

Mrs. Jennifer A. Gaughan
P.O. Box 674
Loxahatchee, FL 33470

September 8, 2005

Florida Supreme Court
Attention: Clerk's Office
500 South Duval Street
Tallahassee, FL 32399-1927

RE: Proposed Amendment to Rule 4-1.5(f)(4)(B)
Case No.: SC05-1150

Dear Justices of the Supreme Court:

A few months ago, I suffered the loss of my 45 year old husband, presumably because of medical negligence. His unexpected and preventable death has left our young son and I absolutely devastated. I was with my husband at both the emergency room and the hospital once admitted. I tried very hard to make sure he was getting proper care. He did not see a physician until well after 24+ hours of admission despite my repeated requests. He did not receive the antiviral medication I specifically asked for by name until 2 hours before his death, even though it had been ordered "stat" sixteen hours earlier. My husband and I were treated horribly by the medical profession, both emotionally and medically.

My husband was a firefighter for over 24 years. He was a very gentle and kind person and we miss him every moment. He was the love of my life and a great father to our 8 year old son.

It was important to me to hire attorneys who specialized in medical malpractice to aggressively investigate and pursue a claim for the wrongful death of my husband. I spent a great deal of time and research to find the best attorneys. I interviewed 4 law firms before I chose the firm that I felt most comfortable with providing the highest degree of representation and integrity, that my husband of 15 years so deserves. When I met with the attorneys, I learned that with the passage of Amendment 3, they were unable to handle my case. Thankfully, however, I was able to waive my constitutional rights so that I could retain the attorneys' of my choosing. I realize that without this waiver, people like me would be unable to hire attorneys to fight for them. Meanwhile, the doctors and hospitals that commit malpractice can hire whomever they want.

Please reject this proposed rule so that people like me can contract freely with the attorneys we want so that we can get the justice we deserve.

No person should die from chicken pox complications as my husband did. He was in excruciating pain and was having severe breathing difficulties because he did not receive proper or timely medical attention.

I very much wish to share my story with you and am willing to come to Tallahassee immediately.

I can be reached at (561) 795-0468 (home) or (561) 386-7752 (cell).

Thank you for your consideration.
Sincerely,

Jennifer A. Gaughan

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished to JOHN F. HARKNESS, JR., ESQ., Executive Director of The Florida Bar, 651 E. Jefferson St., Tallahassee, FL 32399-2300; and STEPHEN H. GRIMES, ESQ., P.O. Drawer 810, Tallahassee, FL 32302, by mail, this ____ day of ____, 2005.

Jennifer A. Gaughan