

In the United States Court of Federal Claims

FILED

JUN 13 2017

U.S. COURT OF
FEDERAL CLAIMS

In the Matter of:

John Thomas Kennedy

No. 17-11204

FINAL ORDER

On April 24, 2015, the Supreme Court of Florida ordered that John Thomas Kennedy be suspended from the practice of law for twenty months. *See Florida Bar v. Kennedy*, No. SC15-580 (Fla. filed Apr. 24, 2015). Mr. Kennedy plead guilty and did not contest the grounds for the disciplinary action, which included violations of Rules 4-1.3 (Diligence), 4-1.4 (Communication), 4-1.16 (Declining or Terminating Representation), 4-8.4(d) & (g) (Misconduct), 5-1.1(a)(1) (Trust Accounts; Comingling Prohibited), and 5-1.2(a) (Trust Accounting Records and Procedures). *See Kennedy*, No. SC15-580 (Fla. filed March 11, 2015) (Conditional Plea for Consent Judgment). Mr. Kennedy was subsequently suspended from the practice of law in the state of Florida by order of the Florida Supreme Court on May 24, 2015 for a period of twenty months. *See Kennedy*, No. SC15-580 (Fla. filed Apr. 24, 2015).

Mr. Kennedy has been a member of this court's bar since July 2, 2001. Under Rule 83.2(c)(2) of the Rules of the United States Court of Federal Claims ("RCFC"), an attorney admitted to practice before this court may be disciplined on the grounds of an act or omission that results in the disbarment or suspension of the attorney by another court.

Furthermore, Mr. Kennedy failed to promptly notify the court of his suspension. His failure to notify this court is a violation of RCFC 83.2(e)(1), which requires an attorney admitted to practice before this court to notify the Clerk in writing within fourteen (14) days of the attorney's disbarment or suspension by another court. Failure to do so is grounds for discipline under RCFC 83.2(c)(4).


Pursuant to RCFC Rule 83.2(g)(6), an Order to Show Cause was issued by this court on April 26, 2017, directing Mr. Kennedy to show cause within thirty (30) days why the court should not impose discipline identical to that imposed by the Supreme Court of Florida. On April 26, 2017, a copy of the Order was mailed to Mr. Kennedy's address of record, and he was given thirty (30) days from that date to respond to the Order. To date, Mr. Kennedy has not responded to the Order to Show Cause. Therefore,

IT IS ORDERED that John Thomas Kennedy shall be suspended from practice before the United States Court of Federal Claims for a period of twenty months effective,

nunc pro tunc, May 24, 2015, the date of his suspension in Florida. Mr. Kennedy's reinstatement to the United States Court of Federal Claims bar is not automatic and shall be conditioned upon reinstatement to the Florida bar. *See* RCFC 83.2(k).

IT IS FURTHER ORDERED that the Clerk of Court shall serve Mr. Kennedy with a copy of this order.


MARY ELLEN COSTER WILLIAMS
Judge


ELAINE D. KAPLAN
Judge


LYDIA KAY GRIGGSBY
Judge