

Filed ELECTRONIC APR. 21, 2008 STEVEN M. LARIMORE CLERK U.S. DIST. CT. S. D. OF FLA. - MIAMI	Page 1 RLB D.C.
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**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: _____

MERYL LANSON, individually,
MARY ALICE GWYNN, individually,
And MARY ALICE GWYNN, P.A.,
A professional association,

08-80422-Civ-ZLOCH/SNOW

Plaintiffs,

v.

THE FLORIDA BAR, JOHN HARKNESS,
JOHN BERRY, KEN MARVIN,
RAMON ABADIN, JULIET ROULHAC,
FLORIDA LAWYERS MUTUAL INSURANCE
COMPANY,

Defendants.

_____ /

**COMPLAINT FOR CAUSES OF ACTION ARISING UNDER
FEDERAL RICO AND ANTI-TRUST LAWS, AND CLASS ACTION**

COMES NOW the Plaintiffs, MERYL LANSON, MARY ALICE GWYNN and
MARY ALICE GWYNN, P.A., and state as follows:

THE PARTIES

Plaintiff, Meryl Lanson (Lanson) is a citizen of the United States, a resident of Palm Beach County, Florida, and more than eighteen years of age. She has filed meritorious Bar complaints with The Florida Bar against lawyers guilty of multiple breaches of The Florida Bar's Rules regarding ethics, which complaints The Bar has improperly refused to process fully.

Plaintiff, Mary Alice Gwynn (Gwynn) is a citizen of the United States, a resident of Palm Beach County, Florida, more than eighteen years of age, and a Florida lawyer

practicing in Palm Beach County, Florida, and a member in continuous good standing with The Bar since she commenced her practice in 1991.

Plaintiff, Mary Alice Gwynn, P.A. is a licensed. professional association doing business in Palm Beach County, Florida since 1993.

Defendant, The Florida Bar, claims to be the state's "official arm" of the Florida Supreme Court, headquartered in Tallahassee, Leon County, Florida, operating through its Board of fifty-two Governors, designated by the Supreme Court as its "disciplinary" agency.

Defendant, John Harkness (Harkness), is a citizen of the United States, a resident of Florida, the long-time Executive Director of The Florida Bar, and as such he is the chief executive officer of The Bar, working in Tallahassee, Leon County, Florida. He also serves on the Board of Directors of Defendant Florida Lawyers Mutual Insurance Company (FLMIC).

Defendant, John Berry (Berry), is a citizen of the United States, a resident of Florida, the Legal Division Director of The Florida Bar who reports to Harkness, and working in Tallahassee, Leon County, Florida. He also helped author the American Bar Association's McKay Commission Report regarding state disciplinary processes, whose key recommendations The Bar, now under Berry's guidance, is violating.

Defendant, Ken Marvin (Marvin), is a citizen of the United States, a resident of Florida, Director of Lawyer Regulation of The Bar who reports directly to Berry, and supervises all "discipline" of Florida lawyers.

Defendant, Ramon Abadin (Abadin), is a citizen of the United States, a resident of Miami-Dade County, Florida, a member lawyer of The Florida Bar, a Bar Governor, and a Director on the Board of defendant FLMIC.

Defendant, Juliet Roulhac (Roulhac), is a citizen of the United States, a resident of Miami-Dade County, Florida, a lawyer member of The Florida Bar, a Bar Governor, and a Director on the Board of defendant FLMIC.

Defendant, FLMIC, is a mutual insurance company incorporated in the State of Florida, headquartered in Orlando, Florida, and created by The Florida Bar in 1989, purportedly to provide malpractice insurance policies to Florida lawyers.

JURISDICTION

This court has subject matter jurisdiction pursuant to 18 USC 1961 (RICO), 18 USC 1346 (fraud and honest services), 18 USC 1951 (interference with commerce), Title 15 of the United States Code pertaining to restraint of trade and monopolies (anti-trust law), and Rule 23, Federal Rules of Civil Procedure (class action).

VENUE

This court affords the proper venue for this action, given the locations of the various parties, noted above, and in light of the fact that these various causes of action have arisen in the federal courts' Southern District of Florida because of acts in this geographic area.

THE FACTS

The Florida Supreme Court has delegated to The Florida Bar the function of "disciplining" its members in this integrated state bar system. The Supreme Court and The Bar have a fiduciary duty to the public as well as to members of The Bar to exercise that disciplinary function through "honest services," afforded all involved in this disciplinary process—both the members of the public allegedly harmed by the unethical practice of law and lawyers who may be targeted for discipline—due process of law, equal protection, and all other constitutionally-guaranteed rights. The Florida Bar unfortunately is being operated,

and demonstrably so, in a fashion as to protect itself rather than the public and honest lawyers. It is presently violating federal laws in pursuit of illicit ends, just as the United States Supreme Court predicted would eventually become the case with integrated state bars such as Florida's.

When Miami lawyer Miles McGrane, was President of the Bar in 2003, The Bar commissioned a poll/survey to assess what Bar members thought of the job The Bar was doing with its discipline. A significant number of members surveyed opined that discipline was not being meted out even-handedly based upon what respondent or potential respondent had done, but rather based upon who the respondents were and how well they were connected within The Bar's leadership hierarchy. The Bar was perceived by its own members to be looking the other way if a lawyer enjoyed advantageous relationships with those making or influencing disciplinary decisions.

The following comments from lawyers are related because they indicate not only the concern about a lack of fair treatment and a lack of equal protection in The Bar's disciplinary process, but also the fact that The Bar was, and has been, fully aware of the problem. This from the *Palm Beach Post* on March 5, 2004:

Broward County Assistant State Attorney Craig Dyer called the grievance process "irrational," "knee-jerk" and "heavy-handed."

Gabe Kaimowitz, a Gainesville lawyer and longtime Bar critic, wrote that the association isn't capable of investigating itself. "If it wants the truth, I'm afraid the organization can't handle it," Kaimowitz wrote. "My own personal hypothesis is that the system favors the 'white, Christian good-old-boys.' "

Roshani Gunewardene of Altamonte Springs wrote that, if anything, the Bar may be too zealous in pursuing obvious vendettas from losing or opposing parties in cases. "The grievance system should not be used to harass and humiliate any member of the Bar," Gunewardene's e-mail said.

In 2000, state Rep. Fred Brummer, R-Apopka, proposed a constitutional amendment to take regulation of lawyers away from the Bar and the Florida

Supreme Court. The proposal fizzled, but Brummer feels it got the Bar's attention.

"It's not just the fox guarding the hen house, it's the fox deciding when the hens can come and go," Brummer said. "I think it's important that the appearance of cronyism or the good-old-boy network present in the system is removed."

Brummer's favorite example is the case of a former legislative colleague, Steven Effman. The former Broward County lawmaker and mayor of Sunrise was suspended for 91 days last April after he was accused of having sex with three divorce clients, including one woman who alleged she was billed for their intimate time together.

Brummer said Effman got off easy because he had a close relationship with the Bar and because of his position in the legislature.

Bar President McGrane and The Bar created a Special Commission on Lawyer Regulation ostensibly to suggest improvements to The Bar's disciplinary system. A Jacksonville lawyer and Bar Governor, Hank Coxe, was the chair of this Special Commission, and one of the problems to be addressed was disparate discipline based upon who Bar respondents were rather than what they had allegedly done.

The Commission issued its report in 2006 as Hank Coxe became President of The Bar, and it failed to address this disparate discipline problem.

More than a decade earlier, in February 1992, the American Bar Association's McKay Commission issued a report entitled *Lawyer Regulation for A New Century: Report of the Commission on Evaluation of Disciplinary Enforcement*. One of the nine members of the McKay Commission that issued this Report to the ABA was John Berry, a defendant herein, who was at the time overseeing discipline for The Florida Bar.

The McKay Report addresses the chronic shortcomings of disciplinary mechanisms and methods of integrated state bars, and it made twenty-one recommendations for improvements in state bar disciplinary systems. ***Four*** of the twenty-one recommendations

by the ABA McKay Commission unequivocally state that any involvement of any kind by a Bar and by its officials and Governors in the disciplinary process vitiates the entire process and renders it suspect. **Discipline, according to the ABA McKay Commission, must be the sole domain of the judiciary and delegated in no fashion whatsoever to a Bar.**

Again, Defendant, John Berry, then of the Florida Bar and now of the Florida Bar, along with eight other individuals, authored the aforementioned McKay Commission Report. John Berry now oversees Defendant, Ken Marvin, who is the Director of Lawyer Regulations and is ultimately in charge of overseeing all disciplinary matters. For example, sitting on every single grievance committee is a Bar Governor acting as a “designated reviewer.” This is the most important position in the entire grievance process. This Bar Governor has a direct line of communication to the entire Board of Governors and to Bar officials such as Harkness, Berry, and Marvin. This flies directly in the face of the core recommendation of the ABA McKay Commission that there must be a “Chinese wall” between The Bar’s operatives and discipline. It must be solely the domain of the judiciary.

Another of the twenty-one formal recommendations (Recommendation #3) of the ABA’s McKay Report is that “lawyer discipline” must *protect the public* and not lawyers collectively or individually, as is often, correctly, perceived to be the case.

The Florida Bar, despite the ABA’s McKay Report, since its issuance in 1992, has continued to violate these core recommendations, so much so that The Florida Bar is now arguably the most prominent of all state bars in its flouting of the ABA’s McKay Report.

Two years prior to the issuance of the ABA McKay Report, the United States Supreme Court unanimously held in *Keller v. State Bar of California*, 496 US 1 (1990), adopting in effect the prescient minority Justices’ dissents in *Lathrop v. Donohue*, 367 US

820 (1961), that integrated state bars must not venture into political and ideological waters but stick with the narrow, legitimate functions of integrated state bars. To do otherwise these bars would become, as Justice Douglas pointed out in *Lathrop*, “goose-stepping brigades” that serve neither the public nor the profession.

The Supreme Court has warned all integrated state bars, then, that those that do not stick with their narrow functions will be treated as if they were “guilds,” and they would suffer the same historical fate of guilds—abolition. Guilds have gone the way of the dodo because they were correctly identified as restricting trade, harming the public, protecting professional wrongdoers from accountability, and denying certain professionals the right to earn a living unimpeded by interference from the guild.

In 1989, The Bar created the Florida Lawyers Mutual Insurance Company, herein called FLMIC, to provide, purportedly, malpractice insurance to Florida lawyers. Indeed, if one goes to the current Internet web site for FLMIC, one finds a remarkable “Welcome” from defendant Harkness explaining the long-standing relationship between The Bar and FLMIC. Harkness does this despite the fact that the FLMIC is supposed to be a private corporation with no ties to The Bar. The FLMIC web site found at <http://www.flmic.com> makes it clear to anyone viewing it that there is a cozy, ongoing relationship between it and The Bar. The site even links to certain Florida Bar sites.

Indeed, at a recent mediation presided over by former Miami-Dade Chief Judge Gerald Wetherington, a claims adjustor for FLMIC was greeted by the Judge with the words, “I know you. You’re from The Bar.”

Serving on FLMIC’s Board of Directors is not only Harkness, but also Defendant Abadin and Defendant Roulhac, both Bar Governors. Serving also on the FLMIC Board is

Alan Bookman, Bar President immediately before the tenure of the aforementioned Hank Coxe.

Harkness, Abadin, and Roulhac have a fiduciary duty to The Bar, to its members, and to the public in the discharge of their "Bar" duties, particularly regarding "discipline." Yet, they also have a fiduciary duty to FLMIC and its mutual policyholders. These two sets of fiduciary duties are in clear conflict with one another, not only conceptually but in fact.

Florida Bar members who are FLMIC policy holders are shielded from discipline by The Bar. By buying FLMIC policies they purchase, in effect, discipline protection, avoiding it altogether or securing more lenient discipline.

One Bar respondent stated, "I was told by The Bar that if I purchased FLMIC insurance my 'disciplinary problems would go away.'"

Plaintiffs are aware of specific instances in which certain Florida lawyers, clearly guilty of egregious ethics breaches in violation of Florida Bar Rules, have been protected by The Bar from discipline because of their holding FLMIC policies. The result of this protection of FLMIC policyholders is to deny members of the public, who have formally complained to The Bar, a disciplinary remedy.

Further, lawyers who have no malpractice insurance or who have malpractice insurance coverage with other carriers, do not enjoy this "discipline protection" from The Bar, and they are more likely to be disciplined and disciplined more severely. Thus, the Defendants are ensnared in a commercial relationship with an insurer that is bearing rotten fruit in a regulatory setting. The guilty are being exonerated and the innocent are being unfairly targeted.

The twentieth century saw the rise of a deadly ideology known as “fascism,” one aspect of which was the melding of the state with commercial interests, which is the facet of fascism known as “corporatism.” See <http://en.wikipedia.org/wiki/Corporatism>. What the Defendants have done is fall into this fascist trap by blurring the lines between government and commerce in such a way as to increase the power of both, and at the expense of individual liberties.

The illicit *reason* for the wedding of this governmental state function—the disciplining of lawyers—to what is supposed to be a solely private sector commercial activity—the sale and purchase of malpractice insurance—is that blocking the discipline of a lawyer, who is an FLMIC policyholder, serves to help insulate him/her from a malpractice action. A member of the public, told by The Bar that it will not discipline a lawyer guilty of ethics breaches, serves as a powerful disincentive to that complaining citizen to take the next step and bring a malpractice action. If The Bar itself will not proceed, with all of its resources, why should a single citizen do so, the victim reasons. Further, FLMIC and its Directors, including the three defendant Bar Governors Harkness, Abadin, and Roulhac, use their influence to prevent adverse ethics findings by The Bar, and thus such would-be findings be used as collateral proof of malpractice against that lawyer in any civil litigation.

Thus fiduciaries, who have a duty to pursue discipline fairly and equitably, with no respect whatsoever as to who the respondent is, have a powerful commercial disincentive to do so. What they do have is a fiduciary duty to protect FLMIC and its policyholders. The aphorism that a “man cannot serve two masters” undergirds the very concept, in our system of law, as to what a fiduciary is. All of the Defendants have breached this duty to serve only one master by virtue of their improper relationship between FLMIC and The Bar. No lawyer

or any other person who understands “conflict of interest” could possibly think that Bar operatives should be sitting on the Board of FLMIC.

Often conspiracies are proven and then unravel, because documents called “smoking guns” are discovered and disgorged from hidden sources, that has now become evident in this scandal pertaining to The Bar’s and FLMIC’s racket. Plaintiffs have a smoking gun that has appeared in the light of day by the hand of the Defendants themselves. Attached hereto as Exhibit A, and made a part hereof, is a large color advertisement that has been regularly and recently gracing the pages of The Bar’s own in-house publication, *The Florida Bar News*. It is an ad for Defendant, FLMIC. Its message proves the Plaintiffs’ case is noteworthy and harmful to the Plaintiffs and the public at large, for the following reasons patent in the ad itself, to-wit:

The advertisement shares with all Florida Bar members its slogan, at the lower left-hand corner of the ad: “We’ve built our reputation on vigorously defending yours.” The related bullet point down the right-hand side reads “Aggressive defense of your reputation.” FLMIC is thus using The Florida Bar’s publication to send the message that it can be counted upon to “vigorously” mount an “aggressive defense” of any claim brought by any client who asserts that he has been harmed by the malpractice of a lawyer. By contrast, other state bars are increasingly moving toward mandatory lawyer malpractice insurance as a measure to protect the public by compensating them by these means. Oregon has mandatory lawyer malpractice insurance—not to protect Oregon lawyers and their “reputations”, but rather to compensate victims of it.

This message and this mindset—FLMIC will do what is necessary to defeat a client’s claim—is bad enough. But here is the proof of the insurance and discipline racket in which

all the Defendants are involved. The FLMIC ad proclaims in its last bullet point as to why Florida Bar members should purchase their liability coverage product rather than that provided by dozens of other insurers:

- **Defense for disciplinary proceedings**

FLMIC is thus making one of the services it provides under the policy full defense for any lawyer charged with a disciplinary breach by a client. This is significant in at least two regards: 1) it is an acknowledgment of the linkage between malpractice and discipline and the keen interest of FLMIC in defeating any grievance brought because of its impact upon any finding of liability for malpractice, and 2) it is a promise that FLMIC, which the first bullet point notes was “Created by The Florida Bar for your benefit”, will do what it can to defeat any grievance brought by the public to The Bar’s attention! Why in the world should a company created by The Bar be involved in thwarting what is supposed to be The Bar’s regulatory function intended to protect the public?

This remarkable ad, then, proves the Plaintiffs’ point: FLMIC has been created by The Florida Bar to defeat grievances brought by the public. It could not be clearer. It says precisely this on the pages of *The Florida Bar News*. Any lawyer not understanding this message—that to buy this Bar-created insurance product buys one “discipline protection”—has missed the unmissable.

Plaintiff, Gwynn, has been wrongly singled out for “discipline” by The Bar, with the collaborative efforts of all of the Defendants, in large part because she is not an FLMIC policyholder. Subsequently, Gwynn and Gwynn, P.A. have suffered damages. Plaintiff, Lanson, a Bar complainant, has been denied “honest services” in the processing of her formal

Bar complaints by a conspiracy of all of the Defendants in that certain Florida lawyers who acted in their professional capacities unethically were protected from discipline by The Bar by virtue of the fact that they were FLMIC insureds.

More specifically, Plaintiff, Meryl Lanson, beginning in 1998 filed bar complaints against Florida attorneys for a litany of egregious ethical violations, including but not limited to, perjury and fraud. The Bar thwarted the disciplinary process by labeling the grievance a "fee dispute." It was not.

The complained of ethics violations, according to The Bar's own Rules, were very serious and, according to Bar guidelines, were deserving of severe punishment. Nevertheless, the complaint never made it past a perfunctory intake process.

Here is a listing of the ethics breaches by Lanson's attorneys, which The Bar refused even to investigate:

Rule 4-1.1	Competence
Rule 4-1.3	Diligence
Rule 4-1.4	Communication
Rule 4-1.5	Fees for Legal Services
Rule 4-1.7	Conflict of Interest; General Rule

Duty to Avoid Limitation on Independent Professional Judgment.

Explanation to Clients

Loyalty to a Client – Loyalty to a Client is also impaired when a lawyer cannot consider, recommend, or carry out an appropriate course of action for the client because of the lawyer's other responsibilities or interests. The conflict in effect forecloses alternatives that would otherwise be available to the client.

Lawyer's Interests – The lawyer's own interests should not be permitted to have adverse effect on representation of a client.

Conflicts in Litigation – Subdivision (a) prohibits representation of opposing parties in litigation. Simultaneous representation of parties whose interests in litigation may conflict, such as co-Plaintiffs or co-Defendants, is governed by subdivisions (b) and (c). An impermissible conflict may exist by reason of substantial discrepancy in the parties' testimony, incompatibility in positions in relation to an opposing party, or the fact that there are substantially different possibilities of settlement of the claims or liabilities in question.

Rule 4-1.8	Conflict of Interest: Prohibited and other Transactions.
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Settlement of Claims for Multiple Clients.

Rule 4-1.16 Declining or Terminating Representation.

In 1999, when the plaintiff and her husband, Norman Lanson, filed their malpractice action against these attorneys they learned that the attorneys were insured by FLMIC and that one of the attorneys was a defense attorney employed by FLMIC. It became obvious as to why The Bar's judgment and its failure to discharge its fiduciary duty as to discipline, was compromised by its commercial relationship with FLMIC. There is a clear disincentive for The Bar to punish attorneys insured by the Bar's created carrier, as such punishment could be additional support and collateral proof for a claim arising out of legal malpractice. The paper trail of communications between Lanson, The Florida Bar, its Board of Governors, The Supreme Court of Florida, and Florida Lawyers Mutual Insurance Company outlines the devastating affect this improper relationship among The Bar, FLMIC, and the other Defendants has on the unsuspecting public. Lanson has discovered evidence that theirs was not an isolated incident, but in fact, there is a class of individuals similarly harmed.

Plaintiff, Mary Alice Gwynn, is another victim of the illicit relationship among the Defendants, although the harm emanating therefrom has taken a different, albeit related. form. In 2004, Bar complaints were filed against Gwynn by a Florida attorney who enjoyed a relationship with The Bar's outside investigator assigned to the case. This attorney had threatened Gwynn with a Bar complaint, and then filed it. The lawyer complainant's threat to file a Bar complaint was, of course, an act in violation of Florida Bar Rule 4-3.4(h), as he made that threat solely to gain advantage in a civil proceeding.

The Bar complaint resulted in a finding of "probable cause" against Gwynn because of a) the relationship between the complainant and The Bar prosecutor, b) Gwynn's status of

not being an FLMIC policyholder, and c) The Bar's becoming aware of her relationship with the plaintiff herein, Lanson.

More recently, the same lawyer complainant has written Gwynn and told her that if she seeks certain relief in litigation in which he and Gwynn are involved, he will file a new Bar complaint. Such a threat, of course, is a criminal act—extortion—by this Bar complainant. Despite this use of a criminal threat, The Bar has decided to proceed nevertheless against the victim of it, Ms. Gwynn.

Plaintiff, Mary Alice Gwynn, P.A. has suffered financial losses as a result of the Defendants' actions against Gwynn.

COUNT I: RACKETEERING

Plaintiffs adopt and incorporate the foregoing facts into this count.

18 USC 1961, *et sequitur*, affords certain civil remedies to persons harmed by racketeering activities. The Plaintiffs seek all forms of relief afforded them under the Federal "RICO Act."

The multiple "predicate acts" of racketeering engaged in by Defendants include, but are not necessarily limited to: bribery, extortion, mail fraud, obstruction of justice, interference with commerce, fraud, including but not limited to violations of 18 USC 1951, as well as deprivation by fraud of honest services, as set forth in 18 USC 1346.

More specifically, both The Bar and FLMIC are engaged, one with the other and in conspiracy with the individuals who are Defendants herein, in a pattern of racketeering activity whereby lawyers are prosecuted by The Bar for "disciplinary" reasons if they are not FLMIC insured. The offering and purchase of an FLMIC malpractice insurance policy constitutes extortion.

FLMIC directors' fees are paid by FLMIC to Defendants Harkness, Rabadin, and Roulhac, who have control, along with other Bar operatives, over The Bar's disciplinary machinery, in order to assure that discipline is not meted out by The Bar against Florida lawyers who are FLMIC insured.

In thwarting proper discipline of FLMIC insured, there is an obstruction of justice, within the clear meaning of the RICO statute, by all of the Defendants.

Further, all of the Defendants have conspired to interfere with commerce, as a distinct commercial advantage by FLMIC over other legal malpractice carriers, by this racketeering activity that benefits FLMIC and its insured, at the expense of the public and of unfairly targeted Florida lawyers.

The use by all Defendants of the United States Postal Service, as well as by other means of communication, in furtherance of this pattern of racketeering activity constitutes mail fraud. More generally, the Defendants have engaged in fraud by presenting themselves as if they were fiduciaries providing services and products; when in fact, they have been collaborating and conspiring to enrich themselves and their racketeering enterprises. See 18 USC 1951.

Finally, but perhaps not exhaustively, the Defendants have deprived both the public and non-FLMIC insured "honest services," in violation of 18 USC 1346 by pretending to exercise legitimate regulatory functions, under color of state law, when in fact they have been actively harming the public by protecting wrongdoers and punishing innocent lawyers, all for commercial gain.

WHEREFORE, Plaintiffs seek all appropriate relief available to them against all Defendants, such relief being set forth in 18 USC 1961, *et sequitur*, for all of the aforementioned racketeering activities set forth.

COUNT II. ANTI-TRUST

Plaintiffs adopt and incorporate the foregoing facts into this count.

Section 15 of Chapter One of Title 15 of the United States Code affords individuals harmed by violations of federal anti-trust laws certain remedies which the Plaintiffs herein seek against the Defendants herein.

The Defendants have all conspired to restrain trade or commerce in pursuit of a monopoly in violation of Section 1, Chapter One, Title 14, United States Code.

More specifically, the Defendants, in establishing FLMIC and in operating it in such a fashion as to improperly wed a governmental function under color of state law, to their commercial interests, have sought and secured a competitive advantage over other legal malpractice insurers in the state by virtue of providing "discipline protection" to their insured, which these other insurers cannot and would not provide.

Further, the Defendants, have restrained trade with and through FLMIC to deny lawyers their right to earn a living as lawyers in the legal profession, on an equal footing with other lawyers in the state.

The effect of this conspiracy, in this regard, is to harm not only other insurers and certain lawyers, but also to deprive the legal services-consuming public of the representation of such lawyers whom they would otherwise hire.

All of the Plaintiffs, then, by virtue of being either lawyers or clients have been harmed by the Defendants' restraint of trade and monopolistic practices involving FLMIC.

WHEREFORE, all Plaintiffs seek, to the extent allowable under Section 15, Chapter One, Title 15 all damages and all other relief allowable thereunder.

CERTIFICATION OF CLASS

Under Rule 23, Federal Rules of Civil Procedure, the three named Plaintiffs herein are typical representatives of a class of individuals yet unknown, who are either members of the public, such as Lanson, who have been harmed by lawyers by means of breaches of The Florida Bar's Rules of Professional Responsibility and whom the Defendants have conspired to protect, at the expense of the public, or who are, like Gwynn, lawyers who have done no wrong and yet who have been targeted improperly for discipline because of the insinuation of commercial concerns and other improper influences upon the disciplinary process.

Other members of this class, then, would include non-lawyers as well as lawyers who have been victimized by the Defendants who are masquerading as public servants, when in fact they have been tyrants acting under color and under cover of state law.

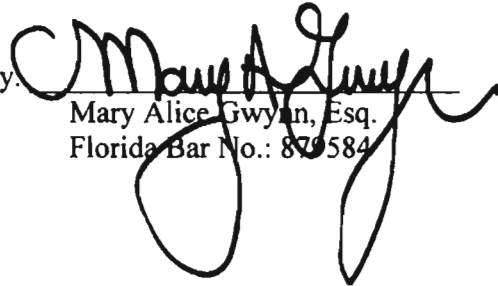
WHEREFORE, the Plaintiffs seek certification by the court that this action should be and is a class action.

DEMAND FOR TRIAL BY JURY

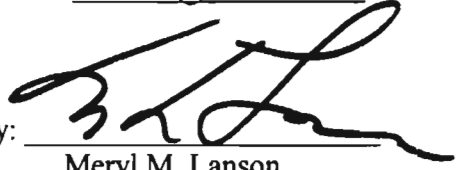
Plaintiffs demand a trial by jury of all issues so triable.

Date: 4-21-08

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JS 44 (Rev. 11/05)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

APR. 21, 2008

STEVEN M. LARIMORE CLERK U.S. DIST. CT. S.D. OF FLA. - MIAMI

I. (a) PLAINTIFFS: MERYL LANSON, individually, MARY ALICE GWYNN, individually and MARY ALICE GWYNN, P.A., a Professional (b) County of Residence of First Listed Plaintiff Palm Beach (c) Attorney's (Firm Name, Address, and Telephone Number) Mary Alice Gwynn, Esq., Pro Se and as attorney for Mary Alice Gwynn, PA, 805 George Bush Blvd., Delray Beach, FL 33483 561-330-0633

DEFENDANTS: THE FLORIDA BAR, JOHN HARKNES, MARVIN, RAMON ABADIN, JULIET KOULHAC, County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT LAND INVOLVED. Attorneys (If Known)

(d) Check County Where Action Arose: MIAMI-DADE MONROE BROWARD PALM BEACH MARTIN ST. LUCIE INDIAN RIVER OKEECHOBEE HIGHLANDS

II. BASIS OF JURISDICTION (Place an "X" in One Box Only) 1 U.S. Government Plaintiff 2 U.S. Government Defendant 3 Federal Question (U.S. Government Not a Party) 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) Citizen of This State Citizen of Another State Citizen or Subject of a Foreign Country PTF DEF 1 1 2 2 3 3 4 4 5 5 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only) CONTRACT: 110 Insurance, 120 Marine, 130 Miller Act, 140 Negotiable Instrument, 151 Medicare Act, 152 Recovery of Defaulted Student Loans (Excl. Veterans), 153 Recovery of Overpayment of Veteran's Benefits, 160 Stockholders' Suits, 190 Other Contract, 195 Contract Product Liability, 196 Franchise. REAL PROPERTY: 210 Land Condemnation, 220 Foreclosure, 230 Rent Lease & Ejectment, 240 Torts to Land, 245 Tort Product Liability, 290 All Other Real Property. CIVIL RIGHTS: 441 Voting, 442 Employment, 443 Housing/Accommodations, 444 Welfare, 445 Amer. w/Disabilities - Employment, 446 Amer. w/Disabilities - Other, 440 Other Civil Rights. PRISONER PETITIONS: 510 Motions to Vacate Sentence, Habeas Corpus: 530 General, 535 Death Penalty, 540 Mandamus & Other, 550 Civil Rights, 555 Prison Condition.

V. ORIGIN (Place an "X" in One Box Only) 1 Original Proceeding 2 Removed from State Court 3 Re-filed (see VI below) 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judgment

VI. RELATED/RE-FILED CASE(S). a) Re-filed Case YES NO b) Related Cases YES NO JUDGE DOCKET NUMBER

VII. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity): This court has subject matter jurisdiction pursuant to 18 USC 1961 (RICO), 18 USC 1346 (fraud and honest services), 18 USC 1951 (interference with commerce), Title 15 of the United States Code pertaining to restraint LENGTH OF TRIAL via 5 days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE SIGNATURE OF ATTORNEY OF RECORD DATE 4/21/08

FOR OFFICE USE ONLY AMOUNT 350 RECEIPT # 724049 IFP