

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA**

VOTEVETS ACTION FUND;  
DEMOCRATIC NATIONAL  
COMMITTEE; and DSCC a/k/a  
DEMOCRATIC SENATORIAL  
CAMPAIGN COMMITTEE,

Plaintiffs,

v.

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

Defendant,

and

NATIONAL REPUBLICAN  
SENATORIAL COMMITTEE;  
REPUBLICAN PARTY OF FLORIDA;  
and PAM BONDI, in her official capacity  
as the Attorney General of Florida,

Defendants-Intervenors.

Case No. 4:18-cv-524-MW/CAS

**PLAINTIFFS' STATUS REPORT AND CONSENT MOTION FOR  
EXTENSION OF TIME**

On November 19, 2018, this Court directed the parties to confer and file, by November 30, a notice with the Court indicating how the parties intend to proceed in this action. (Dkt. 57). Upon Plaintiffs' Motion, (Dkt. 59), the Court granted the parties a two-week extension—to December 14, 2018—to comply with its Order. (Dkt. 61). The Court also directed Defendant, Secretary Detzner, to disclose the number of non-overseas mail-in ballots that were postmarked

before Election Day but were not counted because they were received after 7 p.m. on Election Day. (Dkt. 57). As of December 7, 2018, based on reports from 65 out of 67 counties, the Secretary reported that 6,670 vote-by-mail ballots, which were postmarked before Election Day, were not counted in the November 2018 general election.

Accordingly, Plaintiffs VoteVets Action Fund, Democratic National Committee, and DSCC, by and through their attorneys, file this status report to inform the Court that Plaintiffs plan to resume litigation proceedings in this action. To that end, Plaintiffs request that the Court amend the current deadlines set forth in its Initial Scheduling Order (Dkt. 58) and grant the parties a 30-day extension of the current December 20, 2018 deadline to conduct a Rule 26(f) conference and file a joint report, along with a proposed scheduling order for the completion of discovery. Plaintiffs have conferred with Defendants and Intervenor, and Secretary Detzner, the Attorney General for the State of Florida, and National Republican Senatorial Committee consent to this request. Intervenor Republican Party of Florida has not taken a position on the proposed extension.

The parties are also engaged in further discussions regarding the deadline for responsive pleadings, and Defendants and Intervenor will advise the Court accordingly of any additional extension requests.

Dated: December 14, 2018

Respectfully submitted,

/s/ Uzoma Nkwonta

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## **CERTIFICATE OF SERVICE**

I hereby certify that on December 14, 2018, I caused to be electronically filed the foregoing Motion on behalf of the Plaintiffs with the Clerk of the Court using the ECF system, which will send notification of such filing to all attorneys of record.

Respectfully submitted,

/s/ Uzoma Nkwonta

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## **CERTIFICATE OF ATTORNEY CONFERENCE**

Pursuant to N.D. Fla. Loc. R. 7.1(B), Plaintiffs' counsel has conferred with counsel for the Defendants and Intervenor. Secretary Detzner, the Attorney General for the State of Florida, and National Republican Senatorial Committee consent to this request. Intervenor Republican Party of Florida has not taken a position on the proposed extension.

Respectfully submitted

/s/ Uzoma Nkwonta

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