I am truly honored and humbled to be president of the Cuban American Bar Association. Our organization has a long tradition of leadership and hard work and great personal sacrifice. Many are today successful attorneys and leaders in our community.

Today CABA members are not only successful attorneys but many are leaders in prestigious law firms. Three of the major firms in South Florida are led by CABA members. They are Luis Perez at Akerman, Cesar Alvarez at Greenberg and Peter Prieto at Holland and Knight. Please note that these firms are mentioned in alphabetical order, I would not want my friends at Akerman or Greenberg to accuse me of playing favorites. Today we have CABA members who serve as city attorneys—in the City of Miami, my friend Alex Vilarello, the City of Coral Gables, my wife Elizabeth Hernandez and in West Miami Jose Villalobos. Our members also serve as judges in circuit and county court, the court of appeals and the federal courts. I hope is that 12 months from now, we can look back and be proud of all that we have accomplished as an organization.

We at CABA have truly come a long way from our humble beginnings. If you look back to 1974 when we first started at the time many of our members were struggling to be recognized as attorneys in the U.S. Many had practiced in Cuba for years and had to start all over to re-establish themselves in the U.S. Through hard work and great personal sacrifice many are today successful attorneys and leaders in our community.

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see the day in the near future when we will also be in the Supreme Court of the State of Florida and one day, and why not I ask? — one of our members will serve in the Supreme Court of this great nation which we as immigrants are so blessed to be part of.

We at CABA have truly come a long way. But this does not in any way mean that our work is done. On the contrary — there is still a lot that needs to be done and places to go. We at CABA must remain at the forefront of issues affecting our profession and community. Some of these issues are controversial ones. Issues such as immigration, judicial reform, and diversity in our courts, in our firms and society as a whole.

I believe that law firms need to be committed not only to the recruitment, but also to the retention and promotion of minority attorneys. Many of us use the term “diversity” not necessarily to refer only to minorities, be they Cuban-Americans, African-Americans, Asians or women. Diversity, I believe, is also about a state of mind. It is about the person who sits as a leader in a law firm or in a courtroom as a judge and sees everyone equal before their eyes. This is the type of person that we should seek out and support and the kind of person our community truly needs.

I want to introduce a number of people that are very important in my life and who without them, I would not be here tonight. First, I would like you to meet my parents Eugenio and Aida Hernandez. With your permission, I would like to say a few words in Spanish to them. Mi querido padre y madre, esta noche delante de muchos de mis amigos y colegas les quiero dar las gracias por todo lo que ustedes han hecho por mi. Por todo sus sacrificios y determinacion que me ha permitido a mi llegar a hacer la persona que soy hoy. Gracias por todo, los quiero mucho.

There is saying that one should not judge a person by their wealth, or how powerful they have become, but rather by what their children have become in life. I think that we can safely say that our parent’s generation has a lot to be proud of. I only hope and pray that our generation does as well with our children, as they have done with theirs. I have been blessed not only with wonderful parents but a wonderful partner in life, my wife, Liz Hernandez. This June we’ll be celebrating our 20th wedding anniversary. As judge Marilyn Milian would say, “que aguante”. At this time it is my duty to confess the real reason I wanted to be CABA president. Since she became City Attorney of Coral Gables I acquired a new name and I’m often introduced as the husband of the city attorney. There’s a saying in Spanish about this, “un zero ala izquierda”. I respectfully request that from now on I be referred to as the president of CABA or Mr. President. My wife on the other hand, has agreed to be known as the first lady or the wife of the president. In light of the fact that she has referred to this event as my coronation, you may also feel free to introduce her as queen Elizabeth- some of you may have already seen her practicing her royal wave. Liz and I have been blessed with two wonderful sons, our pride and joy - Gene who is 17 and Danny who is 12. Two more Belen boys.

Finally, there is someone here tonight that I strongly feel should be recognized for his many years of service not only to CABA but our community as a whole. I’ll never forget the week I spent with him in Guantanamo Bay, Cuba, as part of the team [Committee for Liberation of Guantanamo Detainees] that represented detainees being held at the base during our efforts to gain their release from detention. This is someone who has always had the best interests of CABA in his heart and a person that we will surely miss on our board. At this time, I would like to ask his daughter, the Honorable Berti Soto to please join me as we recognize her father, Osvaldo Soto for his many years of service to CABA. Osvaldo, I know that you will always to be there for us whenever called upon to help. Please join me in thanking him as we present him with this small token of our appreciation.
CABA ONLINE

CABA is pleased to announce the debut of its new website: CABAONLINE.COM.

CABAONLINE.COM will include a listing of news, issues and upcoming events, as well as the history and achievements of the organization. Members and non-members alike will be able to access the CABA newsletter and contact the CABA board online. The site will also provide stock quotes, weather reports, a search engine center and links to related sites of interest. You can even make CABAONLINE.COM your homepage.

Additionally, advertising space may be available on the CABA website in the near future. More details to follow.

The official website of the Cuban American Bar Association, designed by Premiere DV, went online by May 1, 2002.

CASDE CAMPO CLE TRIP
August 29 – September 2, 2002

CABA is organizing a CLE trip to Casa de Campo in the Dominican Republic from August 29, 2002, through September 2, 2002. The following is a description of the packages. If you are interested in more information, please contact Gigi Wolf at 305-374-8500.

INCLUSIVE GROUP PACKAGE

This package includes 3 meals per day, unlimited bar drinks, group functions and unlimited sports as detailed below:

- Deluxe air-conditioned accommodations
- Breakfast, lunch and dinner daily in any Resort restaurant.
- Unlimited Drinks in Resort restaurants, Bars and Lounges, House wine by the glass at dinner functions. (Bottles, mini-bar and additional cocktail receptions not included.)
- Unlimited Horseback Riding, Tennis, Beach Water Sports and use of the Exercise Facilities. Subject to availability; reservations recommended for sports facilities and equipment.
- Welcome Tropical Punch and music during group arrival.
- Welcome bottle of Dominican Rum in each room.
- Services of a Group Coordinator, pre-registration of group and group function space.
- gratuities for maids, bellman, beach and pool attendants.
- Taxes and service charges for included package items.

INCLUSIVE GOLF PACKAGE

Includes all the features of the “Inclusive Group Package” listed above, plus:

- Green Fees on alternating courses, alternating morning and afternoon tee times. One starting time per day should be reserved in advance. Second round may be reserved with the Resort Starter, one day in advance, subject to availability.
- Shared Cart while playing golf, club storage and unlimited range balls.

SPECIAL PROJECTS / EVENTS (2002)

The following members of CABA’s Board are chairing the following special projects/events. If you are interested in helping, please contact these directors.

Golf Tournament – Sergio L. Mendez
Cigar Smoker – Hector Lombana / Araly Herrera / Antonio C. Castro
Judicial Reception – Ena T. Díaz/ Ramon A. Abadin

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Hispanic Attorney Poll –
  Victor M. Diaz, Jr.
  Luis Suarez
Dominican Republic Trip –
  Eugenio Hernandez
Networking cocktail receptions
  Union Planters – Hector Lombana
  Mellon United – Eugenio Hernandez
  CABA – CACPA – Manuel Garcia-Linares
Lawyer of the Americas –
  Ramon A. Abadin
  Adolfo E. Jimenez
  Eugenio Hernandez

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CABA SPECIAL RECOGNITION AWARD

At the CABA Installation Dinner held on January 26, 2002, CABA presented Osvaldo N. Soto with the CABA Special Recognition Award for over 25 years of outstanding and dedicated service to the association as president, director and member.

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CABA COMMITTEES

The following are the CABA starting committees. If you are interested in participating or have comments or suggestions, please contact the chairman directly.

Membership –
  Antonio C. Castro / Jorge Mestre
Newsletter –
  Roland Sanchez-Medina, Jr.
Pro Bono Services/CABA Pro Bono Project –
  Ena T. Diaz
Legislative – Judicial Reform/ Florida Bar –
  Victor M. Diaz, Jr.
  Ramon A. Abadin
  Araly Herrera
CLE –
  Rolando Sanchez-Medina and
  Sergio L. Mendez
  Eugenio Hernandez
Foundation –
  Michael Diaz, Jr.
Student Liaison/Mentor Program –
  Antonio C. Castro
Budget –
  Manuel Garcia-Linares
Monthly Luncheons/Special Functions –
  Araly Herrera / Ramon A. Abadin
Court Liaison/Judicial Committee –
  Ramon A. Abadin / Luis Suarez
FOCUSED ON CUBAN FREEDOM
By Jeff Jacoby

(This article originally ran in the Boston Globe on May 30, 2002)

Last week, in a heartfelt address, President Bush spoke out in support of a nation suffering under tyranny. He declared that its people are entitled to liberty, democracy, and dignity, and he condemned the dictator “who jails and tortures and exiles his political opponents.” He called for free elections and free speech; he insisted on the right of workers to form trade unions and of humanitarian groups to operate unmolested. And he promised that the United States would continue to press this odious regime to “finally begin respecting the human rights of its people.”

But the president’s message was more nuanced than a blanket censure. He acknowledged that democratic reform sometimes comes slowly, and made it clear that Washington would respond encouragingly if it saw even halting progress toward liberty and the rule of law. “The United States recognizes,” he said, “that freedom sometimes grows step by step.”

If Bush’s speech had been about the vicious dictatorship in Burma, he would have won plaudits in all quarters. If he had been speaking of Saudi Arabia’s corrupt theocrats or the depraved rulers of Sudan, the editorial pages would have sung his praises and Capitol Hill would have cheered. But because his speech was about Cuba, and because he delivered it before an appreciative audience of Cuban-Americans, it was promptly dismissed in elite circles as nothing more than right-wing pandering.

Senator Byron Dorgan of North Dakota sneered that the president’s stand was “driven by politics, not policy.” USA Today brushed it off as “an anachronistic failure” and even pooh-poohed Bush’s proposal to direct more philanthropic and educational aid to Cuban citizens. At the Council on Foreign Relations, a venerable font of conventional wisdom, Walter Russell Mead poured scorn on a “do-nothing speech” that was “not . . . very convincing or effective.”

More hostile still was the Los Angeles Times, which headlined its Page 1 story “Castro Must Yield to US, Bush Says” — as though forcing Castro to bend his knee to Washington, not liberty for the Cuban people, is Bush’s true aim. Below the headline, the Times reported in its lead that Bush had reaffirmed the American “economic quarantine” of Cuba. But there is no “quarantine;” there is only an embargo on US-Cuban business that leaves Castro free to trade with every other country on earth.

Reasonable people can differ on the efficacy of the embargo, but surely all Americans ought to be able to agree that Castro’s reign is an abomination. Liberals and conservatives alike should find Cuban totalitarianism an affront to human decency and a blot on the Western hemisphere.

So why is it that so many critics of the administration’s position expend far more energy denouncing the US embargo than calling for an end to Castro’s repression? The abuse of Cuban dissenters doesn’t seem to anger them nearly as much as the loss of business opportunities caused by the US ban. What is it that *really* motivates the anti-embargo lobby? A yen for liberty — or for profits?

A few days before Bush’s speech, 14 members of the congressional Cuba Working Group held a press conference to discuss their views of US policy toward Cuba. My transcript of the event runs to 12 pages of single-spaced type. It is a revealing document.

All 14 congressmen spoke, yet not one expressed outrage over the way Castro suffocates the Cuban people. Not one denounced the lack of free speech, or the elaborate network of government informers, or the misery that drives countless Cubans each year to risk death in an effort to escape Fidelismo. Oh, there was a passing reference now and then to democracy or human rights, but on the whole the Cuba Working Group seemed to get passionate only when the topic turned to the quantities of dried beans and chicken

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It is true that some Cuban dissidents call for an immediate end to the US embargo. But others call for it to remain in force until Castro leaves. And still others want what Bush wants — an end to economic sanctions, but only in exchange for irrevocable democratic reform.

McGovern says that promotion of democracy and human rights is the very raison d’être of the Cuba Working Group. Perhaps so. But while he and his colleagues persist in talking about the embargo, Bush is reminding the world that the real issue is freedom. The polestar of his Cuba policy is liberty, not chicken legs. When the Cuban people are free at last, they will not forget his steadfastness.

legs that Cuba is supposedly keen to import. Would 14 members of a South Africa Working Group in the 1980s have called a press conference and neglected to express their revulsion for apartheid?

At one point Representative James McGovern of Massachusetts saluted former President Jimmy Carter for “having the guts to go to Cuba, for standing before the Cuban government and speaking the truth about human rights.” But when I asked McGovern the other day whether he was equally proud of Bush for speaking the truth about human rights, he pronounced himself “very disappointed with the president’s speech. It was precisely the opposite of what the dissidents have asked for.”

RECEPTION FOR CALIFORNIA SUPREME COURT JUSTICE CARLOS R. MORENO

December 6, 2001

The Cuban American Bar Association of California (CABA) was formed in or about 1970 by several Cuban attorneys who had actually practiced law in Cuba and saw a need for collaborative efforts in the field of law and community service. It continues to serve this mission today.

On December 6, 2001, CABA hosted a reception honoring Justice Carlos R. Moreno, the third Hispanic to ever serve on the California Supreme Court. This historic reception brought together, for the first time in the history of California, the three Hispanics to ever serve on the California Supreme Court: Cruz Reynoso, John Arguelles and Carlos Moreno, or, as Justice Moreno called them, “Los Tres Amigos.” California Governor Gray Davis further honored CABA with his attendance, as did many of the federal and state judges seated in the Central District of California.
The following is a letter sent by Chief Judge Joseph P. Farina of the Eleventh Judicial Circuit of Florida to certain voluntary bar association presidents. This letter describes the process for private attorneys to apply to be placed on the various attorney rotation wheels used by the Dade County and Circuit Courts to assign fee generating cases. We encourage our members to get involved in this process.

March 22, 2002

Dear Bar President:

The Eleventh Judicial Circuit of Florida is committed to involving local attorneys in court activities. We solicit the participation of qualified and diverse attorneys interested in partnering with the judiciary. One way to encourage this partnership is through the use of rotation lists or wheels on which attorneys are listed and receive assignments. Listed below is the contact information for this Circuit’s operational divisions and general information regarding their respective Wheels.

CIVIL OPERATIONS DIVISION: [GENERAL JURISDICTION and PROBATE & GUARDIANSHIP]

Director: Mr. William Weaver
Address: Dade County Courthouse
73 West Flagler Street, Suite 911
Miami, Florida 33130
Contact Number: (305) 349-7169

Mortgage Foreclosure Wheel - Attorneys request in writing that their names be included on this Wheel by contacting the office of General Jurisdiction Administrative Judge Stuart M. Simons. Correspondence must include attorney’s name, business address and telephone number, and Florida Bar Number. Payment is determined by the assigned section Judge and is paid by the plaintiff. Judge Simons may be contacted at the Dade County Courthouse, 73 West Flagler Street, Room 405, Miami, Florida 33130 or at (305) 3359-7152.

General Probate and Guardianship Wheel - Attorneys must be members in good standing with the Florida Bar and must complete a short application form with their signature indicating that they are able to complete probate cases to their conclusion. Attorneys interested in this Wheel should contact Mr. William Weaver at the Dade County Courthouse, 73 West Flagler Street, Room 911, Miami, Florida 33130 or at (305) 349-7169.

Probate Specialty Wheel - Attorneys must be a member in good standing with the Florida Bar for two years and a member of the General Probate and Guardianship Wheel for two (2) years. Most cases are pro bono, although some may be compensable. (See Administrative Order No. 99-12, as amended by Administrative Order No. 99-12 A1.) The areas associated with Wheel are Accounting; Bankruptcy/Receivership; Complex Matters-Guardianship; Complex Matters-Will, Trusts and Estates; Entitlements; General Probate; Litigation-Will, Trusts and Estates; Litigation-guardianship; Real Estate; Taxation; Special Needs Trust. Attorneys who are interested in this Wheel should send an application and two letters of recommendation from attorneys practicing in Miami-Dade County (not Continued on page 8
members of the same firm of the applicant) to
Judith A. Frankel, Esquire at 960 Arthur
Godfrey Road, Suite 116, Miami Beach, Florida
33140 or call Ms. Frankel at (305) 674-1313.

$ Blocked Accounts/Cuban Heirs Specialty
Wheel. In addition to participating in the
General Probate Wheel and being fluent in
Spanish, Attorneys must have five (5) years of
experience in Probate matters, a license from
the U.S. Department of Treasury, and must
participate in a specialized training and
internship program. Presently, attorneys are
not being placed on this Wheel due to pending
changes in the Department of Treasury's
licensing procedures; however, attorneys who
are interested in this Wheel should contact
Probate and Guardianship Division
Administrative Judge Maria Korvick at the
Dade County Courthouse, 73 West Flagler
Street, Room 310, Miami, Florida 33130 or at
(305) 349-7086.

$ Guardian Advocates Wheel - Attorneys must
be a participant in the General Probate and
Guardianship Wheel, with five (5) years of
general probate and guardianship experience
and experience in handling Baker Act matters.
The attorney must be willing to attend certain
prescheduled calendars and perform certain
functions as prescribed by State statutes, the
Probate Bar and the Court. Attorneys who are
interested in this Wheel should contact Probate
and Guardianship Division Administrative Judge
Maria Korvick at the Dade County Courthouse, 73 West Flagler
Street, Room 310, Miami, Florida 33130 or at (305) 349-7086.

$ Minor Settlement Wheel - Attorneys serve as
guardian ad litem in minor settlement cases.
This is pro bono work, except in extraordinary
circumstances. Attorneys must be members of
the Florida Bar for a minimum of five (5) years
in good standing. Attorneys who are interested
in this Wheel should contact General
Jurisdiction Division Administrative Judge
Stuart Simons at the Dade County Courthouse,
73 West Flagler Street, Room 405, Miami,
Florida 33130 or at (305) 349-7152.

$ Nursing Home/Medical Malpractice Probate
Wheel - Attorneys who are chosen to
represent/protect the interests of parties
involved in nursing home abuse. Medical
malpractice cases come from the Probate
Division. Payment is made directly to the
attorneys/guardians. See General Probate
Wheel above to determine how attorneys are
selected.

MEDIATION/ARBITRATION DIVISION:

Director: Wayne Rosenthal, Esquire
Address: Dade County Courthouse
73 West Flagler Street, Room
1700
Miami, Florida 33130
Contact Number: (305) 349-7328

$ Mediation Wheel - The Mediation/ Arbitration
Wheel maintains this Wheel consisting of
Florida Supreme Court certified mediators
from which parties may select a mediator to
handle their matter. In the absence of an
agreement by the parties, a mediator is selected
by the Mediation/ Arbitration Division from
the Wheel on a rotating basis. Mediators must
agree to accept cases at the rate of one hundred
twenty-five dollars ($125.00) per hour;
however, there is no guarantee of payment on
any of the cases involving a court appointment.
Attorneys who are interested in this Wheel
should contact Ms. Sabrina Haspil at the Dade
County Courthouse, 73 West Flagler Street,
Room 1701, Miami, Florida 33130 or at (305)
349-7328.

$ Arbitration Wheel - Pursuant to ‘44.103, Fla.
Stat. and Fla.R.Civ.P. 1.700(a) and 1.800, the
Circuit has established two (2) procedures to
facilitate the use of non-binding arbitration in
all or any part of a contested civil action filed
in either circuit or county court. Both

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procedures allow the parties to agree upon the selection of their own arbitrator[s]; however, in the absence of an agreement by the parties, either a single arbitrator is selected by the court from the Wheel consisting of certified arbitrators or the arbitrator will be randomly selected by the court from the Wheel by the Mediation/Arbitration Division as the court’s designee. Arbitrators must comply with the qualification and training requirements set forth in Fla.R.Arb. 11.010 and 11.020, unless otherwise agreed by the parties. Administrative Order No. 99-54 sets arbitrator compensation at the maximum statutory rate of two hundred dollars ($200.00) per day, unless agreed otherwise by the parties and approved by the court; however, there is no guarantee of payment on any of the cases involving a court appointment. Attorneys who are interested in this Wheel should contact Ms. Sabrina Haspil at the Dade County Courthouse, 73 West Flagler Street, Room 1701, Miami, Florida 33130 or at (305) 349-7328.

**JUVENILE DIVISION:**

Director: Mr. Paul Indelicato
Address: Juvenile Justice Center
3300 N.W. 27th Avenue, Room 220
Miami, Florida 33142
Contact Number: (305) 638-6102

**Juvenile Dependency Wheel** - There are five (5) separate categories for which an attorney may qualify. Each successive category requires increasing expertise by the court appointed attorney. Attorneys will be automatically placed into all categories for which they qualify. Administrative Order No. 94-27 establishes the Juvenile Court Dependency Standing Committee to classify, reclassify or declassify attorneys on each Wheel, and to develop programs or policies which will provide attorney-mentors to advise less experienced attorneys on each Wheel. Selection, approval and appointment as a dependency attorney on the Wheel is a privilege, not a right and are dependent upon qualifications, training, and evaluation performance. Compensation for service as a dependency attorney is not intended to be a means of earning a living but an adjunct to a private practice. See application for details on qualifications for various categories. Attorneys who are interested in this Wheel should contact Ms. Gloria Lightbourn, Conflict Attorney Liaison at the Juvenile Justice Center, 3300 NW 27th Avenue, Room 203, Miami, Florida 33142 or at (305) 638-6304.

**Juvenile Delinquency Wheel** - For the requirements to be appointed to this Wheel, please refer to the information below pertaining to the Circuit Conflict Wheel.

**CIRCUIT CRIMINAL DIVISION:**

Director: Ms. Sandra Lonergan
Address: Richard E. Gerstein Justice Building
1351 NW 12 Street, Room 7100
Miami, Florida 33125
Contact Number: (305) 548-5632

**Circuit Conflict Wheel** - Chapter 925, Florida Statutes creates the Circuit Conflict Committee (CCC) and gives the CCC responsibility to select and approve attorneys for all appointments in conflict cases. The designated membership of the CCC is the Chief Judge or his designee, a representative of Miami-Dade County, and the Public Defender (See also Administrative Order 92-34 of the Chief Judge, Eleventh Judicial Circuit of Florida). The CCC will, from time to time, establish categories of cases and qualifications for attorney certification and recertification. Generally, an attorney whose principal office is located in Miami-Dade County, who is a member in good standing of The Florida Bar, and who meets the

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Included herewith are the applications for the respective Wheels which hopefully you will duplicate and forward to your membership. Additionally, in the very near future, this information will be included on the Circuit’s web page @www.jud11.fflcourts.org.

Again, we encourage the participation of your membership in this selection process as we are committed to having Wheels that are reflective of our diverse community.

Very truly yours,
/s/ Joseph P. Farina, Chief Judge

Make-A-Wish Foundation®

“If you could wish for one thing, what would it be?” With that one question, a child’s imagination begins to take flight.

For children who are battling life-threatening illnesses, Make-A-Wish gives them the opportunity to imagine, to hope, to dream.

The Make-A-Wish Foundation®, comprised of 81 national and 20 international chapters, has been granting the wishes of children ages 2½ to 18 since 1980. The Southern Florida chapter serves children in nine counties (including the cities of Miami, Fort Lauderdale, West Palm Beach, Stuart, Key West, Naples and Fort Myers).

In 2001 alone, the dreams of 450 South Florida children became reality. The Southern Florida chapter will soon grant their 4,000th wish.

Now, more than ever, the Foundation has identified the Hispanic community as a crucial component to their success. Make-A-Wish is continually reaching out into the Latin population for referrals of wish children as well as bilingual volunteers who can help fulfill their mission. Recently, they’ve formed a committee of Hispanic business leaders to help them achieve this task.

Another major goal of the Foundation is to ensure that every medically-eligible child will have the opportunity to experience a wish come true. This is accomplished by reaching out to doctors, social workers, nurses, child life specialists, and other medical professionals to identify these children.

Once the child has been referred and medically qualified, the magic begins. A team of volunteers visits with the child to ask that magical question. While the ever-popular trip to Disney World is a standard, wishes come in many different varieties. Make-A-Wish kids have played catch with Dan Marino, seen snow for the first time, recorded a CD in Gloria Estefan’s Miami studio, appeared on the television show “Baywatch”, met the President, petted baby animals, gone on shopping sprees, and have surfed the Internet on their very own, state-of-the-art computers.

A doctor once said, “Doctors provide the medicine, Make-A-Wish provides the magic, and, perhaps, together a miracle”. Make-A-Wish introduces hope and dreams for so many children whose lives are filled with needles, medicine, and treatment.

You can help make these miracles happen. For information how you can make wishes come true, please call Make-A-Wish at 888/773-9474 or visit them on the Internet at www.wish.org/southernfla.

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President:
Eugenio Hernandez
Holland & Knight LLP
701 Brickell Avenue, Suite 3000
Miami, FL 33131
(305) 789-7716
(305) 349-2238 (Fax)
Email: ehernand@hklaw.com

President-Elect:
Victor M. Diaz, Jr.
Podhurst Orseck Et Al
25 West Flagler Street, Suite 800
Miami, FL 33130
(305) 358-2800
(305) 358-2382 (Fax)
Email: vdiaz@podhurst.com

Ramon A. Abadin (Vice President)
Abadin & Jaramillo
28 West Flagler Street, Suite 600
Miami, FL 33130
(305) 381-9500
(305) 377-9825 (Fax)
Email: rabadin@rajj.com

Antonio C. Castro
Zack Kosnitzky, PA
100 S.E. 2nd Street
Miami, FL 33131
(305) 539-8400
(305) 539-1307
Email: acc@zacklaw.com

Ena T. Diaz
Fowler White Burnett, Hurley, Banick & Strickroot PA
100 S.E. 2nd Street, 17th Floor
Miami, FL 33131
(305) 789-9246
(305) 789-9201 (Fax)
Email: ediaz@fowler-white.com

Manuel A. Garcia-Linares (Treasurer)
Richman Greer Weil Et Al
201 South Biscayne Boulevard
Miami, FL 33131
(305) 373-4000
(305) 373-4099 (Fax)
Email: milnares@richmangreer.com

Araly Herrera
Gamba & Lombana PA
2701 Ponce De Leon Blvd.
Miami, FL 33134
(305) 448-4010
(305) 448-9891 (Fax)
Email: araly@gltrialaw.com

Adolfo E. Jimenez
Holland & Knight LLP
701 Brickell Avenue, Suite 3000
Miami, FL 33131
(305) 789-7716
(305) 789-7799 (Fax)
Email: ajimenez@hklaw.com

Richard Kuper
Richard Kuper PA
226 East Flagler Street, Suite 200
Miami, FL 33131
(305) 373-1166
(305) 373-8509 (Fax)
Email: rkuperlaw@aol.com

Sergio L. Mendez
Mendez & Mendez, PA
901 Ponce De Leon Blvd., Suite 304
Coral Gables, FL 33134
(305) 643-3850
(305) 443-2291 (Fax)
Email: sidlaw@aol.com

Jorge A. Mestre, Esq. (Vice President)
Sullivan Rivero & Chase, P.A.
Miami Center, Suite 1450
201 South Biscayne Boulevard
Miami, Florida 33131
Telephone (305)371-7781
Facsimile (305)371-6983
Email: jmestre@sr-law.com

Jose A. Ortiz
Homer Bonner & Delgado PA
100 S.E. 2nd Street, Suite 3400
Miami, FL 33131
(305) 350-5100
(305) 372-2738 (Fax)
Email: jortiz@homerbonner.com

Rolando Sanchez-Medina
Kluger Peretz Kaplan & Berlin
201 S. Biscayne Blvd., Suite 1700
Miami, FL 33131
(305) 379-9000
(305) 379-3428 (Fax)
Email: rsanchez-medina@kpkb.com

Luis E. Suarez
Zack Kosnitzky PA
100 S.E. 2nd Street, Suite 2800
Miami, FL 33131
(305) 539-8400
(305) 539-1307
Email: les@zacklaw.com

Past President:
Michael Diaz, Jr.
Law offices of Michael Diaz, Jr.
100 SE 2nd Street
3400 Bank of America Tower
Miami, Florida 33131
(305) 375-9220
(305) 375-8050 fax
Email: info@michaeldiazjr.com