

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

LEAGUE OF WOMEN VOTERS
OF FLORIDA, INC., et al.,

Plaintiffs,

v.

Case No.: 4:21cv186-MW/MAF
4:21cv187-MW/MAF
4:21cv201-MW/MJF
4:21cv242-MW/MAF

LAUREL M. LEE, in her official
capacity as Florida Secretary of
State, et al.,

Defendants,

and

NATIONAL REPUBLICAN
SENATORIAL COMMITTEE and
REPUBLICAN NATIONAL
COMMITTEE,

Intervenor-Defendants.

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ORDER REGARDING SUPERVISORS OF ELECTIONS

As this Court noted at length on the record on February 11, 2022, the Supervisors of Elections' decision to either "default or defend" is not a binary choice. Indeed, the Supervisors may appear for limited purposes, and defend as to part, some, or all the challenged provisions that they are responsible for enforcing. The best evidence of this fact is Defendant White's conduct in this case and consolidated trial, in which she has appeared for some purposes but not others.

Likewise, this Court notes as it relates to what relief, if any, this Court orders in this case, the Supervisors absolutely have the right to be heard. This Court recognizes that the Supervisors have not listed any witnesses. But to the extent any Supervisor of Elections wishes to present testimony or be heard as to how relief, if any, would or would not impact their operations and/or preparations for the 2022 election, they must file a notice with this Court before Defendants announce rest. This Court will set any such request for an immediate hearing. And even if a Supervisor does not wish to call any witnesses, they can still file post-trial briefs addressing any issue, including but not limited to relief, if any, and the timing and impact of such relief on upcoming elections, to the extent such argument is supported by the record in this consolidated trial.

SO ORDERED on February 11, 2022.

s/Mark E. Walker
Chief United States District Judge