

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 RESPONSE TO MOTION TO THE BAR'S MOTION TO STAY
DISCOVERY, MOTION FOR PROTECTIVE ORDER, AND MOTION TO
STRIKE NOTICE OF DEPO OF BEN KUEHNE**

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and files his response to The Bar's above motions, stating:

1. Plaintiff is not certain why The Bar filed the above, the purpose of which motions was to assert how unreasonable the plaintiff is, at the end of which motions and memo The Bar's counsel notes that plaintiff has agreed to all that The Bar has asked of the court. A notice informing the court of agreement would have been much appreciated, as plaintiff has informed counsel for Judge Tunis that he has agreed to postpone discovery of her as well.

2. Plaintiff asserts, however, for the court's subsequent consideration, that The Bar's position inadvertently made by its various motions is that he can have no discovery ever in the state disciplinary proceedings, despite Bar Rules that mandate and guarantee it, and that he is further to have no discovery even of Mr. Kuehne, either in the Bar or these federal proceedings, asserting boldly with no basis whatsoever for doing so that plaintiff intends to seek "privileged" information from Mr. Kuehne. The Bar has no idea

that that is what Thompson seeks until he asks the questions at the deposition. The notion that a deposition can never occur because all the questioner wants is privileged is an act of clairvoyance that even tarot card readers would eschew.

3. Mr. Kuehne, in fact, has been served by the US Department of Justice with a “target letter” which asserts that he has laundered Medellin cocaine cartel money. This is the paragon of ethics that sits in judgment of plaintiff. Mr. Kuehne has served for three years as Thompson’s “designated reviewer” despite now not only his irrefutable ideological bias but his target status as an alleged thief. One of the questions Thompson wants to ask of Mr. Kuehne, since The Bar is mum on this point, is this: Why did you recuse yourself from my Bar proceedings three years after I asked you to and after the damage was done? *This is not privileged information*. This goes to the heart of whether the key person in these Bar proceedings was anyone who could possibly certify, as the designated reviewer must, the “fairness” of the proceedings.

4. Thus, what we have here is a defendant, in The Florida Bar, whose position now to this court is that Thompson is not to be allowed to prove his defenses in The Bar proceedings and ultimately that Thompson is not to be allowed to prove violations of the federal civil rights laws in this action. The Florida Bar’s assertion that the Florida Supreme Court is superintending all of this is a cruel joke. The Supreme Court has repeatedly refused even to address the denial of due process to plaintiff. The *Pulliam* decision by the US Supreme Court, already cited to this court, guarantees due process to someone situated as is plaintiff now, not later.

5. Plaintiff has repeatedly asked The Bar to mediate this dispute. The Bar refuses. The Bar demands a psychiatric evaluation of Thompson, and the Damocletian

Sword it dangles over him to get it is permanent disbarment. The Bar's demand in writing is that if he does not submit to the public stigma of a psychiatric evaluation, the basis for which The Bar refuses to give, and the procedure for which is being violated by The Bar, as set forth in Bar Rule 3-7.13, then it will crush Thompson's career.

6. What plaintiff has moved for is an expedited consideration of his motion for preliminary injunction in light of The Bar's full-court press to deny plaintiff all due process in The Bar proceedings and discovery of any kind in these proceedings as well. The Bar's position, boiled down to its essence, is that it is free to violate its own Rules in the disciplinary process and that it is above the law, even above federal civil rights laws. This is not a legal position; it is a contrived defense of tyranny.

WHEREFORE, plaintiff respectfully suggests to the court that a status conference to see where we are and where we are going would be a good idea now, because at this rate The Bar is simply rushing headlong toward a cliff that it refuses to see but is there nevertheless. When The Bar destroys what is left of Thompson's career for no reason other than he annoyed so porn lawyers, then it will be left to the federal court system to punish The Bar for violated every Rule that is intended to protect both it and the plaintiff.

I HEREBY CERTIFY that a copy hereof has been served upon the defendants, through their counsel, via the court's electronic filing system, this 31st day of July, 2007.

/s/ JOHN B. THOMPSON, Plaintiff
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