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 NOTICE OF FILING SUPLLEMENTAL AUTHORITY

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and hereby provides supplemental legal authority to the court regarding certain declaratory relief he seeks herein, specifically the determination that The Florida Bar is not a government agency.

Please note that the U.S. Supreme Court case of Keller v. State Bar of California, 496 US 1 (1990) says just that. The court in *Keller* states that whereas a state court can call its bar a government entity for purposes of state law, it cannot do so for purposes of federal law, particularly when was it at issue is a state bar's infringement upon the constitutional rights of its dues-paying members. Sound familiar?

Secondly, also attached hereto is the dissent of Justice Douglas in *Lathrop v. Donahue*, 367 US 820 (1961), which in effect became the law of the land 29 years later when the court realized that state bars were in fact pretending to be government agencies when in fact they were acting like "guilds." Sound familiar?

Finally, please consider, since they come not from the "porn-again Christian in Moral Gables" but rather from Justice Douglas his warning as to where state bars were

headed with their “goose-stepping brigades.” The “Guardians of Democracy,” seeking to enforce their speech codes against this plaintiff and others as well, as they meet this very moment at the Ritz Carlton. Justice Douglas was right to predict. Thompson is right now to recognize it, and this court had best not let The Florida Bar get away with it. As Douglas noted:

This regimentation appears in humble form today. Yet we know that the Bar and Bench do not move to a single [367 U.S. 820, 884] "nonpartisan" objective. The obvious fact that they are not so motivated is plain from Cohen v. Hurley, 366 U.S. 117 , which we decided only the other day. Once we approve this measure, we sanction a device where men and women in almost any profession or calling can be at least partially regimented behind causes which they oppose. I look on the Hanson case as a narrow exception to be closely confined. Unless we so treat it, we practically give carte blanche to any legislature to put at least professional people into ***goose-stepping brigades***. 7 [367 U.S. 820, 885] ***Those brigades are not compatible with the First Amendment***. While the legislature has few limits where strictly social legislation is concerned (Giboney v. Empire Storage Co., 336 U.S. 490 ; Tot v. United States, 319 U.S. 463), the First Amendment applies strictures designed to keep our society from becoming moulded into patterns of conformity which satisfy the majority. [emphases added]

I HEREBY CERTIFY that this has been served upon record counsel this 4th day of October, 2007, electronically.

/s/ JOHN B. THOMPSON, Plaintiff
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