

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 MOTION TO AMEND COMPLAINT AND MEMORDANDUM OF
LAW IN SUPPORT THEREOF**

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and moves this court for the entry of an order permitting him to amend his complaint herein, stating:

1. Rule 15, Federal Rules of Civil Procedure, allows amendment of a pleading "by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so requires."

2. In filing this motion, plaintiff hereby requests of both defendants their consent to amend. Failing that, plaintiff seeks leave of this court to do so.

3. The need to amend arises for a number of reasons. Here are just two:

4. First, The Florida Bar has raised certain defenses in its motion to dismiss which suggest that plaintiff has not sufficiently pled his causes of action to bring them within this court's jurisdiction. Plaintiff disagrees, but he can better plead, in an amended complaint, his causes of action so as to provide an even stronger case, on its face, for relief by this court. One example of a Bar defense that supposedly attacks the vulnerability of plaintiff's case is the assertion that Thompson was acting as an attorney

in all of these matters for which The Bar seeks to discipline him. This is false. In most of these matters, Thompson had no client and was simply acting as a citizen. Thus, The Bar is setting up a straw man which is not so clearly a straw man by virtue of plaintiff's inadvertent failure to anticipate this rather remarkable and factually fallacious assertion by The Bar's able counsel.

5. Second, a local attorney by the name of Norm Kent, who has been harassing plaintiff for nearly twenty years with SLAPP Bar complaints, has now deepened this harassment, even since the filing of plaintiff's complaint herein, including threats by Kent of incarceration, threats to expose Thompson as a closeted homosexual (he is not), and so forth, along with new SLAPP Bar complaints as well. Mr. Kent is referencing this lawsuit repeatedly in making these threats. Mr. Kent is thus appropriately made a new defendant in this particular action, as his collaboration with The Bar in attempting to infringe upon plaintiff's constitutional rights, including his right to freedom of speech is patent.

6. In fact, within the last twelve hours, Mr. Kent has demanded seizure of Thompson's computer for an examination of its hard drive in a stunt reminiscent of Stalin's Soviet Union, all of this in a bizarre but nevertheless real attempt to chill Thompson's constitutional rights. This is a person with whom The Florida Bar has for years collaborated and is presently collaborating, as correspondence from The Bar itself in the last month proves, in order to stop Thompson's public-spirited efforts to slow down the flow of adult entertainment to children.

7. Thus, The Bar's presently ongoing, new, and admitted (in writing) collaboration with Mr. Kent gives rise to a newer set of facts that deepens and proves the

illegal acts of The Bar and also increases by at least one the number of appropriate defendants herein.

WHEREFORE, plaintiff moves this court for the entry of an order granting him leave to amend his complaint herein. The purpose of this motion is not delay but to effect a full and fair adjudication of this cause and to avoid the filing of additional suits.

I HEREBY CERTIFY that a copy hereof has been served upon the defendants, through their counsel, via the court's electronic filing system, this 26th day of July, 2007.

/s/ JOHN B. THOMPSON, Plaintiff
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