

**SUPREME COURT OF FLORIDA**  
CASE NO.: SC05-1150

In Re: Petition to Amend Rule  
4-1.5(f)(4)(B) Rules Regulating  
the Florida Bar

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**COMMENTS OF W. MARC HARDESTY, FLORIDA BAR NO.  
847054, MICHAEL S. TYDE, FLORIDA BAR NO. 651907,  
KARL T. GREEN, FLORIDA BAR NO. 880892,  
LENN A. FERRER, FLORIDA BAR NO. 759341, IN  
OBJECTION TO PROPOSED AMENDMENT**

The undersigned members of the Florida Bar, W. Marc Hardesty, Florida Bar Number 847054, Michael S. Tyde, Florida Bar Number 651907, Karl T. Green, Florida Bar Number 880892, and Lenn A. Ferrer, Florida Bar Number 759341, respectfully submit the following comments in objection to the proposed Amendment to Rule 4-1.5(f)(4)(B) Rules Regulating the Florida Bar.

1. The proposed Amendment to Rule 4-1.5(f)(4)(B) Rules Regulating the Florida Bar should not be adopted because the Constitutional Amendment 3 was self-executing and does not require any Legislative action nor should it require any rule making action on the part of the Supreme Court of Florida.

2. The proposed Amendment should not be adopted because an attorney should be able to contract with a client to accept a fee up to the amount allowed in Rule 4-1.5(f)(4)(B) if the client chooses to pay such amount to the attorney.

The undersigned attorneys respectfully request that this court not adopt the proposed Amendment.

HARDESTY, TYDE & GREEN, P.A.

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**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a copy of the foregoing was served on John F. Harkness, Jr., General Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300, and on Stephen H. Grines, Counsel for Petitioners, Holland and Knight, LLP, P.O. Drawer 810, Tallahassee, Florida 32302-0810, by U.S. Mail, this \_\_\_\_ day of \_\_\_\_\_, 2005.

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