

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY
BUILDING INSTITUTE, INC., *et al.*,

Plaintiffs,

Case No. 2022-CA-000666

v.

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

Defendants.

**ORDER GRANTING PLAINTIFFS' AMENDED MOTION TO STRIKE
SECRETARY'S EXHIBITS**


THIS CAUSE having come before the Court on Plaintiffs' Amended Motion to Strike Secretary's Exhibits. The Court has carefully considered the Motion, Defendants' Response, and being otherwise duly advised, it is hereby ORDERED AND ADJUDGED that:

1. The Motion is **GRANTED**. At the final hearing in this case the Court admonished the parties that the Court had no intent to rummage through the Florida Redistricting website to hunt for evidence that should be properly brought before the Court by the parties. To resolve this motion, that is exactly what the Court had to do. In going to that site, the Court noted immediately that the "heat maps" submitted to the Court by Defendants were not contained on that site. Whereas the underlying data may have been there, the maps were not.

2. Because the parties to this case voluntarily gave up the right to a trial regarding the facts in this case and submitted those facts as a

stipulation, they are constrained by that stipulation. External manipulation and analysis of data was not covered by the stipulation. Accordingly, the Court will not allow Defendants to do what should have been done through expert testimony subject to cross examination without consent of the opposing party.

DONE AND ORDERED in Tallahassee, Leon County, Florida, this Friday, September 1, 2023.



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J. Lee Marsh, Circuit Judge
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J. LEE MARSH
CIRCUIT JUDGE

Copies furnished to:
All Counsel of Record