


**APPLICATION FOR NOMINATION TO THE TWELFTH JUDICIAL CIRCUIT COURT**

(Please attach additional pages as needed to respond fully to questions.)

**DATE:** May 3, 2013 Florida Bar No.: 0297630  
**GENERAL:** Social Security No.: 

hcarroll@

1. Name Hunter W. Carroll E-mail: matthewseastmoore.com  
Date Admitted to Practice in Florida: September 11, 2000  
Date Admitted to Practice in other States: n/a

2. State current employer and title, including professional position and any public or judicial office.  
Matthews Eastmoore; shareholder and attorney

3. Business address: 1777 Main Street, Ste. 500  
City Sarasota County Sarasota State FL ZIP 34236  
Telephone (941) 366-8888 FAX (941) 954-7777

4. Residential address:   
City   
Since December 27, 2011 Telephone 

5. Place of birth: Sarasota, Florida  
Date of birth:  Age: 38

6a. Length of residence in State of Florida: 38

6b. Are you a registered voter?  Yes  No  
If so, in what county are you registered? Sarasota

7. Marital status: Married  
If married: Spouse's name   
Date of marriage   
Spouse's occupation 

If ever divorced give for each marriage name(s) of spouse(s), current address for each former spouse, date and place of divorce, court and case number for each divorce.

I have never been divorced.

8. Children

*Name(s)*                      *Age(s)*                      *Occupation(s)*                      *Residential address(es)*



9. Military Service (including Reserves)

*Service*                      *Branch*                      *Highest Rank*                      *Dates*

None.

Rank at time of discharge \_\_\_\_\_ Type of discharge \_\_\_\_\_

Awards or citations \_\_\_\_\_

**HEALTH:**

10.



11a.



11b.

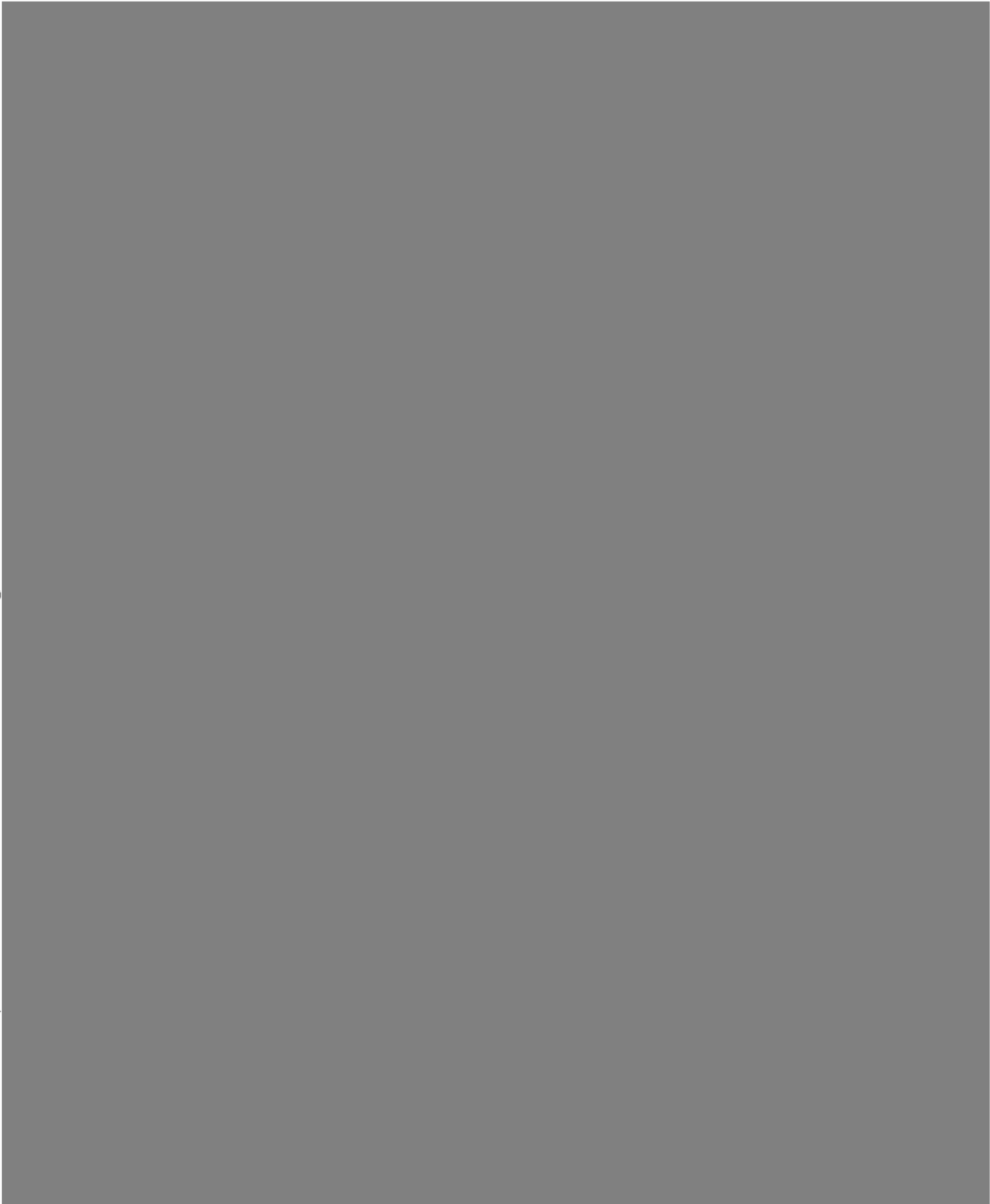


12a

12b

13.

14.



15.

16.

17.



**EDUCATION:**

18a. Secondary schools, colleges and law schools attended.

<i>Schools</i>	<i>Class Standing</i>	<i>Dates of Attendance</i>	<i>Degree</i>
University of Florida College of Law	23 / 219	8/1997 - 5/2000	Juris Doctorate, with honors
University of Florida College of Business Administration	undetermined	8/1993 - 5/1997	BSBA (finance), with honors
University of Florida College of Liberal Arts & Sciences	undetermined	8/1993 - 5/1997	BA (political science) with honors
Sarasota High School	1 / 529*	6/1989 - 6/1993	Diploma, with highest honors

\* Approximate

18b. List and describe academic scholarships earned, honor societies or other awards.

Awards:

University of Florida Hall of Fame  
Book Award - Florida Constitutional Law

Jason H. Cherner Award, presented by Florida Blue Key - 1999, 2000  
 (First two time recipient)  
 C. Arthur Sandeen Improving the Quality of Life Award - 1999  
 Outstanding Male Graduate - May 1997  
 Valedictorian, Sarasota High School, Class of 1993

Honor Societies:

Florida Blue Key (member, executive committee)  
 Matthews Society  
 Omicron Delta Kappa (president, treasurer)  
 Golden Key Honor Society  
 American Legion Boys State - Certificate of Merit  
 National Honor Society

Scholarships:

Coca-Cola Scholars Foundation -- national four year scholarship program  
 Robert C. Byrd Honors Scholarship -- four year scholarship program  
 Ruth M. Foy Charitable Foundation -- four year scholarship program  
 Florida Undergraduate Scholars -- four year scholarship program  
 Valedictorian Scholarship -- one time award by the University of Florida  
 Teen Court of Sarasota Scholarship -- awarded by local program

**NON-LEGAL EMPLOYMENT:**

19. List all previous full-time non-legal jobs or positions held since 21 in chronological order and briefly describe them.

<i>Date</i>	<i>Position</i>	<i>Employer</i>	<i>Address</i>
5/1998 - 8/1998	Internal Auditor Intern	Bealls, Inc.	1806 38th Avenue East Bradenton, FL 34208
5/1997 - 8/1997	Internal Auditor Intern	Bealls, Inc.	1806 38th Avenue East Bradenton, FL 34208
6/1994 - 12-1995	Runner	Wershow & Schneider, P.A.	204 SE First Street Gainesville, FL 32601

**PROFESSIONAL ADMISSIONS:**

20. List all courts (including state bar admissions) and administrative bodies having special admission requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have been suspended or resigned.

<i>Court or Administrative Body</i>	<i>Date of Admission</i>
United States Supreme Court	January 12, 2004
Eleventh Circuit Court of Appeals	April 29, 2002
District Court, Middle District of Florida	November 7, 2002
District Court, Northern District of Florida	July 19, 2002
District Court, Southern District of Florida	July 19, 2002

No suspensions or resignations.

**LAW PRACTICE:** (If you are a sitting judge, answer questions 21 through 26 with reference to the years before you became a judge.)

21. State the names, dates and addresses for all firms with which you have been associated in practice, governmental agencies or private business organizations by which you have been employed, periods you have practiced as a sole practitioner, law clerkships and other prior employment:

<i>Position</i>	<i>Name of Firm</i>	<i>Address</i>	<i>Dates</i>
Attorney	Matthews Eastmoore	1777 Main Street Suite 500 Sarasota, FL 34236	3/2008 - present
Attorney	Carlton & Carroll, Attorneys at Law, PA	124 N Brevard Ave Arcadia, FL 34266	9/2005 - 2/2008
Attorney	Carlton Fields	360 Central Avenue Suite 1500 St. Petersburg, FL 33701	9/2002 - 9/2005
Senior Staff Attorney*	Chief Justice Wells Florida Supreme Court	The Supreme Court 500 S Duval Street Tallahassee, FL 32399	5/2000 - 9/2002

		120 West University Avenue	
Legal Intern	State Attorney - 8th Judicial Circuit, domestic violence	Gainesville, FL 32601	1/2000 - 5/2000
Summer Associate	Williams Parker Harrison Dietz & Getzen, P.A.	200 S. Orange Ave Sarasota, FL 34236	5/1999 - 8/1999

\*highest position attained

22. Describe the general nature of your current practice including any certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

I have a varied civil trial practice, with a strong emphasis on complex commercial matters. I typically handle business disputes ranging from violations of Florida's Uniform Trade Secrets Act to Florida's Deceptive and Unfair Trade Practices Act; from breach of contract actions to injunctive relief on restrictive covenants; from class action defense to civil RICO; from claims involving misrepresentations to claims in equity; and from real property disputes to software development disputes. My typical client is a business owner who has encountered legal difficulties involving her or his business. Sometimes, these problems involve "bet the company" matters. Sometimes, these problems include novel issues of law. I have handled a myriad of other matters, including writs of replevin, distress writs, defamation claims, tort claims, tortious interference claims, construction defects, malpractice claims (both legal and medical), punitive damage claims, and probate litigation. I have drafted and argued numerous summary judgment and other dispositive motions. A common thread running through my practice is that these matters all involve active litigation. Although not otherwise noted in the statistics calling for a completed trial, I have participated in hearings involving class actions, restrictive covenants, and trade secret injunctions, in addition to the normal motion practice, all of which fall within the purview of the Circuit Court.

Additionally, as Matthews Eastmoore represents the School Board of Sarasota County, I practice education law. This runs the gamut from First Amendment issues to labor disputes; from tax election referenda to privacy concerns; and from defense of claims to general advice. There are three smaller, but tangible components to my practice. One, I handle governmental issues, with an emphasis on defending allegations of violations of Florida's Sunshine Law and Public Records Law. Two, I handle matters involving taxing or assessing authority, including challenges or defenses to non ad valorem assessments. Three, I maintain an appellate practice. Exhibit 4 details the reported decisions in which I was involved.

My practice at Carlton Fields was similar to my current practice at Matthews Eastmoore. There are, however, two distinct periods of time during my career where my practice was different.

When I practiced with David Carlton, generally speaking, the litigation was more focused on plaintiff's personal injury matters and first party insurance claims. During that time, however, I continued to handle commercial litigation matters.

When I was Chief Justice Wells' staff attorney, at least one-third of my time was devoted to working on all phases of death penalty cases, including direct appeals, postconviction matters, and active death warrants. I am aware of the unique death penalty case law and procedures that give meaning to the phrase "death is different." Additionally, I handled a variety of other cases, generally involving statutory or constitutional interpretation, bond validation, resolving conflicts between the district courts of appeal, determining the proper role of government officials, election disputes, and determinations of the Florida Supreme Court's own jurisdiction. Notably, I worked on the election cases that culminated in the Bush v. Gore decision by the United States Supreme Court.

Justice Wells also allowed me to assist him on his discharge of administrative matters to Florida's judiciary, the most notable being my attendance at all Trial Court Budget Commission meetings. The TCBC, then in its infancy, was established by the Florida Supreme Court to coordinate and help the Legislature and Florida Supreme Court with funding and policy matters affecting the trial courts, as the voters had recently enacted substantial reform to how Florida's judiciary was to be funded.

23. What percentage of your appearance in courts in the last five years or last five years of practice (include the dates) was in:

Court		Area of Practice	
Federal Appellate	<u>0</u> %	Civil	<u>90</u> %
Federal Trial	<u>10</u> %	Criminal	<u>0</u> %
Federal Other	<u>0</u> %	Family	<u>0</u> %
State Appellate	<u>15</u> %	Probate	<u>5</u> %
State Trial	<u>70</u> %	Other	<u>5</u> %
State Administrative	<u>5</u> %		
State Other	<u>0</u> %		
	<u>    </u> %		
TOTAL	<u>100</u> %	TOTAL	<u>100</u> %

24. In your lifetime, how many (number) of the cases you have tried to verdict or judgment were:

Jury?	<u>5, including those as CLI</u>	Non-jury?	<u>4</u>
Arbitration?	<u>0</u>	Administrative Bodies?	<u>8</u>



25. Within the last ten years, have you ever been formally reprimanded, sanctioned, demoted, disciplined, placed on probation, suspended or terminated by an employer or tribunal before which you have appeared? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No.

26. In the last ten years, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain in full.

No.

**(Questions 27 through 30 are optional for sitting judges who have served 5 years or more.)**

- 27a. For your last 6 cases, which were tried to verdict before a jury or arbitration panel or tried to judgment before a judge, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

1. Chrisman v. West, case no. 8:10-bk-05854-MGW, Middle District of Florida Bankruptcy Court, Judge Michael G. Williamson (final ruling to be announced May 15, 2013).

Counsel for Plaintiff: Robert E. Johnson; telephone (813) 273-5000.

Counsel for Florida Lawyers Mutual Insurance Company: Frances M. "Kem" Toole; telephone (813) 222-3184.

I am Trial Counsel for Defendant West.

2. In re: Garden Leaders Corporation Bid Protests, filing date December 8, 2011, before the Lakewood Ranch Community Development Districts 1, 4, and 5

Trial Counsel for Bid Protestor, Garden Leaders Corporation: Morgan Bentley; telephone (941) 556-9030.

Trial Counsel for LWR CDD1: Anthony "Tony" J. Abate; telephone (941) 364-2707.

Board Counsel for LWR CDD 1: Jeffrey S. Russell, deceased.

Board Counsel for LWR CDD 4 and 5: Andrew H. Cohen; telephone (941) 365-4950.

Hearing Officer: H. Hamilton "Chip" Rice, retired; telephone [REDACTED]

I was Trial Counsel for LWR CDD 4 and 5.

3. The Leiter Group, LLC v. Palm Island Marina, LLC, et al., case no. 2008-3945-CA, Twentieth Judicial Circuit, Charlotte County. Case was before Judge George Richards.

Counsel for all Defendants: William S. Jonassen; telephone (727) 586-1484 or (727) 410-0275.

I was Trial Counsel and Appellate Counsel for Plaintiff The Leiter Group, LLC. Lamar Matthews was second chair; telephone (941) 366-8888. With us at counsel table was Illinois attorney Samuel B. Zabek, admitted pro hac vice, but he had no active role in the trial; telephone (309) 673-2922.

Associated appeal from this trial: The Leiter Group, LLC, v. Palm Island Marina, LLC, et al, case no. 2D11-2738. The same counsel were involved on the appeal, representing the same parties.

4. Sarasota County School Board v. Karin Ehlers, DOAH case number 10-4142, Administrative Law Judge Elizabeth W. McArthur.

Trial Counsel for Respondent: Kevin F. Sanderson; telephone (941) 244-0468.

I was Trial Counsel for Petitioner.

5. Ocular Innovations, Inc. v. Putrino v. Barzell and Whitmore, case no. 2008-CA-6501-NC, Twelfth Judicial Circuit Court, Sarasota County. Case was before Judge Charles Williams.

Counsel for Defendant / Counterclaim Plaintiff / Third-party Plaintiff Dr. Charles Putrino: Michael Moran; telephone (941) 366-1800.

I was Trial Counsel for Plaintiff / Counterclaim Defendant Ocular Innovations, Inc. and Third-party Defendants Dr. Winston Barzell and Dr. Willet Whitmore. Lamar Matthews was second chair; telephone (941) 366-8888.

6. Dodge v. School Board of Sarasota County, Florida, case no. 2007-CA-1038-NC, Twelfth Judicial Circuit Court, Sarasota County. Case was before Judge Donna Berlin.

Counsel for Plaintiff Nancy Dodge: Robert F. McKee; telephone (813) 248-6400.

Counsel for Intervener Sarasota Classified/Teachers Association: Thomas W. Brooks; telephone (850) 878-5212.

My partner, Art Hardy was first chair; telephone (941) 366-8888. I was second chair.

NOTE: The question did not seem to ask for pro se cases, so I excluded the pro se cases from the "last six" list above. During this time frame, though, there were two pro se cases I tried on behalf of the School Board:

A. Sarasota County School Board v. Berry, DOAH case number 09-3557, Administrative Law Judge Daniel M. Kilbride. The pro se respondent was Brian Berry, last known telephone: (941) 727-2997.

B. Sarasota County School Board v. Davenport, DOAH case number 09-0956, Administrative Law Judge R. Bruce McKibben. The pro se respondent was Ronald Davenport, last known telephone: (941) 485-3443.

27b. For your last 6 cases, which were settled in mediation or settled without mediation or trial, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

1. In re: Guardianship of [REDACTED] Twelfth Judicial Circuit Court, Manatee County.

Trial Counsel for the Guardian William Evers: Christopher D. Smith; telephone (941) 907-4774.

Trial Counsel for the Ward: Edwin Mulock; telephone (941) 748-2104.

Trial Counsel for Kevin Cloud: John P. Fleck, Jr.; telephone (941) 749-1832 (not participating in the settlement).

Trial Counsel for First Manatee Bank: Michael M. Hamrick; telephone (941) 747-1871 (not participating in the settlement).

I represented [REDACTED]

2. Burnt Store Lakes Property Owners Association, Inc. v. Faradiso, LLC, case no. 10-4870-CA, Twentieth Judicial Circuit Court, Charlotte County.

Trial Counsel for Plaintiff / Counterclaim Defendant, Burnt Store Lakes Property Owners Association, Inc.: Keith Hagman; telephone (239) 336-6276.

I represented Defendant / Counterclaim Plaintiff Faradiso, LLC.

3. Borstelmann v. Edge, et al, case no. 2011-CA-6482, Twelfth Judicial Circuit Court, Manatee County.

Trial Counsel for Plaintiff Richard H. Borstelmann: Andre Perron; telephone (941) 750-9760.

Trial Counsel for Amanda Edge: Matt Taylor; telephone (941) 741-8224; (not participating in settlement).

I represented Defendant Graeme Edge.

4. U.S. Funding Group, LLC v. Maximum Processing, Inc., case no. 2009-CA-10302, Twelfth Judicial Circuit Court, Manatee County.

Trial Counsel for Plaintiff / Counterclaim Defendant U.S. Funding Group: Charles J. Bartlett; (941) 366-8100.

I represented Defendant / Counterclaim Plaintiff Maximum Processing, Inc.

5. Wachovia Bank, N.A. v. Graeme Edge, et al, case no. 2009-CA-1691, Twelfth Judicial Circuit Court, Manatee County.

Trial Counsel for Wachovia Bank: Greg Rosenthal; telephone (954) 491-2000.

Counsel for Buyer: Louis J. Najmy; telephone (941) 748-2216.

Amanda Edge was not represented in this matter.

I represented Defendant Graeme Edge.

6. Orion Bank v. Villages of Manasota Beach, LLC, et al., case no. 2008 CA-17875-NC, Twelfth Judicial Circuit, Sarasota County; Confidential settlement.

Trial Counsel for IberiaBank (which bank assumed this asset following the FDIC's liquidation of Orion Bank's assets), Jason D. Joffe; telephone (561) 650-7200.

I represented one of the numerous judgment debtors.

27c. During the last five years, how frequently have you appeared at administrative hearings?  
Less than one time average times per month

27d. During the last five years, how frequently have you appeared in Court?  
Three average times per month

27e. During the last five years, if your practice was substantially personal injury, what percentage of your work was in representation of plaintiffs? n/a

% Defendants? \_\_\_\_\_%

28. If during any prior period you have appeared in court with greater frequency than during the last five years, indicate the period during which this was so and give for such prior periods a succinct statement of the part you played in the litigation, numbers of cases and whether jury or non-jury.

My appearances in Circuit Court have remained fairly consistent during the last five years. In 2009, I handled four separate School Board termination/discipline cases, each of which went for a full trial before a Division of Administrative Hearing judge. Since then, there has been a decrease in frequency of those DOAH trials.

29. For the cases you have tried to award in arbitration, during each of the past five years, indicate whether you were sole, associate or chief counsel. Give citations of any reported cases.

None to award.

30. List and describe the six most significant cases which you personally litigated giving case style, number and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant. Give the name of the court and judge, the date tried and names of other attorneys involved.

1. Ocular Innovations, Inc. v. Putrino v. Barzell and Whitmore, case no. 2008-CA-6501-NC, Twelfth Judicial Circuit Court, Sarasota County. Case was before Judge Charles Williams. This was a week-long jury trial, involving a disagreement between the three main shareholders of Ocular Innovations. I was first chair, presented all but two witnesses, and handled the entire case workup. Lamar Matthews was second chair. We represented the majority shareholders, Drs. Barzell and Whitmore as well as the company. Michael Moran (941-366-1800) represented Dr. Putrino, a minority shareholder and former employee. This case was significant to me as I was responsible for virtually the entire case from the initial case work-up, to trial, to settlement. The facts were also interesting: the company owned a patent for a piece of eye equipment, and the company was attempting to market and manufacture that device in a commercially viable way. The company sued Dr. Putrino for replevin, seeking the return of company property. Dr. Putrino countersued for back wages, and he also sued Drs. Barzell and Whitmore, alleging misrepresentation. This case generated unique evidentiary issues involving the admissibility of the patent and its chain of title, among other things. The jury awarded the company possession of its property, found no liability on my clients' part relating to misrepresentations, and awarded Dr. Putrino only a small fraction of the claimed back wages, which was a near total victory. There was no appeal, as there was a settlement when my clients filed their motion for attorney fees.

2. Grillasca v. Hess Corporation, case no. 2007-11610-CI-21, Sixth Judicial Circuit, Pinellas County. Case was before Judge John A. Schaefer. This was a class action lawsuit, involving claims of unfair trade practices involving automated fuel dispensers (pay-at-the-pump) where a customer paid for fuel using a debit card without using her or his PIN, which potentially resulted in a "hold" being placed on the customer's bank account. Martin Garcia and I represented Hess Corporation. James Staack (727-441-2635) and Cameron Moyer (904-392-0618) represented the customers. My role during the evidentiary hearing (akin to a trial) was to present half the witnesses and cross half the plaintiffs' witnesses and Martin handled the other half. Initially, the trial court certified a class following the evidentiary hearing. On appeal, in Hess Corporation v. Grillasca, 2D09-1338, 27 So. 3d 684 (Fla. 2d DCA 2009), the appellate court reversed. The trial court denied the customers' subsequent attempt to re-certify the class. The customers appealed that denial but soon dismissed that second appeal, styled Grillasca v. Hess Corporation, 2D12-3149. This case was significant to me because it involved the substantial interplay and legal arrangements between banks and merchants such as Hess Corporation. Additionally, we were able to defend an appropriate industry practice. Had the customers prevailed, potentially an entire industry would have had to change the manner in which it interfaced with its customers at the gas pump.

3. Sarasota County School Board v. Ehlers, DOAH case no. 10-4142, reported at 2010 WL 4598092 (Fla. DOAH Nov. 10, 2010). Case was before Administrative Law Judge Elizabeth W. McArthur. This case involved the termination of a long-term school board employee who had created a hostile work environment as well as committing other workplace offenses. I represented the School Board and was responsible for the entire case work up as well as trial. Kevin Sanderson (941-244-0468) represented Ms. Ehlers. This was a grueling trial, where the School Board called 14 witnesses, Ms. Ehlers called 14 separate witnesses, and 40 exhibits were introduced into evidence. The trial judge issued an extensive 58-page ruling detailing the multiple reasons why termination was warranted. This case was significant to me because the favorable outcome came as a great relief to many of her co-workers, and it brought an increased sense of safety to the workplace.
4. Citizens for Sunshine, Inc. v. City of Venice, et al., 2008-CA-8108-SC, Twelfth Judicial Circuit, Sarasota County. Case was before Judge Robert Bennett. This was an alleged Sunshine Law violation case within the City of Venice. Lamar Matthews and I represented John Moore, one of the council member Defendants. Andrea Mogensen (941-955-1066), who was later joined by Matthew Leish (813-223-7000), represented the Plaintiffs. Jeff Boone (941-488-6716) represented another council member. Bob Anderson (941.480.0999) represented the City. Dale Scott (407-897-5150) represented two of the council members, several advisory committee members, and was co-counsel for the City. In this case, I was responsible for most of the discovery, and I took a lead position among all defendants on the facts and law in numerous hearings. While this case settled on the courthouse steps, I include it because of the result obtained. When my client first learned of the lawsuit, the Court had already entered an Order (1) seizing his and his wife's personal computer and (2) directing a highly invasive search be conducted with no safe guards for disclosure of items such as medical and financial privacy matters and attorney-client matters. We were able to roll-back the scope of that Order, and in fact, nothing beyond the normal civil discovery occurred with respect to the computer. Additionally, we were able to exonerate our client, securing the dismissal with prejudice for our client, with no conditions imposed on him. There was a substantial amount of public scrutiny associated with this case, and our ability to effectively clear his name was professionally satisfying.
5. Sarasota County School Board v Berry, DOAH Case No. 09-3557, reported at 2010 WL 333008 (Fla. DOAH Jan. 27, 2010). Case was before Administrative Law Judge Daniel M. Kilbride. This was a teacher termination case, for which I was responsible for the case work-up and trial. In this case, Mr. Berry, who represented himself at trial, confronted a co-worker, causing her to fear for her safety. A few minutes later, in front of his own class, Mr. Berry confronted his principal and threatened violence against him, which lead to the evacuation of the students. This case personally was important to me because I was able to sustain Mr. Berry's termination outside the normal grievance procedure set forth in the collective bargaining agreement. This established a precedent that now can be used to terminate those employees who threaten violence against others in the workplace. This decision helped bring a sense of safety back to the school environment.
6. Smith v. Trailer Estates Park and Recreation District, 2008-CA-11315, Twelfth Judicial Circuit, Manatee County. Case was before Judge Janette Dunnigan. This was a Sunshine Law and Public Records case involving a special district and its volunteer

board of supervisors. I represented one of the board members, Janet Jones. Tom Shults (941-364-2425) and Kurt Lee (941-955-5100) represented the District. Kevin Hennessy (941-708-4040) represented the Plaintiffs. James Dye (941-748-4411), Dan Scott (941-366-6301), and Bob Turffs (941-953-9009) each represented a board member or other individual defendant. While the individual defendants settled just prior to trial, there was a trial, with a verdict in favor of the District, which was affirmed on appeal in 2D11-315. This case involved over 100 separate counts and generated close to 50 depositions. There were numerous hearings, many of which I was the primary advocate for all of the defendants. The reason I selected this case was its extreme complexity. In many respects, I was the most involved in organizing and leading the defense for all of the individual defendants, not just my client.

31. Attach at least one example of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach writing for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

Please see attached Exhibits 5, 6, and 7. I drafted the entirety of each of those documents.

**PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE:**

- 32a. Have you ever held judicial office or been a candidate for judicial office? If so, state the court(s) involved and the dates of service or dates of candidacy.

No to both questions.

- 32b. List any prior quasi-judicial service:

<i>Dates</i>	<i>Name of Agency</i>	<i>Position Held</i>
n/a		

Types of issues heard:

- 32c. Have you ever held or been a candidate for any other public office? If so, state the office, location and dates of service or candidacy.

No.

- 32d. If you have had prior judicial or quasi-judicial experience,

(i) List the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance.

n/a

(ii) Describe the approximate number and nature of the cases you have handled

during your judicial or quasi-judicial tenure.

n/a

- (iii) List citations of any opinions which have been published.

n/a

- (iv) List citations or styles and describe the five most significant cases you have tried or heard. Identify the parties, describe the cases and tell why you believe them to be significant. Give dates tried and names of attorneys involved.

n/a

- (v) Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give date, describe complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.

n/a

- (vi) Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.

n/a

- (vii) If you are a quasi-judicial officer (ALJ, Magistrate, General Master), have you ever been disciplined or reprimanded by a sitting judge? If so, describe.

n/a

#### **BUSINESS INVOLVEMENT:**

- 33a. If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

I serve as a Director and Vice President of the Matthews Eastmoore law firm. If appointed to the bench, I will resign from the law firm.

- 33b. Since being admitted to the Bar, have you ever been engaged in any occupation, business or profession other than the practice of law? If so, give details, including dates.

No.

- 33c. State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved and the dates such compensation was paid and the amounts.

No. Although not a "business enterprise, institution, organization, or association," during the last few years of my grandfather's life, I was responsible for all of



his financial and business decisions, and I arranged for and coordinated payment for his care. With the knowledge and approval of my family, my grandfather (G. Hunter Gibbons) paid me a small amount for this substantial time commitment, for which I received a Form 1099. In 2012, I received \$2,000. In 2011, I received \$575. Prior to 2011, I did not accept any funds for these activities.

**POSSIBLE BIAS OR PREJUDICE:**

34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications of cases or litigants for which you as a general proposition believe it would be difficult for you to sit as the presiding judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

None. For an appropriate length of time, I would request the Chief Judge to administratively reassign cases where attorneys from the Matthews Eastmoore law firm initially appeared of record.

**MISCELLANEOUS:**

- 35a. Have you ever been convicted of a felony or a first degree misdemeanor?  
Yes \_\_\_\_\_ No  If "Yes" what charges? \_\_\_\_\_  
Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_
- 35b. Have you pled nolo contendere or pled guilty to a crime which is a felony or a first degree misdemeanor?  
Yes \_\_\_\_\_ No  If "Yes" what charges? \_\_\_\_\_  
Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_
- 35c. Have you ever had the adjudication of guilt withheld for a crime which is a felony or a first degree misdemeanor?  
Yes \_\_\_\_\_ No  If "Yes" what charges? \_\_\_\_\_  
Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_
- 36a. Have you ever been sued by a client? If so, give particulars including name of client, date suit filed, court, case number and disposition.  
  
No.
- 36b. Has any lawsuit to your knowledge been filed alleging malpractice as a result of action or inaction on your part?  
  
No.

- 36c. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the amounts involved.
- No.
- 37a. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?
- No to both questions.
- 37b. Have you ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed? If so, give name of corporation, your relationship to it and date and caption of petition.
- No to both questions.
38. Have you ever been a party to a lawsuit either as a plaintiff or as a defendant? If so, please supply the jurisdiction/county in which the lawsuit was filed, style, case number, nature of the lawsuit, whether you were Plaintiff or Defendant and its disposition.
- No. I am, however, currently serving as appointed Personal Representative of my late Grandfather's Estate. I anticipate his Estate being finalized prior to the effective date of Judge DeFuria's retirement. In re: Estate of G. Hunter Gibbons, case no. 2012-CP-4203-NC, pending in the Twelfth Judicial Circuit Court, Sarasota County.
39. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, give the particulars.
- No to all questions.
40. To your knowledge within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a formal complaint or formal accusation of misconduct against you with any regulatory or investigatory agency, or with your employer? If so, please state the date(s) of such formal complaint or formal accusation(s), the specific formal complaint or formal accusation(s) made, and the background and resolution of such action(s). (Any complaint filed with JQC, refer to 32d(v).
- No to all questions.
41. Are you currently the subject of an investigation which could result in civil, administrative or criminal action against you? If yes, please state the nature of the investigation, the

agency conducting the investigation and the expected completion date of the investigation.

No.

42. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.

No.

43a. Have you filed all past tax returns as required by federal, state, local and other government authorities?

Yes  No  If no, please explain. \_\_\_\_\_

43b. Have you ever paid a tax penalty?

Yes  No  If yes, please explain what and why. \_\_\_\_\_

43c. Has a tax lien ever been filed against you? If so, by whom, when, where and why?

No.

## HONORS AND PUBLICATIONS:

44. If you have published any books or articles, list them, giving citations and dates.

Judge Paul E. Logan: profiles in service, published in The Docket, December 2012 (a retrospective on Judge Loan).

Kissing cousins: public record requests and document requests in civil cases, published in The Docket, June 2011 (examining the interplay between the Public Records Law and civil discovery rules).

A class action for lawyers (editorial), published in The Docket, June 2007 (discussing a bar review course class action).

A way to increase the richness of our legal community (editorial), published in The Docket, May 2007 (discussing the need for geographic diversity on the 2d DCA JNC).

A price that isn't too great to pay (editorial), published in The Docket, April 2007 (advocating a pay increase for non-judge judicial employees).

Welcome to DeSoto County, published in The Docket, March 2007 (highlighting the practice of law in Arcadia as well as the resident judges).

When a holiday isn't a holiday . . . take that, Hallmark! (editorial), published in The Docket, November 2006 (examining the differences between legal holidays and Court holidays).

Legal blogs: delivering legal commentary minutes after decisions are rendered, published in The Docket, November 2006 (examining the growing trend of instant commentary of court rulings).

Creating a Sixth District Court of Appeal, and why Sarasota should care (editorial), published in The Docket, October 2006 (discussing the potential for a Sixth District Court of Appeal).

Hunter Gibbons: SCBA's energizer bunny, published in The Docket, September 2006 (a spotlight on the contributions of Mr. Gibbons to the Sarasota Bar)

Eastward bound: is I-75 the new hub for law firms?, published in The Docket, September 2006 (highlighting the growing trend of firms relocating near the interstate).

45. List any honors, prizes or awards you have received. Give dates.

Best Lawyers - 2013

Florida Legal Elite - 2012-2010 (presented by Florida Trend).

Florida Rising Stars - 2012-2010 (presented by Super Lawyers).

Dennis Wood Memorial Award - 2007 (presented by Teen Court).

30 Under 30 in Tampa Bay - 2005 (selected by Tampa Bay Business Journal).

Pro bono pin - 2005.

46. List and describe any speeches or lectures you have given.

Speaker, The Vote is in Your Court. Presented to the League of Women Voters of Charlotte County, May 16, 2012.

Please also see the response to Question 49b for a roster of those lectures to bar association conferences, law school and undergraduate classes, and continuing legal education courses.

47. Do you have a Martindale-Hubbell rating? Yes  If so, what is it? \_\_\_ No   
AV rating.

**PROFESSIONAL AND OTHER ACTIVITIES:**

48a. List all bar associations and professional societies of which you are a member and give the titles and dates of any office which you may have held in such groups and committees to which you belonged.

Sarasota County Bar Association:

Treasurer (2012 - present)

Member, Board of Directors (2009 - present)

Editor, The Docket (2006-2007)

Member, Young Lawyers Board of Directors (2007-2012)

Board of Governors, Young Lawyers Division, The Florida Bar (2008-2013):

Budget Committee Chair (2011 - 2013); Vice-Chair (2010-2011)

Legislative Affairs Committee Chair (2010-2011); Vice-Chair (2009-2010)

Executive Committee Member (2010 - 2013)

Judge Scheb Inn of Court (2006 - present):

Treasurer (2009 - present)

Teen Court of Sarasota, Inc.:

Board of Directors / Assistant Treasurer (2008 - present)

Volunteer since 1989

Sarasota County Law Library Board of Trustees (2010 - present)

Manatee County Bar Association (2011 - present)

St. Petersburg Bar Association (2002 - 2006)

Chair, Young Lawyers Section (2004-2005)

Member, Board of Directors (2004-2005)

Barney Masterson Inn of Court in St. Petersburg (2002-2005)

Florida Supreme Court Historical Society (2002-2009)

The Florida Bar (2000 - present)

- 48b. List, in a fully identifiable fashion, all organizations, other than those identified in response to question No. 48(a), of which you have been a member since graduating from law school, including the titles and dates of any offices which you have held in each such organization.

Sarasota Gun Club, Inc. (Sarasota Trap, Skeet & Clays)

University of Florida Alumni Association

Sarasota County Gator Club

I am not currently active in any of these organizations.

- 48c. List your hobbies or other vocational interests.

Golf, water skiing, traveling, reading, skeet shooting, and Gator sports. I am also becoming more involved with photography.

- 48d. Do you now or have you ever belonged to any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected to serve on the bench.

In my freshman year of high school, I joined the Key Club. At that time, Key Club at Sarasota High excluded females. My senior year, when I was President, the organization changed its rules and allowed females to join, and that year we selected the first class that included females. Additionally, at the Key Club District conference (for the State of Florida) my senior year of high school, I submitted a by-laws change to the District rules that would prohibit any Key Club in the District from excluding females. That by-laws change was adopted.

In college, I was a member of a social fraternity, Phi Kappa Tau, which only admitted males.

Since college, I have not been affiliated with any club or organization that restricts membership on sex (or any of the referenced classifications). I have no intent on joining any club or organization that restricts membership on any of the referenced classifications.

- 48e. Describe any pro bono legal work you have done. Give dates.

Since the time I began the active practice of law, I have provided hundreds of hours of pro bono representation. The most significant in terms of time involved handling a social security disability appeal as well as serving as appointed counsel in

numerous cases before the Florida Supreme Court.

The social security disability appeal occurred in 2004-2005. In that case, a single mother with two children had been denied benefits. After a trial, the administrative law judge reversed the Agency's determination and awarded retroactive and on-going disability benefits.

The other significant cases involved working on five separate appeals before the Florida Supreme Court on criminal sentencing issues. In four of those appeals, I was appointed directly by the Florida Supreme Court. Those cases included:

Robert Ey v. State of Florida, SC03-2161 (appointed April 12, 2007); resulted in the reported decision, *Ey v. State*, 982 So. 2d 618 (Fla. 2008) (holding an attorney's erroneous advice that a criminal defendant's plea in one case may not be used to enhance the sentence in a second case constitutes ineffective assistance of counsel).

Corbblin Bush v. State of Florida, et al., SC04-2306 (appointed May 25, 2005); resulted in the reported decision, *Bush v. State*, 945 So. 2d 1207 (Fla. 2006) (resolving the appropriate venue for challenges to administrative determinations on sentencing-reducing credits, holding such challenges are to be made by petition for mandamus, and directing trial courts to transfer, not dismiss, cases filed in the wrong venue).

Kenneth Edward Davis v. State of Florida, SC03-1582 (appointed July 30, 2004); dismissed on jurisdictional grounds.

George I. Wright v. State of Florida, SC04-137 (appointed July 12, 2004); resulted in the reported decision, *Wright v. State*, 911 So. 2d 81 (Fla. 2005) (holding the trial court's failure to provide written reasons to retain jurisdiction does not constitute an "illegal sentence" for purposes of rule 3.800(a), and thus such a claim may not be brought at any time).

State of Florida v. Cedric T. Green, SC03-532 (not directly appointed); resulted in reported decision, *State v. Green*, 887 So. 2d 1089 (Fla. 2004) (concluding that the Three-Strike Violent Felony Offender Act, chapter 99-188, Laws of Florida, did not violate the single-subject rule, and therefore the ex post facto challenge to the Legislature's subsequent reenactment of this Law in five separate pieces with a directive that it be applied retroactively was moot).

Additionally, I have and continue to contribute financially to both Legal Aid of Manasota as well as The Florida Bar Foundation to support their pro bono legal aid work.

#### **SUPPLEMENTAL INFORMATION:**

49a. Have you attended any continuing legal education programs during the past five years? If so, in what substantive areas?

Yes. In May 2012, I attended the near week long Advanced Trial Advocacy course. This was an intensive trial advocacy course. In May 2012, I attended and participated in the Sarasota County Bar Association's half-day appellate law CLE. In March 2011, I completed the 18 hour Civil Trial Board Certification review

course, which focused on the many procedural issues involved in civil litigation. In May 2010, I attended the Sarasota County Bar Association's half-day appellate law CLE. In March 2010, I completed an eight hour CLE on the Sunshine Law and the Public Records Law. In addition, in each of the last five years, I have attended numerous Inn of Court presentations on topics including family law, criminal law, advertising, probate law, and civil law issues.

Unless otherwise noted, each of these CLEs was presented by The Florida Bar.

- 49b. Have you taught any courses on law or lectured at bar association conferences, law school forums, or continuing legal education programs? If so, in what substantive areas?

Participant, Appellate Ethics Roundtable, presented by the Sarasota County Bar Association, May 18, 2012.

Organizer, Basic Discovery CLE, presented by The Florida Bar, March 29, 2012.

Organizer, "Florida's JNC Composition - the Past, Present, and Future," moderated by former Representative Dudley Goodlette, and panelists Raquel "Rocky" Rodriguez, Alan Bookman, and Talbot "Sandy" D'Alemberte, presented by the Legislative Affairs Committee of the Board of Governors, Young Lawyers Division, January 26, 2011.

Moderator, Basic Basics CLE, presented by The Florida Bar, May 20, 2010.

Lecturer, Time and Stress Management Seminar, presented by the Young Lawyers Division of the Sarasota County Bar Association, June 4, 2009.

Moderator, Practicing With Professionalism, presented by The Florida Bar, February 27, 2009.

Lecturer, Getting Involved with Your Local Bar, Practicing with Professionalism Seminar, 2005.

Guest Lecturer, the Ethics of Billing, Stetson College of Law, 2005.

Guest Lecturer, Judicial Law Clerkships, Stetson College of Law, 2004.

Guest Lecturer, the Jurisdiction of the Florida Supreme Court, Florida State College of Law, 2002.

Guest Lecturer, Florida's Death Penalty Law, Florida Agricultural and Mechanical University, multiple occasions, 2000-2002.

50. Describe any additional education or other experience you have which could assist you in holding judicial office.

My time working for Chief Justice Wells was invaluable. That experience taught me a wide variety of substantive and procedural legal issues. But more importantly, it taught me what it means to be a judge. While this clerkship was at an appellate court, my interactions with the judiciary in circuits across the state confirm that Justice Wells is a superb judicial role model. As to the qualities learned, foremost among them is the adherence to the proper restraint that all members of the judiciary



should be governed. I also observed first-hand the value of a judge having the correct judicial temperament. As Justice Wells taught, the power entrusted to a judge should never be abused or taken for granted. Becoming a judge does not mean the judge may become a bully.

There are two other unique experiences that I have which are out of the ordinary legal practice that I believe will assist me. In law school, I served as Vice Chancellor of the Student Honor Court. In that capacity, I presided over alleged cheating cases. Additionally, my nearly 25 year volunteer involvement with Teen Court will serve me well, as in many of those years I presided as the judge. I am used to presiding, keeping order, and staying out of the attorney's presentations. In fact, I have presided at several different Teen Court programs, including in Tallahassee, which required me to obtain approval of the entire Florida Supreme Court to participate.

51. Explain the particular potential contribution you believe your selection would bring to this position.

I would bring to the bench a rich and diverse legal background, not only in substantive and procedural civil law areas, but also in experiences that dovetail well with the Court's other divisions. Having participated in more than my fair share of atypical civil matters, I believe I could be a resource to my fellow judges on civil matters. Beyond the civil realm, I am already familiar with the death penalty body of law and procedures. I have handled complex sentencing issues, which include the cases in which I was appointed by the Florida Supreme Court. I have tried criminal cases at the State Attorney's Office in the domestic violence unit as a certified legal intern. My legal career also includes experiences in probate and guardianship matters. Through my appellate practice and clerkship, I am intimately familiar with the appellate process, which will be helpful when the Circuit Court sits in its appellate capacity. I believe these multifaceted experiences will serve me well, regardless of division assignment.

Beyond the diversity of my legal background, I would bring to the bench a practical knowledge of what it means to be an attorney. I know what it means to make payroll, to run a business while practicing law, to handle competing demands on my time, to juggle cases, and to send bills and collect fees. I also know what it means, both in terms of time and cost, for a judge to ask that an issue be briefed or to provide proposed rulings. And, I know how to work with pro se individuals, having litigated against those without legal representation. I believe this practical knowledge would make me an understanding judge regarding the multitude of issues that arise before the Court, and at the same time, allow me to be a strong administrator of my docket.

Finally, I would bring to the bench a passion for the Florida Constitution. This includes the proper restraint necessary for our judges and the respect for the co-equal branches of government.

52. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name of the commission and the approximate date of submission.

None. This is my first application to a judicial nominating commission.

53. Give any other information you feel would be helpful to the Commission in evaluating your application.

I grew up here in Sarasota, the second of three boys. My parents divorced when I was young, and my mother, a high school science teacher, raised us. She was ably assisted by her parents, who also lived in Sarasota. My grandfather, who was a local attorney, was my role model. My family instilled strong values, a sense of public service, and a substantial work ethic in me. My family encouraged my brothers and me to choose any career path we wanted. I chose the law.



In my judgment, the largest problem for me in joining the bench will be the need for me to resign from Matthews Eastmoore. I practice with friends whom I admire very much. Not being able to walk into any of their offices on a daily basis will be difficult.

In my final analysis, the judiciary will suit my temperament and abilities. I am at my best when I am solving problems and figuring out the "correct" answer. I will work hard. I will be fair. I will be efficient, while ensuring every litigant gets an opportunity to be heard. And I will rule, not based on what I would personally want to see happen, but on what the law requires.

Thank you for your time and service.

**REFERENCES:**

54. List the names, addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for judicial position and of whom inquiry may be made by the Commission.

1. Charles J. Bartlett;

2. Jeff A. Boone;

3. Judge Janette Dunnigan;

4. Steven C. Dupre;

5. Theodore C. Eastmoore;

6. Fred E. Moore;

7. Judge Diana Moreland

8. Chief Judge Andrew D. Owens

9. Kathleen "Katie" Self:

10. Charles T. Wells.

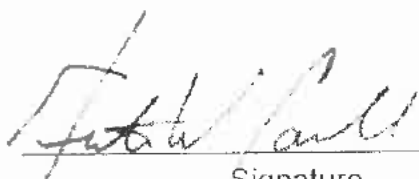
CERTIFICATE

I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(l), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Further, I stipulate I have read, and understand the requirements of the Florida Code of Judicial Conduct.

Dated this 3d day of May, 2013.

Hunter W. Carroll  
Printed Name

  
Signature

*(Pursuant to Section 119.071(4)(d)(1), F.S.), . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.*