



BUSINESS LAW SECTION
OF THE FLORIDA BAR

**MINUTES OF A SPECIAL MEETING OF THE EXECUTIVE COUNCIL OF THE
BUSINESS LAW SECTION OF THE FLORIDA BAR**

Thursday, July 8th, 2021 from 5:20 P.M. to 5:50 P.M.
Virtual (via Zoom)

I. Call to Order – Ms. Kacy Donlon, Chair of the Section

Kacy Donlon, Chair of The Business Law Section of the Florida Bar (“Section”), duly called the July 8, 2021 Special Meeting of the Executive Council of the Section to order at approximately 5:20 p.m. The meeting was entirely digital and conducted solely over Zoom, and as such, attendance was taken online based upon online registration and recorded and reflected in the spreadsheet attached hereto as Exhibit “A” to these minutes.

Chair Donlon noted the members of the Executive Council that were in attendance, added the proxies that had been received, and declared the meeting had attained a quorum. The meeting then turned to the issue at hand.

II. Proposed Response to Opinion in Florida Supreme Court Case No. SC21-284

The only order of business before the Section was the Section’s proposed response to the opinion of the Florida Supreme Court in Case No. SC21-284 issued on April 15, 2021 (“Opinion”), which Opinion invalidated and struck down the Section’s continuing legal education diversity policy.

Chair Donlon stated that she formed a committee (“Committee”) to study the issue of whether to respond to and/or issue comments with respect to the court’s Opinion. The Committee met, voted to respond to the court’s Opinion with comments, and drafted a proposed set of comments (“Response”) which was circulated to the Executive Council of the Section in advance of the Special Meeting.

Marianne Dorris, Chair of the Committee, made a triple motion to adopt the proposed Response (“Motion”), and the Motion was seconded by Dineen Wasyluk. The Chair then called for discussion on the Motion and the proposed Response.

During the discussion, certain corrections were presented and the issue of whether clients were specifically demanding diversity in CLE programs or more generally demanding diversity within the legal practice was explored, with a suggested modification to the Response to address the more general demand.

It was suggested that the Response be changed to address the more general demand for

diversity and Ms. Dorris stated she agreed to work on an amendment of the Response to address this point so long as the Executive Council would delegate the approval of such changes to the Chair of the Section.

A question was raised relative to whether the American Bar Association (“ABA”) had filed and/or was preparing a comment with respect to the Opinion. It was noted that Greenberg, Traurig was understood to be preparing a response on behalf of the ABA.

The question on the Motion was called at 5:45 and after counting, the Chair declared the results of the vote: 47 virtual in person votes and with 9 proxy votes for a total of 56 votes, with 48 in favor of the proposed Response, 4 votes opposed, and 4 abstention votes.

A discussion was then had whether to request oral argument on the Response. Mr. Murphy made the motion to do so, and Doug Bates seconded. The motion passed.

Thereupon a Motion to Adjourn by made by Mr. Polenberg and was seconded. The Motion passed and the meeting was adjourned at 5:50 P.M.

Respectfully submitted,

Manual Farach, Secretary
Florida Bar Business Law Section

EXHIBIT A

BLS SPECIALLY CALLED MEETING – JULY 8, 2021 VIRTUAL ATTENDANCE LIST

Peter Valori
Jim Matulis
Judge Caryl Delano
Dineen Wasylik
Amanda Finley
Giacomo Bossa
Douglas Bates
Stephen Sandiford
Carlos Sardi
Leyza Blanco
Stephanie Lieb
John Dorris
Robert Charbonneau
Manuel Farach
Michele Moss
Daniel Davis
Matthew Hale
Giacomo Bossa
Willard Blair
Kathleen McLeroy
Andrew Schwartz
Valeria Angelucci
Louis Conti
Judge Edward LaRose
Diane Wells

Dianne Fischer
Gary Teblum
Utibe Ikpe
Mark Wolfson
Jon Polenberg
Adina Pollan
Larry Kunin
Lynn Sherman
Judge Catherine
McEwen
Allison Leonard
Rick Gross
Terry Sanks
Jay Brown
Jason Burnett
Mark Stein
Jennifer Morando
Mariane Dorris
Woody Pollack
James Murphy
Philip Schwartz
James Moon
Judge Darrin Gayles
Kacy Donlon