

IN THE SUPREME COURT OF FLORIDA

CASE NUMBER: _____

FLORIDA J.A.I.L. 4 JUDGES, FLORIDA
DIVISION OF ELECTIONS COMMITTEE
#35025,

Petitioner,

**PETITIONER’S MOTION FOR
TEMPORARY INJUNCTION AND
EXPEDITED LIMITED DISCOVERY**

vs.

THE FLORIDA BAR,

Respondent.

_____ /

Petitioner, Florida J.A.I.L. 4 Judges, Florida Division of Elections Committee #35025, pursuant to (i) the anomalous jurisdiction of this Court, (ii) Florida's Public Records Act, Chapter 119, Florida Statutes and (iii) due process rights to discovery¹, respectfully request that the Respondent Florida Bar be ordered to (i) halt any activities related to J.A.I.L. and (ii) provide expedited limited discovery, and for grounds in support states:

The essence of the contemporaneously filed petition is that the Florida Bar is engaging in improper political activity. That assertion is based upon the limited

¹ “Although the Due Process Clause has little to say regarding the amount of discovery which the parties must be afforded . . . it does speak to the balance of forces between the accused and his accuser.” *Wardius v. Oregon*, 412 U.S. 470, 474 (1973).

publically released information found in the three articles attached to the petition.

Clearly, a great deal more is going on at the Florida Bar if a staff person is monitoring Florida J.A.I.L. 4 Judges and the board is flying in consultants to school the Florida Bar as it prepares to launch its campaign against Florida J.A.I.L. 4 Judges.

Moreover, the Florida Bar is not exempt from Article I, §24 and thus its records in regards to it activities against the Florida J.A.I.L. 4 Judges' initiative are available for public inspection. Additionally, as noted above, due process likewise insures some measure of discovery of the Florida Bar's activities in this regard.

The burden on the Florida Bar to expeditiously reveal what it is engaging in regarding Florida J.A.I.L. 4 Judges is small as the request below is limited in scope. Given that time is of the essence as the Florida Bar is apparently activley involved in anti-Florida J.A.I.L. 4 Judges activity, delay by this Court in resolving this petition may well cause irreparable harm and thus justifies the an injunction pending resolution of this issue.

Accordingly, Petitioner requests that this Court enjoin further activity by the Florida Bar in regards to J.A.I.L. and order the expeditious response to the following discovery requests:

1. A telephone deposition of Dana Watson, a legislative aide with the Bar.
2. Minutes and recordings of all meetings when Tom Barnett, executive

director of the State Bar of South Dakota, gave advice to the Bar Board of Governors.

3. Copies of all email by Florida Staff persons related to Florida J.A.I.L.

4 Judges.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on February 21, 2007, by Email upon Laura Rush: RushL@flcourts.org and Laura Beth Fargasso: lfaragasso@henryblaw.com.

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