

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 FOR ORDER TO SHOW CAUSE

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and hereby moves the court for the entry of an order to show cause, stating:

This court has, in the last few weeks, enter an order to show cause why Thompson should not be referred to the *Ad Hoc* Committee for disciplinary purposes. Indeed, this court referred Thompson to the Committee and then vacated its order. The court indicates it is concerned about unethical conduct by Thompson. Now is an opportunity for the court to prove how even-handed it can be.

The court will recall that Norman Kent moved to intervene in this case—a case that this court says Mr. Kent has nothing to do with. The court denied his motion, but the court has allowed Mr. Kent in effect to remain in the case by this court's decision to keep him on the court's e-mail list. Indeed, Mr. Kent, the court will recall and should verify in checking the docket, has insisted upon remaining in the case.

Fine. Then the court must deal with this person who is apparently under its jurisdiction for generating the attached "news" article in last week's *Express Gay News*,

which contains numerous factual errors, but that is not what Thompson calls to the court's attention. The court can note, however, Kent's amazing falsehoods as to how one accesses his site's obscenity.

What Mr. Kent has done, at the end of the article is publicly insinuate and in fact assert, in a fashion that Mr. Kent undoubtedly thinks is clever, that Thompson is a closeted homosexual. Mr. Kent has asserted this privately to Thompson in an email Kent chose to call, in its subject line, "The Gay Christian Cometh."

Mr. Kent has repeatedly asserted in South Florida media over the last several months that the majority of men who are caught soliciting men for sex in public places are heterosexuals. "Heterosexual" is a strange definition for a man who engages in sex with a man. Kent's oh-so-clever assertion here as to Thompson is that Thompson spends his entire day looking at Kent's filth (it takes about two minutes), and that taking the trouble to alert authorities to Kent's criminal trafficking in obscenity means Thompson has a prurient interest in his sewage.

The Florida Bar has a Rule 4-8.4 (d), which The Bar is incorrectly using to try to discipline Thompson, but if ever any lawyer has disparaged another in violation of that Rule, Mr. Kent now has regarding a pending matter. Note the Rule which states that a lawyer shall not **"(d) engage in conduct in connection with the practice of law that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage, humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other lawyers on any basis, including, but not limited to, on account of race, ethnicity, gender, religion, national origin, disability, marital**

status, sexual orientation, age, socioeconomic status, employment, or physical characteristic;”

Does this court intend to threaten Thompson with discipline by the *Ad Hoc* Committee and look the other way as to Mr. Kent, just as The Bar has done? If it does intend that, then it cannot continue to assert its impartiality in this case.

Surely this court should enter a Show Cause Order against Mr. Kent and ask him to explain, standing before it as did Thompson, just what he meant by some of his statements in this publication that are intended to “disparage” Thompson.

WHEREFORE, Thompson moves for just such a Show Cause Order and waits to see if and when it will be entered.

I HEREBY CERTIFY that this has been served upon record counsel this 21st day of October, 2007, electronically.

/s/ JOHN B. THOMPSON, Plaintiff
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