

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, JOHN HARKNESS,
AND FRANK ANTONES,

Defendants.

PLAINTIFF'S MOTION FOR LEAVE TO AMEND COMPLAINT

COMES NOW petitioner, John B. Thompson, and provides notice to the court as follows:

One of Thompson's SLAPP Bar complainants has been Dennis McCauley, who owns and operates the video game industry apologist site, www.gamepolitics.com. GamePolitics is owned by the ECA, which is the Entertainment Consumers Association. The ECA is part of the collaborative effort within the industry to disbar Thompson. The ECA represents retailers and others who seek the continued distribution of Mature-rated video games to minors.

For example, Mr. McCauley has provided Norm Kent, the noted obscenity trafficker, the opportunity to hold forth on Mr. Kent's analyses of Jack Thompson on his www.gamepolitics.com site, with no opportunity by Thompson to respond. In point of fact, Mr. Kent has been actively collaborating, it seems, with the video game industry and its lawyers for quite sometime, including Take-Two's Blank Rome law firm, which is responsible for the vast bulk of the SLAPP Bar complaints against Thompson.

As if trying to further prove the above-stated point, the ECA's www.gamepolitics.com has linked to an interview of Lorne Lanning, whom Thompson debated in Philadelphia two weeks ago. Lanning says this, apparently smarting from being beaten in the debate:

If there wasn't a Jack Thompson, though... As long as there is money to be "won," there will always be an attorney out there trying to convince a jury that a game caused a kid to kill someone. How can you overcome that?

I'm not so sure. I'm not so sure how many would be out there. Because often times it only takes one.

In the case of Jack Thompson, it doesn't matter how many times he loses. **It doesn't matter how many times he is ordered for psychological evaluation by the Florida bar.** It doesn't matter how many times he is proven to lie, proven to completely stretch the truth and use science to turn it to his argument.

But if you really stand back and look at his argument, as I did...because I did my research coming into this...I went "My God! There isn't an argument today!"

The only argument is Jack's business plan.

Here is a post by a gamer, allowed by Dennis McCauley at www.gamepolitics.com, in this "news" article about Lorne Lanning:

**WARNING: CONTAINS DEATH
THREAT. THOMPSON DOES NOT
WANT THE COURT TO BE
OFFENDED...OR ENCOURAGED :**

1. *Adam Says:*

[November 15th, 2007 at 12:29 pm](#)

He asserts that the debate is fueled by the media using Jack Thompson as their “goto guy” on the game industry and school shootings. Potential solution: find some gun-crazed, counter strike-obsessed psychopath and have him assassinate Jack Thompson... preferably while at a school.

;->

As this court is aware, private citizens can be sued and made defendants in federal civil rights action such as this, under 42 USC 1983, for their alleged involvement in a conspiracy to infringe another citizen’s exercise of his constitutional rights.

Dennis McCauley and his www.gamepolitics.com, owned by the ECA has, for quite sometime, been part of that conspiracy, as McCauley has even gone so far as filing a SLAPP Bar complaint, as noted above, against Thompson. Now the conspiracy has taken the form of solicitations of murder against Thompson.

This is not the first time the ECA's www.gamepolitics.com and McCauley have done this. This targeting of Thompson will continue unless it is punished.

Defendant respectfully suggests that this court, with this motion for leave to amend pending, should not dismiss the complaint herein, as defendant is quite confident, given the clear law in this country, that he will be able to fashion a cause of action against Mr. McCauley and the ECA which will enable Thompson, among other things, to ascertain just who this free speech advocate, "Adam" is.

WHEREFORE, Thompson moves this court for leave to allow him to amend his third amended complaint as follows, adding the following count:

42 USC 1983 CLAIM AGAINST DENNIS MCCAULEY AND THE ECA

1. Plaintiff reasserts and realleges all of the foregoing facts, thereby making them a part of this count.
2. Dennis McCauley is a resident of Philadelphia, Pennsylvania, a citizen of the United States, and more than eighteen years of age, at least chronologically.
3. The Entertainment Consumers Association, ECA, is a corporation located in Connecticut.
4. Dennis McCauley operates the www.gamepolitics.com site, which is an enthusiast site for the video game industry. The site operates under the auspices of ECA, which is a video game industry trade organization.
5. For more than two years, McCauley and GamePolitics have published false and defamatory articles about Thompson in order to try to harm his career and blunt his truthful criticism of the excesses of the violent video game industry.

6. McCauley even went so far as to file a SLAPP Bar complaint against Thompson.

7. McCauley has interviewed another Thompson SLAPP Bar complainant, Norm Kent, and posts Kent's comments with no journalistic opportunity by Thompson to respond.

8. Now McCauley has allowed the posting of the following solicitation of murder of Thompson:

1. *Adam Says:*

[November 15th, 2007 at 12:29 pm](#)

He asserts that the debate is fueled by the media using Jack Thompson as their "goto guy" on the game industry and school shootings. Potential solution: find some gun-crazed, counter strike-obsessed psychopath and have him assassinate Jack Thompson... preferably while at a school.

;->

9. The various efforts by Dennis McCauley, by his and the ECA's www.gamepolitics.com constitute a violation of Thompson's federal civil rights remediable by remedies afforded Thompson under 42 USC 1983, *et sequitur*.

WHEREFORE, Thompson seeks in excess of one million dollars in compensatory damages from McCauley and ECA, and in excess of three million dollars in punitive damages.

I hereby certify that the foregoing has been provided to opposing counsel through the court's electronic filing system, this November 15, 2007.

/s/ JOHN B. THOMPSON, Plaintiff
Attorney, Florida Bar #231665
1172 South Dixie Hwy., Suite 111
Coral Gables, Florida 33146
Phone: 305-666-4366
amendmentone@comcast.net