

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

JOHN B. THOMPSON,

Plaintiff,

v.

Case No. 07-21256 (Judge Adalberto Jordan)

THE FLORIDA BAR and
DAVA J. TUNIS,

Defendants.

**PLAINTIFF'S FURTHER RESPONSE TO THE COURT'S
SHOW CAUSE ORDER**

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and further responds to this court's September 24, 2007, Order to Show Cause and states:

1. There are two types of actions that can give rise to a contempt finding: A willful violation of a court order and behavior either in the court's presence or outside the court's presence that diminishes the authority of the court.

2. There was no court order that Thompson violated in sending the court proof of the selective prosecution of The Florida Bar.

3. As to whether this act was intended to diminish the authority of the court, that was the furthest thing from Thompson's mind. The purpose was to animate the power of this court to order The Bar to stop protecting the porn-to-kids industry by its harassment of someone who has, for twenty years, alerted the American public to this illicit commercial practice.

4. If this court now wants to enter an order prohibiting the filing of such materials, fine. Thompson will obey it.

5. If this court seeks to take the position, however, that the commercial trafficking in this material, even to children, which is criminal activity under *Miller v. California* is to be facilitated by a defendant in this action but the plaintiff, in calling attention to this illicit activity, is to be punished for proving this ongoing activity, then this court seeks to use its contempt power improperly.

6. The motive of Thompson was to call to this court's attention, as best he knew how, the consequential, duplicitous, selective prosecution of The Bar and its irrefutable facilitation of this illegal activity by a Florida lawyer who is trafficking in what the court correctly calls "obscenity."

7. It is, with all respect, a bit of a reach by this court to suggest that children are more likely to see this material by going to a paid-for web site, searching federal court files, and stumbling across this material. A child can, without payment, unlike through the PACER system, readily find this material, as well as chat rooms filled with pedophiles, through Florida lawyer Norm Kent's Bar-regulated web site.

8. In fact, now that this court has deemed the material "obscene," he demands that The Florida Bar proceed against Mr. Kent for his ongoing criminal activity which really does put real children at risk.

9. Quite frankly, Your Honor, Thompson hoped that the legitimate placement of this material might shame The Bar into doing the right thing. Let us hope that that will occur, and if it does, Thompson trusts that his putting himself at risk (which he should not be) as well as elevating the court's concern will be well worth the result of reigning in the commercial exploitation of others with this material, which truly does constitute a *criminal act* under *Miller v. California*.

I HEREBY CERTIFY that this has been served upon record counsel this 25th day of September, 2007, electronically.

/s/ JOHN B. THOMPSON, Plaintiff
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