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November 15, 1988

The Florida Bar
Civil Procedure Rules Committee
650 Apalachee Parkway
Tallahassee, Florida 32399-2300

FILED

SID J. WHITE

NOV 17 1988

CLERK, SUPREME COURT

By _____
Deputy Clerk

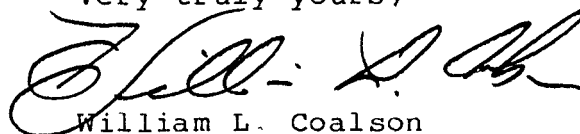
Re: Petition to amend Rule 1.442 (Case No. 73,263
now pending before the Florida Supreme Court)

Gentlemen:

This letter is to comment on the article appearing in the Bar News dated November 15, 1988 regarding a petition filed November 1st with the Supreme Court of Florida to amend Rule 1.442. In that article, the Florida Bar Civil Rules Committee also recommended that §§45.061 and 768.79, Florida Statutes, be found unconstitutional as being violative of the court's rule making authority under Article 2, Section 3 and Article 5, Section 2, Florida Constitution.

I have previously made the same, precise arguments before the Honorable John Nelson in the case of Community Redevelopment v. Erthal, et al., Case No. 88-0113-CA, and before the Honorable Harlow Land, Jr. in City of Live Oak, Florida v. Hankins, et al., Case No. 85-144-CA, as more particularly appear from copies of Motions to Strike or Dismiss Offers of Judgment submitted herewith. I would also like for the Committee to recommend that §73.092(7)(8)(9), Florida Statutes be found unconstitutional for the reasons stated in my enclosures.

Very truly yours,


William L. Coalson

WLC/d

xc: Honorable Sid White, Clerk
Florida Supreme Court

Florida Bar Eminent Domain Committee

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attached: 6

would like
O.A. Time