

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.

**SUPPLEMENT TO PLAINTIFF'S VERIFIED MOTION FOR ORDER TO SHOW  
CAUSE AND MEMORANDUM OF LAW IN SUPPORT THEREOF**

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and supplements further his verified motion for an order to show cause, directed to Barry Richard of Greenberg, Traurig, why he and his subordinate, supervised attorneys herein should not be referred to this District Court's Ad Hoc Committee for Lawyer Discipline, stating:

Plaintiff has just learned that the law firm of Greenberg Traurig has represented, at least since 2006, Take-Two Interactive Software, Inc., in intellectual property and corporate finance matters.

Take-Two makes the *Grand Theft Auto* cop-killing simulation games that plaintiff herein has been crusading against since 2005. Take-Two is the company that told its other lawyers, Blank Rome of Philadelphia, to file its SLAPP Bar complaints against Thompson after he appeared on CBS' *60 Minutes* to blow the whistle on that company's illegal and reckless activities.

Greenberg Traurig has a fiduciary duty to all Florida Bar members to represent them and not to allow competing loyalties and commercial interests to compromise that representation. It also had a duty to disclose this conflict to all interested parties.

Yet Greenberg Traurig failed to disclose its conflicting representations to anyone. It hid its representation of Thompson's Take-Two nemesis from the federal judges whom it misrepresented the law to, to the detriment of Thompson, and it did not disclose this compromising representation—for the very company that brought Bar complaints against Thompson—to Thompson!

It is bad enough that The Bar has pursued an ideology-driven 22-year vendetta against Thompson. It is bad enough that The Bar aligned itself with two porn-to-kids entertainment industry scofflaws to prosecute with relish these commercial entities' SLAPP Bar complaints against Thompson.

But now we know, no thanks to any disclosure from Greenberg Traurig, that the law firm *that is supposed to be looking out for members of a Bar*, which itself is supposed to be looking out for the public, is in fact the beneficiary of a long-standing commercial relationship with the very porn company that has pursued Thompson through The Bar. No wonder Greenberg Traurig wanted The Bar to waive its insurance coverage with Nationwide as to any claims by Thompson. It did so in order that it could warp this disciplinary effort to better serve its client, Take-Two.

This is precisely the type of unethical nonsense that the Florida Supreme Court promised the people of Florida, in its 1949 order integrating the state bar, would never happen. Now, in those 60 years, we have gone from a state bar that is supposed to serve

the public to a state bar that uses as its general counsel the law firm that represents bar complainants.

So when Barry Richard and his associates stand in front of this and other federal courts and misrepresent case authority and misrepresent whether or not The Bar has ever initiated its own complaints against Thompson (in one instance because Take-Two asked it to do so, so that its fingerprints would not be on the actual complaint), he and they stand there not as merely the advocate for The Bar, not merely as the agent of the self-proclaimed “Guardians of Democracy.” Barry Richard stands there as senior partner and shareholder in the law firm that represents the Bar complainant itself. This is a conflict of interest. It represents unethical conduct that eclipses anything Thompson was even charged with.

The only thing more ridiculous than this law firm’s representing a state agency would be a failure of this court to turn these people in this firm over to the Ad Hoc Committee for Lawyer Discipline in this District Court.

They serially lied to this court, and now we know their disabling commercial interest in doing so. This is scandalous.

I HEREBY CERTIFY that this has been served upon record counsel this 18<sup>TH</sup> day of August, 2009, by the court’s electronic system.

/s/ JOHN B. THOMPSON, Plaintiff  
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