

22-14260

**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.)

**UNOPPOSED SECOND MOTION FOR AN EXTENSION OF TIME BY
THE CITY OF JACKSONVILLE AND SUPERVISOR HOGAN**

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
Counsel for Defendants-Appellants
***Lead Counsel*

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

**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 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 National Association for the Advancement of Colored People, *Plaintiff*
24. Jazil, Mohammad O., *Attorney for Defendants-Appellants*
25. Lee, Theresa J., *Attorney for Plaintiffs-Appellees*
26. McCoy, Rosemary, *Plaintiff*
27. McNamara, Caroline Andrews, *Attorney for Plaintiffs-Appellees*
28. Montgomery, Ingrid, *Plaintiff*
29. National Association for the Advancement of Colored People, *Interested Party*
30. Northside Coalition of Jacksonville, Inc., *Plaintiff*
31. Phillips, Jon Robert, *Attorney for Defendants-Appellants*
32. Roberson, Helen Peacock, *Attorney for Defendants-Appellants*
33. Roberts, Tiffanie, *Plaintiff*
34. Singleton, Sheila, *Plaintiff*
35. Southern Poverty Law Center, *Law Firm of Attorney for Plaintiffs-Appellees*
36. Stephanopoulos, Nicholas, *Attorney for Plaintiffs-Appellees*
37. Tilley, Daniel B., *Attorney for Plaintiffs-Appellees*
38. Torchinsky, Jason, *Attorney for Defendants-Appellants*
39. Warren, Nicholas, *Attorney for Plaintiffs-Appellees*
40. Washington, Marcella, *Plaintiff*
41. Williams, Janine, *Plaintiff*

CORPORATE DISCLOSURE STATEMENT

Per Rule 26.1(a), Defendants-Appellants certify that the City of Jacksonville and Supervisor Hogan each has no parent corporation, and no publicly held corporation owns 10% or more of any of those entities' stock.

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

Dated: February 14, 2023

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

UNOPPOSED SECOND MOTION FOR AN EXTENSION OF TIME

The City of Jacksonville and Duval County Supervisor of Elections Mike Hogan move under Federal Rule of Appellate Procedure 26 and 27, and Eleventh Circuit Local Rules 26-1 and 27-1, for an extension of time of thirty days to file their initial brief. As it currently stands, their initial brief is due on March 8, 2023. This is the City and Supervisor Hogan's second request for an extension of time, the first being granted by phone on January 24, 2023.

This second extension is justified due to circumstances unforeseen at the time the City and Supervisor Hogan made their first request for an extension. Specifically, at present, members of the Jacksonville City Council are drafting for debate and consideration legislation related to matters in this case. That legislation may significantly alter some of the controversies between the parties. In addition, local and state transparency requirements limit the Council's ability to debate among themselves and seek legal advice. *See generally* § 5.02, Jacksonville Charter; §§ 18 *et. Seq.*, 15.101, 15.101 *et seq.*, 129.102, Jacksonville Ord. Code; <https://www.coj.net/city-council>. The requested extension would thus allow for all parties to consider (and shape) the potential legislative changes, and to better focus their arguments before this Court. The extension would also provide counsel for the Council added time to advise members.

* * *

The City and Supervisor Hogan thus ask this Court to grant their motion, making the initial brief due April 7, 2023. Notably, Plaintiffs do not oppose the extension.

Dated: February 14, 2023

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
HRoberson@coj.net,
CStephenson@coj.net
OFFICE OF GENERAL COUNSEL
CITY OF JACKSONVILLE
117 West Duval Street, Suite 480
Jacksonville, FL 32202
Phone: (904) 255-5100
Facsimile: (904) 255-5120

/s/ Mohammad O. Jazil
Mohammad O. Jazil
Michael Beato
HOLTZMAN VOGEL BARAN
TORCHINSKY & JOSEFIAK PLLC
19 South Monroe Street, Suite 500
Tallahassee, FL 32301
Phone: (850) 391-0503
mjazil@holtzmanvogel.com
mbeato@holtzmanvogel.com

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

CERTIFICATE OF COMPLIANCE

This motion complies with Rule 27(d)(2)(A) because it contains 256 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: February 14, 2023

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

CERTIFICATE OF SERVICE

I filed this motion with the Court via ECF, which provides a copy of the foregoing to all counsel of record.

Dated: February 14, 2023

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