

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

VOTE.ORG; FLORIDA ALLIANCE
FOR RETIRED AMERICANS;
FLORIDA STATE CONFERENCE
OF BRANCHES AND YOUTH
UNITS OF THE NAACP;
DISABILITY RIGHTS FLORIDA,

Plaintiffs,

v.

CORD BYRD, in his official capacity
as Secretary of State of Florida; et al.,

Defendants,

and

REPUBLICAN NATIONAL
COMMITTEE and REPUBLICAN
PARTY OF PASCO COUNTY,

Intervenor-Defendants.

Case No. 4:23-cv-111-AW-MAF

**PLAINTIFFS' RESPONSE CONCERNING CLAIMS AGAINST
REMAINING DEFENDANTS**

This Court has directed Plaintiffs to file a response showing why, considering its Order Granting Motions to Dismiss, ECF No. 140, the Court should not dismiss claims against non-moving Defendants and enter final judgment. Plaintiffs respectfully maintain that the Court erred in granting the motions to dismiss. Thus, to preserve their arguments on appeal, Plaintiffs oppose dismissal and final judgment

for the same reasons set out in Plaintiffs' Memorandum in Opposition to Defendants' and Intervenors' Motions to Dismiss, ECF No. 119. However, Plaintiffs recognize that the logic behind the Court's order extends to their claims against those Defendants who did not join in the motion. Plaintiffs therefore acknowledge that the natural extension of the Court's order is dismissal and final judgment in favor of all Defendants.

LOCAL RULE 7.1(F) CERTIFICATION

The undersigned, Frederick Wermuth, certifies that this response contains 133 words, excluding the case style and certifications.

Dated: November 8, 2023

Respectfully submitted,

Abha Khanna*
ELIAS LAW GROUP LLP
1700 Seventh Ave., Suite 2100
Seattle, Washington 98101
Telephone: (206) 656-0177
akhanna@elias.law

/s/ Frederick S. Wermuth
Frederick S. Wermuth
Florida Bar No. 0184111
Quinn B. Ritter
Florida Bar No. 1018135
**KING, BLACKWELL, ZEHNDER
& WERMUTH, P.A.**

Justin Baxenberg*
Alexander F. Atkins*
Renata O'Donnell*
ELIAS LAW GROUP LLP
250 Massachusetts Ave NW, Suite 400
Washington, D.C. 20001
Telephone: (202) 968-4490
jbaxenberg@elias.law
aatkins@elias.law
rodonnell@elias.law

P.O. Box 1631
Orlando, FL 32802-1631
Telephone: (407) 422-2472
Facsimile: (407) 648-0161
fweremuth@kbzwlaw.com

*Counsel for Plaintiffs Vote.Org,
Florida Alliance for Retired
Americans, Florida State Conference
of Branches and Youth Units of the
NAACP, and Disability Rights Florida*

**Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2023, I filed a copy of the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Frederick S. Wermuth
Frederick S. Wermuth
Florida Bar No.: 0184111
Counsel for Plaintiffs