

IN THE SUPREME COURT
OF THE STATE OF FLORIDA

CASE NO.: CS05-1150

IN RE: PETITION TO AMEND RULES REGULATING
THE FLORIDA BAR - RULE 4-1.5(f)(4)(B)
OF THE RULES OF PROFESSIONAL CONDUCT

**COMMENTS OF MICHAEL JOHN POLITIS, ATTORNEY,
AND OBJECTIONS TO PROPOSED AMENDMENT**

MICHAEL J. POLITIS respectfully submits the following 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:

1. As a member of the Florida Bar in good standing as a practicing attorney, I file these comments in opposition to the Grime's Petition.

2. Historically, we as members of the Florida Bar have a procedural privilege granted to us to seek to change rules regulating our profession for purposes of advancing our profession and better serving the citizens of Florida. In the instant petition, referred to as the "Grimes Petition", is a complete misnomer. It is, in fact, a petition filed on behalf of an undisclosed client (the Florida Medical Association) and its intention is simply to afford additional protection to the members of that association to gain unfair advantage in litigation of the constitutionality of Amendment 3.

Specifically, this attempt to amend the Florida Bar Rule is nothing more than a blatant attempt to avoid litigating the Amendment's underlying legality under our State and Federal Constitutions and to remove that question from the Court system.

3. The constitutionality of Amendment 3 should be addressed by our Judiciary and subjected to the due process of law and not "side-stepped" in an unfair effort to alter our professional Rules of Conduct.

I respectfully request this Honorable Court to deny this petition.

CERTIFICATE OF SERVICE

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

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