

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 STEVEN T. VASILAROS, ATTORNEY,
TO PROPOSED AMENDMENT AND OBJECTION THERETO**

STEVEN T. VASILAROS 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. I am an attorney in good standing with the Florida Bar and currently involved in the active practice of law in Daytona Beach, Florida.

2. The Grime's Petition is a disingenuous attempt to make use of the procedural privilege that has been granted to the members of the Florida Bar to seek rule changes concerning matter of professional regulations and ethics. Historically, this has been used to advance our profession and protect the rights of Florida citizens. The Grime's Petition, however, is attempting to abuse that procedure in order to effect unwarranted substantive changes of law. The Grime's Petition is disingenuous even in its style. The lawyers who signed the

petition are not the real parties in interest. The real parties in interest are the members of the Florida Medical Association.

The purpose of the Amendment is truly to attempt to short-cut a constitutional challenge to the judicial process to Amendment 3 and, more critically, it is a brazen attempt to limit access to our court system for unfortunate victims of Medical Malpractice.

3. This petition tramples upon the rights of Florida citizens to knowingly weigh one constitutional right in order to more fully exercise another such right more valuable to the holder of these rights.

4. The style of the petition itself is extremely troubling in that the lawyers who signed the petition, all of whom are involved in the defense of Medical Malpractice claims, or are current or former registered Tallahassee lobbyists for tort "reform" principles, or are employees of Florida's largest Medical Malpractice insurer, have identified themselves as the parties in interest when, in fact, they have filed this petition at the bequest of the Florida Medical Association. This failure to reveal that the petition is actually litigation on behalf of an undisclosed client is, at least, a cause of concern.

For the above reasons, the undersigned respectfully requests this Honorable Court 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.

Respectfully presented,

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