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## Miccosukee Indian Tribe alleges 'fraud' in legal malpractice suit against former Miami U.S. attorney and law partner

The Miccosukees claim former Miami U.S. Attorney Guy Lewis and ex-federal prosecutor Michael Tein defrauded the West Miami-Dade tribe by overcharging on legal bills to collect millions of dollars in fees to support a "lavish lifestyle."

 This file photo from 2005 shows lawyers Guy Lewis, left, and Michael Tein.

This file photo from 2005 shows lawyers Guy Lewis, left, and Michael Tein. [Buy Photo](#) HERALD FILE PHOTO

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BY JAY WEAVER  
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The Miccosukee Indians are accusing two Miami defense attorneys of operating a "secret and sophisticated scheme" to fleece them as they raked in millions of dollars in legal fees representing the tribe and several members during the past decade, according to a lawsuit filed Monday.

The tribe says Guy Lewis, a former Miami U.S. attorney, and Michael Tein, also an ex-federal prosecutor, defrauded the Miccosukees by charging "excessive" fees for "unsubstantiated" work to support a "lavish lifestyle" of multimillion-dollar homes in upscale Pinecrest and a fleet of foreign luxury cars.

The tribe's civil complaint against the prominent pair follows a similar legal malpractice suit filed last fall against its former longtime general counsel, Dexter Lehtinen, who had referred work to Lewis and Tein. Their law firm worked for the West Miami-Dade tribe between 2005 and early 2010, when it was fired amid political upheaval in the Miccosukee leadership.

"We can't wait to go to court on this," Tein told The Miami Herald. "This lawsuit is almost comic."

He said the Miccosukee Tribe's current chairman, Colley Billie, is on the "ropes" because he has run its gambling casino "into the ground," with the distribution of profits to tribal members in the "toilet."

"He's blaming everyone but himself," Tein said. "It's more cover-up and lies. In the end, the whole truth will come out."

The malpractice suit brought against Lewis and Tein coincides with a sanctions hearing scheduled for next month, stemming from allegations that they committed perjury when they testified that two individual Miccosukee Tribe clients, a father and daughter — not the tribe itself — paid them \$2 million to \$3 million in a wrongful death case.

The defendants admitted fault for killing a woman in a head-on collision on the Tamiami Trail, and a jury awarded the victim's survivors about \$3.2 million, but the judgment has not been paid.

The latest malpractice lawsuit, filed in Miami-Dade Circuit Court, accuses the two lawyers of running a civil racket with former Miccosukee Tribe employees and one-time Chairman Billy Cypress. Among the alleged "illegal acts" cited in the suit: a "coverup of credit-card embezzlement" and "concealment" of "confidential tribal records."

In one example, the Miccosukees claim in a Jan. 4 letter that Lewis and Tein were paid about \$1.2 million for 2,200 hours of legal work advising the tribe in a major income tax dispute with the Internal Revenue Service, but refused to turn over any information, case files or related records to back up the work.

Lewis and Tein provided The Herald with their law firm's written response to the tribe nine days later, saying it had given its files to Lehtinen in 2010 before he was fired later that year, and then to another firm that took over the IRS case. In the letter, Tein's law firm asked the tribe to identify "particular tax-related files" and said the firm would provide them.

In the suit, the Miccosukee Tribe says it hired the Lewis Tein law firm mainly because of Lewis' assertions that as a U.S. attorney from 2000-02, he had "important connections," an "ability to influence federal officials" and "unique access" within the federal judicial system.

The malpractice suit alleges the tribe "was lured into unnecessarily paying millions of dollars in legal fees that were excessive and unreasonable, for work that was fictitious, improperly created, unsubstantiated and which did not achieve any reasonable benefit."

The suit also asserts Lewis and Tein have a "conflict of interest" because they represented both the tribe and individual members. The tribe is fighting over the non-payment of income taxes on tens of millions of dollars in gambling profits distributed to about 600 Miccosukee members.

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