SPECIAL RAPPORTEUR ON THE INDEPENDENCE OF JUDGES AND LAWYERS
UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS
UNITED NATIONS OFFICE AT GENEVA

SPECIAL RAPPORTEUR ON DISABILITY UNITED NATIONS ENABLE
SECRETARIAT FOR THE CONVENTION OF RIGHTS OF PERSONS WITH DISABILITIES
DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS, NEW YORK, NY

STATE OF FLORIDA
SUPREME COURT OF FLORIDA

THE FLORIDA BAR
Ghunise L. Coaxum, UPL Bar Counsel
Unlicensed Practice of Law Department,
Orlando Branch Office
VS.
Neil J. Gillespie, Case No. 20133090(5)
Unlicensed Practice of Law (UPL) Investigation, on complaint by Ryan Christopher Rodems, Esq.


My safe room at home since June 1, 2011

AFFIDAVIT OF NEIL J. GILLESPIE

I have a well-founded fear of political persecution

I, Neil J. Gillespie, under oath, testify as follows:

1. My name is Neil J. Gillespie. I was the Petitioner pro se in Gillespie v. Thirteenth Judicial Circuit Florida, et al, Petition No. 12-7747 for writ of certiorari, U.S. Supreme Court. The petition was denied February 19, 2013. Rehearing was denied April 15, 2013.

2. On Friday, April 19, 2013 at 9:32 AM I received harassing email from attorney Ryan C. Rodems, taunting me about Petition No. 12-7747. I responded to Mr. Rodems by letter April 29, 2013 instructing him "Mr. Rodems, this case is over. Move on with your life. Do not contact me again." I provided a PDF copy of my letter by email to 31 people including Fla. Gov. Scott, AG Bondi, Florida Bar officials, and American Bar Association officials. (the letter attached hereto).

3. Two days later, May 1, 2013, Mr. Rodems made a written complaint against me to The Florida Bar for the unlicensed practice of law (UPL), for appearing pro se for my own interest. The complaint is vexatious and without merit. The Florida Bar opened a UPL investigation of me May 14, 2013. UPL is a felony, F.S. § 454.23, with punishment up to 5 years incarceration.

4. On June 1, 2011 Mr. Rodems corruptly got a civil "bodily attachment" arrest order issued for a coercive confinement settlement June 21st of my federal claims at the Tampa courthouse.

5. I have a well-founded of the sheriff breaking down my door to arrest me on a fraudulent charge concocted by The Florida Bar and/or Mr. Rodems, who has terrorized me since 2006.

FURTHER AFFIANT SAYETH NAUGHT. I solemnly swear, under penalty of perjury, that the foregoing facts are true, correct, and complete, so help me God.

Dated this 22nd day of October 2013.

Neil J. Gillespie

NEIL J. GILLESPIE

Neil Gillespie

From: "Neil Gillespie" <neilgillespie@mfi.net>
To: "Rick Scott" <Rick.Scott@eog.myflorida.com>; "Pam Bondi" <pam.bondi@myfloridalegal.com>; "Jeffrey Carter Andersen" <candersen@bushross.com>; "Laurel G Bellows" <lbellows@bellowspc.com>; "James R. Silkenat" <jsilkenat@sandw.com>; "Ellyn Rosen" <Ellyn.Rosen@americanbar.org>; "Myles Lynk" <Myles.Lynk@asu.edu>; "Joseph Bluemel" <jbluemel@hamsfork.net>; "Nancy Cohen" <ncohen@mcpclaw.com>; "Dolores Dorsainvil" <DorsainvilD@dcobc.org>; "Linda Gosnell" <lindagosnell1@gmail.com>; "James Hill" <jhill@zkslaw.com>; "James A Kawachika" <JAK@opglaw.com>; "Amy Lin Meyerson" <amy@almesq.com>; "Cleaveland Miller" <cmiller@semmes.com>; "Eugene Keith Pettis" <epettis@hpslegal.com>; "Gwynne Alice Young" <gyoung@carltonfields.com>; "James N Watson" <jwatson@flabar.org>; "John F Harkness" <jharkness@flabar.org>; "John Thomas Berry" <jberry@flabar.org>; "Kenneth Lawrence Marvin" <kmarvin@flabar.org>; "Leonard E Clark" <LClark@flabar.org>; "Paul F Hill" <phill@flabar.org>; "Susan Varner Bloemendaal" <sbloemen@flabar.org>; "Theodore P Littlewood" <tlittlew@flabar.org>; "William W Wilhelm" <wwilhelm@flabar.org>; "Gregory Harrison Fisher" <fishlaw@gte.net>; "Belinda Barndollar Lazzara" <blazzara@mslo-law.com>; "Maribeth L. Wetzel" <beth@goldmanwetzel.com>; "Michael G Stofer" <mstofer@deaconandmoulds.com>; "Sandra Fascell Diamond" <sdiamond@wdclaw.com>
Sent: Tuesday, April 30, 2013 11:11 AM
Attach: Final response to Ryan Christopher Rodems, Apr-29-2013.pdf
Subject: Final response to Ryan Christopher Rodems

Rick Scott, Governor of Florida
Pam Bondi, Office of the Florida Attorney General
The American Bar Association
The Florida Bar
Jeffrey Carter Anderson, Chair, Thirteenth Circuit JNC
Sixth Circuit Grievance Committee "D"

Dear Governor Scott, Attorney General Bondi, Mr. Anderson, and Ladies and Gentlemen:

Please find attached my final response to Ryan Christopher Rodems, prompted by his unwanted and harassing email of April 19, 2013.

My letter gives notice to Mr. Rodems that our litigation is over, and that he should move on with his life and not contact me again. The letter is also a comprehensive, but not exhaustive, rebuttal to a number of issues raised by Mr. Rodems.

This matter is no longer about Mr. Rodems, or any individual bad lawyer; it is about the failure of the State of Florida to adequately protect consumers of legal and court services, its failure to properly regulate lawyers, law firms, the practice of law, and state judicial officers, which I intend to pursue as long as possible, along with disability advocacy.

Florida Bar Counsel Theodore P. Littlewood should be commended for his professionalism in conducting the initial review of my Bar complaint against Mr. Rodems, and opening disciplinary File No. 2013-10,271 (13E) pursuant to Fla. Bar Rule 3-7.3(b), as required and in compliance with The Rules Regulating The Florida Bar.

Unfortunately The Florida Bar's Tampa Branch Office is a crony "local discipline component", as describe by the ABA McKay Report, and improperly closed my meritorious complaint against Mr. Rodems.

This letter is provided to Mr. Rodems as a final response, and to make a record thereof with the American Bar Association, The Florida Bar, the Thirteenth Circuit JNC, the Sixth Circuit

Grievance Committee "D", the Office of the Florida Attorney General, and the Governor of Florida. Thank you.

Sincerely,

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

VIA U.P.S. No. 1Z64589FP296592596 April 29, 2013

Ryan Christopher Rodems
Barker, Rodems & Cook, P.A.
501 East Kennedy Boulevard, Suite 790
Tampa, Florida 33602

RE: Your unwelcome, harassing email Friday, April 19, 2013 at 9:32 AM

Dear Mr. Rodems:

In response to your unwelcome and harassing email captioned above, I suggest you move on with your life and stop contacting me. Our case is over and you need to accept that fact.

Nonetheless, you and your partners concocted a scheme and stole $7,143 from my settlement in the Amscot case. While representing your firm in conflict with me, a former client in the same matter as the prior representation, you engaged in a wide range of misconduct, described in part by Robert Bauer, Esq. in open court August 14, 2008: "Mr. Rodems has, you know, decided to take a full nuclear blast approach instead of us trying to work this out in a professional manner."

In matters before The Florida Bar, you have and engaged in misconduct, and joined with my former lawyers in a pattern of racketeering activity to subvert or undermine my complaints. In 2003 your firm accused me of "extortion" for making a $4,524 settlement offer under ACAP.

You have also committed crimes while improperly representing your firm and partner, including honest services fraud with Judge Martha Cook, as set forth in my Rule 21 Motion to correct and supplement my petition for rehearing, citing U.S. v. Terry, No. 11-4130, U.S. Sixth Circuit Court of Appeals. Unfortunately my motion was not heard, and was returned April 16, 2013.

You have also repeatedly disparaged me on the basis of disability, with a strategy intended to inflict severe emotional distress on me, knowing I am vulnerable from your firm's consultation with me on disability and the Division of Vocational Rehabilitation in DLES case 98-066-DVR.

Mr. Rodems, you are an unindicted criminal, a crook, a bully, and a liar. Nothing in your email changes that fact. Your former client Heike Albert called you an "a--hole", according to your testimony April 4, 2012 before U.S. District Judge Honeywell. Mr. Castagliuolo referred to you as "asshole Rodems" in his email to me June 14, 2011.

However this matter is no longer about you, it is about the failure of the State of Florida to adequately protect consumers of legal and court services, its failure to properly regulate lawyers, law firms, the practice of law, and state judicial officers affecting interstate commerce. This is my calling, in addition to disability advocacy, which I intend to pursue as long as possible.

This letter is provided to you as a final response, and to make a record thereof with the American Bar Association, The Florida Bar, the Thirteenth Circuit JNC, the Sixth Circuit Grievance Committee "D", the Office of the Florida Attorney General, and the Governor of Florida.

Your contumacious disregard of a "court-imposed prohibition of conduct"

Previously I instructed you not to contact me by email (or telephone) which you have disobeyed. Your email captioned above provided no new information. As such, you are engaged in a course of conduct directed at a me which causes substantial emotional distress to me and serves no legitimate purpose. Your ongoing harassment of me is a volition of a "court-imposed prohibition of conduct" and therefore a criminal felony offense (3rd degree) under F.S. § 784.048(4).

We are not on a first name basis. I provided you notice thereof by certified letter December 22, 2006, with a copy to Hillsborough Judge Claudia Isom, who on February 5, 2007 entered the following "court-imposed prohibition of conduct" on the record in open court.

> Transcript, February 5, 2007 hearing before Judge Claudia Isom, page 9:
>
> THE COURT: All right, back on the record. In the context of this litigation please refer to each other by your surnames so we won't have any question about whether or not people are being professional. Okay.
> MR. GILLESPIE: And, Judge, would that go for letters he sends me as well?
> THE COURT: I said in the context of this litigation. So if the letters have to do with this litigation that would be encompassed in this.

A PDF copy of your email accompanies this letter, with the text set forth below.

> **From:** "Ryan Rodems" <Rodems@barkerrodemsandcook.com>
> **To:** <neilgillespie@mfi.net>
> **Sent:** Friday, April 19, 2013 9:32 AM
> **Attach:** Ltr Denying Gillespie motion for rehearing 4-15-2013.pdf; Finding of No Probable Cause [Gillespie Complaint] [Fla Bar No. 2013-10,271 (6D).pdf
> **Subject:** Supreme Court letter denying your motion for rehearing and Florida Bar rejecting your grievance – no probable cause
>
> Neil:
>
> The United States Supreme Court rejected your petition for writ of certiorari, and your motion for rehearing on that. The Florida Bar rejected your grievance against me as unfounded. I am sending you copies for your records, and you have my permission to post them on your website.

Sincerely,

Ryan Christopher Rodems
Barker, Rodems & Cook, P.A.
501 East Kennedy Boulevard, Suite 790
Tampa, Florida 33602
813/489-1001 (Office)
813/205-1198 (Mobile)
E-mail: rodems@barkerrodemsandcook.com

You violated Judge Isom's "court-imposed prohibition of conduct" [F.S. § 784.048(4)] by failing to address me by my surname in the email, which letter is in the context of our litigation.

Your email of Friday, April 19, 2013 9:32 AM was blocked by my spam filter, and may have been infected with a virus. I did not open the attachments, and deleted the email after making a PDF copy. Any future email from you will be deleted unread. Any mail from you will be refused. If you need to contact me, hire counsel. You are not welcome to contact me at all.

Petition No. 12-7747 - Supreme Court of the United States

Your statement about Petition No. 12-7747, captioned below, is false:

> "The United States Supreme Court rejected your petition for writ of certiorari, and your motion for rehearing on that."

My petition and rehearing were denied - not "rejected". The Court denies about 99% of the approximately 10,000 petitions filed with the Court in the course of a Term. Review is discretionary, and less than 100 petitions are granted certiorari per Term. Therefore most petitions are denied certiorari, which denial is not a judgment on the merits of a case.

On September 13, 2012, Justice Thomas GRANTED my Application No. 12A215 extending the time to file until December 10, 2012. Certainly Justice Thomas would not grant an application if the petition was without some merit. However the process of selection is opaque, and relies on "cert. pool", briefings by law clerks, which unfortunately can prejudice a case. "The fate of a petition may be disproportionately affected by which clerk writes the pool memo." - Wikipedia. http://en.wikipedia.org/wiki/Cert_pool

The Supreme Court docket shows two cases for me, and only one for you. My Application No. 12A215 was granted by Justice Thomas. A docket search shows nothing ever granted for you.

As shown in my Rule 12.6 notice of party interest submitted January 22, 2013, you had no real party interest in the petition anyway. I gave notice of voluntary dismissal under Rule 41(a)(1)(A) to you and BRC October 29, 2010 in Case 5:10-cv-00503-WTH-DAB. On June 21, 2011 you

and BRC improperly, and unsuccessfully, attempted to reenter the case. The Court henceforth did not respond to any of your pleadings. Judge Hodges "rejected" you and your unprofessional tactics. You and BRC were never a party in the main case, Case 5:11-cv-00539-WTH-TBS.

(Note: You and BRC had an interest in my first petition filed August 20, 2012, in Fla. Supreme Court No. SC11-1622, which was returned out-of-time, due to my confusion over a rehearing)

Unfortunately my Rule 21 Motion to correct and supplement my petition for rehearing was returned unheard April 16, 2013, as well as a second letter to the Clerk April 12, 2013. The motion arrived untimely and not considered on the merits, which included the following issues:

> Part 1, Racketeering, The Florida Bar, and my letter to Ms. Young of March 28, 2013:
>
> Ms. Young, the requested investigation into witness tampering and obstruction of justice may vindicate Ms. Pruett-Barry. In that case it would show Robert W. Bauer is engaged in the worst kind of misconduct possible: Betrayal of his clients with malice forethought.
>
> Mr. Bauer may have discovered the perfect crime: He represents himself to clients as a specialist in attorney malpractice, and once retained, bleeds the client of funds in a "fake representation" that is intended to break the client, and intended to protect the subject attorney. This looks like a pattern of racketeering that is aided and abetted by other attorneys, such as Ryan Christopher Rodems, Eugene P. Castagliuolo, and Catherine Barbara Chapman in my cases.
>
> Ms. Young, is The Florida Bar part of this racketeering activity?

Part 2, Honest services fraud citing U.S. v. Terry, No. 11-4130, U.S. Sixth Circuit Court of Appeals, decided February 14, 2013, where you and Judge Cook carried out a "scheme or artifice to defraud" me of "the intangible right of honest services" in violation of 18 U.S.C. § 201(b)(2), 18 U.S.C. § 1341, 18 U.S.C. § 1346, F.S. § 839.13(1) and § 837.06.

Judge Cook accepted campaign donations from you, and two of my former lawyers, your partners William J. Cook and Jonathan Alpert, in return for improper rulings on summary judgment, and civil contempt, during ex parte hearings September 28, 2010 in Gillespie v. Barker, Rodems & Cook, 05-CA-7205. Hillsborough Deputy Christopher E. Brown, and Major James Livingston, provided evidence that you and Judge Cook falsified the record of the hearing.

As in Terry, Judge Cook's collaboration came relatively cheap, $300 in her initial 2002 bid, according to Florida donation records of you and Messrs. Cook and Alpert - $100 each. An honest services fraud agreement need not spell out which payments control which act, just that Judge Cook was expected to act favorably to the donor as opportunities arose. Terry at p. 6. Unfortunately, Judge Cook acted like your "marionette". Terry at p. 11.

Part 3, *Three Formulations of the Nexus Requirement in Reasonable Accommodations Law*, 126 Harv. L. Rev. 1392 (2013) gave me language to explain my disability to the Court. This Note only came to my attention March 21, 2013 via an email subscription.

"Much of my accommodation was need due to Mr. Rodems' "S.O.B. Litigator" style that went beyond zealous advocacy, and was abusive behavior, harassment, obstruction of justice, and part of a "scheme or artifice to defraud" me of "the intangible right of honest services"."

"Unfortunately the lower courts negligently failed their role of establishing proper conduct for Mr. Rodems. Respondent Court Counsel David Rowland wrote July 9, 2010: (Appendix C)"

> This is a response to your July 6, 2010 ADA request for accommodation directed to Gonzalo Casares, the Thirteenth Judicial Circuit ADA Coordinator. You request the same ADA accommodations previously submitted on February 19, 2010. Your February 19, 2010 ADA request was a request for the court to take the following case management actions: (Only 1 and 4 are relevant on this point)
>
> 1. Stop Mr. Rodems' behavior directed toward you that is aggravating your post traumatic stress syndrome. (sic)
>
> 4. Enforce Judge Isom's directives imposed on February 5, 2007 which require both parties to only address each other by surname when communicating about this case and require parties to communicate in writing instead of telephone calls.

"Mr. Rowland's statement is an admission that I have Post Traumatic Stress Disorder (PTSD) and that Mr. Rodems' behavior was directed toward me to aggravate my PTSD. The undisputed allegation shows Mr. Rodems harassed me, which behavior was a crime under section F.S. § 784.048(4) because he violated a prior "court-imposed prohibition of conduct" by Judge Isom, a course of harassing conduct directed to me, that aggravated my disability, intentionally inflicted on me severe emotional distress, and served no legitimate purpose. Because an attorney is an officer of the court, injunctive relief was appropriate. F.S. 784.0485."

> Attorney is an officer of the court and an essential component of the administration of justice, and, as such, his conduct is subject to judicial supervision and scrutiny. State ex rel. Florida Bar v. Evans.

""Disability statutes provide little guidance to the judges who must decide whether [an accommodation]...is an innovative accommodation...or a clever way of gaming...and whether [the accommodation]...is genuinely related to the disabling aspects of posttraumatic stress disorder." (*id.* 1392). Here the accommodation sought was genuinely related to the disabling aspects of posttraumatic stress disorder, and accompanying depression. Unfortunately no medically qualified court personnel reviewed my disability request."

Finally, the Supreme Court is not infallible, *see* Dred Scott v. Sandford, 60 U.S. 393 (1857), Plessy v. Ferguson, 163 U.S. 537 (1896), and Korematsu v. United States, 323 U.S. 214 (1944).

The Florida Bar

Regarding your claim that "The Florida Bar rejected your grievance against me as unfounded", I disputed this finding by email April 14, 2013 to ABA President Laurel Bellows, with copies to those on the ABA and Florida Bar service lists, and the Sixth Circuit Grievance Committee "D".

One reader, who has a law degree, commented on my email and wrote:

> Look, Neil. These people are criminals. I suggest you file a criminal complaint with a US Attorney or FBI

Shortly I will submit a comprehensive response to Florida Bar President Gwynne Young.

Pursuant to Fla. Bar Rule 3-7.3(a), Bar Counsel Theodore P. Littlewood reviewed my complaint against you, and determined that the alleged conduct, if proven, would constitute a violation of the Rules Regulating The Florida Bar warranting the imposition of discipline. Mr. Littlewood opened disciplinary File No. 2013-10,271 (13E) pursuant to Fla. Bar Rule 3-7.3(b), notified you in writing, conducted an investigation, considered your response, my rebuttal and addendum, and concluded the complaint warranted further consideration. On October 26, 2012 Mr. Littlewood advised you by letter that the matter has been forwarded to The Florida Bar's Tampa Branch Office for consideration.

Mr. Littlewood should be commended for his professionalism in conducting the initial review as required and in compliance with The Rules Regulating The Florida Bar.

Unfortunately The Florida Bar's Tampa Branch Office is a crony "local discipline component" as describe by the ABA McKay Report.

> *Local components, such as local bar investigative committees, foster cronyism as well as prejudice against unpopular respondents.* - ABA McKay Report

Local discipline components are a fatal defect in The Florida Bar's lawyer discipline system.

Susan V. Bloemendaal was then, and is today, Chief Branch Discipline Counsel for the Tampa Branch Office. Unfortunately Ms. Bloemendaal has provided you protection since my initial complaint. On June 21, 2004 the Florida Bar assigned my initial complaint to Assistant Staff Counsel William L. Thompson who opened TFB No. 2004-11,734(13C). Mr. Thompson diligently investigated my complaint, but after six months he was removed from the inquiry.

Susan Bloemendaal personally assumed investigation of my complaint, instead of assigning it to another Assistant Staff Counsel as usually happens. Ms. Bloemendaal soon closed the file, and notified me of the case closure by letter February 9, 2005, stating in part:

> Mr. Gillespie, the bar has carefully reviewed all the information and documents provided by you and Mr. Cook. Based upon this review, it is the bar's position that the objective evidence is insufficient to support a finding of misconduct behalf of Mr. Cook.

Henceforth Ms. Bloemendaal assigned my subsequent complaints to Troy Matthew Lovell, who is now Lead Attorney for the Tampa office of The Florida Bar. Mr. Lovell refused to honestly consider my complaints, and continued to provide protection for Barker, Rodems & Cook.

For example, my complaint of August 5, 2006 alleged on page 2, ¶3 that the Closing Statement did not comply with Bar Rule 4-1.5(f)(5) in that no costs or expenses were itemized, and payment of $2,544.79 to Mr. Alpert was not shown. Mr. Cook claimed that he was exempt from Rule 4-1.5(f)(5) because Amscot separately paid $50,000.00 to compensate my attorneys for their claim against Amscot for court-awarded fees and costs. Mr. Cook's assertion was just a perpetuation of his original fraud. First, the claim to $50,000 in court-awarded fees and costs was rejected by Judge Nielsen by Order entered January 13, 2006. Second, there is no exemption to the Rule 4-1.5(f)(5) requirement of to itemize costs and expenses even if paid separately.

Mr. Lovell immediately closed my complaint by letter August 8, 2006, just three days after I submitted the complaint August 5, 2006. Mr. Lovell wrote:

> Assuming all of these allegations are true, we nevertheless conclude that further proceedings are unwarranted. Your case presents certain unusual situations…Similarly, your complaints about the itemization of fees and costs do not merit further proceedings….We acknowledge that the language of the rule could be interpreted more broadly, but undersigned Bar counsel is unaware of any binding precedent adopting that interpretation….We further note that these supplemental issues have been raised in a civil matter you have brought against Respondent's law firm. The Supreme Court of Florida has made clear that the attorney disciplinary process is not a substitute for civil court in seeking remedies against attorneys for civil claims.
>
> In this case, there is no arguable basis on which you were harmed by the events you described...
>
> Similarly, your complaints about the itemization of fees and costs do not merit further proceedings. The purpose of the rule in question is to address fees and costs which were paid out of the settlement proceeds you received. No monies were paid out of your settlement. We acknowledge that the language of the rule could be interpreted more broadly, but undersigned Bar counsel is unaware of any binding precedent adopting that interpretation. Given that you received 100% of the proceeds of your settlement, we find

> no basis for disciplining Respondent for the content of the closing statement. Similarly, the purpose of the rule about disclosing payments is for transparency, to prevent secret arrangements between attorneys when clients do not realize how their fees are being shared.

Mr. Lovell's claim that I "received 100% of the proceeds of my settlement", or that "No monies were paid out of your settlement", is a dishonest assessment in conflict with a lawyer's fiduciary duty to a client. Under Bar Rule 4-1.5(f) on contingent fees, me and the other 2 plaintiffs would have done far better to collect our rightful settlement share of $9,143 each, and pay attorneys fees to BRC of $28,569. Each plaintiff would have an additional $7,143 under Bar Rule 4-1.5(f). If the purpose of the rule is for transparency, then itemization of the actual costs and expenses paid would have prevented Mr. Cook from using a fraudulent Closing Statement to steal $7,143 from me and each of the other 2 plaintiffs. Attorney Seldon Childers determined that Mr. Cook stole $7,143 from my settlement, not $6,224.68 claimed in my original pro se Complaint, see Mr. Childers' Economic Analysis Spreadsheet dated September 17, 2009.

Attorney Robert Bauer believed I was entitled to a contingent fee share of the $56,000 total recovery, which was the basis for his representation of my claims in 05-CA-7205. Mr. Bauer outlined your fraud to Judge Barton October 30, 2007 during a hearing for judgment on the pleadings: (Transcript, October 30, 2007, pp.39-40)

> 22 [MR. BAUER] Another issue to point out the fact this is for
> 23 their claim of court-awarded attorney's fees, there
> 24 was no claim. The claim had already been determined
> 25 by the court, denied. It didn't exist any more.
> 1 [MR. BAUER] Yes, there was an appeal outstanding, but that
> 2 doesn't resurrect any claim. The only thing that's
> 3 going to resurrect a claim is an overruling by the
> 4 appellate court. A claim no longer exist once it's
> 5 been denied, even if it's on appeal. So in
> 6 asserting there existed a claim for attorney's fees
> 7 is false. It - it's not there.

And Judge Nielsen entered an Order January 13, 2006 that established a cause of action for fraud and breach of contract against Mr. Cook and BRC. Judge Nielsen rejected your "claim" to $50,000 in court-awarded fees and costs. The matter was decided res judicata January 13, 2006.

In concluding my Bar complaint of August 5, 2006, I cited the following case law:

> Failing to provide clients with written fee agreement and failing to itemize costs in a closing statement warrants one year suspension. (The Florida Bar v. Rood, 633 S02d 7 (1994). Attorneys must strictly comply with disciplinary rule requiring consent of client in writing in contingency cases, along with similar rules requiring client's written consent

> to attorney's fee regardless of circumstances involved. (The Florida Bar v. Carson, 737 So.2d 1069 (1999), rehearing denied). Securing fees by intentional misrepresentation or fraud upon client or court warrants two year suspension from practice of law when it is apparently isolated ethical breach in the context of fee dispute. (The Florida Bar v. Garland, 651 So.2d 1182 (1995).

Unfortunately Mr. Lovell refused to follow the above case law in closing my Bar complaint, and refused to acknowledge that I suffered harm, the loss of $7,143 in settlement proceeds.

The Tampa Branch Office has continued to protect you, by and through Ms. Bloemendaal, then Mr. Lovell, and now by and through Bar Counsel Leonard E. Clark, Michael G. Stofer, Chair of the Sixth Circuit Grievance Committee "D", and Sandra Fascell Diamond, Designated Reviewer.

The letter report does not specifically respond to any of my allegations, and falsely states "Furthermore, many of the allegations related to alleged conduct that occurred in 2005 and 2006. Thus, these allegations are outside the Bar's time limitations to prosecute a case." This is nonsense, because my complaint focused on misconduct that occurred in 2010 and 2011. References to earlier events were for historical reference, or in reply to your response.

My Bar complaint alleged you and Judge Cook collaborated September 28, 2010 and created a false record of the hearing on final summary judgment and civil contempt. This was a scheme or artifice to defraud me of the intangible right of honest services, as alleged in my Rule 21 Motion for leave to correct and supplement the petition for rehearing in Petition No. 12-7747.

In 2011 you made a number of false representations to Judge Arnold to obtain a civil arrest warrant on a writ of bodily attachment. You also failed to cooperate with Mr. Bauer, and Mr. Castagliuolo. None of that is mentioned in the letter report, as required by Rule 3-7.3(d).

Unfortunately Mr. Rodems, The Florida Bar has given you a pass on every complaint made against you by me, the persons shown below, and likely many more complaints unknown to me.

Robert Cash v. Ryan Christopher Rodems, RFA No. 12-15330

Carl Montag v. Ryan Christopher Rodems, TFB No. 2012-10,734 (13E)

Rita Pesci v. Ryan Christopher Rodems, TFB No. 2006-10,278(13D)

Heike Albert v. Ryan Christopher Rodems, RFA No. 12-14,769

Roslyn Vasquez v. Ryan Christopher Rodems, TFB No. 2003-11,462(13A)

Mr. Rodems, the lawyer discipline system in Florida is catastrophically broken. The Florida Bar itself has conducted a survey of judges who have filed bar complaints against lawyers with the results published in the Hawkins Report, showing statistical proof of governmental ineptitude:

"Nearly three-fifths (58%) of judge respondents say they are dissatisfied" with the disciplinary job The Bar has done. A staggering 82% of all county, circuit, and appellate judges in the most populous District (the Third DCA) are "dissatisfied" with the job The Florida Bar is doing.

In Broward County the level of judicial dissatisfaction is an appalling 65%. This is the county in which Scott Rothstein served on a Florida Bar grievance committee, and was a Commissioner on the Fourth Appellate District Judicial Nomination Commission, while operating a $1.2 billion dollar Ponzi scheme from the law offices of Rothstein Rosenfeldt Adler P.A. right under the Bar's nose, to which he plead guilty and on June 9, 2010 received a 50-year prison sentence.

Tellingly, the indictment of The Florida Bar revealed in the Hawkins Report is from *judges* who filed complaints. The general *public's* experience and level of dissatisfaction with Bar discipline is worse, based on my discussions with people who made Bar complaints.

In conclusion, there is no need, as you suggested, to post on my website whatever you purportedly attached to your unwanted, harassing email. First, my website and blog are linked to the Supreme Court docket page, allowing readers to see the decision directly. http://www.supremecourt.gov/Search.aspx?FileName=/docketfiles/12-7747.htm

Second, Petition No. 12-7747, and all the supporting documents, will be preserved by the National Archives and Records Administration (NARA), along with all other denied petitions submitted *in forma pauperis*. Paid petitions which are denied go to the Library of Congress. Thus Mr. Rodems, this matter is forever documented by the National Archives, the agency of the United States charged with preserving and documenting government and historical records.

Mr. Rodems, this case is over. Move on with your life. Do not contact me again.

Sincerely,

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

cc: ABA email service list; Florida Bar email service list; Thirteenth Circuit JNC; Sixth Circuit Grievance Committee "D"; Office of the Florida Attorney General; and the Governor of Florida.

Neil Gillespie

From: "Ryan Rodems" <Rodems@barkerrodemsandcook.com>
To: <neilgillespie@mfi.net>
Sent: Friday, April 19, 2013 9:32 AM
Attach: Ltr Denying Gillespie motion for rehearing 4-15-2013.pdf; Finding of No Probable Cause [Gillespie Complaint] [Fla Bar No. 2013-10,271 (6D).pdf
Subject: Supreme Court letter denying your motion for rehearing and Florida Bar rejecting your grievance -- no probable cause

Neil:

The United States Supreme Court rejected your petition for writ of certiorari, and your motion for rehearing on that. The Florida Bar rejected your grievance against me as unfounded. I am sending you copies for your records, and you have my permission to post them on your website.

Sincerely,

Ryan Christopher Rodems
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