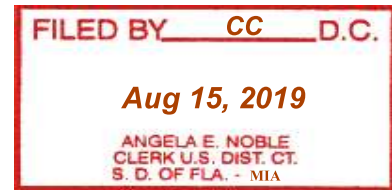


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2019-60
CASE # 19-MC-22828

In re: **DAVID JAY BERNSTEIN**
Florida Bar # 38385



ORDER OF SUSPENSION

On July 3, 2019, the Supreme Court of Florida entered an Order of Suspension, suspending David Jay Bernstein from the practice of law. *See The Florida Bar v. Bernstein*, No. SC18-1458, 2019 WL 2869152 (Fla. July 3, 2019) (ECF No. 1). The suspension was predicated on an uncontested report of the referee. The Clerk served attorney Bernstein by certified mail with an Order to Show Cause why this Court should not impose the same discipline, accompanied by the Supreme Court of Florida's Order of Suspension. (ECF No. 2). On July 31, 2019, Bernstein's attorney filed a Response to Order to Show Cause, stating that Bernstein "will interpose no objection if this Court determines to impose a similar one-year suspension from the practice of law." (ECF No. 3).

Rule 8(a) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys, Local Rules of the United States District Court for the Southern District of Florida, requires that "[a]n attorney admitted to practice before this Court shall, upon being subjected to reprimand, suspension, or disbarment . . . promptly inform the Clerk of the Court of such action." Rule 8(d) provides in pertinent part that after expiration of the time for submitting a response to an Order to Show Cause, "the Court may impose the identical discipline or may impose any other sanction the Court may deem appropriate." Given this background, pursuant to Rule 8(a) and (d) and the Court's inherent power to regulate membership in its bar for the protection of the public interest, *see Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991) ("[A] federal court has the power to control admission to its bar and to discipline attorneys who appear before it."),

IT IS ORDERED that said attorney be suspended from practice in this Court, effective

immediately. The attorney may not resume the practice of law before this Court until reinstated by order of this Court. See Rule 12(a). The Clerk of Court shall strike this attorney from the roll of attorneys eligible to practice in the United States District Court for the Southern District of Florida and shall also immediately revoke the attorney's CM/ECF password.

IT IS FURTHER ORDERED by this Court that said attorney advise the Clerk of Court of all pending cases before this Court in which he is counsel or co-counsel of record.

IT IS FURTHER ORDERED by this Court that the Clerk of Court serve by certified mail a copy of this Order of Suspension upon Bernstein's attorney.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 15th day of August, 2019.



K. MICHAEL MOORE
UNITED STATES CHIEF DISTRICT JUDGE

c: All South Florida Eleventh Circuit Court of Appeals Judges
All Southern District Judges
All Southern District Bankruptcy Judges
All Southern District Magistrate Judges
United States Attorney
Circuit Executive
Federal Public Defender
Clerks of Court – District, Bankruptcy and 11th Circuit
Florida Bar and National Lawyer Regulatory Data Bank
Library
David Jay Bernstein
Kevin P. Tynan, Esq., Counsel for David Jay Bernstein