

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 DOCUMENT

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and moves this court for leave to file the attached document/exhibit, stating:

1. Thompson’s “designated reviewer” for three years of The Bar’s harassment of Thompson because of his activist, conservative social agenda was Florida Bar Governor Ben Kuehne. Mr. Kuehne has been prominent for his activities on behalf of the ACLU and “gay rights.” He has also, according to our US DOJ, been active laundering money for the Medellin cocaine cartel.

2. Attached is a public announcement of a debate on gay marriage to be held this evening, moderated by Jim DeFede and hosted by the ACLU.

3. Thompson’s new “designated reviewer,” who is presently guaranteeing the “fairness” of all Bar dealings with Thompson is Bar Governor Steve Chaykin who recently was highly critical of his fellow Governors for not allowing Bar sections to lobby our legislature for gay adoption. Said Mr. Chaykin:

“This is as *bigoted and repugnant* a law as there is,” he said, adding if the term homosexual was replaced in the law with any ethnic, gender, or religious group there would be no question that the sections would be allowed to act. The issue, he said, is fair and equal access to the courts. “I am told that the argument [against the sections] is that the clause dealing with deep philosophical and emotional differences . . . is designed to protect the Bar from a structural integrity standpoint and to protect the Bar from its enemies,” Chaykin said. “But in the process, if we undermine *the core values* of this organization, . . . then what are we protecting other than a simple shell of what we believe is a *core value of this organization*? . . . I do not want this organization to simply stand by and say nothing.” (emphasis added) <http://www.freerepublic.com/focus/news/1311256/posts 9>

4. According to Thompson’s designated reviewer, then, if one opposes gay adoption, then one is at odds with the “core values” of The Florida Bar. It follows, of course, that Mr. Chaykin is the one who approved, formally, The Bar’s latest demand that Thompson submit to a psych evaluation in order to resolve his disciplinary problems. What is outside Mr. Chaykin’s rendering of the “core values” of The Bar must be pathological in nature. That is The Bar’s formal position as to Thompson. Mr. Chaykin can’t have lawyers running around who are at odds with the “core values” of *his* Bar.

5. In addition to that point now made, again, Thompson moves to file this debate announcement to show that he is indeed perceived by the ACLU as an opponent of what Thompson would call the “radical gay rights” agenda. That is why the ACLU asked Thompson to join this debate against two lesbians, with an African American Christian pastor on his side of the debate. Some, and probably most, within the ACLU understand

that the marketplace of ideas is the venue in which these “culture war” issues are to be thrashed out. Most within the ACLU are not hypocrites who seek to use the levers of government to infringe upon the free speech rights of their opponents. But then there are those like Mr. Chaykin, Mr. Kuehne, and other intolerant, speech code enthusiast Bar Governors who believe, and act upon their illiberal belief, that Bar “discipline”—governmental power—is to be used to destroy a lawyer who does not share the “core values of this organization.” The First Amendment should be a core value of The Florida Bar, but obviously it is not. See *Fieger v. Supreme Court of Michigan*, whose holding The Bar now *refuses* to extend to Thompson.

6. The Bar tried to pathologize Thompson’s social activism in 1992, and it is doing it again. This is not just “selective prosecution.” This is The Florida Bar turned into an American Taliban. Let the preliminary injunction issue.

I HEREBY CERTIFY that this has been served upon record counsel this 18th day of September, 2007, electronically.

/s/ JOHN B. THOMPSON, Plaintiff
Attorney, Florida Bar #231665
1172 South Dixie Hwy., Suite 111
Coral Gables, Florida 33146
Phone: 305-666-4366
amendmentone@comcast.net