

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

LEAGUE OF WOMEN VOTERS OF
FLORIDA, INC., THE ANDREW
GOODMAN FOUNDATION, INC.,
MEGAN NEWSOME, AMOL
JETHWANI, MARY ROY a/k/a JAMIE
ROY, DILLON BOATNER,
ALEXANDER ADAMS and ANJA
RMUS,

Plaintiffs,

v.

KENNETH W. DETZNER, in his official
capacity as the Florida Secretary of State,

Defendant.

Case No. 4:18-cv-00251
(MW/CAS)

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65(a), Plaintiffs, the LEAGUE OF WOMEN VOTERS OF FLORIDA, INC., the ANDREW GOODMAN FOUNDATION, INC., MEGAN NEWSOME, AMOL JETHWANI, MARY ROY a/k/a JAMIE ROY, DILLON BOATER, ALEXANDER ADAMS, and ANJA RMUS (collectively, "Plaintiffs"), for the reasons set forth in the memorandum of law filed concurrently with this motion as supported by the exhibits and declarations submitted therewith, respectfully move for an Order under Federal Rule of Civil Procedure 65:

- (1) Preliminarily enjoining Defendant Florida Secretary of State Kenneth W. Detzner (the “Secretary”) from implementing or enforcing Fla. Stat. § 101.657(1)(a) in any way that prohibits or discourages the use of any permanent public library facility, fairground, civic center, courthouse, county commission building, stadium, convention center, government-owned senior center, or government-owned community center for early voting on the basis that that the facility that would be used for this purpose is related to, designed for, affiliated with, or part of a college or university, including through the use of the Secretary’s powers to obtain and maintain uniformity in the interpretation and implementation of Florida’s election laws; and
- (2) Requiring the Secretary to issue a directive to the supervisors of elections, who are similarly bound by the Court’s Order pursuant to Federal Rule of Civil Procedure 65(d)(2), attaching the Court’s Order, and advising them that: (a) interpretation of Fla. Stat. § 101.657(1)(a) to universally exclude from consideration as early voting sites any facilities related to, designed for, affiliated with, or part of a college or university, is unconstitutional; and (b) in light of the Court’s order, the supervisors of election retain discretion under Fla. Stat. § 101.657(1)(a) to place early voting sites in any type of facility listed therein, including in facilities related to, designed for, affiliated with, or part of a college or university, and should locate such sites geographically so as to provide all voters in the county an equal

opportunity to cast a ballot, insofar as practicable, as required by the statute.

LOCAL RULE 7.1(B) CERTIFICATION

Counsel for Plaintiffs, Fritz Wermuth, Esquire, certifies that he conferred with counsel for Defendant, Mohammed Jazil, in a good faith effort to resolve the issue set forth herein on Monday, June 18, 2018, and was advised that Defendant will oppose this motion.

LOCAL RULE 7.1(F) CERTIFICATION

Counsel for Plaintiffs, Fritz Wermuth, Esquire, certifies that this motion contains 335 words.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 21, 2018, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

Respectfully submitted,

/s/ Frederick S. Wermuth
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**Admitted Pro Hac Vice*