

***Aguiar v. Espirito Santo Bank* – Adv. Case No. 13-1934**

***(In re Banco Santos, S.A.)* – Case No. 10-47543**

**Memorandum Opinion on
Defendant's Motion to Disqualify**

SUMMARY

The Court denied Defendant Espirito Santo Bank's motion to disqualify the law firm of Astigarraga, Davis, Mullins & Grossman, P.A. from its representation of the Plaintiff in this adversary proceeding. The Defendant argued that the Plaintiff's taking the deposition of one former employee of Defendant and interviewing another without contacting the Defendant first, violated various rules of professional conduct. Additionally, the Defendant claimed that Astigarraga Davis delved into matters subject to statutory and common law banking privileges with the former employees. The Court held that Astigarraga Davis did not need to be disqualified or sanctioned because it had not violated the Florida Rules of Professional Conduct nor did seek to obtain privileged information.