



IN THE SUPREME COURT OF THE STATE OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

Case Numbers SC 07 - 80 and 07 - 354

JOHN B. THOMPSON,

Respondent.

**CORRECTED SUPPLEMENT TO RESPONDENT'S VERIFIED MOTION  
TO DISQUALIFY REFEREE TUNIS**

COMES NOW respondent, John B. Thompson, hereinafter Thompson, on his own behalf and supplements his motion to recuse Referee Tunis from this action, stating:

As Thompson has noted before, his abiding prayer is not "Lord send me more allies," but rather "Lord, send me more stupid enemies." Thompson's prayer has yet again been answered this day, to-wit:

A more thorough check of Referee Dava Tunis' campaign contributions filed with Florida's Secretary of State reveals one more name of interest. On the very same day, October 11, 2007, that Bar Governor Ben Kuehne gave Tunis an improper contribution, a contribution in the same amount was given her by (drum roll, please) **Barnaby Lee Min**. Who is Barnaby Lee Min?

Mr. Min is the Miami office Bar prosecutor who was removed from this case because of his bias but who then improperly popped up at Thompson's trial to assist in the trial. Mr. Min then outdid even that misconduct by logging onto the "Justice Building Blog" Internet site to lie to the legal community about what was transpiring at Thompson's trial. Nothing Min told the legal community was true, and the record reflects it. It was a compendium of lies by a Bar prosecutor to harm Thompson. This was being done by Min *during Thompson's Bar trial* at which The Bar asserted that Thompson's appearance on *60 Minutes* constituted *unethical pretrial publicity three years prior to this day in 2008* when the Alabama case that was the subject of the *60 Minutes* piece is not even set for trial!

This lying misconduct prompted a remedial motion by Thompson, which Referee Tunis of course ignored. She also ignored the post-trial request, properly made pursuant to Florida law, which sought disclosure of all relationships, including financial and political ones, that might impact upon her impartiality in this case. If she had obeyed the law and answered that request, she would have disclosed the contributions by Kuehne and Min, made on the same day and in the same amount. What a coincidence. Both donations were a signal, made on the eve of Thompson's trial, communicating support for and approval of what she was doing. The Bar, which is an actual *party* in this proceeding, can't be giving the referee money through its employee! Beyond that, any referee who would *keep* such a donation has lost her jurisprudential mind. This is so crude and overt that it reveals a brazen indifference to an appearance of impropriety.

Thompson now has absolute, irrefutable grounds for her recusal, and he demands same. There are other remedies as well, but this is the one that now cannot be averted.

I solemnly affirm, in making this oath, and under penalty of perjury, that the foregoing facts are true, correct, and complete, so help me God.

I HEREBY CERTIFY that this has been provided this February 8, 2008, to Bar counsel Sheila Tuma, The Bar's Ken Marvin, and to all Bar Governors.

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