

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
SECOND DISTRICT

NEIL J. GILLESPIE  
Appellant,

Case No.: 2D10-5197  
Lower Court Case No. 05-CA-007205

vs.

BARKER, RODEMS & COOK, PA  
a Florida Corporation; and WILLIAM J. COOK,  
Appellees.

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**ADDENDUM**

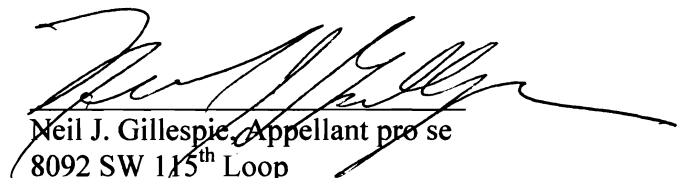
**APPELLANT'S VERIFIED EMERGENCY MOTION TO STAY PENDING  
APPEAL, MOTION FOR ORDER OF PROTECTION,  
AND MOTION FOR EXTENSION OF TIME**

1. Subsequent to serving Appellant's Verified Emergency Motion To Stay Pending Appeal, Motion For Order Of Protection, And Motion For Extension Of Time, Appellant remembered that he is prohibited from appearing pro se in the trial court.
2. Judge Cook issued "Order Prohibiting Plaintiff From Appearing Pro Se" November 15, 2010. A copy of the Order is attached as Exhibit A.
3. Appellant has been unable to find counsel to represent him. Attached is a letter dated November 4, 2010 from Bradford D. Kimbro of Holland & Knight LLP declining representation. (Exhibit B). Appellant sought to hire Holland & Knight for the limited purpose of representing him at a court-ordered deposition in Tampa. Appellant offered to pay Holland & Knight's full hourly rate for representation. This is one example of a number of firms that have declined representation, even for a court-ordered deposition.

4. Because Appellant cannot appear pro se in the trial court, and cannot find representation even at full hourly rates, his previously filed Motion To Stay Pending Appeal in the lower court is moot. It appears the stay must be decided by this Court.

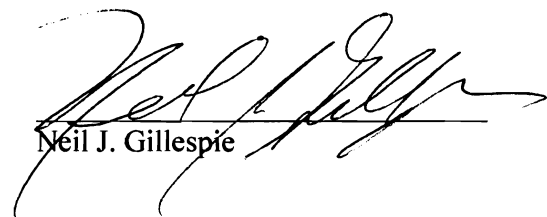
5. Appellant apologizes to this Court for his lapse of memory. It is an ongoing problem as described by Dr. Huffer in her letter of October 28, 2010, "...Neil Gillespie faces risk to his life and health and exhaustion of the ability to continue to pursue justice..." (Exhibit 8, Appellant's Verified Emergency Motion To Stay Pending Appeal, Motion For Order Of Protection, And Motion For Extension Of Time.)

RESPECTFULLY SUBMITTED April 25, 2011.

  
Neil J. Gillespie, Appellant pro se  
8092 SW 115<sup>th</sup> Loop  
Ocala, Florida 34481  
Telephone: (352) 854-7807

Certificate of Service

I certify that a copy hereof has been furnished to Ryan Christopher Rodems, Barker, Rodems & Cook, PA, 400 North Ashley Drive, Suite 2100, Tampa, Florida 33602 by mail on April 25, 2011.

  
Neil J. Gillespie

**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY  
GENERAL CIVIL DIVISION**

**NEIL J. GILLESPIE,**  
Plaintiff,

CASE ID: 05-CA-7205

v.

**BARKER, RODEMS & COOK, P.A.,**  
a Florida corporation; and  
**WILLIAM J. COOK,**  
Defendants.

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DIVISION: G

**ORDER PROHIBITING PLAINTIFF FROM APPEARING PRO SE**

**THIS MATTER** is before the Court on Defendants' "motion for an order to show cause as to why Plaintiff should not be prohibited from henceforth appearing *pro se*," filed on July 29, 2010. It is alleged that Plaintiff is an abusive litigant who should not be permitted to file further pleadings in this cause unless they are first reviewed and signed by an attorney licensed to practice law in this state. Defendants allege that Plaintiff's prosecution is an affront to the dignity of the judicial system and an unacceptable burden on its resources. On November 4, 2010, this court issued the order to show cause why Plaintiff should not be prohibited from appearing *pro se*.

Among Plaintiff's response were his fourth and fifth attempts to disqualify this court. This response is typical of Plaintiff's litigation style. And his continuing course of conduct in this case is all the more troublesome because this case is presently pending appellate review of a final summary judgment order. There is nothing left to litigate at this time. Yet Plaintiff continues to file spurious pleadings with this court, each of which must be reviewed and evaluated by members of the court staff. For these reasons and the reasons enumerated in the motion, the Court hereby finds that Plaintiff is an abusive litigant and, in order to preserve both the dignity and the efficient operation of the judicial system, his right to full access to the court should be curtailed to the extent described in this order. Plaintiff is hereby **PROHIBITED** from filing any paper with this court which is not signed by an attorney duly licensed to practice law in the State of Florida.



The Court therefore **ORDERS** as follows:

1. Plaintiff **SHALL CEASE** filing any pleading, correspondence, or other document in this case unless the document is signed by an attorney who is duly licensed to practice law in the State of Florida.
2. The Clerk of Court **SHALL REJECT** for filing any document received from Plaintiff which does not bear the clear and conspicuous signature of an attorney duly licensed to practice law in this state.
3. The Clerk of Court **SHALL NOT DOCKET** any pleading, correspondence or other document received from Plaintiff which is prohibited by this order.

**DONE AND ORDERED** in Chambers in Hillsborough County, Florida, this 15<sup>th</sup> day of November, 2010.

ORIGINAL SIGNED

**NOV 15 2010**

**MARTHA J. COOK**, Circuit Judge

MARTHA J. COOK  
CIRCUIT JUDGE

Send copies to:

Neil J. Gillespie  
Plaintiff  
8092 SW 115<sup>th</sup> Loop  
Ocala, FL 34481

Ryan Christopher Rodems, Esquire  
Attorney for Defendant  
400 N Ashley Drive  
Suite 2100  
Tampa, FL 33602

# Holland & Knight

100 North Tampa Street, Suite 4100 | Tampa, FL 33602 | T 813.227.8500 | F 813.229.0134  
Holland & Knight LLP | www.hklaw.com

Bradford D. Kimbro  
813.227.6660  
brad.kimbrow@hklaw.com

November 4, 2010

VIA FEDERAL EXPRESS

Neil J. Gillespie  
8092 SW 115<sup>th</sup> Loop  
Ocala FL 34481

Re: Declined Representation

Dear Mr. Gillespie:

Enclosed is your letter of November 3, 2010, which was addressed to me as Executive Partner of the Tampa Bay Region. I have not read the letter, which was screened (but not studied) by my legal assistant. Also enclosed are the various pleadings and CDs received with your letter.

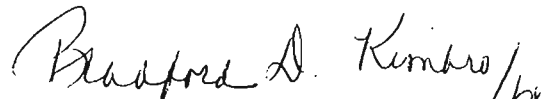
This is to notify you that Holland & Knight LLP will not represent you with respect to the items in your November 3<sup>rd</sup> letter.

If you choose to pursue your matter with another lawyer, you should act promptly to do so. There may be important deadlines involved in preserving or asserting your rights.

We have not obtained or reviewed any information from or about you or the matter that is confidential.

Sincerely yours,

HOLLAND & KNIGHT LLP



Bradford D. Kimbro

Enclosures

**Signed in Mr. Kimbro's  
absence to avoid delay.**

Atlanta | Bethesda | Boston | Chicago | Fort Lauderdale | Jacksonville | Lakeland | Los Angeles | Miami | New York  
Northern Virginia | Orlando | Portland | San Francisco | Tallahassee | Tampa | Washington, D.C. | West Palm Beach  
Abu Dhabi | Beijing | Caracas\* | Mexico City | Tel Aviv\*

\* Representative Office

