

1 IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
2 OF THE STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY
3 CIVIL DIVISION

4 NEIL J. GILLESPIE,

5 Plaintiff,

Case No.: 05-7205

6 -vs-

Division: H

7 BARKER, RODEMS & COOK, P.A.,
8 A Florida Corporation

9 Defendant.

-----/

10
11
12 TRANSCRIPT OF PROCEEDINGS

13
14 BEFORE: HONORABLE CLAUDIA R. ISOM
15 Circuit Judge
16 TAKEN AT: In Chambers
17 Hillsborough County Courthouse
Tampa, Florida
18 DATE & TIME: February 5, 2007
Commencing at 1:30 p.m.
19 REPORTED BY: Denise L. Bradley, RPR
20 Notary Public
21
22
23

24 **ORIGINAL**

25 STENOGRAPHICALLY RECORDED
COMPUTER-AIDED TRANSCRIPTION

1 APPEARANCES:

2
3 On behalf of the Plaintiff:

4 **NEIL J. GILLESPIE**
5 (Pro se litigant)
6 8092 115th Loop
7 Ocala, Florida 34481

8 On behalf of the Defendant:

9 **RYAN CHRISTOPHER RODEMS, ESQUIRE**
10 Barker, Rodems & Cook, P.A.
11 400 North Ashley Drive, Suite 2100
12 Tampa, Florida 33602
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

1
2 THE COURT: All right. On the record. Would
3 everybody please introduce themselves for the record,
4 starting with our court reporter.

5 THE REPORTER: My name is Denise Bradley with
6 Berryhill Court Reporters.

7 THE COURT: Okay. And for plaintiff.

8 MR. GILLESPIE: My name is Neil Gillespie. I'm
9 appearing pro se.

10 THE COURT: Okay. And for defense.

11 MR. RODEMS: Ryan Christopher Rodems here on
12 behalf of defendants Barker, Rodems and Cook, P.A. and
13 William J. Cook.

14 THE COURT: Okay. And we've got several things.
15 The first thing is plaintiff's motion for order of
16 protection. Is that still pending? That's not
17 something we addressed the other day?

18 MR. GILLESPIE: The first thing, in the most
19 recent order in the most recent scheduling was an order
20 to show cause why Mr. Rodems should not be held in
21 contempt of court.

22 THE COURT: Okay.

23 MR. GILLESPIE: But before we get into that,
24 Judge --

25 THE COURT: Well, no, I'm just looking at the

1 docket. So is the motion for order of protection, has
2 that been addressed or is that --

3 MR. GILLESPIE: It has not been addressed.

4 THE COURT: Okay. All right. So that's still
5 pending. Motion to dismiss and strike. Is that your
6 motion, Mr. Rodems, to dismiss and strike or is it your
7 motion?

8 MR. GILLESPIE: That's my motion.

9 THE COURT: All right. And that's still pending?

10 MR. GILLESPIE: Yes. Yes, Judge.

11 THE COURT: And motion to compel, is that your
12 motion?

13 MR. GILLESPIE: I think we each have a motion to
14 compel discovery.

15 MR. RODEMS: I do not have one set for hearing
16 today, Judge.

17 THE COURT: All right. Okay. And what was the
18 other motion you said that you had?

19 MR. GILLESPIE: There is a motion to -- a motion
20 for an order to show cause.

21 THE COURT: Is that your motion for an order to
22 show cause?

23 MR. GILLESPIE: Yes, ma'am.

24 THE COURT: Okay. Order to show cause.

25 MR. GILLESPIE: Then there were two motions for

1 reconsideration.

2 THE COURT: Two motions for reconsideration.

3 MR. GILLESPIE: Reconsideration on
4 disqualification of Mr. Rodems for his prior
5 representation of me and reconsideration of a discovery
6 order.

7 THE COURT: Motion to disqualify. All right. So
8 they're all your motions, correct, that we're doing
9 today, Mr. Gillespie?

10 MR. GILLESPIE: Judge, no. I believe the
11 defendant has two motions here.

12 THE COURT: All right. What are your motions?

13 MR. RODEMS: I have a defendant's amended motion
14 for sanctions pursuant to Section 57.105. That had
15 previously been set before Judge Nielsen. And then the
16 second one is a motion for an order to show cause why
17 plaintiff should not be held in contempt of court. And
18 that was also previously set in front of Judge Nielsen.

19 What I don't have is this motion for order of
20 protection. I don't see that plaintiff's motion for
21 order of protection. I don't see that listed.

22 THE COURT: Well, I'm just reading off of the
23 docket. And that was actually the first thing that had
24 been typed on there was plaintiff's motion for order of
25 protection.

1 MR. GILLESPIE: I can respond to that, Judge.
2 That was on the notice of hearing at one point.
3 However, it was replaced by plaintiff's motion for an
4 order to show cause why Ryan Christopher Rodems should
5 not be held in criminal contempt with my affidavit and
6 with a memorandum of law. The motion for an order of
7 protection is incorporated in that document.

8 THE COURT: Okay. All right. So that's the
9 first one you want to do?

10 MR. GILLESPIE: Well, also ma'am, I had a
11 plaintiff's motion for summary judgment. And I believe
12 Mr. Rodems has filed an objection to that. Am I
13 correct in that, sir?

14 MR. RODEMS: I'm sorry?

15 THE COURT: Did you file an objection or record
16 evidence or something in opposition to a motion for
17 summary judgment?

18 MR. RODEMS: Yes, we moved to continue it.

19 THE COURT: Okay.

20 MR. RODEMS: Because discovery is still
21 outstanding.

22 THE COURT: All right.

23 MR. GILLESPIE: And also I believe he moved to
24 continue the order to show cause why he should not be
25 held in criminal contempt. Is that right, sir?

1 MR. RODEMS: I don't have any problem with that
2 one going forward. We'll see how far it gets.

3 THE COURT: Okay.

4 MR. GILLESPIE: And there were two motions that I
5 sent to chambers on Friday. One has to do with his
6 summary judgment motion. Mr. Rodems is objecting to my
7 summary judgment motion because he says discovery is
8 not complete. However, he has filed his own motion for
9 final summary judgment and motion for judgment on the
10 pleadings. He did this unilaterally. Didn't contact
11 me about a hearing on the 15th. So I am moving to
12 continue that on the same basis that he is objecting to
13 my summary judgment.

14 MR. RODEMS: That has not been noticed for
15 hearing today. And given the number that we have I
16 would suggest that not be taken up unless all the
17 motions that are noticed for today have been disposed
18 of and my motions as well.

19 MR. GILLESPIE: There's also a motion here that
20 addresses plaintiff's motion for order to compel Ryan
21 Christopher Rodems to stop his harassing behavior. And
22 that needs to be addressed as well.

23 MR. RODEMS: That also is not noticed for today
24 and I didn't receive that until Friday. I would again
25 suggest that not be taken up unless everything else is

1 disposed of.

2 MR. GILLESPIE: Judge, is there a reason why Mr.
3 Rodems can't address me as Mr. Gillespie? Do we have
4 to go through an entire hearing for that?

5 THE COURT: I'm sorry. How were you addressing
6 Mr. Gillespie?

7 MR. RODEMS: In the chambers of course I would
8 address him as Mr. Gillespie. I haven't addressed him
9 at all today. I've addressed all of my comments to
10 you.

11 THE COURT: Okay, fine.

12 MR. GILLESPIE: He's been addressing me as either
13 Neil or Neily.

14 THE COURT: Today during the hearing?

15 MR. GILLESPIE: No, on Thursday out in the
16 hallway. And the purpose of it because I've written to
17 him about this and request that he not do it, and it's
18 just for the purpose of annoyance and harassment. In
19 the alternative, I don't know if he perhaps is saying
20 that because maybe he has some affection he wants to
21 show to me. But I'm not interested in that. I believe
22 he's married and I wish he would keep those comments
23 for his wife.

24 MR. RODEMS: I think my wife would object if I
25 called her Neil or Neily.

1 THE COURT: Okay. So in the future please both
2 of you need to refer to each other by your last name,
3 your surname, and not with any terms of affection,
4 endearment or nicknames.

5 MR. RODEMS: Your Honor, are you asking me to do
6 that outside of these proceedings as a courtesy to the
7 Court or is this an official order?

8 THE COURT: When in the courthouse engaging in
9 litigation regarding this case -- is that your umbrella
10 right there on that chair?

11 MR. GILLESPIE: I don't have an umbrella.

12 THE BAILIFF: That's been here since this
13 morning, Your Honor.

14 THE COURT: Off the record.

15 (Pause.)

16 THE COURT: All right, back on the record. In
17 the context of this litigation please refer to each
18 other by your surnames so we won't have any question
19 about whether or not people are being professional.
20 Okay.

21 MR. GILLESPIE: And, Judge, would that go for
22 letters he sends me as well?

23 THE COURT: I said in the context of this
24 litigation. So if the letters have to do with this
25 litigation that would be encompassed in this.

1 MR. GILLESPIE: Thank you.

2 THE COURT: That's for future reference. And
3 since I just said that I would not hold it against
4 either of you if you've been using something like
5 nicknames in the past.

6 Okay. So let's try to get through what was set
7 for today. And you said your order of protection has
8 now been incorporated into an order to show cause.

9 MR. GILLESPIE: Yes, Judge.

10 THE COURT: So by doing the order to show cause
11 we could check two of them off of our list. So why
12 don't you proceed with that one.

13 MR. GILLESPIE: All right, Judge.

14 MR. RODEMS: Your Honor, before we begin, I
15 object to some evidence that Mr. Gillespie has filed in
16 connection with this motion. I'd like to be heard on
17 that before the Court considers the admission of it.

18 MR. GILLESPIE: And, Judge, before --

19 THE COURT: In terms of this being an evidentiary
20 hearing, I guess I'll reserve on your motion since it's
21 nonjury. You can raise the objection whenever he seeks
22 to introduce it into evidence today.

23 MR. RODEMS: Well, he filed it with this motion.
24 So before he begins his motion I'd like to identify the
25 issues and make sure the record is clear.

1 THE COURT: I'm going to ask that you wait until
2 he offers something into evidence.

3 MR. RODEMS: Okay.

4 THE COURT: Go ahead, sir.

5 MR. GILLESPIE: Thank you, Judge. And before we
6 start on that, I want the Court to know and it can be
7 on the record that I'm appearing today without a
8 lawyer, not by choice but because I've not been able to
9 find a lawyer willing to take this case. Also, Mr.
10 Rodems forced this hearing today.

11 Back in December 2006 when I told him I wanted to
12 wait until I retained counsel he became very angry. He
13 left a ranting phone message for me on December 13th.
14 He followed up that ranting phone message with a
15 five-page diatribe of the same date.

16 THE COURT: Okay. Now hold the phone. We're
17 doing the order to show cause. This is about
18 scheduling which would have been after, I assume after
19 you filed the order to show cause.

20 MR. GILLESPIE: Yes.

21 THE COURT: So let's just do the order to show
22 cause now. And of course, had you wanted to take this
23 off of my docket, you could have. You could have
24 mentioned that when you were here last week that you
25 wanted to cancel today's hearing since we have I think

1 the entire afternoon set aside for this case.

2 So let's just do what was set. And in terms of
3 whether or not you tried to cancel it and counsel
4 objected, we're here now. Let's try to use the time in
5 a valuable way.

6 MR. GILLESPIE: And I understand that, Judge.
7 The problem though has to do with two threats Mr.
8 Rodems has made relative to these motions. On the
9 order to show cause, this involves a tape recording of
10 his conversation. Mr. Rodems has threatened me with a
11 criminal prosecution on that for a felony crime. And
12 with his counterclaim for libel, that counterclaim also
13 contains accusations of criminal -- criminal
14 accusations of extortion.

15 So being that two of his positions on these
16 matters involve criminal matters, I think it's in my
17 best interest to be represented by an attorney. And
18 that's my concern on those two items.

19 MR. RODEMS: Your Honor, we've never objected to
20 Mr. Gillespie being represented by an attorney.

21 MR. GILLESPIE: Furthermore, sir, if I could just
22 continue because I wasn't finished. Furthermore, as I
23 indicated on Thursday, Judge, I was still waiting to
24 hear from several attorneys whether they were going to
25 represent me or not.

1 In fact, on Friday the firm of Morgan and Morgan
2 whom I contacted several times, and they still had not
3 gotten back to me. I faxed them and requested they
4 respond one way or the other. I faxed a copy to the
5 Court and also to Mr. Rodems. I've never heard from
6 them. So they're not here. I'll just take that to
7 mean that they're not representing me.

8 Another attorney that --

9 MR. RODEMS: Your Honor, I object to him going
10 through in the presence of the Court while we have a
11 limited amount of time all of these attorneys that he's
12 contacted. It's completely irrelevant to the motion
13 that's on the floor at this point which is his motion
14 for an order to show cause.

15 THE COURT: All right, noted. Sir, if you want
16 to cancel your motion for order to show cause why
17 opposing counsel should not be held in indirect civil
18 contempt or indirect criminal contempt, if you want to
19 cancel your hearing or withdraw your motion, let's talk
20 about that. I understand that you've been unable to
21 get substitute counsel. But I would assume the order
22 to show cause is ancillary to the underlying cause of
23 action. So if it's just something that is not
24 necessary to move this case forward in terms of
25 resolving the underlying cause of action, then you

1 could withdraw it or you could strike it if you don't
2 want to proceed on that at this time.

3 MR. GILLESPIE: Well, really that order to show
4 cause is pretty important because we're here today --
5 almost every item up for consideration is because Mr.
6 Rodems lied to Judge Nielsen and Judge Nielsen had to
7 recuse himself on his own motion. So in a way these
8 reconsiderations are here today because of Mr. Rodems
9 lying to the court, filing a false verification.

10 And also it's my understanding that on this order
11 to show cause that that is something that the state
12 attorney can take up as well. It's way out of my
13 knowledge base and I have to defer to the Court. But
14 isn't that a possibility?

15 THE COURT: In terms of you filing a complaint
16 with the state attorney's office for their
17 consideration, or Mr. Rodems filing a complaint with
18 the state attorney's office for their consideration?

19 MR. GILLESPIE: No, for you to take the notice --

20 THE COURT: No, I do not file complaints with the
21 state attorney's office. They have an intake division.
22 If you feel that you've been the victim of a
23 misdemeanor, you go to the state attorney's office and
24 file a complaint. If you feel you've been the victim
25 of a felony, then you call the law enforcement agency

1 for the area in which you are located where the crime
2 allegedly occurred and you file a report with law
3 enforcement. And if they think it has merit then they
4 send it to the state attorney's office.

5 But I do not process criminal complaints. The
6 only things that I process is if I find out that
7 somebody has been the victim of child abuse then I have
8 to report that to the child abuse registry.

9 MR. GILLESPIE: Thank you, Judge. It was my
10 understanding that on a criminal contempt that there
11 was a way that the state attorney could step in.

12 THE COURT: That's true. I have heard of -- if I
13 chose to proceed with a criminal proceeding I could I
14 guess theoretically transfer the matter to county
15 court, assuming it was up to and including five months
16 and 29 days of incarceration for the punishment. But
17 if you wanted to file a criminal complaint, that was
18 the process I was referring to earlier.

19 Okay. We're getting bogged down. What was the
20 nature of your criminal contempt?

21 MR. GILLESPIE: Well, it has to do with Mr.
22 Rodems' perjury before Judge Nielsen. It's really set
23 in motion all of the problems that this case has had
24 since March the 6th of 2006. Had he not made that
25 false swearing he would not have prejudiced the judge

1 against me and the judge would not have recused himself
2 and this case would have been far moved along now.

3 But this law firm has a -- is notorious for these
4 kinds of stunts, whether it's throwing coffee in
5 someone's face in a mediation or accusing the other
6 side of extortion, which they have done with me, this
7 is how they proceed. And once they have all of these
8 extraneous charges up on the board, then they make an
9 offer to settle. And they say, well, we'll drop this
10 if you drop that. And that to me is not the practice
11 of law and I don't know what it is.

12 But I'm not capable of prosecuting anything. I'm
13 barely able to get myself here today. So I think this
14 is something that the state attorney given the gravity
15 of this -- and I brought some case law to show the
16 importance of truth in these proceedings. I'm going to
17 hand a copy to Mr. Rodems, one for the Court. And I
18 think it's important that we go through here because
19 Mr. Rodems on the record didn't understand why it was
20 important to be truthful in court.

21 And Florida case law prohibits lawyers from
22 presenting false testimony or evidence. And it states
23 that -- and it's cited there in *Kettle vs. Williams*.
24 And it states that perpetration of a fraud is outside
25 the scope of professional duty of an attorney and no

1 privilege attaches to communication between an attorney
2 and a client with respect to transactions constituting
3 the making of a false claim for the perpetration of a
4 fraud. And that's what we have here.

5 Mr. Rodems made a false verification to the judge
6 telling Judge Nielsen that there was going to be an
7 attack in his chambers and that the judge was going to
8 be injured. And all of that was nonsense because it
9 wasn't what I said and the tape recording of the
10 conversation proved that's not what happened.

11 And it goes on in *Dodd vs. The Florida Bar*,
12 reminds us the courts are dependent on members of the
13 bar to present true facts of each cause to enable the
14 judge or jury to decide the facts to which the law may
15 be applied. When an attorney allows false testimony
16 the attorney makes it impossible for the scales of
17 justice to balance.

18 And that's what we have here. It's really
19 impossible to proceed with Mr. Rodems because he's
20 dishonest. He's lied to the court and he's lied to the
21 court under oath, under the penalty of perjury.

22 I'm going to give you another example. I'm going
23 to give Mr. Rodems -- this is a letter he wrote to
24 Judge Nielsen. I'll give him a copy of that. I'll
25 give the Court a copy of this and also a transcript.

1 Here is a transcript, sir. And this is one for you,
2 Judge. And this is Mr. Rodems' October 12th, 2006
3 letter to Judge Nielsen.

4 MR. RODEMS: Your Honor, I object to the letter
5 to Judge Nielsen and this telephone transcript because
6 they're irrelevant.

7 MR. GILLESPIE: Well, they are relevant because
8 they show that he was dishonest.

9 THE COURT: Okay. And is the motion for order to
10 show cause -- have you now decided that you want to
11 proceed on your motion for order to show cause instead
12 of filing criminal charges regarding the alleged
13 perjury? Because it appears now that you are offering
14 evidence in support of the order to show cause.

15 MR. GILLESPIE: Well, this is evidence apart from
16 that just with Mr. Rodems' propensity to be dishonest
17 just as a matter of course in this lawsuit. Here he
18 wrote to Judge Nielsen and said that he transmitted a
19 copy of an order to me and asked for my comment and I
20 have not heard from him regarding this proposed order.
21 This is on the 12th. The day before we had a long
22 conversation about this matter. And that's what is
23 memorialized in the transcript.

24 So if he's not honest then it's going to be
25 impossible in my view to go forward with a dishonest

1 attorney because everything in this case hinges on
2 honesty from the other side. As this case law reminds
3 us, the courts are dependent on members of the bar to
4 present true facts in each cause to enable judge and
5 jury to decide the facts to which the law may be
6 applied.

7 In my view Mr. Rodems needs to be disqualified
8 for his lack of candor and the other reasons. And once
9 he is disqualified and we get an honest attorney in
10 here then maybe we'll be able to proceed on some of
11 these other matters.

12 THE COURT: Okay. So now we're moving from the
13 order to show cause to your motion for reconsideration.
14 Did you have -- had not Judge Nielsen denied the motion
15 to disqualify? And you said earlier this afternoon
16 that you had two motions for reconsideration, one was
17 the motion to disqualify and the other one had to do
18 with the discovery motion.

19 MR. GILLESPIE: Yes, Judge.

20 THE COURT: Okay. So did Judge Nielsen do a
21 written order denying the motion for reconsideration?
22 I mean -- yeah, denying the motion for reconsideration?

23 MR. GILLESPIE: No, Judge.

24 MR. RODEMS: The two motions for reconsideration
25 were filed after Judge Nielsen recused himself of his

1 own volition.

2 THE COURT: Okay. So those -- all right. I'm a
3 very I guess what I would call linear person. You
4 started out on the order to show cause. You moved to
5 saying that you were going to file criminal charges
6 instead of the order to show cause.

7 MR. GILLESPIE: Judge --

8 THE COURT: And now you're talking about the
9 motion for reconsideration. And I gave you the
10 opportunity to strike the hearing today on the order to
11 show cause because you said that you're still hoping to
12 be able to find an attorney. And I haven't heard a yea
13 or a nay from you. So do you want to proceed with the
14 order to show cause today, or do you want to strike
15 that part of your notice of hearing in the hopes that
16 you'll get legal counsel?

17 MR. GILLESPIE: Thank you, Judge. And if it
18 pleases the Court, I don't think that I want to file
19 criminal charges against Mr. Rodems. I don't believe
20 that that's my obligation. I believe that that's
21 something for the state attorney to consider, and he
22 can do that from this motion for an order to show
23 cause. And I don't see why I need to be involved in
24 that. It would seem to me that the Court should have
25 enough interest in perjury before a judge that led to

1 the judge's recusal, that the Court would find that
2 important enough to take on their own motion or their
3 own initiative.

4 THE COURT: You don't understand the concept of a
5 complaining witness, that the state attorney's office
6 has an intake division, and people, attorneys review
7 complaints to see if they have prosecutorial merit?

8 MR. GILLESPIE: I understand that, Judge, but
9 this is a different issue. This is a contempt before a
10 judge during the proceedings. This isn't a crime
11 committed on the street.

12 THE COURT: Okay. So in terms of the order to
13 show cause, I have the power to punish indirect
14 criminal contempt. I mean what you're saying is --
15 okay. I have the inherent authority of the court to
16 punish indirect criminal contempt, indirect criminal
17 contempt, direct contempt that occurs in front me which
18 would not be the case here because you're saying that
19 it relates to this letter that was written to Judge
20 Nielsen. But that's separate and apart from the
21 criminal justice system.

22 MR. GILLESPIE: I understand that, somewhat,
23 Judge.

24 THE COURT: Okay. So if you want to proceed with
25 your order to show cause and request criminal

1 sanctions, you can do that in this division. You don't
2 have to have a separate cause of action filed within
3 criminal court.

4 MR. GILLESPIE: And, Judge, if I were an attorney
5 and knew what I was doing I would do that, but that's
6 the problem here. I'm not an attorney. And I'm not
7 sure of the procedure. And I don't want to miss
8 dotting an "I" and having this thing not be taken
9 seriously. That's why I felt that it was important to
10 be represented by an attorney and that's what I'm
11 trying to do.

12 THE COURT: Okay. Well, since I have several
13 things scheduled for today, we're going to pass on the
14 order to show cause and move on to your motion for
15 reconsideration of Judge Nielsen's denial of your
16 motion to disqualify Mr. Rodems from representing I
17 guess himself, his law firm and Mr. Cook, is that
18 correct?

19 MR. RODEMS: Actually, Judge --

20 THE COURT: All of those entities?

21 MR. RODEMS: I only represent Mr. Cook and the
22 law firm. I'm not a party to these proceedings.

23 THE COURT: Oh, you only represent the law firm
24 and Mr. Cook. Is Mr. Cook still with your firm?

25 MR. RODEMS: Yes, ma'am.

1 THE COURT: Okay.

2 MR. RODEMS: He's my law partner.

3 THE COURT: Okay. So, all right, on your motion
4 for reconsideration, why should this Court reconsider
5 or rehear the motion to disqualify counsel?

6 MR. GILLESPIE: Judge, defense counsel has a
7 direct conflict of interest with me, the plaintiff.
8 And this lawsuit turns on a contract which is attached
9 to the complaint as Exhibit 1. The contract -- there's
10 some history to the contract because it was signed
11 under the previous law firm, Alpert, Barker, Rodems and
12 Cook. And then it became Barker, Rodems & Cook and
13 they took the assignment of the contract.

14 They never signed a new contract and there's a
15 whole matter about that. But with regard to -- there
16 is a contract that forms the basis of this dispute.
17 And that contract was drafted by the defendants. And
18 now they're trying to disavow that same contract. And
19 that's prohibited by the rules. As a matter of fact, I
20 brought the Florida Statutes Annotated and they discuss
21 that. And that's under Rule 4-1.9, conflict of
22 interest-former client.

23 It says here, thus, a lawyer cannot properly seek
24 to rescind on behalf of the new client a contract
25 drafted on behalf of the former client.

1 And that's what they're doing here. They drafted
2 a contract on my behalf and now they're seeking to
3 rescind that contract on behalf of their new client,
4 which is themselves and Mr. Cook.

5 Also, going into the scope of the matter, when a
6 lawyer has been directly involved in a specific
7 transaction -- and the specific transaction is this
8 contract -- subsequent representation of other clients
9 with materially adverse interest is clearly prohibited.

10 So at one point they represented my interest
11 directly on the specific contract. Now they're taking
12 a materially adverse position. And this is prohibited
13 according to Rule 4-1.9.

14 THE COURT: Okay. So they represented you in a
15 legal transaction where you had a written employment
16 agreement with them, is that correct?

17 MR. GILLESPIE: Yes, Judge.

18 THE COURT: All right. So what was the scope of
19 the employment? What were they supposed to do for you?

20 MR. GILLESPIE: Well, the contract was a
21 contingent fee agreement.

22 THE COURT: Okay. But what was the scope? What
23 were they supposed to do for you under this contingent
24 fee agreement?

25 MR. GILLESPIE: Under the contingent fee

1 agreement they were representing the interest -- it was
2 a lawsuit against the Amscot Corporation. But this
3 representation contract primarily dealt with the
4 relationship between myself and the lawyers and how any
5 proceeds were going to be divided.

6 THE COURT: All right. So ultimately did they
7 settle your lawsuit or did you go to trial?

8 MR. GILLESPIE: There was a settlement, Judge.

9 THE COURT: There's a settlement, okay. And did
10 you sign a release and a closing statement?

11 MR. GILLESPIE: Yes, and they were subsequently
12 found to be fraudulent.

13 THE COURT: Okay. So is your law firm holding
14 settlement proceeds that have not been distributed?

15 MR. RODEMS: No, Your Honor.

16 THE COURT: Okay. So did your law firm undertake
17 representation of Mr. Gillespie after Mr. Alpert had to
18 retire from practicing law?

19 MR. RODEMS: No. Actually what happened, if I
20 can give you just a brief history, me, Chris Walker and
21 Bill Cook left the law firm that was then known as
22 Alpert, Barker, Rodems, Farantino and Cook in 2000.
23 When we left and started our new firm, Jonathan,
24 Mr. Alpert, and all of us agreed that we would contact
25 our clients and see which ones wanted to stay with

1 Mr. Alpert's remaining firm, which was going to be
2 renamed Alpert and Farantino, and which ones wanted to
3 join Barker, Rodems and Cook. Mr. Gillespie elected to
4 go with Barker, Rodems and Cook.

5 Then the case proceeded to settlement if I recall
6 correctly. And Mr. Gillespie signed the closing
7 statement and a release and received all of his money.

8 THE COURT: And the money was disbursed?

9 MR. RODEMS: Yes.

10 THE COURT: So is this lawsuit then a legal
11 malpractice action?

12 MR. RODEMS: No. He's claiming that he went back
13 and looked at it again and figured out a different way
14 that he thinks he should have been paid instead of what
15 he agreed to in the closing statement and what he
16 agreed to in the release and what he directed us to do.

17 MR. GILLESPIE: I would object to that.

18 THE COURT: So this is then a contract action.

19 MR. GILLESPIE: It's a contract action.

20 MR. RODEMS: He's alleging that we breached our
21 contingency fee contract. That's what he's alleging.
22 The previous lawsuit against Amscot involved the Truth
23 in Lending Act, the federal statute dealing with
24 requirements with lenders.

25 THE COURT: Okay.

1 MR. GILLESPIE: Your Honor --

2 THE COURT: So in terms of this lawsuit then your
3 firm would be witnesses in the case. So did Judge
4 Nielsen --

5 MR. RODEMS: Oh, yeah, he considered all of that,
6 Judge.

7 THE COURT: Did he consider the fact that you
8 guys would be witnesses in the case?

9 MR. GILLESPIE: If it please the Court, Judge.

10 MR. RODEMS: May I finish, Your Honor. We had a
11 hearing in front of Judge Nielsen. And I attached the
12 transcript of that hearing to a letter and sent that to
13 you. Everything that Mr. Gillespie has just
14 represented to you was fully addressed in front of
15 Judge Nielsen.

16 MR. GILLESPIE: It was not.

17 MR. RODEMS: We went through the 4-1.9 argument.
18 We went through the fact that Mr. Gillespie said I
19 might be a witness. We went through all of that. And
20 after having heard all of that, Judge Nielsen denied
21 his motion to disqualify. And that's why I filed the
22 transcript because this motion for reconsideration is
23 nothing more than him trying to get a second bite at
24 the apple after all of the repugnant things he said
25 about Judge Nielsen in his motion to disqualify.

1 MR. GILLESPIE: I object to that. This man lied
2 before Judge Nielsen. I didn't say anything repugnant
3 about the judge.

4 MR. RODEMS: Well, there's letters in the court
5 file --

6 MR. GILLESPIE: Your Honor, if it pleases the
7 Court, I can help the Court understand what Mr. Rodems
8 is trying -- how he's trying to mislead the Court now.

9 THE COURT: No. I just want to know in terms of
10 your motion for reconsideration what's new or different
11 or additional case law.

12 MR. GILLESPIE: What's different here --

13 THE COURT: Why should it be reconsidered.

14 MR. GILLESPIE: What's different here, Judge,
15 turns on -- and you have put your hand right on it. We
16 are talking about the contract between myself and the
17 defendant. That is the issue in hand.

18 What Judge Nielsen did -- and it was a very
19 sleight of hand accompanied by the defendants here.
20 They turned it into -- this was not the same matter
21 because it was a matter of truth in lending law. And I
22 don't know whether that was intentional by him or he
23 was just misled by Mr. Rodems. The issue at hand is
24 not a truth in lending claim. The matter at hand is
25 the representation contract.

1 Really there are two parallel issues running in
2 the representation, the prior representation. That was
3 their representation of me on truth in lending and
4 their representation of me between the law firm and
5 myself. And that's what we're talking about. That was
6 not considered last time. What was considered last
7 time was whether the truth in lending claim was the
8 issue. And it clearly wasn't.

9 THE COURT: Okay. All right.

10 MR. GILLESPIE: And I think the record shows that
11 if you look at it. I'm looking for the transcript,
12 Judge, that was provided by Mr. Rodems.

13 THE COURT: Okay. All right. Looking at that
14 transcript on page ten talks about timeliness, that
15 under the motion to disqualify I guess they're saying
16 that you filed the motion six to eight months after the
17 litigation began.

18 MR. GILLESPIE: Actually, the first speaking
19 motion I made was to have him disqualified. We don't
20 have a transcript of that hearing. So that's not
21 accurate. That was back in September.

22 THE COURT: Did you sign the closing statement on
23 behalf of the law firm?

24 MR. RODEMS: No, Mr. Cook did, Your Honor.

25 THE COURT: Mr. Cook did?

1 MR. RODEMS: Yes.

2 THE COURT: Did you attend the mediation or
3 settlement conference or anything regarding this case?

4 MR. RODEMS: Your Honor, I didn't have anything
5 to do with the Amscot case at all other than the
6 typical normal things that partners would say to each
7 other in the hallway or at lunch. I didn't handle the
8 litigation. I don't recall having any participation in
9 the case at all. I certainly didn't attend any
10 mediations or involve myself in the settlement or the
11 releases or any of the strategy decisions, nothing like
12 that.

13 MR. GILLESPIE: Judge, whether or not he was
14 directly involved is immaterial. There's an imputed
15 disqualification.

16 MR. RODEMS: Judge, if you'll look on page ten we
17 also talked about the case of *Cerillo vs. Highley*
18 which is at 797 So.2d 1288.

19 THE COURT: Okay. Let's go off the record. I
20 want to just review this transcript.

21 MR. RODEMS: Okay. Your Honor, if we have just a
22 moment may I be excused?

23 THE COURT: Yes.

24 MR. RODEMS: I just need a moment.

25 THE COURT: Yes.

1 (Pause in the proceedings.)

2 THE COURT: Okay, back on the record. I've now
3 had an opportunity to refresh my recollection. I
4 believe we used this same transcript earlier in
5 relationship to the hearing. I've now had a chance to
6 review it again.

7 So you feel that in terms of your motion for
8 reconsideration that there was additional information
9 that was not presented to Judge Nielsen that would be
10 important to this decision?

11 MR. GILLESPIE: Well, Judge, if you look at page
12 five of the transcript, this is where Judge Nielsen is
13 questioning. This begins on page five, line seven.
14 The Court: Well, see then there was one clarification
15 I had. And you actually just read the portion of it.
16 He made reference to the same or a substantially
17 similar matter to the present controversy. And he asks
18 what I'm referring to. I answer: Amscot Corporation.

19 And this is where it gets tricky. Yes, it was
20 the Amscot lawsuit, but it wasn't the truth in lending
21 portion of the Amscot lawsuit. It was the contingent
22 fee contract between the plaintiff and the defendant.

23 And if you go down further the judge asked: And
24 the action was brought in federal court?

25 And I responded: Yes, Judge.

1 And he asked again: Is this the matter that
2 you're referring to that's substantially similar?

3 And I answer: Yes.

4 And then Mr. Rodems responds to that further down
5 the page on page six. And Mr. Rodems states beginning
6 on line 14: The matter that defendants represented Mr.
7 Gillespie on was a Truth in Lending Act claim filed in
8 the federal court involving the issues of the Rule
9 4-1.9.

10 And Mr. Rodems goes on at the bottom of page six
11 beginning on line 23, So the case that Mr. Gillespie
12 alleges is substantially the same or similar involved a
13 claim by Mr. Gillespie against Amscot, a corporation,
14 involving alleged violations of Mr. Gillespie's rights
15 under the Truth in Lending Act. This lawsuit involves
16 different parties, different facts and different legal
17 issues.

18 And this is where this matter turns very subtly
19 because what Mr. Rodems said there was correct. But
20 that's not what this current lawsuit is about. We're
21 not questioning the Truth in Lending Act or what Amscot
22 did. We're questioning the contract that is between
23 myself and the defendants. And it's the same parties,
24 the same facts and the same legal issues. And that is
25 where Judge Nielsen either missed this or didn't

1 consider it properly.

2 My motion for reconsideration beginning on page
3 three discusses the fine points of all of this with
4 references.

5 THE COURT: Where is the section about a lawyer
6 as witness? Because I know it talks in there about
7 you're permitted to be a witness if you're being sued
8 or you're suing your former clients. Seems like that
9 might be --

10 MR. RODEMS: There is a provision of the Rules
11 Regulating the Florida Bar that authorizes an
12 attorney --

13 THE COURT: Right. So it seems like that would
14 be relevant to this discussion because in this case, if
15 I understand correctly, the plaintiff is suing his
16 former law firm.

17 MR. GILLESPIE: Judge, in my motion for
18 reconsideration I don't raise that issue of them being
19 a witness, of them being an advocate.

20 THE COURT: I'm just saying that if you look at
21 4-3.7, a lawyer as witness, it talks about the scenario
22 where a lawyer may be an advocate at a trial in which
23 the lawyer is likely to be a witness where the
24 testimony relates to the nature and value of legal
25 services rendered in the case. And by extrapolation it

1 would seem that that's of assistance in determining
2 whether or not Judge Nielsen made a correct decision.

3 MR. GILLESPIE: Well, that notwithstanding, it
4 says when a lawyer has been directly involved in a
5 specific transaction subsequent representation of other
6 clients with materially adverse interests is clearly
7 prohibited. In other words, the defendants are
8 prohibited from representing themselves.

9 However, they could testify about this if they
10 were represented by another counsel. But they can't
11 represent themselves on this. So, yes, they can give
12 testimony. They just can't give testimony while
13 they're representing themselves on this matter.

14 And it also talks about if the lawyer's own
15 conduct in the transaction is in serious question --
16 which it is -- it may be difficult or impossible for a
17 lawyer to give the client detached advice. And that's
18 what we have here. It also goes on to say a suit
19 charging fraud entails conflict to a degree not
20 involved in a suit for declaratory judgment concerning
21 statutory interpretation.

22 If the pleases the Court, I can give you West's
23 Florida Statutes annotated which I'm reading from.
24 Would you care to look at this, Judge.

25 THE COURT: I have it in the law library across

1 the hall. And in point of fact, I recently reviewed it
2 in connection with a different case where there had
3 been a motion to disqualify counsel.

4 Based upon my review of Rule 4-1.7, 4-1.8, 4-1.9,
5 4-1.10, and this later one I was talking about, 4-3.7,
6 I don't hear anything new in your argument today that
7 Judge Nielsen overlooked or failed to address whenever
8 he ruled on your motion previously.

9 MR. GILLESPIE: Well, I still have more of this
10 motion to go through.

11 THE COURT: Okay. All right. Please continue.

12 MR. GILLESPIE: So is what you're saying, Judge,
13 that you considered that he was correct in that point
14 of law?

15 THE COURT: I'm just saying looking at the
16 transcript it looks like in terms of new information
17 I'm looking to see what's changed. Is there a recent
18 ruling in the supreme court? Is there something that
19 was not argued at that time or case law that was
20 materially relevant to the case that was not available
21 to counsel at the time that Judge Nielsen ruled upon
22 the motion? You know, in terms of a motion for
23 reconsideration I'm looking for some information that
24 would have been overlooked by him or perhaps
25 misinterpreted by him which would seem to be the thrust

1 of your arguments thus far.

2 MR. GILLESPIE: Well, one thing that he did not
3 consider, an attorney can be disqualified if he is
4 opposing a former client from whom he received
5 confidential information. And that's what we have
6 here. Judge Nielsen did not consider that. And Mr.
7 Rodems has already threatened to use some of that
8 confidential information against me. And if you turn
9 to page five of the plaintiff's motion for
10 reconsideration there's -- this is taken from the
11 transcript of a conversation.

12 MR. RODEMS: You know, I object at this point,
13 Your Honor, because this is what we were getting into
14 earlier. This is a telephone conversation that he
15 didn't get my consent to record. And Florida Statutes
16 say that that conversation is illegal and cannot be
17 considered for any purposes by the court in any
18 hearing, except for a hearing prosecuting Mr. Gillespie
19 for illegally recording the conversation.

20 MR. GILLESPIE: Well, that's not true. And
21 that's set forth in my motion for an order to show
22 cause with sufficient case law why that recording was
23 true. And this is -- I'm going to reiterate my request
24 that I be represented by an attorney because now he is
25 threatening me in open court with a criminal

1 prosecution.

2 All things go back to this, Judge, which is why
3 we shouldn't have even begun this hearing today because
4 he is going to object and threaten me with criminal
5 prosecution. And I need to have an attorney. Now I
6 have made accommodations to have that done. I've taken
7 steps today to have an advertisement placed in the St.
8 Petersburg Times and a paper here in Tampa that is
9 familiar with this representation, the Creative
10 Loafing, has done an article about me and Mr. Cook and
11 his representation of me.

12 And I really think that because of Mr. Rodems'
13 propensity to keep threatening me with criminal acts
14 and criminal violations that I need to have an
15 attorney.

16 THE COURT: I gave you the opportunity early on
17 to strike your order to show cause. Now we're just
18 talking about the motion for reconsideration. So is it
19 necessary to reference the transcript of that telephone
20 call in order to argue your motion for reconsideration?

21 MR. GILLESPIE: I don't know how to answer that
22 from a legal standpoint because I am not an attorney.
23 And I want an attorney because you just heard him
24 threaten me with a criminal prosecution.

25 THE COURT: Okay. So we're going to not address

1 the motion for reconsideration and the motion to
2 disqualify today. What about the motion for
3 reconsideration for the discovery motion?

4 MR. GILLESPIE: Well, Judge --

5 THE COURT: Do you need to reference that
6 transcript for the motion for reconsideration of the
7 discovery motion?

8 MR. GILLESPIE: Judge, we can go on with this,
9 but it's part of this motion. What you're saying is
10 that I have -- I'm being prohibited from excluding part
11 of this motion. And I don't see how it can be
12 effective.

13 THE COURT: I'm just saying, I'm responding to
14 your statement that you don't want to present anything
15 today without the benefit of legal counsel because of
16 your concern for the comment made by counsel about the
17 use of that transcript of a telephone call. Is there
18 anything today that you can consider that doesn't have
19 to do with the transcript of that telephone call?

20 MR. GILLESPIE: Not really, Judge, because it all
21 boils down to his dishonesty. And if we would have a
22 transcript of our conversations from the first time I
23 met them there wouldn't be a lawsuit here. But we
24 don't and that's the problem.

25 This one instance that we do have just a fleeting

1 glimpse into what went on behind closed doors -- this
2 man is a liar. And it's in black and white. And of
3 course he doesn't want it to come into the hearing. Of
4 course not.

5 THE COURT: All right. Do you have any motions
6 that we can consider today that don't reference --

7 MR. GILLESPIE: Well, Judge, if it pleases the
8 Court, I'm getting confused here. I have a specific
9 reference here where he threatened to use a specific
10 piece of prior knowledge. But the law states that
11 that's not even necessary. The rules state that just
12 the existence of prior representation there is a
13 presumption that privileged information was disclosed.
14 And Judge Nielsen didn't consider that. And that's an
15 important part of this motion to disqualify. I have it
16 here. I'm trying to find it. There is a presumption.

17 Are you familiar with that, Judge?

18 THE COURT: Yes, I'm very familiar with it. That
19 was the basis -- you know, I was referencing a recent
20 motion that was brought to disqualify trial counsel.
21 And that was the basis for that ruling. That's the one
22 that I reviewed all of the annotations and publications
23 you brought with you today referencing that situation.

24 MR. GILLESPIE: Well, Judge Nielsen did not
25 consider whether confidential information was

1 disclosed. And the rule -- I can't find it here right
2 now -- but the rule states that it's presumed that it
3 happened and that that's a basis for disqualification.

4 Judge, I'm going to need some time to compose
5 myself. The other matter that we haven't discussed is
6 how my disability impacts the ability to represent
7 myself. We haven't gotten into that. I've offered to
8 have a hearing on that. And this is a problem.

9 THE COURT: I see that you had talked to Judge
10 Nielsen about whether or not a civil judge has any
11 ability or funds with which to appoint private counsel.
12 Was that an ADA issue with him?

13 MR. GILLESPIE: I raised that issue. And let me
14 just say on the record that I'm not looking for someone
15 to pay the lawyer. I would be happy if the Court would
16 appoint someone and I'll pay him.

17 THE COURT: On an hourly basis? Did you go
18 through the Hillsborough County Bar Association's
19 lawyer referral service? Didn't you say you had
20 already tried that avenue?

21 MR. GILLESPIE: Yes, Judge, and I have the
22 results from that. And Mr. Rodems had discussion on
23 that earlier today.

24 THE COURT: What do you mean? The only
25 discussion I remember you mentioning that you had not

1 gotten a response from a law firm Morgan and Morgan
2 that you had talked about earlier. But in terms of the
3 Hillsborough County Bar Association's lawyer referral
4 service, you did avail yourself of that?

5 MR. GILLESPIE: Yes, and I have a final
6 determination from them that says that I have exhausted
7 their resources. I'm going to tell you what happened.
8 This is from memory. I wrote to the Hillsborough
9 County Bar Lawyer Referral Service. They provided a
10 referral to a Rick Mitzel. Mr. Mitzel said that he
11 doesn't do this kind of work and that he referred me to
12 a Mr. Dekle.

13 THE COURT: Pat Dekle?

14 MR. GILLESPIE: Pat Dekle. Mr. Pat Dekle was
15 away on an extended vacation and wouldn't be back in
16 time.

17 THE COURT: Well, Mr. Dekle doesn't do contract
18 work I don't think. His primary specialty is medical
19 malpractice litigation. So my understanding is that
20 you -- this is a contract action.

21 MR. GILLESPIE: Yes, Judge. And I tell that to
22 the bar and they keep giving me lawyers for
23 malpractice. That's the problem there. Mr. Dekle,
24 even while I followed up with a letter to him saying
25 that whenever you get back from vacation I want to see

1 you, he's just ignoring that. So what I take that to
2 mean is that's just a stray, a lead to get me off
3 track.

4 Then Mr. Mitzel referred me to Morgan and Morgan.
5 They haven't responded. Then the bar referred me to
6 Steven Iglesias. I have his reply here. He says that
7 he doesn't take any representation where a pro se
8 plaintiff has started the lawsuit. And I have that
9 from him here. Would you care to see that, Judge?

10 THE COURT: No, I believe you.

11 MR. GILLESPIE: I've also been in touch with
12 Morris and Widman. I was first in touch with them back
13 in 2005. They said that the case didn't involve a
14 sufficient amount of damages to justify their
15 involvement. I wrote to them again and they just said
16 that they can't accept this representation. I got this
17 last week. A copy for you. This is a copy for Mr.
18 Rodems with both letters, the one from 2005 and the one
19 from now.

20 THE COURT: But Mr. Widman, does Mr. Widman do
21 attorney malpractice cases?

22 MR. GILLESPIE: I was referred to him.

23 THE COURT: I think perhaps the people you're
24 talking to, you're not telling them what you're telling
25 me because what you're telling me is I want an attorney

1 to litigate a fee contract between me and my former
2 counsel and I'm willing to pay them on an hourly basis.
3 Is that what you're telling me today?

4 MR. GILLESPIE: I've written -- that's what I've
5 written to the Hillsborough County Bar. And I'm going
6 to show you my letter.

7 THE COURT: This has to do with attorney
8 malpractice.

9 MR. GILLESPIE: This is my January 5th letter to
10 Pat Bishop, the lawyer referral coordinator of the
11 Hillsborough County Bar Association. I write in here
12 that this is a cause of action for fraud and breach of
13 contract.

14 THE COURT: Oh, okay. Well, the fraud would be
15 why they're giving you attorneys that do malpractice
16 then.

17 MR. GILLESPIE: And here I broke it down for her
18 on January 13th even more clearly. And it's -- I spell
19 out the five issues why I need an attorney.

20 MR. RODEMS: Do you have copies of the documents
21 you're giving to the Judge for me, Mr. Gillespie?

22 MR. GILLESPIE: I don't think I have a copy of
23 that document. I would be happy to show it to you.
24 Let me read it into the record.

25 MR. RODEMS: I don't want you to read it into the

1 record unless the Judge wants it read into the record.

2 MR. GILLESPIE: Well, I would like to read it
3 into the record.

4 MR. RODEMS: Okay.

5 MR. GILLESPIE: I've set forth five areas of law
6 that I needed help with. Number one, fraud perpetrated
7 by a lawyer and a law firm on their client. Two,
8 breach of contract by a lawyer and law firm against the
9 client. Number three, counterclaim of libel by a
10 lawyer and a law firm against their client over a
11 letter about a bar complaint. Number four, familiarity
12 with Chapter 934 Florida Statutes, security of
13 communications. I'm just going to cut it off right
14 there. And Number 5, a lawyer that's available for a
15 hearing on February the 5th. So I don't know how much
16 more specific I could be.

17 THE COURT: Yeah, I thought that last one was
18 especially specific.

19 MR. GILLESPIE: Here you go, sir.

20 THE COURT: And what's more, it needs to be a
21 lawyer who's available to attend a hearing. Okay. So
22 in terms of direction today, you know, we started out
23 with the order to show cause. We moved to the motion
24 for reconsideration. And now we're talking about how
25 you feel that you would be prejudiced by proceeding on

1 any of your motions today because you're not an
2 attorney and you feel that there's an advantage to
3 having an attorney represent you, especially in regards
4 to those motions that I just referenced. Is that
5 correct?

6 MR. GILLESPIE: Right now, Judge, my head is
7 swimming to the point where I'm having a hard time even
8 hearing you. But it sounded all right.

9 THE COURT: What's is the nature of your
10 disability?

11 MR. GILLESPIE: It's depression and
12 post-traumatic stress disorder.

13 THE COURT: Are you under the care of a doctor?

14 MR. GILLESPIE: Yes, Judge.

15 THE COURT: And do you have a disability rating
16 with the Social Security Administration?

17 MR. GILLESPIE: Yes, Judge. In the early '90s,
18 I'm going to say '93 or '94, I was judged disabled by
19 Social Security. And I applied for vocational
20 rehabilitation. And to make a long story short, I
21 guess it was in about '98 or '99 I received a
22 determination from vocational rehabilitation that my
23 disability was so severe that I could not benefit from
24 rehabilitation.

25 I would say in the interim that they had prepared

1 a rehabilitation plan for me and they didn't want to
2 implement it. And that's the reason that they gave for
3 not implementing it. I brought that cause of action to
4 the Barker, Rodems and Cook law firm and they reviewed
5 that. And apparently they were in agreement with it
6 because they decided not to represent me on that claim.
7 And a copy of their letter denying that is part of my
8 motion for punitive damages. You can read that letter.
9 I think I have it here.

10 THE COURT: Okay. But in terms of direction
11 today, do you want to just stop everything and abate
12 this proceeding for three months so that you can go out
13 and try to find substitute counsel or -- you know, I
14 realize there's a counterclaim.

15 MR. RODEMS: Yes, Judge.

16 THE COURT: But originally, at least, it was your
17 lawsuit. So if you feel that you're at a disadvantage
18 because of your lack of counsel, I guess I could abate
19 it and give you additional time to try to find an
20 attorney.

21 MR. RODEMS: Your Honor, we would oppose that.
22 And let me tell you why. Mr. Gillespie filed this
23 action. He chose to file this action. He filed it
24 after he contacted our law firm and said if we didn't
25 pay him money he was going to file a bar grievance. We

1 didn't pay him money. He filed a bar grievance.

2 MR. GILLESPIE: I object.

3 MR. RODEMS: I would like an opportunity to
4 speak, Your Honor. I've been patient while he called
5 me liar and other names. He's had the floor for much
6 of the hearing. If the Court is going to entertain a
7 motion to abate the proceedings I'd like to be heard.

8 THE COURT: Okay. On that issue please respond.

9 MR. RODEMS: Okay. He filed this lawsuit after
10 we didn't pay him money and after filing the bar
11 grievance. That was on August 15th of 2005. This case
12 has dragged along now. We are well into 2007 now. In
13 October we had a hearing in front of Judge Nielsen on
14 an order to show cause because Mr. Gillespie had
15 violated the court's discovery order.

16 He came in that proceeding and he said to the
17 Judge, I have an insurance company that's going to
18 cover my counterclaim. They're going to provide
19 counsel to me. And I would like a continuance on that
20 basis. And Judge Nielsen denied the ADA attorney
21 because there's no provision under federal or state law
22 for that and said I'm going to give you two weeks, Mr.
23 Gillespie, until the 18th of October to let us know
24 what you intend to do with your attorney.

25 Meanwhile, Mr. Gillespie found out that his

1 insurance company was prepared to take over the
2 defense. We had contact and the insurance company was
3 interested in resolving that counterclaim with our law
4 firm. When Mr. Gillespie found out about that he
5 instructed the insurance company to cease discussing
6 with us and he withdrew his claim. So that
7 counterclaim is pending today only because Mr.
8 Gillespie instructed that insurance company not to
9 defend the action and not to settle the claim.

10 MR. GILLESPIE: That's not true.

11 MR. RODEMS: I'm sorry. At that point he then
12 filed a motion against Judge Nielsen, which if he was
13 an attorney at law would warrant my -- would require me
14 to file something with the Florida Bar it was so
15 heinous. Judge Nielsen denied --

16 MR. GILLESPIE: I object. Judge, he's
17 speculating on actions that if I were an attorney.
18 It's wholly inappropriate. I'm not an attorney. I
19 have no aspirations to be one.

20 THE COURT: Okay, but you do need to be quiet
21 because he has the floor. Let him finish his
22 presentation.

23 MR. GILLESPIE: Thank you, Judge.

24 MR. RODEMS: At that point, when he couldn't get
25 an ADA attorney and when he couldn't manipulate the

1 insurance company into giving him an attorney in the
2 way that he wanted, which was to carry the case for
3 him, he then filed this motion against Judge Nielsen
4 which was denied, to recuse Judge Nielsen. It was
5 legally insufficient. It was denied.

6 However, with what Mr. Gillespie had said in
7 letters to the court and within that motion, it would
8 not surprise me -- although I don't have the basis
9 because Judge Nielsen has not revealed it -- it would
10 not surprise me if that didn't form the basis of Judge
11 Nielsen's stepping down.

12 In any event, at every stage of the proceedings
13 when Mr. Gillespie is about to be held accountable for
14 his actions he cries that he's got a disability or he
15 complains about the fact that he can't get a lawyer.
16 The reason he can't get a lawyer is because he's not
17 willing to pay a lawyer by the hour for the services he
18 wants.

19 My clients are at this point into this case now
20 for over a year and a half. They want to have this
21 case resolved. To discuss abating it for 90 days so
22 that he can do what he's been doing for the last three
23 months, which is saying he was going to get an attorney
24 and manipulating the court into giving him one, quite
25 frankly is just something that my clients would not

1 ever agree to.

2 We need to have this case moved forward. We need
3 these motions that are on this docket now that have
4 taken us months to get scheduled, we need to have these
5 heard and we need resolutions. We have a hearing
6 scheduled on February 15th on a motion for judgment on
7 the pleadings. That doesn't involve any issues of
8 discovery. It just involves the complaint that Mr.
9 Gillespie filed. And when that motion is heard, this
10 case will be disposed of at that point. We would like
11 this to be done. We would like this to move forward.

12 MR. GILLESPIE: May I respond to that, Judge?

13 THE COURT: Okay.

14 MR. GILLESPIE: I am willing to pay an attorney
15 by the hour. I have sent a payment of \$350 an hour to
16 an attorney with the promise of a retainer if they
17 would take the case. So Mr. Rodems calling me cheap
18 and all of this name-calling and not willing to pay,
19 that's not true. In fact, I offered Rick Mitzel who
20 said the cost would be \$200 an hour, I gladly offered
21 to pay him \$200 an hour. He wouldn't take the case.
22 These lawyers don't want to litigate against this firm
23 because they're aware of what this firm does and what
24 they're capable of.

25 Now as far as Judge Nielsen's recusal, that stems

1 back to Mr. Rodems filing a perjurious verification
2 with the judge. And it took some time before the Judge
3 became aware of it. But he bears that solely, his
4 responsibility. He was under no obligation to file
5 that false statement. But he did. He made the
6 decision to do that. Now he has to live with the
7 consequences of it.

8 And as for the insurance company, I would welcome
9 the insurance company to represent me on this. They
10 didn't want to do that. They wanted to make him a
11 nuisance payment -- and I wasn't going to agree to
12 that -- for a couple thousand dollars. That's the
13 truth of it.

14 Now, I have a letter here from Barker, Rodems and
15 Cook about vocational rehabilitation. I'd like to show
16 it to the Court. This firm reviewed it. And
17 apparently they agree. They knew when they took me as
18 a client that I have a disability and it was a severe
19 disability.

20 THE COURT: You're showing this to me for the
21 purpose of demonstrating that their law firm reviewed a
22 possible claim that you had regarding vocational
23 rehabilitation --

24 MR. GILLESPIE: Yes, Judge.

25 THE COURT: -- and chose not to represent you in

1 that matter?

2 MR. GILLESPIE: Yes, Judge.

3 THE COURT: That's March 27th, 2001?

4 MR. GILLESPIE: Yes, Judge.

5 THE COURT: Okay. So noted.

6 MR. GILLESPIE: I would like to show this to Mr.
7 Rodems.

8 MR. RODEMS: I don't need to see it. Thank you.

9 THE COURT: Okay. All right. But the bottom
10 line is on the order to show cause it doesn't seem like
11 he wants to proceed today. On the motion for
12 reconsideration it doesn't seem like he wants to
13 proceed today. So since they're his motions I feel
14 uncomfortable forcing him with proceeding today.

15 Do you have motions that we could proceed on
16 today?

17 MR. RODEMS: Yes, Your Honor. He has filed a
18 motion to dismiss and strike our counterclaim. It's
19 his motion. We've noticed it for hearing today. In
20 fact, we noticed seven different things for hearing
21 today, many of which Mr. Gillespie also noticed. And
22 the reason we noticed them is because we didn't want
23 Mr. Gillespie at the last minute to cancel his notice
24 of hearing because we're looking to move this case
25 forward and get some resolution.

1 Every time I turn around, Your Honor, I'm getting
2 another letter from Mr. Gillespie and unnamed sources
3 accusing me of perjury, accusing me of other things.
4 I'm getting pleadings and other documents filed with
5 the court. And quite frankly, none of these have
6 anything to do with this lawsuit. The only way that
7 this man is going to stop doing that is for this case
8 to resolve itself.

9 And so he's filed a motion to dismiss and strike
10 our counterclaim. As soon as the Court resolves that
11 and we move forward on that, we can have an answer to
12 that. We can dispose of that as well. But at this
13 point, I realize that it's his motion, but it's been
14 pending for months and months and months.

15 As recently as a week ago he withdrew virtually
16 90 percent, I would say, of the bases for his motion to
17 dismiss our counterclaim leaving us with only two,
18 whether it states a cause of action or not. And Judge
19 Nielsen has already ruled on those. We already had a
20 full hearing on that.

21 MR. GILLESPIE: We haven't had a full hearing on
22 that.

23 MR. RODEMS: If I may without interruption,
24 please, Your Honor. When we had a hearing on his
25 motion to dismiss and strike counterclaims. It was

1 much like today. We had two hours set aside. We
2 didn't get to complete that motion. We didn't get to
3 complete it all. But there's a full transcript of
4 those portions of the motion that Judge Nielsen ruled
5 on. And I believe that was filed with the Court by me
6 as well.

7 In any event, Judge Nielsen ruled on a variety of
8 the issues raised by Mr. Gillespie but couldn't get to
9 them all. And he said you'll have to reset this at a
10 later date. And I believe this was in April of 2006.
11 So it's been since April of 2006 that we've been trying
12 to get back in front of the court on that motion. But
13 all of these intervening things done by Mr. Gillespie
14 have happened in the interim. So we would like to go
15 forward on that today.

16 We would also like to go forward on our amended
17 motion for sanctions pursuant to Section 57.105
18 addressing that motion. And then we'd like to go
19 forward on our motion for an order to show cause why
20 plaintiff should not be held in contempt of court for
21 failing to comply with Judge Nielsen's July 24th, 2006,
22 discovery order, which Mr. Gillespie appealed to the
23 2nd DCA and which was dismissed. And which Mr.
24 Gillespie filed a petition for writ of certiorari with
25 the 2nd DCA and that was also dismissed.

1 MR. GILLESPIE: Can I respond to that, Judge?

2 THE COURT: Okay. Well, going back to what Judge
3 Nielsen has already ruled on, Judge Nielsen in this
4 transcript did ask that an order be prepared on what
5 was accomplished on April the 25th. And he said that
6 he had ruled on paragraphs I guess one, two and three.
7 So did you give him an order?

8 MR. RODEMS: No, Your Honor. And the reason I
9 didn't is because either I didn't understand that he
10 wanted a partial order or I was under the impression
11 that we would be resetting the balance of it at a
12 reasonable time thereafter. And days turned into weeks
13 and weeks turned into months. In any event, I did not
14 submit a proposed order on his partial findings and
15 partial rulings.

16 MR. GILLESPIE: And, Judge, there was no order on
17 the partial findings. And right after that I filed a
18 motion for reconsideration on the part that was done
19 because he found the cause of action against Barker,
20 Rodems and Cook which was not mentioned in the letter.
21 So this was just completely a wrong decision there.

22 Nonetheless, I have to go back to March 6th when
23 Mr. Rodems threw a monkey wrench into these entire
24 proceedings with his false verification.

25 MR. RODEMS: It was not a false verification.

1 Mr. Gillespie had threatened to slam me against the
2 wall.

3 MR. GILLESPIE: I did not.

4 MR. RODEMS: Yes, you did.

5 MR. GILLESPIE: We have a tape recording. Why
6 don't we play that tape recording? Will you agree to
7 playing that tape recording right now, sir, and enter
8 that into the record?

9 MR. RODEMS: No, I won't. It's an illegal
10 recording.

11 MR. GILLESPIE: Okay. He won't because it
12 impeaches what he just said. And this is why I need an
13 attorney. And this counterclaim has an accusation of a
14 crime in it, of extortion, because I followed the
15 directions of the Florida Bar and called him or sent
16 him a letter about a settlement. That's all I was
17 doing was following the directions of the Florida Bar.

18 This is why I'm having trouble finding someone to
19 go against him because they can make their two, three
20 hundred dollars an hour without this kind of
21 aggravation.

22 THE COURT: Okay. So Judge Nielsen ruled on
23 paragraphs one, two and three which is evidenced by
24 this transcript. And then you said that after that you
25 filed a motion for reconsideration of that ruling as

1 well?

2 MR. GILLESPIE: Of the portion that found the
3 cause of action against Barker, Rodems and Cook because
4 they're not even mentioned in the letter. But, Judge,
5 I responded to their motion 57.105 for sanctions by
6 withdrawing all of the other claims.

7 And I would say that the only reason I asserted
8 those claims is because they were the claims that this
9 law firm asserted against my motion. So that's where I
10 got it from. They asserted those claims against my
11 complaint. And I just used -- and by the way, they
12 didn't prevail on any of them. And I just took the
13 same defenses and turned them around on them.

14 And when I tried, when I called Mr. Rodems to
15 speak to him about it that's when he engaged me in
16 argument. He cut me off on every sentence, wouldn't
17 let me talk. And at that point nothing was done about
18 it. But I have rectified that.

19 And that motion 57.105 for sanctions should be
20 dismissed because the only claim, the only defense I'm
21 asserting is this does not establish a cause of action.
22 So I think we can dismiss that portion of it right now.
23 There's no reason for that motion for sanctions.

24 THE COURT: Okay. So the first ground was it was
25 not timely because it was a compulsory counterclaim.

1 So that's the first item that he ruled on.

2 MR. RODEMS: That's correct, Your Honor.

3 MR. GILLESPIE: But only against one of the
4 defendants as I recall. And that would be the law
5 firm. I don't think we had gotten to anything about
6 Mr. Cook individually.

7 THE COURT: Okay. So paragraph one of your
8 motion to dismiss was denied on page 18 of this
9 transcript from the April 25th, 2006. That is clear in
10 here, okay.

11 MR. GILLESPIE: Judge, I think that entire motion
12 should be disregarded because we're having a new
13 hearing on it. I mean that --

14 MR. RODEMS: You withdrew the claim.

15 MR. GILLESPIE: That finding by Judge Nielsen I
16 think is moot at this point.

17 THE COURT: Did you withdraw the entire motion to
18 dismiss or just everything after three?

19 MR. RODEMS: Mr. Gillespie on January 26th of
20 this year withdrew all the claims that Judge Nielsen
21 denied back on April 25th of 2006.

22 MR. GILLESPIE: And some that he didn't get to
23 and all of the ones against Mr. Cook.

24 THE COURT: Okay. So one, two and three are
25 moot.

1 MR. RODEMS: Moot as far as the motion to
2 dismiss. Not moot as far as the sanctions are
3 concerned. But on the motion to dismiss one and two
4 are moot because he withdrew them and Judge Nielsen
5 denied them. The same is true for paragraphs four and
6 five. And same is true for paragraph seven, paragraph
7 eight -- well, I'm sorry. I'm not sure I'm going in
8 order here.

9 MR. GILLESPIE: Judge --

10 MR. RODEMS: Yes, I am. Paragraph seven and
11 paragraph eight and paragraph nine. Mr. Gillespie
12 withdrew every paragraph of his motion to dismiss
13 except for three and six.

14 THE COURT: And three Judge Nielsen denied.

15 MR. RODEMS: And three Judge Nielsen denied.

16 THE COURT: Okay.

17 MR. RODEMS: So that really only leaves, unless
18 you're going to reconsider what Judge Nielsen denied,
19 paragraph three that is, that only leaves paragraph six
20 to be heard today on the motion to dismiss.

21 THE COURT: Let me just look and see what he
22 said.

23 MR. GILLESPIE: And Judge, on paragraph three I
24 filed a motion to reconsider that because their name
25 doesn't even appear in the letter. And it wasn't --

1 it's not even in there. So I don't know how he could
2 reach that conclusion. It's simply not in there. I
3 would add, Judge, that --

4 THE COURT: Wait, wait, please. I'm reading
5 this.

6 MR. GILLESPIE: Pardon me, Judge.

7 THE COURT: Do you have the letter that Judge
8 Nielsen was looking at when he ruled on paragraph
9 three?

10 MR. RODEMS: Yes, Your Honor, if I can get the
11 answer and counterclaim. Give me just a moment.

12 MR. GILLESPIE: Judge, the Florida Bar has issued
13 an advisory opinion about those kinds of letters. And
14 they sent me case law for use in defense. It's
15 absolutely privileged because it concerns a bar
16 complaint. And I didn't say anything about the
17 complaint until after the complaint was closed. And
18 that is a matter of public record.

19 And the case citation -- I have it here
20 somewhere. And the case is *Tobkin vs. Jarboe*, 710
21 So.2d 975. Mr. Marvin, the director of lawyer
22 regulation, provided that citation to me. And
23 basically it says that a person cannot be sued for
24 defamation if a complainant, which would be me, doesn't
25 make any public comment until after a decision has been

1 made in the case. And that's what happened. The
2 decision that was made, if it's a finding of no
3 probable cause, that will serve to exonerate the
4 complaint about that lawyer.

5 Well, they didn't even get a finding of no
6 probable cause. They received a finding of
7 insufficient evidence, objective evidence. It's a
8 different lower standard than that. And I have that
9 here if I can find it.

10 So this entire letter that he's written is not
11 actionable. And I know it angers him and they're upset
12 about it, but that doesn't bring it to the level of
13 libel. Here's the case on that, Judge, that was
14 provided to me by the Florida Bar.

15 THE COURT: Okay.

16 MR. RODEMS: Do you have a copy for me, Mr.
17 Gillespie?

18 MR. GILLESPIE: I've given you a copy, several
19 copies.

20 MR. RODEMS: If you give something to the court
21 I'd like a copy of it contemporaneously. I'd just like
22 to see what you're giving the court.

23 MR. GILLESPIE: Let me see if I have another copy
24 here. I think that's the only copy I have with me.

25 THE COURT: Okay. So as far as paragraph six,

1 where is the paragraph six that -- is it paragraph six
2 of your answer and counterclaim or is it paragraph six
3 of the motion to dismiss?

4 MR. RODEMS: It's paragraph six of the motion to
5 dismiss. And it says count two fails to state a cause
6 of action for libel, which is exactly what paragraph
7 three is which Judge Nielsen's denied except for it was
8 count one. We had a two-count counterclaim.

9 MR. GILLESPIE: Judge, could I turn to the
10 relevant portion of that for you? It may be
11 highlighted.

12 THE COURT: There's some highlighting on page
13 three.

14 MR. GILLESPIE: And on the other side of the
15 column as well. You're on the right page.

16 THE COURT: Okay. The Court has reviewed *Tobkin*
17 *vs. Jarboe*, case number 710 So.2d 975. And in the
18 headnote it specifically addresses an individual who
19 files a complaint against an attorney and makes no
20 public announcement of the complaint thereby allowing
21 the grievance procedure to run its natural course is
22 afforded absolute immunity from the defamation action
23 by the complaint against attorney.

24 However, if after filing the complaint the
25 complainant comments publicly or outside the grievance

1 process then the afforded immunity ceases to exist.

2 MR. GILLESPIE: That's before a final ruling.
3 The court goes on to say that if an individual files a
4 complaint against an attorney and the bar grievance
5 committee finds probable cause, then the attorney is in
6 no position to complain.

7 It goes on to say that, however, if a baseless
8 bar complaint is filed against an attorney and the bar
9 grievance committee returns a finding of no probable
10 cause -- and that's not what they returned in this
11 case. They returned a lesser standard. What they said
12 was the objective evidence is insufficient to support a
13 finding of misconduct. So that's a lesser standard.

14 But in any event, then public exoneration, which
15 you could take this to be, is suitable remedy for any
16 negative effects created by the public awareness and a
17 complaint has been made against an attorney.

18 So when this letter was written the bar on
19 February 9th, 2005 had already reviewed this matter and
20 had in effect exonerated Mr. Cook. And this letter was
21 a matter of public record. So I had waited until the
22 complaint process ran its full -- I allowed the
23 grievance procedure to run its natural course. And
24 therefore, I'm afforded absolute immunity from the
25 defamation action.

1 I also have the cover letter from Mr. Marvin
2 which he cannot reach the same conclusion that the
3 defendants did that I committed a crime of extortion by
4 filing a bar complaint. And I have that here as well,
5 Judge. Judge, this is the cover letter from
6 Mr. Marvin. Would you like to take a look at that,
7 sir? Actually, this I do have a copy of for you if you
8 would like it.

9 MR. RODEMS: Thank you.

10 THE COURT: Okay. All right. So as to paragraph
11 six of the motion to dismiss, did you have any
12 additional argument?

13 MR. RODEMS: Yes, Your Honor. Mr. Gillespie sent
14 a letter to Ian Macketney of Amscot. And in it he
15 accused Mr. Cook of being untruthful and incompetent.
16 Those are defamatory statements, as Judge Nielsen said
17 when he considered count one which was brought by the
18 law firm against Mr. Gillespie. Count two as it
19 pertains to Mr. Cook against Mr. Gillespie, the motion
20 to dismiss should be denied for the same reason. And
21 Mr. Gillespie should be ordered to plead to those two
22 counts so we can move this case forward.

23 THE COURT: Okay. Do you have further argument
24 on paragraph six?

25 MR. GILLESPIE: Judge, the letter does not even

1 mention the defendant Barker, Rodems and Cook. How
2 could they possibly be defamed by it? It doesn't
3 mention them. That's a requirement of defamation. And
4 I really don't even understand why -- I know why Mr.
5 Rodems brought the complaint. It was for harassment.

6 And also, as Judge Nielsen said, truth is an
7 absolute defense. This is the truth of their lying and
8 deception.

9 So the fact that this letter was published to one
10 person within the guidelines as set aside by the case
11 that we looked at, Amscot already knew who they were.
12 Now he's forcing me to prove it to the world. And I'm
13 happy to do that. I will prove to the world the truth
14 of that. If that's what he wants, he will get that
15 because this will be published as a cautionary tale of
16 what happens when you get involved with these lawyers.

17 So I'm not really sure what his motive is here,
18 what he's trying to accomplish, because it's true. And
19 here it is. There's a 48 page motion for punitive
20 damages and 50 exhibits. It goes case by case, blow by
21 blow, how they lied and deceived me. If he wants that
22 out there, well, he'll have it because truth is an
23 absolute defense.

24 THE COURT: Okay. All right. So on the narrow
25 issue of how can the lawsuit be brought in the name of

1 the law firm if he was just referencing Mr. Cook in the
2 letter.

3 MR. RODEMS: Well, Judge Nielsen did address that
4 because that was paragraph three. And Judge Nielsen
5 looked at the letter and he noted that in this letter
6 Mr. Gillespie says that during the course of this
7 litigation it became apparent to me that Mr. Cook and
8 his associates were incompetent and not truthful.

9 Now on a motion to dismiss in the light most
10 favorable to the pleading party, accepting the
11 allegations as true, Judge Nielsen found that that was
12 a stated cause of action for libel against Mr.
13 Gillespie by the law firm. Clearly, in paragraph six,
14 which is count two brought by Mr. Cook, he's naming
15 Mr. Cook by name. So I mean there's really just no
16 dispute.

17 MR. GILLESPIE: But Judge, if I could interject
18 here. There's no way that he could, that Judge Nielsen
19 could know that that referred to Barker, Rodems and
20 Cook. It could just as easily have applied to Alpert,
21 Barker, Rodems and Cook who initiated the case. And so
22 it's ambiguous.

23 THE COURT: Who was the person that the letter
24 was written to? Was that a person who would have known
25 what law firm Mr. Cook worked for?

1 MR. GILLESPIE: Yes, that was the Amscot
2 Corporation that they sued.

3 THE COURT: Okay. All right. Based upon my
4 review of the transcript, my review of the pleadings
5 therein and my understanding of the law regarding
6 motions to dismiss, as counsel has pointed out, in a
7 motion to dismiss the court is restricted to the four
8 corners of the complaint and any attachments upon which
9 the complaint incorporates or relies upon, such as when
10 it's an action on an instrument.

11 Based upon my review of the document it appears
12 that it's stated a cause of action for libel per se,
13 and that it alleged dishonesty and incompetence. And
14 therefore the Court denies the motion to dismiss.

15 Of course, this is just an initial pleading
16 stage. And as Judge Nielsen correctly pointed out,
17 this is just the first stage in this proceeding, and
18 that's to get the cause at issue.

19 The Court directs that because I know you're
20 having difficulty finding counsel, directs that you
21 file an answer to that counterclaim within twenty days.
22 And of course you're entitled to represent yourself as
23 you've done today and at our last hearing. And you
24 need to file an answer and serve a copy on Mr. Rodems
25 and his law firm as well as filing the original with

1 the clerk of court.

2 MR. RODEMS: Your Honor, may I prepare a proposed
3 order on that particular motion?

4 THE COURT: Yes.

5 MR. RODEMS: May I indicate that the twenty days
6 runs from today's date as opposed to twenty days from
7 the date the order is signed so that it's clear?

8 THE COURT: No, let's do it twenty days from the
9 date the order is signed.

10 MR. RODEMS: Okay.

11 THE COURT: So there will be no ambiguity as to
12 the time.

13 MR. GILLESPIE: And Judge, can I ask if -- are
14 you finding a cause of action against both defendants
15 or one?

16 THE COURT: Based upon my review of the document
17 in question, the transcript, against both defendants.
18 Both -- the one specifically mentioned in the letter
19 and the associates to whom you alluded in the letter
20 based upon the information that at the time the letter
21 was written Mr. Cook was associated with the law firm.

22 MR. GILLESPIE: But which law firm? That's the
23 question.

24 THE COURT: Well, from our earlier discussion
25 today I understand that your case was one that

1 initially was signed up with Mr. Alpert. And then when
2 his law firm restructured itself your case went with
3 the Barker, Rodems and Cook portion of the firm.

4 MR. GILLESPIE: Yes.

5 THE COURT: And that's the firm that Mr. Cook
6 would have been with at the time you wrote the letter.

7 MR. GILLESPIE: So you're finding that that
8 letter states a cause of action against the Barker,
9 Rodems and Cook even though it's not specifically
10 mentioned.

11 THE COURT: Only as an initial pleading
12 requirement.

13 MR. GILLESPIE: All right.

14 THE COURT: I'm finding that it meets the
15 pleading requirements stating a cause of action within
16 the four corners of the complaint.

17 MR. GILLESPIE: All right. And I've already been
18 on the record, but I'm going to reiterate now. I
19 object to hearing this because the counterclaim had
20 components in it that I committed criminal extortion.
21 And I was denied the benefit of having the attorney for
22 those parts of the counterclaim and alleged criminal
23 activity.

24 THE COURT: So noted.

25 MR. GILLESPIE: Thank you.

1 THE COURT: All right. Anything else we can get
2 accomplished today?

3 MR. RODEMS: Yes, Your Honor. We would like you
4 to consider plaintiff's motion for reconsideration of
5 discovery, and I'll tell you why. The order compelling
6 discovery is still outstanding. Mr. Gillespie
7 challenged it in the 2nd District. The 2nd District
8 denied his notice of appeal and dismissed his petition
9 for writ of certiorari. But Mr. Gillespie has not
10 complied with that order. And that order required him
11 to answer certain discovery which he has not completely
12 answered.

13 The reason we'd like you to consider the motion
14 for reconsideration on that discovery order today is
15 because we've also filed and had noticed for today
16 defendant's motion for an order to show cause why
17 plaintiff should not be held in contempt of court for
18 failing to comply with that order. Until Mr. Gillespie
19 understands that time frames are not aspirational and
20 orders of the court are not discretionary and complies,
21 this case is going to continue to spiral with multiple
22 pleadings by him totally irrelevant to the situation
23 and the case not moving forward.

24 So we would like the motion for reconsideration
25 on discovery to be heard. And then after that we would

1 like to have the Court consider whether he should be
2 held in contempt for not complying with it. And then
3 after that we do have one more motion which is a motion
4 for sanctions pursuant to Section 57.105 which were
5 based on the frivolous defenses that Mr. Gillespie
6 filed in response to our counterclaim. And the
7 sanctions that we'd be seeking in that of course would
8 be attorney's fees.

9 So at this point if it's your pleasure to let us
10 know, will you entertain the plaintiff's motion for
11 reconsideration on the July 24th, 2006 discovery order?

12 THE COURT: July -- that's the one that arose out
13 of the June 28th hearing?

14 MR. RODEMS: Yes, ma'am, that's correct.

15 THE COURT: All right. Off the record. I'd like
16 to refresh my recollection as to this transcript.

17 (Court reading.)

18 THE COURT: The Court takes judicial notice and
19 adopts and reaffirms the rulings made by Judge Nielsen
20 in regards to the discovery motion and directs that an
21 order be provided to me incorporating those rulings,
22 and that Mr. Gillespie evidently was already given the
23 opportunity to produce documents or designate a place
24 for document production in lieu of an answer to
25 interrogatories which evidently has not occurred.

1 Also the court found that there's entitlement to
2 attorney's fees for having to bring that discovery
3 motion. The Court directs that based upon that there's
4 already been an entitlement finding and that this cause
5 needs to be set for an evidentiary hearing as to the
6 reasonable amount of the attorney's fees and costs for
7 bringing that motion based upon Judge Nielsen's finding
8 at that time. The Court by operation of the document
9 and reaffirming this does deny the motion for rehearing
10 as to Judge Nielsen's ruling on the discovery motion.

11 Have you brought the documents with you today?

12 MR. GILLESPIE: Judge, I'm going to ask that you
13 disqualify yourself. I'm not getting a fair hearing
14 here. I've asked to have an attorney present many
15 times. Everything I say is not considered. I don't
16 even know why I'm sitting here. And I'm very ill.
17 I've expressed that to you. I can't even effectively
18 assist myself. So I'm not going to participate in this
19 charade anymore.

20 THE COURT: Okay.

21 MR. GILLESPIE: And of course the Court can do
22 whatever it likes as it's been doing. But I'm going to
23 ask you --

24 THE COURT: The Court cannot --

25 MR. GILLESPIE: -- to disqualify yourself. And

1 I'll put that in writing.

2 THE COURT: Okay. Well, of course if you do
3 chose to do that of course I will rule on it on a
4 timely basis. However, you need to look at the rules
5 and support it with an affidavit or do it in the form
6 of a verified motion for disqualification stating the
7 grounds. And at such time that you do it in that form,
8 I'll be happy to rule upon it.

9 But in terms of the rulings that I that I made,
10 you were moving from the things that you did not want
11 to proceed on today to the things that counsel wanted
12 to proceed on today in order to get this cause at issue
13 and proceeding back on track in terms of getting it in
14 a condition where it would be ready for some type of
15 dispositive motion or evidentiary proceeding.

16 MR. GILLESPIE: Judge, if I can't find an
17 attorney -- and I obviously can't effectively represent
18 myself -- I don't see what the point is in going
19 through all of this. Your time is valuable. Why are
20 we wasting time with this? If you're not going to --
21 if you're going to let a lying lawyer sit here without
22 facing sanctions for that, there's no point to going on
23 with this. It's a charade. And I don't want to waste
24 your time or mine.

25 THE COURT: Okay. Well, you do not have to

1 proceed with your lawsuit. You of course can take a
2 voluntary dismissal if you so choose. However, they
3 filed a counterclaim. So even if you take a voluntary
4 dismissal that doesn't dismiss the counterclaim.

5 MR. GILLESPIE: Uh-huh.

6 THE COURT: But you know, again, because of your
7 express desire to file a motion to disqualify me, we're
8 going to terminate today's hearing to give you an
9 opportunity to do so.

10 MR. GILLESPIE: Thank you, Judge.

11 THE COURT: All right. Thank you, sir.

12 MR. RODEMS: Your Honor, before we --

13 THE COURT: I think I will hang on to all of this
14 stuff just in case we need them for any other hearings.

15 MR. RODEMS: Your Honor, before we close the
16 record, am I still to prepare the orders based on your
17 rulings today and to submit them to you?

18 THE COURT: Please do.

19 MR. RODEMS: Yes, ma'am. I will of course send
20 them to Mr. Gillespie in advance of sending them to
21 Your Honor.

22 THE COURT: And as my dear father always says,
23 discretion being the better part of valor, I would
24 request that you not engage in any telephonic
25 communication with Mr. Gillespie between now and the

1 next hearing.

2 MR. RODEMS: I will not, Your Honor. No phone
3 messages, no direct calls. I'll conduct all of my
4 communications with Mr. Gillespie in writing.

5 THE COURT: I think that would be advisable.
6 That way we don't have to be concerned with whether or
7 not there's any other improper statements or contact.

8 MR. GILLESPIE: Thank you, Judge.

9 THE COURT: Okay. Thank you, sir.

10 (Thereupon, the hearing concluded.)
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 STATE OF FLORIDA

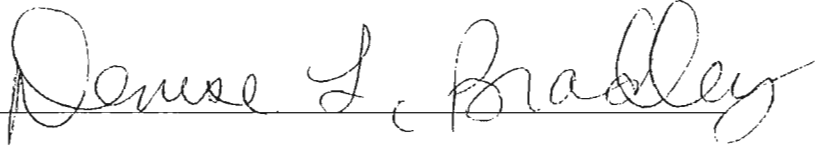
2 COUNTY OF HILLSBOROUGH

3
4 I, DENISE L. BRADLEY, court reporter for the
5 circuit court of the Thirteenth Judicial Circuit of the State
6 of Florida, in and for Hillsborough County,

7 DO HEREBY CERTIFY that I was authorized to and did,
8 through use of computer-aided transcription, report in
9 shorthand the proceedings and evidence in the afore-styled
10 cause, as stated in the caption thereto, and that the
11 foregoing pages numbered 1 to 75, inclusive, constitute a
12 true and correct transcription of my shorthand report of said
13 proceedings and evidence.

14 IN WITNESS WHEREOF, I have hereunto set my hand in
15 the City of Tampa, County of Hillsborough, State of Florida,
16 this 14th day of February, 2007.

17
18
19 Denise L. Bradley, Court Reporter

20 
21
22
23
24
25

\$				
\$200 - 50:20, 50:21 \$350 - 50:15	6	addressing - 8:5, 8:12, 54:18 Administration - 45:16 admission - 10:17 adopts - 71:19 advance - 74:20 advantage - 45:2 adverse - 24:9, 24:12, 34:6 advertisement - 37:7 advice - 34:17 advisable - 75:5 advisory - 60:13 advocate - 33:19, 33:22 affection - 8:20, 9:3 affidavit - 6:5, 73:5 afforded - 62:22, 63:1, 63:24 afore - 76:9 afore-styled - 76:9 afternoon - 12:1, 19:15 agency - 14:25 aggravation - 56:21 ago - 53:15 agree - 50:1, 51:11, 51:17, 56:6 agreed - 25:24, 26:15, 26:16 agreement - 24:16, 24:21, 24:24, 25:1, 46:5 ahead - 11:4 aided - 1:25, 76:8 allegations - 66:11 alleged - 18:12, 32:14, 67:13, 69:22 allegedly - 15:2 alleges - 32:12 alleging - 26:20, 26:21 allowed - 63:22 allowing - 62:20 allows - 17:15 alluded - 68:19 almost - 14:5 Alpert - 23:11, 25:17, 25:22, 25:24, 26:2, 66:20, 69:1 Alpert's - 26:1 alternative - 8:19 ambiguity - 68:11 ambiguous - 66:22 amended - 5:13, 54:16 amount - 13:11, 42:14, 72:6 Amscot - 25:2, 26:22, 30:5, 31:18, 31:20, 31:21, 32:13, 32:21, 64:14, 65:11, 67:1 ancillary - 13:22 angers - 61:11 angry - 11:12 Annotated - 23:20 annotated - 34:23 annotations - 39:22 announcement - 62:20 annoyance - 8:18 answer - 31:18, 32:3, 37:21, 53:11, 60:11, 62:2, 67:21, 67:24, 70:11, 71:24 answered - 70:12 apart - 18:15, 21:20		
7	6th - 15:24, 55:22			
8	710 - 60:20, 62:17 75 - 76:11 797 - 30:18			
9	8092 - 2:5			
0	90 - 49:21, 53:16 934 - 44:12 975 - 60:21, 62:17 9th - 63:19			
1	A			
1 - 23:9, 76:11 115th - 2:5 1288 - 30:18 12th - 18:2, 18:21 13th - 11:13, 43:18 14 - 32:6 14th - 76:16 15th - 7:11, 47:11, 50:6 18 - 58:8 18th - 47:23 1:30 - 1:18	abate - 46:11, 46:18, 47:7 abating - 49:21 ability - 40:6, 40:11 able - 11:8, 16:13, 19:10, 20:12 absolute - 62:22, 63:24, 65:7, 65:23 absolutely - 60:15 abuse - 15:7, 15:8 accept - 42:16 accepting - 66:10 accommodations - 37:6 accompanied - 28:19 accomplish - 65:18 accomplished - 55:5, 70:2 according - 24:13 accountable - 49:13 accurate - 29:21 accusation - 56:13 accusations - 12:13, 12:14 accused - 64:15 accusing - 16:5, 53:3 Act - 26:23, 32:7, 32:15, 32:21 action - 13:23, 13:25, 22:2, 26:11, 26:18, 26:19, 31:24, 41:20, 43:12, 46:3, 46:23, 48:9, 53:18, 55:19, 57:3, 57:21, 62:6, 62:22, 63:25, 66:12, 67:10, 67:12, 68:14, 69:8, 69:15 actionable - 61:11 actions - 48:17, 49:14 activity - 69:23 acts - 37:13 Ada - 40:12, 47:20, 48:25 add - 60:3 additional - 28:11, 31:8, 46:19, 64:12 address - 8:3, 8:8, 35:7, 37:25, 66:3 addressed - 3:17, 4:2, 4:3, 7:22, 8:8, 8:9, 27:14 addresses - 7:20, 62:18	abuse - 15:7, 15:8 accept - 42:16 accepting - 66:10 accommodations - 37:6 accompanied - 28:19 accomplish - 65:18 accomplished - 55:5, 70:2 according - 24:13 accountable - 49:13 accurate - 29:21 accusation - 56:13 accusations - 12:13, 12:14 accused - 64:15 accusing - 16:5, 53:3 Act - 26:23, 32:7, 32:15, 32:21 action - 13:23, 13:25, 22:2, 26:11, 26:18, 26:19, 31:24, 41:20, 43:12, 46:3, 46:23, 48:9, 53:18, 55:19, 57:3, 57:21, 62:6, 62:22, 63:25, 66:12, 67:10, 67:12, 68:14, 69:8, 69:15 actionable - 61:11 actions - 48:17, 49:14 activity - 69:23 acts - 37:13 Ada - 40:12, 47:20, 48:25 add - 60:3 additional - 28:11, 31:8, 46:19, 64:12 address - 8:3, 8:8, 35:7, 37:25, 66:3 addressed - 3:17, 4:2, 4:3, 7:22, 8:8, 8:9, 27:14 addresses - 7:20, 62:18		
2	2000 - 25:22 2001 - 52:3 2005 - 42:13, 42:18, 47:11, 63:19 2006 - 11:11, 15:24, 18:2, 54:10, 54:11, 54:21, 58:9, 58:21, 71:11 2007 - 1:18, 47:12, 76:16 2100 - 2:9 23 - 32:11 24th - 54:21, 71:11 25th - 55:5, 58:9, 58:21 26th - 58:19 27th - 52:3 28th - 71:13 29 - 15:16 2nd - 54:23, 54:25, 70:7			
3	33602 - 2:10 34481 - 2:6			
4	4-1.10 - 35:5 4-1.7 - 35:4 4-1.8 - 35:4 4-1.9 - 23:21, 24:13, 27:17, 32:9, 35:4 4-3.7 - 33:21, 35:5 400 - 2:9 48 - 65:19			
5	5 - 1:18, 44:14 50 - 65:20 57.105 - 5:14, 54:17, 57:5, 57:19, 71:4 5th - 43:9, 44:15			
		apparent - 66:7 appeal - 70:8 appealed - 54:22 appear - 59:25 Appearances - 2:1 appearing - 3:9, 11:7 apple - 27:24 applied - 17:15, 19:6, 45:19, 66:20 appoint - 40:11, 40:16 April - 54:10, 54:11, 55:5, 58:9, 58:21 area - 15:1 areas - 44:5 argue - 37:20 argued - 35:19 argument - 27:17, 35:6, 57:16, 64:12, 64:23 arguments - 36:1 arose - 71:12 article - 37:10 Ashley - 2:9 aside - 12:1, 54:1, 65:10 aspirational - 70:19 aspirations - 48:19 asserted - 57:7, 57:9, 57:10 asserting - 57:21 assignment - 23:13 assist - 72:18 assistance - 34:1 associated - 68:21 associates - 66:8, 68:19 Association - 43:11 Association's - 40:18, 41:3 assume - 11:18, 13:21 assuming - 15:15 attached - 23:8, 27:11 attaches - 17:1 attachments - 67:8 attack - 17:7 attend - 30:2, 30:9, 44:21 attorney - 12:17, 12:20, 13:8, 14:12, 15:11, 16:14, 16:25, 17:1, 17:15, 17:16, 19:1, 19:9, 20:12, 20:21, 22:4, 22:6, 22:10, 33:12, 36:3, 36:24, 37:5, 37:15, 37:22, 37:23, 42:21, 42:25, 43:7, 43:19, 45:2, 45:3, 46:20, 47:20, 47:24, 48:13, 48:17, 48:18, 48:25, 49:1, 49:23, 50:14, 50:16, 56:13, 62:19, 62:23, 63:4, 63:5, 63:8, 63:17, 69:21, 72:14, 73:17 attorney's - 14:16, 14:18, 14:21, 14:23, 15:4, 21:5, 71:8, 72:2, 72:6 attorneys - 12:24, 13:11, 21:6, 43:15 August - 47:11 authority - 21:15 authorized - 76:7 authorizes - 33:11 avail - 41:4		available - 35:20, 44:14, 44:21 avenue - 40:20 aware - 50:23, 51:3 awareness - 63:16
	B			
	Bailiff - 9:12 balance - 17:17, 55:11 Bar - 17:11, 33:11, 40:18, 41:3, 41:9, 43:5, 43:11, 48:14, 56:15, 56:17, 60:12, 61:14 bar - 17:13, 19:3, 41:22, 42:5, 44:11, 46:25, 47:1, 47:10, 60:15, 63:4, 63:8, 63:18, 64:4 barely - 16:13 Barker - 1:7, 2:9, 3:12, 23:11, 23:12, 25:22, 26:3, 26:4, 46:4, 51:14, 55:19, 57:3, 65:1, 66:19, 66:21, 69:3, 69:8 base - 14:13 based - 68:20, 71:5, 72:3, 72:7, 74:16 Based - 35:4, 67:3, 67:11, 68:16 baseless - 63:7 bases - 53:16 basis - 7:12, 23:16, 39:19, 39:21, 40:3, 40:17, 43:2, 47:20, 49:8, 49:10, 73:4 bears - 51:3 became - 11:12, 23:12, 51:3, 66:7 began - 29:17 begin - 10:14 beginning - 32:5, 32:11, 33:2 begins - 10:24, 31:13 begun - 37:3 behalf - 2:3, 2:7, 3:12, 23:24, 23:25, 24:2, 24:3, 29:23 behavior - 7:21 behind - 39:1 benefit - 38:15, 45:23, 69:21 Berryhill - 3:6 best - 12:17 better - 74:23 between - 17:1, 25:4, 28:16, 29:4, 31:22, 32:22, 43:1, 74:25 Bill - 25:21 Bishop - 43:10 bite - 27:23 black - 39:2 blow - 65:20, 65:21 board - 16:8 bogged - 15:19 boils - 38:21 bottom - 32:10, 52:9 Bradley - 1:19, 3:5, 76:4, 76:19 breach - 43:12, 44:8 breached - 26:20 brief - 25:20 bring - 61:12, 72:2 bringing - 72:7			

<p>broke - 43:17 brought - 16:15, 23:20, 31:24, 39:20, 39:23, 46:3, 64:17, 65:5, 65:25, 66:14, 72:11</p>	<p>City - 76:15 Civil - 1:2 civil - 13:17, 40:10 claim - 17:3, 28:24, 29:7, 32:7, 32:13, 46:6, 48:6, 48:9, 51:22, 57:20, 58:14 claiming - 26:12 claims - 57:6, 57:8, 57:10, 58:20 clarification - 31:14 Claudia - 1:14 clear - 10:25, 58:9, 68:7 Clearly - 66:13 clearly - 24:9, 29:8, 34:6, 43:18 clerk - 68:1 client - 17:2, 23:22, 23:24, 23:25, 24:3, 34:17, 36:4, 44:7, 44:9, 44:10, 51:18 clients - 24:8, 25:25, 33:8, 34:6, 49:19, 49:25 close - 74:15 closed - 39:1, 60:17 closing - 25:10, 26:6, 26:15, 29:22 Cock - 58:23 coffee - 16:4 column - 62:15 Commencing - 1:18 comment - 18:19, 38:16, 60:25 comments - 8:9, 8:22, 62:25 committed - 21:11, 64:3, 69:20 committee - 63:5, 63:9 communication - 17:1, 74:25 communications - 44:13, 75:4 company - 47:17, 48:1, 48:2, 48:5, 48:8, 49:1, 51:8, 51:9 compel - 4:11, 4:14, 7:20 compelling - 70:5 complain - 63:6 complainant - 60:24, 62:25 complaining - 21:5 complaints - 49:15 complaint - 14:15, 14:17, 14:24, 15:17, 23:9, 44:11, 50:8, 57:11, 60:16, 60:17, 61:4, 62:19, 62:20, 62:23, 62:24, 63:4, 63:8, 63:17, 63:22, 64:4, 65:5, 67:8, 67:9, 69:16 complaints - 14:20, 15:5, 21:7 complete - 7:8, 54:2, 54:3 completely - 13:12, 55:21, 70:11 complied - 70:10 complies - 70:20 comply - 54:21, 70:18 complying - 71:2 components - 69:20 compose - 40:4 compulsory - 57:25</p>	<p>computer - 76:8 Computer - 1:25 computer-aided - 76:8 Computer-aided - 1:25 concept - 21:4 concern - 12:18, 38:16 concerned - 59:3, 75:6 concerning - 34:20 concerns - 60:15 concluded - 75:10 conclusion - 60:2, 64:2 condition - 73:14 conduct - 34:15, 75:3 conference - 30:3 confidential - 36:5, 36:8, 39:25 conflict - 23:7, 23:21, 34:19 confused - 39:8 connection - 10:16, 35:2 consent - 36:15 consequences - 51:7 consider - 20:21, 27:7, 33:1, 36:3, 36:6, 38:18, 39:6, 39:14, 39:25, 70:4, 70:13, 71:1 consideration - 14:5, 14:17, 14:18 considered - 27:5, 29:6, 35:13, 36:17, 64:17, 72:15 considers - 10:17 constitute - 76:11 constituting - 17:2 contact - 7:10, 25:24, 48:2, 75:7 contacted - 13:2, 13:12, 46:24 contains - 12:13 contemporaneous - 61:21 contempt - 3:21, 5:17, 6:5, 6:25, 13:18, 15:10, 15:20, 21:9, 21:14, 21:16, 21:17, 54:20, 70:17, 71:2 context - 9:17, 9:23 contingency - 26:21 contingent - 24:21, 24:23, 24:25, 31:21 continuance - 47:19 continue - 6:18, 6:24, 7:12, 12:22, 35:11, 70:21 contract - 23:8, 23:9, 23:10, 23:13, 23:14, 23:16, 23:17, 23:18, 23:24, 24:2, 24:3, 24:8, 24:11, 24:20, 25:3, 26:18, 26:19, 26:21, 28:16, 28:25, 31:22, 32:22, 41:17, 41:20, 43:1, 43:13, 44:8 controversy - 31:17 conversation - 12:10, 17:10, 18:22, 36:11, 36:14, 36:16, 36:19</p>	<p>conversations - 38:22 Cook - 1:7, 2:9, 3:12, 3:13, 22:17, 22:21, 22:24, 23:12, 24:4, 25:21, 25:22, 26:3, 26:4, 29:24, 29:25, 37:10, 46:4, 51:15, 55:20, 57:3, 58:6, 63:20, 64:15, 64:19, 65:1, 66:1, 66:7, 66:14, 66:15, 66:20, 66:21, 66:25, 68:21, 69:3, 69:5, 69:9 coordinator - 43:10 copies - 43:20, 61:19 copy - 13:4, 16:17, 17:24, 17:25, 18:19, 42:17, 43:22, 46:7, 61:16, 61:18, 61:21, 61:23, 61:24, 64:7, 67:24 corners - 67:8, 69:16 corporation - 32:13 Corporation - 1:7, 25:2, 31:18, 67:2 correct - 5:8, 6:13, 22:18, 24:16, 32:19, 34:2, 35:13, 45:5, 58:2, 71:14, 76:12 correctly - 26:6, 33:15, 67:16 cost - 50:20 costs - 72:6 counsel - 11:12, 12:3, 13:17, 13:21, 20:16, 23:5, 23:6, 34:10, 35:3, 35:21, 38:15, 38:16, 39:20, 40:11, 43:2, 46:13, 46:18, 47:19, 67:6, 67:20, 73:11 count - 62:5, 62:8, 64:17, 66:14 Count - 64:18 counterclaim - 12:12, 44:9, 46:14, 47:18, 48:3, 48:7, 52:18, 53:10, 53:17, 56:13, 57:25, 60:11, 62:2, 62:8, 67:21, 69:19, 69:22, 71:6, 74:3, 74:4 counterclaims - 53:25 counts - 64:22 County - 1:1, 1:16, 40:18, 41:3, 41:9, 43:5, 43:11, 76:2, 76:6, 76:15 county - 15:14 couple - 51:12 course - 8:7, 11:22, 18:17, 39:3, 39:4, 62:21, 63:23, 66:6, 67:15, 67:22, 71:7, 72:21, 73:2, 73:3, 74:1, 74:19 court - 3:4, 3:21, 5:17, 14:9, 15:15, 16:20, 17:20, 17:21, 21:15, 22:3, 28:4, 31:24, 32:8, 35:18, 36:17, 36:25, 49:7, 49:24, 53:5, 54:12, 54:20, 61:20, 61:22, 63:3, 67:7, 68:1,</p>	<p>70:17, 70:20, 72:1, 76:4, 76:5 Court - 1:1, 3:2, 3:6, 3:7, 3:10, 3:14, 3:22, 3:25, 4:4, 4:9, 4:11, 4:17, 4:21, 4:24, 5:2, 5:7, 5:12, 5:22, 6:8, 6:15, 6:19, 6:22, 7:3, 8:5, 8:11, 8:14, 9:1, 9:7, 9:8, 9:14, 9:16, 9:23, 10:2, 10:10, 10:17, 10:19, 11:1, 11:4, 11:6, 11:16, 11:21, 13:5, 13:10, 13:15, 14:13, 14:15, 14:20, 15:12, 16:17, 17:25, 18:9, 19:12, 19:20, 20:2, 20:8, 20:18, 20:24, 21:1, 21:4, 21:12, 21:24, 22:12, 22:20, 22:23, 23:1, 23:3, 23:4, 24:14, 24:18, 24:22, 25:6, 25:9, 25:13, 25:16, 26:8, 26:10, 26:18, 26:25, 27:2, 27:7, 27:9, 28:7, 28:8, 28:9, 28:13, 29:9, 29:13, 29:22, 29:25, 30:2, 30:19, 30:23, 30:25, 31:2, 31:14, 33:5, 33:13, 33:20, 34:22, 34:25, 35:11, 35:15, 37:16, 37:25, 38:5, 38:13, 39:5, 39:8, 39:18, 40:9, 40:15, 40:17, 40:24, 41:13, 41:17, 42:10, 42:20, 42:23, 43:7, 43:14, 44:17, 44:20, 45:9, 45:13, 45:15, 46:10, 46:16, 47:6, 47:8, 48:20, 50:13, 51:16, 51:20, 51:25, 52:3, 52:5, 52:9, 53:10, 54:5, 55:2, 56:22, 57:24, 58:7, 58:17, 58:24, 59:14, 59:16, 59:21, 60:4, 60:7, 61:15, 61:25, 62:12, 62:16, 64:10, 64:23, 65:24, 66:23, 67:3, 67:14, 67:19, 68:4, 68:8, 68:11, 68:16, 68:24, 69:5, 69:11, 69:14, 69:24, 70:1, 71:1, 71:12, 71:15, 71:17, 71:18, 72:3, 72:8, 72:20, 72:21, 72:24, 73:2, 73:25, 74:6, 74:11, 74:13, 74:18, 74:22, 75:5, 75:9, 76:19 court's - 47:15 courtesy - 9:6 Courthouse - 1:16 courthouse - 9:8 courts - 17:12, 19:3 cover - 47:18, 64:1, 64:5 created - 63:16 Creative - 37:9 cries - 49:14 crime - 12:11, 15:1, 21:10, 56:14, 64:3 criminal - 6:5, 6:25, 12:11, 12:13, 12:16, 13:18, 15:5, 15:10, 15:13, 15:17, 15:20, 18:12, 20:5, 20:19,</p>
<p>C</p> <p>cancel - 11:25, 12:3, 13:16, 13:19, 52:23 candor - 19:8 cannot - 23:23, 36:16, 60:23, 64:2, 72:24 capable - 16:12, 50:24 caption - 76:10 care - 34:24, 42:9, 45:13 carry - 49:2 Case - 1:5 case - 9:9, 11:9, 12:1, 13:24, 15:23, 16:2, 16:15, 16:21, 19:1, 19:2, 21:18, 26:5, 27:3, 27:8, 28:11, 30:3, 30:5, 30:9, 30:17, 32:11, 33:14, 33:25, 35:2, 35:19, 35:20, 36:22, 42:13, 47:11, 49:2, 49:19, 49:21, 50:2, 50:10, 50:17, 50:21, 52:24, 53:7, 60:14, 60:19, 60:20, 61:1, 61:13, 62:17, 63:11, 64:22, 65:10, 65:20, 66:21, 68:25, 69:2, 70:21, 70:23, 74:14 cases - 42:21 cautionary - 65:15 cease - 48:5 ceases - 63:1 Cerillo - 30:17 certain - 70:11 certainly - 30:9 Certify - 76:7 certiorari - 54:24, 70:9 chair - 9:10 challenged - 70:7 chambers - 7:5, 8:7, 17:7 Chambers - 1:16 chance - 31:5 changed - 35:17 Chapfer - 44:12 charade - 72:19, 73:23 charges - 16:8, 18:12, 20:5, 20:19 charging - 34:19 cheap - 50:17 check - 10:11 child - 15:7, 15:8 choice - 11:8 choose - 74:2 chose - 15:13, 46:23, 51:25, 73:3 Chris - 25:20 Christopher - 2:8, 3:11, 6:4, 7:21 circuit - 76:5 Circuit - 1:1, 1:15, 76:5 citation - 60:19, 60:22 cited - 16:23</p>				

21:14, 21:16, 21:21, 21:25, 22:3, 36:25, 37:4, 37:13, 37:14, 37:24, 69:20, 69:22
current - 32:20
cut - 44:13, 57:16

D

damages - 42:14, 46:8, 65:20
Date - 1:18
date - 11:15, 54:10, 68:6, 68:7, 68:9
days - 15:16, 49:21, 55:12, 67:21, 68:5, 68:6, 68:8
Dca - 54:23, 54:25
dealing - 26:23
dealt - 25:3
dear - 74:22
deceived - 65:21
December - 11:11, 11:13
deception - 65:8
decide - 17:14, 19:5
decided - 18:10, 46:6
decision - 31:10, 34:2, 51:6, 55:21, 60:25, 61:2
decisions - 30:11
declaratory - 34:20
defamation - 60:24, 62:22, 63:25, 65:3
defamatory - 64:16
defamed - 65:2
defend - 48:9
defendant - 5:11, 28:17, 31:22, 65:1
Defendant - 1:8, 2:7
defendants - 5:13, 70:16
defendants - 3:12, 23:17, 28:19, 32:6, 32:23, 34:7, 58:4, 64:3, 68:14, 68:17
defense - 3:10, 23:6, 48:2, 57:20, 60:14, 65:7, 65:23
defenses - 57:13, 71:5
defer - 14:13
degree - 34:19
Dekle - 41:12, 41:13, 41:14, 41:17, 41:23
demonstrating - 51:21
denial - 22:15
denied - 19:14, 27:20, 47:20, 48:15, 49:4, 49:5, 58:8, 58:21, 59:5, 59:14, 59:15, 59:18, 62:7, 64:20, 69:21, 70:8
denies - 67:14
Denise - 1:19, 3:5, 76:4, 76:19
deny - 72:9
denying - 19:21, 19:22, 46:7
dependent - 17:12, 19:3
depression - 45:11
designate - 71:23
desire - 74:7
detached - 34:17
determination - 41:6, 45:22

determining - 34:1
diatribe - 11:15
different - 21:9, 26:13, 28:10, 28:12, 28:14, 32:16, 35:2, 52:20, 61:8
difficult - 34:16
difficulty - 67:20
direct - 21:17, 23:7, 75:3
directed - 26:16
direction - 44:22, 46:10
directions - 56:15, 56:17
directly - 24:6, 24:11, 30:14, 34:4
Dca - 54:23, 54:25
directs - 67:19, 67:20, 71:20, 72:3
disability - 40:6, 45:10, 45:15, 45:23, 49:14, 51:18, 51:19
disabled - 45:18
disadvantage - 46:17
disavow - 23:18
disbursed - 26:8
disclosed - 39:13, 40:1
discovery - 4:14, 5:5, 6:20, 7:7, 19:18, 38:3, 38:7, 47:15, 50:8, 54:22, 70:5, 70:6, 70:11, 70:14, 70:25, 71:11, 71:20, 72:2, 72:10
discretion - 74:23
discretionary - 70:20
discuss - 23:20, 49:21
discussed - 40:5
discusses - 33:3
discussing - 48:5
discussion - 33:14, 40:22, 40:25, 68:24
dishonest - 17:20, 18:8, 18:16, 18:25
dishonesty - 38:21, 67:13
dismiss - 4:5, 4:6, 52:18, 53:9, 53:17, 53:25, 57:22, 58:8, 58:18, 59:2, 59:3, 59:12, 59:20, 62:3, 62:5, 64:11, 64:20, 66:9, 67:6, 67:7, 67:14, 74:4
dismissal - 74:2, 74:4
dismissed - 54:23, 54:25, 57:20, 70:8
disorder - 45:12
dispose - 53:12
disposed - 7:17, 8:1, 50:10
dispositive - 73:15
dispute - 23:16, 66:16
disqualification - 5:4, 30:15, 40:3, 73:6
disqualified - 19:7, 19:9, 29:19, 36:3
disqualify - 5:7, 19:15, 19:17, 22:16, 23:5, 27:21, 27:25, 29:15, 35:3, 38:2, 39:15, 39:20, 72:13, 72:25, 74:7

disregarded - 58:12
distributed - 25:14
District - 70:7
divided - 25:5
division - 14:21, 21:6, 22:1
Division - 1:2, 1:6
docket - 4:1, 5:23, 11:23, 50:3
doctor - 45:13
document - 6:7, 43:23, 67:11, 68:16, 71:24, 72:8
documents - 43:20, 53:4, 71:23, 72:11
Dodd - 17:11
dollars - 51:12, 56:20
done - 16:6, 37:6, 37:10, 50:11, 54:13, 55:18, 57:17, 67:23
doors - 39:1
dotting - 22:8
down - 15:19, 31:23, 32:4, 38:21, 43:17, 49:11
drafted - 23:17, 23:25, 24:1
dragged - 47:12
Drive - 2:9
drop - 16:9, 16:10
during - 8:14, 21:10, 66:6
duty - 16:25

E

early - 37:16, 45:17
easily - 66:20
effect - 63:20
effective - 38:12
effectively - 72:17, 73:17
effects - 63:16
eight - 29:16, 59:7, 59:11
either - 8:12, 10:4, 32:25, 55:9
elected - 26:3
employment - 24:15, 24:19
enable - 17:13, 19:4
encompassed - 9:25
endeavourment - 9:4
enforcement - 14:25, 15:3
engage - 74:24
engaged - 57:15
engaging - 9:8
entails - 34:19
enter - 56:7
entertain - 47:6, 71:10
entire - 8:4, 12:1, 55:23, 58:11, 58:17, 61:10
entities - 22:20
entitled - 67:22
entitlement - 72:1, 72:4
especially - 44:18, 45:3
Esquire - 2:8
establish - 57:21
event - 49:12, 54:7, 55:13, 63:14
evidence - 6:16, 10:15, 10:22, 11:2, 16:22, 18:14, 18:15,

61:7, 63:12, 76:9, 76:13
evidenced - 56:23
evidentiary - 10:19, 72:5, 73:15
evidently - 71:22, 71:25
exactly - 62:6
example - 17:22
except - 36:18, 59:13, 62:7
excluding - 38:10
excused - 30:22
exhausted - 41:6
Exhibit - 23:9
exhibits - 65:20
exist - 63:1
existence - 39:12
exonerate - 61:3
exonerated - 63:20
exoneration - 63:14
express - 74:7
expressed - 72:17
extended - 41:15
extortion - 12:14, 16:6, 56:14, 64:3, 69:20
extraneous - 16:8
extrapolation - 33:25

F

face - 16:5
facing - 73:22
fact - 13:1, 23:19, 27:7, 27:18, 35:1, 49:15, 50:19, 52:20, 65:9
facts - 17:13, 17:14, 19:4, 19:5, 32:16, 32:24
failed - 35:7
failing - 54:21, 70:18
fails - 62:5
fair - 72:13
false - 14:9, 15:25, 16:22, 17:3, 17:5, 17:15, 51:5, 55:24, 55:25
familiar - 37:9, 39:17, 39:18
familiarity - 44:11
far - 7:2, 16:2, 36:1, 50:25, 59:1, 59:2, 61:25
Farantino - 25:22, 26:2
father - 74:22
favorable - 66:10
faxed - 13:3, 13:4
February - 1:18, 44:15, 50:6, 63:19, 76:16
federal - 26:23, 31:24, 32:8, 47:21
fee - 24:21, 24:24, 24:25, 26:21, 31:22, 43:1
fees - 71:8, 72:2, 72:6
felony - 12:11, 14:25
felt - 22:9
figured - 26:13
file - 6:15, 14:20, 14:24, 15:2, 15:17, 20:5, 20:18, 28:5, 46:23, 46:25, 48:14,

51:4, 67:21, 67:24, 74:7
filed - 6:12, 7:8, 10:15, 10:23, 11:19, 19:25, 22:2, 27:21, 29:16, 32:7, 46:22, 46:23, 47:1, 47:9, 48:12, 49:3, 50:9, 52:17, 53:4, 53:9, 54:5, 54:24, 55:17, 56:25, 59:24, 63:8, 70:15, 71:6, 74:3
files - 62:19, 63:3
filing - 14:9, 14:15, 14:17, 18:12, 47:10, 51:1, 62:24, 64:4, 67:25
final - 7:9, 41:5, 63:2
findings - 55:14, 55:17
fine - 8:11, 33:3
finish - 27:10, 48:21
finished - 12:22
firm - 13:1, 16:3, 22:17, 22:22, 22:23, 22:24, 23:11, 25:13, 25:16, 25:21, 25:23, 26:1, 27:3, 29:4, 29:23, 33:16, 41:1, 44:7, 44:8, 44:10, 46:4, 46:24, 48:4, 50:22, 50:23, 51:16, 51:21, 57:9, 58:5, 64:18, 66:1, 66:13, 66:25, 67:25, 68:21, 68:22, 69:2, 69:3, 69:5
first - 3:15, 3:18, 5:23, 6:9, 29:18, 38:22, 42:12, 57:24, 58:1, 67:17
five - 11:15, 15:15, 31:12, 31:13, 36:9, 43:19, 44:5, 59:6
five-page - 11:15
fleeting - 38:25
floor - 13:13, 47:5, 48:21
Florida - 1:1, 1:7, 1:17, 2:6, 2:10, 16:21, 17:11, 23:20, 33:11, 34:23, 36:15, 44:12, 48:14, 56:15, 56:17, 60:12, 61:14, 76:1, 76:6, 76:15
followed - 11:14, 41:24, 56:14
following - 56:17
forced - 11:10
forcing - 52:14, 65:12
foregoing - 76:11
form - 49:10, 73:5, 73:7
former - 23:22, 23:25, 33:8, 33:16, 36:4, 43:1
forms - 23:16
forth - 36:21, 44:5
forward - 7:2, 13:24, 18:25, 50:2, 50:11, 52:25, 53:11, 54:15, 54:16, 54:19, 64:22, 70:23
four - 44:11, 59:5, 67:7, 69:16
frames - 70:19
frankly - 49:25, 53:5
fraud - 16:24, 17:4,

<p>34:19, 43:12, 43:14, 44:6 fraudulent - 25:12 Friday - 7:5, 7:24, 13:1 frivolous - 71:5 front - 5:18, 21:17, 27:11, 27:14, 47:13, 54:12 full - 53:20, 53:21, 54:3, 63:22 fully - 27:14 funds - 40:11 Furthermore - 12:21, 12:22 future - 9:1, 10:2</p>	<p>75:4, 75:8 Gillespie's - 32:14 given - 7:15, 16:14, 61:18, 71:22 gladly - 50:20 glimpse - 39:1 gravity - 16:14 grievance - 46:25, 47:1, 47:11, 62:21, 62:25, 63:4, 63:9, 63:23 ground - 57:24 grounds - 73:7 guess - 10:20, 15:14, 20:3, 22:17, 29:15, 45:21, 46:18, 55:6 guidelines - 65:10 guys - 27:8</p>	<p>holding - 25:13 honest - 18:24, 19:9 honesty - 19:2 Honor - 9:5, 9:13, 10:14, 12:19, 13:9, 18:4, 25:15, 27:1, 27:10, 28:6, 29:24, 30:4, 30:21, 36:13, 46:21, 47:4, 52:17, 53:1, 53:24, 55:8, 58:2, 60:10, 64:13, 68:2, 70:3, 74:12, 74:15, 74:21, 75:2 Honorable - 1:14 hopes - 20:15 hoping - 20:11 hour - 49:17, 50:15, 50:20, 50:21, 56:20 hourly - 40:17, 43:2 hours - 54:1 hundred - 56:20</p>	<p>instead - 18:11, 20:6, 26:14 instructed - 48:5, 48:8 instrument - 67:10 insufficient - 49:5, 61:7, 63:12 insurance - 47:17, 48:1, 48:2, 48:5, 48:8, 49:1, 51:8, 51:9 intake - 14:21, 21:6 intend - 47:24 intentional - 28:22 interest - 12:17, 20:25, 23:7, 23:22, 24:9, 24:10, 25:1 interest-former - 23:22 interested - 8:21, 48:3 interests - 34:6 interim - 45:25, 54:14 interject - 66:17 interpretation - 34:21 interrogatories - 71:25 interruption - 53:23 intervening - 54:13 introduce - 3:3, 10:22 involve - 12:16, 30:10, 42:13, 50:7 involved - 20:23, 24:6, 26:22, 30:14, 32:12, 34:4, 34:20, 65:16 involvement - 42:15 involves - 12:9, 32:15, 50:8 involving - 32:8, 32:14 irrelevant - 13:12, 18:6, 70:22 Isom - 1:14 issue - 21:9, 28:17, 28:23, 29:8, 33:18, 40:12, 40:13, 47:8, 65:25, 67:18, 73:12 issued - 60:12 issues - 10:25, 29:1, 32:8, 32:17, 32:24, 43:19, 50:7, 54:8 item - 14:5, 58:1 items - 12:18 itself - 53:8, 69:2</p>	<p>25:8, 27:3, 27:6, 27:9, 27:11, 27:15, 27:20, 27:25, 28:2, 28:14, 28:18, 29:12, 30:13, 30:16, 31:9, 31:11, 31:12, 31:25, 32:25, 33:17, 34:2, 34:24, 35:7, 35:12, 35:21, 36:6, 37:2, 38:4, 38:8, 38:20, 39:7, 39:14, 39:17, 39:24, 40:4, 40:9, 40:21, 41:21, 42:9, 43:21, 44:1, 45:6, 45:14, 45:17, 46:15, 47:13, 47:17, 47:20, 48:12, 48:15, 48:16, 48:23, 49:3, 49:4, 49:9, 49:10, 50:12, 50:25, 51:2, 51:24, 52:2, 52:4, 53:18, 54:4, 54:7, 54:21, 55:1, 55:2, 55:3, 55:16, 56:22, 57:4, 58:11, 58:15, 58:20, 59:4, 59:9, 59:14, 59:15, 59:18, 59:23, 60:3, 60:6, 60:7, 60:12, 61:13, 62:7, 62:9, 64:5, 64:16, 64:25, 65:6, 66:3, 66:4, 66:11, 66:17, 66:18, 67:16, 68:13, 71:19, 72:7, 72:10, 72:12, 73:16, 74:10, 75:8 judge - 15:25, 16:1, 17:5, 17:7, 17:14, 19:4, 20:25, 21:10, 28:3, 31:23, 40:10, 51:2 judge's - 21:1 judged - 45:18 judgment - 6:11, 6:17, 7:6, 7:7, 7:9, 7:13, 34:20, 50:6 Judicial - 1:1, 76:5 Judicial - 71:18 July - 54:21, 71:11, 71:12 June - 71:13 jury - 17:14, 19:5 justice - 17:17, 21:21 justify - 42:14</p>
G	H	I		
<p>Gillespie - 1:4, 2:4, 3:8, 3:18, 3:23, 4:3, 4:8, 4:10, 4:13, 4:19, 4:23, 4:25, 5:3, 5:9, 5:10, 6:1, 6:10, 6:23, 7:4, 7:19, 8:2, 8:3, 8:6, 8:8, 8:12, 8:15, 9:11, 9:21, 10:1, 10:9, 10:13, 10:15, 10:18, 11:5, 11:20, 12:6, 12:20, 12:21, 14:3, 14:19, 15:9, 15:21, 18:7, 18:15, 19:19, 19:23, 20:7, 20:17, 21:8, 21:22, 22:4, 23:6, 24:17, 24:20, 24:25, 25:8, 25:11, 25:17, 26:3, 26:6, 26:17, 26:19, 27:1, 27:9, 27:13, 27:16, 27:18, 28:1, 28:6, 28:12, 28:14, 29:10, 29:18, 30:13, 31:11, 32:7, 32:11, 32:13, 33:17, 34:3, 35:9, 35:12, 36:2, 36:18, 36:20, 37:21, 38:4, 38:8, 38:20, 39:7, 39:24, 40:13, 40:21, 41:5, 41:14, 41:21, 42:11, 42:22, 43:4, 43:9, 43:17, 43:21, 43:22, 44:2, 44:5, 44:19, 45:6, 45:11, 45:14, 45:17, 46:22, 47:2, 47:14, 47:23, 47:25, 48:4, 48:8, 48:10, 48:16, 48:23, 49:6, 49:13, 50:9, 50:12, 50:14, 51:24, 52:2, 52:4, 52:6, 52:21, 52:23, 53:2, 53:21, 54:8, 54:13, 54:22, 54:24, 55:1, 55:16, 56:1, 56:3, 56:5, 56:11, 57:2, 58:3, 58:11, 58:15, 58:19, 58:22, 59:9, 59:11, 59:23, 60:6, 60:12, 61:17, 61:18, 61:23, 62:9, 62:14, 63:2, 64:13, 64:18, 64:19, 64:21, 64:25, 66:6, 66:13, 66:17, 67:1, 68:13, 68:22, 69:4, 69:7, 69:13, 69:17, 69:25, 70:6, 70:9, 70:18, 71:5, 71:22, 72:12, 72:21, 72:25, 73:16, 74:5, 74:10, 74:20, 74:25,</p>	<p>half - 49:20 hall - 35:1 hallway - 8:16, 30:7 hand - 16:17, 28:15, 28:17, 28:19, 28:23, 28:24, 76:14 handle - 30:7 hang - 74:13 happy - 40:15, 43:23, 65:13, 73:8 harassing - 7:21 harassment - 8:18, 65:5 hard - 45:7 head - 45:6 headnote - 62:18 hear - 12:24, 35:6 heard - 10:16, 13:5, 15:12, 18:20, 20:12, 27:20, 37:23, 47:7, 50:5, 50:9, 59:20, 70:25 hearing - 4:15, 6:2, 7:11, 7:15, 8:4, 8:14, 10:20, 11:10, 11:25, 13:19, 20:10, 20:15, 27:11, 27:12, 29:20, 31:5, 36:18, 37:3, 39:3, 40:8, 44:15, 44:21, 45:8, 47:6, 47:13, 50:5, 52:19, 52:20, 52:24, 53:20, 53:21, 53:24, 58:13, 67:23, 69:19, 71:13, 72:5, 72:13, 74:8, 75:1, 75:10 hearings - 74:14 heinous - 48:15 held - 3:20, 5:17, 6:5, 6:25, 13:17, 49:13, 54:20, 70:17, 71:2 help - 28:7, 44:6 Hereby - 76:7 hereunto - 76:14 Highley - 30:17 highlighted - 62:11 highlighting - 62:12 Hillsborough - 1:1, 1:16, 40:18, 41:3, 41:8, 43:5, 43:11, 76:2, 76:6, 76:15 himself - 14:7, 16:1, 19:25, 22:17 hinges - 19:1 history - 23:10, 25:20 hold - 10:3, 11:16</p>	<p>lan - 64:14 identify - 10:24 Iglesias - 42:6 ignoring - 42:1 ill - 72:16 illegal - 36:16, 56:9 illegally - 36:19 immaterial - 30:14 immunity - 62:22, 63:1, 63:24 impacts - 40:6 impeaches - 56:12 implement - 46:2 implementing - 46:3 importance - 16:16 important - 14:4, 16:18, 16:20, 21:2, 22:9, 31:10, 39:15 impossible - 17:16, 17:19, 18:25, 34:16 impression - 55:10 improper - 75:7 imputed - 30:14 inappropriate - 48:18 incarceration - 15:16 including - 15:15 inclusive - 76:11 incompetence - 67:13 incompetent - 64:15, 66:8 incorporated - 6:7, 10:8 incorporates - 67:9 incorporating - 71:21 indicate - 68:5 indicated - 12:23 indirect - 13:17, 13:18, 21:13, 21:16 individual - 62:18, 63:3 individually - 58:6 information - 31:8, 35:16, 35:23, 36:5, 36:8, 39:13, 39:25, 68:20 inherent - 21:15 initial - 67:15, 69:11 initiated - 66:21 initiative - 21:3 injured - 17:8 instance - 38:25</p>	J	
				K
				<p>keep - 8:22, 37:13, 41:22 Kettle - 16:23 kind - 41:11, 56:20 kinds - 16:4, 60:13 knowledge - 14:13, 39:10 known - 25:21, 66:24</p>
				L
				<p>lack - 19:8, 46:18 last - 9:2, 11:24, 29:6, 42:17, 44:17, 49:22, 52:23, 67:23 law - 6:6, 14:25, 15:2, 16:3, 16:11, 16:15, 16:21, 17:14, 19:2, 19:5, 22:17, 22:22, 22:23, 23:2, 23:11, 25:13, 25:16, 25:18, 25:21, 28:11,</p>

28:21, 29:4, 29:23, 33:16, 34:25, 35:14, 35:19, 36:22, 39:10, 41:1, 44:5, 44:7, 44:8, 44:10, 46:4, 46:24, 47:21, 48:3, 48:13, 51:21, 57:9, 58:4, 60:14, 64:18, 66:1, 66:13, 66:25, 67:5, 67:25, 68:21, 68:22, 69:2
lawsuit - 18:17, 23:8, 25:2, 25:7, 26:10, 26:22, 27:2, 31:20, 31:21, 32:15, 32:20, 38:23, 42:8, 46:17, 47:9, 53:6, 65:25, 74:1
lawyer - 11:8, 11:9, 23:23, 24:6, 33:5, 33:21, 33:22, 33:23, 34:4, 34:17, 40:15, 40:19, 41:3, 43:10, 44:7, 44:8, 44:10, 44:14, 44:21, 49:15, 49:16, 49:17, 60:21, 61:4, 73:21
Lawyer- 41:9
lawyer's - 34:14
lawyers - 16:21, 25:4, 41:22, 50:22, 65:16
lead - 42:2
least - 46:16
leaves - 59:17, 59:19
leaving - 53:17
led - 20:25
left - 11:13, 25:21, 25:23
legal - 20:16, 24:15, 26:10, 32:16, 32:24, 33:24, 37:22, 38:15
legally - 49:5
lenders - 26:24
lending - 28:21, 28:24, 29:3, 29:7, 31:20
Lending- 26:23, 32:7, 32:15, 32:21
lesser - 63:11, 63:13
letter - 17:23, 18:3, 18:4, 21:19, 27:12, 41:24, 43:6, 43:9, 44:11, 46:7, 46:8, 51:14, 53:2, 55:20, 56:16, 57:4, 59:25, 60:7, 61:10, 63:18, 63:20, 64:1, 64:5, 64:14, 64:25, 65:9, 66:2, 66:5, 66:23, 68:18, 68:19, 68:20, 69:6, 69:8
letters - 9:22, 9:24, 28:4, 42:18, 49:7, 60:13
level - 61:12
liar - 39:2, 47:5
libel - 12:12, 44:9, 61:13, 62:6, 66:12, 67:12
library - 34:25
lied - 14:6, 17:20, 28:1, 65:21
lieu - 71:24
light - 66:9
likely - 33:23
limited - 13:11
line - 31:13, 32:6,

32:11, 52:10
linear - 20:3
list - 10:11
listed - 5:21
litigant - 2:5
litigate - 43:1, 50:22
litigation - 9:9, 9:17, 9:24, 9:25, 29:17, 30:8, 41:19, 66:7
live - 51:6
Loafing- 37:10
located - 15:1
look - 29:11, 30:16, 31:11, 33:20, 34:24, 59:21, 64:6, 73:4
looked - 26:13, 65:11, 66:5
looking - 3:25, 29:11, 35:15, 35:17, 35:23, 40:14, 52:24, 60:8
Looking- 29:13
looks - 35:16
Loop- 2:5
lower - 61:8
lunch - 30:7
lying - 14:9, 65:7, 73:21

M

ma'am - 4:23, 6:10, 22:25, 71:14, 74:19
Macketney - 64:14
malpractice - 26:11, 41:19, 41:23, 42:21, 43:8, 43:15
man - 28:1, 39:2, 53:7
manipulate - 48:25
manipulating - 49:24
March - 15:24, 52:3, 55:22
married - 8:22
Marvin - 60:21, 64:1, 64:6
materially - 24:9, 24:12, 34:6, 35:20
matter - 15:14, 18:17, 18:22, 23:15, 23:19, 24:5, 28:20, 28:21, 28:24, 31:17, 32:1, 32:6, 32:18, 34:13, 40:5, 52:1, 60:18, 63:19, 63:21
matters - 12:16, 19:11
mean - 13:7, 19:22, 21:14, 40:24, 42:2, 58:13, 66:15
Meanwhile - 47:25
mediation - 16:5, 30:2
mediations - 30:10
medical - 41:18
meets - 69:14
members - 17:12, 19:3
memorandum - 6:6
memorialized - 18:23
memory - 41:8
mention - 65:1, 65:3
mentioned - 11:24, 55:20, 57:4, 68:18, 69:10
mentioning - 40:25

merit - 15:3, 21:7
message - 11:13, 11:14
messages - 75:3
met - 38:23
might - 27:19, 33:9
mine - 73:24
minute - 52:23
misconduct - 63:13
misdemeanor - 14:23
misinterpreted - 35:25
mislead - 28:8
misled - 28:23
miss - 22:7
missed - 32:25
Mitzel - 41:10, 42:4, 50:19
moment - 30:22, 30:24, 60:11
money - 26:7, 26:8, 46:25, 47:1, 47:10
monkey - 55:23
months - 15:15, 29:16, 46:12, 49:23, 50:4, 53:14, 55:13
moot - 58:16, 58:25, 59:2, 59:4
Moot - 59:1
Morgan - 13:1, 41:1, 42:4
morning - 9:13
Morris - 42:12
most - 3:18, 3:19, 66:9
motion - 3:15, 4:1, 4:6, 4:7, 4:8, 4:11, 4:12, 4:13, 4:18, 4:19, 4:21, 5:13, 5:16, 5:19, 5:20, 5:24, 6:3, 6:6, 6:11, 6:16, 7:6, 7:7, 7:8, 7:9, 7:19, 7:20, 10:16, 10:20, 10:23, 10:24, 13:12, 13:13, 13:16, 13:19, 14:7, 15:23, 18:9, 18:11, 19:13, 19:14, 19:17, 19:18, 19:21, 19:22, 20:9, 20:22, 21:2, 22:14, 22:16, 23:3, 23:5, 27:21, 27:22, 27:25, 28:10, 29:15, 29:16, 29:19, 31:7, 33:2, 33:17, 35:3, 35:8, 35:10, 35:22, 36:9, 36:21, 37:18, 37:20, 38:1, 38:2, 38:3, 38:6, 38:7, 38:9, 38:11, 39:15, 39:20, 44:23, 46:8, 47:7, 48:12, 49:3, 49:7, 50:6, 50:9, 52:11, 52:18, 52:19, 53:9, 53:13, 53:16, 53:25, 54:2, 54:4, 54:12, 54:17, 54:18, 54:19, 55:18, 56:25, 57:5, 57:9, 57:19, 57:23, 58:8, 58:11, 58:17, 59:1, 59:3, 59:12, 59:20, 59:24, 62:3, 62:4, 64:11, 64:19, 65:19, 66:9, 67:7, 67:14, 68:3, 70:4, 70:13, 70:16, 70:24, 71:3, 71:10, 71:20, 72:3, 72:7, 72:9, 72:10, 73:6, 73:15, 74:7

Motion - 4:5, 5:7
motions - 4:25, 5:2, 5:8, 5:11, 5:12, 7:4, 7:17, 7:18, 12:8, 19:16, 19:24, 39:5, 45:1, 45:4, 50:3, 52:13, 52:15, 67:6
motive - 65:17
move - 13:24, 22:14, 50:11, 52:24, 53:11, 64:22
moved - 6:18, 6:23, 16:2, 20:4, 44:23, 50:2
moving - 7:11, 19:12, 70:23, 73:10
multiple - 70:21

N

name - 3:5, 3:8, 9:2, 50:18, 59:24, 65:25, 66:15
name-calling - 50:18
names - 47:5
naming - 66:14
narrow - 65:24
natural - 62:21, 63:23
nature - 15:20, 33:24, 45:9
nay - 20:13
necessary - 13:24, 37:19, 39:11
need - 9:2, 20:23, 30:24, 37:5, 37:14, 38:5, 40:4, 43:19, 48:20, 50:2, 50:4, 50:5, 52:8, 56:12, 67:24, 73:4, 74:14
needed - 44:6
needs - 7:22, 19:7, 44:20, 72:5
negative - 63:16
Neil - 1:4, 2:4, 3:8, 8:13, 8:25
Neily - 8:13, 8:25
never - 12:19, 13:5, 23:14
new - 23:14, 23:24, 24:3, 25:23, 28:10, 35:6, 35:16, 58:12
next - 75:1
nicknames - 9:4, 10:5
Nielsen - 5:15, 5:18, 14:6, 15:22, 17:6, 17:24, 18:3, 18:5, 18:18, 19:14, 19:20, 19:25, 21:20, 27:4, 27:11, 27:15, 27:20, 27:25, 28:2, 28:18, 31:9, 31:12, 32:25, 34:2, 35:7, 35:21, 36:6, 39:14, 39:24, 40:10, 47:13, 47:20, 48:12, 48:15, 49:3, 49:4, 49:9, 53:19, 54:4, 54:7, 55:3, 56:22, 58:15, 58:20, 59:4, 59:14, 59:15, 59:18, 60:8, 64:16, 65:6, 66:3, 66:4, 66:11, 66:18, 67:16, 71:19
Nielsen's - 22:15, 49:11, 50:25, 54:21, 62:7, 72:7, 72:10
nine - 59:11

none - 53:5
Nonetheless - 55:22
nonjury - 10:21
nonsense - 17:8
normal - 30:6
North - 2:9
Notary - 1:20
noted - 13:15, 52:5, 66:5, 69:24
nothing - 27:23, 30:11, 57:17
notice - 6:2, 14:19, 20:15, 52:23, 70:8, 71:18
noticed - 7:14, 7:17, 7:23, 52:19, 52:20, 52:21, 52:22, 70:15
notorious - 16:3
notwithstanding - 34:3
nuisance - 51:11
Number - 44:6, 44:9, 44:11, 44:14
number - 7:15, 62:17
numbered - 76:11

O

oath - 17:21
object - 8:24, 10:15, 13:9, 18:4, 26:17, 28:1, 36:12, 37:4, 47:2, 48:16, 69:19
objected - 12:4, 12:19
objecting - 7:6, 7:12
objection - 6:12, 6:15, 10:21
objective - 61:7, 63:12
obligation - 20:20, 51:4
obviously - 73:17
Ocala - 2:6
occurred - 15:2, 71:25
occurs - 21:17
October - 18:2, 47:13, 47:23
offer - 16:9
offered - 40:7, 50:19, 50:20
offering - 18:13
offers - 11:2
office - 14:16, 14:18, 14:21, 14:23, 15:4, 21:5
official - 9:7
once - 16:7, 19:8
one - 4:15, 5:16, 6:2, 6:9, 7:2, 10:12, 13:4, 16:17, 18:1, 19:16, 19:17, 24:10, 31:14, 35:5, 36:2, 38:25, 39:21, 42:18, 44:6, 44:17, 48:19, 49:24, 55:6, 56:23, 58:3, 58:7, 58:24, 59:3, 62:8, 64:17, 65:9, 68:15, 68:18, 68:25, 71:3, 71:12
One - 7:5
ones - 25:25, 26:2, 58:23
open - 36:25
operation - 72:8
opinion - 60:13
opportunity - 20:10,

<p>31:3, 37:16, 47:3, 71:23, 74:9 oppose - 46:21 opposed - 68:6 opposing - 13:17, 36:4 opposition - 6:16 order - 3:15, 3:19, 4:1, 4:20, 4:21, 5:6, 5:16, 5:19, 5:21, 5:24, 6:4, 6:6, 6:24, 7:20, 9:7, 10:7, 10:8, 10:10, 11:17, 11:19, 11:21, 12:9, 13:14, 13:16, 13:21, 14:3, 14:10, 18:9, 18:11, 18:14, 18:19, 18:20, 19:13, 19:21, 20:4, 20:6, 20:10, 20:14, 20:22, 21:12, 21:25, 22:14, 36:21, 37:17, 37:20, 44:23, 47:14, 47:15, 52:10, 54:19, 54:22, 55:4, 55:7, 55:10, 55:14, 55:16, 59:8, 68:3, 68:7, 68:9, 70:5, 70:10, 70:14, 70:16, 70:18, 71:11, 71:21, 73:12 Order - 4:24 ordered - 64:21 orders - 70:20, 74:16 original - 67:25 originally - 46:16 outside - 9:6, 16:24, 62:25 outstanding - 6:21, 70:6 overlooked - 35:7, 35:24 own - 7:8, 14:7, 20:1, 21:2, 21:3, 34:14</p>	<p>pass - 22:13 past - 10:5 Pat - 41:13, 41:14, 43:10 patient - 47:4 Pause - 9:15, 31:1 pay - 40:15, 40:16, 43:2, 46:25, 47:1, 47:10, 49:17, 50:14, 50:18, 50:21 payment - 50:15, 51:11 penalty - 17:21 pending - 3:16, 4:5, 4:9, 48:7, 53:14 people - 9:19, 21:6, 42:23 per - 67:12 percent - 53:16 perhaps - 8:19, 35:24, 42:23 perjurious - 51:1 perjury - 15:22, 17:21, 18:13, 20:25, 53:3 permitted - 33:7 perpetrated - 44:6 perpetration - 16:24, 17:3 person - 20:3, 60:23, 65:10, 66:23, 66:24 pertains - 64:19 Petersburg - 37:8 petition - 54:24, 70:8 phone - 11:13, 11:14, 11:16, 75:2 piece - 39:10 place - 71:23 placed - 37:7 Plaintiff - 1:5, 2:3 plaintiff - 3:7, 5:17, 23:7, 31:22, 33:15, 42:8, 54:20, 70:17 plaintiffs - 3:15, 5:20, 5:24, 6:3, 6:11, 7:20, 36:9, 70:4, 71:10 plan - 46:1 play - 56:6 playing - 56:7 plead - 64:21 pleading - 66:10, 67:15, 69:11, 69:15 pleadings - 7:10, 50:7, 53:4, 67:4, 70:22 pleases - 20:18, 28:6, 34:22, 39:7 pleasure - 71:9 Pm - 1:18 point - 6:2, 13:13, 24:10, 35:1, 35:13, 36:12, 45:7, 48:11, 48:24, 49:19, 50:10, 53:13, 57:17, 58:16, 71:9, 73:18, 73:22 pointed - 67:6, 67:16 points - 33:3 portion - 31:15, 31:21, 57:2, 57:22, 62:10, 69:3 portions - 54:4 position - 24:12, 63:6 positions - 12:15 possibility - 14:14 possible - 51:22</p>	<p>possibly - 65:2 post - 45:12 post-traumatic - 45:12 power - 21:13 practice - 16:10 practicing - 25:18 prejudiced - 15:25, 44:25 prepare - 68:2, 74:16 prepared - 45:25, 48:1, 55:4 presence - 13:10 present - 17:13, 19:4, 31:17, 38:14, 72:14 presentation - 48:22 presented - 31:9 presenting - 16:22 presumed - 40:2 presumption - 39:13, 39:16 pretty - 14:4 prevail - 57:12 previous - 23:11, 26:22 previously - 5:15, 5:18, 35:8 primarily - 25:3 primary - 41:18 private - 40:11 privilege - 17:1 privileged - 39:13, 60:15 Pro - 2:5 pro - 3:9, 42:7 probable - 61:3, 61:6, 63:5, 63:9 problem - 7:1, 12:7, 22:6, 38:24, 40:8, 41:23 problems - 15:23 procedure - 22:7, 62:21, 63:23 proceed - 10:12, 14:2, 15:13, 16:7, 17:19, 18:11, 19:10, 20:13, 21:24, 52:11, 52:13, 52:15, 73:11, 73:12, 74:1 proceeded - 26:5 proceeding - 15:13, 44:25, 46:12, 47:16, 52:14, 67:17, 73:13, 73:15 proceedings - 9:6, 16:16, 21:10, 22:22, 31:1, 47:7, 49:12, 55:24, 76:9, 76:13 Proceedings - 1:12 proceeds - 25:5, 25:14 process - 15:5, 15:6, 15:18, 63:1, 63:22 produce - 71:23 production - 71:24 professional - 9:19, 16:25 prohibited - 23:19, 24:9, 24:12, 34:7, 34:8, 38:10 prohibits - 16:21 promise - 50:16 propensity - 18:16, 37:13 properly - 23:23, 33:1</p>	<p>proposed - 18:20, 55:14, 68:2 prosecuting - 16:12, 36:18 prosecution - 12:11, 37:1, 37:5, 37:24 prosecutorial - 21:7 protection - 3:16, 4:1, 5:20, 5:21, 5:25, 6:7, 10:7 prove - 65:12, 65:13 proved - 17:10 provide - 47:18 provided - 29:12, 41:9, 60:22, 61:14, 71:21 provision - 33:10, 47:21 public - 60:18, 60:25, 62:20, 63:14, 63:16, 63:21 Public - 1:20 publications - 39:22 publicly - 62:25 published - 65:9, 65:15 punish - 21:13, 21:16 punishment - 15:16 punitive - 46:8, 65:19 purpose - 8:16, 8:18, 51:21 purposes - 36:17 pursuant - 5:14, 54:17, 71:4 put - 28:15, 73:1</p>	<p>36:4, 45:21, 61:6 recent - 3:19, 35:17, 39:19 recently - 35:1, 53:15 recollection - 31:3, 71:16 reconsider - 23:4, 59:18, 59:24 reconsideration - 5:1, 5:2, 5:5, 19:13, 19:16, 19:21, 19:22, 19:24, 20:9, 22:15, 23:4, 27:22, 28:10, 31:8, 33:2, 33:18, 35:23, 36:10, 37:18, 37:20, 38:1, 38:3, 38:6, 44:24, 52:12, 55:18, 56:25, 70:4, 70:14, 70:24, 71:11 Reconsideration - 5:3 reconsiderations - 14:8 reconsidered - 28:13 record - 3:2, 3:3, 6:15, 9:14, 9:16, 10:25, 11:7, 16:19, 29:10, 30:19, 31:2, 36:15, 40:14, 43:24, 44:1, 44:3, 56:8, 60:18, 63:21, 69:18, 71:15, 74:16 Recorded - 1:24 recording - 12:9, 17:9, 36:19, 36:22, 56:5, 56:6, 56:7, 56:10 rectified - 57:18 recusal - 21:1, 50:25 recuse - 14:7, 49:4 recused - 16:1, 19:25 refer - 9:2, 9:17 reference - 10:2, 31:16, 37:19, 38:5, 39:6, 39:9 referenced - 45:4 references - 33:4 referencing - 39:19, 39:23, 66:1 referral - 40:19, 41:3, 41:10, 43:10 Referral - 41:9 referred - 41:11, 42:4, 42:5, 42:22, 66:19 referring - 15:18, 31:18, 32:2 refresh - 31:3, 71:16 regard - 23:15 regarding - 9:9, 18:12, 18:20, 30:3, 51:22, 67:5 regards - 45:3, 71:20 registry - 15:8 Regulating - 33:11 regulation - 60:22 rehabilitation - 45:20, 45:22, 45:24, 46:1, 51:15, 51:23 rehear - 23:5 rehearing - 72:9 reiterate - 36:23, 69:18 relates - 21:19,</p>
P		Q		
R		R		
<p>page - 11:15, 29:14, 30:16, 31:11, 31:13, 32:5, 32:10, 33:2, 36:9, 58:8, 62:12, 62:15, 65:19 pages - 76:11 paid - 26:14 paper - 37:8 paragraph - 58:7, 59:6, 59:11, 59:12, 59:19, 59:23, 60:8, 61:25, 62:1, 62:2, 62:4, 62:6, 64:10, 64:24, 66:4, 66:13 Paragraph - 59:10 paragraphs - 55:6, 56:23, 59:5 parallel - 29:1 Pardon - 60:6 part - 20:15, 38:9, 38:10, 39:15, 46:7, 55:18, 74:23 partial - 55:10, 55:14, 55:15, 55:17 participate - 72:18 participation - 30:8 particular - 68:3 parties - 32:16, 32:23 partner - 23:2 partners - 30:6 parts - 69:22 party - 22:22, 66:10</p>	<p>page - 11:15, 29:14, 30:16, 31:11, 31:13, 32:5, 32:10, 33:2, 36:9, 58:8, 62:12, 62:15, 65:19 pages - 76:11 paid - 26:14 paper - 37:8 paragraph - 58:7, 59:6, 59:11, 59:12, 59:19, 59:23, 60:8, 61:25, 62:1, 62:2, 62:4, 62:6, 64:10, 64:24, 66:4, 66:13 Paragraph - 59:10 paragraphs - 55:6, 56:23, 59:5 parallel - 29:1 Pardon - 60:6 part - 20:15, 38:9, 38:10, 39:15, 46:7, 55:18, 74:23 partial - 55:10, 55:14, 55:15, 55:17 participate - 72:18 participation - 30:8 particular - 68:3 parties - 32:16, 32:23 partner - 23:2 partners - 30:6 parts - 69:22 party - 22:22, 66:10</p>	<p>raise - 10:21, 33:18 raised - 40:13, 54:8 ran - 63:22 ranting - 11:13, 11:14 rating - 45:15 reach - 60:2, 64:2 read - 31:15, 43:24, 43:25, 44:1, 44:2, 46:8 reading - 5:22, 34:23, 60:4, 71:17 ready - 73:14 reaffirming - 72:9 reaffirms - 71:19 realize - 46:14, 53:13 really - 14:3, 15:22, 17:18, 37:12, 38:20, 59:17, 65:4, 65:17, 66:15 Really - 29:1 reason - 8:2, 46:2, 49:16, 52:22, 55:8, 57:7, 57:23, 64:20, 70:13 reasonable - 55:12, 72:6 reasons - 19:8 receive - 7:24 received - 26:7,</p>	<p>raise - 10:21, 33:18 raised - 40:13, 54:8 ran - 63:22 ranting - 11:13, 11:14 rating - 45:15 reach - 60:2, 64:2 read - 31:15, 43:24, 43:25, 44:1, 44:2, 46:8 reading - 5:22, 34:23, 60:4, 71:17 ready - 73:14 reaffirming - 72:9 reaffirms - 71:19 realize - 46:14, 53:13 really - 14:3, 15:22, 17:18, 37:12, 38:20, 59:17, 65:4, 65:17, 66:15 Really - 29:1 reason - 8:2, 46:2, 49:16, 52:22, 55:8, 57:7, 57:23, 64:20, 70:13 reasonable - 55:12, 72:6 reasons - 19:8 receive - 7:24 received - 26:7,</p>	<p>raise - 10:21, 33:18 raised - 40:13, 54:8 ran - 63:22 ranting - 11:13, 11:14 rating - 45:15 reach - 60:2, 64:2 read - 31:15, 43:24, 43:25, 44:1, 44:2, 46:8 reading - 5:22, 34:23, 60:4, 71:17 ready - 73:14 reaffirming - 72:9 reaffirms - 71:19 realize - 46:14, 53:13 really - 14:3, 15:22, 17:18, 37:12, 38:20, 59:17, 65:4, 65:17, 66:15 Really - 29:1 reason - 8:2, 46:2, 49:16, 52:22, 55:8, 57:7, 57:23, 64:20, 70:13 reasonable - 55:12, 72:6 reasons - 19:8 receive - 7:24 received - 26:7,</p>

33:24
relationship - 25:4, 31:5
relative - 12:8
release - 25:10, 26:7, 26:16
releases - 30:11
relevant - 18:7, 33:14, 35:20, 62:10
relies - 67:9
remaining - 26:1
remedy - 63:15
remember - 40:25
reminds - 17:12, 19:2
renamed - 26:2
rendered - 33:25
replaced - 6:3
reply - 42:6
report - 15:2, 15:8, 76:8, 76:12
Reported - 1:19
reporter - 3:4, 76:4
Reporter - 3:5, 76:19
Reporters - 3:6
represent - 12:25, 22:21, 22:23, 34:11, 40:6, 45:3, 46:6, 51:9, 51:25, 67:22, 73:17
representation - 5:5, 24:8, 25:3, 25:17, 28:25, 29:2, 29:3, 29:4, 34:5, 37:9, 37:11, 39:12, 42:7, 42:16
represented - 12:17, 12:20, 22:10, 24:10, 24:14, 27:14, 32:6, 34:10, 36:24
representing - 13:7, 22:16, 25:1, 34:8, 34:13
repugnant - 27:24, 28:2
request - 8:17, 21:25, 36:23, 74:24
requested - 13:3
require - 48:13
required - 70:10
requirement - 65:3, 69:12
requirements - 26:24, 69:15
rescind - 23:24, 24:3
reserve - 10:20
reset - 54:9
resetting - 55:11
resolution - 52:25
resolutions - 50:5
resolve - 53:8
resolved - 49:21
resolves - 53:10
resolving - 13:25, 48:3
resources - 41:7
respect - 17:2
respond - 6:1, 13:4, 47:8, 50:12, 55:1
responded - 31:25, 42:5, 57:5
responding - 38:13
responds - 32:4
response - 41:1, 71:6
responsibility - 51:4
restricted - 67:7
restructured - 69:2
results - 40:22

retained - 11:12
retainer - 50:16
retire - 25:18
returned - 63:10, 63:11
returns - 63:9
revealed - 49:9
review - 21:6, 30:20, 31:6, 35:4, 67:4, 67:11, 68:16
reviewed - 35:1, 39:22, 46:4, 51:16, 51:21, 62:16, 63:19
Rick - 41:10, 50:19
rights - 32:14
Rodems - 1:7, 2:8, 2:9, 3:11, 3:12, 3:20, 4:6, 4:15, 5:4, 5:13, 6:4, 6:12, 6:14, 6:18, 6:20, 7:1, 7:6, 7:14, 7:21, 7:23, 8:3, 8:7, 8:24, 9:5, 10:14, 10:23, 11:3, 11:10, 12:8, 12:10, 12:19, 13:5, 13:9, 14:6, 14:8, 14:17, 16:17, 16:19, 17:5, 17:19, 17:23, 18:4, 19:7, 19:24, 20:19, 22:16, 22:19, 22:21, 22:25, 23:2, 23:11, 23:12, 25:15, 25:19, 25:22, 26:3, 26:4, 26:9, 26:12, 26:20, 27:5, 27:10, 27:17, 28:4, 28:7, 28:23, 29:12, 29:24, 30:1, 30:4, 30:16, 30:21, 30:24, 32:4, 32:5, 32:10, 32:19, 33:10, 36:7, 36:12, 40:22, 42:18, 43:20, 43:25, 44:4, 46:4, 46:15, 46:21, 47:3, 47:9, 48:11, 48:24, 50:17, 51:1, 51:14, 52:7, 52:8, 52:17, 53:23, 55:8, 55:20, 55:23, 55:25, 56:4, 56:9, 57:3, 57:14, 58:2, 58:14, 58:19, 59:1, 59:10, 59:15, 59:17, 60:10, 61:16, 61:20, 62:4, 64:9, 64:13, 65:1, 65:5, 66:3, 66:19, 66:21, 67:24, 68:2, 68:5, 68:10, 69:3, 69:9, 70:3, 71:14, 74:12, 74:15, 74:19, 75:2
Rodems* - 15:22, 18:2, 18:16, 37:12
Rpr - 1:19
Rule - 23:21, 24:13, 32:8, 35:4
rule - 40:1, 40:2, 73:3, 73:8
ruled - 35:8, 35:21, 53:19, 54:4, 54:7, 55:3, 55:6, 56:22, 58:1, 60:8
Rules - 33:10
rules - 23:19, 39:11, 73:4
ruling - 35:18, 39:21, 56:25, 63:2, 72:10
rulings - 55:15, 71:19, 71:21, 73:9, 74:17
run - 62:21, 63:23

running - 29:1
runs - 68:6
Ryan - 2:8, 3:11, 6:4, 7:20

S

sanctions - 5:14, 22:1, 54:17, 57:5, 57:19, 57:23, 59:2, 71:4, 71:7, 73:22
scales - 17:16
scenario - 33:21
scheduled - 22:13, 50:4, 50:6
scheduling - 3:19, 11:18
scope - 16:25, 24:5, 24:18, 24:22
se - 2:5, 3:9, 42:7, 67:12
second - 5:16, 27:23
section - 33:5
Section - 5:14, 54:17, 71:4
security - 44:12
Security - 45:16, 45:19
see - 5:20, 5:21, 7:2, 20:23, 21:7, 25:25, 31:14, 35:17, 38:11, 40:9, 41:25, 42:9, 52:8, 59:21, 61:22, 61:23, 73:18
seek - 23:23
seeking - 24:2, 71:7
seeks - 10:21
seem - 20:24, 34:1, 35:25, 52:10, 52:12
send - 15:4, 74:19
sending - 74:20
sends - 9:22
sent - 7:5, 27:12, 50:15, 56:15, 60:14, 64:13
sentence - 57:16
separate - 21:20, 22:2
September - 29:21
serious - 34:15
seriously - 22:9
serve - 61:3, 67:24
service - 40:19, 41:4
Service - 41:9
services - 33:25, 49:17
set - 4:15, 5:15, 5:18, 10:6, 12:1, 12:2, 15:22, 36:21, 44:5, 54:1, 65:10, 72:5, 76:14
settle - 16:9, 25:7, 48:9
settlement - 25:8, 25:9, 25:14, 26:5, 30:3, 30:10, 56:16
seven - 31:13, 52:20, 59:6, 59:10
several - 3:14, 12:24, 13:2, 22:12, 61:18
severe - 45:23, 51:18
short - 45:20
shorthand - 76:9, 76:12
show - 3:20, 4:20, 4:22, 4:24, 5:16, 6:4,

6:24, 8:21, 10:8, 10:10, 11:17, 11:19, 11:21, 12:9, 13:14, 13:16, 13:22, 14:3, 14:11, 16:15, 18:8, 18:10, 18:11, 18:14, 19:13, 20:4, 20:6, 20:11, 20:14, 20:22, 21:13, 21:25, 22:14, 36:21, 37:17, 43:6, 43:23, 44:23, 47:14, 51:15, 52:6, 52:10, 54:19, 70:16
showing - 51:20
shows - 29:10
side - 16:6, 19:2, 62:14
sign - 25:10, 29:22
signed - 23:10, 23:14, 26:6, 68:7, 68:9, 69:1
similar - 31:17, 32:2, 32:12
simply - 60:2
sit - 73:21
sitting - 72:16
situation - 39:23, 70:22
six - 29:16, 32:5, 32:10, 59:13, 59:19, 61:25, 62:1, 62:2, 62:4, 64:11, 64:24, 66:13
slam - 56:1
sleight - 28:19
So.2d - 30:18, 60:21, 62:17
Social - 45:16, 45:19
solely - 51:3
someone - 40:14, 40:16, 56:18
somewhat - 21:22
somewhere - 60:20
soon - 53:10
sorry - 6:14, 8:5, 48:11, 59:7
sounded - 45:8
sources - 53:2
speaking - 29:18
specialty - 41:18
specific - 24:6, 24:7, 24:11, 34:5, 39:8, 39:9, 44:16, 44:18
specifically - 62:18, 68:18, 69:9
speculating - 48:17
spell - 43:18
spiral - 70:21
St - 37:7
stage - 49:12, 67:16, 67:17
standard - 61:8, 63:11, 63:13
standpoint - 37:22
start - 11:6
started - 20:4, 25:23, 42:8, 44:22
starting - 3:4
State - 1:1, 76:1, 76:5, 76:15
state - 14:11, 14:16, 14:18, 14:21, 14:23, 15:4, 15:11, 16:14, 20:21, 21:5, 39:11, 47:21, 62:5
statement - 25:10, 26:7, 26:15, 29:22, 38:14, 51:5

statements - 64:16, 75:7
states - 16:22, 16:24, 32:5, 39:10, 40:2, 53:18, 69:8
stating - 69:15, 73:6
statute - 26:23
Statutes - 23:20, 34:23, 36:15, 44:12
statutory - 34:21
stay - 25:25
stems - 50:25
Stenographically - 1:24
step - 15:11
stepping - 49:11
steps - 37:7
Steven - 42:6
still - 3:16, 4:4, 4:9, 6:20, 12:23, 13:2, 20:11, 22:24, 35:9, 70:6, 74:16
stop - 7:21, 46:11, 53:7
story - 45:20
strategy - 30:11
stray - 42:2
street - 21:11
stress - 45:12
strike - 4:5, 4:6, 14:1, 20:10, 20:14, 37:17, 52:18, 53:9, 53:25
stuff - 74:14
stunts - 16:4
styled - 76:9
submit - 55:14, 74:17
subsequent - 24:8, 34:5
subsequently - 25:11
substantially - 31:16, 32:2, 32:12
substitute - 13:21, 46:13
subtly - 32:18
sued - 33:7, 60:23, 67:2
sufficient - 36:22, 42:14
suggest - 7:16, 7:25
suing - 33:8, 33:15
suit - 34:18, 34:20
suitable - 63:15
Suite - 2:9
summary - 6:11, 6:17, 7:6, 7:7, 7:9, 7:13
support - 18:14, 63:12, 73:5
supposed - 24:19, 24:23
supreme - 35:18
surname - 9:3
surnames - 9:18
surprise - 49:8, 49:10
swearing - 15:25
swimming - 45:7
system - 21:21

T

tale - 65:15
talks - 29:14, 33:6, 33:21, 34:14
Tampa - 1:17, 2:10, 37:8, 76:15
tape - 12:9, 17:9,

<p>56:5, 56:6, 56:7 telephone - 18:5, 36:14, 37:19, 38:17, 38:19 telephonic - 74:24 ten - 29:14, 30:16 terminate - 74:8 terms - 9:3, 10:19, 12:2, 13:24, 14:15, 21:12, 27:2, 28:9, 31:7, 35:16, 35:22, 41:2, 44:22, 46:10, 73:9, 73:13 testify - 34:9 testimony - 16:22, 17:15, 33:24, 34:12 themselves - 3:3, 24:4, 34:8, 34:11, 34:13 theoretically - 15:14 thereafter - 55:12 thereby - 62:20 therefore - 63:24, 67:14 therein - 67:5 thereto - 76:10 Thereupon - 75:10 thinks - 26:14 Thirteenth - 1:1, 76:5 thousand - 51:12 threaten - 37:4, 37:24 threatened - 12:10, 36:7, 39:9, 56:1 threatening - 36:25, 37:13 threats - 12:7 three - 33:3, 44:9, 46:12, 49:22, 55:6, 56:19, 56:23, 58:18, 58:24, 59:13, 59:14, 59:15, 59:19, 59:23, 60:9, 62:7, 62:13, 66:4 threw - 55:23 throwing - 16:4 thrust - 35:25 Thursday - 8:15, 12:23 timeliness - 29:14 timely - 57:25, 73:4 Tobkin - 60:20, 62:16 today - 4:16, 5:9, 7:15, 7:17, 7:23, 8:9, 10:7, 10:22, 11:7, 11:10, 14:4, 14:8, 16:13, 20:10, 20:14, 22:13, 35:6, 37:3, 37:7, 38:2, 38:15, 38:18, 39:6, 39:23, 40:23, 43:3, 44:22, 45:1, 46:11, 48:7, 52:11, 52:13, 52:14, 52:16, 52:19, 52:21, 54:1, 54:15, 59:20, 67:23, 68:25, 70:2, 70:14, 70:15, 72:11, 73:11, 73:12, 74:17 Today - 8:14 today's - 11:25, 68:6, 74:8 took - 23:13, 51:2, 51:17, 57:12 totally - 70:22 touch - 42:11, 42:12 track - 42:3, 73:13 transaction - 24:7,</p>	<p>24:15, 34:5, 34:15 transactions - 17:2 Transcript - 1:12 transcript - 17:25, 18:1, 18:5, 18:23, 27:12, 27:22, 29:11, 29:14, 29:20, 30:20, 31:4, 31:12, 35:16, 36:11, 37:19, 38:6, 38:17, 38:19, 38:22, 54:3, 55:4, 56:24, 58:9, 67:4, 68:17, 71:16 transcription - 76:8, 76:12 Transcription - 1:25 transfer - 15:14 transmitted - 18:18 traumatic - 45:12 trial - 25:7, 33:22, 39:20 tricky - 31:19 tried - 12:3, 40:20, 57:14 trouble - 56:18 true - 15:12, 17:13, 19:4, 36:20, 36:23, 48:10, 50:19, 59:5, 59:6, 65:18, 66:11, 76:12 truth - 16:16, 28:21, 28:24, 29:3, 29:7, 31:20, 51:13, 65:6, 65:7, 65:13, 65:22 Truth - 26:22, 32:7, 32:15, 32:21 truthful - 16:20, 66:8 try - 10:6, 12:4, 46:13, 46:19 trying - 22:11, 23:18, 27:23, 28:8, 39:16, 54:11, 65:18 turn - 36:8, 53:1, 62:9 turned - 28:20, 55:12, 55:13, 57:13 turns - 23:8, 28:15, 32:18 twenty - 67:21, 68:5, 68:6, 68:8 two - 4:25, 5:11, 7:4, 10:11, 12:7, 12:15, 12:18, 19:16, 19:24, 29:1, 47:22, 53:17, 54:1, 55:6, 56:19, 56:23, 58:24, 59:3, 62:5, 62:8, 64:18, 64:21, 66:14 Two - 5:2, 44:7 two-count - 62:8 type - 73:14 typed - 5:24 typical - 30:6</p>	<p>unilaterally - 7:10 unless - 7:16, 7:25, 44:1, 59:17 unnamed - 53:2 untruthful - 64:15 up - 7:16, 7:25, 11:14, 14:5, 14:12, 15:15, 16:8, 41:24, 69:1 upset - 61:11</p> <p style="text-align: center;">V</p> <p>vacation - 41:15, 41:25 valor - 74:23 valuable - 12:5, 73:19 value - 33:24 variety - 54:7 verification - 14:9, 17:5, 51:1, 55:24, 55:25 verified - 73:6 victim - 14:22, 14:24, 15:7 view - 18:25, 19:7 violated - 47:15 violations - 32:14, 37:14 virtually - 53:15 vocational - 45:19, 45:22, 51:15, 51:22 volition - 20:1 voluntary - 74:2, 74:3 vs - 1:6, 16:23, 17:11, 30:17, 60:20, 62:17</p>	<p>witness - 21:5, 27:19, 33:6, 33:7, 33:19, 33:21, 33:23 witnesses - 27:3, 27:8 words - 34:7 world - 65:12, 65:13 wrench - 55:23 writ - 54:24, 70:9 write - 43:11 writing - 73:1, 75:4 written - 8:16, 19:21, 21:19, 24:15, 43:4, 43:5, 61:10, 63:18, 66:24, 68:21 wrote - 17:23, 18:18, 41:8, 42:15, 69:6</p>
	<p style="text-align: center;">U</p> <p>ultimately - 25:6 umbrella - 9:9, 9:11 unable - 13:20 uncomfortable - 52:14 under - 17:21, 23:11, 23:21, 24:23, 29:15, 32:15, 45:13, 47:21, 51:4, 55:10 Under - 24:25 underlying - 13:22, 13:25 undertake - 25:16</p>	<p style="text-align: center;">W</p> <p>Wait - 60:4 wait - 11:1, 11:12, 60:4 waited - 63:21 waiting - 12:23 Walker - 25:20 wall - 56:2 wants - 8:20, 44:1, 49:18, 52:11, 52:12, 65:14, 65:21 warrant - 48:13 waste - 73:23 wasting - 73:20 week - 11:24, 42:17, 53:15 weeks - 47:22, 55:12, 55:13 welcome - 51:8 West's - 34:22 Whereof - 76:14 white - 39:2 whole - 23:15 wholly - 48:18 Widman - 42:12, 42:20 wife - 8:23, 8:24 William - 3:13 Williams - 16:23 willing - 11:9, 43:2, 49:17, 50:14, 50:18 wish - 8:22 withdraw - 13:19, 14:1, 58:17 withdrawing - 57:6 withdrew - 48:6, 53:15, 58:14, 58:20, 59:4, 59:12 Witness - 76:14</p>	<p style="text-align: center;">Y</p> <p>year - 49:20, 58:20 yourself - 41:4, 67:22, 72:13, 72:25</p>