

Case No. 22-13544

---

---

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

---

JACKSONVILLE BRANCH OF THE NAACP, et al.

*Plaintiffs-Appellees,*

v.

CITY OF JACKSONVILLE, et al.

*Defendants-Appellants,*

---

On Appeal from the United States District Court  
for the Middle District of Florida, No. 3:22-cv-493 (Morales Howard, J.)

---

**JOINT MOTION TO VOLUNTARILY DISMISS APPEAL**

---

Mohammad O. Jazil\*  
Jason B. Torchinsky  
Michael Beato  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 South Monroe Street, Suite 500  
Tallahassee, FL 32301  
(850) 274-1690

Jason R. Teal  
Mary Margaret Giannini  
Helen Roberson  
OFFICE OF GENERAL COUNSEL  
CITY OF JACKSONVILLE  
117 W. Duval Street, Suite 480  
Jacksonville, FL 32202  
(904) 255-5100

*Counsel for Defendants-Appellants*  
*\*Lead Counsel for Defendants-Appellants*

Nicholas Warren\*  
ACLU FOUNDATION OF FLORIDA, INC.  
336 East College Avenue, Ste. 203  
Tallahassee, FL 32301  
(786) 363-1769

Daniel B. Tilley  
Caroline A. McNamara  
ACLU FOUNDATION OF FLORIDA, INC.  
4343 West Flagler Street, Ste. 400  
Miami, FL 33134

Bradley E. Heard  
Jack Genberg  
SOUTHERN POVERTY LAW CENTER  
150 East Ponce de Leon Ave, Ste. 340  
Decatur, GA 30030  
(404) 521-6700

Daniel J. Hessel  
Ruth Greenwood  
Theresa J. Lee  
Nicholas Stephanopoulos  
ELECTION LAW CLINIC  
HARVARD LAW SCHOOL  
6 Everett Street, Ste. 4105  
Cambridge, MA 02138  
(617) 495-5202

Krista Dolan  
Matletha Bennette  
Southern Poverty Law Center  
P.O. Box 10788  
Tallahassee, FL 32301-2788  
(850) 521-3000

*Attorneys for Plaintiffs-Appellees*  
*\*Lead Counsel for Plaintiffs-Appellees*

---

**CERTIFICATE OF INTERESTED PERSONS AND  
CORPORATE DISCLOSURE STATEMENT**

Per Rule 26.1 and Circuit Rule 26.1, Appellants certify that the following have an interest in the outcome of this appeal:

1. American Civil Liberties Union of Florida of Florida Northeast Chapter, *Plaintiff*
2. American Civil Liberties Union of Florida, *Law Firm of Attorney for Plaintiffs-Appellees*
3. Barnum, Dennis, *Plaintiff*
4. Barnum, Eunice, *Plaintiff*
5. Beato, Michael, *Attorney for Defendants-Appellants*
6. Bennette, Matletha, *Attorney for Plaintiffs-Appellees*
7. Carswell, Haraka, *Plaintiff*
8. City of Jacksonville, *Defendant-Appellant*
9. Covington, Ayesha, *Plaintiff*
10. Dolan, Krista Ann, *Attorney for Plaintiffs-Appellees*
11. Duval County Supervisor of Elections Office, *Interested Party*
12. Florida Rising Together, Inc., *Plaintiff*
13. Florida State Conference of Branches and Youth Units of the National Association for the Advancement of Colored People, *Interested Party*
14. Genberg, Jack, *Attorney for Plaintiffs-Appellees*
15. Giannini, Mary Margaret, *Attorney for Defendants-Appellants*
16. Greenwood, Ruth M., *Attorney for Plaintiffs-Appellees*
17. Harrell, Sonya, *Attorney for Defendants-Appellants*
18. Harvard Law School Election Law Clinic, *Law Firm of Attorney for Plaintiffs-Appellees*

19. Heard, Bradley E., *Attorney for Plaintiffs-Appellees*
20. Hessel, Daniel, *Attorney for Plaintiffs-Appellees*
21. Hogan, Mike, in his official capacity as Duval County Supervisor of Elections,  
*Defendant-Appellant*
22. Howard, Marcia Morales, *U.S. District Court Judge*
23. Jacksonville Branch of the NAACP, *Plaintiff*
24. Jazil, Mohammad O., *Attorney for Defendants-Appellants*
25. Johnson, Doug, *Map Drawer for Defendants-Appellants*
26. Lee, Theresa J., *Attorney for Plaintiffs-Appellees*
27. McCoy, Rosemary, *Plaintiff*
28. McNamara, Caroline Andrews, *Attorney for Plaintiffs-Appellees*
29. Montgomery, Ingrid, *Plaintiff*
30. National Association for the Advancement of Colored People, *Interested Party*
31. Northside Coalition of Jacksonville, Inc., *Plaintiff*
32. Phillips, Jon Robert, *Attorney for Defendants-Appellants*
33. Roberson, Helen Peacock, *Attorney for Defendants-Appellants*
34. Roberts, Tiffanie, *Plaintiff*
35. Singleton, Sheila, *Plaintiff*
36. Southern Poverty Law Center, *Law Firm of Attorney for Plaintiffs-Appellees*
37. Stephanopoulos, Nicholas, *Attorney for Plaintiffs-Appellees*
38. Teal, Jason R., *General Counsel for the City of Jacksonville*
39. Tilley, Daniel B., *Attorney for Plaintiffs-Appellees*
40. Torchinsky, Jason, *Attorney for Defendants-Appellants*
41. Warren, Nicholas, *Attorney for Plaintiffs-Appellees*
42. Washington, Marcella, *Plaintiff*
43. Williams, Janine, *Plaintiff*

Per Circuit Rule 26.1-2(c), Appellants City of Jacksonville and Supervisor Hogan certify that the CIP contained herein is complete.

Dated: January 9, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil  
*Counsel for Defendants-Appellants*

## JOINT MOTION

Appellants', together with Appellees', jointly move to dismiss this appeal under Federal Rule of Appellate Procedure 42(b)(2). The City and Supervisor Hogan have decided to defend the remedial map enacted through City Ordinance 2022-8001-E. That map is the subject of an appeal in Case No. 22-14260.

Under the circumstances, the Parties have agreed to dismiss this appeal. The Parties will bear their own costs for this appeal; however, the Appellees ask, and the Appellants do not oppose, that the issue of attorney's fees, if any, stemming from this appeal be transferred to the district court for consideration as part of any fees petition after entry of final judgement. *See* 11th Cir. R. 39-2(d) (allowing same).

Dated: January 9, 2023

/s/ Nicholas Warren

Nicholas Warren  
ACLU FOUNDATION OF FLORIDA, INC.  
336 East College Avenue, Ste. 203  
Tallahassee, FL 32301  
(786) 363-1769  
nwarren@aclufl.org

Daniel B. Tilley  
Caroline A. McNamara  
ACLU FOUNDATION OF FLORIDA, INC.  
4343 West Flagler Street, Ste. 400  
Miami, FL 33134  
dtalley@aclufl.org  
cmcnamara@aclufl.org

Bradley E. Heard  
Jack Genberg  
SOUTHERN POVERTY LAW CENTER

Jason R. Teal  
General Counsel  
JTeal@coj.net, HDugan@coj.net  
Mary Margaret Giannini  
Assistant General Counsel  
MGiannini@coj.net, SStevison@coj.net  
Helen Peacock Roberson  
Assistant General Counsel  
OFFICE OF GENERAL COUNSEL  
CITY OF JACKSONVILLE  
HRoberson@coj.net,  
CStephenson@coj.net  
117 West Duval Street, Suite 480  
Jacksonville, FL 32202  
Phone: (904) 255-5100  
Facsimile: (904) 255-5120

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

150 East Ponce de Leon Ave, Ste. 340  
Decatur, GA 30030  
(404) 521-6700  
Bradley.heard@splcenter.org  
Jack.genberg@splcenter.org

Daniel J. Hessel  
Ruth Greenwood  
Theresa J. Lee  
Nicholas Stephanopoulos  
ELECTION LAW CLINIC  
HARVARD LAW SCHOOL  
6 Everett Street, Ste. 4105  
Cambridge, MA 02138  
(617) 495-5202  
dhessel@law.harvard.edu  
rgreenwood@law.harvard.edu  
thlee@law.harvard.edu  
nstephanopoulos@law.harvard.edu

Krista Dolan  
Matletha Bennette  
Southern Poverty Law Center  
P.O. Box 10788  
Tallahassee, FL 32301-2788  
(850) 521-3000  
Krista.dolan@splcenter.org  
Matletha.benette@splcenter.org

*Attorneys for Plaintiffs-Appellees*

Michael Beato  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 South Monroe Street, Suite 500  
Tallahassee, FL 32301  
(850) 391-0503  
mjazil@holtzmanvogel.com  
mbeato@holtzmanvogel.com

Jason B. Torchinsky  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
2300 N Street NW, Suite 643A  
Washington, DC 20037  
(540) 341-8808  
jtorchinsky@holtzmanvogel.com

*Counsel for Defendants-Appellants*

### **CERTIFICATE OF COMPLIANCE**

This motion complies with Rule 27(d)(2)(A) because it contains 117 words, excluding the parts that can be excluded. This motion also complies with Rule 32(a)(5)-(6) because it has been prepared in a proportionally spaced face using Microsoft Word 2016 in 14-point Garamond font.

Dated: January 9, 2023

/s/ Mohammad O. Jazil

### **CERTIFICATE OF SERVICE**

I filed this reply with the Court via ECF, which will serve a copy to all counsel of record.

Dated: January 9, 2023

/s/ Mohammad O. Jazil