## SC23-1671; 1D23-2252

#### IN THE SUPREME COURT OF FLORIDA

Black Voters Matter Capacity Building Institute, et al., *Petitioners*,

v.

CORD BYRD, IN HIS OFFICIAL CAPACITY AS SECRETARY OF STATE, ET AL.,

\*Respondents.\*

# FLORIDA LEGISLATURE'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWER BRIEF

The Florida Senate and Florida House of Representatives (the "Legislature") move for a seven-day extension of time, through and including May 6, to serve their answer brief. In support of this motion, the Legislature states:

- 1. The Legislature's answer brief is currently due to be served on April 29, 2024.
- 2. Undersigned counsel have made a substantial effort to complete the answer brief, but drafting in this case has been impeded by workload constraints and several significant competing commitments and deadlines, including drafting an initial brief filed on March 11 in First District Court of Appeal Case Number 1D2022-3834; drafting an initial brief filed April 8 in Second District Court of

Appeal Case Number 2D23-2319; drafting an amicus curiae brief filed April 22 in Third District Court of Appeal Case Number 3D22-0181; preparation for an oral argument held on April 23 in Second District Court of Appeal Case Number 2D23-1315; drafting a candidate-qualifying-related complaint and emergency motion for temporary injunction filed April 26 in Second Judicial Circuit Case No. 2024-CA-0653; drafting an answer brief due April 30 in Florida Supreme Court Case Number SC2023-0988; drafting a response due May 3 to a complaint filed April 10 in Middle District of Florida Case Number 8:24-cv-879; and preparation for an oral argument scheduled for May 7 in First District Court of Appeal Case Number 1D2023-0143.

- 3. This is the Legislature's second request for a short extension after being previously granted a single 30-day extension of the deadline to serve its answer brief. This motion is made in good faith and for good cause shown, is not intended for the purpose of delay, and no party will be prejudiced by the requested extension.
- 4. The undersigned counsel has consulted with counsel for the other parties and is authorized to represent that no party opposes the relief requested in this motion.

WHEREFORE, the Florida Senate and Florida House of Representatives respectfully request that this Court issue an order granting the requested extension of time, through and including May 6, within which to serve its answer brief.

## Respectfully submitted,

### /s/ Andy Bardos

Andy Bardos (FBN 822671)

# GRAYROBINSON, P.A.

301 South Bronough Street, Suite 600 Tallahassee, Florida 32301 (850) 577-9090 andy.bardos@gray-

robinson.com vanessa.reichel@grayrobinson.com

Counsel for Florida House of Representatives

## <u>/s/ Daniel Nordby</u>

Daniel E. Nordby (FBN 14588)

GEORGE N. MEROS, JR. (FBN 263321)

TARA R. PRICE (FBN 98073)

#### SHUTTS & BOWEN LLP

215 South Monroe Street,

Suite 804

Tallahassee, Florida 32301

(850) 241-1717

DNordby@shutts.com

GMeros@shutts.com

*TPrice@shutts.com* 

CARLOS REY (FBN 11648)

#### FLORIDA SENATE

404 South Monroe Street Tallahassee, Florida 32399

(850) 487-5855

Rey.Carlos@flsenate.gov

Counsel for Florida Senate

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this document has been filed via the Florida Courts E-Filing Portal on April 29, 2024, and electronically served to the following counsel of record:

Bradley R. McVay Fla. Bar No. 79034 JOSEPH S. VAN DE BOGART Fla. Bar No. 84764 ASHLEY DAVIS Fla. Bar No. 48032

#### FLORIDA DEPARTMENT OF STATE

R.A. Gray Building 500 S. Bronough St. Tallahassee, FL 32399 (850) 245-6536 Brad.Mcvay@dos.muflorida.com Joseph.VandeBogart@dos.myflorida.com Julie Zuckerbrod\* Ashley.Davis@dos.myflorida.com

MOHAMMAD O. JAZIL Fla. Bar No. 72556 GARY V. PERKO Fla. Bar No. 855898 MICHAEL BEATO Fla. Bar No. 1017715 HOLTZMAN VOGEL BARAN TORCHINSKY & JOSEFIAK PLLC

119 S. Monroe St., Suite 500 Tallahassee, FL 32301 (850) 270-5938 mjazil@holtzmanvogel.com *aperko@holtzmanvogel.com*  ABHA KHANNA\*

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

CHRISTINA A. FORD

Florida Bar No. 1011634 JOSEPH N. POSIMATO\* JYOTI JASRASARIA\* **ELIAS LAW GROUP LLP** 250 Massachusetts Ave. NW, Suite 400 Washington, D.C. 20001 (202) 968-4490 cford@elias.law jposimato@elias.law jjasrasaria@elias.law

\*admitted pro hac vice

izuckerbrod@elias.law

FREDERICK S. WERMUTH Florida Bar No. 0184111 THOMAS A. ZEHNDER Florida Bar No. 0063274

# mbeato@holtzmanvogel.com

Taylor A.R. Meehan\*
Cameron T. Norris\*
Consovoy Mccarthy PLLC
1600 Wilson Blvd., Suite 700
Arlington, VA 22209
(703) 243-9423
taylor@consovoymccarthy.com
cam@consovoymccarthy.com

\*admitted pro hac vice

HENRY C. WHITAKER (FBN 1031175)
DANIEL W. BELL (FBN 1008587)
JEFFREY PAUL DESOUSA (FBN 110951)
DAVID M. COSTELLO (FBN 1004952)

Office of the Attorney General
The Capitol, PL-01
Tallahassee, FL 32399
(850) 414-3300
henry.whitaker@myfloridalegal.com

Counsel for Florida Secretary of State

QUINN B. RITTER
Florida Bar No. 1018135
KING, BLACKWELL,
ZEHNDER & WERMUTH,
P.A.
P.O. Box 1631
Orlando, FL 32802
(407) 422-2472
fwermuth@kbzwlaw.com
tzehnder@kbzwlaw.com
gritter@kbzwlaw.com

Counsel for Plaintiffs

<u>/s/ Daniel Nordby</u> Attorney