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June 7, 2004

Via Fax and U.S. Mail

Mr. Frank J. Lawrence, Jr.,  
941 Westview Rd.  
Bloomfield Hills, MI 48304

Re: Subpoena for Documents (File No: 89563)  
Case No. 4:04-mc-00032-WCS

Dear Mr. Lawrence:

I am in receipt of your letter dated June 3, 2004. The positions taken in my previous letter to you have been taken in good faith, the assertion of privilege under Rule 501 has a reasonable basis, and there has been no effort to unreasonably and vexatiously multiply the proceedings. I do not appreciate your unsupported charge that the positions are being taken in bad faith. I can assure you that I do not assert positions in litigation that are unsupported or that are motivated by bad faith. In this regard, contrary to your accusation, the Board's response was not a calculated effort to avoid its duties in responding to a subpoena in order to advance its own self-interest in connection with your pending application for admission. Rather, the Response was a reasonable one based on all relevant considerations.

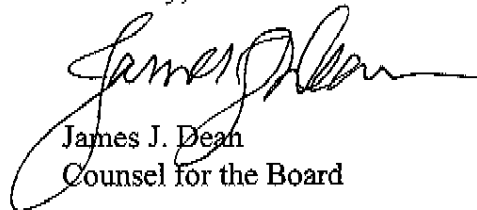
Nevertheless, I do not wish to engage in a war of faxes. I would rather focus on the substantive aspects of the matter. Based on your letter, it is my understanding that you do not seek internal memoranda or notes of the Office of General Counsel or staff of the Board relating to your application for admission; but rather, you seek raw investigative material in the form of correspondence received by the Board from the outside sources identified in your subpoena. More specifically, you seek letters received from Edward Avadenka, Thomas Ryan and C. Charles Bokos, if any. (As stated in my previous letter, all correspondence received from the Michigan Bar relating to your applications for admission has been made available to you; and is independently available to you in any event).

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It has not been the Board's practice, on receipt of an applicant's request for copies of documents from the applicant's file, to attempt to contact third parties to ascertain whether they have any objection to disclosure of documents such persons have provided to the Board. However, the number of persons who need to be contacted in this instance is small (such that the administrative burden in this case is not great). Thus, in a good faith effort to reach an amicable resolution of this matter that does not compromise the legitimate interests of the Board and the Supreme Court of Florida in maintaining the confidential and privileged character of the documents and to avoid the cost and expense of litigation, the persons identified in your subpoena who have corresponded with the Board relating to your application for admission have been contacted. These persons indicated that they would authorize disclosure of the subject letters, and I have therefore attached copies of letters from Judge C. Charles Bokos and Judge Edward Avadenka in accordance with Rule 1-63.6 of the Rules of the Supreme Court Relating to Admissions to the Bar. The Board is not in possession of any correspondence from Thomas Ryan.

Thank you.

Sincerely,



James J. Dean  
Counsel for the Board

Enclosures:

Copy of Letter from Edward Avadenka dated September 10, 2002 with attachment  
Copy of Letter from C. Charles Bokos dated June 30, 2003, with attachment

cc (without enclosures):

Eleanor Mitchell Hunter, Executive Director, Florida Board of Bar Examiners  
Thomas A. Pobjecky, Office of General Counsel, Florida Board of Bar Examiners