

SUPREME COURT OF FLORIDA

CASE NO. SC05-1150

In Re: Petition to Amend Rules
Regulating The Florida Bar –
Rule 4-1.5(f)(4)(B) of the
Rules of Professional Conduct.

AMENDED

COMMENTS OF STEPHEN G. CHARPENTIER, ATTORNEY,
FLORIDA BAR NO. 0328006 AND OBJECTIONS TO
PROPOSED AMENDMENT

I, Stephen G. Charpentier, respectfully submit my amended comments and objections to the proposed Amendment to the Rules Regulating the Florida Bar – Rule 4-1.5(f)(4)(B) of the Rules of Professional Conduct stating as follows:

1. I have been a member of the Florida Bar and an active practicing attorney since 1981. I am filing this pleading publicly noting my opposition to the Grimes' Petition to amend the rules regulating the Florida Bar.

2. The Grimes Petition is an abuse of a procedural privilege extended to members of the bar who seek changes in the rules regulating our profession to advance our profession and our professionalism. The Petition in question is not intended to advance the practice of law or benefit jurisprudence. Instead, the Grimes Petition is filed on behalf of an undisclosed client (The Florida Medical Association) in an effort to gain a litigation advantage as to the constitutionality of Amendment 3.

3. The ultimate interpretation of Amendment 3 and its applications to the practice of law in Florida is a substantive legal matter that should be addressed via the available system of litigation provided by the courts of this State. In essence, the Grimes Petition attempts to change substantive law through rules regulating professional conduct. That, in and of itself, is inappropriate. The right that each citizen of Florida has to contract for legal services with a lawyer of his or her choosing must remain inviolate.

4. Considering the foregoing matters, I respectfully oppose the Grimes Petition and

request that this Court deny such Petition.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail upon John Harkness, General Counsel, The Florida Bar, 651 East Jefferson Street, Tallahassee, FL 32399-2300 and Stephen H. Grimes, Counsel for Petitioners, Holland and Knight, LLP, P.O. Box 810, Tallahassee, FL 32302-0810 on this the _____ day of July, 2005.

CHILDRESS & CHARPENTIER, P.A.

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