

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 RULE 60(d)(3) MOTION FOR RELIEF
FROM THIS COURT'S ORDER OF DISMISSAL FOR FRAUD ON THE COURT**

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and provides this court this supplement to his Rule 60 (d) (3), Federal Rules of Civil Procedure, motion for relief from its order of dismissal, on the basis of fraud on the court, stating:

Plaintiff has this day filed the below with the Federal Communications Commission.

As a result, will this court *finally* get off its honorable duff and grant Thompson a hearing on this fraud, which is now irrefutable?

John B. Thompson, J.D.
5721 Riviera Drive
Coral Gables, Florida 33146
305-666-4366
amendmentone@comcast.net

September 21, 2009

Julius Genachowski, Chairman
Michael J. Copps, Robert McDowell, Mignon Clyburn, Meredith Baker, Commissioners
Federal Communications Commission

Washington, D.C. Via e-mails to Julius.Genachowski@fcc.gov,
Michael.Copps@fcc.gov, Robert.McDowell@fcc.gov, Mignon.Clyburn@fcc.gov,
Meredith.Baker@fcc.gov

Re: Fraud by FCC Enforcement Bureau Chief Kris Anne Monteith

Dear Chairman and Commissioners:

The Federal Communications Commission's Enforcement Bureau Chief has committed "Honest Services Fraud" in violation of criminal statute 18 USC 1346. She should not only be immediately suspended from her duties at the FCC, but she should also be prosecuted for her criminal acts, a summary of which follows:

In 2003, I commenced a series of FCC "decency" complaints against WQAM-AM, owned by Beasley Broadcast Group, Inc. The clearly indecent broadcasts, violative of 18 USC 1464, were by WQAM's Scott Ferrall, who has now fled to Howard Stern's playpen on Sirius.

Commissioner Copps, in reviewing what Ferrall had aired, stated in the FCC Forfeiture Order, that I generated, that he was deeply disturbed not only by the indecent nature of the broadcasts but by the aired threats he made against those who objected to them. I was threatened with a physical beating by WQAM personnel if I showed up for a Marlins baseball game at which WQAM personnel were present. Later, WQAM on-air "talent," Hank Goldberg threatened to have my "kneecaps removed" because of my complaints about his gambling activities, which included his and the station's on-air promotion of gambling.

Beasley's law firm of Tew Cardenas, and Beasley CFO Caroline Beasley then filed sworn Bar complaints with The Florida Bar against me in which they stated, under oath, that I had completely fabricated the notion that WQAM had aired indecent material. This material included the Howard Stern Show, which WQAM began airing in August 2004.

I was then convicted by The Florida Bar of having fabricated the notion that Ferrall's and Stern's broadcasts were "indecent." That Bar punishment order was entered in September 2008.

One month later, in October 2008, Beasley and WQAM entered into a Consent Decree whereby Beasley, because of its on-air promotion of gambling and its airing of indecent material, whereby Beasley agreed to pay the US Treasury \$85,000 to resolve the complaints filed by "Jack Thompson." That would be me, Mr. Chairman and Commissioners.

Your Ms. Monteith, at that same time, entered official FCC findings that I had not been harassed *in any fashion whatsoever* by Beasley and its lawyers in retaliation for my FCC complaints.

Let me state the obvious so that even Ms. Monteith can understand you and I are not hallucinating as the result of the ingestion of mind-altering substances:

The sworn statements by Beasley and its lawyers, found in Florida Bar complaints, that I completely fabricated the notion that WQAM was airing indecent material are facially, demonstrably false in light of the FCC Consent Decree with Beasley. This is then perjury by Beasley's Caroline Beasley and by Tew Cardenas lawyers Larry Kellogg and Al Cardenas.

Secondly, Ms. Monteith's assertion that these three did absolutely nothing by way of Bar complaints to harass me and retaliate is facially, demonstrably false. The Bar, taking the false, perjured statement that I fabricated the WQAM "indecent" punished me for making what we now know, by the Consent Decree, were true statements by me!

To add icing to the fraud cake, eaten heartily by your Ms. Monteith, she knew then that the aforementioned Beasley lawyer, Larry Kellogg, filed a Florida Bar complaint asserting that I had stolen Beasley "privileged" documents found in WQAM's "FCC Public File" that showed coordination between a lawsuit filed by Beasley's lawyer against me and Beasley's in-house General Counsel, Joyce Fitch. How did I "steal" these privileged documents? I copied them while conducting an inspection of the aforementioned Public File and sent them on to the FCC.

This proved even too much nonsense for The Florida Bar, which dismissed Kellogg's ridiculous complaint, absurd on its face even for The Florida Bar. This complaint had been brought in retaliation for sending this information to the FCC. Kellogg's Bar complaint says that right on its face!

I do not know if Ms. Monteith has been compromised by the payment of a bribe, or if her "honest services" judgment has been compromised by some other means. Regardless, her actions on behalf of all of you constitute fraud. I am not putting up with it any longer. I expect each of you and all of you to investigate this matter and Ms. Monteith fully. She lied when she asserted that Beasley had not retaliated against me. The Bar complaints, which contain the perjury about the lack of "indecent" on WQAM, prove she was lying. And as already noted, the Consent Decree proves that Beasley was lying about the nature of the broadcasts.

In addition to sending this letter to you all, I am sending it as well to attorney David L. Hunt, the FCC's Inspector General.

In the meantime, I demand a hearing before the FCC on this disturbing matter.

Regards, Jack Thompson

Copy: FCC Inspector General Hunt
Ms. Monteith

I HEREBY CERTIFY that this has been served upon record counsel this September 21, 2009, by the court's electronic system.

/s/ JOHN B. THOMPSON, Plaintiff
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