

VIA FAX (850) 488-9810
Email and First Class Mail

July 19, 2010

Mr. Erik M. Figlio, General Counsel
Executive Office of the Governor
The Capitol, Suite 209
Tallahassee, Florida 32399

RE: 13th Circuit JNC interviews held Tuesday, June 15, 2010

Dear Mr. Figlio:

This letter is a follow-up to my June 29, 2010 response to your letter of June 22, 2010 informing me that the Chief Inspector General had concluded its investigation of my complaint against Mr. Barker. I attended the JNC interviews June 15, 2010. On June 29th I wrote you that "Within a week I will forward to you a detailed letter about those interviews which I covered from start to finish for my justice network. In my view there were three better qualified applicants and I will set forth the reasons in my letter."

Please forgive my delay in responding. It is due to ongoing misconduct by Mr. Rodems in our lawsuit¹, specifically his unlawful representation² of his firm against a former client³ in a matter that is the same or substantially related to the former client's representation.

On Tuesday June 15, 2010 I attended the 13th Circuit JNC interviews. The following applicants were nominated: Robert A. Bauman, Herbert M. Berkowitz, Scott Farr, Nick Nazaretian, Cheryl K. Thomas and Mr. Rodems. In my opinion there were three better qualified applicants than Mr. Rodems who were not nominated.

After listening to all the interviews, I believe Patrick Bowler Courtney, Kim Suzanne Seace and Christopher D. Watson were strong applicants and would have made better nominations than Mr. Rodems. I believe the reason Mr. Rodems continues to receive gratuitous support is due to the prestige of his law partner, JNC Commissioner and Vice-Chair Chris A. Barker. Influence is not always overt or intentional. In police forensics for example, there is a growing movement in law enforcement to use a double blind procedure in which the officer who shows police lineup photos to the witness does not know which photo is of the suspect, in effort to remove a source of bias.

¹ Gillespie v. Barker, Rodems & Cook, PA, et. al, case no. 05-CA-7205, Civil Div., 13th Judicial Circuit

² See Emergency Motion To Disqualify Defendants Counsel Ryan Christopher Rodems & Barker, Rodems & Cook, PA. submitted July 9, 2010.

³ I am the former client of Barker, Rodems & Cook, PA.

On June 15, 2010 Mr. Barker again recused himself from the JNC process due to a conflict with his friend and law partner Mr. Rodems who applied for vacancy of Judge Black. Other JNC members absent were Edward Gerecke and Barbara Wilcox.

Six members of the JNC were present: Mr. Bajo, Ronald Hanes, Bing Kearney, William Schifino, Cary Gaylord, and John McLaughlin.

The following comments are based on the interviews alone, except that I read the written applications of Mr. Rodems⁴ and Mr. Lovell submitted for previous vacancies.

Mr. Courtney, Ms. Seace and Mr. Watson all appeared energetic and optimistic. All had a strong background of public service. All appeared to have good “judicial temperament”.

Mr. Courtney is a former state attorney. He said a judge should understand the case at hand, act with humility, and control the courtroom. Mr. Courtney said it is important to make litigants feel as though they were treated fairly. That is what the system is about he said. He sees himself as an experienced trial lawyer who can run a trial docket.

Ms. Seace spent 16 years as a prosecutor in traffic homicide, and has been in private practice many years. She is an experienced litigator who has handled 7,000 cases (including second chair) many of them homicide, and has done 105 jury trials. Ms. Seace stressed the importance of treating people with respect and noted they will reciprocate, which in turn makes the court and judges effective in their mission. Ms. Seace is eager for the job and said she wants to spend the next 20-25 years on the bench.

Mr. Watson was a prosecutor for 15 years, and has been a public defender for the past six years. Mr. Watson stressed the importance of staying even tempered. He gave an example of a client who yelled at him but he remained calm and did not take it personally. He also said it is important to listen to and consider to both sides in a case.

In contrast to the above applicants, Mr. Rodems has no background of public service. His application shows he has not worked outside the legal profession. Mr. Rodems told the JNC there is “nothing civil about civil law” and lawsuits are about “taking people’s money and property”. He also said you “need a thick skin” to participate in the process, and he believes one should “hit hard until the whistle blows.”

⁴ I was surprised that Mr. Rodems did not disclose in prior applications the fact that he filed a libel counter claim against me January 19, 2006. On May 28, 2010 I provided notice to Mr. Bajo that I opposed Mr. Rodems for the circuit court vacancy of Judge Black, and informed Mr. Bajo that Mr. Rodems was recently added as a defendant in our lawsuit. I provided Mr. Bajo a PDF copy of Plaintiff’s First Amended Complaint submitted May 5, 2010, which included count 11, Abuse of Process, showing that Mr. Rodems’ counterclaim for libel against me is a willful and intentional misuse of process for the collateral purpose of making me drop my claims against him and settle our lawsuit on terms dictated by him. Mr. Rodems perverted the process of law for a purpose for which it was not by law intended. Mr. Rodems is using his counterclaim as a form of extortion. The filing of a counterclaim may constitute issuance of process for the purpose of an abuse of process action. (Peckins v. Kaye, 443 So.2d 1025).

Mr. Rodems read a letter to the JNC dated January 4, 2010 sent by my former lawyer Robert W. Bauer to Gov. Crist in support of Mr. Rodems for judge⁵. In response to a question from the JNC as to what kind of hours he would keep as a judge, Mr. Rodems repeated criticism he heard on the street that one could “fire a bullet” in the courthouse it was so empty on Friday since judges either leave early or take the day off, but he would keep a schedule similar to what he currently works, 7:30 AM to 6:30 PM, plus nights and weekends, but he would not try and “blaze a trail” by working too hard. Mr. Rodems said he prefers the federal practice approach to deciding motions, to which Mr. Gaylord responded that federal judges have three law clerks and circuit court judges do not.

Apart from his misconduct in our lawsuit, Mr. Rodems’ behavior in another recent case shows his character better than my admittedly biased comments. Mr. Rodems lost a jury trial in September 2009, WrestleReunion, LLC v. Live Nation, Television Holdings, Inc., US District Court, MD of Florida, Case No. 8:07-cv-2093-T-27. Rodems subsequently defamed witness Eric Bischoff in a writing (Exhibit A) that is posted on the Internet at <http://www.declarationofindependents.net/doi/pages/corrente910.html>. In my view this letter shows very poor judgment and indicates Mr. Rodems lacks judicial temperament.

People such as myself bring disputes to court for fair adjudication. As Mr. Courtney noted, that is what the system is supposed to be about. But that did not happen in my case with Mr. Rodems, and given the responses by applicants to the JNC on June 15, 2010, there is a wider problem obtaining justice or fair treatment in the 13th Judicial Circuit.

One question from the JNC to applicants asked if they had seen behavior from a judge in court that was unprofessional. The following responses were provided to the JNC:

Applicant responded that one judge said to a woman who was obviously pregnant and about to give birth, words to the effect "would you like this garbage can moved closer to you in case you have the baby?" The judge was referring to a trash can in the courtroom.

Applicant noted an instance in traffic court where a pro se litigant was “destroyed” by clearly inadmissible evidence from law enforcement. The applicant said a judge should step in for pro se litigants where appropriate.

Applicant noted some judges willfully embarrass lawyers in open court, ask to see their bar card, or inquire where they went to law school.

Applicant complained about angry judges “yelling” at participants during litigation.

⁵ I responded to Mr. Bauer’s comments in a letter to Gov. Crist dated June 21, 2010.

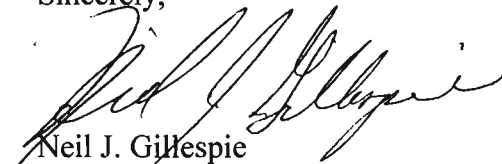
My notes show that applicants who described bad behavior by judges to the JNC may be nominated at a rate lower than applicants who did not described bad behavior by judges to the JNC. I do not think this is an intentional result by the JNC in making the inquiry.

None of the above referenced judges who allegedly acted unprofessionally in court were identified, and the applicants did not say if the misconduct was reported under FL Bar Rule 4-8.3(b). The JNC did not inquire further about any of the judges either.

The JNC asked applicants what work schedule they planned if appointed judge. A number of applicants made or repeated comments about current judges working short schedules. Mr. Rodems described criticism he heard about judges leaving work early on Fridays, a situation so pervasive that one could "fire a bullet" in the courthouse it was so empty he said. Another applicant wants to work Fridays if appointed, and said the courthouse is "desolate" on Friday, some judges do not arrive for work until 10:00 AM, and given the backlog of cases, judges leaving work at 5:00 PM is "wrong".

Thank you for considering my comments.

Sincerely,



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cc. Mr. Pedro F. Bajo, Jr., Chairman, 13th Circuit JNC (with enclosures)

Enclosures:

Exhibit A, Mr. Rodems defamatory writing about witness Eric Bischoff

CD with PDF of this letter, and the following two pleadings in Gillespie v. Barker, Rodems & Cook, PA, et. al. Case No. 05-CA-7205, Civil Div., 13th Judicial Circuit:

Plaintiff's First Amended Complaint, submitted May 5, 2010; and

Emergency Motion To Disqualify Defendants' Counsel Ryan Christopher Rodems & Barker, Rodems & Cook, PA, submitted July 9, 2010



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Sal Corrente of WrestleReunion had a lawsuit against Clear Channel/Live Nation because they reneged on a contract with him. The case went before a jury and Mr. Corrente lost the case, which many feel was unjust. But Eric Bischoff made a statement on wrestlezone.com, which is below, that caused Sal's lawyer to send his statement:



In my last post regarding the WrestleReunion/Live Nation lawsuit, I suggested that Bill Behrens and Eric Bischoff were expert witnesses for WrestleReunion. That was not the case as they were actually witnesses for the Clear Channel/Live Nation side. I just spoke with Eric Bischoff who said he agreed to be an expert witness after reading and taking interest in the case, however he was not called to the stand.



"The case was wrapped up quickly," Bischoff told Wrestlezone.com, "the jury didn't waste any time and came back with what I felt was the correct decision".

Eric was happy with the outcome, to say the least. **"Rob Russen and Sal Corrente give the wrestling business a bad name," he stated, "so I'm glad justice prevailed and the bottom feeders didn't win one".**

Bischoff wanted to make sure that everyone knew his comments and opinions were solely his and did not reflect those of Clear Channel/Live Nation.

In regards to the above statement, we have a statement from Mr. Corrente's lawyer:

"It is odd that Eric Bischoff, whose well-documented incompetence caused the demise of WCW, should have any comment on the outcome of the WrestleReunion, LLC lawsuit. The expert report Bischoff submitted in this case bordered on illiteracy, and Bischoff was not even called to testify by Clear Channel/Live Nation because Bischoff perjured himself in a deposition in late-July 2009 before running out and refusing to answer any more questions regarding his serious problems with alcohol and sexual deviancy at the Gold Club while the head of WCW. To even sit in the room and question him was one of the most distasteful things I've ever had to do in 17 years of practicing law. In fact, we understand that Bischoff was afraid to even come to Tampa and testify because he would have to answer questions under oath for a third time about his embarrassing past.

The sad state of professional wrestling today is directly attributable to this snake oil salesman, whose previous career highlights include selling meat out of the back of a truck, before he filed bankruptcy and had his car repossessed. Today, after running WCW into the ground, Bischoff peddles schlock like "Girls Gone Wild" and reality shows featuring B-listers.

Sal Corrente, on the other hand, has always been an honorable man, and he delivered on every promise and paid every wrestler while staging the three WrestleReunion events. Unlike the cowardly Bischoff, Mr. Corrente took the stand in this case. Although his company did not prevail, Sal Corrente proved that he was man enough to fight to the finish -- something Bischoff could never understand."

Sincerely,

**Ryan Christopher Rodems
 Barker, Rodems & Cook, P.A.
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 Tampa, Florida 33602
 813/489-1001
 E-mail: rodems@barkerrodemsandcook.com**

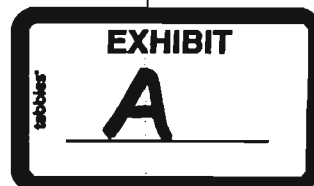
We just wanted to give Mr. Corrente's lawyer a chance to speak his mind.

Georgie GMakpoulos@aol.com

Since I have always had wrestlers autograph signings as a speciality for any website I worked for, I know for sure, Mr. Corrente is an honest promoter who has NEVER stiffed a wrestler working for his shows or conventions. I would have heard about it. There are many promoters who do that in this business, which is very sad.

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Fax

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Date: July 19, 2010

Pages: six (6), including this cover page

Re: June 15, 2010 13th Circuit JNC Interviews

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