

No: _____

IN THE
SUPREME COURT OF THE UNITED STATES

NEIL J. GILLESPIE - PETITIONER

VS.

BARKER, RODEMS & COOK, PA, and WILLIAM J. COOK,

JUDGE JAMES D. ARNOLD,

THIRTEENTH JUDICIAL CIRCUIT, FLORIDA - RESPONDENTS

Emergency Petition For Writ of Prohibition, Appeal From
Order of The Supreme Court of Florida, Case No. SC11-858

Application to Justice Clarence Thomas

Emergency Petition For Writ of Prohibition

Submitted by

Neil J. Gillespie
Petitioner, pro se, non-lawyer
8092 SW 115th Loop
Ocala, Florida 34481
(352) 854-7807
neilgillespie@mfi.net

I. Application To Justice Clarence Thomas

1. Petitioner pro se, Neil J. Gillespie (“Gillespie”), makes application to Justice Clarence Thomas, pursuant to Rule 22, for an Emergency Petition For Writ of Prohibition.

II. Relief Sought In Lower Courts

2. In the Second District Court of Appeal, Florida (2dDCA), Case No. 2D11-2127, Gillespie filed a Verified Emergency Petition For Writ Of Prohibition, Motion For Change Of Venue. The *Verified Emergency Petition for Writ of Prohibition* sought removal of Circuit Court Judge James D. Arnold and the Thirteenth Judicial Circuit, Florida, from presiding over the lower tribunal case, Neil J. Gillespie vs. Barker, Rodems & Cook, PA, and William J. Cook, Case No. 05-CA-007205. The *Motion for Change of Venue* sought a change of venue to Marion County, Florida, where Gillespie resides. In the alternative Gillespie moved to consolidate the lower tribunal case with a federal civil rights and ADA disability lawsuit, Gillespie v. Thirteenth Judicial Circuit et. al, Case No. 5:10-cv-00503, US District Court, Middle District of Florida, Ocala Division. The 2dDCA denied 2D11-2127 by Order May 4, 2011 and Amended Order May 6, 2011. Pursuant to Rule 23.3, copies of the Order and Amended Order in 2D11-2127 are attached to this application as Exhibits 1 and 2 respectively.

3. In the Supreme Court of Florida, Case No. SC11-858, Gillespie filed Emergency Petition For Writ Of Habeas Corpus, Emergency Petition For Writ Of Prohibition. The *Emergency Petition for Writ of Prohibition* sought removal of Circuit Court Judge James D. Arnold and the Thirteenth Judicial Circuit, Florida, from presiding over the lower tribunal case, Neil J. Gillespie vs. Barker, Rodems & Cook, PA, and William J. Cook, Case No. 05-CA-007205. It relied upon the same Verified Emergency Petition For Writ Of Prohibition, Motion For Change Of Venue filed in 2D11-2127. The Supreme Court of Florida denied SC11-858 by Order May 18, 2011.

Pursuant to Rule 23.3, a copy of the Order is attached to this application as Exhibit 3. Since the Order only mentions the Petition for Writ of Habeas Corpus, also attached are copies of the Acknowledgment of New Case, Amended Acknowledgment of New Case, and case docket, each showing a Petition for Writ of Prohibition was filed, and thus denied by Order May 18, 2011.

III. Judgment For Review By This Court

4. For review by this Court is the judgment rendered by the Supreme Court of Florida in Case No. SC11-858, by Order issued May 18, 2011, that denied Gillespie's Emergency Petition for Writ of Prohibition, that sought to remove Circuit Court Judge James D. Arnold and the Thirteenth Judicial Circuit, Florida from presiding over the lower tribunal case, Neil J. Gillespie vs. Barker, Rodems & Cook, PA, and William J. Cook, Case No. 05-CA-007205. Pursuant to Rule 23.3, a copy of the Order is attached to this application. (Exhibit 3).

IV. Jurisdiction

5. This Court has jurisdiction under 28 U.S.C. § 1651(a). The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.

6. This Court has jurisdiction under the United States Constitution, Article III, Section 2, all cases affecting...public ministers...and those in which a state shall be party, the Supreme Court shall have original jurisdiction. Public ministers and the State of Florida are Defendants in Gillespie v. Thirteenth Judicial Circuit et. al, Case No. 5:10-cv-00503, US District Court, Middle District of Florida, Ocala Division.

V. Emergency Nature of This Application

7. Gillespie is currently being pursued by law enforcement on an active arrest warrant as a civil contemnor. Judge James D. Arnold found Gillespie in civil contempt June 1, 2011 and

caused warrant number 22044323 to be issued for his arrest. Gillespie is indigent and disabled. Gillespie was found indigent by Allison Raistrick of the Clerk's Indigent Screening Unit May 27, 2011 pursuant to section 27.52 Florida Statutes to appoint the public defender. The public defender appeared at the civil contempt hearing June 1, 2011 and moved to clarify with the Court the applicability of the Application for Criminal Indigent Status and Clerk's Determination. (Exhibit 4). The Court found there was no lawful basis for the appointment of the public defender to represent Gillespie, and issued "Order Relieving The Office of The Public Defender of The Thirteenth Judicial Circuit From Representation of Plaintiff Neil Gillespie". (Exhibit 5).

VI. Turner v. Rogers, U.S. Docket 10-10

8. The question whether an indigent defendant has a constitutional right to appointed counsel at a civil contempt proceeding that results in his incarceration is currently before this Court in Turner v. Rogers, U.S. Docket 10-10 and was argued March 23, 2011. Based upon argument in Turner, Gillespie filed *Plaintiff's Motion For Appointment Of Counsel, ADA Accommodation Request, and Memorandum Of Law*, May 24, 2011. (Exhibit 6). This case was assigned to Judge Arnold November 18, 2010. For much of that time Judge Arnold was on disability leave, according to his assistant Judy D. Williams. It appears from the record that the Court is uninformed about matters in the six-year long lawsuit, and that the Court did not read or consider Gillespie's motion.

VII. Statement Of The Case

9. This six year-long lawsuit is to recover \$7,143 stolen by Gillespie's former lawyers, Barker, Rodems & Cook, PA. Ryan C. Rodems is unethically representing his firm against former client Gillespie. Mr. Rodems' independent professional judgment is materially limited by his own interest and conflict. Gillespie was previously represented in this lawsuit by attorney

Robert W. Bauer, who dropped the case and complained on the record that Mr. Rodems “...decided to take a full nuclear blast approach instead of us trying to work this out in a professional manner...”. Mr. Rodems’ “full nuclear blast approach” has aggravated Gillespie's disability to the point where Gillespie can no longer represent himself at hearings. Gillespie is currently being pursued by law enforcement to arrest him on a writ of bodily attachment sought by Mr. Rodems to collect \$11,550 in sanctions awarded for discovery errors, and a misplaced defense to a libel counterclaim brought by Rodems against Gillespie. The \$11,550 sanction award was a misuse and denial of judicial process under the color of law by the Thirteenth Judicial Circuit, Florida. On the morning of September 28, 2010 Gillespie commenced a federal civil rights and ADA lawsuit, Gillespie v. Thirteenth Judicial Circuit, Florida, et. al, case no. 5:10-cv-00503, US District Court, Middle District of Florida, Ocala Division. Later that day, at a hearing before Circuit Judge Martha J. Cook, upon learning of Gillespie’s lawsuit against her, Judge Cook ordered Gillespie removed from the hearing on Defendants’ Motion for Final Summary Judgment, and Defendants’ Motion for an Order of Contempt and Writ of Bodily Attachment. Judge Cook continued the hearing ex parte and Gillespie had no representation. Judge Cook found for the Defendants on both motions, and then falsified official court records stating that Gillespie left the hearing voluntarily. On January 12, 2011 Major James Livingston, Commander of the Court Operations Division, provided Gillespie a letter that shows Circuit Judge Martha J. Cook falsified court records and denied Gillespie’s participation in the judicial process. Mr. Rodems and his partner William J. Cook are long-time campaign contributors to Circuit Judge Martha J. Cook.

VIII. Our Legal System Depends Upon Integrity Of The Bar And The Bench

10. Our legal system depends upon the integrity of individual members of the bar and bench to follow the rules and codes of the legal profession and the judiciary. That integrity has broken down in this case making it impossible to fairly resolve. The practice of law is a profession the purpose of which is to supply disinterested counsel and service to others using independent professional judgment. In this case opposing counsel's independent professional judgment is materially limited by his own interest and conflict. Deference to the judgments and rulings of courts depends upon confidence in the integrity and independence of judges. In this case Judge Cook abandoned her integrity and independence by acting in the interest of opposing counsel. While Judge Cook is gone, the damage done to the case and Gillespie's position may be impossible to overcome. Because of the foregoing, it is impossible for a fair adjudication of this matter in the 13th Circuit, and perhaps anywhere in Florida.

11. Circuit Court Judge Martha J. Cook repeatedly misused and denied judicial process to Gillespie under the color of law. Gillespie's third motion to disqualify Judge Cook of November 1, 2010 showed how Judge Cook knowingly introduced false information into the court record as a coercive technique used to induce psychological confusion and regression in Gillespie by bringing a superior outside force to bear on his will to resist or to provoke a reaction in Gillespie. The CIA manual on torture techniques, the KUBARK manual, calls this the Alice in Wonderland or confusion technique.

12. Gillespie's fourth motion to disqualify Judge Cook of November 8, 2010, showed that Judge Cook was essentially insolvent due to a near-collapse of the family business, Community Bank of Manatee, which was operating under Consent Order, FDIC-09-569b and OFR 0692-FI-10/09. An insolvent judge lacks judicial independence and is a threat to democracy. As shown in

Gillespie's motion to disqualify, Judge Cook's financial affairs violated the Code of Judicial Canons 2, 3, 5 and 6. Judge Cook's small (\$276M) nonmember FDIC insured bank lost over \$10 million dollars in 2009 and 2010. In 2009 the bank sold a controlling interest to a foreign national, who during the review process in Florida, failed to disclose that his past employer ABN AMRO bank faced one of the largest Money Laundering and Trading With The Enemy cases ever brought by the Department of Justice. See

<http://www.federalreserve.gov/BoardDocs/Press/enforcement/2005/20051219/default.htm>

<http://www.idfpr.com/NEWSRLS/121905ABNAMROFine.asp>

http://lawprofessors.typepad.com/whitecollarcrime_blog/2005/12/abn_amro_bank_t.html

<http://www.fbi.gov/washingtondc/press-releases/2010/wfo051010.htm>

<http://www.justice.gov/opa/pr/2010/May/10-crm-548.html>

In 2011 Judge Cook's bank engaged in an untoward deal to merge two money-losing banks. In April 2011 Florida Governor Rick Scott suggested Gillespie share his concerns with the Florida Cabinet, which he did. Florida Attorney General Pam Bondi responded May 24, 2011 that the matter was forwarded to the legal department. Florida Agriculture Commissioner Adam Putnam responded May 17, 2011 and agreed with Gillespie that that politics have no role in determining the future of a financial institution. (Exhibit 8).

13. A copy of Plaintiff's First Amended Complaint, filed May 5, 2010, is submitted as Exhibit 9. Judge Cook refused to allow Gillespie to file even one amended complaint. The amended complaint shows how Barker, Rodems & Cook, PA perpetrated their fraud against Gillespie and other clients. Mr. Rodems is unethically representing his firm against Gillespie, a former client, on a matter that is the same or substantially similar to the prior representation, and

his independent professional judgment is materially limited by his own interest and conflict, which is the reason for problems in this case. Mr. Rodems should be disqualified as counsel.

IX. Prohibition: Thirteenth Judicial Circuit Has Conflict With Gillespie

14. The Thirteenth Judicial Circuit, Florida has a conflict hearing this case; it is a defendant in Gillespie v. Thirteenth Judicial Circuit, Florida, et al., case 5:10-cv-503, US District Court, MD Fla., Ocala, for the misuse and denial of judicial process under the color of law, and violation of Title II of the ADA. A copy of the complaint is provided as Exhibit 10. Therefore the case should be moved to another circuit or venue.

15. Gillespie petitioned The Supreme Court of Florida, case no. SC11-858, for an Emergency Petition for Writ of Prohibition. (Exhibit 7). The Supreme Court of Florida denied SC11-858 by Order May 18, 2011. (Exhibit 3). This is a matter of public importance since legal research shows there is no case law on this subject, a fact confirmed to Gillespie in an email received from James R. Birkhold, Clerk of the Court, Second District Court of Appeal, Florida.

X. Gillespie's Latest Attempts to Obtain Counsel

16. May 25, 2011 Gillespie emailed counsel who participated in Turner seeking assistance. About an hour later attorney Krista J. Sterken called Gillespie at home with an offer of representation contingent on a conflict search. Ms. Sterken is co-counsel with Michael D. Leffel of Foley & Lardner LLP who submitted an amicus brief in Turner for the Center for Family Policy and Practice. Unfortunately Mr. Leffel declined representation by letter May 27, 2011.

17. June 2, 2011 Gillespie placed an ad on Craigslist seeking counsel. The ad states:

I will pay \$1,000 cash to a Florida licensed attorney in good standing to represent me at a deposition duces tecum in Tampa ASAP. This is civil litigation. \$1,000 represents more than half my monthly income. (I will pay more if you accept terms for the balance). I need prep time too. This is urgent, I'm facing a writ of bodily attachment otherwise. Thank you.

18. In response to the ad, Gillespie retained attorney Eugene P. Castagliuolo June 3, 2011.

Eugene P. Castagliuolo, Esquire
CASTAGLIUOLO LAW GROUP, P. A.
2451 McMullen Booth Road
Clearwater, Florida 33759
Telephone: (727) 712-3333
attorneyepc@yahoo.com

Mr. Castagliuolo has telephoned and sent email to opposing counsel Ryan Christopher Rodems numerous times during the week June 6, 2011 through June 10, 2011 in an effort to resolve the deposition. Mr. Rodems has not responded to Gillespie's counsel.

19. Gillespie has not been provided a copy of the writ of bodily attachment showing what is required to purge. The Clerk of the Court failed to provide a copy of the writ to Gillespie or his representative upon request. Mr. Rodems will not provide a copy of the writ to Mr. Castagliuolo. Because of the above, Gillespie fears that Mr. Rodems is using the writ of bodily attachment as a tool of vengeance, not justice. Gillespie speculates that to purge the contempt/writ a deposition is required where documents are demanded. If the documents don't meet Mr. Rodems impossible standards, the incarceration could continue for months. Another possibility, once incarcerated, Mr. Rodems may have a plan to enter Gillespie's home and remove all the property.

XI. Conclusion

20. This case shows what legal experts are saying. Lawrence Tribe, a constitutional scholar, a former Harvard Law School Professor, and Senior Counselor for Access to Justice at the US Justice Department, spoke in June 2010 at the American Constitution Society. Tribe called Americans' access to justice a "dramatically understated" crisis. "The whole system of justice in America is broken," Tribe said. "The entire legal system is largely structured to be labyrinthine, inaccessible, unusable." Attorney and journalist Amy Bach spent eight years investigating the widespread courtroom failures that each day upend lives across America. Her resulting book is

“Ordinary Injustice, How America Holds Court.” In the process, Bach discovered how the professionals who work in the system, however well intentioned, cannot see the harm they are doing to the people they serve. And perhaps the most important critic relative to the issues in this case is Law Professor Benjamin H. Barton, author of the book “The Lawyer-Judge Bias in the American Legal System”. Barton writes that virtually all American judges are former lawyers, a shared background that results in the lawyer-judge bias. This book argues that these lawyer-judges instinctively favor the legal profession in their decisions and that this bias has far-reaching and deleterious effects on American law. Professor Barton submitted an amici brief in Turner with Professor Darryl Brown in support of Respondents.

WHEREFORE Gillespie petitions the Court for an Emergency Petition For Writ of Prohibition and other remedies the Court may deem appropriate.

RESPECTFULLY SUBMITTED June 11, 2011.

Neil J. Gillespie, petitioner pro se

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
SECOND DISTRICT, POST OFFICE BOX 327, LAKE LAND, FL 33802-0327

May 4, 2011

CASE NO.: 2D11-2127

L.T. No. : 05-CA-007205

Neil J. Gillespie

v. Barker, Rodems & Cook,
P A & William J. Cook

Appellant / Petitioner(s),

Appellee / Respondent(s).

BY ORDER OF THE COURT:

Petitioner's petition for writ of habeas corpus is denied.

LaROSE, CRENSHAW, and BLACK, JJ., Concur.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

Served:

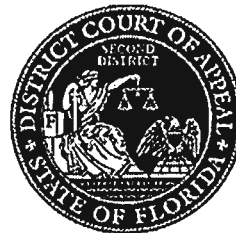
Neil J. Gillespie

Ryan Christopher Rodems, Esq.

Pat Frank, Clerk

aw


James Birkhold
Clerk



EXHIBIT

1

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
SECOND DISTRICT, POST OFFICE BOX 327, LAKELAND, FL 33802-0327

May 6, 2011

CASE NO.: 2D11-2127

L.T. No. : 05-CA-007205

Neil J. Gillespie

v. Barker, Rodems & Cook,
P A & William J. Cook

Appellant / Petitioner(s),

Appellee / Respondent(s).

BY ORDER OF THE COURT:

AMENDED ORDER

Petitioner's petition for writ of prohibition is denied.

LaROSE, CRENSHAW and BLACK, JJ., Concur.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

Served:

Neil J. Gillespie

Ryan Christopher Rodems, Esq.

Pat Frank, Clerk

aw


James Birkhold
Clerk



EXHIBIT

2

Supreme Court of Florida

WEDNESDAY, MAY 18, 2011

CASE NO.: SC11-858

Lower Tribunal No(s): 05-CA-007205

NEIL J. GILLESPIE

vs. BARKER, RODEMS &
COOK, P.A., ET AL.

Petitioner(s)

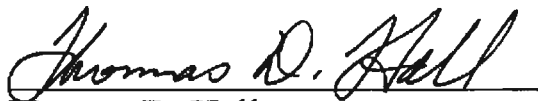
Respondent(s)

The petition for writ of habeas corpus is hereby denied.

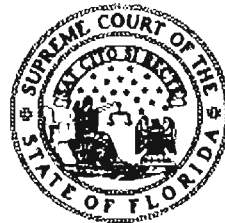
PARIENTE, LEWIS, QUINCE, POLSTON, and PERRY, JJ., concur.

A True Copy

Test:



Thomas D. Hall
Clerk, Supreme Court



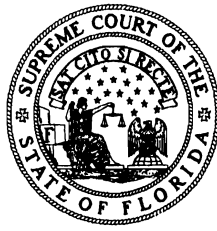
ab

Served:

DAVID A. ROWLAND
NEIL J. GILLESPIE
RYAN CHRISTOPHER RODEMS
HON. PAT FRANK, CLERK
HON. JAMES D. ARNOLD, JUDGE

EXHIBIT

3



Supreme Court of Florida

Office of the Clerk
500 South Duval Street
Tallahassee, Florida 32399-1927

THOMAS D. HALL
CLERK
TANYA CARROLL
CHIEF DEPUTY CLERK
SUSAN DAVIS MORLEY
STAFF ATTORNEY

PHONE NUMBER (850) 488-0125
www.floridasupremecourt.org

ACKNOWLEDGMENT OF NEW CASE

May 4, 2011

RE: NEIL J. GILLESPIE vs. BAKER, RODEMS & COOK,
P.A., ET AL.

CASE NUMBER: SC11-858
Lower Tribunal Case Number(s) : 05-CA-007205

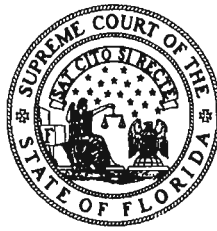
The Florida Supreme Court has received the following documents reflecting a filing date of 5/3/2011.

Emergency Petition for Writ of Habeas Corpus
Emergency Petition for Writ of Prohibition

The Florida Supreme Court's case number must be utilized on all pleadings and correspondence filed in this cause. Moreover, ALL PLEADINGS SIGNED BY AN ATTORNEY MUST INCLUDE THE ATTORNEY'S FLORIDA BAR NUMBER.

FOR GENERAL FILING INFORMATION AND ADMINISTRATIVE ORDER NO. AOSC04-84, PLEASE VISIT THE CLERK'S OFFICE WEBSITE AT <http://www.floridasupremecourt.org/clerk/index.shtml>

wm
cc:
DAVID A. ROWLAND
NEIL J. GILLESPIE
RYAN CHRISTOPHER RODEMS
HON. PAT FRANK, CLERK
HON. JAMES D. ARNOLD, JUDGE



Supreme Court of Florida

Office of the Clerk
500 South Duval Street
Tallahassee, Florida 32399-1927

THOMAS D. HALL
CLERK
TANYA CARROLL
CHIEF DEPUTY CLERK
SUSAN DAVIS MORLEY
STAFF ATTORNEY

PHONE NUMBER (850) 488-0125
www.floridasupremecourt.org

AMENDED
ACKNOWLEDGMENT OF NEW CASE
May 5, 2011

RE: NEIL J. GILLESPIE vs. BARKER, RODEMS &
COOK, P.A., ET AL.

CASE NUMBER: SC11-858
Lower Tribunal Case Number(s) : 05-CA-007205

The Florida Supreme Court has received the following documents reflecting a filing date of 5/3/2011.

Emergency Petition for Writ of Habeas Corpus
Emergency Petition for Writ of Prohibition

The Florida Supreme Court's case number must be utilized on all pleadings and correspondence filed in this cause. Moreover, ALL PLEADINGS SIGNED BY AN ATTORNEY MUST INCLUDE THE ATTORNEY'S FLORIDA BAR NUMBER.

**FOR GENERAL FILING INFORMATION AND ADMINISTRATIVE ORDER
NO. AOSC04-84, PLEASE VISIT THE CLERK'S OFFICE WEBSITE AT
<http://www.floridasupremecourt.org/clerk/index.shtml>**

wm

cc:

DAVID A. ROWLAND
NEIL J. GILLESPIE
RYAN CHRISTOPHER RODEMS
HON. PAT FRANK, CLERK
HON. JAMES D. ARNOLD, JUDGE

Florida Supreme Court Case Docket

Case Number: SC11-858 - Closed

NEIL J. GILLESPIE vs. BARKER, RODEMS & COOK, P.A., ET AL.

Lower Tribunal Case(s): 05-CA-007205

05/21/2011 02:38

Date Docketed	Description	Filed By	Notes
05/03/2011	PETITION-HABEAS CORPUS	PS Neil J. Gillespie BY: PS Neil J. Gillespie	W/ATTACHMENTS (FILED AS "EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS & EMERGENCY PETITION FOR WRIT OF PROHIBITION") (05/05/11: ACK OF NEW CASE LTR CORRECTED TO REFLECT CORRECT CASE STYLE)
05/04/2011	No Fee Required		
05/18/2011	DISP-HABEAS CORPUS DY		The petition for writ of habeas corpus is hereby denied.

Appendix

Table of Contents

Exhibit 1	May 4, 2011, Second District Court of Appeal, Order, DENIED 2D11-2127
Exhibit 2	May 4, 2011, Second District Court of Appeal, Amended Order, DENIED 2D11-2127
Exhibit 3	May 18, 2011, Florida Supreme Court, Order, DENIED SC11-858
Exhibit 4	June 1, 2011, Public Defender's Motion for Clarification
Exhibit 5	June 1, 2011, Order Relieving The Office of The Public Defender of The Thirteenth Judicial Circuit From Representation of Plaintiff Neil Gillespie
Exhibit 6	May 24, 2011, Plaintiff's Motion For Appointment of Counsel, ADA, Memo of Law
Exhibit 7	May 3, 2011, Petition, Supreme Court Florida, writ of prohibition, habeas corpus, SC11-858
Exhibit 8	Letters, Gov. Rick Scott, AG Pam Bondi, Agriculture Commissioner Adam Putnam
Exhibit 9	May 5, 2010, <u>Plaintiff's First Amended Complaint</u> , 05-CA-007205, Gillespie v BRC
Exhibit 10	September 28, 2010, complaint, <u>Gillespie v Thirteenth Judicial Circuit, Florida, et al</u>

No: _____

IN THE
SUPREME COURT OF THE UNITED STATES

NEIL J. GILLESPIE - PETITIONER

VS.

BARKER, RODEMS & COOK, PA, et al. - RESPONDENTS

PROOF OF SERVICE

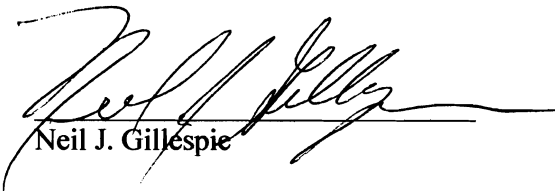
I, Neil J Gillespie, do swear or declare that on this date, June 11, 2011, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and EMERGENCY PETITION FOR WRIT OF PROHIBITION on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days. The names and addresses of those served are as follows:

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

David A. Rowland, Court Counsel
Thirteenth Judicial Circuit Of Florida
Legal Department
800 E. Twiggs Street, Suite 603
Tampa, Florida 33602

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 11, 2011


Neil J. Gillespie