorney for both my brother's firm and the law firm of Smith, Hiatt & Diaz, P.A. and practice mainly in Broward County, Florida. As such, I have absolutely no contact with either of those two firms' clients and doubt the clients of those two firms even know that I exist. In light of these facts, there exists no conflict of interest which violates any of the Canon of Ethics by which we are to govern our practices.

The last couple of evenings I have unsuccessfully tried to contact Mr. Cianciotto regarding your letter to discuss this matter with him. In the event Mr. and Mrs. Cianciotto wish for me to withdraw from my representation of them in this lawsuit, I will be more than happy to oblige them. In that vein, I have prepared a Stipulation for Substitution of Counsel for execution by the Cianciottos and yourself. Once the Cianciottos and you have signed the Stipulation, please return it to me for my signature. I will then file it with the Court

**Exhibit I**



and obtain an Order Approving the Stipulation which I will prepare. Notwithstanding the foregoing, since I agreed to represent the Cianciottos on a flat fee basis, I have no present intention of refunding the \$1,000.00 flat fee retainer that was paid to me by them.

As an aside, I am not sure why you filed a copy of your letter in the above referenced lawsuit and find same to be very unprofessional. It would have been nice if you had first attempted to contact me on the phone to discuss your concerns about my representation of the Cianciottos. I was also a little surprised to see that you had filed a Notice of Appearance as co-counsel in the case and had not served me with a copy of same.

As far as the status of this case, a hearing on the Plaintiff's Motion for Summary Final Judgment is scheduled for July 20, 2010. I was just about to send out my usual discovery package to Plaintiff's counsel but will now wait to see if the Cianciottos wish for me to remain on the case. If the Cianciottos wish for me to continue in my representation of them, it must be understood that I will only work as lead counsel on the case.

Thank you for your attention to this matter. If you have any questions with regard to the foregoing, please do not hesitate to contact me.

Sincerely,



JOHN A. WATSON

JAW:js  
Enclosure

cc: Mr. and Mrs. Daniel Cianciotto