

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 REQUEST/MOTION  
THAT THE COURT TAKE JUDICIAL NOTICE**

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and moves this court to take judicial notice of the attached regarding Thompson's alleged "adequate state remedy," stating:

Attached hereto are four orders of the Florida Supreme Court, all dated October 10, 2007, and all summarily denying Thompson even a hearing on the relief he requested in his Petition for Writ of Mandamus filed with the Supreme Court many months ago.

The Florida Bar, of course, has cited to this court Thompson's alleged right, under *Mason v. Florida Bar*, to argue his constitutional defenses to his grievance committee and the Board of Governors *prior to trial*. Thompson went to the Supreme Court, for example, seeking to enforce that right. The Supreme Court couldn't care less.

Similarly, Thompson went to the Florida Supreme Court, as it can see by reading the order pertaining to The Bar's "designated reviewer/designated DOJ target" Ben Kuehne, seeking some relief from the High Court needed by virtue of Kuehne's own ethics/criminal problems, his refusal to provide Thompson the state equivalent of a "McLain hearing" when Kuehne got the DOJ target letter, and the overall failure of The

Bar to provide Thompson with a designated reviewer without the fatal biases and ethics problems of his own of Mr. Kuehne. Again, the Florida Supreme Court couldn't care less, as its "Kuehne order" indicates. Thompson gets this from a Court that presumably comprehends the fact that The Bar recognizes the absolute need to assure "fairness" during The Bar's disciplinary process, not just upon review when the respondent's rights have been gutted and he has been smeared publicly. That is, indeed, what the concept of "designated reviewer" and the concurrent, simultaneous duty to review proceedings for "fairness is all about.

This utter disregard by the Florida Supreme Court of Thompson's right to be fairly heard on all these issues now, and its petulant, actually childish refusal to grant Thompson any hearing whatsoever on these important issues, proves, beyond any shadow of a doubt, that this is a high court that learned nothing from its missteps in *Bush v. Gore*, that it couldn't care less about the criminal conduct of its "arm," The Florida Bar, and made itself more than ripe for federal court review.

I HEREBY CERTIFY that this has been served upon record counsel this 29<sup>th</sup> day of October, 2007, electronically.

/s/ JOHN B. THOMPSON, Plaintiff  
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