

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Complainant,

v.

MICHAEL VINCENT LAURATO,

Respondent.

CASE NO.

TFB NO. 2007-11,274 (13D)

COMPLAINT

Complainant, The Florida Bar, files this Complaint against Respondent, Michael Vincent Laurato, pursuant to Rule 3-3.2(b), Rules Regulating The Florida Bar, and alleges:

GENERAL ALLEGATIONS

1. Respondent is, and at all times material hereto was, a member of The Florida Bar, subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent was a defendant in the civil action styled *Celebrity Carpets and Interiors, Inc., d/b/a Naffco v. Michael V. Laurato*, Case number 05-2728 F, in the Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida (the "Civil Action").

COUNT I

3. The Florida Bar realleges and incorporates the allegations of paragraphs 1 and 2, above, as if fully set forth herein.
4. On or about January 16, 2007, a process server attempted to serve a Subpoena for Deposition on Karina Elizabeth Jauregui a/k/a Karina Laurato (the "Witness") in connection with the Civil Action.
5. The Witness was married to Respondent at the time the process server attempted to serve the Subpoena for Deposition.
6. The process server attempted to serve the Witness at 3710 W. Leona Street, Tampa, Florida 33629 (the "Residence").
7. At the time, Respondent lived at the Residence.
8. The process server encountered Respondent at the Residence when attempting to serve the Subpoena for Deposition.
9. Respondent told the process server that the Witness was not living at the Residence.
10. On or about January 16, 2007, the Witness was living at the Residence.
11. On or about January 16, 2007, Respondent knew that the Witness was living at the Residence.

12. Respondent's statement to the process server was false.

13. Respondent knew his statement to the process server was false at the time he made it.

14. As a result of the foregoing, Respondent has violated the following Rules Regulating The Florida Bar:

- a. Rule 4-8.4(c) (conduct involving dishonesty, fraud, deceit, and misrepresentation); and,
- b. Rule 4-8.4(d) (conduct prejudicial to the administration of justice).

WHEREFORE, The Florida Bar respectfully requests that Respondent be appropriately disciplined.

COUNT II

15. The Florida Bar realleges and incorporates the allegations of paragraphs 1 and 2, above, as if fully set forth herein.

16. On or about October 19, 2006, Respondent testified under oath at a deposition in the Civil Action.

17. During the deposition, Respondent testified that he had, "[n]ever been sued once for breach of contract."

18. At the time of the deposition, Respondent had been sued more than once for breach of contract.


19. At the time of the deposition, Respondent knew that he had been sued more than once for breach of contract.


20. Respondent's testimony under oath at his deposition was false.

21. As a result of the foregoing, Respondent has violated the following Rules Regulating The Florida Bar:

- a. Rule 4-8.4(c) (conduct involving dishonesty, fraud, deceit, an misrepresentation); and,
- b. Rule 4-8.4(d) (conduct prejudicial to the administration of justice).

WHEREFORE, The Florida Bar respectfully requests that Respondent be appropriately disciplined.

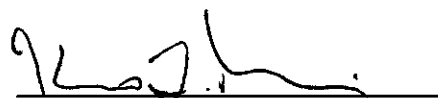

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of this Complaint has been

furnished by regular U. S. mail to The Honorable Thomas D. Hall, Clerk, the Supreme Court of Florida, 500 South Duval Street, Tallahassee, Florida 32399-1925; a true and correct copy by U.S. certified mail No. 7008 2810 0001 4648 5024, Return Receipt Requested, and by regular U.S. mail to Michael Vincent Laurato, Respondent, c/o of Scott K. Tozian, 109 North Brush Street, Suite 200, Tampa, Florida 33602; a copy to Troy Matthew Lovell, Assistant Staff Counsel, The Florida Bar, 5521 W. Spruce Street, Suite C-49, Tampa, Florida 33607-5958; and a copy to William J. Schifino, Jr., Designated Reviewer, at P.O. Box 380, Tampa, Florida 33601-0380; this 16th day of October, 2009.


Kenneth Lawrence Marvin
Staff Counsel

NOTICE OF TRIAL COUNSEL

PLEASE TAKE NOTICE that the trial counsel in this matter is Troy Matthew Lovell, Assistant Staff Counsel, whose address is The Florida Bar, 5521 W. Spruce Street, Suite C-49, Tampa, Florida 33607-5958. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Staff Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300.