

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

NEIL J. GILLESPIE,

Plaintiff,

CASE NO.: 05-CA-7205

vs.

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

DIVISION: G

Defendants.

_____ /

AFFIDAVIT OF NEIL J. GILLESPIE

Judge Martha J. Cook ordered Gillespie removed from the hearing on Defendants' Motion for an Order of Contempt and Writ of Bodily Attachment, then falsified the Order stating Gillespie voluntarily left the hearing and did not return

Neil J. Gillespie, under oath, testifies as follows:

1. My name is Neil J. Gillespie, and I am over eighteen years of age. This Affidavit is given on personal knowledge unless otherwise expressly stated.
2. I sued my former lawyers and they countersued me. The case is Gillespie v. Barker, Rodems & Cook, P.A. et al., Case No.: 05-CA-7205, Circuit Civil, 13th Judicial Circuit, Judge Martha J. Cook presiding. The lawsuit has not been lawfully adjudicated by the 13th Judicial Circuit.
3. Ryan C. Rodems and William J. Cook, partners at Barker, Rodems & Cook, P.A., have made campaign contributions to Judge Martha Cook. Mr. Cook is a Defendant and



was Counter-Plaintiff, and Mr. Rodems is representing Mr. Cook and the law firm. I did not make a campaign contribution to Judge Cook.

4. On the morning of the hearing September 28, 2010 I commenced a federal lawsuit by filing a Complaint in the US District Court, MD of Florida, Ocala Division shortly after the Court opened at 8:30 AM. (5:10-cv-503-oc-WTH-DAB). The lawsuit alleges the 13th Judicial Circuit has not lawfully adjudicated Gillespie v. Barker, Rodems & Cook. Judge Cook is a Defendant in the lawsuit.

5. After filing the Complaint I immediately drove from the US District Court in Ocala to Tampa for an 11:00 AM hearing before Judge Cook in Gillespie v. Barker, Rodems & Cook on Defendants' Motion For Final Summary Judgment Count I.

6. At the hearing I moved to disqualify Judge Cook on the basis that she is a Defendant in the federal lawsuit. Judge Cook said my motion to disqualify based on a federal lawsuit is legally insufficient and is denied. Judge Cook ordered me removed from the hearing on Defendants' motion for Final Summary Judgment Count I and I had no representation. A separate Affidavit shows how Judge Cook ordered me removed from the hearing, see Affidavit of Neil J. Gillespie, Judge Martha J. Cook ordered Gillespie removed from the hearing of September 28, 2010, and accused Gillespie in open court of feigning illness; ADA, dated October 28, 2010.

7. After Judge Cook ordered me removed from the hearing she found me in contempt. I appealed Judge Cook's ruling to the Second District Court of Appeal on October 22, 2010.

8. Attached as "Exhibit A" is a certified copy of Order Adjudging Plaintiff Neil J. Gillespie in Contempt.
9. Judge Cook wrote in the Order at footnote 1: "Prior to this motion being heard, the Court heard Defendants' motion for summary judgment. During that hearing, Plaintiff Neil J. Gillespie voluntarily left the hearing and did not return." This is a false statement. Judge Cook ordered me removed from the hearing.
10. Prior to this Order, Judge Cook did not order me to attend any deposition. Judge Cook denied my motion for an order of protection without a hearing. A copy of the motion is attached here as Exhibit B. I notified Mr. Rodems that I cannot attend the hearing without ADA protections in place.
11. I cannot find counsel to represent me at a deposition with Mr. Rodems. I contacted attorney Brian F. Stayton October 26, 2010 but he does not return my calls. A copy of my letter to Mr. Stayton was filed with the court. (Exhibit C). I am still trying to find counsel to represent me. I am willing to pay the full hourly rate for representation.
12. A letter from Dr. Huffer in support of me is attached as Exhibit D. The letter shows that Gillespie has been subjected to ongoing denial of his accommodations and exploitation of his disabilities. Dr. Huffer wrote:

"As the litigation has proceeded, Mr. Gillespie is routinely denied participatory and testimonial access to the court. He is discriminated against in the most brutal ways possible. He is ridiculed by the opposition, accused of malingering by the Judge and now, with no accommodations approved or in place, Mr. Gillespie is threatened with arrest if he does not succumb to a deposition. This is like

threatening to arrest a paraplegic if he does not show up at a deposition leaving his wheelchair behind. This is precedent setting in my experience. I intend to ask for DOJ guidance on this matter.” (Dr. Huffer, October 28, 2010, paragraph 2)

13. As stated in the preceding paragraphs 6 and 9, Judge Cook falsely stated in her Order of contempt against me that I left the hearing voluntarily. Upon information and belief, Judge Martha J. Cook knowingly and willfully, with malice aforethought, falsified a record in violation of chapter 839, Florida Statutes, section 839.13(1) if any judge shall falsify any record or any paper filed in any judicial proceeding in any court of this state, or conceal any issue, or falsify any document filed in any court or falsify any minutes or any proceedings whatever of or belonging to any public office within this state the person so offending shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

FURTHER AFFIANT SAYETH NAUGHT.

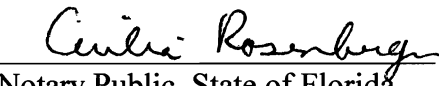
Dated this 1st day of November 2010.

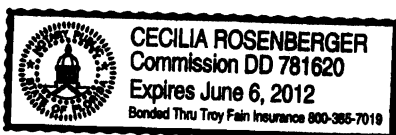

NEIL J. GILLESPIE

STATE OF FLORIDA
COUNTY OF MARION

BEFORE ME, the undersigned authority authorized to take oaths and acknowledgments in the State of Florida, appeared NEIL J. GILLESPIE, personally known to me, or produced identification, who, after having first been duly sworn, deposes and says that the above matters contained in this Affidavit are true and correct to the best of his knowledge and belief.

WITNESS my hand and official seal this 1st day of November 2010.


Notary Public, State of Florida



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

NEIL J. GILLESPIE,

Plaintiff,

vs.

**Case No.: 05CA7205
Division: G**

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

Defendants.

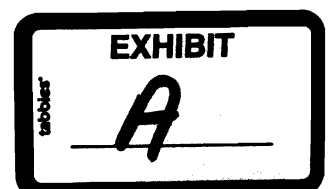
HILLSBOROUGH COUNTY, FL.
GENERAL CIVIL
2010 OCT -1 AM 2:09

ORDER ADJUDGING PLAINTIFF NEIL J. GILLESPIE IN CONTEMPT

THIS CAUSE came before the Court on Tuesday, September 28, 2010, on Defendants' Motion for an Order of Contempt and Writ of Bodily Attachment,¹ and the proceedings having been read and considered and counsel having been heard, and the Court being otherwise fully advised in the premises, the Court finds and concludes that Plaintiff Neil J. Gillespie has wilfully and with contumacious disregard violated the Court's Notice of Case Management Status and Orders on Outstanding Res Judicata Motions entered July 29, 2010 by refusing to appear for a duly noticed deposition on September 3, 2010.

On July 29, 2010, the Court entered the Notice of Case Management Status and Orders on Outstanding Res Judicata Motions, which stated: "The Plaintiff's 'Motion for Order of Protection,' (no date provided in Judge Barton's order) renewed in his 'Motion to Cancel Deposition' (6-16-10) is DENIED. The Plaintiff has repeatedly been the subject of Motions to

¹ Prior to this motion being heard, the Court heard Defendants' motion for summary judgment. During that hearing, Plaintiff Neil J. Gillespie voluntarily left the hearing and did not return.



Compel by the Defendants during the course of these proceedings, and has ignored Court orders requiring his participation. The Court will not accept these or any further attempts by the Plaintiff to avoid the Defendant's right to discovery in this case and to bring this matter to a close. Non-compliance with the Court's orders is grounds for dismissal of the Plaintiff's remaining count with prejudice.” (Notice of Case Management Status and Orders on Outstanding Res Judicata Motions, ¶8).

The record shows that Plaintiff previously failed to appear for two properly noticed depositions. Defendants served a notice of deposition on October 13, 2009, scheduling Plaintiff's deposition on December 15, 2009. On June 1, 2010, Defendants served another notice of deposition, scheduling Plaintiff's deposition on June 18, 2010. While Plaintiff served “Plaintiff's Motion to Cancel Deposition Duces Tecum June 18, 2010 and for an Order of Protection” on June 14, 2010, he did not attempt to have it heard before the deposition, and did not appear at the deposition.²

After the Court's Order entered July 29, 2010, Defendants served a notice of deposition on August 17, 2010, scheduling the deposition for September 3, 2010. Plaintiff did not respond until September 3, 2010, asserting that he would not be attending the deposition for three reasons: First, Plaintiff asserted that “[t]he court has not responded to nor provided accommodations requested under the Americans with disabilities Act . . .” Second, he asserted that “the Oath of Office for judges in this matter [] are not legally sufficient, calling into question rulings in this matter.” Finally, Plaintiff again asserted that Defendants' counsel's

² As stated above, on July 29, 2010, this Court entered the Notice of Case Management Status and Orders on Outstanding Res Judicata Motions, denying the Plaintiff's motions for protection from being deposed.

representation of Defendants is "unlawful." Defendants contend that each of these reasons is either specious or has been expressly rejected by the Court. The Court agrees. Based on these findings

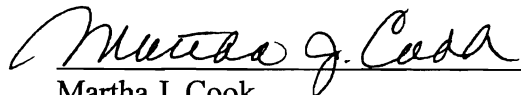
IT IS ORDERED AND ADJUDGED that the Plaintiff Neil J. Gillespie is guilty of contempt of this Court for failing to appear for deposition on September 3, 2010 and he will continue to be guilty of contempt unless and until the Plaintiff is deposed in this matter.

IT IS FURTHER ORDERED that Plaintiff shall submit to a deposition in Tampa, Florida, within 45 days. Plaintiff is directed to propose to Defendants' counsel, in writing, three dates on which his deposition may be taken on or before November 12, 2010.

IT IS FURTHER ORDERED that, if Plaintiff violates this Order by failing to submit to a deposition on or before November 12, 2010, then the Court will enter an Order to Show Cause requiring Plaintiff's appearance before the Court, and the Court will consider appropriate sanctions.

The Court retains jurisdiction to impose additional sanctions, as necessary, and to tax attorneys' fees and costs.

DONE AND ORDERED in Chambers this 30 day of September, 2010.

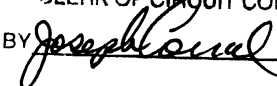

Martha J. Cook
Circuit Judge

Copies to:

Mr. Neil J. Gillespie, pro se
Ryan Christopher Rodems, Esquire (Counsel for Defendants)

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)
THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE
AND CORRECT COPY OF THE DOCUMENT ON FILE IN
MY OFFICE. WITNESS MY HAND AND OFFICIAL SEAL
THIS 22nd DAY OF October 2010



PAT FRANK
CLERK OF CIRCUIT COURT
BY  D.C.

**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
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GENERAL CIVIL DIVISION**

NEIL J. GILLESPIE,

Plaintiff,

CASE NO.: 05-CA-7205

vs.

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

DIVISION: G

Defendants.

_____ /

**PLAINTIFF'S MOTION TO CANCEL DEPOSITION DUCES TECUM
JUNE 18, 2010 AND FOR AN ORDER OF PROTECTION**

Plaintiff pro se, Neil J. Gillespie, moves the Court to cancel Defendants'

Deposition Duces Tecum on June 18, 2010 and for an Order of Protection and states:

1. Defendants counsel Ryan C. Rodems failed to coordinate the time and date of the hearing with the Plaintiff. This is an ongoing problem with Rodems.
2. Plaintiff cannot appear June 18, 2010 and has other commitments.
3. Plaintiff's Motion to Stay Pending ADA Determination, filed June 14, 2010 requests an Order to Stay all proceedings pending a determination of his ADA accommodation request.
4. Mr. Rodems and associates have a history of violence and defamation against other participants in contentious litigation. This lawsuit is especially contentious, a former client suing his lawyer for fraud, breach of duty, etc., etc.
 - a. Mr. Rodems and his former law partners were named in a \$5 million dollar defamation lawsuit brought by attorney Arnold Levine, Buccaneers Limited Partnership



v. Alpert, Barker & Rodems, PA, US District Court, Middle District of Florida, Tampa Division, case 99-2354-CIV-T-23C. In retaliation, a Tampa Police Department report dated June 5, 2000, case number 00-42020, alleges Mr. Alpert committed battery, Florida Statutes §784.03, upon attorney Arnold Levine by throwing hot coffee on him. At the time Mr. Levine was a 68 year-old senior citizen. The report states: “The victim and defendant are both attorneys and were representing their clients in a mediation hearing. The victim alleges that the defendant began yelling, and intentionally threw the contents of a 20 oz. cup of hot coffee which struck him in the chest staining his shirt. A request for prosecution was issued for battery.” Mr. Rodems is listed as a witness on the police report. A copy of the police report is attached as Exhibit A.

b. Another example of Mr. Rodems’ bizarre behavior against participants in litigation are his defamatory comments about Eric Bischoff, a witnesses in *WrestleReunion, LLC v. Live Nation, Television Holdings, Inc.*, United States District Court, Middle District of Florida, Case No. 8:07-cv-2093-T-27, trial August 31-September 10, 2009. Mr. Rodems and his client failed to prevail at trial. The comments may be found online at: <http://www.declarationofindependents.net/doi/pages/corrente910.html>, and include, “ 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.” and “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

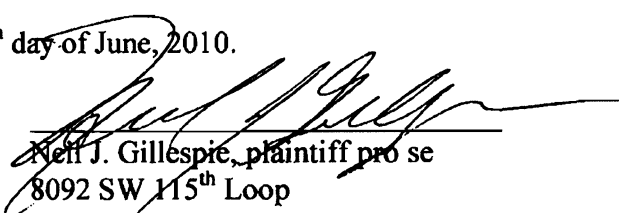
had his car repossessed. Today, after running WCW into the ground, Bischoff peddles schlock like "Girls Gone Wild" and reality shows featuring B-listers." A copy of Rodems' comments are attached as Exhibit B.

5. Another stunt used by Mr. Rodems against participants in contentious litigation is a sworn affidavit used to falsely accuse his opponent of wrongdoing for the purpose of advantage. On March 6, 2006 Mr. Rodems made a verified pleading that falsely named Judge Nielsen in an "exact quote" attributed to Plaintiff, putting the trial judge into the controversy. The Tampa Police Department recently determined that the sworn affidavit submitted by Mr. Rodems to the court about an "exact quote" attributed to Plaintiff was not right and not accurate.

6. These lawyers have a history of physical violence and defamation against participants in contentious litigation, and Plaintiff fears for his safety and well-being.

WHEREFORE, Plaintiff moves the Court to cancel Defendants' Deposition Duces Tecum on June 18, 2010 and for an Order of Protection.

RESPECTFULLY SUBMITTED this 14th day of June, 2010.


Neil J. Gillespie, plaintiff pro se
8092 SW 115th Loop
Ocala, Florida 34481
No phone for Mr. Rodems

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by US mail to Ryan Christopher Rodems, Attorney, Barker, Rodems & Cook, P.A., 400 North Ashley Drive, Suite 2100, Tampa, Florida 33602, this 14th day of June, 2010.


Neil J. Gillespie

INCIDENT REPORT - TAMPA POLICE DEPARTMENT

Page 1 of 3

Event	1	Offense/Incident	284.03	Location	100 S. ASHLEY ST. #1700	14	3
	2	Offense/Incident	State Statute	Location		1	2
Victim	3	Date Occurred	5 JUN 00	Time Occurred	1230	Day of Week	Mon
	4	Date Reported	5 JUN 00	Time Reported	0943	Day of Week	Mon
Suspect	5	Name Last	LEVINE, ARNOLD	First		Middle	
	6	Name First		First		Middle	
Property	7	Home Address		City		County	HILLS
	8	Home Address		City		County	HILLS
Vehicle	9	Vehicle Make		Year		Model	
	10	Vehicle Make		Year		Model	
Arrests	11	Name Last		First		Middle	
	12	Name First		First		Middle	
Reconstruction	13	Name Last		First		Middle	
	14	Name First		First		Middle	
Admin.	15	Reporting Officer	Div./Sgt.	Second Officer	Div./Sgt.	Retained Reports	
	16	Reporting Officer	Div./Sgt.	Second Officer	Div./Sgt.	Retained Reports	
Records	17	Retained To	By	Retained To	By	Retained To	By
	18	Retained To	By	Retained To	By	Retained To	By

THE VICTIM & DEFENDANT ARE BOTH ATTORNEYS AND WERE REPRESENTING THEIR CLIENTS IN A MEDIATION HEARING. THE VICTIM ALLEGES THAT THE DEFENDANT BEGAN YELLING AND INTENTIONALLY THREW THE CONTENTS OF A 20 OZ. CUP OF HOT COFFEE WHICH STRUCK HIM IN THE CHEST STAINING HIS SHIRT. A REQUEST FOR PROSECUTION WAS ISSUED FOR BATTERY.

Domestic Violence Form Issued: Yes ☒ No ☐
 Assault Victim Form Issued: Yes ☐ No ☒

EXHIBIT A

Records Section Only: Copies to: [initials]

Codes		SP-Suspects	W-Witness	JA-Juvenile Arrest	JR-Runaway	M-Missing	Page 2 of 2																					
Restricted Persons	Code	3	Name: Last	First	Middle	Race	Sex	DOB/Age	Height	Weight	Hair	Skin	Eyes	Build	Arrested													
		01	ALPERT	JOHNATHAN L.		IN	M	8-4-95	5'6"	150	BLN	LT	BLU	SLD	<input type="checkbox"/> Yes <input type="checkbox"/> No													
	Home Address	702 ANCHORAGE RD					City	TAMPA	County	HILLS	State	FL	Zip	33602	Phone	223-1757												
	Business/School Address	100 S ASHLEY ST. #2000					City	TAMPA	County	HILLS	State	FL	Zip	33602	Phone	223-4131												
	Occupation	ATTORNEY		Work Hours	0800-1700		Can ID PU	<input checked="" type="checkbox"/>	With/Time			Foul Play	<input type="checkbox"/>		Miss Prev	<input type="checkbox"/>												
	Additional Description/Juvenile Charges																											
NINE																												
Restricted Persons	Code	3	Name: Last	First	Middle	Race	Sex	DOB/Age	Height	Weight	Hair	Skin	Eyes	Build	Arrested													
		01	BRENNAN	EDWARD M		W	M	7-5-62							<input type="checkbox"/> Yes <input type="checkbox"/> No													
	Home Address	14907 DEVILSHIRE WOODS R					City	TAMPA	County	HILLS	State	FL	Zip	33624	Phone	941-2656												
	Business/School Address	100 S ASHLEY ST. #1600					City	TAMPA	County	HILLS	State	FL	Zip	33602	Phone	229-6585												
	Occupation	ATTORNEY		Work Hours	0800-1700		Can ID PU	<input checked="" type="checkbox"/>	With/Time			Foul Play	<input type="checkbox"/>		Miss Prev	<input type="checkbox"/>												
	Additional Description/Juvenile Charges																											
Evidence	Item #	Description																										
Dusted		Prints Attached		Photos		Evidence No				How Marked		Prop Clerk		Date		Time												
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																								
<p>If an officer is assaulted or killed, consult the CIS Code Sheet and enter the appropriate codes in the blocks. The incident must be fully explained in the Narrative Section.</p> <p>Officer's Name: _____</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td> </tr> </table> <p>Narrative</p> <p>INTERVIEW: THE COMPLAINANT IS AN ATTORNEY. ON SATURDAY 3 JUNE AT 1230 HRS HE WAS WITH HIS CLIENTS IN A MEDIATION HEARING IN THE 13 TH FLOOR. THE DEFENDANT IS ALSO AN ATTORNEY AND HAD HIS CLIENTS IN THE MEETING. DURING THE HEARING, NEGOTIATIONS WENT BAD AND THE DEFENDANT BEGAN RANTING AND RAVING. ALL THE CLIENTS LEFT THE ROOM LEAVING HIMSELF, THE DEFENDANT, EDWARD BRENNAN, PETER GRILLI, RICK MCKAY, RYAN ODENS IN THE ROOM. THE DEFENDANT WALKED AROUND THE TABLE AND WAS ABOUT 6 FEET AWAY FROM HIM. THE DEFENDANT THREW THE CONTENTS OF A 20 OZ CAN OF HOT COFFEE WHICH STRUCK HIM IN THE CHEST STAINING HIS SHIRT AND CAUSING HIM MUCH EMBARRASSMENT.</p> <p>THE COMPLAINANT GAVE THE COFFEE STAINED SHIRT FOR EVIDENCE. THE FIRST OF THE SHIRT WAS COMPLETELY STAINED.</p> <p>INCLUDES EDWARD BRENNAN IN THE MEETING AND IN THE ROOM. THE FIRST OF THE SHIRT WAS COMPLETELY STAINED.</p>																13	14	15	16	17	18	19	20	21	22	23	24	25
13	14	15	16	17	18	19	20	21	22	23	24	25																

TAMPA POLICE DEPARTMENT CONTINUATION LETTER

Page 2 of 3

Offense/Incident

BATTERY

Location

100 S. ASHLEY ST.

Date

5 JAN 00

Victim/Firm

LEVINE, ARNOLD

Address

100 S. ASHLEY ST.

INVESTIGATION:

I RESPONDED TO THE VICTIM'S OFFICE AND INTERVIEWED HIM AND THE WITNESS. I THEN WENT TO SUITE #2000 AND MET WITH THE SUSPECT. HE IDENTIFIED HIMSELF BUT ELECTED TO NOT MAKE ANY STATEMENTS ABOUT THE INCIDENT WITHOUT HIS ATTORNEY PRESENT.

I COMPLETED A REQUEST FOR PROSECUTION FOR BATTERY ON THE DEFENDANT AND GAVE THE ORIGINAL COPY TO THE VICTIM.

Reporting Officer

Off/Sgt

Second Officer

Off/Sgt

Edited By

Date

Records Section Only Copies to

Routed By

Data Entry

Pic Up

Report No.

00-71000

REQUEST FOR PROSECUTION BY COMPLAINANT

IF YOU WISH THIS CASE TO BE CONSIDERED FOR PROSECUTION MAIL THIS FORM TO THE STATE ATTORNEY'S OFFICE: 800 E. TWIGGS ST., TAMPA, FL 33602, ATTENTION: INTAKE AFTER 3 DAYS BUT NO LATER THAN 14 DAYS.

TO BE FILLED IN BY OFFICER:

(FOR USE IN MISDEMEANOR CASES ONLY)

UCR		AGENCY		CASE NO.	
02902		TPD		00-42020	
DEFENDANT'S LAST NAME			FIRST		MIDDLE
ALPERT			JOHNATHAN		L.
ADDRESS OR PLACE DEFENDANT CAN BE LOCATED (NOT A P.O. BOX)			CITY		ZIP
100 S. ASHLEY SUITE #2000			Tampa		33602
DOB	SEX	RACE	HT	WT	PHONE
8-4-45	M	W	5-6	150	223-4131
CO-DEFENDANT (S) COMPLETE SEPARATE COMPLAINT FOR EACH				CROSS COMPLAINT ISSUED?	
NONE				<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
CIRCLE ONE <u>WITHIN CITY OF TAMPA</u> PLANT CITY-TEMPLE TERRACE			IF UNINCORPORATED AREA CHECK ONE		
LOCATION OF OFFENSE: 100 S. ASHLEY 13 TH FL 200			() W. OF 301 () E. OF 301		
OFFENSE			DATE OF OFFENSE		STATUTE
BATTERY			3JUN00		784.03
COMPLAINANT'S LAST NAME		FIRST NAME		MIDDLE NAME	RACE/SEX
LEVINE		ARNOLD		D.	W/M
ADDRESS		CITY	ZIP	HOME PHONE	BUSINESS PHONE
100 S. ASHLEY ST. #1600		Tampa	33602		229-6585
RELATIONSHIP TO DEFENDANT CIRCLE ONE					
SPOUSE/RELATIVE () NEIGHBOR CO-WORKER ACQUAINTANCE <u>NONE</u>					
WITNESS LAST	FIRST	MIDDLE	D.O.B.	ADDRESS	
BRENNAN	EDWARD	M.	9-5-62	100 S ASHLEY #1600	
WITNESS LAST	FIRST	MIDDLE	D.O.B.	ADDRESS	
RYAN	C.	R.		100 S ASHLEY #2000	

STATE FACTS TO ESTABLISH THAT A CRIME WAS COMMITTED: THE VICTIM AND DEFENDANT ARE BOTH ATTORNEYS AND WERE REPRESENTING THEIR CLIENTS IN A MEDIATION MEETING. DURING THE MEETING THE DEFENDANT BECAME ENRAGED AND BEGAN YELLING. THE DEFENDANT TOSSED THE CONTENTS OF A 20 OZ CUP OF HOT COFFEE AT THE VICTIM STRIKING HIM IN THE CHEST AND STAINING HIS SHIRT. THE VICTIM AND WITNESS #1 STATED IT WAS AN INTENTIONAL ACT.

STATE FACTS TO ESTABLISH THAT DEFENDANT COMMITTED CRIME: THE VICTIM AND WITNESSES IDENTIFIED THE DEFENDANT BY NAME AND KNEW HIS OFFICE ADDRESS. THE DEFENDANT IDENTIFIED HIMSELF TO THE VICTIM BUT DID NOT WISH TO MAKE A STATEMENT WITHOUT HIS ATTORNEY PRESENT. WITNESS #2 WOULD NOT MAKE A STATEMENT.

LAW ENFORCEMENT OFFICER	BADGE NO.	DISTRICT	SQUAD	SIGNATURE	DATE
DAVID MILLER	660	15	80	DAVID MILLER	5JUN00

TO BE FILLED OUT BY COMPLAINANT: I desire prosecution in this case and request the State Attorney's Office to review it for prosecution.

Write a brief statement about what happened and list any additional witnesses not listed above, and their address (use additional paper if necessary).

ADDRESS OR PLACE DEFENDANT CAN BE LOCATED (NOT A P.O. BOX) 100 S. ASHLEY SUITE #2000					CITY Tampa	ZIP 33602
DOB 8-4-45	SEX M	RACE W	HT 5-6	WT 150	PHONE 223-4131	
CO-DEFENDANT (S) COMPLETE SEPARATE COMPLAINT FOR EACH NONE					CROSS COMPLAINT ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
CIRCLE ONE <u>WITHIN CITY OF TAMPA</u> PLANT CITY-TEMPLE TERRACE					IF UNINCORPORATED AREA CHECK ONE	
LOCATION OF OFFENSE: 100 S. ASHLEY 13TH FL 200					() W. OF 301 () E. OF 301	
OFFENSE BATTERY					DATE OF OFFENSE 3 JUN 00	STATUTE 784.03
COMPLAINANT'S LAST NAME LEVINE		FIRST NAME ARNOLD		MIDDLE NAME D.	RACE/SEX W/M	D.O.B. 12-12-31
ADDRESS 100 S. ASHLEY ST. #1600		CITY Tampa	ZIP 33602	HOME PHONE [REDACTED]	BUSINESS PHONE 229-6595	WORK HOURS 0800-1700
RELATIONSHIP TO DEFENDANT CIRCLE ONE SPOUSE/RELATIVE () NEIGHBOR CO-WORKER ACQUAINTANCE <u>NONE</u>						
WITNESS LAST BRENNAN	FIRST EDWARD	MIDDLE M.	D.O.B. 9-5-62	ADDRESS 100 S ASHLEY #1600		PHONE 229-6595
WITNESS LAST RYAN C. R.	FIRST ODOMS	MIDDLE	D.O.B.	ADDRESS 100 S ASHLEY #2000		PHONE 223-4131

STATE FACTS TO ESTABLISH THAT A CRIME WAS COMMITTED: THE VICTIM AND DEFENDANT ARE BOTH ATTORNEYS AND WERE REPRESENTING THEIR CLIENTS IN A MEDIATION HEARING. DURING THE MEETING THE DEFENDANT BECAME ENRAGED AND BEGAN YELLING. THE DEFENDANT TOSSED THE CONTENTS OF A 20 OZ. CUP OF HOT COFFEE AT THE VICTIM STRIKING HIM IN THE CHEST AND STAINING HIS SHIRT. THE VICTIM AND WITNESS #1 STATED IT WAS AN INTENTIONAL ACT.

STATE FACTS TO ESTABLISH THAT DEFENDANT COMMITTED CRIME: THE VICTIM AND WITNESSES IDENTIFIED THE DEFENDANT BY NAME AND KNEW HIS OFFICE ADDRESS. THE DEFENDANT IDENTIFIED HIMSELF TO THE AFFIANT BUT DID NOT WISH TO MAKE A STATEMENT WITHOUT HIS ATTORNEY PRESENT. WITNESS #2 WOULD NOT MAKE A STATEMENT.

D.V. MILLER	660	15	80	[Signature]	5 JUN 00
LAW ENFORCEMENT OFFICER	BADGE NO.	DISTRICT	SQUAD	SIGNATURE	DATE

TO BE FILLED OUT BY COMPLAINANT: I desire prosecution in this case and request the State Attorney's Office to review it for prosecution.

Write a brief statement about what happened and list any additional witnesses not listed above, and their address (use additional paper if necessary).

I affirm these facts are true

SIGNATURE

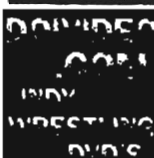
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Sal Corrente of WrestleReunion had a lawsuit against Clear Channel/Live Nation because they reneged on a contract with him. The case went before a jury and Mr. Corrente lost the case, which many feel was unjust. But Eric Bischoff made a statement on 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 Corente 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.
400 North Ashley Drive, Suite 2100
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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**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
GENERAL CIVIL DIVISION**

NEIL J. GILLESPIE,

Plaintiff and Counter-Defendant,

CASE NO.: 05-CA-007205

vs.

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

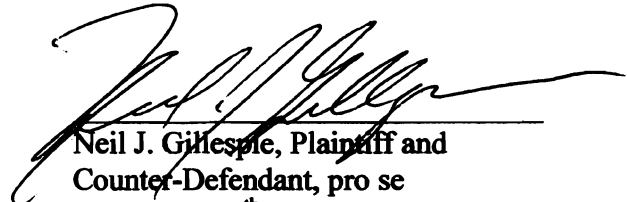
DIVISION: G

Defendants and Counter-Plaintiffs.

PLAINTIFF'S NOTICE OF FILING LETTER

Plaintiff and Counter-Defendant pro se Gillespie hereby notice the filing of a letter to attorney Brian Stayton seeking limited representation for a court-ordered deposition.

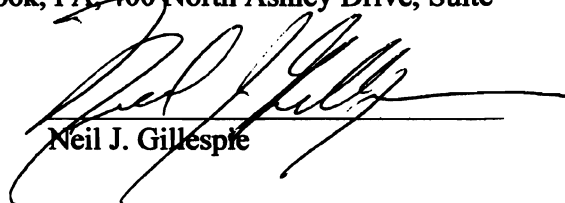
RESPECTFULLY SUBMITTED October 26, 2010.



Neil J. Gillespie, Plaintiff and
Counter-Defendant, pro se
8092 SW 115th Loop
Ocala, Florida 34481
Telephone: (352) 854-7807

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing was mailed October 26, 2010 to Mr. Ryan C. Rodems at Barker, Rodems & Cook, PA, 400 North Ashley Drive, Suite 2100, Tampa, Florida 33602.



Neil J. Gillespie



Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481

Telephone: (352) 854-7807

October 26, 2010

Mr. Brian F. Stayton
Stayton Law Group, P.A.
4365 Lynx Paw Trail
Valrico, Florida 33596

RE: Gillespie v. Barker, Rodems & Cook, 05-CA-7205, General Civil Division
Judge Cook's Court-Ordered Deposition, Order of September 30, 2010

Dear Mr. Stayton:

Thank you for briefly speaking with me yesterday about representation at the court-ordered deposition in the above captioned matter. Previously I requested an order of protection because of Mr. Rodems' history of violence and defamation against a number of prior adversaries. Judge Cook denied the motion without a hearing.

Enclosed is a copy of a letter I received from Mr. Rodems dated January 13, 2010 with another ridiculous accusations, and my response. This was not included in my motion for order of protection denied by Judge Cook. Clearly I cannot attend a deposition with Mr. Rodems alone given his personal and professional conflict of interest, and temperament.

I look forward to hearing from you and getting this deposition issue resolved. Thank you.

Sincerely,



Neil J. Gillespie

Enclosures

cc. Circuit Judge Martha J. Cook
Mr. Rodems (letter only)

BARKER, RODEMS & COOK

PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW

CHRIS A. BARKER
RYAN CHRISTOPHER RODEMS
WILLIAM J. COOK

400 North Ashley Drive, Suite 2100
Tampa, Florida 33602

Telephone 813/489-1001
Facsimile 813/489-1008

January 13, 2010

Mr. Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481

Dear Neil Gillespie:

Recently, you came to our office, apparently to deliver something. My receptionist advised that you violently slung open the door, rushed at her, and slapped a document on the counter. She was very frightened and feared that you were going to attack her.

Please be advised that due to your previous threats of violence and your recent conduct, you are no longer permitted to enter the premises at 400 North Ashley Drive, Suite 2100, Tampa, Florida 33602 for any reason whatsoever. If you do so, you will be considered trespassing, in violation of section 810.08, Florida Statutes.

Sincerely,



Ryan Christopher Rodems

RCR/so

Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481

Telephone: (352) 854-7807*

VIA FAX (813) 489-1008

January 20, 2010

Mr. Ryan Christopher Rodems, Attorney at Law
Barker Rodems & Cook, PA
400 North Ashley Drive, Suite 2100
Tampa, Florida 33602

Dear Mr. Rodems:

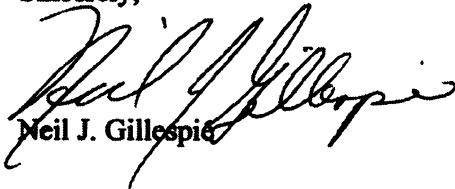
This is in response to your letter dated January 13, 2010. First, I deny the characterization of events in your letter. My visit to your office was to provide a copy of pleadings in our lawsuit. My conduct was professional and I only spent about 10 seconds in your office.

Second, I have never threatened you with violence. You have repeated this falsehood often during this lawsuit for the purpose of improper advantage. Please stop.

Otherwise I am happy to comply with your request and not enter the premises at 400 North Ashley Drive, Suite 2100, Tampa, Florida 33602 for any reason whatsoever. If there are urgent pleadings I will either slide them under the door or leave them with the security desk in the lobby of the building. Otherwise I will fax or mail them to you.

Please be advised that your inaccurate letter, your ongoing claim that I threatened you, your harassing phone calls, your failure to address me as "Mr. Gillespie" after being instructed by the Court to do so, all this may amount to criminal stalking, see Florida Statutes, §784.048. Please stop this course of conduct immediately because it causes me substantial emotional distress and serves no legitimate purpose. Thank you.

Sincerely,



Neil J. Gillespie

*All calls on my home office business telephone extension are recorded for quality assurance purposes pursuant to the business use exemption of Florida Statutes chapter 934, section 934.02(4)(a)(1) and the holding of *Royal Health Care Servs., Inc. v. Jefferson-Pilot Life Ins. Co.*, 924 F.2d 215 (11th Cir. 1991).

DR. KARIN HUFFER

**Licensed Marriage and Family Therapist #NV0082
ADAAA Titles II and III Specialist
Counseling and Forensic Psychology
3236 Mountain Spring Rd. Las Vegas, NV 89146
702-528-9588 www.lvaallc.com**

October 28, 2010

To Whom It May Concern:

I created the first request for reasonable ADA Accommodations for Neil Gillespie. The document was properly and timely filed. As his ADA advocate, it appeared that his right to accommodations offsetting his functional impairments were in tact and he was being afforded full and equal access to the Court. Ever since this time, Mr. Gillespie has been subjected to ongoing denial of his accommodations and exploitation of his disabilities

As the litigation has proceeded, Mr. Gillespie is routinely denied participatory and testimonial access to the court. He is discriminated against in the most brutal ways possible. He is ridiculed by the opposition, accused of malingering by the Judge and now, with no accommodations approved or in place, Mr. Gillespie is threatened with arrest if he does not succumb to a deposition. This is like threatening to arrest a paraplegic if he does not show up at a deposition leaving his wheelchair behind. This is precedent setting in my experience. I intend to ask for DOJ guidance on this matter.

While my work is as a disinterested third party in terms of the legal particulars of a case, I am charged with assuring that the client has equal access to the court physically, psychologically, and emotionally. Critical to each case is that the disabled litigant is able to communicate and concentrate on equal footing to present and participate in their cases and protect themselves.

Unfortunately, there are cases that, due to the newness of the ADAAA, lack of training of judicial personnel, and entrenched patterns of litigating without being mandated to accommodate the disabled, that persons with disabilities become underserved and are too often ignored or summarily dismissed. Power differential becomes an abusive and oppressive issue between a person with disabilities and the opposition and/or court personnel. The litigant with disabilities progressively cannot overcome the stigma and bureaucratic barriers. Decisions are made by medically unqualified personnel causing them to be reckless in the endangering of the health and well being of the client. This creates a severe justice gap that prevents the ADAAA from being effectively applied. In our adversarial system, the situation can devolve into a war of attrition. For an unrepresented litigant with a disability to have a team of lawyers as adversaries, the demand of litigation exceeds the unrepresented, disabled litigant's ability to maintain health while pursuing justice in our courts. Neil Gillespie's case is one of those. At this juncture the harm to Neil Gillespie's health, economic situation, and general diminishment of him in terms of his legal case cannot be overestimated and this bell

cannot be unrun. He is left with permanent secondary wounds.

Additionally, Neil Gillespie faces risk to his life and health and exhaustion of the ability to continue to pursue justice with the failure of the ADA Administrative Offices to respond effectively to the request for accommodations per Federal and Florida mandates. It seems that the ADA Administrative offices that I have appealed to ignore his requests for reasonable accommodations, including a response in writing. It is against my medical advice for Neil Gillespie to continue the traditional legal path without properly being accommodated. It would be like sending a vulnerable human being into a field of bullies to sort out a legal problem.

I am accustomed to working nationally with courts of law as a public service. I agree that our courts must adhere to strict rules. However, they must be flexible when it comes to ADA Accommodations preserving the mandates of this federal law Under Title II of the ADA. While public entities are not required to create new programs that provide heretofore unprovided services to assist disabled persons. (Townsend v. Quasim (9th Cir. 2003) 328 F.3d 511, 518) they are bound under ADA as a ministerial/administrative duty to approve any reasonable accommodation even in cases merely regarded as having a disability with no formal diagnosis.

The United States Department of Justice Technical Assistance Manual adopted by Florida also provides instructive guidance: "The ADA provides for equality of opportunity, but does not guarantee equality of results. The foundation of many of the specific requirements in the Department's regulations is the principle that individuals with disabilities must be provided an equally effective opportunity to participate in or benefit from a public entity's aids, benefits, and services." (U.S. Dept. of Justice, Title II, Technical Assistance Manual (1993) § II-3.3000.) A successful ADA claim does not require excruciating details as to how the plaintiff's capabilities have been affected by the impairment, even at the summary judgment stage. *Gillen v. Fallon Ambulance Serv., Inc.*, 283 F.3d. My organization follows these guidelines maintaining a firm, focused and limited stance for equality of participatory and testimonial access. That is what has been denied Neil Gillespie.

The record of his ADA Accommodations requests clearly shows that his well-documented disabilities are now becoming more stress-related and marked by depression and other serious symptoms that affect what he can do and how he can do it particularly under stress. Purposeful exacerbation of his symptoms and the resulting harm is, without a doubt, a strategy of attrition mixed with incompetence at the ADA Administrative level of these courts. I am prepared to stand by that statement as an observer for more than two years.