

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

ROBERT LAURENCE PELLETTIER,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2021-00,159(4A)

COMPLAINT

The Florida Bar, complainant, files this Complaint against Robert Laurence Pelletier, respondent, pursuant to the Rules Regulating The Florida Bar and alleges:

1. Respondent is and was at all times mentioned herein a member of The Florida Bar admitted on September 24, 2012 and is subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent resided and practiced law in Duval County, Florida, at all times material.
3. The Fourth Judicial Circuit Grievance Committee "A" found probable cause to file this complaint pursuant to Rule 3-7.4, of the Rules Regulating The Florida Bar, and this complaint has been approved by the presiding member of that committee.

RECEIVED, 03/02/2021 08:28:28 AM, Clerk, Supreme Court

4. Respondent, an “of counsel” attorney with David Taylor Law, advertised as “Pitbull Lawyer at Taylor Law”, using the logo of a pit bull with a spiked collar, on multiple platforms, including an online blog/website, FaceBook Page and as a wrap on a boat.

5. Respondent also used the name “Pitbull” on his business cards and the door of Mr. Taylor’s office.

6. The Supreme Court has previously stated that the use of an image of a pit bull and the phrase “Pit Bull” in the firm’s advertisement does not assist the public in ensuring that an informed decision is made prior to the selection of the attorney. “... These devices, which invoke the breed of dog known as the pit bull, demean all lawyers and thereby, harm both the legal profession and the public’s trust and confidence in our system of justice.” See, The Florida Bar v. Pape, 918 So.2d 240 at 242 (Fla. 2005).

7. Respondent was advertising as “Pitbull Lawyer”, listing Mr. Taylor’s firm address and phone number on his website, as well as on his business cards, a blog, and even on his boat.

8. Mr. Taylor paid for the boat wrap on respondent’s boat.

9. On October 20, 2020, November 4, 2020 and again on November 19, 2020, respondent was advised of the violations of these advertisements and asked to remove and/or correct them. Although he did

correct some of the violations (business cards, office door), respondent only partially corrected his website and did not take any action on the boat wrap until the case was set for review by the grievance committee.

10. By reason of the foregoing, respondent has violated the following Rules Regulating The Florida Bar: 4-7.12 Required Content: (a) Name and Office Location. All advertisements for legal employment must include: (1) the name of at least 1 lawyer, the law firm, the lawyer referral service if the advertisement is for the lawyer referral service, or the lawyer directory if the advertisement is for the lawyer directory, responsible for the content of the advertisement; and (2) the city, town, or county of 1 or more bona fide office locations of the lawyer who will perform the services advertised; 4-7.13 Deceptive and Inherently Misleading Advertisements. A lawyer may not engage in deceptive or inherently misleading advertising. (a) Deceptive and Inherently Misleading Advertisements. An advertisement is deceptive or inherently misleading if it: (1) contains a material statement that is factually or legally inaccurate; (2) omits information that is necessary to prevent the information supplied from being misleading; or (3) implies the existence of a material nonexistent fact. (b) Examples of Deceptive and Inherently Misleading Advertisements. Deceptive or inherently misleading advertisements include, but are not limited to advertisements that contain:

(1) statements or information that can reasonably be interpreted by a prospective client as a prediction or guaranty of success or specific results;

(2) references to past results unless such information is objectively verifiable, subject to Rule 4-7.14; (3) comparisons of lawyers or statements, words or phrases that characterize a lawyer's or law firm's skills, experience, reputation or record, unless such characterization is objectively verifiable; (7) statements, trade names, telephone numbers, Internet addresses, images, sounds, videos or dramatizations that state or imply that the lawyer will engage in conduct or tactics that are prohibited by the Rules of Professional Conduct or any law or court rule; 4-7.14 A lawyer may not engage in potentially misleading advertising. (a) Potentially Misleading Advertisements. Potentially misleading advertisements including, but are not limited to: (1) advertisements that are subject to varying reasonable interpretations, 1 or more of which would be materially misleading when considered in the relevant context; (2) advertisements that are literally accurate, but could reasonably mislead a prospective client regarding a material fact; 4-7.15 Unduly Manipulative or Intrusive Advertisements. A lawyer may not engage in unduly manipulative or intrusive advertisements. An advertisement is unduly manipulative if it: (a) uses an image, sound, video, or dramatization in a manner that is designed

to solicit legal employment by appealing to a prospective client's emotions rather than to a rational evaluation of a lawyer's suitability to represent the prospective client; 4-7.17 Payment for Advertising and Promotion. (a) Payment by Other Lawyers. No lawyer may, directly or indirectly, pay all or a part of the cost of an advertisement by a lawyer not in the same firm. Rule 4-1.5(f)(4)(D) (regarding the division of contingency fees) is not affected by this provision even though the lawyer covered by subdivision (f)(4)(D)(ii) of Rule 4-1.5 advertises; 4-7.19 Evaluation of Advertisements. (a) Filing Requirements. Subject to the exemptions stated in rule 4-7.20, any lawyer who advertises services shall file with The Florida Bar a copy of each advertisement at least 20 days prior to the lawyer's first dissemination of the advertisement. The advertisement must be filed at The Florida Bar headquarters address in Tallahassee; (f) Notice of Compliance and Disciplinary Action. A finding of compliance by The Florida Bar will be binding on The Florida Bar in a grievance proceeding unless the advertisement contains a misrepresentation that is not apparent from the face of the advertisement. The Florida Bar has a right to change its finding of compliance and in such circumstances must notify the lawyer of the finding of noncompliance, after which the lawyer may be subject to discipline for continuing to disseminate the advertisement. A lawyer will be

subject to discipline as provided in these rules for: (1) failure to timely file the advertisement with The Florida Bar; (2) dissemination of a noncompliant advertisement in the absence of a finding of compliance by The Florida Bar; (5) dissemination of portions of a lawyer's Internet website(s) that are not in compliance with rules 4-7.14 and 4-7.15 only after 15 days have elapsed since the date of The Florida Bar's notice of noncompliance sent to the lawyer's official bar address.

WHEREFORE, The Florida Bar prays respondent will be appropriately disciplined in accordance with the provisions of the Rules Regulating The Florida Bar as amended.



James Keith Fisher, Bar Counsel
The Florida Bar
Tallahassee Branch Office
651 East Jefferson Street
Tallahassee, Florida 32399-2300
(850) 561-5845
Florida Bar No. 142158
jfisher@floridabar.org



Patricia Ann Toro Savitz, Staff Counsel
The Florida Bar
651 E. Jefferson Street
Tallahassee, Florida 32399-2300

(850) 561-5839
Florida Bar No. 559547
psavitz@floridabar.org

CERTIFICATE OF SERVICE

I certify that this document has been e-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, with a copy provided via email to Robert Laurence Pelletier, at info@pelletier.legal; and that a copy has been furnished by United States Mail via certified mail No. 7017 1450 0000 78210360, return receipt requested to Robert Laurence Pelletier, whose record bar address is 233 E Bay St Ste 1020, Jacksonville, FL 32202-3457 and via email to James Keith Fisher, Bar Counsel, jfisher@floridabar.org, on this 2nd day of March, 2021.



Patricia Ann Toro Savitz
Staff Counsel

NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY EMAIL ADDRESS

PLEASE TAKE NOTICE that the trial counsel in this matter is James Keith Fisher, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Tallahassee Branch Office, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, (850) 561-5845 and jfisher@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Patricia Ann Toro Savitz, Staff Counsel, The Florida Bar, 651 E Jefferson Street, Tallahassee, Florida 32399-2300, psavitz@floridabar.org.

MANDATORY ANSWER NOTICE

RULE 3-7.6(h)(2), RULES REGULATING THE FLORIDA BAR,
PROVIDES THAT A RESPONDENT SHALL ANSWER A COMPLAINT.