

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 TO AMEND COMPLAINT

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and hereby moves this court for leave to amend the complaint herein, stating:

1. As Thompson previously informed the court, the law in this country is that federal judges, when they abuse their powers or otherwise act tortiously in a discharge of ministerial and not purely judicial duties, expose themselves to individual, personal liability for their wrongdoing. This includes actions by federal judges pertaining to discipline. If the court doubts this is the law in this country, it can research the issue, and it will find that this jurisprudence does not consist of some obscure, nonauthoritative case coming out of Alaska that a Circuit Court says cannot be cited.

2. There is no question that this court, like any federal judge, enjoys immunity for the performance of its purely judicial duties. Thompson and no one can take issue with that settled legal point. But what the court has foolishly, recklessly, tortiously, and illegally done in filing what amounts to an ethics complaint against Thompson, and fraudulently so, is expose itself to personal liability for its non-purely judicial and in fact *ultra vires* acts that also violate this court's oath of office as well as settled law. The

court's odd October 2 order by which it referred its bogus "ethics" matter to the "*Ad Hoc* Committee" seals the deal, not only as to the completion of this non-purely judicial act, but also as to its bad faith nature, given the misrepresentations in the order and new cheap shots at Thompson that embarrass the federal bench.

3. Therefore, since this court has now insinuated itself into an expanded use of "discipline" to try to silence and punish Thompson for clearly First Amendment speech, and in doing so has issued now three orders that serve to skewer this court by its own hand, Thompson informs this court of his intent to include Adalberto Jordan as a named defendant herein, as that is precisely what federal law provides not only can be done but should be done. Mr. Jordan's misconduct arises out of this same transaction, and in fact Mr. Jordan has managed to mimick not only the tactics and animus of the other defendants herein but has gone them one better. Even The Bar did not threaten Thompson with punishment if he tried to defend himself. Mr. Jordan has done just that.

WHEREFORE, Thompson moves this court for leave to amend the complaint herein, as the court's improper, illegal, nonjudicial venturism against Thompson and his clear constitutional rights make the filing of an amended complaint appropriate and just. Given the immediacy of The Bar's scheduled trial against Thompson, the court must rule affirmatively on this motion and soon. Should the court deny this motion, a separate action will be filed against him as an individual who apparently forgot that his job was to be a judge and not a mini-Bar.

I HEREBY CERTIFY that this has been served upon record counsel this 2nd day of October, 2007, electronically.

/s/ JOHN B. THOMPSON, Plaintiff
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