

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

Common Cause Florida, FairDistricts
Now, Florida State Conference of the
National Association for the
Advancement of Colored People
Branches, Cassandra Brown, Peter Butzin,
Charlie Clark, Dorothy Inman-Johnson,
Veatrice Holifield Farrell, Brenda Holt,
Rosemary McCoy, Leo R. Stoney, Myrna
Young, and Nancy Ratzan,

Plaintiffs,

v.

Cord Byrd, in his official capacity as
Florida Secretary of State,

Defendant.

Case No. 4:22-cv-109-AW-MAF

NOTICE OF SUPPLEMENTAL AUTHORITY

The Secretary notifies this Court that on Friday, December 1, 2023, the en banc First District Court of Appeal published the attached opinion, reversing the state trial court by an 8-2 margin. **Attachment A.** It's been Plaintiffs' position that the Governor's defense of the Enacted Map, specifically the configuration of north Florida, relied on "arguments that" were "made up, that just" weren't "factually supported or legally supported," thereby suggesting a pretext for race discrimination by the Governor *and* the Florida Legislature. Tr.974:16-25. But Florida's First District has now upheld the Enacted Map, and specifically the configuration of north Florida.

Respectfully submitted by:

Dated: December 4, 2023

Bradley R. McVay (FBN 79034)
Deputy Secretary of State
Joseph S. Van de Bogart (FBN 84764)
General Counsel
Ashley Davis (FBN 48032)
Chief Deputy General Counsel
FLORIDA DEPARTMENT OF STATE
R.A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399
Brad.mcvay@dos.myflorida.com
Joseph.vandebogart@dos.myflorida.com
Ashley.davis@dos.myflorida.com
Telephone: (850) 245-6536

/s/ Mohammad O. Jazil
Mohammad O. Jazil (FBN 72556)
Gary V. Perko (FBN 855898)
Michael Beato (FBN 1017715)
HOLTZMAN VOGEL BARAN
TORCHINSKY & JOSEFIAK PLLC
119 S. Monroe Street, Suite 500
Tallahassee, Florida 32301
mjazil@holtzmanvogel.com
gperko@holtzmanvogel.com
mbeato@holtzmanvogel.com
Telephone: (850) 274-1690

Jason Torchinsky (Va. BN 478481) (D.C.
BN 976033)
HOLTZMAN VOGEL BARAN
TORCHINSKY & JOSEFIAK
2300 N Street NW, Suite 643A
Washington, D.C. 20037
jtorchinsky@holtzmanvogel.com
Telephone: (202) 737-8808

Taylor A.R. Meehan (IL BN 6343481)
(Va. BN 97358)
Cameron T. Norris (TN BN 33467) (Va.
BN 91624)*
CONSOVOY MCCARTHY PLLC
1600 Wilson Boulevard, Suite 700
Arlington, VA 22209
taylor@consovoymccarthy.com
cam@consovoymccarthy.com
Telephone: (703) 243-9423

Counsel for Secretary Byrd

*Admitted *Pro hac vice*

RETRIEVED FROM DEMOCRACYDOCKET.COM

LOCAL RULES CERTIFICATIONS

As required by Local Rule 5.1 and 7.1(J), I certify that this notice contains 99 words and complies with this Court's word count, spacing, and formatting requirements.

/s/ Mohammad O. Jazil
Mohammad O. Jazil

CERTIFICATE OF SERVICE

I certify that on December 4, 2023, the foregoing was filed through the Court's CM/ECF, which will serve a copy to all counsel of record.

/s/ Mohammad O. Jazil
Mohammad O. Jazil

RETRIEVED FROM DEMOCRACYDOCKET.COM