

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MIAMI DIVISION

CASE NO. 07-21256-CIV-JORDAN

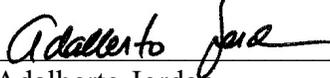
JOHN B. THOMPSON,)
)
 Plaintiff,)
)
 vs.)
)
 THE FLORIDA BAR, et al.,)
)
 Defendants.)
 _____)

ORDER DENYING MOTION TO VACATE

Mr. Thompson's fourth Rule 60(b) motion to vacate for fraud on the court [D.E. 375] is DENIED. Mr. Thompson asserts that the Florida Bar is currently seeking to sanction a lawyer for criticizing a judge in Broward County. This, however, is not evidence that the Florida Bar committed a fraud upon the court. Furthermore, Mr. Thompson has once again failed to show that the alleged conduct had any influence on the order of dismissal that he seeks to vacate. Unless Mr. Thompson establishes a causal link between the alleged conduct and the order of dismissal, there is no basis for vacatur under Rule 60(b). *See Zakrzewski v. McDonough*, 490 F.3d 1264, 1267 (11th Cir. 2007) (citing *Travelers Indem. Co. v. Gore*, 761 F.2d 1549, 1551 (11th Cir. 1985)).

Mr. Thompson is also placed on notice that future motions to vacate must set forth bases that are different from the bases presented in the four motions that he has filed to date. *See Lathman v. Wells Fargo Bank*, 987 F.2d 1199, 1204 (5th Cir. 1993) (noting that, absent extraordinary circumstances, the bases for a second Rule 60(b) motion "must be something other than that offered in the first."). *See also Gordon v. Monoson*, 239 Fed.Appx. 710, 714 (3d Cir. 2007) ("Although a Rule 60(b)(4) motion may be filed at any time, a District Court need not consider anew the same arguments raised in successive motions merely because those motions seek relief under Rule 60(b)(4)."); *James v. Rice Univ.*, 80 Fed.Appx. 907, 911 (5th Cir. 2003) ("[W]here the grounds raised are essentially the same as those in the previous motion, to consider the merits of the successive [Rule 60(b)] motion would essentially allow reargument.").

DONE and ORDERED in chambers in Miami, Florida, this 19th day of December, 2007.



Adalberto Jordan
United States District Judge

Copy to: All counsel of record