

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

LEAGUE OF WOMEN VOTERS OF
FLORIDA,

Plaintiff,

v.

RICHARD SCOTT, in his official
capacity as Governor of the State of
Florida, and KEN DETZNER, in his
official capacity as Secretary of State of
the State of Florida,

Defendants.

Case No. _____

PLAINTIFF'S EMERGENCY MOTION FOR A PRELIMINARY INJUNCTION
AND ORDER TO SHOW CAUSE

NOW COMES Plaintiff League of Women Voters of Florida , by and through its attorneys, and moves the Court pursuant to Rule 65 of the Federal Rules of Civil Procedure for a preliminary injunction and order to show cause as to why a preliminary injunction should not issue against Richard Scott, in his official capacity as Governor of Florida, and Ken Detzner, in his official capacity as Secretary of State of Florida. Plaintiff also respectfully requests that this matter be heard at the same time as *Florida Dem. Party v. Scott*, No. 4:16-cv-00626 on Wednesday, October 12, 2016. In support thereof, Plaintiff states as follows:

1. On October 11, 2016, 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 National Voter Registration Act, Section 2 of the Voting Rights Act, and the First and Fourteenth Amendments to the U.S. Constitution, pursuant to 42 U.S.C. §§ 1983 and 1988.

2. Plaintiff seeks a preliminary injunction requiring Defendants, their officers, employees, and agents, all persons acting in active concert or participation with Defendants, or under Defendants' supervision, direction, or control, and all other persons within the scope of Federal Rule of Civil Procedure 65, to accept delivery of voter registration applications until at least October 18, 2016, in order to account for lost registration time, including a weekend.

3. Federal Rule of Civil Procedure 65 provides for the issuance of a 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 preliminary

injunction and preliminary injunction and an order to show cause, and the Declarations of Pamela Goodman and Lilly Paez.

5. 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 12, 2016. It is essential that this Court resolve the motion before the deadline for the relief Plaintiff requests to be effective, such that voters are able to register after the current deadline.

6. Plaintiff seeks leave to present 30 minutes of oral argument in support of this motion pursuant to Local Civil Rule 7.1(K). Plaintiffs also respectfully request that the motion be heard Wednesday, October 12, 2016 at the same time as *Florida Dem. Party v. Scott*, No. 4:16-cv-00626.

WHEREFORE, for the foregoing reasons, and for those set forth in Plaintiff's supporting Memorandum of Law and the Declarations of Pamela Goodman and Lilly Paez, Plaintiff respectfully moves that the Court enter a preliminary injunction requiring Defendants, their officers, employees, and agents, all persons acting in active concert or participation with Defendants, or under Defendants' supervision, direction, or control, and all other persons within the scope of Federal Rule of Civil Procedure 65, to accept delivery of voter registration applications until at least October 18, 2016.

Dated: October 11, 2016

/s/ Farrah R. Berse

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

Robert A. Atkins

N.Y. Bar No. 2210771

Farrah R. Berse

N.Y. Bar No. 4129706

1285 Avenue of the Americas

New York, New York 10019-6064

Tel. 212-373-3000

Fax 212-757-3990

**BRENNAN CENTER FOR JUSTICE AT
NEW YORK UNIVERSITY SCHOOL OF
LAW**

Wendy R. Weiser

N.Y. Bar No. 4415303

Myrna Pérez

Texas Bar No. 24041676

161 Avenue of the Americas, 12th
Floor

New York, New York 10013-1205

Tel. 646-292-8310

Fax 212-463-7308

Counsel for Plaintiff

CERTIFICATE OF
SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following parties via electronic mail;

- David Fugett, Counsel for The Secretary of State,
david.fugett@dos.myflorida.com,
- William Spicola, General Counsel for Governor, Rick Scott,
william.spicola@eog.myflorida.com

/s/ Farrah R. Berse

Farrah R. Berse