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October 17, 2007

The Honorable Dava J. Tunis
Gerstein Justice Building
Miami, Florida Via Fax 305-548-5553

Copy to:
Sheila Tuma
The Florida Bar
1200 Edgewater Drive
Orlando, Florida Via Fax 407-841-5403

Re: *Bar v. Thompson* (State "Disciplinary" Proceeding)

Dear Judge Tunis:

I should like to give you one more chance to conform your actions as a referee in the above with state and federal laws, state and federal constitutions, Florida Rules of Civil Procedures, and The Bar's own Rules that purport to conform with all of the preceding.

As you well know, when I first appeared before you with my counsel, Ray Reiser, who has now left the practice of law (too much of Ms. Tuma possibly), I made it *really* clear, and repeatedly so since you didn't seem to grasp it, that I had certain *defenses* to all that The Bar was doing. These defenses include all of my First Amendment defenses, equal protection defenses (selective prosecution), prosecutorial misconduct, due process violation defenses (refusal of The Bar even to identify what I did to violate what Rules), violation by The Bar of its own Rules (such as requiring sworn Bar complaints while at the same time proceeding with unsworn complaints), and so on, not to mention The Bar's refusal to tell me what harm or injury I had caused. Ms. Tuma interposed that "To identify the harm done would call for a legal conclusion by The Bar." That is right up there with "We had to destroy the village to save it," from a Viet Nam War you are too young to remember. This Bar has had to destroy the Constitution to preserve "judicial independence." Right.

You, of course, have denied me all meaningful discovery in the case, acceding to The Bar's demand even that I pay, up front, \$4000 to look *at my own file materials*. No lawyer who has ever practiced law in the United States in the last 300 years has ever heard of any requirement that a party has to pay the party that brought an action against him any monies to look at the file. There are so many lunacies floating around in this

case that is before you because you have let them float around. You do not have the time to read them all, as you're busy giving due process to murderers.

But we are at an interesting juncture in my federal civil rights action which you have disingenuously assured me, on the record, you know absolutely nothing about because you want to be insulated from that case to discharge, fairly, your duties herein. Interesting assertion, except that it is an admission that the U.S. Supreme Court was right in *Johnson v. Mississippi* that you have to recuse yourself in such a situation, the problem being not what you read that Mr. Fahlbusch is supposedly quarantining from you but that there is something that needs to be quarantined from you. In other words, your status as a defendant disqualifies you. These are pretty simple concepts.

I fax you this letter, despite your request that I not do so, for two reasons: We don't have the time, neither of us, for the US Mail to get you this letter and the attachments, given where we are in the federal action. Judge Jordan is going to rule any day now on whether The Florida Bar has managed to repeal the entire US Constitution while no one was looking. Further, the absolute pettiness of Ms. Tuma in insisting that I not be allowed to email her anything even though we are under the gun as the trial date approaches, is shown by the fact that Ms. Tuma is regularly, now, emailing back and forth to Mr. Larry Kellogg of Tew Cardenas and copying me with her email communications back and forth to him. I get it: According to Ms. Tuma, email doesn't work, but it works if Larry Kellogg is the person with whom she wants to communicate. Tuma, of course, wants no emails because she might then have to actually do something in less than a month after I ask for it.

Tuma whined to you about how unreliable email communications are (I guess she never heard of an email receipt), but she is wearing out Al Gore's Internet with her emails to and from Mr. Kellogg, copying me with them. That's about as clever as her claiming, in writing, that the new Blank Rome Bar complaints, which Judge Jordan doesn't even know about, are *not* from Blank Rome. She, of course, sent me documents with Blank Rome's email addresses on the Bar complaint documents. Wow. So add lying to Tuma's qualifications as a Bar prosecutor.

Therefore, attached please find notices of taking deposition and subpoenas for the indicated individuals. I intend to go forward on *all* of them. I don't want to hear from you, again, that I have to get dates approved by Ms. Tuma. I asked for dates, which I didn't have to do under the Rules, and she won't give them to me. I don't want to hear from you, again, that all I will be asking from Bar people under oath is "privileged," because you have no earthly idea what I am going to ask. If I ask a question that elicits privileged information, then that objection and possible instruction not to answer goes on the record and we litigate over that. Any lawyer in Florida knows that. What's your problem?

I don't want to hear again that you won't issue a subpoena for the taking of Jeb Bush's depo because a) Ms. Tuma hasn't approved the date for her and for him, and b) it's irrelevant to my defense. Larry Kellogg told Ray Reiser that he and Al Cardenas brought

their Bar complaint against me *because I wrote Bush a letter identifying the criminal activity going on at Beasley, in violation of state and federal law.*

I know Jeb Bush. I stood on US-1 with campaign posters for this brother of the moron. The last time I saw him was at a charity dinner at Joe's. Al Cardenas doesn't get to file a SLAPP Bar complaint against me because he thinks he owns this guy and then deny me, through your misconduct and the criminal conduct of Ms. Tuma, my right to depose him about his dealings with Cardenas pertaining to me.

As to issuing subpoenas, that is a pure clerical function, as proven by the fact that state law mandates that any clerk of court who is orally requested by an attorney or party to issue a subpoena *shall* do so. That's the strongest command verb in the English language. You don't get to sit there, performing the function of a clerk, and deny me a subpoena. You're going to be enjoined to issue me subpoenas. Count on it.

Finally, let me note this, and then I'll wait for you *today* to tell me to come get the issued subpoenas:

Proof that The Bar has nothing on me is how it has been behaving for the last 38 months in its dealings with me. If I really had done *anything* in violation of our ethics Rules, then The Bar, given its history with me, would have crossed its t's and dotted its i's to make absolutely certain that I would have nothing to talk about and sue about as to any malfeasance, misfeasance, or nonfeasance in its prosecution of me.

You handle real carefully the prosecution of Charles Manson, because you don't want him to get off with what he did. But I'm not Manson. I'm Jeffrey Wiegand, and the thugs at The Bar and at Blank Rome and at Tew Cardenas know that, which is why they are throwing so much excrement up on the wall hoping it will stick. And they have you proclaiming this excrement looks great.

These people, knowing that they have *nothing*, are breaking all the rules in order to "get Jack Thompson" because they know they can't get me fair and square. You claim to be a big sports fan. Well, try this on, Referee Tunis: When an offensive line doesn't have the skill to stop a pass rush by the defensive line in a football game, they hold their opponents, hoping that the refs won't see. The same thing is going on here. The Bar has nothing, they can prove nothing, and they have broken every Rule in the book because they know a fair trial will result in a full acquittal.

Barry Richard is not a stupid man. He's got fifty IQ points on me, easy. He has the intelligence to tell The Bar: Look, this guy is gunning for you, and if you screw up in any fashion, he's going to be on it like white on rice. So do this right, and you'll get him, *if you've got the goods on him.*

They can't do that, though, because Richard and they know they have nothing, so the Rules and constitution shredding began over three years ago.

That is where the “let’s demand he be psychoanalyzed again” garbage comes from. We have a mediation, which you ordered, and Tuma shows up with no authority to negotiate, in violation of your order, and the first thing out of her snarling mouth is that the lunacy crap is now back on the table. They say: plead guilty, *then* we’ll psychoanalyze you, and if you won’t then we’ll disbar you unilaterally. They violate their own Rule 3-7.13 in doing it that way. This does not come from people, Ms. Tunis, who are confident in what they have. They are in a panic.

They have nothing, which is why they are acting like the Mafia using extortionate threats to intimidate the corner shopkeeper into knuckling under.

And why are you acting the way you are? I don’t really care why. The issue is that you are: The ABA’s 1992 McKay Report on Attorney Discipline and The Florida Bar’s own 2006 Report identify the utter ignorance of Bar referees, their lack of training in Bar discipline, as a real impediment to doing this stuff right.

So I’ll give you a break. You’re ignorant. You have been led around by the nose by Ms. Tuma, who has done nothing vocationally with her entire life except prosecute lawyers, who knows how to violate a bar’s rules to get the result she wants and in furtherance of that she tells you, a criminal court judge who seems to know *nothing* about bar discipline, exactly what to do. It was like the first time I took my son out to play golf. I had to tell him everything because, bless his heart, he had no idea what to do with the tee, what to do in a sand trap, and so on. But he did know he knew nothing. What have you done? You have acted like you were Picasso in a kindergarten finger painting class.

Well, you have thus acted as if you were paid by The Bar to be an employee on her first day of work in all this. That’s not your fault. But what is your fault is that you were given this awesome task of ending someone’s career, and you didn’t bother to find out that, gee, The Bar doesn’t get to violate the respondent’s rights. You’re a criminal court judge, and you don’t know that the State Attorney’s office wants to get results and will sometimes bend the rules to get it? Earth to Tunis: This is what due process is for!

What you are responsible for, of course, is calling my purely defensive pleadings “propaganda.” That was beyond dumb. It was venal. Then you deny me a continuance, twice, because my wife was struggling with life-threatening ovarian cancer and its complications. She’s fine now, no thanks to you, and I’m ready, willing, and able to disintegrate this integrated bar, and my biggest asset in doing just that is...*you*.

Either you give me the attached subpoenas today, enter an order that I get to look at my entire file, with a Privilege Log as to what I supposedly can’t see, and that I can go forward with the notices of taking deposition, or tell me what is your favorite libation ;), because you’re going to get a case of it when this is all over in appreciation for the fact that you proved just how thoroughly illegal and unconstitutional this entire “disciplinary” process has been.

Regards, Jack Thompson

Attachments

Copy: Case No. 07-21256, U.S. District Court

A handwritten signature in black ink, consisting of the letters 'jlt' in a cursive, slanted style. The 'j' is the largest and most prominent, with a long tail extending downwards and to the left. The 'l' and 't' are smaller and positioned to the right of the 'j'.