

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA**

FLORIDA DEMOCRATIC PARTY,

Plaintiff,

v.

KEN DETZNER, in his official capacity
as Secretary of State of the State of
Florida,

Defendants.

CASE NO.

**PLAINTIFF'S EMERGENCY MOTION FOR TEMPORARY
RESTRAINING ORDER AND ORDER TO SHOW CAUSE**

NOW COMES Plaintiff Florida Democratic Party, by and through its attorneys, and moves the Court pursuant to Rule 65 of the Federal Rules of Civil Procedure for a temporary restraining order and order to show cause as to why a temporary restraining order and/or preliminary injunction should not issue against Ken Detzner, in his official capacity as Secretary of State of Florida. In support thereof, Plaintiff states as follows:

1. On October 9, 2018, Plaintiff filed its Complaint for Declaratory and Injunctive Relief, alleging that Plaintiff is entitled to relief from this Court for

violations of its rights as well as the rights of its members and constituents—thousands of eligible Florida voters—under the First and Fourteenth Amendments to the U.S. Constitution and the Equal Protection Clause, pursuant to 42 U.S.C. §§ 1983 and 1988.

2. Plaintiff seeks a temporary restraining order and/or preliminary injunction requiring the Secretary, their officers, employees, and agents, all persons acting in active concert or participation, or under the supervision, direction, or control of the Secretary, and all other persons within the scope of Federal Rule of Civil Procedure 65, to extend the voter registration deadline until October 16, 2018.

3. Federal Rule of Civil Procedure 65 provides for the issuance of a temporary restraining order and/or preliminary injunction under circumstances such as those that exist in the present case.

4. In support of this motion, Plaintiff submits a Memorandum of Law, addressing all necessary elements for the entry of a temporary restraining order and preliminary injunction and an order to show cause.

5. Plaintiff seeks leave to present 30 minutes of oral argument in support of this motion pursuant to Local Civil Rule 7.1(K).

6. Plaintiff files this motion as an emergency motion pursuant to Local Rule 7.1(L) because the voter registration deadline is currently scheduled for

October 9, 2018—today. It is essential that this Court resolve the motion as soon as possible.

WHEREFORE, for the foregoing reasons, and for those set forth in Plaintiff's supporting Memorandum of Law, Plaintiff respectfully moves that the Court enter a temporary restraining order requiring the Secretary, his officers, employees, and agents, all persons acting in active concert or participation, or under the supervision, direction, or control of the Secretary, and all other persons within the scope of Federal Rule of Civil Procedure 65, to extend the voter registration deadline until October 16, 2018.

Dated: October 9, 2018

Respectfully submitted,

/s/ Mark Herron

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