

IN THE UNITED STATES DISTRICT COURT IN AND FOR
THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-20327, MARTINEZ-BROWN

JOHN B. THOMPSON,

Plaintiff,

v.

THE FLORIDA BAR,

Defendant.

PLAINTIFF'S NOTICE OF FILING SUPPLEMENTAL LEGAL AUTHORITY

Plaintiff, John B. Thompson (Thompson) provides notice of supplemental legal authority in opposition to the defendant Bar's motion to dismiss the complaint herein, stating:

Plaintiff has cited *Hanson* to this court for the proposition that if a compulsory trade organization collects mandatory dues for an illicit purpose (such as funding an ideological agenda), then it loses the right to require membership therein.

Justice Harlan, in penning the concurrence in *Lathrop v. Donohue*, 367 U.S. 820 (1961), agreed with *Hanson* and warned that if such an integrated state bar exercises power not properly delegated to it, then it violates *Schechter Corp. v. United States*, 295 U.S. 495 (1935), thereby surrendering its ability to compel membership.

As to The Florida Bar's *Schechter* violation, the lie told US District Judge Adalberto Jordan by Greenberg Traurig is key: This law firm, on behalf of The Bar, stood up in open court and stated that The Florida Bar had NEVER initiated a bar complaint against Thompson but was simply the honest broker processor of the complaints of others.

A lie.

The crucial significance of that knowing lie is that because of *Schechter* The Bar's assumption of the role of initiator of bar complaints is an unconstitutional, unauthorized delegation of power which melds into The Bar a function that only the public or a client can perform. As a result of this unauthorized delegation of power and function, which is violative of *Schechter/Hanson/Lathrop/Keller*, The Bar is able to target and weed out conformist lawyers for any nondisciplinary, *ultra vires* reason.

That is precisely what The Bar did to Thompson. The Florida Supreme Court's 1949 Integration Order assured this state and its lawyers that it would never come to this, and The Bar would never act in such as fashion. It was an empty promise.

In this state, we now have guild that uses its compulsory membership to force ideological conformity upon its members, just as Justice Douglas warned in his dissent, writing of a Bar's "goose-stepping brigades" in *Lathrop*, would come marching out of The Bar's Tallahassee offices, led by the self-righteous, self-proclaimed "Guardians of Democracy."

Thompson can prove all of this at trial, and thus The Bar's motion to dismiss, in light of this line of cases alone, is without any merit whatsoever.

I HEREBY CERTIFY that a copy hereof has been sent this September 4, 2009, to The Bar's outside record counsel, all three of them, at Greenberg Traurig, 101 E. College Avenue, Tallahassee, Florida, via the court's electronic filing system.

JOHN B. THOMPSON, Plaintiff
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