



THE FLORIDA BAR

CYPRESS FINANCIAL CENTER, SUITE 835
5900 NORTH ANDREWS AVENUE
FT. LAUDERDALE, FL 33309

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

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July 1, 2003

PERSONAL/FOR ADDRESSEE ONLY

Mr. Eliot Bernstein
10158 Stonehenge Circle #801
Boynton Beach, Florida 33437

Re: Your complaint against Christopher Clark Wheeler
The Florida Bar File No. 2003-51,109(15C)

Dear Mr. Bernstein:

I have completed my review of your complaint, Mr. Wheeler's response, your letter of rebuttal and Mr. Wheeler's response thereto. I have also reviewed the banker's box of civil pleadings and orders, deposition transcripts, legal billing statements and other materials you submitted with the foregoing. Based on this review, I have found no basis for a bar investigation at this time.

Apparently, you retained Mr. Wheeler's law firm in 1998 to handle matters on behalf of your corporation, Iviewit.Com, Inc. In 2001, the firm sued your company for non-payment of legal bills in excess of \$369,000. Thereafter, your company filed a counterclaim for damages, alleging the same misconduct set forth in your bar complaint, including malpractice. Significant discovery has taken place (and continues), and your case has been set for trial on July 29-31, 2003 (*Proskauer Rose LLP v. Iviewit*, Case No. CA01-04671 AB) in Circuit Court in Palm Beach County, Florida.

Accordingly, the matter you present is a civil dispute which may not be resolved by the intervention of The Florida Bar. This is not to say that The Florida Bar has considered and determined the veracity of Mr. Wheeler's position as to the validity of your specific charges. Rather, because Mr. Wheeler has advanced a viable position, the Bar has deferred its consideration of the matter until a determination has been made, on the merits, by the civil court before which the matter is currently pending.

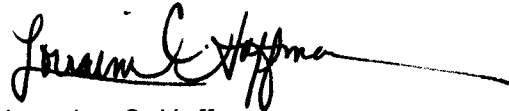
Based on the foregoing, and absent any basis for further ethical inquiry, I have dismissed your complaint and directed that The Florida Bar's file on this matter be closed. This determination does not preclude you from refileing this matter for further bar consideration, after the civil trial is concluded.

Please note that a copy of this file will be retained by The Florida Bar for one (1) year, at which time it will be destroyed. It is suggested to you and the attorney who is the subject of your complaint to maintain a **complete** copy of this file for future reference, if needed.

Mr. Eliot Bernstein
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On behalf of The Florida Bar, I thank you for the opportunity to review and respond to your complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Lorraine C. Hoffmann", with a long horizontal line extending to the right.

Lorraine C. Hoffmann
Assistant Staff Counsel

LCH/dm

cc: Christopher Clark Wheeler