

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 MOTION FOR LEAVE TO FILE SECOND AMENDED
COMPLAINT WITH COMPLAINT TENDERED**

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and files this motion, pursuant to Rule 15, FRCP, for leave to file a second amended complaint herein, stating :

1. The proposed second amended complaint will be transmitted to the court and to the parties electronically within minutes.
2. The defendants have moved to dismiss the amended complaint herein on various grounds, including repeated assertions that plaintiff has failed to specify, with any particularity, what the defendants have done that is untoward and actionable.
3. If that is a defect in the prior complaint, it has been remedied.
4. Defendant The Bar has agreed in writing to allow plaintiff to amend. Defendant Tunis has objected to leave being granted without the proposed second amended complaint having been attached to the motion for leave. Plaintiff believes that was defendant Tunis' only objection.

5. Plaintiff respectfully requests that the amendment be allowed by the court, not only for the above-stated reason but because three important and remarkable things have occurred since the last complaint was filed—a) the key person in the entire disciplinary process has, without explanation, recused himself from it, b) that same key person has been served, it is now learned, by the federal government’s DOJ with a “target letter” alleging dishonesty, and c) The Bar has sought to extort Thompson with an unconscionable demand that is set forth in the second amended complaint. All of this makes the complaint as it now reads stronger, clearer, as well as the need for federal judicial intervention all the more necessary.

6. Finally, this amendment is not sought for the purpose of delay. On the contrary, plaintiff appreciates very much word that comes from the court today that a hearing on plaintiff’s preliminary injunction request will be shortly heard. Toward that end, the new complaint makes the relief and the need for it clearer, it names no new parties, and it gives the court a better opportunity to understand where we have all been in the state proceedings and where we are going.

I CERTIFY that the foregoing has been sent to opposing counsel by the court’s electronic filing system, this August 9, 2007.

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