

SUPREME COURT OF FLORIDA

The Florida Bar v. Lee David Sarkin & The Florida Bar v. Drew Mark Levitt

Sarkin & Levitt · No. SC2025-0448 & SC2025-0451 · Decided October 30, 2025

SUMMARY

The Supreme Court of Florida disapproved Reports of Referee, Consent Judgments, and related stipulations in consolidated attorney-discipline matters involving Lee David Sarkin and Drew Mark Levitt. The Court proposed three-year suspensions in each case, subject to other conditions and payment of costs, and directed the parties either to file revised Consent Judgments within 30 days or proceed to hearings. Justice Labarga concurred in part and dissented in part, stating that the agreed-upon eighteen-month suspensions should be accepted.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Chief Justice Muñoz; Justice Canady; Justice Couriel; Justice Grosshans; Justice Francis; Justice Sasso; Justice Labarga
JURISDICTION	Supreme Court of Florida
DECIDED	October 30, 2025
DOCKET	SC2025-0448 & SC2025-0451
DISPOSITION	disapproved
PROCEDURAL POSTURE	The Florida Bar disciplinary matters came before the Supreme Court of Florida for review of Reports of Referee Accepting Consent Judgment, Conditional Guilty Pleas for Consent Judgment, Stipulations to Entry of Agreed Orders, and motions to assess costs.
PRECEDENTIAL VALUE	published

TOPICS

- appellate procedure
- remedies

PRACTICE AREAS

- legal ethics
- attorney discipline
- appellate procedure
- remedies

QUESTIONS PRESENTED

1. Whether the Supreme Court of Florida should approve the referees' reports, consent judgments, and stipulations providing for eighteen-month suspensions.
2. Whether the appropriate disciplinary sanction was a three-year suspension rather than the eighteen-month suspension agreed to by the parties.

HOLDINGS

1. The Court disapproved the Reports of Referee, Consent Judgments, and Stipulations filed in the disciplinary matters.
2. The Court imposed a three-year suspension for each respondent, together with the other conditions set forth in the Reports of Referee and payment of The Florida Bar's costs, subject to filing revised consent judgments within thirty days; absent agreement, the matters were to proceed to hearing before the referee.

KEY QUOTATIONS

“The Court would instead impose a three-year suspension in each case, along with the other conditions set forth in the Reports of Referee, and payment of The Florida Bar’s costs.” (Page Two)

“Should the parties agree to this disposition, revised Consent Judgments shall be filed with the Court within 30 days of the date of this order.” (Page Two)

FACTUAL BACKGROUND

The referee reports found that Lee David Sarkin and Drew Mark Levitt violated numerous Rules Regulating The Florida Bar. Both respondents had been members of The Florida Bar for more than thirty years and had no prior disciplinary record, according to Justice Labarga's partial dissent. The parties had stipulated to eighteen-month suspensions, but the majority determined that a three-year suspension was appropriate.

PROCEDURAL HISTORY

Referees issued reports accepting consent judgments and related stipulations in disciplinary proceedings against Lee David Sarkin and Drew Mark Levitt. The Supreme Court of Florida disapproved the reports, consent judgments, and stipulations as filed, rejected the agreed eighteen-month suspensions, and directed that three-year suspensions be imposed if revised consent judgments were filed within thirty days. If the parties did not agree to that disposition, the Court directed that the matters proceed to hearings before the referee and that amended reports be filed within ninety days.

DISPOSITION

disapproved

REMAND INSTRUCTIONS

If the parties agreed to the three-year suspension and related conditions, revised Consent Judgments were to be filed within thirty days of the order. Otherwise, the matters were to be scheduled for hearing before the referee, with Amended Reports of Referee filed within ninety days.

OPINION

PER CURIAM.

Supreme Court of Florida THURSDAY, OCTOBER 30, 2025 The Florida Bar, SC2025-0448 Complainant(s) Lower Tribunal No(s).: v. 2023-50,627(17J); 2023-50,667(17J); Lee David Sarkin, Respondent(s) The Florida Bar, SC2025-0451 Complainant(s) Lower Tribunal No(s).: v. 2023-50,626(17J); 2023-50,668(17J) Drew Mark Levitt, Respondent(s) Upon consideration of the Reports of Referee Accepting Consent Judgment, the Conditional Guilty Pleas for Consent Judgment, the Stipulations to Entry of Agreed Orders, and the Motions to Assess Costs, it is the judgment of this Court that the Reports of Referee, Consent Judgments, and the Stipulations, filed with this Court on May 16, 2025, are hereby disapproved.

The Court would instead impose a three-year suspension in each case, along with the other conditions set forth in the Reports of Referee, and payment of The Florida Bar's costs. Should the parties agree to this disposition, revised Consent Judgments shall be filed with the CASE NOS.: SC2025-0448 & SC2025-0451 Page Two Court within 30 days of the date of this order.

Otherwise, the matters should be scheduled for hearing before the referee and Amended Reports of Referee filed with the Court within 90 days of the date of this order. MUÑIZ, C.J., and CANADY, COURIEL, GROSSHANS, FRANCIS, and SASSO, JJ., concur. LABARGA, J., concurs in part and dissents in part with an opinion. LABARGA, J., concurring in part and dissenting in part.

I concur with the majority that the factual findings in the reports of the referee are sufficient to support Respondents' culpability for violating numerous Rules Regulating The Florida Bar. However, I disagree with the majority's decision to reject the stipulation of the parties which provided for a suspension of eighteen months for each Respondent and, instead, impose a three-year suspension.

While the actions of the Respondents were egregious to say the least, both have been members of The Florida Bar for over thirty years without any disciplinary record. I find these two factors to be CASE NOS.: SC2025-0448 & SC2025-0451 Page Three significant and worthy of consideration. I would accept suspending the Respondents for eighteen months. A True Copy Test: SC2025-0448 10/30/2025 SC2025-0451 10/30/2025 SC2025-0448 10/30/2025 SC2025-0451 10/30/2025 SO Served: HON. KATHLEEN MCCARTHY PATRICIA ANN TORO SAVITZ D. CULVER SMITH, III TRACY LEE SORCEK

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