

IN THE SUPREME COURT OF FLORIDA

**IN RE: AMENDMENT TO THE RULES
REGULATING THE FLORIDA BAR-
RULE 4.15(f)(4)(B) OF THE RULES OF
PROFESSIONAL CONDUCT**

CASE NO.: SC05-1150

COMMENTS RE: AMENDMENT THREE

To Whom It May Concern:

I write this letter to urge you not to make Amendment 3 a rule. It is unfortunate that it was voted on and approved through misrepresentations to the public. Our job as attorneys is to keep the public well informed and help them to obtain access to the courts. The amendment was not something that was ever appropriate for the Constitution regardless of what the public was led to believe. This amendment should not be taken forward any further as it has already been given more credit than it was due.

Florida has already made numerous provisions to protect clients' rights in medical malpractice cases and other cases. The pre-suit requirements for filing a medical malpractice as well as current statutory caps on fees collected for compensatory and punitive damages does a great job in making sure clients are protected and receive a good recovery from their lawsuits. Any further action by the Court or the legislature will only lessen the public's ability to access the courts especially in regard to medical malpractice cases where numerous medical experts must be paid with no guarantee of recovery.

Attorneys are protectors of individual's rights and by giving any more credence to amendment three we are limiting their ability to protect the public from bad doctors and other medical personnel. Please do not allow this to happen.

Respectfully Submitted,
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via regular U.S. mail this 18th day of October, 2005 to **John F. Harness, Jr.**, Executive Director of The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300 and **Stephen H. Grimes**, Post Office Drawer 810, Tallahassee, Florida 32302.

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