

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

FLAVA WORKS, INC.,

CASE NO.: 1:14-cv-23208-JAL

Plaintiff,

v.

A4A RESEAU, INC. ET AL.,

Defendants.

**NOTICE OF ATTORNEY'S CHARGING LIEN**

The undersigned counsel hereby gives notice of the imposition of a charging lien against the fee, if any, received by Plaintiff, Flava Works, Inc. (the "Plaintiff") and states as follows:

1. The undersigned agreed to represent the Plaintiff on an hourly fee basis.
2. As of the date of this notice, the undersigned has incurred fees of \$1,000.
3. As of the date of this notice, the Plaintiff has refused to pay the undersigned.
4. "The charging lien is an equitable right to have costs and fees due an attorney for services in the suit secured to him in the judgment or recovery in that particular suit." *Naftzger v. Elam*, 41 So. 3d 944, 946 (Fla. 2d DCA 2010) (quotation omitted).
5. "A summary proceeding in the original action represents the preferred method of enforcing an attorney's charging lien in Florida." *Santini v. Cleveland Clinic*, 65 So. 3d 22, 35 (Fla. 4th DCA 2011) (quotation omitted).
6. Therefore, "notice of the charging lien must be filed or the lien pursued in the action before entry of a final judgment or dismissal of the case." *Naftzger*, 41 So. 3d at 946.
7. "So long as the notice of lien is filed before the case goes to final judgment or is dismissed, 'The lien is chargeable against any person who, at the time notice of intent to claim a lien

is given, holds monies or property which become proceeds of a judgment to be entered in the future.'" *Gordon C. Brydger, P.A. v. Wolfe*, 847 So. 2d 1074, 1076 (Fla. 4th DCA 2003) (quotation omitted).

8. Finally, this notice is also intended to inform defense counsel of the charging lien. If an opposing party who has notice of a charging lien settles with the party charged with the lien and the party charged subsequently fails to pay, the lien may be enforceable against the opposing party as well. *Gaebel, Murphy, Mullen & Antonelli v. Bradt*, 704 So. 2d 618, 619 (Fla. 4th DCA 1997).

**WHEREFORE**, the undersigned provides notice to all parties and their counsel that he is imposing a charging lien against the fee, if any, received by the Plaintiff for \$1,000 or the quantum meruit value of his services rendered and any additional or alternative relief the Court deems just and proper.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on December 15, 2015 on all counsel of record either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing and to all pro se parties, if any, via U.S. mail.

Respectfully submitted by:

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s/Michael Gulisano  
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