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December 13, 2006

Mr. Neil J. Gillespie
8092 SW 115th Loop
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Dear Neil:

As you know, I called you on December 12, 2006 to schedule hearings before Judge Isom on February 7, 2007. You did not answer, so I left you a voice mail. Later that afternoon, you sent a letter to me by facsimile. In it, you claim to be unavailable February 7 and that you "hope to have representation within 30 days." You have made that assertion for several months now, without retaining counsel, and I cannot delay this proceeding any further on your unfulfilled promises of retaining counsel. You also state in your letter that I have "threatened the lawyers that were helping" you, which is completely unfounded. I will address that issue below.

Judge Isom has all day on February 5, 2007 open, and we could resolve all pending motions, except for your motion for summary judgment, on that date. I left you a voice mail on this today.

As has Judge Nielsen, I have endured for several months now disparaging remarks from you, false allegations, attacks on my credibility and otherwise boorish behavior. I have not responded to much of it because I recognize that you are a bitter man who apparently has been victimized by your own poor choices in life. You also claim to have mental or psychological problems, of which I have never seen documentation. However, your behavior in this case has been so abnormal that I would not disagree with your assertions of mental problems. I have maintained courtesy in every meeting with you, including a warm sentiment following a hearing -- only to be accused after that of "taunting" you.

I intend to continue treating you with the same dignity and respect as I would opposing counsel in any other case; however, I have First Amendment rights, too. I am not obligated to accept your false statements, disparaging remarks, attacks on my credibility and the other tactics you have used in this case. I want to ensure that you understand my position, and so I find it necessary now to write to correct the record.

As for your claims that I "threatened the lawyers" that is simply false. I forwarded by e-mail portions of your October 18, 2006 to Ms. Jenkins, Ms. Buchholz and Mr. Snyder, and stated "Neil Gillespie has filed a letter with Judge Richard Nielsen, and has attributed comments to the three of you. As an officer of the Court, I believe I have a duty to advise you of this. Please review pages 8-10 of the attached letter. Should any of you desire the complete document, with attachments, please advise." I have received no reply. In fact, the first confirmation that my letter had been received by these three attorneys was your December 12 facsimile letter.

Let me explain why I sent the portions of the letter to them. Your tactic of naming these three lawyers as people you had spoken to, and then attributing statements to them anonymously and en masse is very damaging to them professionally. I sent the portions of the October 18, 2006 letter to them so that they could review it and do whatever they felt necessary.

I also sent it to them because I questioned the veracity of your letter. I considered four possibilities about the statements you attributed to them anonymously: First, you may be lying. Second, you may be taking some or all of the statements out of context. Third, you may be paraphrasing and changing the meaning of the actual statements. Fourth, one or all of these attorneys may have never said anything to you, but were being used by you to endorse statements that you would later use to attempt to recuse Judge Nielsen.

I also disagree that my actions have harmed your ability to hire counsel. The primary problem is that your case is weak. You are essentially claiming in this action that our law firm breached its contract with you by not paying you a portion of the attorneys' fees earned in the Amscot case. Every attorney knows -- or should know -- that the Rules Regulating the Florida Bar and the caselaw prohibit splitting attorneys' fees with a nonlawyer.

It is also clear by reviewing the Closing Statement and your letters to us that you knew that Amscot was paying all of your attorneys' fees and that you would not have to pay any portion of your settlement for attorneys' fees and costs. In this case, you received 100% of your settlement, not 60%, and Amscot paid all of your attorneys' fees and costs.

No one has ever rendered an opinion that your case has any merit. You misunderstood the meaning of a denial of a motion to dismiss. It is not a comment on the merits. In fact, the Court is required to accept all of your allegations as true. That requirement disappears after the motion to dismiss is resolved. Now, you are required to prove your specious allegations. Any rational attorney looking at this situation would not take this case on a contingency fee basis and would instead require you to pay them by the hour.

You, apparently, from your comments to me and in court filings, are unwilling to pay an attorney fairly for the work that would need to be done. In fact, you even moved the Court to have an

attorney appointed for you at the government's expense. Of course, there is no provision under the ADA for appointment of counsel, but the fact that you believe the government should foot the bill for you to file baseless lawsuits is entirely consistent with your actions in this case and past cases.

So, in addition to your case's lack of merit, you are cheap and not willing to pay the required hourly rates for representation. Yet, you have had no problem paying filing fees for this baseless lawsuit, the court reporters to transcribe hearings and our telephone calls, and for the frivolous appeal of the discovery order.

Another major problem, I gather, in hiring attorneys is your extortion of your former attorneys by threatening to file a Florida Bar complaint if they do not split portions of their earned fees with you. In fact, you have filed three grievances against Bill Cook in connection with this matter -- all of which were dismissed, meaning your allegations were unfounded. Rhetorically, why would an attorney wish to represent you given your past actions against other attorneys?

Additionally, any reasonable attorney would find your conduct in this case to be reprehensible.

1. You have routinely violated the Florida Rules of Civil Procedure, only to claim that pro se litigants are entitled to special treatment. At every hearing, I recall Judge Nielsen had to advise you to follow the procedural rules and protocol. As I have pointed out with citations of authority, the law in Florida is clear: You are expected to follow the rules of procedure, and you are not entitled to special treatment. When I have cited the law to you, you have told me not to do so.

2. You threatened to "slam me up against the wall." After that, I had to request a bailiff to attend the hearings. You claimed I "taunted" you when, after a hearing, I wished you well.

3. You have recorded a telephone conversation without my permission. I assume your research skills have led you to the statutes and caselaw on recording telephone conversation without permission. In fact, you only filed a portion of the transcript of our very first telephone conversation and we both know why: You never told me you were recording it.

4. You represented to the Court that I "threatened" you, and the comment on which you based it was my comment to you that your libeling of my clients was unnecessary, and that act would cause you to have to pay. Which, it will. You have accused me of perjury.

5. You have filed defenses to the counterclaim that are nonsensical, and yet you claimed to be well-qualified to represent yourself when I moved for sanctions and asked the Court to require you to hire counsel.

6. You took a contradictory position and moved to have an attorney appointed for you because you were not qualified or able to represent yourself, citing your disability, without proof, and a federal law that does not even address the appointment of counsel in a civil action. In one hearing, when Judge Nielsen asked you for authority, you replied with words to the effect that you have no training in the law. You have portrayed yourself as the victim when it suits you and the able advocate when it suits you.

7. You failed to respond to discovery, forcing me to file a motion to compel, which was granted. You refused to comply with that Order, filed a frivolous appeal, which was dismissed, and then petitioned for writ of certiorari, which was also dismissed.

8. When I filed a motion for an Order to Show Cause on the discovery Order, you claimed to be pursuing coverage of the counterclaim by an insurance company. You asked for a continuance of the hearing on that basis. We contacted the insurer's claims adjuster and negotiated a very favorable settlement for you of the counterclaim, and when you found out, you withdrew the claim, thereby preventing the counterclaim from being resolved.

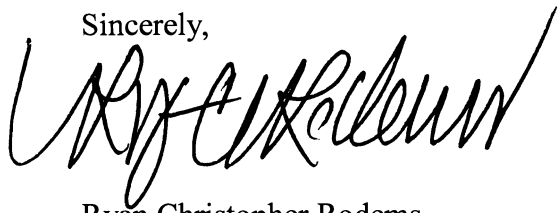
9. Facing an imminent hearing on your contumacious disregard for the Court's July 24, 2006 discovery Order after your appeal of it was denied, you decided to "judge shop" and attacked Judge Nielsen to force him to recuse himself. In doing so, you cited unrelated, irrelevant issues and attempted to bait him with disparaging and caustic remarks, even though he was polite and respectful towards you at all times, allowed you to submit additional argument when you came to the first hearing unprepared, and gave you additional time to find an attorney when we were scheduled to hear on October 4, 2006 your defiance of the July 24, 2006 discovery Order. No good deed goes unpunished, right?

   You succeeded in having Judge Nielsen step down. There is no effective process for challenging his recusal or having a Court rule on the motive of your motion to disqualify him, but if you were an attorney, the Rules Regulating the Florida Bar would require me to file a grievance and you would likely have faced severe sanctions.

Neil, we offered to settle with you without pursuing our right to attorneys' fees and costs, as ordered by Judge Nielsen in the July 24, 2006 Order. You rejected it. We offered to settle the counterclaim with your insurer. You withdrew the insurance claim. You are spending a lot of money on filing fees, court reporter fees, and gasoline to hand-deliver motions and whatnot. It appears you want your day in court, so to speak. Judge Isom has all day on February 5, 2007 open. I urge you to agree to set the hearings on that date. We can then move forward and bring this case to resolution.

I hope this clarifies my position on matters, and I look forward to working with you.

Sincerely,



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