

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JOHN DOE,
Plaintiff,

v.

Case No. 6:26-cv-01481-JSS-RMN

THE FLORIDA BAR; ASHLEY MORRISON, in her official
and individual capacities as Bar Counsel for The Florida
Bar; JOSHUA E. DOYLE, in his official and individual
capacities as Executive Director of The Florida Bar; and
GYPSY BAILEY, in her official and individual capacities
as General Counsel for The Florida Bar,

Defendants.

FIRST AMENDED

**COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE
RELIEF; CHALLENGE TO THE CONSTITUTIONALITY OF RULE
REGULATING THE FLORIDA BAR 3-7.18; DECLARATORY RELIEF
REQUESTED; PRELIMINARY AND PERMANENT INJUNCTIVE
RELIEF REQUESTED; AND DAMAGES**

Plaintiff John Doe, proceeding under pseudonym pursuant to the pending Motion
for Leave to Proceed Under Pseudonym and for Protective Order under Local Rule
1.11, sues Defendants The Florida Bar, Ashley Morrison, Joshua E. Doyle, and
Gypsy Bailey, and alleges as follows:

PRELIMINARY STATEMENT

This is a civil rights action under 42 U.S.C. § 1983, Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131 et seq., and 28 U.S.C. § 2201, arising from Defendants' retaliatory and discriminatory conduct in connection with attorney disciplinary proceedings initiated against Plaintiff, a Florida attorney and former judicial candidate.

This case concerns an arm of the state judiciary deploying its regulatory power over lawyers not to protect the public, but to protect the judiciary itself from criticism — suppressing the form of expression the First Amendment exists most centrally to protect: speech against government power.

The courts have historically granted state bars limited leeway to regulate commercial speech and protect the public from the stereotypical legal shyster. This case demonstrates what happens when that leeway metastasizes: within merely two election cycles of the Florida Supreme Court's 2021 adoption of a special preference for judicial referrals, the mechanism had been so visibly turned by incumbent judges against their electoral challengers that the Bar itself petitioned to repeal the preference for election-related grievances. Yet the Bar continues this prosecution — stripped now of the codified preference of former Rule 3-7.18, Rules Regulating The Florida Bar, but not of its purpose.

Plaintiff seeks declaratory and injunctive relief against The Florida Bar, Ashley Morrison, and Joshua E. Doyle to halt an ongoing disciplinary prosecution that

violates Plaintiff's First and Fourteenth Amendment rights, to compel The Florida Bar's compliance with Title II of the ADA, and to invalidate, facially and as applied, the elevated-review mechanism formerly codified at Rule Regulating The Florida Bar 3-7.18. Plaintiff also seeks compensatory and punitive damages against Defendants Morrison, Doyle, and Bailey, individually.

This is not a new question. The country argued about the judiciary before the country had one, and kept arguing for years afterward: Hamilton and Brutus contested the design and power of the federal courts in the newspapers, in public, under assumed names, for any citizen to read. The power of a federal court to measure the act of a government officer against the Constitution was then established in *Marbury v. Madison*, 5 U.S. 137 (1803) — a case decided while one political faction was repealing the other's judiciary act and pressing impeachments against sitting judges. The federal judiciary was designed in public argument, and its central power was established in a public, partisan fight about judges. That dialogue, however disagreeable, produced a strong, robust, and successful federal judiciary. When California later sought to punish published criticism of its judges, the Supreme Court of the United States answered in words Plaintiff urges this Court to apply again: “The assumption that respect for the judiciary can be won by shielding judges from published criticism wrongly appraises the character of American public opinion. For it is a prized American privilege to speak one’s

mind, although not always with perfect good taste, on all public institutions. And an enforced silence, however limited, solely in the name of preserving the dignity of the bench, would probably engender resentment, suspicion, and contempt much more than it would enhance respect.” *Bridges v. California*, 314 U.S. 252, 270-71 (1941), quoted in *Landmark Communications, Inc. v. Virginia*, 435 U.S. 829, 842 (1978).

JURISDICTION AND VENUE

1. This Court has subject-matter jurisdiction under 28 U.S.C. § 1331 and § 1343(a)(3)-(4), as this action arises under the Constitution and laws of the United States, including 42 U.S.C. § 1983 and Title II of the ADA, 42 U.S.C. § 12131 et seq.

2. This Court has authority to grant declaratory relief under 28 U.S.C. §§ 2201-2202 and injunctive relief under Fed. R. Civ. P. 65.

3. Venue is proper in this District and Division under 28 U.S.C. § 1391(b) because a substantial part of the events giving rise to this action occurred in Orange County, Florida, within the Orlando Division of the Middle District of Florida, and Defendant Morrison maintains her office at The Florida Bar's Orlando Branch Office, 1000 Legion Place, Suite 1625, Orlando, Florida 32801.

PARTIES

4. Plaintiff John Doe is a natural person, a member in good standing of The Florida Bar, and an experienced Florida practitioner. Plaintiff was a candidate for Circuit Judge in a Florida judicial circuit. Plaintiff proceeds under pseudonym for the reasons set forth in the pending Motion for Leave to Proceed Under Pseudonym and for Protective Order, filed July 10, 2026.

5. Defendant The Florida Bar ("the Bar") is an official arm of the Supreme Court of Florida, created pursuant to Article V, Section 15 of the Florida Constitution, responsible for the regulation and discipline of attorneys licensed in Florida, including the administration of accommodation procedures under Title II of the ADA.

6. Defendant Ashley Morrison is Bar Counsel for The Florida Bar's Orlando Branch. She is sued in her official capacity as to Counts I, II, III, IV, V, and VII, and in her individual capacity as to Counts IX and XI.

7. Defendant Joshua E. Doyle is the Executive Director of The Florida Bar. He is sued in his official capacity as to Counts VI and VIII, and in his individual capacity as to Count X. Doyle has administrative authority over Bar-wide policy, including the designation of ADA coordinators and accommodation procedures under 28 C.F.R. § 35.107, and over the implementation of Rule 3-7.18, Rules Regulating The Florida Bar.

8. Defendant Gypsy Bailey is General Counsel for The Florida Bar. On information and belief, based on Morrison's representations to Plaintiff, Bailey is the Bar's ADA coordinator and reviewed and approved the accommodation decision described in Paragraphs 364 and 372 *infra*. She is sued in her official capacity as to Count VI, and in her individual capacity as to Count XII.

FACTUAL BACKGROUND

A. Plaintiff's Judicial Candidacy and the Resulting Bar Complaints

9. On June 1, 2023, Plaintiff announced his candidacy for Circuit Judge.

10. The sitting judge then holding that seat, referred to herein as “Judge-Opponent” or “the Referring Judge,” entered the race for that seat on September 25, 2023.

11. Judge-Opponent had been appointed to that seat and had not previously stood for election to it.

12. During the campaign, Plaintiff engaged in protected political speech, including statements on social media and on his campaign website concerning Judge-Opponent's record and fitness for office.

13. The Supreme Court of Florida publishes a guide for candidates for judicial office titled *An Aid to Understanding Canon 7*.

14. Plaintiff obtained that publication before making campaign statements.

15. Plaintiff read that publication several times per week throughout the campaign.

16. Plaintiff learned of *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), from that publication.

17. Plaintiff considered almost all of his campaign statements in light of the guidance in that publication.

18. Judge-Opponent wrote and self-published a book and an internet site, both bearing the same title, which, according to Judge-Opponent's own words in the book and on the site, addressed the level of confidence Judge-Opponent had, and that others should have, in the courts.

19. Judge-Opponent referenced that book — which Judge-Opponent now calls a pamphlet — during his first known campaign speech, at his campaign kickoff event, thereby creating relevance to the campaign and, as a trial attorney would say, opening the door to comment upon it.

20. Judge-Opponent referred repeatedly during the campaign to his attendance at the United States Military Academy at West Point.

21. Shortly before the election, Judge-Opponent's image appeared front and center on the cover of the Orange County Bar Association magazine, wearing his West Point hat.

22. Shortly before the election, Judge-Opponent appeared at a fundraiser event for his campaign, held at a law firm, wearing his West Point uniform.

23. Judge-Opponent regularly displayed a United States Army veteran flag at his campaign booths.

24. Judge-Opponent populated his campaign website with photographs of himself in the military, initially without the disclaimers required by Department of Defense regulations.

25. Judge-Opponent participated in a podcast sponsored by the Ninth Judicial Circuit, which was posted to the Ninth Judicial Circuit's website and Facebook page during the campaign and after the close of qualifying.

26. In that podcast, Judge-Opponent discussed his military service, including an alleged near-death incident in East Germany at a time when the Berlin Wall was about to come down.

27. Judge-Opponent posted images on his Facebook page of his attendance at West Point alumni events, again without any disclaimer of his campaign required by Department of Defense regulation.

28. Judge-Opponent thereby placed his military service at issue in the election and, as a trial attorney would say, opened the door wide to criticism of that service.

29. A publicly available biographical page concerning Judge-Opponent stated a period of military service of less than three years.

30. Attendance at the United States Military Academy is funded by the United States and carries an obligation of subsequent military service, ordinarily six years.

31. Because Judge-Opponent had placed his military service at issue in the campaign, Plaintiff submitted a request under the Freedom of Information Act for the military service records of Judge-Opponent.

32. Plaintiff obtained records in response to that request.

33. In stating the length of Judge-Opponent's military service, Plaintiff stated the duration reflected in the records Plaintiff had obtained, which was less than three years.

34. The records Plaintiff obtained reflect that Judge-Opponent served approximately two years and eleven months of a six-year service commitment.

35. The records reflect that Judge-Opponent left that service at his own request, following counseling by his command.

36. The United States Army declined to unredact the stated reason for the early separation.

37. Plaintiff never stated why Judge-Opponent left that service early.

38. Plaintiff affirmatively stated that Plaintiff did not know why Judge-Opponent left that service early.

39. Plaintiff invited Judge-Opponent to explain that matter to voters.

40. Judge-Opponent campaigned under the slogan “A Lifetime of Service,” which he announced at his campaign kickoff event, affirmatively stating that it was based upon the slogan of West Point.

41. In both the complaint commissioned by Judge-Opponent’s campaign and on Judge-Opponent’s Facebook page, Judge-Opponent accused Plaintiff of disparaging Judge-Opponent’s military service.

42. Plaintiff strongly suspects that Judge-Opponent did not realize, before making that accusation, that Plaintiff had already obtained Judge-Opponent's military service jacket, and that Plaintiff's statement of the length of that service was factually accurate.

43. That accusation was made publicly, and The Florida Bar continues to carry it forward, despite the Bar's possession of the complete response to Plaintiff's Freedom of Information Act request since February 2025.

44. Plaintiff quoted passages from the book written and published by Judge-Opponent.

45. Plaintiff questioned the wisdom of the words Judge-Opponent had written and published, and did so in the context of Judge-Opponent's candidacy for public office. Plaintiff did not apply any label to Judge-Opponent.

46. Each statement Plaintiff made describing the content of that book was supported by the text of the book. Plaintiff was sure to provide access to context so voters could make informed judgments.

47. Plaintiff did not state that Judge-Opponent is a racist. Judge-Opponent has characterized Plaintiff's quotation of his published writing as an accusation that Judge-Opponent is a racist.

48. Plaintiff did not state that Judge-Opponent is homophobic, and Plaintiff applied no comparable label to Judge-Opponent.

49. Labels of that kind were introduced into the campaign by Judge-Opponent's side and were applied to Plaintiff, including the intolerance allegations in the Bernard complaint commissioned by Judge-Opponent's campaign, which the Bar continues to forward despite having had substantial evidence to the contrary since at least February 2025.

50. Each factual statement Plaintiff made during the campaign concerning Judge-Opponent was supported by a document Plaintiff had obtained before Plaintiff made the statement. Plaintiff did not make any statement concerning Judge-Opponent that Plaintiff knew to be false, and did not make any such statement with reckless disregard as to its truth or falsity.

51. The records Plaintiff obtained included criminal history records concerning Judge-Opponent.

52. Plaintiff made statements during the campaign concerning a conviction of Judge-Opponent for driving under the influence.

53. The records Plaintiff obtained also reflected an arrest of Judge-Opponent that did not result in a conviction. Plaintiff made no statement during the campaign concerning that arrest.

54. Plaintiff located a civil court file and another criminal file bearing the same name as Judge-Opponent. Plaintiff was unable to confirm that either file concerned Judge-Opponent, and Plaintiff made no statement during the campaign concerning either file.

55. Plaintiff quarantined from his campaign speech information Plaintiff had lawfully obtained and could lawfully have published.

56. Plaintiff's quarantine of that information was not incidental. Throughout the campaign, Plaintiff weighed the equities of each item of information Plaintiff intended to release, and kept in his sole custody information Plaintiff was lawfully entitled to publish.

57. Plaintiff did so in order that nothing Plaintiff released would unfairly prejudice the courts, even where release would have been advantageous to Plaintiff's position.

58. Before one of the largest releases of information concerning Judge-Opponent's published writing, Plaintiff convened Plaintiff's entire campaign committee, which included lawyers and persons who are not lawyers.

59. The committee reviewed each item Plaintiff proposed to release, item by item, and voted on whether each item was permissible under the law as the committee understood it.

60. The committee's vote was advisory. Every person present understood that the decision was Plaintiff's alone.

61. Plaintiff sought those opinions because the matter was important, and Plaintiff made the decision based on those opinions rather than unilaterally.

62. The Bar consolidated seven complaints for review by Grievance Committee B of the Ninth Judicial Circuit. The seven matters are referred to herein as Bar Files A through G. Their Florida Bar file numbers are omitted from this filing because the numbers are traceable to Plaintiff's identity through public inquiry; the file numbers, and the correspondence of each to the designations used herein, will be furnished to the Court under seal.

63. Bar File A was filed by Michele Bernard, who assisted the campaign of Judge-Opponent. The complaint alleges that Plaintiff contacted and harassed persons involved in that campaign, and that Plaintiff made statements about Judge-Opponent on social media and statements regarding the complainant.

64. Before the complaint in Bar File A was filed, the Bar's Attorney Consumer Assistance Program instructed the complainant to include only facts within her firsthand knowledge.

65. The complaint as filed rests substantially on statements of what the complainant was told by others.

66. The complainant filed the complaint on June 27, 2024, immediately after Plaintiff advised her that he intended to file a Bar complaint against her.

67. On August 26, 2024, Plaintiff submitted to The Florida Bar a sworn inquiry/complaint on the Bar's own Inquiry/Complaint Form, signed under penalty of perjury, identifying specific statements in Bar File A as false and identifying the public records by which each could be verified.

68. That submission identified an allegation that Plaintiff held an event with an organization the complainant described as a political committee. Records of the Internal Revenue Service identify that organization as a non-profit corporation, and records of the Florida Division of Elections do not identify it as a political committee.

69. That submission identified an allegation that Plaintiff posted campaign signs before the date signs were permitted. Orlando Ordinance 64.252 specifies no date before which campaign signs may not be posted. The photographs the complainant attached in support of that allegation were not taken or posted by Plaintiff.

70. Plaintiff distributed no campaign signs until weeks after the close of qualifying.

71. Plaintiff installed signs only at his own residence, with written permission where required, and at polling places on election day.

72. Plaintiff instructed recipients of signs not to place them on public property.

73. That submission identified an allegation that Plaintiff caused another attorney's Facebook business page to be removed by flagging it. Plaintiff does not administer that page and has no ability to cause its removal.

74. The exhibit the complainant attached in support of that allegation depicts a message from an account Plaintiff does not own, directing the recipient to a link. One of the complainant's own screenshots shows that the recipient followed that link and was warned that the site was suspicious and had been blocked.

75. That submission identified an allegation that Plaintiff made inappropriate comments about another attorney's paralegal during a court proceeding. The complainant was not present at that proceeding.

76. That submission identified an allegation that Plaintiff stared at the complainant at a public campaign event. The photographs the

complainant attached in support of that allegation do not depict Plaintiff looking toward the complainant.

77. Each of those photographs depicts Plaintiff engaged face to face with another person.

78. Every person depicted with Plaintiff in those photographs is a voter, except for one volunteer depicted in a single photograph.

79. In none of those photographs is Plaintiff looking anywhere other than at the person with whom Plaintiff is speaking.

80. The Bar has possessed those photographs for approximately two years while the allegation they were attached to support has remained pending.

81. Plaintiff sent that submission directly to Morrison.

82. Morrison directed Plaintiff to submit the matter through the Bar's intake process.

83. Plaintiff had already submitted the matter through the Bar's intake process and had copied Morrison on that submission.

84. The Bar closed the matter, stating that a finding by a court of competent jurisdiction that the complainant had made a false statement would be required.

85. Morrison took no action on the submission.

86. On information and belief, the Bar has never questioned the complainant regarding any of the statements Plaintiff identified as false.

87. On information and belief, the Bar has never questioned the complainant in Bar File F regarding any of the statements Plaintiff identified as false.

88. The allegations Plaintiff identified as false on August 26, 2024 remain pending against Plaintiff.

89. Plaintiff also submitted to the Bar a sworn inquiry/complaint concerning Michelle Stile, who is the source of statements the complainant in Bar File A repeated to the Bar and who is herself a complainant in Bar File F.

90. The Bar closed that matter on the same stated basis: that a finding by a court of competent jurisdiction would be required.

91. During the February 26, 2025 sworn statement, Plaintiff stated to Morrison on the record that he had given her this information before and that she had refused to take it.

92. Morrison's response was to ask which information Plaintiff meant.

93. Plaintiff restated on the record the submission he had made and the response he had received, offered to have his counsel forward the

submission to Morrison again, and entered his complaint concerning the complainant's credibility into the record as an exhibit.

94. Morrison did not thereafter request the submission.

95. A prosecutor who has not received exculpatory material and learns of its existence under oath requests it. Morrison did not. Cf. R. Regulating Fla. Bar 4-3.8 (Special Responsibilities of a Prosecutor).

96. Morrison's examination of Plaintiff at the February 26, 2025 sworn statement spans 145 pages of the 162-page transcript.

97. Cross-examination by Plaintiff's counsel begins at page 151 and ends at page 162.

98. Morrison adjourned the sworn statement before cross-examination concluded.

99. On the record, Morrison stated a continuation would be scheduled, proposing it proceed by Zoom, and stated her assistant would reach out to schedule it.

100. A continuation was scheduled.

101. Morrison unilaterally canceled the scheduled continuation without any discussion with Plaintiff or his counsel.

102. No continuation was ever rescheduled, and the sworn statement was never completed.

103. Plaintiff was never afforded the opportunity to complete cross-examination, to clarify his testimony, or to complete his account.

104. By email dated April 21, 2026, Morrison confirmed in writing that the transcript of the incomplete sworn statement, with exhibits, was listed on the Notice of Grievance Committee Review for the committee's consideration, and that she anticipates the transcript would be one of the Bar's exhibits at trial should the committee find probable cause.

105. A prosecutor who adjourns an examination mid-cross, schedules the promised continuation, unilaterally cancels it without discussion, never reschedules it, and then submits the incomplete transcript to the adjudicating body as if complete, has used the cancellation to fix the record in the state she left it.

106. Paragraphs 101 through 110, *supra*, show Bar Counsel Morrison's sense of impunity to the rules of evidence in her ongoing quest to injure Plaintiff at all costs — due process and the rules be damned — as retaliation for Plaintiff's political speech.

107. The Bar has not obtained, and has not required, a finding by any court that Plaintiff committed any act alleged in the seven consolidated matters. The Bar has advanced those matters toward a probable cause determination without any such finding.

108. The materials before Grievance Committee B include the allegations Plaintiff's sworn submissions documented as false, together with the exhibits that refute them, described in Paragraphs 67 through 80 *supra*, and the incomplete transcript described in Paragraphs 96 through 106 *supra*.

109. One allegation pending against Plaintiff is that he made inappropriate comments about another attorney's paralegal during a court proceeding. During that proceeding, the presiding judge directed the paralegal to remove chewing gum from her mouth. The court took no action adverse to Plaintiff arising from that proceeding.

110. The comment Plaintiff made during that proceeding was that the paralegal was chewing gum.

111. After that proceeding concluded, the presiding judge called Plaintiff forward and told Plaintiff that Plaintiff had done a good job, it being Plaintiff's first appearance before her since she had taken office as a circuit judge.

112. The complainant who made that allegation was not present at that proceeding.

113. Bar File B is a judicial referral submitted by Judge-Opponent. The complaint alleges that Plaintiff posted disparaging statements regarding Judge-Opponent on social media, sent an email to Judge-Opponent's judicial

assistant concerning recusal, and published information regarding Judge-Opponent on social media.

114. On April 11, 2024, Plaintiff sent Judge-Opponent a letter setting out Plaintiff's concerns in good faith, with citation to authority, and offering an open channel of communication.

115. In that letter, Plaintiff referred Judge-Opponent to An Aid to Understanding Canon 7.

116. In that letter, Plaintiff identified problems Plaintiff had observed with Judge-Opponent's campaign website.

117. Plaintiff filed no complaint concerning those problems.

118. In that letter, Plaintiff wrote that one of them would win the election and one would not, and that Plaintiff hoped both would be successful regardless of the outcome.

119. The response came from a Tallahassee law firm retained by Judge-Opponent.

120. The book written and published by Judge-Opponent describes judges as "robed priest-kings" with unchecked power.

121. Judge-Opponent owned and operated an internet forum.

122. The word “lynched,” which Plaintiff quoted during the campaign, appears in a post of several pages written by Judge-Opponent on that forum.

123. Judge-Opponent did not disclose a conviction for driving under the influence on his application for a magistrate position.

124. Judge-Opponent's judicial application stated that community service arising from that conviction had been completed.

125. Judge-Opponent had petitioned the court to pay a fee in lieu of performing that community service.

126. Petitioning a court to pay a fee in lieu of performing community service is lawful.

127. Voters may view the performance of community service and the payment of a fee in lieu of it differently.

128. Among the statements at issue in Bar File B is a statement Plaintiff published concerning a chat log.

129. The chat log recorded an interaction between the operator of the Facebook operation of Judge-Opponent and a former friend of Plaintiff who had worked on Plaintiff's campaign.

130. In that interaction, the operator requested a meeting between that person and the judge, identified the judge specifically, and stated that the judge was aware of that person's need for discretion.

131. The phrase “discreet meeting,” as commonly used on the Internet, refers to meetings arranged through dating sites for purposes other than dating.

132. Plaintiff published an image of the chat log together with a politically satirical caption.

133. Plaintiff's statement was satire.

134. Plaintiff thereafter learned that the person had contacted Judge-Opponent's campaign, under an assumed name, concerning Plaintiff.

135. Plaintiff notified Judge-Opponent and the complainant in Bar File A that his statement was incorrect as to who initiated the contact, and removed the statement.

136. The correction did not concern the request for a meeting with the judge. That request was made.

137. Neither Judge-Opponent nor that complainant responded.

138. Bar File C was filed by the wife of Judge-Opponent. The complaint alleges that Plaintiff made statements about the complainant and about Judge-Opponent during the campaign.

139. Among the statements at issue in Bar File C is Plaintiff's announcement of his own views on a disputed issue of public policy.

140. In that same statement, Plaintiff stated that Plaintiff would follow the law regardless of Plaintiff's personal views.

141. A judicial candidate's announcement of his views on disputed legal and political issues is protected by the *First Amendment*. *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002).

142. Before making that statement, Plaintiff read *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002).

143. Plaintiff conformed that statement to that decision.

144. An assurance that a judicial candidate will follow the law regardless of the candidate's personal views is the assurance that the canons governing judicial candidates exist to secure.

145. Plaintiff therefore stated what the controlling authority permits and what those canons ask a candidate to state.

146. The Bar accepted the complaint concerning that statement, consolidated it with others, and has advanced it toward a probable cause determination for approximately two years.

147. Plaintiff's compliance with the controlling authority did not prevent the complaint or its prosecution.

148. Another statement at issue compared conduct Plaintiff observed to a pose of a popular musician. The complaint does not explain what renders that comparison misconduct.

149. The complainant in Bar File C is not a judge, a judicial officer, or a candidate for judicial office.

150. The complainant filmed Plaintiff from the back of the room at a public campaign event.

151. The pose Plaintiff's statement compared was the complainant's own posture at that event: standing and holding a camera extended above her head to film Plaintiff while Plaintiff spoke, and while other attendees sat.

152. Bar File D was submitted by the General Counsel for the Ninth Judicial Circuit of Florida. The complaint alleges that Plaintiff posted messages on Plaintiff's Facebook page regarding a magistrate of that circuit and regarding the Ninth Judicial Circuit, and charges violations of Rules 3-4.3, 4-8.2(a), and 4-8.4(d), Rules Regulating The Florida Bar, and the Oath of Admission to The Florida Bar.

153. In a document submitted in support of Bar File A, the complainant identified individuals whom she stated had spoken with her and were prepared to testify against Plaintiff.

154. A magistrate of the Ninth Judicial Circuit was identified on that list.

155. Plaintiff had appeared before that magistrate at a hearing shortly before Plaintiff received that document.

156. The magistrate did not disclose to Plaintiff that she had been identified on that list.

157. The magistrate did not recuse herself.

158. Plaintiff emailed the chief judge of the circuit and the judge presiding over the matter concerning that non-disclosure.

159. No action was taken in response.

160. Plaintiff then posted on Plaintiff's Facebook page an account of what had occurred.

161. The magistrate responded by email, stating that she could not serve as a witness.

162. No provision of Florida law categorically prohibits a magistrate from serving as a witness.

163. Plaintiff had not asked the magistrate to serve as a witness.

164. The magistrate did not state that she had not spoken with the complainant.

165. The General Counsel who submitted Bar File D has not stated that the magistrate had not spoken with the complainant.

166. The speech at issue in that file includes Plaintiff's statement that he had lost faith in the court system.

167. The complaint in Bar File D describes Plaintiff's social media following as "large," approximately five thousand.

168. The platform's own analytics reflect actual per-post reach far below that figure.

169. During April through August 2024, the Ninth Judicial Circuit's own official social media account promoted content concerning Judge-Opponent's candidacy.

170. The Ninth Judicial Circuit's official social media account is operated pursuant to published guidance issued by the Florida Court Public Information Officers.

171. That guidance directs that courts avoid posting political activities of judges, including events or stories that include judicial candidates between candidate qualifying and Election Day.

172. That guidance further provides that active candidates for office shall not be the primary focus of social media posts.

173. That guidance further directs that courts avoid posting endorsements of political candidates, and avoid posting anything that would make the courts appear partial.

174. The content that account promoted concerning Judge-Opponent's candidacy was published during the period between candidate qualifying and Election Day in the 2024 election in which Plaintiff was a candidate.

175. Among the content described in Paragraph 169 *supra* was an interview of Judge-Opponent, conducted by another judge of the same circuit, concerning Judge-Opponent's military service.

176. Shortly before the 2024 qualifying period, the Circuit's account posted content depicting Judge-Opponent with a group of students in his courtroom, prominently naming Judge-Opponent.

177. Plaintiff emailed the Circuit concerning that post.

178. The email stated that the post promoted Judge-Opponent's candidacy rather than the neutral work of the court, and provided the published guidance described in Paragraph 170 *supra*, including its provisions concerning elections.

179. The Circuit responded that it was promoting the work of the court.

180. Plaintiff proposed in the alternative that the post be revised to focus on the students' visit — photograph included — rather than on Judge-Opponent by name. Promoting the work of the court did not require naming the judge.

181. The Circuit declined that revision.

182. The Circuit was accordingly in possession of the guidance, of Plaintiff's objection, and of a proposed neutral alternative, before the interview described in Paragraph 175 *supra* was posted.

183. No mechanism was published identifying who operated the account or providing a procedure for objecting to its content. Plaintiff's available response was counter-speech: truthful statements about Judge-Opponent's record.

184. The speech charged in Bar File D occurred after that election had concluded.

185. Plaintiff was not a candidate for any office when Plaintiff made that speech.

186. Plaintiff spoke as an attorney and as a citizen concerning a court's treatment of Plaintiff.

187. Bar File E was filed by a deputy of the Orange County Sheriff's Office. The complaint arises from Plaintiff's report to law enforcement that

his vehicle had been taken without his permission, and alleges that Plaintiff thereafter disparaged the responding deputies.

188. Bar File E charges no violation of any specific Rule of Professional Conduct. It charges only the Oath of Admission to The Florida Bar and Rule 3-4.3, Rules Regulating The Florida Bar.

189. Bar File F was filed by Michelle Stile. The complaint alleges that Plaintiff made statements to the complainant, made disparaging comments directed to her, and filed a limited notice of appearance in a matter in which she was opposing counsel.

190. The complainant in Bar File F filed a motion to disqualify Plaintiff less than one hour before a scheduled hearing.

191. Plaintiff's client wrote directly to the court concerning that motion.

192. The client's email stated that the client had retained Plaintiff in part because both client and counsel are autistic.

193. Plaintiff requested the complainant's deposition, by email sent at 2:39 a.m., in order to examine the complainant's changing assertions under oath.

194. Plaintiff later withdrew that deposition request for the benefit of the client.

195. On March 31, 2025, at 11:20 a.m., the complainant sent Plaintiff a communication titled “CONFIDENTIAL SETTLEMENT OFFER.”

196. The offer proposed withdrawal of the complainant's motions in exchange for terms benefiting the complainant's client.

197. Plaintiff checked a webpage at approximately 2:00 a.m. for the purpose of verifying that the page remained published, after being accused concerning it.

198. In a subsequent telephone call, the complainant denied the statement Plaintiff had attributed to her, and Plaintiff apologized.

199. Bar File G was filed by Caryn Margo Green. The complaint alleges that Plaintiff sent emails to opposing counsel that were unprofessional and disparaging, and that Plaintiff's conduct at a deposition was improper.

200. Plaintiff accepted the representation underlying Bar File G only after repeatedly declining it, and after the client's early-morning plea.

201. At the outset of the representation, opposing counsel warned Plaintiff to be careful, stating that Plaintiff's client sues all of her lawyers.

202. The matter underlying Bar File G had previously been pending before Judge-Opponent, and Plaintiff joined the matter only after it left Judge-Opponent's division.

203. In Plaintiff's first conversation with opposing counsel concerning the matter, opposing counsel volunteered that she had been unable to obtain hearings before Judge-Opponent.

204. The difficulty of obtaining hearings before Judge-Opponent had been an issue in Plaintiff's campaign.

205. Plaintiff made no negative statement about Judge-Opponent in response.

206. Bar inquiries concerning Plaintiff's campaign statements about Judge-Opponent were then pending against Plaintiff.

207. Throughout the representation, Plaintiff was subject to sustained pressure and abusive treatment by the client.

208. At a deposition during the week preceding April 21, opposing counsel stated, in the presence of Plaintiff's client, that Plaintiff could not cross-examine the witness because Plaintiff had not filed a cross-notice of deposition.

209. No rule conditions a party's examination of a deposition witness on the filing of a cross-notice.

210. The examination in question was of significant importance to Plaintiff's client.

211. Opposing counsel's statement caused Plaintiff to doubt his own understanding of the rules.

212. Opposing counsel is board certified in marital and family law. Her certification is among the reasons her statement caused Plaintiff to doubt his own understanding of the rules.

213. Plaintiff's client cursed at Plaintiff following that deposition.

214. Plaintiff sent the emails that Bar File G concerns that weekend, immediately after his client had cursed at him.

215. Plaintiff's emails stated the basis for the criticism they contained: that opposing counsel, a board certified specialist in the field, had asserted a rule that does not exist.

216. Plaintiff acknowledges that better words were available to him.

217. Plaintiff maintains that the words he chose are protected speech, and that, in the totality of the circumstances described *supra*, they are not grounds to threaten a law license.

218. On or about April 18, 2025, shortly after that deposition, Plaintiff moved to withdraw from the representation.

219. The motion stated that Plaintiff could not adequately represent the client's interests under the conditions described *supra*, and that continuing the representation would be harmful to all involved, including the court.

220. The motion was not heard before the April 21 deposition.

221. Plaintiff attended the April 21 deposition with the motion to withdraw pending.

222. At the April 21 deposition, the opposing party, while no question was pending to him, made statements concerning Plaintiff's loss of the judicial election and accusing Plaintiff of being on drugs.

223. Plaintiff was not on drugs.

224. Neither subject bears any relation to the matter in which the deposition was taken.

225. Both subjects concern Plaintiff's judicial campaign.

226. At the April 21 deposition, Plaintiff's tone was dry and sarcastic. Plaintiff owns that tone.

227. The deposition described in Paragraph 226 *supra*, and the emails described in Paragraph 214 *supra*, occurred within weeks of the events described in Paragraphs 272 through 275 *infra*.

228. Plaintiff disputes a line attributed to him in the transcript of that deposition.

229. The court reporting company issued a written correction to that transcript that Plaintiff had not approved.

230. That court reporting company is the same company the Bar used to record a portion of Plaintiff's sworn statement.

231. Plaintiff withdrew from the representation.

232. The characterizations set forth in Paragraphs 63 and 113, 144, 158, 193, 195, and 205 *supra* are the Bar's. The speech those matters concern is described below.

233. Plaintiff wrote and published three comic books. The comic books were published before Judge-Opponent entered the race. They do not refer to Judge-Opponent. Their subjects are Plaintiff's engagement with his community, a story in which Plaintiff assists Santa Claus in complying with international flight regulations, and stories in which Plaintiff and his dog help people resolve disputes.

234. Plaintiff posted a photograph of United States troops escorting Black children into a school being desegregated, and referred to those troops as real American heroes. The post was made in reaction to news coverage of

the seventieth anniversary of *Brown v. Board of Education*. The post does not mention Judge-Opponent.

235. Plaintiff attended a children's concert held by a community organization. That organization is a non-profit corporation and is not a political committee.

236. The person who had taken Plaintiff's vehicle had been physically violent toward Plaintiff during the period preceding the events described below.

237. On the occasion at issue, that person, while intoxicated, was driving Plaintiff's vehicle without Plaintiff's permission and refused to relinquish it.

238. Plaintiff had recently learned that the person had a prior conviction for deliberately running a man over with a car.

239. Plaintiff entered the vehicle for one reason: Plaintiff was not going to allow an intoxicated man with that history to drive off alone in Plaintiff's vehicle.

240. Plaintiff induced the person to stop at a convenience store by telling him that Plaintiff would go inside and buy him a beer.

241. Plaintiff had no intention of buying a beer. The statement was a pretext to summon law enforcement.

242. Plaintiff's telephone was dead. Plaintiff asked the store's cashier for the use of a telephone so that Plaintiff could call law enforcement.

243. Plaintiff sought help because the man who had taken his vehicle had been violent toward Plaintiff, and Plaintiff was afraid.

244. Plaintiff telephoned law enforcement to report that his vehicle had been taken without his permission. Plaintiff was the complaining party.

245. Plaintiff then sat at the picnic tables at the entrance to the store and waited. The person who had taken the vehicle remained in Plaintiff's vehicle at a gas pump.

246. Deputies responded and spoke first with the person who had taken Plaintiff's vehicle.

247. That person told the deputies that Plaintiff was crazy and violent toward him. Neither statement was true.

248. Plaintiff learned of those statements later, from video recorded by the deputies' own equipment.

249. The deputies credited those statements.

250. Video from a deputy's vehicle shows the second deputy thereafter driving the person around, taking him to a store, giving him money to get home, and telling him that he needed to stay away from Plaintiff because Plaintiff was dangerous.

251. The person the deputies credited was on felony probation for striking a former partner, and had previously been imprisoned for deliberately running a man over with a car.

252. Plaintiff possesses video of that person striking Plaintiff.

253. During the encounter, Plaintiff walked toward his vehicle, and three or four deputies closed in and stood around Plaintiff.

254. Plaintiff later learned, from the person the deputies had credited, that the deputies had been discussing arresting Plaintiff.

255. A second deputy approached Plaintiff in a manner Plaintiff perceived as aggressive, as though Plaintiff were the problem, although Plaintiff was the person who had called law enforcement.

256. At that point, Plaintiff called the deputies pigs — deliberately, and not casually — to make unmistakable that Plaintiff was serious, and that Plaintiff would not hesitate to hold the deputies legally accountable for a wrongful arrest.

257. No arrest was made, and no charges were filed against anyone.

258. After the encounter had concluded, the deputy remained seated in his patrol vehicle.

259. Plaintiff photographed the deputy's patrol vehicle in order to preserve a record of the encounter.

260. The deputy observed Plaintiff photographing the vehicle.

261. The deputy immediately exited his vehicle and demanded Plaintiff's Florida Bar number.

262. Plaintiff did not provide his Florida Bar number to any deputy at any point, and no deputy needed it: a Bar number is not required to file a complaint against an attorney, and The Florida Bar maintains a free public directory of its members.

263. The deputy demanded Plaintiff's Bar number only after the encounter had concluded, and immediately upon observing Plaintiff photograph the patrol vehicle.

264. Photographing the conduct of police officers is activity protected by the *First Amendment*. *Smith v. City of Cumming*, 212 F.3d 1332, 1333 (11th Cir. 2000).

265. Shortly thereafter, Plaintiff again contacted law enforcement to report that his vehicle had been taken without his permission, and asked for the same deputy by name.

266. Plaintiff asked for that deputy by name because that deputy already knew the situation, and Plaintiff believed he would therefore actually receive help.

267. Rather than sending assistance, the deputy had dispatch place the call on a recorded line before speaking with Plaintiff.

268. At the end of that recorded conversation, the deputy told Plaintiff for the first time that he could not help, because he was not working in that area that night.

269. The deputy could have sent another deputy. He did not.

270. No assistance was sent. No deputy came.

271. The deputy provided the recording of that call to Bar Counsel.

272. Later that March, in the person's own hometown, outside Orange County, the person punched Plaintiff in the face, in public.

273. Plaintiff was done. The person was in his own hometown, where his family lived, and he had a place to stay. Plaintiff was leaving.

274. Plaintiff called the police of that municipality.

275. Those police responded and took the person into custody.

276. It was the first relief Plaintiff had felt in months.

277. Plaintiff then emailed the deputy the videos of the occasions on which the person had struck Plaintiff — violence the deputy could have stopped.

278. The deputy complained to The Florida Bar concerning, among other things, Plaintiff's sending of those videos.

279. One of the responding deputies thereafter filed the complaint that became Bar File E.

280. The deputy who asked for Plaintiff's Bar number is an employee of the Orange County Sheriff's Office and was acting in that capacity.

281. The First Amendment protects verbal criticism and challenge directed at police officers. *City of Houston v. Hill*, 482 U.S. 451, 461 (1987).

282. Bar File E was filed by a government official who had demanded Plaintiff's Bar number immediately upon observing Plaintiff engage in activity protected by the First Amendment.

283. The Bar accepted that complaint, consolidated it with the others, and has advanced it toward a probable cause determination for approximately two years.

284. The Bar thereby made its disciplinary process available to a government official as a means of responding to a citizen's conduct during a police encounter.

285. Plaintiff used the word "pig" in reference to police officers. Plaintiff did not use that word in any court proceeding, in any filing, or in connection with the representation of any client.

286. Plaintiff quoted passages from a book written and published by Judge-Opponent, and stated the length of Judge-Opponent's military service as reflected in federal records, as described in Paragraphs 18 through 47 *supra*.

287. The Bar seeks to discipline Plaintiff for each of the foregoing.

288. Every one of the seven consolidated matters concerns Plaintiff's speech.

289. No complaint among the seven alleges that Plaintiff mishandled a client's matter, misused client funds, or failed to represent a client competently.

290. In eighteen years of practice, no complaint has been made against Plaintiff concerning his conduct in a courtroom.

291. By the time of the events underlying the final two files, the five complaints described *supra* had been pending for many months. Plaintiff had refuted them under oath, with public records and the complainants' own exhibits, and the refutations had produced nothing: no question to any complainant, no dismissal, no end.

292. Throughout that period, Plaintiff was under severe and continuous emotional strain caused by the pendency and duration of those complaints and by the futility of every documented refutation.

293. The first-filed complaint, described in Paragraphs 63 through 80 *supra*, set the pattern: filed immediately after Plaintiff advised its complainant of an intended Bar complaint against the complainant, resting on secondhand statements, refuted by the complainant's own exhibits, and advanced regardless.

294. The judicial referral concerns statements about Judge-Opponent's own military service, Judge-Opponent's own conviction and probation, and Judge-Opponent's own published book. Each subject lies within Judge-Opponent's personal knowledge. The truth of each statement was verifiable by Judge-Opponent from Judge-Opponent's own records and experience. From these premises, Plaintiff alleges that Judge-Opponent filed the referral knowing the statements at issue were true.

295. The final two files arose from events occurring under that strain: a personal crisis, and a representation conducted under the sustained pressure described in Paragraphs 207 through 214 *supra*. The Bar now advances, as grounds for discipline, conduct occurring in circumstances its own pending prosecution helped create.

296. Plaintiff spent tens of thousands of dollars of Plaintiff's own money seeking judicial office in an effort to serve the community. Since the complaints began, Plaintiff has instead spent Plaintiff's time and money

defending Plaintiff's license and professional survival against the proceedings described in this Complaint.

297. Each of the seven consolidated matters charges a violation of the Oath of Admission to The Florida Bar.

298. Each of the seven consolidated matters charges a violation of Rule 3-4.3, Rules Regulating The Florida Bar.

299. Neither the Oath of Admission nor Rule 3-4.3 identifies the specific conduct prohibited.

300. The Bar's charging documents describe Plaintiff's conduct in several of the consolidated matters as "disparaging" and as "unprofessional."

301. Neither the Oath of Admission, nor Rule 3-4.3, nor any other provision cited in the seven consolidated matters defines "disparaging" or "unprofessional," or identifies what renders a statement either.

302. The Bar has not identified any standard by which a statement is determined to be disparaging or unprofessional.

303. A verbatim quotation of a person's own published writing states no characterization of that person by the speaker.

304. Plaintiff cannot determine from the charging documents which of his statements are alleged to be disparaging, or what standard the Bar applied in so characterizing them.

305. Plaintiff cannot determine from the Oath of Admission or from Rule 3-4.3 what speech he must refrain from in order to avoid further charges.

306. Bar File B expressly advised Plaintiff, by letter dated August 9, 2024, that the matter was "subject to review under Rule Regulating The Florida Bar 3-7.18" — meaning it was classified and processed as a judicial referral under that rule.

B. Eligibility Requirements for Judicial Referrals Under Rule 3-7.18, Rules Regulating The Florida Bar

307. Rule 3-7.18, Rules Regulating The Florida Bar, governs how the Bar handles complaints submitted by a member of the judiciary, designated as "judicial referrals."

308. As adopted in 2021, former Rule 3-7.18, Rules Regulating The Florida Bar, gave judicial referrals extraordinary procedural preference by its plain text: subdivision (b) suspended all ordinary disposition deadlines for judicial referrals; subdivision (c) prohibited any disposition — including a simple dismissal or finding of no probable cause — from becoming final without review by the Board of Governors; and subdivision (d)(2)(B)(ii) provided that the Supreme Court of Florida's rejection of a recommended disposition "will be deemed a finding of probable cause and direction to the

bar to file a formal complaint." No complaint from any other source received this treatment. Under the former rule, an ordinary citizen's complaint could be dismissed by bar staff, while a judge's complaint against his electoral challenger could not be dismissed at any level without the approval of the Board of Governors and the Supreme Court of Florida — the same court empowered by the rule to unilaterally direct the challenger's prosecution.

309. By opinion dated August 28, 2025, the Florida Supreme Court amended the definition of "judicial referral" in Rule 3-7.18, Rules Regulating The Florida Bar, effective October 27, 2025, to (a) exclude election-related complaints from that classification, and (b) require that the referring judge have obtained the underlying information during the course of official judicial duties. See *In re: Amendments to Rules Regulating The Florida Bar — Discipline Rules*, No. SC2025-0019 (Fla. Aug. 28, 2025).

310. File No. Bar File B does not meet either requirement of the amended definition. It is, on its face, an allegation arising from Plaintiff's election campaign, and the Referring Judge's knowledge of the underlying conduct arose from his position as Plaintiff's electoral opponent, not from any judicial function. Nonetheless, the Bar's internal notices and correspondence continue to describe and process File No. Bar File B as a judicial referral.

C. The Bar's ADA Accommodation Process and Its Denial as to Plaintiff

311. The Florida Bar maintains published accommodation procedures for individuals filing complaints against attorneys, but maintains no published ADA coordinator, no named contact, and no comparable grievance procedure for attorneys who are respondents in disciplinary proceedings.

312. The judicial circuits in which Plaintiff practices include a notice regarding accommodations for persons with disabilities on documents they issue, including subpoenas and notices of hearing.

313. No notice or other document the Bar has sent to Plaintiff in these matters contains a statement regarding the Americans with Disabilities Act, a statement of the protections it affords, or information as to how a person with a disability may request an accommodation or contact the Bar regarding one. Morrison identified the Bar's ADA coordinator only as “the General Counsel” and did not provide that official's name. Plaintiff thereafter conducted an internet search to determine who held the position of General Counsel of The Florida Bar.

314. A public entity is required to make available to participants and other interested persons information regarding the provisions of Title II and

its applicability to the entity's services, programs, and activities. 28 C.F.R. § 35.106.

315. The Supreme Court of Florida has promulgated Florida Rule of General Practice and Judicial Administration 2.540, governing requests for accommodations by persons with disabilities in the courts of this state. The rule incorporates the definitions of Title II of the ADA and its implementing regulations, 28 C.F.R. § 35.101 et seq.

316. Rule 2.540 requires that qualified individuals with a disability be provided accommodations, at the court's expense, in order to participate in programs or activities provided by the courts of this state, including proceedings in which the individual is a criminal defendant.

317. Rule 2.540 requires the designation of an ADA coordinator, requires that notices of court proceedings identify that coordinator and the means of contacting the coordinator, and requires the court to respond in writing where a request for accommodation is denied, granted only in part, or granted in an alternative form.

318. The judicial circuits of this state publish a designated ADA coordinator and contact information, including the Ninth Judicial Circuit, in which Plaintiff practices.

319. The Florida Bar is an official arm of the Supreme Court of Florida, and membership in the Bar upon payment of annual membership fees is a condition of practicing law in this state. The Bar affords attorney respondents in disciplinary proceedings none of the protections Rule 2.540 affords participants in court proceedings: no published coordinator, no published means of contact, no requirement of a written response to a denial or to a substituted accommodation, and no grievance procedure.

320. The amendments to Rule 2.540 were proposed by The Florida Bar's Rules of General Practice and Judicial Administration Committee and approved by the Bar's Board of Governors before adoption by the Supreme Court of Florida. The Bar is therefore institutionally familiar with the accommodation standard applicable to the courts of this state.

321. The Bar issued three successive notices of Grievance Committee review relevant to Plaintiff's accommodation request: an original notice, a First Amended Notice, and a Second Amended Notice dated June 24, 2026.

322. At or near the deadline set by the original notice, Plaintiff requested: (a) a thirty-day continuance; (b) leave to appear in person before the Grievance Committee; (c) a reasonable accommodation under Title II of the ADA; and (d) the identity of the Bar's ADA coordinator.

323. Plaintiff is diagnosed with autism spectrum disorder. A characteristic effect of that condition on Plaintiff is that he cannot reliably predict in advance how others will receive what he says.

324. Plaintiff compensates for that limitation by observing a listener's reactions as he speaks and adjusting in real time to correct misunderstandings as they arise. This is the only means by which Plaintiff can reliably gauge how his statements are being received.

325. A related pattern is observable in Plaintiff's communication. At times Plaintiff over-explains, surrounding a point with additional context in an effort to foreclose as many misunderstandings as he can anticipate, and interrupting himself to return to an earlier point in order to supply information he believes necessary to being understood correctly. At other times Plaintiff omits the intermediate reasoning entirely and states only his conclusion.

326. Both patterns arise from the same limitation, and both are received poorly. Each is an attempt to supply what a listener requires without being able to determine what that listener requires. In live interaction Plaintiff can observe whether he has given too much or too little and adjust accordingly; in a written or recorded submission he cannot.

327. A written or recorded submission eliminates that compensatory mechanism. Plaintiff's limitation is not an inability to produce written work. It is an inability to anticipate how a reader will construe it — particularly a reader who is not neutral toward him. A written or recorded submission requires Plaintiff to predict, with no audience and no feedback, how such readers will receive his words, and to preemptively correct misunderstandings he has no way to foresee. That predictive function is the one his disability impairs.

328. Appearance before the Grievance Committee preserves that mechanism. Questions surface misunderstandings as they occur and permit Plaintiff to address them directly. A structured proceeding with defined turn-taking further supports Plaintiff's participation: Plaintiff knows when he is to speak, is not spoken over, and can prepare against a known sequence. Plaintiff's professional experience is that he participates most effectively in precisely such settings.

329. Plaintiff requested leave to appear in person for this reason. The proceedings against Plaintiff concern the meaning of statements Plaintiff made. Plaintiff's position in those proceedings is that meanings have been attributed to his statements that Plaintiff did not intend. An accommodation that requires Plaintiff to submit his account with no audience present, and

with no opportunity to observe a misunderstanding form and correct it, removes the only means by which Plaintiff can address the precise question those proceedings present.

330. Had the Bar given primary consideration to Plaintiff's request as required by 28 C.F.R. § 35.160(b)(2), or made any inquiry of Plaintiff before substituting a different accommodation, the facts set forth in Paragraphs 323 through 329 would have been disclosed to it. The Bar never inquired, and substituted an accommodation without knowledge of the limitation that accommodation was meant to address.

331. A recorded video submission has no audience. It does not permit Plaintiff to observe how his statements are being received, and it does not permit Plaintiff to correct a misunderstanding as it arises. As to the limitation Plaintiff's disability imposes, a recorded video submission has the same defect as a written submission. The accommodation Plaintiff requested was attendance at a session of the Grievance Committee already scheduled to occur in Plaintiff's own matter. That accommodation required no facility, no equipment, no personnel, and no expenditure beyond what the proceeding already entailed. The Bar declined the accommodation that imposed no cost and substituted one that required Plaintiff to supply the means of producing it. The Bar's own notices of Grievance Committee review state that a

respondent “may request permission to appear before the committee by submitting a written detailed explanation of the need for a hearing,” and refer to “the committee's decision allowing or disallowing a personal appearance.” Personal appearance by a respondent is therefore a feature of the Bar's existing program, and permitting Plaintiff to appear would not have altered the nature of that program.

332. On the date of the signing of this Complaint, Plaintiff has been a member of The Florida Bar for 6,888 days.

333. In those 6,888 days, no court has ever sanctioned Plaintiff, and no discipline of any kind has ever been imposed on Plaintiff arising from the practice of law.

334. Plaintiff compartmentalizes client matters from his own emotions, and has produced written work for clients throughout his career without difficulty of the kind described in Paragraphs 323 through 327 *supra*. The structured, rules-based environment of law practice is the environment in which, as the therapist's letter described in Paragraph 358 *infra* states, Plaintiff's communication functions best. Plaintiff has not merely functioned in it; he has thrived in it.

335. Early in Plaintiff's career, a circuit judge screamed at Plaintiff in a jury room. Plaintiff maintained his composure and continued to conduct

himself professionally — because Plaintiff was in a courtroom setting, knew the rules that governed it, and knew the conduct would be addressed through the process that exists for it.

336. It was. The Supreme Court of Florida publicly reprimanded that judge for intemperate conduct, including losing his temper with attorneys. *In re Shea*, No. 10-265, 110 So. 3d 414 (Fla. 2013).

337. The judge who screamed received a reprimand and letters of apology. The lawyer who was screamed at, and who kept his composure, faces the consolidated prosecution described in this Complaint — for words spoken outside any courtroom.

338. The conduct charged in the consolidated files that occurred outside the practice of law occurred in unstructured, personal contexts — including a personal crisis and a period of severe strain — of the kind in which Plaintiff's autism affects communication.

339. The consolidated proceeding stacks that personal-time conduct atop allegations Plaintiff has documented as false, and directs the whole at Plaintiff's license.

340. In the one arena the license actually governs — the practice of law — the record of those 6,888 days is unblemished; the case for taking that license is built entirely from everywhere else.

341. The continuance was granted on April 30, 2026, unilaterally and by email, without any indication of who had authorized it.

342. At the time Plaintiff's request for leave to appear in person was made, the Bar issued no response to it. No written response identified any decision on the request, and no Bar official identified himself or herself as having decided it.

343. Plaintiff first learned the request had been denied when Morrison stated so in her reply of Friday, June 12, 2026, described in Paragraph 364 *infra*.

344. The request for the identity of the Bar's ADA coordinator received no response.

345. On May 1, 2026, at 12:18 p.m., Plaintiff replied by email to Morrison's April 30, 2026 email granting the continuance.

346. Plaintiff's reply asked whether Morrison would be responding separately regarding the ADA accommodation requests.

347. Plaintiff's reply asked whether there was an ADA coordinator Plaintiff should contact.

348. Plaintiff's reply stated that The Florida Bar's website is not clear about ADA coordination, and that Plaintiff did not know whether ADA coordination for this proceeding fell under the courts' ADA coordinator,

whether the Bar had its own ADA coordinator, or whether the Bar had no ADA coordinator.

349. Morrison did not answer either question.

350. On May 4, 2026, Morrison sent Plaintiff a signed letter on Florida Bar letterhead, transmitted as a PDF attachment to an email. The letter stated that before the Bar would consider Plaintiff's accommodation request, Plaintiff must provide a doctor's certification dated within the preceding thirty days answering five enumerated questions.

351. The fourth question read: "Understanding that the grievance process does not require your personal appearance, are there any adjustments that could be made or any other modifications that would permit you to participate in the grievance process?"

352. That question presented as settled the proposition that the accommodation Plaintiff requested was unavailable, and directed Plaintiff's clinician to identify alternatives to it, before the Bar had given primary consideration to Plaintiff's request as required by 28 C.F.R. § 35.160(b)(2).

353. Morrison did not refer Plaintiff's accommodation request to any ADA coordinator or other Bar official. She responded to it personally, in a signed letter, imposing conditions on the Bar's consideration of it and stating that her office would consider the request once those conditions were met.

Morrison occupied the role of prosecutor in the same proceeding. The accommodation Plaintiff requested imposed no cost on the Bar and would not have altered the nature of the Bar's program, as described in Paragraph 331 *supra*. The Bar has identified no cost, no administrative burden, and no alteration that granting the request would have caused. Plaintiff alleges that the Bar's accommodation process was used to obtain an advantage in the proceeding Morrison was prosecuting.

354. At the time Morrison did so, she had not disclosed to Plaintiff the identity of the Bar's ADA coordinator, notwithstanding Plaintiff's request for that information described in Paragraph 322 *supra*. Morrison identified the Bar's General Counsel as the Bar's ADA coordinator only later, and only after Plaintiff had written directly to Executive Director Doyle, as described in Paragraph 381 *infra*.

355. Plaintiff's autism spectrum disorder was diagnosed years earlier by a psychologist. Autism is a lifelong developmental condition, is not customarily diagnosed by physicians, and does not require recurrent certification.

356. A physician's certification dated within the preceding thirty days therefore called for a document that did not exist and that the nature of the condition does not produce.

357. Plaintiff's treating mental health therapist, who had adopted the diagnosis in the course of treatment, answered the five questions and sent her letter directly to Morrison.

358. The therapist's letter stated that Plaintiff has a clinically documented disability qualifying under the ADA; that Plaintiff's verbal skills are strongest in structured, rule-based environments such as a courtroom; that Plaintiff experiences sensory-overload and processing limitations relating to written communication, requiring additional time to respond to intricate, multi-faceted written statements; and that Plaintiff requires accommodation to give his statement orally in order to facilitate accurate interpretation of his words.

359. The video submission the Bar identified as its accommodation, described in Paragraphs 372 through 376 *infra*, is an unstructured, non-interactive format. The personal appearance Plaintiff requested is a structured proceeding of the kind the therapist's letter identified as the environment in which Plaintiff communicates best.

360. Morrison confirmed receipt of the letter. Morrison never advised Plaintiff that the letter was insufficient, never identified any deficiency in it, and never requested any additional documentation.

361. Plaintiff received no further communication regarding his ADA request.

362. The Bar subsequently issued the First Amended Notice, setting a new deadline approximately seventeen days later, on a Monday. Plaintiff's ADA request remained unanswered.

363. On Friday, June 12, 2026, at 12:22 p.m., Plaintiff emailed Morrison asking the status of the ADA request, noting approximately a month without response and a deadline one business day away, and asking whether someone else should be contacted regarding Title II matters.

364. Morrison replied at 1:06 p.m. the same day. The reply stated that the thirty-day extension had been granted on April 30; that Plaintiff's request for a personal appearance "was denied" and that Plaintiff had been "notified of this via email on April 30, 2026"; and that the ADA request "was reviewed," with the June 1 Amended Notice affording an accommodation: a recorded oral statement in the form of an MP4 video.

365. The personal-appearance denial referenced in that reply concerned the request Plaintiff had made under the Bar's own notice procedure, described in Paragraph 322 *supra* — a request distinct from Plaintiff's ADA accommodation request. The reply stated the denial in the passive voice.

366. The April 30 email, described in Paragraphs 341 through 342 *supra*, stated no decision on the personal-appearance request.

367. At 5:25 p.m. that Friday, Plaintiff replied: the June 1 transmitting email had said only “thank you”; nothing in it or its attachment referenced the ADA request; and Plaintiff asked the basis for substituting the video option, whether the Executive Director or an authorized designee had signed off on the denial, and whom to contact regarding equipment, logistics, or costs. Because the deadline was Monday and no adequate response had been received, Plaintiff also requested a further thirty-day continuance.

368. On Saturday, June 13, 2026, at 3:41 p.m., Morrison replied. The reply denied the further continuance, stating: “The vote will proceed as scheduled for June 17, 2026.” It answered none of the questions in Plaintiff’s Friday email.

369. On information and belief, no meeting or conference of the Grievance Committee occurred between Plaintiff’s Friday afternoon email and Morrison’s reply the following day, a Saturday.

370. Rule 3-7.4, Rules Regulating The Florida Bar, vests the conduct of grievance-committee proceedings in the grievance committee and its chair. Once a matter is before a grievance committee, even a dismissal by

bar counsel requires the concurrence of the grievance committee chair. Each request described in this section was made, and denied, after Plaintiff's matters were before Grievance Committee B.

371. No communication to Plaintiff has identified any person as having decided the personal-appearance request or the continuance of the committee's vote. As to the ADA request, a decision-maker was identified only after Plaintiff wrote to the Executive Director, and then only by office: Morrison stated that the Bar's General Counsel was the Bar's ADA coordinator, as described in Paragraphs 354. Each denial itself was communicated by Bar Counsel, over Bar Counsel's signature.

372. The written-statement option to which Morrison directed Plaintiff is language the Bar offers to every respondent regardless of disability status. The video-submission option was the accommodation Morrison identified as having been provided in response to Plaintiff's request. Neither option was developed with reference to Plaintiff's ADA request, and neither referenced that request. The Bar provided no camera, no recording facility, no technical assistance, and no personnel by which a video submission could be produced, and gave no guidance as to how one was to be produced. Producing a video submission would therefore have required Plaintiff to supply his own recording equipment, to record himself

unassisted, and to submit that recording to the body determining whether he is fit to practice law. A public entity is required to furnish appropriate auxiliary aids and services, 28 C.F.R. § 35.160(b)(1), and may not place upon an individual with a disability the cost of measures required to provide that individual with nondiscriminatory treatment, 28 C.F.R. § 35.130(f).

373. The email transmitting the First Amended Notice consisted of two words: “thank you.” It did not state that a document was attached. It did not direct Plaintiff to any portion of the attachment.

374. The First Amended Notice was in the Bar's standard form. No part of it referenced the Americans with Disabilities Act, Plaintiff's accommodation request, or any decision on that request.

375. The only camera Plaintiff owns is the camera on his cell phone.

376. Plaintiff did not recognize the video-submission language as a response to his accommodation request.

377. The First Amended Notice containing that video-submission language was a notice issued to the Grievance Committee as well as to Plaintiff. Because the Bar delivered the substituted accommodation inside a notice shared with the adjudicating body rather than in a separate written response to Plaintiff, the Grievance Committee received the accommodation language without any statement of the reason for it. The notice did not

reference Plaintiff's ADA request, and so cannot constitute a written response to that request; had it referenced the request, it would have disclosed Plaintiff's disability to the body adjudicating his matter. A separate written response to the requesting party is the mechanism by which that result is avoided.

378. Unable to produce an adequate video submission without any resources to do so, Plaintiff attempted instead to prepare a written response over the following two days, and requested and received a one-day extension to submit it by Tuesday morning.

379. Plaintiff worked through the night to prepare that response. Due to a combination of technical failure and exhaustion directly attributable to the absence of the accommodation Plaintiff had requested, the response Plaintiff ultimately submitted was inadequate to fairly present his position to the Grievance Committee.

380. In the days before the session at which Plaintiff believed the Grievance Committee would consider his matter, Plaintiff separately emailed Executive Director Doyle, citing specific federal regulations governing the Bar's handling of accommodation requests and asking who had authorized the denial of his request. Doyle never responded.

381. After Plaintiff wrote directly to Executive Director Doyle, Morrison stated for the first time that the Bar's General Counsel was the Bar's ADA coordinator. Morrison identified that official by office and not by name. Morrison had not provided the coordinator's identity when Plaintiff first asked for it, described in Paragraph 322 *supra*. Morrison further represented that the Bar's General Counsel had reviewed Plaintiff's request and approved the Bar's course of action as appropriate. The accommodation decision so described is the decision described in Paragraphs 364 and 372 *supra*.

382. Plaintiff believed the Grievance Committee met as scheduled and, receiving no further word, spent an extended period uncertain whether and how the Bar intended to proceed against him.

383. The Bar subsequently issued the Second Amended Notice of Grievance Committee Review dated June 24, 2026, which revealed for the first time that the session Plaintiff believed had already occurred had in fact been continued without his knowledge.

384. The Bar's failure to designate a published ADA coordinator or to provide a respondent-side accommodation procedure, while maintaining such procedures for complainants, constitutes a structural policy of disparate treatment redressable under Title II of the ADA.

D. Morrison's Sworn-Statement Questioning of Plaintiff's Future Political Activity

385. On February 26, 2025, Morrison personally conducted a sworn statement of Plaintiff in connection with Bar Files Nos. Bar File A, Bar File B, Bar File C, and Bar File D. Sworn Statement of Plaintiff, Feb. 26, 2025, p. 1 (filed under seal or available upon request subject to the protective order sought herewith).

386. Early in her interrogation of Plaintiff, after establishing that this was Plaintiff's first judicial campaign, Morrison asked: "So you don't have any intent to run again?" Plaintiff responded: "Absolutely not. It was a very - - well. I won't add that commentary to the record." Id. at pp. 12:8-13.

387. Later in the same interrogation, Morrison asked Plaintiff whether he had formed the "oversight committee" about judges that he had referenced online, and, upon learning he had not yet done so, asked what its purpose would be. Plaintiff explained it would be "a political committee" to "inform the public about judges" and promote "transparency with the Court." Id. at pp. 135:21-136:19.

388. Neither inquiry — whether Plaintiff intended to seek judicial office again, or whether and why he intended to form a future political advocacy organization — bears on whether Plaintiff committed the past

misconduct alleged in the referred complaints. Both inquiries probe Plaintiff's intended future protected political activity.

389. Following the February 26, 2025 sworn statement, Plaintiff complained to the Bar that Bar counsel's interrogation had employed leading questions premised on materially false facts. To Plaintiff's knowledge, those false premises have never been corrected on the record, and the Bar took no action against its counsel.

390. On March 24, 2025, the Bar noticed a second sworn statement session at which Plaintiff's testimony could have been completed. On May 6, 2025 — after Plaintiff's complaint regarding Bar counsel's interrogation — the Bar cancelled that session. Plaintiff's sworn statement remains incomplete, and the Bar now presents the truncated transcript to the grievance committee as a centerpiece of its file.

391. On June 11, 2025, the Bar transmitted a second amended notice in Bar File B. It was the Bar's last communication of consequence in the consolidated matters for approximately ten months.

392. The Bar's next action was the Notice of Grievance Committee Review issued April 17, 2026 — ten months and six days later, on the Friday immediately preceding judicial qualifying week.

ABSTENTION UNDER YOUNGER v. HARRIS IS UNAVAILABLE

A. Nothing Was Pending

393. *Younger* rests on a premise this case cannot supply. Abstention protects a state proceeding already underway when the federal plaintiff arrives. Where none exists, there is nothing to defer to, and this Court's obligation to hear the case remains.

394. Plaintiff filed this action on July 10, 2026. On that date, no formal complaint had been filed against Plaintiff in the Supreme Court of Florida. Plaintiff had been served with no formal statement of charges. Every matter concerning Plaintiff stood at the investigative stage.

395. The Bar's own rules mark the line. Rule Regulating The Florida Bar 3-7.4(l) empowers a grievance committee to find probable cause **to prepare a formal complaint**. A complaint that must be prepared does not exist. On July 15, 2026 — five days after Plaintiff filed here — the Ninth Judicial Circuit Grievance Committee "B" took that step for the first time. As of the filing of this pleading, no formal complaint has been filed against Plaintiff in any court.

396. *Middlesex County Ethics Committee v. Garden State Bar Ass'n*, 457 U.S. 423 (1982), is the decision on which every abstention argument in attorney discipline rests. Its respondent had been **served with a formal statement of charges** and sued in federal court instead of answering them.

That is the posture *Middlesex* addressed. It is not this one. Plaintiff had nothing to answer.

397. *Steffel v. Thompson*, 415 U.S. 452 (1974), governs instead: a plaintiff under threat of prosecution, but not prosecuted, may seek federal relief. The Bar's own subsequent conduct confirms that was Plaintiff's position, because one does not find probable cause to prepare a complaint that has already been filed.

398. Plaintiff does not contend attorney discipline lies outside *Younger's* scope. Under *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69 (2013), it is a civil enforcement proceeding within the doctrine's reach. Plaintiff's contention is narrower and factual: **on July 10, 2026, there was no proceeding.**

399. *Hicks v. Miranda*, 422 U.S. 332 (1975), does not fill that gap. *Hicks* permits abstention where the state proceeding begins before any proceedings of substance on the merits have taken place in federal court; it does not disturb the exceptions to abstention, and its application presupposes a state proceeding brought in good faith. Where, as here, the record documents the retaliatory institution and maintenance of the state matters, the bad-faith exception applies with equal force to a proceeding commenced after the federal complaint.

B. Bad Faith and Harassment

400. Should the Court find a proceeding pending, abstention remains unavailable. The bad-faith exception is established by impermissible motive, multiple prosecutions, and improbability of success. It is rarely satisfied, because the third element is ordinarily unprovable before trial. Here it is documented.

The motive

401. On February 26, 2025, Bar Counsel Morrison examined Plaintiff under oath and asked whether Plaintiff intended to run for judicial office again. She asked about the oversight committee.

402. Neither subject appears in any provision charged against Plaintiff. Neither bears on any allegation under investigation. A prosecutor who examines a respondent under oath about his future candidacy is not investigating past conduct.

403. The matters then went quiet for fourteen months. Nothing occurred in them. Notice of grievance committee review issued April 17, 2026 — on the eve of qualifying for judicial office.

The multiplicity

404. Seven matters, consolidated before a single grievance committee — that of the Ninth Judicial Circuit of Florida, the circuit in which Plaintiff sought office.

405. The complainants are Judge-Opponent, a judge of that circuit; Judge-Opponent's wife, who managed the campaign against Plaintiff; three attorneys; a deputy of the Orange County Sheriff's Office; and the General Counsel of that circuit.

406. Every matter arises from Plaintiff's speech. Not one concerns a client of Plaintiff's. Not one concerns trust funds, a missed deadline, a conflict of interest, or any duty owed to any person Plaintiff has represented. In seven matters against a practicing lawyer, no client has complained of anything.

The improbability

407. On July 9, 2026, the Supreme Court of Florida held Rule 4-8.2(a) unconstitutional as applied to campaign speech, holding that "[t]he First Amendment does not afford lesser protection simply because the speech is uttered by an attorney." *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 11 n.9 (Fla. July 9, 2026).

408. **Six days later**, on July 15, 2026, the Grievance Committee found probable cause under Rule 4-8.2(a) in three matters charging Plaintiff's speech as a candidate for judicial office.

409. Nor was that an isolated lapse. The Second Amended Notice of Grievance Committee Review identified **thirty-three** rule provisions across the seven matters. The Grievance Committee found probable cause as to **all thirty-three**. It eliminated nothing. It narrowed nothing. Across seven matters, seven complainants, and thirty-three provisions, not one was screened out — including a provision the State's highest court had struck as applied to this very category of speech the week before.

410. A body that approves everything has reviewed nothing.

411. The materials before the Grievance Committee included the exculpatory record itself: the military service records, the book written and published by Judge-Opponent, the photographs described in Paragraphs 77 through 80 *supra*, and the sworn submissions and refuting exhibits described in Paragraph 108 *supra*. A body that finds probable cause on every provision before it, with the exculpatory record in hand and eliminating nothing, has abandoned its screening function. A probable cause finding issued by a body that has abandoned its screening function is entitled to no more deference

than a warrant issued by a magistrate who has abandoned his neutral and detached role.

412. Any suggestion that *The Florida Bar v. Crowley*, No. SC2020-0529 (Fla. July 9, 2026), does not reach Plaintiff because Plaintiff was a candidate for judicial office inverts the controlling law. Under *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), restrictions on the campaign speech of judicial candidates are subject to strict scrutiny. The judicial candidate is not a category of speaker the First Amendment protects less than the State Attorney candidate in *Crowley*; under *White*, campaign speech in a judicial race is where the protection is at its most exacting. And *Crowley*'s core holding — that the First Amendment does not afford lesser protection simply because the speech is uttered by an attorney — does not depend on the office sought.

413. The neutrality rationale on which *Crowley* reserved the question of judicial candidates has no application to these matters in any event. Canon 7 protects the impartiality a judge owes to future litigants and to the legal issues that will come before the court. The speech charged against Plaintiff was directed at Plaintiff's electoral opponent — his record, his published writing, and his service. It was directed at no party, no litigant, and no issue that could come before any court, and it committed Plaintiff to

nothing about any case. A candidate's criticism of his opponent is the speech an election exists to permit, and Plaintiff's one statement of his own views carried within it the assurance that Plaintiff would follow the law regardless of them, as alleged in Paragraphs 139 through 145 *supra*.

414. Nor does the distinction matter to the question this section presents. The question is not whether Crowley ultimately controls Plaintiff's matters. The question is whether a screening body, six days after the State's highest court struck Rule 4-8.2(a) as applied to campaign speech, could find probable cause under that same rule against campaign speech in all three matters charging it — narrowing nothing, pausing nothing, distinguishing nothing. Whatever Crowley's outer boundary, a body exercising any judgment at all would have engaged with it. This one did not.

415. The Designated Reviewer approved that action, which became final under Rule Regulating The Florida Bar 3-7.5(a) on July 29, 2026. Notice issued July 30, 2026, over the signature of Bar Counsel Morrison.

The inference

416. Plaintiff pleads each premise as fact: two questions under oath bearing on no charged provision; fourteen months of inactivity; notice issued on the eve of qualifying; thirty-three of thirty-three; and a provision held

unconstitutional as applied to campaign speech six days before it was approved against Plaintiff's campaign speech.

417. Plaintiff has eliminated the alternatives. No development in the underlying matters preceded the April 17, 2026 notice. No provision was narrowed in any matter, so no exercise of prosecutorial judgment explains the result.

418. Plaintiff alleges that these matters are maintained without a reasonable expectation of a valid result, and that they were revived to answer Plaintiff's speech rather than to regulate Plaintiff's practice.

C. Patent Unconstitutionality

419. Abstention is also unavailable where the rule enforced is flagrantly and patently violative of express constitutional prohibitions. *Younger*, 401 U.S. at 53–54.

420. Rule 4-8.2(a) has been held unconstitutional as applied to campaign speech by the court that promulgated it. Three matters charge it against Plaintiff's campaign speech.

421. Rule 4-8.4(d) reaches conduct "in connection with the practice of law." The speech it charges in Bar File D is Plaintiff's statement concerning his own confidence in the court system, made as a candidate for

judicial office. Plaintiff did not make that statement in connection with the practice of law.

422. The Oath of Admission and Rule 3-4.3 are charged in all seven matters and specify no conduct. Bar File E charges nothing else at all — no rule of professional conduct whatsoever, only the Oath and Rule 3-4.3. A charge identifying no prohibited conduct affords no notice and admits of no defense.

D. The Forum Has Already Failed

423. Plaintiff does not argue that the absence of interlocutory review renders the state forum inadequate. Plaintiff argues what this record now establishes.

424. The Supreme Court of Florida ruled. Six days later the Bar found probable cause under the provision that ruling addressed, for the category of speech that ruling protected. The state process did not prevent it. A motion for rehearing in *Crowley* remains pending.

425. The composition of the adjudicating body compounds the problem. The General Counsel of the Ninth Judicial Circuit of Florida is a complainant against Plaintiff. A judge of that circuit is a complainant against Plaintiff. The grievance committee that found probable cause is that circuit's

own committee. Plaintiff sought judicial office in that circuit, against that judge. *See Gibson v. Berryhill*, 411 U.S. 564 (1973).

E. Preservation

426. Plaintiff pleads the foregoing grounds in the alternative and independently. The failure of any one does not affect any other.

CAUSES OF ACTION

COUNT I

42 U.S.C. § 1983 — First Amendment Retaliation

(Against Defendant Morrison, Official Capacity — Injunctive Relief Only)

427. Plaintiff realleges Paragraphs 9 through 62 as if fully set forth herein.

428. Plaintiff's campaign-related speech described in Paragraphs 9 and 12 *supra* is protected by the First Amendment.

429. Defendant Morrison's continued prosecution of disciplinary complaints arising from that protected speech constitutes an adverse action taken because of, and in retaliation for, the exercise of protected First Amendment rights.

430. Plaintiff has no adequate remedy at law and will suffer irreparable harm absent injunctive relief enjoining the continued prosecution.

431. The continued prosecution chills Plaintiff's protected political speech, and that chill is itself irreparable harm.

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Enter preliminary and permanent injunctive relief enjoining Defendant Morrison, in her official capacity, from continuing to prosecute disciplinary complaints arising from Plaintiff's protected campaign speech;
- (b) Award Plaintiff nominal damages;
- (c) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (d) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (e) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961;
- (f) Retain jurisdiction to enforce any injunctive relief granted; and
- (g) Grant such other and further relief as this Court deems just and proper.

This count seeks no compensatory or punitive damages.

COUNT II

42 U.S.C. § 1983 — Procedural Due Process

(Against Defendant Morrison, Official Capacity — Injunctive Relief Only)

432. Plaintiff realleges Paragraphs 62 and 269, 312 through 313, and 338 through 339 as if fully set forth herein.

433. Attorney disciplinary proceedings are adversary proceedings of a quasi-criminal nature and are subject to the requirements of due process. *In re Ruffalo*, 390 U.S. 544, 550-51 (1968).

434. Plaintiff has a protected property interest in his license to practice law.

435. The truncation of Plaintiff's sworn statement without an opportunity to complete his testimony, combined with the denial of Plaintiff's requested accommodation without primary consideration as required by 28 C.F.R. § 35.160(b)(2) and without the written determination required by 28 C.F.R. § 35.164, deprived Plaintiff of adequate process before deprivation of that protected interest could occur. Morrison is the Bar Counsel prosecuting the inquiries against Plaintiff and is the official responsible for advancing them.

436. A State may act summarily against a protected license interest, but it must assure the licensee a sufficiently prompt determination of the issues between the licensee and the *State*. *Barry v. Barchi*, 443 U.S. 55, 64-66 (1979).

437. The Bar issued its Notice of Grievance Committee Review on April 17, 2026.

438. The Bar has not scheduled a hearing on any of the pending files.

439. The Bar has not set a date by which any of the pending files will be resolved.

440. The complaints underlying the pending files were filed beginning in 2024.

441. Plaintiff has been the subject of these unresolved proceedings for approximately two years.

442. During that period Plaintiff has been unable to obtain any determination of the charges against him.

443. A member of a city council invited Plaintiff to apply for the position of city attorney for that municipality.

444. Selection for that position occurs through a public application process, including discussion at public council meetings.

445. Plaintiff declined to apply because these matters remain pending against him.

446. Plaintiff cannot represent to a prospective employer, client, or associate that his license will remain in good standing. That uncertainty does

not arise from conduct of Plaintiff placing his license at risk. It arises from Defendants' advancement of these matters and from the absence of any date by which they will be resolved.

447. The position described in Paragraph 443 *supra*, and comparable positions outside litigation practice, would have removed Plaintiff from the professional environment in which the accusations against him circulate.

448. Such positions would also have paid more than Plaintiff's current practice.

449. The pendency of these matters has foreclosed those positions, and Plaintiff's earning capacity has been impaired as a result.

450. The pendency of these matters has chilled Plaintiff's professional and expressive activity, including as described in Paragraphs 443 through 449 *supra*, and that chill is ongoing and continues each day the prosecution remains pending.

451. Plaintiff cannot terminate the proceedings by resigning or by becoming inactive, because a disciplinary resignation carries the consequences of disbarment.

452. By order of the Supreme Court of Florida, Plaintiff's related state-court action was assigned to a judge of another circuit.

453. Plaintiff continues to appear before judges of the Ninth Judicial Circuit on behalf of his clients.

454. The deprivation Plaintiff alleges is ongoing and does not depend upon the entry of a suspension.

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Enter preliminary and permanent injunctive relief enjoining Defendant Morrison, in her official capacity, from proceeding to any determination affecting Plaintiff's license to practice law without affording Plaintiff an opportunity to complete his sworn statement and to be heard with the accommodation to which he is entitled;
- (b) Award Plaintiff nominal damages;
- (c) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (d) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (e) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961;
- (f) Retain jurisdiction to enforce any injunctive relief granted; and
- (g) Grant such other and further relief as this Court deems just and proper.

This count seeks no compensatory or punitive damages.

COUNT III

42 U.S.C. § 1983 — Equal Protection — Disparate Treatment of Respondent and Complainant Submissions

(Against Defendant Morrison, Official Capacity — Injunctive Relief Only)

455. Plaintiff realleges Paragraphs 9 through 79 and 254 through 257 as if fully set forth herein.

456. Plaintiff and the complainant in Bar File A each submitted to The Florida Bar a sworn inquiry/complaint, on the Bar's own form, under the same oath, alleging that a member of The Florida Bar had violated the Rules Regulating The Florida Bar.

457. In that respect Plaintiff and that complainant are similarly situated.

458. As to the complaint submitted by that complainant, the Bar opened a file, assigned Bar counsel, took a sworn statement of Plaintiff, and has advanced the matter toward a probable cause determination over a period of approximately two years.

459. As to the sworn complaint submitted by Plaintiff, the Bar closed the matter without investigation, on the stated ground that a finding by a court of competent jurisdiction would first be required.

460. The Bar has never required a finding by a court of competent jurisdiction as a condition of investigating or advancing any of the complaints against Plaintiff.

461. Defendants have identified no justification for requiring a judicial finding as a precondition to acting on a sworn complaint submitted by an attorney who is a respondent, while requiring no such finding as to a sworn complaint submitted against that same attorney.

462. This differential treatment is not rationally related to any legitimate regulatory interest, and it burdens Plaintiff's ability to defend himself in proceedings that have remained pending against him for approximately two years without any judicial finding that Plaintiff committed any act alleged.

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Enter preliminary and permanent injunctive relief enjoining Defendant Morrison, in her official capacity, from classifying, processing, or prosecuting Plaintiff's campaign-speech-related complaints under any process more severe than, or distinct from, the process applied to complaints against similarly situated attorneys not arising from judicial campaigns;
- (b) Award Plaintiff nominal damages;

- (c) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (d) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (e) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961;
- (f) Retain jurisdiction to enforce any injunctive relief granted; and
- (g) Grant such other and further relief as this Court deems just and proper.

This count seeks no compensatory or punitive damages.

COUNT IV

42 U.S.C. § 1983 — Equal Protection — Classification of Campaign-Speech

Complaints as Judicial Referrals

(Against Defendant Morrison, Official Capacity — Injunctive Relief Only)

463. Plaintiff realleges Paragraphs 9 through 62 and 80, 247 through 250, and 259 through 263 as if fully set forth herein.

464. Defendants treat complaints arising from judicial campaign speech differently from, and more severely than, similarly situated complaints not arising from judicial campaigns, including by classifying and processing such complaints as judicial referrals under Rule 3-7.18, Rules Regulating The Florida Bar.

465. Morrison is the Bar Counsel who classified and has continued to process the inquiries against Plaintiff.

466. This differential treatment burdens core political speech in the context of a judicial election. Under the sliding-scale framework set forth in *Anderson v. Celebrezze*, 460 U.S. 780 (1983), and *Burdick v. Takushi*, 504 U.S. 428 (1992), severe burdens on core political speech in the electoral context trigger strict scrutiny, while only reasonable, nondiscriminatory restrictions are evaluated against the state's asserted regulatory interests.

467. The selective, harsher processing of campaign-speech complaints, as opposed to the ordinary complaint process applied to non-campaign conduct, constitutes a severe burden on Plaintiff's core political speech that is not justified by any content-neutral regulatory interest the Bar has articulated.

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Enter preliminary and permanent injunctive relief enjoining Defendant Morrison, in her official capacity, from classifying, processing, or prosecuting Plaintiff's campaign-speech-related complaints under any process more severe than, or distinct from, the process applied to complaints against similarly situated attorneys not arising from judicial campaigns;
- (b) Award Plaintiff nominal damages;

- (c) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (d) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (e) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961;
- (f) Retain jurisdiction to enforce any injunctive relief granted; and
- (g) Grant such other and further relief as this Court deems just and proper.

COUNT V

42 U.S.C. § 1983 — Equal Protection — Disparate Treatment of Attorney Candidates and Judicial Candidates

(Against Defendant Morrison, Official Capacity — Injunctive Relief Only)

468. Plaintiff realleges Paragraphs 9 through 62 and 241 through 244 as if fully set forth herein.

469. Complaints against sitting judges are addressed by the Judicial Qualifications Commission, a co-equal state disciplinary body.

470. Proceedings before the Judicial Qualifications Commission remain confidential unless and until probable cause is found and formal charges are filed. Art. V, § 12(d), Fla. Const.

471. Campaign-speech complaints against attorney candidates are processed without comparable protection.

472. An attorney who is a candidate for judicial office and a judge who is a candidate for judicial office engage in the same activity and are subject to the same campaign conduct standards.

473. In Inquiry Concerning a Judge, JQC Nos. 2022-429, 2022-461 & 2022-502, Re: Hon. Mardi Levey Cohen, No. SC2024-0992 (Fla. May 8, 2025), the Supreme Court of Florida disciplined a sitting county judge for conduct during her 2022 judicial campaign, including disseminating unverified information accusing her opponent, an attorney, of fraud. The Court suspended the judge for ten days without pay and publicly reprimanded her.

474. During Plaintiff's campaign, the spouse of Judge-Opponent, who served on his campaign committee, disseminated false and disparaging information to third parties concerning Plaintiff's personal circumstances.

475. Plaintiff reported that conduct to the Judicial Qualifications Commission. The Commission took no action. Judge-Opponent has received no discipline, no reprimand, and no consequence of any kind arising from the conduct Plaintiff reported.

476. The Commission's disposition letter was provided to Plaintiff only after three voicemail messages and two certified letters.

477. An attorney's public disclosure and discussion of the fact and substance of his own complaint to the Judicial Qualifications Commission is protected by the *First Amendment*. *Doe v. State of Florida Judicial Qualifications Commission*, 748 F. Supp. 1520 (S.D. Fla. 1990).

478. Defendants have identified no legitimate regulatory interest served by subjecting attorney candidates to public exposure for campaign speech while affording judicial candidates confidentiality for analogous conduct.

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Enter preliminary and permanent injunctive relief enjoining Defendant Morrison, in her official capacity, from classifying, processing, or prosecuting Plaintiff's campaign-speech-related complaints under any process more severe than, or distinct from, the process applied to complaints against similarly situated attorneys not arising from judicial campaigns;
- (b) Award Plaintiff nominal damages;
- (c) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (d) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (e) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961;
- (f) Retain jurisdiction to enforce any injunctive relief granted; and
- (g) Grant such other and further relief as this Court deems just and proper.

COUNT VI

Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131 et seq.

*(Against Defendants The Florida Bar, Doyle, and Bailey, Official Capacity —
Injunctive Relief and Compensatory Damages Against The Florida Bar)*

479. Plaintiff realleges Paragraphs 311 through 384 as if fully set forth herein.

480. The Florida Bar is a public entity within the meaning of 42 U.S.C. § 12131(1). The Bar employs fifty or more persons. The Bar's published annual report reflects a staff of approximately 250 employees.

481. Plaintiff is an adult living with autism. Autism is a neurological condition that qualifies as a disability under the definition set forth in the ADA, 42 U.S.C. § 12102(1)-(2), and Plaintiff is therefore a qualified individual with a disability within the meaning of 42 U.S.C. § 12131(2).

482. The Bar's failure to designate a published ADA coordinator and to adopt and publish a grievance procedure for attorney respondents, as

required by 28 C.F.R. § 35.107(a) and (b), while maintaining such procedures for complainants, and its substitution of an accommodation Plaintiff did not request without giving primary consideration to Plaintiff's request as required by 28 C.F.R. § 35.160(b)(2), and its failure to make available to Plaintiff any information regarding the provisions of Title II and their applicability to the Bar's proceedings, as required by 28 C.F.R. § 35.106, violated Title II of the ADA.

483. The Bar's violations were the product of deliberate indifference by officials with authority to address the discrimination: Executive Director Doyle received actual written notice of the violations on June 17, 2026, and took no corrective action; Bailey, whom Morrison identified as the Bar's ADA coordinator, is alleged to have reviewed and approved the accommodation decision without ever having communicated with Plaintiff; and the Bar as an institution failed to establish the coordinator designation and grievance procedures that 28 C.F.R. § 35.107 has required of every covered public entity for decades. *Under Liese v. Indian River County Hospital District*, 701 F.3d 334, 344-49 (11th Cir. 2012), such deliberate indifference by officials with authority to act supports an award of compensatory damages against the public entity itself — liability that arises

from the entity's institutional failures and its responsible officials' knowing inaction, not from any theory of respondeat superior.

484. The Bar's Eleventh Amendment immunity is abrogated as to this count because the same conduct that violates Title II also violates the Fourteenth Amendment, as alleged in Counts II and *III*. *United States v. Georgia*, 546 U.S. 151, 159 (2006).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Enter preliminary and permanent injunctive relief requiring Defendants to designate an employee to coordinate compliance with Title II, and to make that employee's name, office address, and telephone number available to all interested individuals, as required by 28 C.F.R. § 35.107(a);
- (b) Enter preliminary and permanent injunctive relief requiring Defendants to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action prohibited by Title II, as required by 28 C.F.R. § 35.107(b);
- (c) Enter preliminary and permanent injunctive relief requiring Defendants to give primary consideration to Plaintiff's request as required by 28 C.F.R. § 35.160(b)(2);

- (d) Enter preliminary and permanent injunctive relief requiring Defendants to comply with 28 C.F.R. §§ 35.107, 35.130, 35.160, and 35.164 in all further proceedings involving Plaintiff;
- (e) Enter preliminary and permanent injunctive relief requiring Defendants to include, on notices and other documents issued to attorney respondents, the information required by 28 C.F.R. § 35.106, including a statement of the protections afforded by Title II and the name, office address, and telephone number of the Bar's designated ADA coordinator;
- (f) Award Plaintiff compensatory damages against Defendant The Florida Bar in an amount to be determined at trial;
- (g) Award Plaintiff nominal damages;
- (h) Award Plaintiff his reasonable attorney's fees, litigation expenses, and costs pursuant to 42 U.S.C. § 12205, including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (i) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (j) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (k) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961;
- (l) Retain jurisdiction to enforce any injunctive relief granted; and

(m) Grant such other and further relief as this Court deems just and proper.

COUNT VII

42 U.S.C. § 1983 — Equal Protection — Elevated Review Track Under Former Rule 3-7.18, Rules Regulating The Florida Bar

(Against Defendant Morrison, Official Capacity — Injunctive Relief Only)

485. Plaintiff realleges Paragraphs 113 and 257 through 263 as if fully set forth herein.

486. Rule 3-7.18, Rules Regulating The Florida Bar, governed the classification of judicial referrals until amended by the Florida Supreme Court on August 28, 2025, effective October 27, 2025, to (a) exclude election-related complaints from that classification, and (b) require that the referring judge have obtained the underlying information during the course of official judicial duties. See *In re: Amendments to Rules Regulating The Florida Bar — Discipline Rules*, No. SC2025-0019 (Fla. Aug. 28, 2025). Morrison is the Bar Counsel who has continued to process File No. Bar File B under that classification after the amendment took effect.

487. File No. Bar File B independently fails both of these requirements: it concerns election-related conduct, and it rests on information related to the Referring Judge's political campaign only.

488. Continuing to classify and process Plaintiff's election-related complaint as a judicial referral after the amendment denies Plaintiff the equal protection of the law as compared to similarly situated respondents whose election-related complaints no longer qualify for that classification.

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Enter preliminary and permanent injunctive relief enjoining Defendant Morrison, in her official capacity, from continuing to classify or process Plaintiff's election-related complaint as a judicial referral under Rule 3-7.18, Rules Regulating The Florida Bar;
- (b) Award Plaintiff nominal damages;
- (c) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (d) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (e) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961;
- (f) Retain jurisdiction to enforce any injunctive relief granted; and
- (g) Grant such other and further relief as this Court deems just and proper.

This count seeks no compensatory or punitive damages.

COUNT VIII

**Declaratory Judgment, 28 U.S.C. § 2201 — Facial and As-Applied Challenge
to Former Rule 3-7.18, Rules Regulating The Florida Bar**

(Against Defendants The Florida Bar and Doyle, Official Capacity)

489. Plaintiff realleges Paragraphs 113 and 257 through 263 as if fully set forth herein.

490. Facially, former Rule 3-7.18, Rules Regulating The Florida Bar's automatic elevated-review mechanism for judicial referrals — including, prior to the 2025 amendment, election-related complaints — imposed a content- and speaker-based burden on protected political speech because the rule singled out complaints originating from a member of the judiciary, including a judge who was himself the attorney-respondent's electoral opponent, for an automatic, expedited elevated-review track not available to complaints from non-judicial sources. This mechanism afforded the complaint of a sitting judge against his political rival greater procedural weight than an ordinary bar complaint receives, without any content-neutral justification for that differential treatment and without sufficient tailoring to a legitimate regulatory interest.

491. As applied to Plaintiff, continuing to treat File No. Bar File B as a judicial referral after the amendment was unconstitutional for two independent reasons: first, the amendment's express purpose — eliminating

exactly this application to election-related complaints — confirms that classifying Plaintiff's complaint this way serves no legitimate purpose the amendment itself did not already repudiate; and second, the referral never satisfied the amended rule's separate requirement that the referring judicial officer have obtained the underlying information in the course of official duties, since the Referring Judge's knowledge of Plaintiff's campaign conduct arose from his position as Plaintiff's electoral opponent, not from any judicial function. Doyle is the Executive Director responsible for the administration of Rule 3-7.18 and for the Bar's continued application of the superseded classification to Plaintiff.

492. The Bar's rulemaking history confirms that this abuse was neither speculative nor unique to Plaintiff's case. The January 3, 2025 petition sponsoring the amendment expressly acknowledged that "the bar has received referrals from judges regarding opponents in judicial elections," and that in such circumstances the referring judge may be seen to have a personal interest in the matter. Fla. Bar News, Supreme Court Narrows Scope of Judicial Referrals in Bar Complaints (Sept. 3, 2025). The Bar and the Florida Supreme Court thus recognized, before this action was filed, that the very mechanism used against Plaintiff was being used by sitting judges against their electoral opponents, and amended the rule for that reason —

confirming that File No. Bar File B is a paradigm case of the abuse the amendment was designed to end.

493. An actual, justiciable controversy exists between the parties as to the constitutionality of the former rule's application to Plaintiff, and a declaratory judgment will resolve that controversy.

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Enter a declaratory judgment that former Rule 3-7.18, Rules Regulating The Florida Bar, is unconstitutional on its face;
- (b) Enter a declaratory judgment that former Rule 3-7.18, Rules Regulating The Florida Bar, is unconstitutional as applied to Plaintiff;
- (c) Enter a declaratory judgment that the continued classification and processing of File No. Bar File B as a judicial referral is unlawful;
- (d) Award Plaintiff nominal damages;
- (e) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (f) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961;
- (h) Retain jurisdiction to enforce any injunctive relief granted; and

(i) Grant such other and further relief as this Court deems just and proper.

This count seeks no compensatory or punitive damages.

COUNT IX

42 U.S.C. § 1983 — First Amendment Retaliation — Retaliatory Denial of Accommodation

(Against Defendant Morrison, Individual Capacity — Damages)

494. Plaintiff realleges Paragraphs 9 through 62 and 269, 285 through 287, 300 through 304, 312 through 313, and 325 through 328 as if fully set forth herein.

495. On February 26, 2025, Defendant Morrison personally conducted a sworn statement of Plaintiff. During this sworn statement, Morrison interrogated Plaintiff regarding his future political activity — specifically, whether Plaintiff intended to run for judicial office again and whether Plaintiff intended to form a political committee — that bear no relation to any disciplinary investigation and serve no legitimate Bar function.

496. That interrogation constitutes investigative conduct, not prosecutorial advocacy, and therefore subjects Morrison to qualified immunity rather than absolute immunity. *Buckley v. Fitzsimmons*, 509 U.S. 259, 273 (1993).

497. On June 1, 2026, without giving primary consideration to Plaintiff's request as required by 28 C.F.R. § 35.160(b)(2), Morrison unilaterally substituted a video recording accommodation for the accommodation Plaintiff requested. Morrison did not explain her reasoning, did not engage in consultation, and did not provide any written response identifying her as the decision-maker or referencing Plaintiff's ADA request. The notification arrived as a one-line email from Bar Counsel's office stating only "thank you," with an attached notice of a Grievance Committee meeting and no reference to Plaintiff's ADA request. Morrison has since represented that the decision was not hers, but was reviewed and approved by the Bar's General Counsel; even so, Morrison personally communicated the substitution to Plaintiff, personally declined to explain it, and personally ignored Plaintiff's direct follow-up inquiries, described in Paragraph 498 *infra*.

498. Plaintiff cited the federal regulations governing the Bar's obligations in responding to his accommodation request, asked Morrison whether Executive Director Doyle had authorized the denial, and requested information about who should handle ADA compliance matters. Morrison never responded to these inquiries.

499. By substituting a different accommodation rather than providing the one Plaintiff requested, the Bar necessarily determined either that another means was equally effective or that the accommodation Plaintiff requested was not required under 28 C.F.R. § 35.164.

500. The Bar never communicated either determination to Plaintiff. If the Bar's position is that the requested accommodation was not required under 28 C.F.R. § 35.164, that determination was required to be made by the head of the public entity or that official's designee, after considering all resources available, and to be accompanied by a written statement of the reasons for reaching that conclusion. No such written statement was ever provided to Plaintiff.

501. Plaintiff's candidacy for judicial office, and the campaign speech described in Paragraphs 9 and 12 *supra*, are protected activity.

502. Morrison's February 26, 2025 interrogation of Plaintiff regarding whether he intended to seek judicial office again and whether he intended to form a political oversight committee, described in Paragraphs 385 through 388 *supra*, evidences Morrison's motive with respect to that protected activity.

503. The adverse action is Morrison's personal conduct in the accommodation process: imposing conditions on the Bar's consideration of

Plaintiff's request and retaining the request rather than referring it, described in Paragraphs 350 through 354 *supra*, and communicating the substituted accommodation while declining to explain it, described in Paragraphs 364 and 372 *supra*. That conduct was administrative in function rather than prosecutorial, and is therefore outside the scope of absolute prosecutorial immunity. *Buckley v. Fitzsimmons*, 509 U.S. 259, 273 (1993) (a prosecutor who "functions as an administrator rather than as an officer of the court" is entitled only to qualified immunity).

504. Morrison's conduct violated clearly established law, and qualified immunity does not shield it.

505. As a direct and proximate result of Morrison's discriminatory conduct, Plaintiff has suffered damages including but not limited to impairment of Plaintiff's earning capacity, emotional distress sustained over the nearly two-year pendency of this matter, loss of ability to participate effectively in his defense, impairment of his right to equal access to Bar proceedings, and a documented erosion of Plaintiff's professional confidence in the courtroom that has, in turn, affected the quality of representation Plaintiff is able to provide to his clients.

506. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, and with actual

knowledge that her conduct violated those rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT X

**42 U.S.C. § 1983 — Fourteenth Amendment — Deliberate Indifference to a
Known Deprivation**

(Against Defendant Doyle, Individual Capacity — Damages)

507. Plaintiff realleges Paragraphs 349 and 297 through 298, 324, and 456 through 460 as if fully set forth herein.

508. On June 17, 2026, at 1:40 p.m., Plaintiff sent an email to Executive Director Joshua E. Doyle at jdoyle@floridabar.org, titled “ADA Request Denial Followup.”

509. The email stated that Morrison had denied Plaintiff's ADA request.

510. The email stated that under the Title II regulations, only the agency head or designee may sign off on a denial.

511. The email stated that assigning the Bar prosecutor to also act as an ADA coordinator was not proper and did not signal the Bar's intention to act in good faith.

512. The email stated that the Bar's transmittal gave no indication it was also a response to Plaintiff's ADA request.

513. The email stated that the alternative method of compliance had been added to a notice shared with the entire Grievance Committee.

514. The email stated that the Bar granted an accommodation Plaintiff had not requested and that the medical documentation Plaintiff provided did not support.

515. The email stated that Morrison had seized the opportunity to act as Plaintiff's de facto ADA Coordinator in order to gain an advantage by denying a civil rights entitlement in Plaintiff's pending matter, without even appearing to follow the procedures laid out in the Title II regulations.

516. The email asked Doyle to advise within twenty-four hours whether the matter was a misunderstanding.

517. The email did not identify Bailey. At the time Plaintiff sent it, the identity of the Bar's ADA coordinator had not been disclosed to Plaintiff.

518. Doyle is the Executive Director of The Florida Bar.

519. Doyle bears responsibility under 28 C.F.R. § 35.107(a) and (b) for designating an employee to coordinate the Bar's compliance with Title II, for making that employee's name, office address, and telephone number available to all interested individuals, and for adopting and publishing grievance procedures providing for prompt and equitable resolution of complaints.

520. Doyle did not respond to Plaintiff's email.

521. Doyle did not review the denial.

522. Doyle did not ensure that an independent ADA coordinator reviewed Plaintiff's request.

523. On June 18, 2026, at 4:08 p.m., Morrison responded to Plaintiff instead.

524. Morrison's response stated that she understood Plaintiff had reached out to the Bar's office for clarification regarding the handling of his ADA request.

525. Morrison's response stated that the Bar's General Counsel is the ADA Coordinator, that the General Counsel reviewed Plaintiff's request, and that the General Counsel approved the Bar's course of action as appropriate.

526. Morrison's response addressed none of the other matters Plaintiff raised in his email to Doyle. Morrison was not an addressee of Plaintiff's June 17, 2026 email. Morrison's knowledge of the subject and contents of that email establishes that the email was received and was communicated within the Bar before Morrison responded. Doyle did not respond to the email addressed to him; Morrison responded in his stead.

527. Doyle received actual notice that the Bar's ADA accommodation process violated federal law, that the decision had been made without the written determination by the head of the public entity or

that official's designee required by 28 C.F.R. § 35.164, and that Plaintiff was requesting immediate remediation.

528. Doyle's failure to act after receiving actual notice deprived Plaintiff of a meaningful opportunity to be heard in a proceeding that may deprive him of a protected property interest, and constitutes deliberate indifference to a known deprivation of that interest.

529. Doyle's failure to act, after receiving actual notice of non-compliance, violated clearly established law under the ADA and the Due Process Clause of the Fourteenth Amendment.

530. As a direct and proximate result of Doyle's deliberate indifference, Plaintiff has suffered damages including but not limited to impairment of Plaintiff's earning capacity, emotional distress sustained over the nearly two-year pendency of this matter, loss of ability to participate effectively in his defense, impairment of his right to equal access to Bar proceedings, and a documented erosion of Plaintiff's professional confidence in the courtroom that has, in turn, affected the quality of representation Plaintiff is able to provide to his clients.

WHEREFORE, Plaintiff respectfully requests that this Court:

(a) Award Plaintiff compensatory damages against Defendant Doyle, individually, in an amount to be determined at trial;

- (b) Award Plaintiff punitive damages against Defendant Doyle, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XI

42 U.S.C. § 1983 — First Amendment Retaliation — Retaliatory Timing of

Prosecution

(Against Defendant Morrison, Individual Capacity — Damages)

531. Plaintiff realleges Paragraphs 9 through 62 and 319 through 333 as if fully set forth herein.

532. Plaintiff's campaign-related speech, and his exercise of federal rights under the ADA in connection with the disciplinary proceeding, are protected activity under the First Amendment.

533. Morrison's February 26, 2025 interrogation of Plaintiff regarding his intent to run for judicial office again and to form a political oversight committee, followed by her issuance of a grievance committee notice on April 17, 2026 — the Friday immediately preceding the April 20-24, 2026 judicial qualifying week — constitutes an adverse action taken in retaliation for Plaintiff's protected speech and anticipated future political activity. At the February 26, 2025 sworn statement, Morrison provided Plaintiff a four-inch D-ring binder, filled to capacity — on the order of one thousand pages — containing materials Morrison had assembled concerning the consolidated matters, contents extending well beyond the single file that required Plaintiff's attendance under the former known-to-be-abused rule.

534. The fourteen-month gap between Morrison's February 2025 interrogation and the April 2026 notice, combined with the notice's precise timing on the eve of qualifying week, is circumstantial evidence that Morrison's conduct was calculated to deter Plaintiff from qualifying to run again — an adverse action that would deter a person of ordinary firmness from engaging in protected speech and protected political candidacy The

consolidated matters Morrison advanced and continues to advance lack probable cause. Probable cause requires a reasonable basis, in the materials actually before the prosecutor, to believe that the accused committed conduct violating an identified rule — and probable cause is assessed accusation by accusation; the presence of probable cause for one accusation does not supply it for another. *Williams v. Aguirre*, 965 F.3d 1147, 1159-62 (11th Cir. 2020); *Chiaverini v. City of Napoleon*, 602 U.S. 556 (2024). The Bar's consolidation of the seven matters for processing did not merge them for this purpose. Three defects run through the charging materials as a whole. First, as to every accusation charged under the Oath of Admission and Rule 3-4.3, no probable cause can exist as a matter of law, because neither provision defines any conduct and the Bar has never articulated any standard by which either is violated. Paragraphs 300 through 305 *supra*. Second, the charging materials never identify which of Plaintiff's statements are alleged to be disparaging; probable cause cannot exist as to accusations the charging documents do not identify. Paragraph 304 *supra*. Third, disparagement requires falsity, and neither the charging materials nor any Bar official has ever identified a factual statement by Plaintiff concerning Judge-Opponent that is false. Paragraph *supra*. The following accusations, without limitation, were advanced and maintained without probable cause, in

each instance on the face of the materials before Morrison: (a) The written accusation that Plaintiff caused the removal of another attorney's business Facebook page — advanced as what would be a felony. The only material ever before Morrison supporting it is the complainant's own exhibit, and that exhibit shows the opposite of the accusation: a phishing message from an account Plaintiff does not administer, followed by the internet service provider's safety warning. Nothing before Morrison ever placed the act in Plaintiff's hands. A prosecutor reading the accusation together with its own attachment could not form a reasonable belief that the accused committed the act; Morrison advanced the accusation for two years anyway, without asking the complainant a single question. Paragraphs 73 through 74 and 77 through 78 *supra*. (b) The written accusation that Plaintiff stared down a complainant at a campaign event. The only material before Morrison supporting it is six photographs, each depicting Plaintiff engaged face to face with another person, none depicting Plaintiff looking toward the camera. The accusation's own evidence disproves it, and no prosecutor examining that evidence could form a reasonable belief in the accusation. Paragraphs 76 through 79 *supra*. (c) The written accusation that Plaintiff held an event with a political committee. The materials before Morrison included Plaintiff's sworn August 26, 2024 submission identifying the public

records answering the accusation: the records of the Internal Revenue Service identify the organization as a nonprofit community organization, and the Florida Division of Elections has no record of it as a political committee. Paragraphs 67 through 68 *supra*. (d) The written accusation that Plaintiff posted campaign signs before a permitted date. On the face of the materials before Morrison: the supporting posts were not from Plaintiff's Facebook page; the photographs were not taken by Plaintiff and depict signs placed in unidentified locations, bearing no date; and the ordinance the accusation invokes specifies no date for the placement of campaign signs. An accusation is not supported by materials that supply none of its elements. Paragraphs 69 through 72 *supra*. (e) The written accusation resting on Plaintiff's announcement of Plaintiff's own views. The accusation identifies the statement, and the statement is protected as a matter of law: *Republican Party of Minnesota v. White* holds that a State may not prohibit a judicial candidate from announcing views on disputed issues, the announcement was made in the very form the Supreme Court of Florida's own publication for judicial candidates describes, and the same statement carried the assurance that Plaintiff would follow the law regardless. No reasonable prosecutor could believe that conduct controlling law protects violates a rule. Paragraphs 13 through 17 and 130 through 132 *supra*. (f) The written

accusation concerning Plaintiff's courtroom comment. On the face of the materials: the comment was that a paralegal was chewing gum; it was made in the presiding judge's presence; the presiding judge directed removal of the gum, took no action of any kind toward Plaintiff, and after the proceeding complimented Plaintiff's performance; and the complainant was not present in the courtroom. An accusation of courtroom misconduct made by an absent complainant, contradicted by the response of the judge who observed the conduct, supplies no basis for reasonable belief. Paragraphs 109 through 112 *supra*. (g) The written accusations concerning Plaintiff's statements about law enforcement. On the face of the charging materials: the statements were made in no court proceeding and no court-related setting; the file charges no Rule of Professional Conduct at all, only the Oath and Rule 3-4.3; and the complaint was filed by a government official who demanded Plaintiff's Bar number immediately upon observing Plaintiff engaged in protected expression. Speech criticizing police, in a non-court setting, is core protected expression, and provisions that define no conduct cannot be reasonably believed violated by it. Paragraphs 187 through 188 and 270 through 276 *supra*. (h) The written accusations characterizing Plaintiff's statements about Judge-Opponent's military service as disparagement. The accusations identify the statements: the duration of service. The materials

before Morrison included Plaintiff's sworn submission identifying the federal service records from which that duration was taken, and no charging material identifies any respect in which the stated duration is false. An accusation that identifies no false element in the statement it challenges cannot supply probable cause for a charge requiring falsity. Paragraphs 20 through 34 and 33 through 34, and 63 *supra*. (i) The written accusation concerning Plaintiff's statement about the community-service condition. The accusation targets a website statement describing Judge-Opponent's own court filings — a judicial application stating the service had been completed, and a signed petition to the court to pay a fee in lieu of performing it — and identifies no respect in which Plaintiff's description of those filings is false. Paragraphs 123 through 127 *supra*. (j) The written accusations characterizing Plaintiff's statements about the book as disparagement. The accusations identify quotation and discussion of a book Judge-Opponent wrote and published; each statement Plaintiff made describing the book's content is supported by the book's text; Plaintiff did not state that Judge-Opponent is a racist; and no charging material identifies any false element. Paragraphs 44 through 47 *supra*. (k) The written accusation concerning the chat-log publication. On the materials before Morrison: the published caption was political satire; Plaintiff notified Judge-Opponent and the

complainant that the statement was incorrect as to who initiated the contact and removed the statement; and the request for a meeting with the judge — the material assertion — was made. Paragraphs 128 through 136 *supra*. (l) The written accusations concerning Plaintiff's statements about a magistrate. On the face of the charging materials: the pose Plaintiff's statement compared was the complainant's own posture at a public event; the magistrate has not stated that she had not spoken with the complainant; the charging material's description of Plaintiff's following as large, approximately five thousand, is refuted by the platform's own analytics; and the speech occurred after the election had concluded. Paragraphs 151 through 168 and 175 *supra*. (m) The written accusation that Plaintiff filed a limited notice of appearance. The accusation identifies conduct the rules of court expressly permit, and the complainant's own motion to disqualify Plaintiff was filed less than one hour before a scheduled hearing. Court-authorized conduct cannot be reasonably believed to violate any rule. Paragraphs 189 through 191 *supra*. (n) The written accusations concerning Plaintiff's emails to opposing counsel. The emails stated the factual basis for the criticism they contained; the charging materials identify no false statement in them; and no provision charged defines the standard the emails are alleged to have violated. Paragraphs 199 through 221 *supra*. No

accusation omitted from the foregoing enumeration is conceded; Plaintiff identifies these because each fails on the face of the materials before the prosecutor. The maintenance of these accusations is itself evidence of retaliatory purpose. Each enumerated accusation was refuted by its own supporting materials or protected on the face of controlling law at the moment it was advanced; a prosecutor screening complaints in good faith excludes such accusations; no rule required their inclusion, no evidentiary limitation prevented their examination, and the Bar has never identified any basis for their advancement; the complainants were never asked a single question about the statements Plaintiff identified under oath as false; and every such accusation was nonetheless advanced, and remains advanced, toward a probable cause determination. From those premises, and upon the elimination of every legitimate explanation, Plaintiff alleges that these accusations were included and maintained for the purpose of maximizing the volume and apparent severity of the consolidated matters against Plaintiff — retaliation, not enforcement.

535. This retaliatory timing is further underscored by the nearly two-year gap between the 2024 judicial election and the April 17, 2026 notice: the Bar took no action of comparable consequence against Plaintiff for approximately two years following the initial complaints, only to notify

Plaintiff — on the Friday immediately preceding qualifying week — that the consolidated matters had been referred to a grievance committee for review, at the precise moment such notice would most effectively intimidate Plaintiff from qualifying to run again.

536. The fee to qualify as a candidate for circuit judge in the 2026 election, set as a percentage of the annual salary of the office, was approximately \$8,000.

537. Qualifying would have required Plaintiff to commit that fee, and the further costs of a campaign, while the consolidated matters remained pending and subject to a probable cause determination that could be made public during the campaign.

538. Morrison's personal conduct of this retaliatory interrogation was investigative rather than prosecutorial in function, and therefore subject only to qualified immunity, which is defeated here because Morrison's questions had no relevance to any legitimate disciplinary purpose and violated clearly established First Amendment protections for political candidacy and speech. *Buckley v. Fitzsimmons*, 509 U.S. 259, 273 (1993).

539. Morrison's retaliatory timing achieved its intended effect: Plaintiff did not qualify to run again in the 2026 judicial election, meaning Defendants succeeded in using the threat of disciplinary prosecution to

remove Plaintiff from electoral competition. This demonstrated success confirms both the seriousness of the retaliatory scheme and the necessity of immediate judicial intervention, since Defendants retain the same tools and the same demonstrated willingness to use them against Plaintiff's candidacy in any future election cycle absent injunctive relief.

540. That demonstrated success chills Plaintiff's willingness to stand for judicial office again, and that chill continues and will continue absent relief.

541. As a direct and proximate result of Morrison's retaliatory conduct, Plaintiff did not qualify to run again in the 2026 election and has suffered damages including but not limited to impairment of Plaintiff's earning capacity, the loss of his candidacy, sustained emotional distress over the nearly two-year pendency of the underlying prosecution, reputational harm, and a documented erosion of Plaintiff's professional confidence in the courtroom that has, in turn, affected the quality of representation Plaintiff is able to provide to his clients.

542. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XII

42 U.S.C. § 1983 — Fourteenth Amendment — Denial of a Meaningful

Opportunity to Be Heard

(Against Defendant Bailey, Individual Capacity — Damages)

543. Plaintiff realleges Paragraphs 1 through 3 as if fully set forth herein.

544. Plaintiff realleges Paragraphs 4 and 8 as if fully set forth herein.

545. Plaintiff realleges Paragraphs 322 and 288, 309, 312 through 313, and 321 as if fully set forth herein.

546. Plaintiff holds a license to practice law in Florida, in which he holds a constitutionally protected property interest.

547. The proceeding described in Paragraphs 322 and 288, 309, 312 through 313, and 321 *supra* may result in the deprivation of that interest.

548. Due process required that Plaintiff receive a meaningful opportunity to be heard in that proceeding.

549. Plaintiff's disabilities prevent him from participating meaningfully in that proceeding without accommodation.

550. Plaintiff requested an accommodation, as described in Paragraph 322 *supra*. The accommodation Plaintiff requested was not granted, and an accommodation Plaintiff had not requested was substituted for it, as described in Paragraphs 364 and 372 *supra*.

551. Morrison represented to Plaintiff that the Bar's General Counsel had reviewed Plaintiff's request and approved the Bar's course of action, as described in Paragraph 381 *supra*.

552. Bailey is the Bar's General Counsel.

553. Plaintiff pleads the allegations set forth in the two paragraphs that follow in the alternative, pursuant to Federal Rule of Civil Procedure 8(d)(2).

554. First alternative: Morrison's representation was accurate. Bailey reviewed Plaintiff's accommodation request, had actual knowledge of that request, possessed authority to grant it, and approved the substitution of an accommodation Plaintiff had not requested without giving primary consideration to the accommodation Plaintiff did request.

555. Second alternative: Morrison's representation was not accurate. Bailey did not review Plaintiff's accommodation request. In that event, the official the Bar identified to Plaintiff as responsible for its accommodation decisions took no part in the decision the Bar attributed to her, and Plaintiff's request was resolved by no person holding that responsibility.

556. Under either alternative, Plaintiff was deprived of a meaningful opportunity to be heard in a proceeding that may deprive him of a protected property interest.

557. Bailey never communicated with Plaintiff regarding his accommodation request at any point.

558. Bailey never responded to Plaintiff's inquiry, relayed through Morrison, as to who was making the decision.

559. As a direct and proximate result of Bailey's conduct, Plaintiff has suffered damages including but not limited to emotional distress, loss of ability to participate effectively in his defense, and impairment of his right to equal access to Bar proceedings.

560. Bailey's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Bailey, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Bailey, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);

- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Facebook-Removal Accusation Under the Oath of Admission (Against Defendant Morrison, Individual Capacity)

561. Plaintiff realleges and incorporates Paragraphs 62 through 67 and 72 through 79 *supra*.

562. In Bar File A, it is alleged that Plaintiff caused the removal of another attorney's business Facebook page, an accusation the Bar elevated to what would be a felony.

563. The only evidence ever submitted is the complainant's own exhibit, which depicts a phishing message from an account Plaintiff does not administer, followed by the internet service provider's safety warning. No fact has ever placed the act in Plaintiff's hands. Plaintiff submitted sworn proof of falsity on August 26, 2024; the Bar refused it and never asked any complainant a single question about the accusation.

564. The Oath of Admission cannot constitutionally be applied to Plaintiff's speech. The First Amendment does not afford lesser protection to speech because the speaker is an attorney. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 11 n.9 (Fla. July 9, 2026) (motion for rehearing pending). A State may not, under the guise of prohibiting professional misconduct, ignore constitutional rights. *NAACP v. Button*, 371 U.S. 415, 439 (1963). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That the Oath of Admission also prescribes no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

565. Morrison advanced and continues to advance the foregoing accusation under the Oath of Admission for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation

occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

566. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XIV

42 U.S.C. § 1983 — First Amendment Retaliation

The Facebook-Removal Accusation Under Rule 3-4.3

(Against Defendant Morrison, Individual Capacity)

567. Plaintiff realleges and incorporates Paragraphs 62 through 67 and 72 through 79 *supra*.

568. In Bar File A, it is alleged that Plaintiff caused the removal of another attorney's business Facebook page, an accusation the Bar elevated to what would be a felony.

569. The only evidence ever submitted is the complainant's own exhibit, which depicts a phishing message from an account Plaintiff does not administer, followed by the internet service provider's safety warning. No fact has ever placed the act in Plaintiff's hands. Plaintiff submitted sworn

proof of falsity on August 26, 2024; the Bar refused it and never asked any complainant a single question about the accusation.

570. Rule 3-4.3 cannot constitutionally be applied to Plaintiff's political speech. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 16 n.10 (Fla. July 9, 2026) (motion for rehearing pending). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That Rule 3-4.3 also articulates no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

571. Morrison advanced and continues to advance the foregoing accusation under Rule 3-4.3 for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected

candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

572. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XV

42 U.S.C. § 1983 — First Amendment Retaliation

The Facebook-Removal Accusation Under Rule 4-8.2(a)

(Against Defendant Morrison, Individual Capacity)

573. Plaintiff realleges and incorporates Paragraphs 62 through 67 and 72 through 79 *supra*.

574. In Bar File A, it is alleged that Plaintiff caused the removal of another attorney's business Facebook page, an accusation the Bar elevated to what would be a felony.

575. The only evidence ever submitted is the complainant's own exhibit, which depicts a phishing message from an account Plaintiff does not administer, followed by the internet service provider's safety warning. No fact has ever placed the act in Plaintiff's hands. Plaintiff submitted sworn

proof of falsity on August 26, 2024; the Bar refused it and never asked any complainant a single question about the accusation.

576. Rule 4-8.2(a) prohibits only a statement that the lawyer knows to be false, or makes with reckless disregard as to its truth or falsity, concerning the qualifications or integrity of a judge or a candidate for judicial office. The accusation identifies no statement concerning the qualifications or integrity of any judge or candidate; it alleges conduct. A conduct accusation charged under a false-statement rule is facially outside the rule, and no probable cause can exist for a charge whose threshold element is absent.

577. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(a) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter

a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

578. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);

- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XVI

42 U.S.C. § 1983 — First Amendment Retaliation

The Facebook-Removal Accusation Under Rule 4-8.2(b)

(Against Defendant Morrison, Individual Capacity)

579. Plaintiff realleges and incorporates Paragraphs 62 through 67 and 72 through 79 *supra*.

580. In Bar File A, it is alleged that Plaintiff caused the removal of another attorney's business Facebook page, an accusation the Bar elevated to what would be a felony.

581. The only evidence ever submitted is the complainant's own exhibit, which depicts a phishing message from an account Plaintiff does not administer, followed by the internet service provider's safety warning. No fact has ever placed the act in Plaintiff's hands. Plaintiff submitted sworn proof of falsity on August 26, 2024; the Bar refused it and never asked any complainant a single question about the accusation.

582. Rule 4-8.2(b) requires a candidate for judicial office to comply with the Code of Judicial Conduct, and operates here only through the Canons separately charged. As applied to this accusation the rule reaches core political speech and campaign conduct protected by the First Amendment under *Republican Party of Minnesota v. White*, and prescribes no independent standard of its own. No probable cause can exist under a pass-through provision whose underlying Canons fail for the reasons stated in the adjacent counts.

583. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

584. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;

- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XVII

42 U.S.C. § 1983 — First Amendment Retaliation

The Facebook-Removal Accusation Under Rule 4-8.4(d)

(Against Defendant Morrison, Individual Capacity)

585. Plaintiff realleges and incorporates Paragraphs 62 through 67 and 72 through 79 *supra*.

586. In Bar File A, it is alleged that Plaintiff caused the removal of another attorney's business Facebook page, an accusation the Bar elevated to what would be a felony.

587. The only evidence ever submitted is the complainant's own exhibit, which depicts a phishing message from an account Plaintiff does not administer, followed by the internet service provider's safety warning. No fact has ever placed the act in Plaintiff's hands. Plaintiff submitted sworn proof of falsity on August 26, 2024; the Bar refused it and never asked any complainant a single question about the accusation.

588. Rule 4-8.4(d) reaches only conduct “in connection with the practice of law.” The conduct alleged occurred in Plaintiff's capacity as a candidate for public office and as a private citizen, not in the practice of law.

The rule is facially inapplicable, and no probable cause can exist under a rule whose threshold element is absent.

589. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.4(d) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

590. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights,

entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XVIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Facebook-Removal Accusation Under Canon 7A(3)(b)

(Against Defendant Morrison, Individual Capacity)

591. Plaintiff realleges and incorporates Paragraphs 62 through 67 and 72 through 79 *supra*.

592. In Bar File A, it is alleged that Plaintiff caused the removal of another attorney's business Facebook page, an accusation the Bar elevated to what would be a felony.

593. The only evidence ever submitted is the complainant's own exhibit, which depicts a phishing message from an account Plaintiff does not administer, followed by the internet service provider's safety warning. No fact has ever placed the act in Plaintiff's hands. Plaintiff submitted sworn proof of falsity on August 26, 2024; the Bar refused it and never asked any complainant a single question about the accusation.

594. Canon 7A(3)(b) directs a candidate to maintain “the dignity appropriate to judicial office.” Dignity is not a defined standard of conduct, and as applied to core political speech the provision is subject to strict scrutiny under *Republican Party of Minnesota v. White*. No probable cause can exist under an undefined dignity standard applied to protected campaign speech and conduct.

595. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(b) for approximately two years. The refuting

materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

596. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

(a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;

- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XIX

42 U.S.C. § 1983 — First Amendment Retaliation

The Facebook-Removal Accusation Under Canon 7A(3)(e)(ii)

(Against Defendant Morrison, Individual Capacity)

597. Plaintiff realleges and incorporates Paragraphs 62 through 67 and 72 through 79 *supra*.

598. In Bar File A, it is alleged that Plaintiff caused the removal of another attorney's business Facebook page, an accusation the Bar elevated to what would be a felony.

599. The only evidence ever submitted is the complainant's own exhibit, which depicts a phishing message from an account Plaintiff does not administer, followed by the internet service provider's safety warning. No fact has ever placed the act in Plaintiff's hands. Plaintiff submitted sworn proof of falsity on August 26, 2024; the Bar refused it and never asked any complainant a single question about the accusation.

600. Canon 7A(3)(e)(ii) prohibits only a knowing misrepresentation of the identity, qualifications, present position, or other fact concerning the candidate or an opponent. The accusation identifies no representation of fact concerning any candidate or opponent; it alleges conduct. The provision is facially inapplicable, and no probable cause can exist for a charge whose threshold element is absent.

601. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(e)(ii) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified.

From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

602. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;

- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XX

42 U.S.C. § 1983 — First Amendment Retaliation

The Staring Accusation Under the Oath of Admission

(Against Defendant Morrison, Individual Capacity)

603. Plaintiff realleges and incorporates Paragraphs 62 through 70 and 72 through 79 *supra*.

604. In Bar File A, it is alleged that Plaintiff stared down a complainant at a campaign event.

605. The only evidence submitted is six photographs, each depicting Plaintiff engaged face to face with a voter, none depicting Plaintiff looking

at the camera. The complainant's own photographs refute the accusation they were submitted to support.

606. The Oath of Admission cannot constitutionally be applied to Plaintiff's speech. The First Amendment does not afford lesser protection to speech because the speaker is an attorney. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 11 n.9 (Fla. July 9, 2026) (motion for rehearing pending). A State may not, under the guise of prohibiting professional misconduct, ignore constitutional rights. *NAACP v. Button*, 371 U.S. 415, 439 (1963). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That the Oath of Admission also prescribes no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

607. Morrison advanced and continues to advance the foregoing accusation under the Oath of Admission for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn

proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

608. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;

- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXI

42 U.S.C. § 1983 — First Amendment Retaliation

The Staring Accusation Under Rule 3-4.3

(Against Defendant Morrison, Individual Capacity)

609. Plaintiff realleges and incorporates Paragraphs 62 through 70 and 72 through 79 *supra*.

610. In Bar File A, it is alleged that Plaintiff stared down a complainant at a campaign event.

611. The only evidence submitted is six photographs, each depicting Plaintiff engaged face to face with a voter, none depicting Plaintiff looking

at the camera. The complainant's own photographs refute the accusation they were submitted to support.

612. Rule 3-4.3 cannot constitutionally be applied to Plaintiff's political speech. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 16 n.10 (Fla. July 9, 2026) (motion for rehearing pending). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That Rule 3-4.3 also articulates no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

613. Morrison advanced and continues to advance the foregoing accusation under Rule 3-4.3 for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected

candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

614. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXII

42 U.S.C. § 1983 — First Amendment Retaliation

The Staring Accusation Under Rule 4-8.2(a)

(Against Defendant Morrison, Individual Capacity)

615. Plaintiff realleges and incorporates Paragraphs 62 through 70 and 72 through 79 *supra*.

616. In Bar File A, it is alleged that Plaintiff stared down a complainant at a campaign event.

617. The only evidence submitted is six photographs, each depicting Plaintiff engaged face to face with a voter, none depicting Plaintiff looking at the camera. The complainant's own photographs refute the accusation they were submitted to support.

618. Rule 4-8.2(a) prohibits only a statement that the lawyer knows to be false, or makes with reckless disregard as to its truth or falsity,

concerning the qualifications or integrity of a judge or a candidate for judicial office. The accusation identifies no statement concerning the qualifications or integrity of any judge or candidate; it alleges conduct. A conduct accusation charged under a false-statement rule is facially outside the rule, and no probable cause can exist for a charge whose threshold element is absent.

619. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(a) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

620. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury,

impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Staring Accusation Under Rule 4-8.2(b)

(Against Defendant Morrison, Individual Capacity)

621. Plaintiff realleges and incorporates Paragraphs 62 through 70 and 72 through 79 *supra*.

622. In Bar File A, it is alleged that Plaintiff stared down a complainant at a campaign event.

623. The only evidence submitted is six photographs, each depicting Plaintiff engaged face to face with a voter, none depicting Plaintiff looking at the camera. The complainant's own photographs refute the accusation they were submitted to support.

624. Rule 4-8.2(b) requires a candidate for judicial office to comply with the Code of Judicial Conduct, and operates here only through the Canons separately charged. As applied to this accusation the rule reaches core political speech and campaign conduct protected by the First Amendment under *Republican Party of Minnesota v. White*, and prescribes no independent standard of its own. No probable cause can exist under a pass-through provision whose underlying Canons fail for the reasons stated in the adjacent counts.

625. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

626. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXIV

42 U.S.C. § 1983 — First Amendment Retaliation

The Staring Accusation Under Rule 4-8.4(d)

(Against Defendant Morrison, Individual Capacity)

627. Plaintiff realleges and incorporates Paragraphs 62 through 70 and 72 through 79 *supra*.

628. In Bar File A, it is alleged that Plaintiff stared down a complainant at a campaign event.

629. The only evidence submitted is six photographs, each depicting Plaintiff engaged face to face with a voter, none depicting Plaintiff looking at the camera. The complainant's own photographs refute the accusation they were submitted to support.

630. Rule 4-8.4(d) reaches only conduct “in connection with the practice of law.” The conduct alleged occurred in Plaintiff's capacity as a candidate for public office and as a private citizen, not in the practice of law. The rule is facially inapplicable, and no probable cause can exist under a rule whose threshold element is absent.

631. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.4(d) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected

candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

632. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXV

42 U.S.C. § 1983 — First Amendment Retaliation

The Staring Accusation Under Canon 7A(3)(b)

(Against Defendant Morrison, Individual Capacity)

633. Plaintiff realleges and incorporates Paragraphs 62 through 70 and 72 through 79 *supra*.

634. In Bar File A, it is alleged that Plaintiff stared down a complainant at a campaign event.

635. The only evidence submitted is six photographs, each depicting Plaintiff engaged face to face with a voter, none depicting Plaintiff looking at the camera. The complainant's own photographs refute the accusation they were submitted to support.

636. Canon 7A(3)(b) directs a candidate to maintain “the dignity appropriate to judicial office.” Dignity is not a defined standard of conduct,

and as applied to core political speech the provision is subject to strict scrutiny under *Republican Party of Minnesota v. White*. No probable cause can exist under an undefined dignity standard applied to protected campaign speech and conduct.

637. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

638. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken

with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXVI

42 U.S.C. § 1983 — First Amendment Retaliation

The Staring Accusation Under Canon 7A(3)(e)(ii)
(Against Defendant Morrison, Individual Capacity)

639. Plaintiff realleges and incorporates Paragraphs 62 through 70 and 72 through 79 *supra*.

640. In Bar File A, it is alleged that Plaintiff stared down a complainant at a campaign event.

641. The only evidence submitted is six photographs, each depicting Plaintiff engaged face to face with a voter, none depicting Plaintiff looking at the camera. The complainant's own photographs refute the accusation they were submitted to support.

642. Canon 7A(3)(e)(ii) prohibits only a knowing misrepresentation of the identity, qualifications, present position, or other fact concerning the candidate or an opponent. The accusation identifies no representation of fact concerning any candidate or opponent; it alleges conduct. The provision is facially inapplicable, and no probable cause can exist for a charge whose threshold element is absent.

643. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(e)(ii) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single

question about the accusation; and no supporting fact was ever identified.

From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

644. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;

- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXVII

42 U.S.C. § 1983 — First Amendment Retaliation

The Political-Committee Accusation Under the Oath of Admission

(Against Defendant Morrison, Individual Capacity)

645. Plaintiff realleges and incorporates Paragraphs 62 through 68 and 72 through 79 *supra*.

646. In Bar File A, it is alleged that Plaintiff held an event with a political committee.

647. The records of the Internal Revenue Service identify the organization as a nonprofit community organization, and the Florida

Division of Elections has no record of the organization as a political committee. The responsible public records refute the accusation.

648. The Oath of Admission cannot constitutionally be applied to Plaintiff's speech. The First Amendment does not afford lesser protection to speech because the speaker is an attorney. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 11 n.9 (Fla. July 9, 2026) (motion for rehearing pending). A State may not, under the guise of prohibiting professional misconduct, ignore constitutional rights. *NAACP v. Button*, 371 U.S. 415, 439 (1963). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That the Oath of Admission also prescribes no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

649. Morrison advanced and continues to advance the foregoing accusation under the Oath of Admission for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn

proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

650. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;

- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXVIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Political-Committee Accusation Under Rule 3-4.3

(Against Defendant Morrison, Individual Capacity)

651. Plaintiff realleges and incorporates Paragraphs 62 through 68 and 72 through 79 *supra*.

652. In Bar File A, it is alleged that Plaintiff held an event with a political committee.

653. The records of the Internal Revenue Service identify the organization as a nonprofit community organization, and the Florida

Division of Elections has no record of the organization as a political committee. The responsible public records refute the accusation.

654. Rule 3-4.3 cannot constitutionally be applied to Plaintiff's political speech. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 16 n.10 (Fla. July 9, 2026) (motion for rehearing pending). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That Rule 3-4.3 also articulates no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

655. Morrison advanced and continues to advance the foregoing accusation under Rule 3-4.3 for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected

candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

656. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXIX

42 U.S.C. § 1983 — First Amendment Retaliation

The Political-Committee Accusation Under Rule 4-8.2(a)

(Against Defendant Morrison, Individual Capacity)

657. Plaintiff realleges and incorporates Paragraphs 62 through 68 and 72 through 79 *supra*.

658. In Bar File A, it is alleged that Plaintiff held an event with a political committee.

659. The records of the Internal Revenue Service identify the organization as a nonprofit community organization, and the Florida Division of Elections has no record of the organization as a political committee. The responsible public records refute the accusation.

660. Rule 4-8.2(a) prohibits only a statement that the lawyer knows to be false, or makes with reckless disregard as to its truth or falsity,

concerning the qualifications or integrity of a judge or a candidate for judicial office. The accusation identifies no statement concerning the qualifications or integrity of any judge or candidate; it alleges conduct. A conduct accusation charged under a false-statement rule is facially outside the rule, and no probable cause can exist for a charge whose threshold element is absent.

661. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(a) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

662. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury,

impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXX

42 U.S.C. § 1983 — First Amendment Retaliation

The Political-Committee Accusation Under Rule 4-8.2(b)

(Against Defendant Morrison, Individual Capacity)

663. Plaintiff realleges and incorporates Paragraphs 62 through 68 and 72 through 79 *supra*.

664. In Bar File A, it is alleged that Plaintiff held an event with a political committee.

665. The records of the Internal Revenue Service identify the organization as a nonprofit community organization, and the Florida Division of Elections has no record of the organization as a political committee. The responsible public records refute the accusation.

666. Rule 4-8.2(b) requires a candidate for judicial office to comply with the Code of Judicial Conduct, and operates here only through the Canons separately charged. As applied to this accusation the rule reaches core political speech and campaign conduct protected by the First Amendment under *Republican Party of Minnesota v. White*, and prescribes no independent standard of its own. No probable cause can exist under a pass-through provision whose underlying Canons fail for the reasons stated in the adjacent counts.

667. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

668. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXXI

42 U.S.C. § 1983 — First Amendment Retaliation

The Political-Committee Accusation Under Rule 4-8.4(d)

(Against Defendant Morrison, Individual Capacity)

669. Plaintiff realleges and incorporates Paragraphs 62 through 68 and 72 through 79 *supra*.

670. In Bar File A, it is alleged that Plaintiff held an event with a political committee.

671. The records of the Internal Revenue Service identify the organization as a nonprofit community organization, and the Florida Division of Elections has no record of the organization as a political committee. The responsible public records refute the accusation.

672. Rule 4-8.4(d) reaches only conduct “in connection with the practice of law.” The conduct alleged occurred in Plaintiff’s capacity as a candidate for public office and as a private citizen, not in the practice of law. The rule is facially inapplicable, and no probable cause can exist under a rule whose threshold element is absent.

673. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.4(d) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff’s sworn proof was in Morrison’s possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff’s protected campaign speech and protected

candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

674. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXXII

42 U.S.C. § 1983 — First Amendment Retaliation

The Political-Committee Accusation Under Canon 7A(3)(b)

(Against Defendant Morrison, Individual Capacity)

675. Plaintiff realleges and incorporates Paragraphs 62 through 68 and 72 through 79 *supra*.

676. In Bar File A, it is alleged that Plaintiff held an event with a political committee.

677. The records of the Internal Revenue Service identify the organization as a nonprofit community organization, and the Florida Division of Elections has no record of the organization as a political committee. The responsible public records refute the accusation.

678. Canon 7A(3)(b) directs a candidate to maintain “the dignity appropriate to judicial office.” Dignity is not a defined standard of conduct,

and as applied to core political speech the provision is subject to strict scrutiny under *Republican Party of Minnesota v. White*. No probable cause can exist under an undefined dignity standard applied to protected campaign speech and conduct.

679. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

680. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken

with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXXIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Political-Committee Accusation Under Canon 7A(3)(e)(ii)
(Against Defendant Morrison, Individual Capacity)

681. Plaintiff realleges and incorporates Paragraphs 62 through 68 and 72 through 79 *supra*.

682. In Bar File A, it is alleged that Plaintiff held an event with a political committee.

683. The records of the Internal Revenue Service identify the organization as a nonprofit community organization, and the Florida Division of Elections has no record of the organization as a political committee. The responsible public records refute the accusation.

684. Canon 7A(3)(e)(ii) prohibits only a knowing misrepresentation of the identity, qualifications, present position, or other fact concerning the candidate or an opponent. The accusation identifies no representation of fact concerning any candidate or opponent; it alleges conduct. The provision is facially inapplicable, and no probable cause can exist for a charge whose threshold element is absent.

685. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(e)(ii) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single

question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

686. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;

- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXXIV

42 U.S.C. § 1983 — First Amendment Retaliation

The Campaign-Signs Accusation Under the Oath of Admission

(Against Defendant Morrison, Individual Capacity)

687. Plaintiff realleges and incorporates Paragraphs 61 through 67 and 72 through 79 *supra*.

688. In Bar File A, it is alleged that Plaintiff posted campaign signs before a permitted date.

689. The supporting posts were not from Plaintiff's Facebook page; the photographs were not taken by Plaintiff and depict signs placed no one

knows where, bearing no date; the ordinance invoked specifies no date for the placement of campaign signs; and Plaintiff distributed no signs until weeks after the close of qualifying. Every evidentiary element of the accusation is absent.

690. The Oath of Admission cannot constitutionally be applied to Plaintiff's speech. The First Amendment does not afford lesser protection to speech because the speaker is an attorney. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 11 n.9 (Fla. July 9, 2026) (motion for rehearing pending). A State may not, under the guise of prohibiting professional misconduct, ignore constitutional rights. *NAACP v. Button*, 371 U.S. 415, 439 (1963). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That the Oath of Admission also prescribes no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

691. Morrison advanced and continues to advance the foregoing accusation under the Oath of Admission for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single

question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

692. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;

- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXXV

42 U.S.C. § 1983 — First Amendment Retaliation

The Campaign-Signs Accusation Under Rule 3-4.3

(Against Defendant Morrison, Individual Capacity)

693. Plaintiff realleges and incorporates Paragraphs 61 through 67 and 72 through 79 *supra*.

694. In Bar File A, it is alleged that Plaintiff posted campaign signs before a permitted date.

695. The supporting posts were not from Plaintiff's Facebook page; the photographs were not taken by Plaintiff and depict signs placed no one

knows where, bearing no date; the ordinance invoked specifies no date for the placement of campaign signs; and Plaintiff distributed no signs until weeks after the close of qualifying. Every evidentiary element of the accusation is absent.

696. Rule 3-4.3 cannot constitutionally be applied to Plaintiff's political speech. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 16 n.10 (Fla. July 9, 2026) (motion for rehearing pending). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That Rule 3-4.3 also articulates no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

697. Morrison advanced and continues to advance the foregoing accusation under Rule 3-4.3 for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that

the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

698. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;

- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXXVI

42 U.S.C. § 1983 — First Amendment Retaliation

The Campaign-Signs Accusation Under Rule 4-8.2(a)

(Against Defendant Morrison, Individual Capacity)

699. Plaintiff realleges and incorporates Paragraphs 61 through 67 and 72 through 79 *supra*.

700. In Bar File A, it is alleged that Plaintiff posted campaign signs before a permitted date.

701. The supporting posts were not from Plaintiff's Facebook page; the photographs were not taken by Plaintiff and depict signs placed no one knows where, bearing no date; the ordinance invoked specifies no date for

the placement of campaign signs; and Plaintiff distributed no signs until weeks after the close of qualifying. Every evidentiary element of the accusation is absent.

702. Rule 4-8.2(a) prohibits only a statement that the lawyer knows to be false, or makes with reckless disregard as to its truth or falsity, concerning the qualifications or integrity of a judge or a candidate for judicial office. The accusation identifies no statement concerning the qualifications or integrity of any judge or candidate; it alleges conduct. A conduct accusation charged under a false-statement rule is facially outside the rule, and no probable cause can exist for a charge whose threshold element is absent.

703. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(a) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected

candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

704. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXXVII

42 U.S.C. § 1983 — First Amendment Retaliation

The Campaign-Signs Accusation Under Rule 4-8.2(b)

(Against Defendant Morrison, Individual Capacity)

705. Plaintiff realleges and incorporates Paragraphs 61 through 67 and 72 through 79 *supra*.

706. In Bar File A, it is alleged that Plaintiff posted campaign signs before a permitted date.

707. The supporting posts were not from Plaintiff's Facebook page; the photographs were not taken by Plaintiff and depict signs placed no one knows where, bearing no date; the ordinance invoked specifies no date for the placement of campaign signs; and Plaintiff distributed no signs until weeks after the close of qualifying. Every evidentiary element of the accusation is absent.

708. Rule 4-8.2(b) requires a candidate for judicial office to comply with the Code of Judicial Conduct, and operates here only through the Canons separately charged. As applied to this accusation the rule reaches core political speech and campaign conduct protected by the First Amendment under *Republican Party of Minnesota v. White*, and prescribes no independent standard of its own. No probable cause can exist under a pass-through provision whose underlying Canons fail for the reasons stated in the adjacent counts.

709. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

710. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;

- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXXVIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Campaign-Signs Accusation Under Rule 4-8.4(d)

(Against Defendant Morrison, Individual Capacity)

711. Plaintiff realleges and incorporates Paragraphs 61 through 67 and 72 through 79 *supra*.

712. In Bar File A, it is alleged that Plaintiff posted campaign signs before a permitted date.

713. The supporting posts were not from Plaintiff's Facebook page; the photographs were not taken by Plaintiff and depict signs placed no one knows where, bearing no date; the ordinance invoked specifies no date for the placement of campaign signs; and Plaintiff distributed no signs until weeks after the close of qualifying. Every evidentiary element of the accusation is absent.

714. Rule 4-8.4(d) reaches only conduct “in connection with the practice of law.” The conduct alleged occurred in Plaintiff's capacity as a candidate for public office and as a private citizen, not in the practice of law.

The rule is facially inapplicable, and no probable cause can exist under a rule whose threshold element is absent.

715. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.4(d) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

716. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights,

entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XXXIX

42 U.S.C. § 1983 — First Amendment Retaliation

The Campaign-Signs Accusation Under Canon 7A(3)(b)

(Against Defendant Morrison, Individual Capacity)

717. Plaintiff realleges and incorporates Paragraphs 61 through 67 and 72 through 79 *supra*.

718. In Bar File A, it is alleged that Plaintiff posted campaign signs before a permitted date.

719. The supporting posts were not from Plaintiff's Facebook page; the photographs were not taken by Plaintiff and depict signs placed no one knows where, bearing no date; the ordinance invoked specifies no date for the placement of campaign signs; and Plaintiff distributed no signs until weeks after the close of qualifying. Every evidentiary element of the accusation is absent.

720. Canon 7A(3)(b) directs a candidate to maintain "the dignity appropriate to judicial office." Dignity is not a defined standard of conduct, and as applied to core political speech the provision is subject to strict scrutiny under *Republican Party of Minnesota v. White*. No probable cause can exist under an undefined dignity standard applied to protected campaign speech and conduct.

721. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was

in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

722. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

(a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;

- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XL

42 U.S.C. § 1983 — First Amendment Retaliation

The Campaign-Signs Accusation Under Canon 7A(3)(e)(ii)

(Against Defendant Morrison, Individual Capacity)

723. Plaintiff realleges and incorporates Paragraphs 61 through 67 and 72 through 79 *supra*.

724. In Bar File A, it is alleged that Plaintiff posted campaign signs before a permitted date.

725. The supporting posts were not from Plaintiff's Facebook page; the photographs were not taken by Plaintiff and depict signs placed no one knows where, bearing no date; the ordinance invoked specifies no date for the placement of campaign signs; and Plaintiff distributed no signs until weeks after the close of qualifying. Every evidentiary element of the accusation is absent.

726. Canon 7A(3)(e)(ii) prohibits only a knowing misrepresentation of the identity, qualifications, present position, or other fact concerning the candidate or an opponent. The accusation identifies no representation of fact concerning any candidate or opponent; it alleges conduct. The provision is facially inapplicable, and no probable cause can exist for a charge whose threshold element is absent.

727. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(e)(ii) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation

occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

728. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XLI

42 U.S.C. § 1983 — First Amendment Retaliation

The Courtroom-Comment Accusation Under the Oath of Admission

(Against Defendant Morrison, Individual Capacity)

729. Plaintiff realleges and incorporates Paragraphs 62 through 66 and 100 through 103 *supra*.

730. In Bar File A, it is alleged that Plaintiff acted inappropriately in a courtroom and sent inappropriate emails concerning the incident.

731. The courtroom comment was that a paralegal was chewing gum. The comment was made in the presiding judge's presence; the presiding judge directed the removal of the gum, took no action of any kind toward Plaintiff, and after the proceeding complimented Plaintiff's performance. The complainant was not present. The email exchange was

initiated by counsel employing the paralegal, and Plaintiff's email was a response.

732. The Oath of Admission cannot constitutionally be applied to Plaintiff's speech. The First Amendment does not afford lesser protection to speech because the speaker is an attorney. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 11 n.9 (Fla. July 9, 2026) (motion for rehearing pending). A State may not, under the guise of prohibiting professional misconduct, ignore constitutional rights. *NAACP v. Button*, 371 U.S. 415, 439 (1963). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That the Oath of Admission also prescribes no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

733. Morrison advanced and continues to advance the foregoing accusation under the Oath of Admission for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn

proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

734. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;

- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XLII

42 U.S.C. § 1983 — First Amendment Retaliation

The Courtroom-Comment Accusation Under Rule 3-4.3

(Against Defendant Morrison, Individual Capacity)

735. Plaintiff realleges and incorporates Paragraphs 62 through 66 and 100 through 103 *supra*.

736. In Bar File A, it is alleged that Plaintiff acted inappropriately in a courtroom and sent inappropriate emails concerning the incident.

737. The courtroom comment was that a paralegal was chewing gum. The comment was made in the presiding judge's presence; the presiding judge directed the removal of the gum, took no action of any kind

toward Plaintiff, and after the proceeding complimented Plaintiff's performance. The complainant was not present. The email exchange was initiated by counsel employing the paralegal, and Plaintiff's email was a response.

738. Rule 3-4.3 cannot constitutionally be applied to Plaintiff's political speech. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 16 n.10 (Fla. July 9, 2026) (motion for rehearing pending). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That Rule 3-4.3 also articulates no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

739. Morrison advanced and continues to advance the foregoing accusation under Rule 3-4.3 for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that

the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

740. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;

- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XLIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Courtroom-Comment Accusation Under Rule 4-8.2(a)

(Against Defendant Morrison, Individual Capacity)

741. Plaintiff realleges and incorporates Paragraphs 62 through 66 and 100 through 103 *supra*.

742. In Bar File A, it is alleged that Plaintiff acted inappropriately in a courtroom and sent inappropriate emails concerning the incident.

743. The courtroom comment was that a paralegal was chewing gum. The comment was made in the presiding judge's presence; the presiding judge directed the removal of the gum, took no action of any kind

toward Plaintiff, and after the proceeding complimented Plaintiff's performance. The complainant was not present. The email exchange was initiated by counsel employing the paralegal, and Plaintiff's email was a response.

744. Rule 4-8.2(a) prohibits only a statement that the lawyer knows to be false, or makes with reckless disregard as to its truth or falsity, concerning the qualifications or integrity of a judge or a candidate for judicial office. The accusation identifies no statement concerning the qualifications or integrity of any judge or candidate; it alleges conduct. A conduct accusation charged under a false-statement rule is facially outside the rule, and no probable cause can exist for a charge whose threshold element is absent.

745. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(a) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but

in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

746. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XLIV

42 U.S.C. § 1983 — First Amendment Retaliation

The Courtroom-Comment Accusation Under Rule 4-8.2(b)

(Against Defendant Morrison, Individual Capacity)

747. Plaintiff realleges and incorporates Paragraphs 62 through 66 and 100 through 103 *supra*.

748. In Bar File A, it is alleged that Plaintiff acted inappropriately in a courtroom and sent inappropriate emails concerning the incident.

749. The courtroom comment was that a paralegal was chewing gum. The comment was made in the presiding judge's presence; the presiding judge directed the removal of the gum, took no action of any kind toward Plaintiff, and after the proceeding complimented Plaintiff's performance. The complainant was not present. The email exchange was

initiated by counsel employing the paralegal, and Plaintiff's email was a response.

750. Rule 4-8.2(b) requires a candidate for judicial office to comply with the Code of Judicial Conduct, and operates here only through the Canons separately charged. As applied to this accusation the rule reaches core political speech and campaign conduct protected by the First Amendment under *Republican Party of Minnesota v. White*, and prescribes no independent standard of its own. No probable cause can exist under a pass-through provision whose underlying Canons fail for the reasons stated in the adjacent counts.

751. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter

a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

752. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);

- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XLV

42 U.S.C. § 1983 — First Amendment Retaliation

The Courtroom-Comment Accusation Under Rule 4-8.4(d)

(Against Defendant Morrison, Individual Capacity)

753. Plaintiff realleges and incorporates Paragraphs 62 through 66 and 100 through 103 *supra*.

754. In Bar File A, it is alleged that Plaintiff acted inappropriately in a courtroom and sent inappropriate emails concerning the incident.

755. The courtroom comment was that a paralegal was chewing gum. The comment was made in the presiding judge's presence; the presiding judge directed the removal of the gum, took no action of any kind toward Plaintiff, and after the proceeding complimented Plaintiff's performance. The complainant was not present. The email exchange was initiated by counsel employing the paralegal, and Plaintiff's email was a response.

756. Rule 4-8.4(d) reaches only conduct in connection with the practice of law that is prejudicial to the administration of justice. The conduct occurred in a proceeding whose presiding judge, observing it firsthand, found no impropriety, took no action, and complimented Plaintiff's performance. Conduct a presiding judge witnesses and finds unobjectionable is not prejudicial to the administration of justice, and no reasonable basis exists to believe otherwise.

757. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.4(d) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

758. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;

- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XLVI

42 U.S.C. § 1983 — First Amendment Retaliation

The Courtroom-Comment Accusation Under Canon 7A(3)(b)

(Against Defendant Morrison, Individual Capacity)

759. Plaintiff realleges and incorporates Paragraphs 62 through 66 and 100 through 103 *supra*.

760. In Bar File A, it is alleged that Plaintiff acted inappropriately in a courtroom and sent inappropriate emails concerning the incident.

761. The courtroom comment was that a paralegal was chewing gum. The comment was made in the presiding judge's presence; the presiding judge directed the removal of the gum, took no action of any kind toward Plaintiff, and after the proceeding complimented Plaintiff's performance. The complainant was not present. The email exchange was initiated by counsel employing the paralegal, and Plaintiff's email was a response.

762. Canon 7A(3)(b) directs a candidate to maintain "the dignity appropriate to judicial office." Dignity is not a defined standard of conduct, and as applied to core political speech the provision is subject to strict

scrutiny under *Republican Party of Minnesota v. White*. No probable cause can exist under an undefined dignity standard applied to protected campaign speech and conduct.

763. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

764. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights,

entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XLVII

42 U.S.C. § 1983 — First Amendment Retaliation

The Courtroom-Comment Accusation Under Canon 7A(3)(e)(ii)

(Against Defendant Morrison, Individual Capacity)

765. Plaintiff realleges and incorporates Paragraphs 62 through 66 and 100 through 103 *supra*.

766. In Bar File A, it is alleged that Plaintiff acted inappropriately in a courtroom and sent inappropriate emails concerning the incident.

767. The courtroom comment was that a paralegal was chewing gum. The comment was made in the presiding judge's presence; the presiding judge directed the removal of the gum, took no action of any kind toward Plaintiff, and after the proceeding complimented Plaintiff's performance. The complainant was not present. The email exchange was initiated by counsel employing the paralegal, and Plaintiff's email was a response.

768. Canon 7A(3)(e)(ii) prohibits only a knowing misrepresentation of the identity, qualifications, present position, or other fact concerning the candidate or an opponent. The accusation identifies no representation of fact concerning any candidate or opponent; it alleges conduct. The provision is facially inapplicable, and no probable cause can exist for a charge whose threshold element is absent.

769. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(e)(ii) for approximately two years. The

refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

770. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

(a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;

- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XLVIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Announcement Accusation Under the Oath of Admission

(Against Defendant Morrison, Individual Capacity)

771. Plaintiff realleges and incorporates Paragraphs 13 through 17 and 130 through 132 *supra*.

772. In Bar File C, it is alleged that Plaintiff's announcement of Plaintiff's own views on a disputed issue violated the provisions charged.

773. *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), holds that a State may not prohibit a candidate for judicial office from announcing views on disputed legal and political issues. The announcement was made in the very form the Supreme Court of Florida's own publication for judicial candidates describes, and the same statement assured voters that Plaintiff would follow the law regardless of Plaintiff's views. The speech is protected as a matter of law.

774. The Oath of Admission cannot constitutionally be applied to Plaintiff's speech. The First Amendment does not afford lesser protection to speech because the speaker is an attorney. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 11 n.9 (Fla. July 9, 2026) (motion for rehearing pending). A State may not, under the guise of prohibiting professional misconduct, ignore constitutional rights. *NAACP v. Button*, 371 U.S. 415, 439 (1963). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That the Oath of Admission also prescribes no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

775. Morrison advanced and continues to advance the foregoing accusation under the Oath of Admission for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

776. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT XLIX

42 U.S.C. § 1983 — First Amendment Retaliation

The Announcement Accusation Under Rule 3-4.3

(Against Defendant Morrison, Individual Capacity)

777. Plaintiff realleges and incorporates Paragraphs 13 through 17 and 130 through 132 *supra*.

778. In Bar File C, it is alleged that Plaintiff's announcement of Plaintiff's own views on a disputed issue violated the provisions charged.

779. *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), holds that a State may not prohibit a candidate for judicial office from announcing views on disputed legal and political issues. The announcement was made in the very form the Supreme Court of Florida's own publication for judicial candidates describes, and the same statement assured voters that Plaintiff would follow the law regardless of Plaintiff's views. The speech is protected as a matter of law.

780. Rule 3-4.3 cannot constitutionally be applied to Plaintiff's political speech. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 16 n.10 (Fla. July 9, 2026) (motion for rehearing pending). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That Rule 3-4.3 also articulates no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

781. Morrison advanced and continues to advance the foregoing accusation under Rule 3-4.3 for approximately two years. The refuting

materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

782. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

(a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;

- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT L

42 U.S.C. § 1983 — First Amendment Retaliation

The Announcement Accusation Under Rule 4-8.2(a)

(Against Defendant Morrison, Individual Capacity)

783. Plaintiff realleges and incorporates Paragraphs 13 through 17 and 130 through 132 *supra*.

784. In Bar File C, it is alleged that Plaintiff's announcement of Plaintiff's own views on a disputed issue violated the provisions charged.

785. *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), holds that a State may not prohibit a candidate for judicial office from announcing views on disputed legal and political issues. The announcement was made in the very form the Supreme Court of Florida's own publication for judicial candidates describes, and the same statement assured voters that Plaintiff would follow the law regardless of Plaintiff's views. The speech is protected as a matter of law.

786. Rule 4-8.2(a) prohibits only a statement that the lawyer knows to be false, or makes with reckless disregard as to its truth or falsity, concerning the qualifications or integrity of a judge or a candidate for judicial office. The announcement was a statement of Plaintiff's own views, not a statement concerning any judge or opponent, and it was true. A true statement of the speaker's own views cannot be known to be false.

787. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(a) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that

the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

788. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;

- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LI

42 U.S.C. § 1983 — First Amendment Retaliation

The Announcement Accusation Under Rule 4-8.2(b)

(Against Defendant Morrison, Individual Capacity)

789. Plaintiff realleges and incorporates Paragraphs 13 through 17 and 130 through 132 *supra*.

790. In Bar File C, it is alleged that Plaintiff's announcement of Plaintiff's own views on a disputed issue violated the provisions charged.

791. *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), holds that a State may not prohibit a candidate for judicial office from announcing views on disputed legal and political issues. The announcement

was made in the very form the Supreme Court of Florida's own publication for judicial candidates describes, and the same statement assured voters that Plaintiff would follow the law regardless of Plaintiff's views. The speech is protected as a matter of law.

792. Rule 4-8.2(b) requires a candidate for judicial office to comply with the Code of Judicial Conduct, and operates here only through the Canons separately charged. As applied to this accusation the rule reaches core political speech and campaign conduct protected by the First Amendment under *Republican Party of Minnesota v. White*, and prescribes no independent standard of its own. No probable cause can exist under a pass-through provision whose underlying Canons fail for the reasons stated in the adjacent counts.

793. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but

in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

794. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LII

42 U.S.C. § 1983 — First Amendment Retaliation

The Announcement Accusation Under Canon 7A(3)(b)

(Against Defendant Morrison, Individual Capacity)

795. Plaintiff realleges and incorporates Paragraphs 13 through 17 and 130 through 132 *supra*.

796. In Bar File C, it is alleged that Plaintiff's announcement of Plaintiff's own views on a disputed issue violated the provisions charged.

797. *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), holds that a State may not prohibit a candidate for judicial office from announcing views on disputed legal and political issues. The announcement was made in the very form the Supreme Court of Florida's own publication for judicial candidates describes, and the same statement assured voters that

Plaintiff would follow the law regardless of Plaintiff's views. The speech is protected as a matter of law.

798. Canon 7A(3)(b) directs a candidate to maintain “the dignity appropriate to judicial office.” Dignity is not a defined standard of conduct, and as applied to core political speech the provision is subject to strict scrutiny under *Republican Party of Minnesota v. White*. No probable cause can exist under an undefined dignity standard applied to protected campaign speech and conduct.

799. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

800. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;

- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Announcement Accusation Under Canon 7A(3)(e)(ii)

(Against Defendant Morrison, Individual Capacity)

801. Plaintiff realleges and incorporates Paragraphs 13 through 17 and 130 through 132 *supra*.

802. In Bar File C, it is alleged that Plaintiff's announcement of Plaintiff's own views on a disputed issue violated the provisions charged.

803. *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), holds that a State may not prohibit a candidate for judicial office from announcing views on disputed legal and political issues. The announcement was made in the very form the Supreme Court of Florida's own publication for judicial candidates describes, and the same statement assured voters that Plaintiff would follow the law regardless of Plaintiff's views. The speech is protected as a matter of law.

804. Canon 7A(3)(e)(ii) prohibits only a knowing misrepresentation of the identity, qualifications, present position, or other fact concerning the candidate or an opponent. The announcement represented Plaintiff's own

views, truthfully. A truthful statement of the speaker's own views misrepresents nothing.

805. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(e)(ii) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

806. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights,

entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LIV

42 U.S.C. § 1983 — First Amendment Retaliation

The Law-Enforcement-Speech Accusation Under the Oath of Admission

(Against Defendant Morrison, Individual Capacity)

807. Plaintiff realleges and incorporates Paragraphs 187 through 188 and 270 through 276 *supra*.

808. In Bar File E, it is alleged that Plaintiff made disparaging statements concerning law enforcement.

809. The statements were made in no court proceeding and in no court-related setting. The term at issue is the word “pig,” used to refer to police officers. Speech criticizing police, including profane and insulting speech, is protected. *City of Houston v. Hill*, 482 U.S. 451 (1987). Courts have repeatedly held protected the specific epithets directed at police officers, including the term at issue here. *Wood v. Eubanks*, 25 F.4th 414 (6th Cir. 2022) (collecting cases); *Brown v. State*, 492 P.2d 1106, 1108 (Okla. 1971), vacated and remanded, *Brown v. Oklahoma*, 408 U.S. 914 (1972). The file charges no Rule of Professional Conduct at all — only the Oath of Admission and Rule 3-4.3 — and the complaint was filed by a government official who demanded Plaintiff’s Bar number immediately upon observing Plaintiff engage in protected activity.

810. The Oath of Admission cannot constitutionally be applied to Plaintiff’s speech. The First Amendment does not afford lesser protection to speech because the speaker is an attorney. *The Florida Bar v. Crowley*, No.

SC2020-0529, slip op. at 11 n.9 (Fla. July 9, 2026) (motion for rehearing pending). A State may not, under the guise of prohibiting professional misconduct, ignore constitutional rights. *NAACP v. Button*, 371 U.S. 415, 439 (1963). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That the Oath of Admission also prescribes no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

811. Morrison advanced and continues to advance the foregoing accusation under the Oath of Admission for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that

would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

812. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);

- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LV

42 U.S.C. § 1983 — First Amendment Retaliation

The Law-Enforcement-Speech Accusation Under Rule 3-4.3

(Against Defendant Morrison, Individual Capacity)

813. Plaintiff realleges and incorporates Paragraphs 187 through 188 and 270 through 276 *supra*.

814. In Bar File E, it is alleged that Plaintiff made disparaging statements concerning law enforcement.

815. The statements were made in no court proceeding and in no court-related setting. The term at issue is the word “pig,” used to refer to police officers. Speech criticizing police, including profane and insulting speech, is protected. *City of Houston v. Hill*, 482 U.S. 451 (1987). Courts have repeatedly held protected the specific epithets directed at police officers, including the term at issue here. *Wood v. Eubanks*, 25 F.4th 414 (6th Cir. 2022) (collecting cases); *Brown v. State*, 492 P.2d 1106, 1108 (Okla. 1971), vacated and remanded, *Brown v. Oklahoma*, 408 U.S. 914

(1972). The file charges no Rule of Professional Conduct at all — only the Oath of Admission and Rule 3-4.3 — and the complaint was filed by a government official who demanded Plaintiff's Bar number immediately upon observing Plaintiff engage in protected activity.

816. Rule 3-4.3 cannot constitutionally be applied to Plaintiff's political speech. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 16 n.10 (Fla. July 9, 2026) (motion for rehearing pending). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That Rule 3-4.3 also articulates no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

817. Morrison advanced and continues to advance the foregoing accusation under Rule 3-4.3 for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that

the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

818. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;

- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LVI

42 U.S.C. § 1983 — First Amendment Retaliation

The Chat-Log Accusation Under the Oath of Admission

(Against Defendant Morrison, Individual Capacity)

819. Plaintiff realleges and incorporates Paragraphs 128 through 136 *supra*.

820. In Bar File B, it is alleged that Plaintiff's publication of a chat log with a satirical caption violated the provisions charged.

821. The caption was political satire. Upon learning that the statement was incorrect as to who initiated the contact, Plaintiff notified Judge-Opponent and the complainant and removed the statement. The

correction did not concern the request for a discreet meeting with the judge, which was made. The material assertion was true, and the voluntary correction refutes any knowledge of falsity.

822. The Oath of Admission cannot constitutionally be applied to Plaintiff's speech. The First Amendment does not afford lesser protection to speech because the speaker is an attorney. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 11 n.9 (Fla. July 9, 2026) (motion for rehearing pending). A State may not, under the guise of prohibiting professional misconduct, ignore constitutional rights. *NAACP v. Button*, 371 U.S. 415, 439 (1963). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That the Oath of Admission also prescribes no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

823. Morrison advanced and continues to advance the foregoing accusation under the Oath of Admission for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified.

From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

824. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;

- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LVII

42 U.S.C. § 1983 — First Amendment Retaliation

The Chat-Log Accusation Under Rule 3-4.3

(Against Defendant Morrison, Individual Capacity)

825. Plaintiff realleges and incorporates Paragraphs 128 through 136 *supra*.

826. In Bar File B, it is alleged that Plaintiff's publication of a chat log with a satirical caption violated the provisions charged.

827. The caption was political satire. Upon learning that the statement was incorrect as to who initiated the contact, Plaintiff notified Judge-Opponent and the complainant and removed the statement. The

correction did not concern the request for a discreet meeting with the judge, which was made. The material assertion was true, and the voluntary correction refutes any knowledge of falsity.

828. Rule 3-4.3 cannot constitutionally be applied to Plaintiff's political speech. *The Florida Bar v. Crowley*, No. SC2020-0529, slip op. at 16 n.10 (Fla. July 9, 2026) (motion for rehearing pending). Probable cause is a reasonable basis to believe that conduct violated a provision; where the provision charged cannot validly reach the conduct, there is no prohibition to violate and no probable cause can exist. That Rule 3-4.3 also articulates no ascertainable standard is the reason it cannot validly reach protected speech, and not an independent basis for the absence of probable cause. Paragraphs 300 through 305 *supra*.

829. Morrison advanced and continues to advance the foregoing accusation under Rule 3-4.3 for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but

in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

830. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;

- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LVIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Chat-Log Accusation Under Rule 4-3.5(a)

(Against Defendant Morrison, Individual Capacity)

831. Plaintiff realleges and incorporates Paragraphs 128 through 136 *supra*.

832. In Bar File B, it is alleged that Plaintiff's publication of a chat log with a satirical caption violated the provisions charged.

833. The caption was political satire. Upon learning that the statement was incorrect as to who initiated the contact, Plaintiff notified Judge-Opponent and the complainant and removed the statement. The correction did not concern the request for a discreet meeting with the judge, which was made. The material assertion was true, and the voluntary correction refutes any knowledge of falsity.

834. Rule 4-3.5(a) prohibits seeking to influence a judge, juror, prospective juror, or other decision maker except as permitted by law. A satirical publication addressed to the public was neither directed to any decision maker nor made in any proceeding in which any decision was pending. The rule is facially inapplicable, and no probable cause can exist for a charge whose threshold element is absent.

835. Morrison advanced and continues to advance the foregoing accusation under Rule 4-3.5(a) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

836. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury,

impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LIX

42 U.S.C. § 1983 — First Amendment Retaliation

The Chat-Log Accusation Under Rule 4-8.2(a)

(Against Defendant Morrison, Individual Capacity)

837. Plaintiff realleges and incorporates Paragraphs 128 through 136 *supra*.

838. In Bar File B, it is alleged that Plaintiff's publication of a chat log with a satirical caption violated the provisions charged.

839. The caption was political satire. Upon learning that the statement was incorrect as to who initiated the contact, Plaintiff notified Judge-Opponent and the complainant and removed the statement. The correction did not concern the request for a discreet meeting with the judge, which was made. The material assertion was true, and the voluntary correction refutes any knowledge of falsity.

840. Rule 4-8.2(a) prohibits only a statement that the lawyer knows to be false, or makes with reckless disregard as to its truth or falsity, concerning the qualifications or integrity of a judge or a candidate for judicial office. The material assertion was true, and the one inaccurate particular was corrected promptly and voluntarily upon discovery. Knowledge of falsity is refuted by the correction itself.

841. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(a) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

842. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LX

42 U.S.C. § 1983 — First Amendment Retaliation

The Chat-Log Accusation Under Rule 4-8.2(b)

(Against Defendant Morrison, Individual Capacity)

843. Plaintiff realleges and incorporates Paragraphs 128 through 136

supra.

844. In Bar File B, it is alleged that Plaintiff's publication of a chat log with a satirical caption violated the provisions charged.

845. The caption was political satire. Upon learning that the statement was incorrect as to who initiated the contact, Plaintiff notified Judge-Opponent and the complainant and removed the statement. The correction did not concern the request for a discreet meeting with the judge, which was made. The material assertion was true, and the voluntary correction refutes any knowledge of falsity.

846. Rule 4-8.2(b) requires a candidate for judicial office to comply with the Code of Judicial Conduct, and operates here only through the Canons separately charged. As applied to this accusation the rule reaches core political speech and campaign conduct protected by the First Amendment under *Republican Party of Minnesota v. White*, and prescribes no independent standard of its own. No probable cause can exist under a pass-through provision whose underlying Canons fail for the reasons stated in the adjacent counts.

847. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.2(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question

about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

848. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;

- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LXI

42 U.S.C. § 1983 — First Amendment Retaliation

The Chat-Log Accusation Under Rule 4-8.4(d)

(Against Defendant Morrison, Individual Capacity)

849. Plaintiff realleges and incorporates Paragraphs 128 through 136 *supra*.

850. In Bar File B, it is alleged that Plaintiff's publication of a chat log with a satirical caption violated the provisions charged.

851. The caption was political satire. Upon learning that the statement was incorrect as to who initiated the contact, Plaintiff notified

Judge-Opponent and the complainant and removed the statement. The correction did not concern the request for a discreet meeting with the judge, which was made. The material assertion was true, and the voluntary correction refutes any knowledge of falsity.

852. Rule 4-8.4(d) reaches only conduct “in connection with the practice of law.” The conduct alleged occurred in Plaintiff's capacity as a candidate for public office and as a private citizen, not in the practice of law. The rule is facially inapplicable, and no probable cause can exist under a rule whose threshold element is absent.

853. Morrison advanced and continues to advance the foregoing accusation under Rule 4-8.4(d) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter

a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

854. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);

- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LXII

42 U.S.C. § 1983 — First Amendment Retaliation

The Chat-Log Accusation Under Canon 7A(3)(b)

(Against Defendant Morrison, Individual Capacity)

855. Plaintiff realleges and incorporates Paragraphs 128 through 136 *supra*.

856. In Bar File B, it is alleged that Plaintiff's publication of a chat log with a satirical caption violated the provisions charged.

857. The caption was political satire. Upon learning that the statement was incorrect as to who initiated the contact, Plaintiff notified Judge-Opponent and the complainant and removed the statement. The correction did not concern the request for a discreet meeting with the judge, which was made. The material assertion was true, and the voluntary correction refutes any knowledge of falsity.

858. Canon 7A(3)(b) directs a candidate to maintain “the dignity appropriate to judicial office.” Dignity is not a defined standard of conduct,

and as applied to core political speech the provision is subject to strict scrutiny under *Republican Party of Minnesota v. White*. No probable cause can exist under an undefined dignity standard applied to protected campaign speech and conduct.

859. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(b) for approximately two years. The refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

860. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken

with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

COUNT LXIII

42 U.S.C. § 1983 — First Amendment Retaliation

The Chat-Log Accusation Under Canon 7A(3)(e)(ii)
(Against Defendant Morrison, Individual Capacity)

861. Plaintiff realleges and incorporates Paragraphs 128 through 136 *supra*.

862. In Bar File B, it is alleged that Plaintiff's publication of a chat log with a satirical caption violated the provisions charged.

863. The caption was political satire. Upon learning that the statement was incorrect as to who initiated the contact, Plaintiff notified Judge-Opponent and the complainant and removed the statement. The correction did not concern the request for a discreet meeting with the judge, which was made. The material assertion was true, and the voluntary correction refutes any knowledge of falsity.

864. Canon 7A(3)(e)(ii) prohibits only a knowing misrepresentation of the identity, qualifications, present position, or other fact concerning the candidate or an opponent. The material assertion was true, and the one inaccurate particular was corrected promptly and voluntarily upon discovery. A voluntarily corrected statement is the opposite of a knowing misrepresentation.

865. Morrison advanced and continues to advance the foregoing accusation under Canon 7A(3)(e)(ii) for approximately two years. The

refuting materials identified *supra* were before Morrison; Plaintiff's sworn proof was in Morrison's possession; no complainant was ever asked a single question about the accusation; and no supporting fact was ever identified. From these premises — possession of the refuting record, refusal of sworn proof, absence of any inquiry, and continued advancement — Plaintiff alleges that the accusation was advanced not on any belief that a violation occurred, but in retaliation for Plaintiff's protected campaign speech and protected candidacy. The advancement of the accusation is an action that would deter a person of ordinary firmness from engaging in protected activity, and it deterred Plaintiff's 2026 candidacy.

866. As a direct and proximate result of the foregoing, Plaintiff has suffered damages including emotional distress, reputational injury, impairment of earning capacity, and impairment of Plaintiff's ability to participate effectively in his defense. Morrison's conduct was undertaken with reckless or callous indifference to Plaintiff's federally protected rights, entitling Plaintiff to punitive damages. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

WHEREFORE, Plaintiff respectfully requests that this Court:

(a) Award Plaintiff compensatory damages against Defendant Morrison, individually, in an amount to be determined at trial;

- (b) Award Plaintiff punitive damages against Defendant Morrison, individually, in an amount to be determined at trial;
- (c) Award Plaintiff nominal damages;
- (d) Award Plaintiff his reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b), including fees incurred by any counsel Plaintiff may retain or associate in this action;
- (e) Tax Plaintiff's costs against Defendants pursuant to 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1);
- (f) Award Plaintiff prejudgment interest on all sums awarded, at the maximum rate allowed by law;
- (g) Award Plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961; and
- (h) Grant such other and further relief as this Court deems just and proper.

PRESERVATION OF ISSUES

867. Plaintiff acknowledges that this Court is bound by controlling authority of the Supreme Court of the United States and of the United States Court of Appeals for the Eleventh Circuit, and Plaintiff does not ask this Court to depart from that authority.

868. To the extent any claim, contention, or request for relief set forth in this Complaint is contrary to controlling authority, Plaintiff identifies it, pursuant to Federal Rule of Civil Procedure 11(b)(2), as a

nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law, and states it in order to preserve the issue.

869. Plaintiff does not waive, and expressly preserves, any argument that an exception to controlling authority applies, that controlling authority is distinguishable from the facts alleged, or that controlling authority should be modified or reversed on appeal.

870. Plaintiff further preserves each claim, contention, and request for relief set forth in this Complaint for review, whether or not it is sustained by this Court.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury on all issues so triable, including Counts IX, X, XI, XII, and XIII through LXIII.

Dated: July 29, 2026

Respectfully submitted,

/s/ John Doe

John Doe, Plaintiff, Pro Se

VERIFICATION

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that I am the Plaintiff in the above-captioned action, that I have read the foregoing Complaint, and that the factual allegations contained therein are true and correct to the best of my knowledge, information, and belief.

Executed on July ~~29~~³¹, 2026.

/s/ John Doe

John Doe, Plaintiff

(true identity on file with the Court under seal pursuant to the pending Motion for Leave to Proceed Under Pseudonym)

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JOHN DOE,
Plaintiff,

v.

Case No. 6:26-cv-01481-JSS-RMN

THE FLORIDA BAR; ASHLEY MORRISON, in her official
and individual capacities as Bar Counsel for The Florida
Bar; JOSHUA E. DOYLE, in his official and individual
capacities as Executive Director of The Florida Bar; and
GYPSY BAILEY, in her official and individual capacities
as General Counsel for The Florida Bar,
Defendants.

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