

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION**

**VOTE.ORG**, et al.,

*Plaintiffs,*

v.

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

*Defendants.*

**Case No. 4:23-cv-00111-AW-MAF**

**CHRISTINA WHITE’S ANSWER AND AFFIRMATIVE  
DEFENSES TO PLAINTIFFS’ FIRST AMENDED COMPLAINT**

Defendant Christina White, in her official capacity as Supervisor of Elections for Miami-Dade County, (“Defendant” or “Supervisor White”), pursuant to Fed. R. Civ. P. 8, hereby answers Plaintiffs’ First Amended Complaint, D.E. 101, as follows:

**NATURE OF THE CASE**

1. As to any statutes cited, summarized, or described in Paragraph 1 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

2. As to any statutes cited, summarized, or described in Paragraph 2 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

3. As to any statutes cited, summarized, or described in Paragraph 3 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

4. As to any statutes cited, summarized, or described in Paragraph 4 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

5. Because Paragraph 5 of the First Amended Complaint simply states a request for relief and provides no factual allegations, no response is required.

#### **NATURE OF THE CASE**

6. Defendant admits that Plaintiffs have asserted claims under the cited statutes. Defendant is without knowledge as to the remaining allegations contained in Paragraph 6 of the First Amended Complaint.

7. Defendant admits the allegations contained in Paragraph 7 of the First Amended Complaint for jurisdictional purposes.

8. Defendant admits the allegations contained in Paragraph 8 of the First Amended Complaint for jurisdictional purposes.

9. Defendant admits the allegations contained in Paragraph 9 of the First Amended Complaint for jurisdictional purposes.

10. Defendant admits the allegations contained in Paragraph 10 of the First Amended Complaint for jurisdictional purposes.

**PARTIES**

11. Defendant is without knowledge as to the allegations contained in Paragraph 11 of the First Amended Complaint.

12. Defendant is without knowledge as to the allegations contained in Paragraph 12 of the First Amended Complaint.

13. Defendant is without knowledge as to the allegations contained in Paragraph 13 of the First Amended Complaint.

14. Defendant is without knowledge as to the allegations contained in Paragraph 14 of the First Amended Complaint.

15. Defendant is without knowledge as to the allegations contained in Paragraph 15 of the First Amended Complaint.

16. Defendant is without knowledge as to the allegations contained in Paragraph 16 of the First Amended Complaint.

17. Defendant is without knowledge as to the allegations contained in Paragraph 17 of the First Amended Complaint.

18. Defendant is without knowledge as to the allegations contained in Paragraph 18 of the First Amended Complaint.

19. Defendant is without knowledge as to the allegations contained in Paragraph 19 of the First Amended Complaint.

20. Defendant is without knowledge as to the allegations contained in Paragraph 20 of the First Amended Complaint.

21. Defendant is without knowledge as to the allegations contained in Paragraph 21 of the First Amended Complaint.

22. Defendant is without knowledge as to the allegations contained in Paragraph 22 of the First Amended Complaint.

23. Defendant is without knowledge as to the allegations contained in Paragraph 23 of the First Amended Complaint.

24. Defendant is without knowledge as to the allegations contained in Paragraph 24 of the First Amended Complaint.

25. Defendant is without knowledge as to the allegations contained in Paragraph 25 of the First Amended Complaint.

26. Defendant is without knowledge as to the allegations contained in Paragraph 26 of the First Amended Complaint.

27. Defendant is without knowledge as to the allegations contained in Paragraph 27 of the First Amended Complaint.

28. Defendant is without knowledge as to the allegations contained in Paragraph 28 of the First Amended Complaint.

29. Defendant admits that Cord Byrd is the Secretary of State of Florida and serves as Florida's chief election officer. As to any statutes cited, summarized, or described in Paragraph 29 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any remaining allegations.

30. Defendant admits that Florida's Supervisors of Elections are responsible for administering elections in Florida's 67 counties and that each of the listed Defendant Supervisors—including Defendant—serves as the Supervisor of Elections for their respective county. As to any statutes cited, summarized, or described in Paragraph 30 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any remaining allegations.

#### **STATEMENT OF FACTS AND LAW**

31. As to any statutes cited, summarized, or described in Paragraph 31 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

32. As to any statutes cited, summarized, or described in Paragraph 32 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

33. As to any statutes cited, summarized, or described in Paragraph 33 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

34. As to any statutes cited, summarized, or described in Paragraph 34 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

35. Defendant admits that Plaintiffs are not challenging the general requirement that an applicant must sign their application form. Defendant denies all remaining allegations in Paragraph 35 of the First Amended Complaint.

36. As to any statutes cited, summarized, or described in Paragraph 36 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

37. As to any statutes cited, summarized, or described in Paragraph 37 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

38. As to any statutes cited, summarized, or described in Paragraph 38 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

39. As to any statutes cited, summarized, or described in Paragraph 39 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

40. As to any statutes cited, summarized, or described in Paragraph 40 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

41. The advisory opinion summarized or described in Paragraph 41 of the First Amended Complaint, which is attached to the First Amended Complaint and incorporated by reference, speaks for itself and thus no answer is required. Defendant is without knowledge as to any other allegations.

42. The information from certain Supervisor websites that is summarized or described in Paragraph 42 of the First Amended Complaint, which is linked and incorporated by reference, speaks for itself and thus no answer is required. Defendant is without knowledge as to any other allegations.

43. As to any statutes cited, summarized, or described in Paragraph 43 of the First Amended Complaint, those statutes speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

## **CLAIMS FOR RELIEF**

### **COUNT I**

44. Defendant re-alleges all responses to Paragraphs 1-43 of the First Amended Complaint as though fully set forth herein.

45. As to any statutes or legal authorities cited, summarized, or described in Paragraph 45 of the First Amended Complaint, those statutes or legal authorities speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

46. As to any statutes or legal authorities cited, summarized, or described in Paragraph 46 of the First Amended Complaint, those statutes or legal authorities speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

47. As to any statutes or legal authorities cited, summarized, or described in Paragraph 47 of the First Amended Complaint, those statutes or legal authorities

speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

48. As to any statutes or legal authorities cited, summarized, or described in Paragraph 48 of the First Amended Complaint, those statutes or legal authorities speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

49. As to any statutes or legal authorities cited, summarized, or described in Paragraph 49 of the First Amended Complaint, those statutes or legal authorities speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

50. As to any statutes or legal authorities cited, summarized, or described in Paragraph 50 of the First Amended Complaint, those statutes or legal authorities speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

51. As to any statutes or legal authorities cited, summarized, or described in Paragraph 51 of the First Amended Complaint, those statutes or legal authorities speak for themselves and thus no answer is required. Defendant is without knowledge as to any other allegations.

52. Defendant denies the allegations in Paragraph 52 of the First Amended Complaint.



### **AFFIRMATIVE DEFENSES**

1. The First Amended Complaint fails to state a claim upon which relief can be granted.
2. This Court lacks subject-matter jurisdiction over this action.
3. Plaintiffs have not suffered an injury in fact because of any action by Supervisor White and, therefore, do not possess the requisite standing to bring this cause of action against Supervisor White.
4. Plaintiffs do not possess the requisite standing to request declaratory relief against Supervisor White because Plaintiffs' alleged injury is not likely to be redressed by the requested relief of enjoining Supervisor White from acting in concert with the identified provisions.
5. Plaintiffs' claims are not yet ripe for adjudication against Supervisor White because Plaintiffs provide no allegations that Supervisor White has taken any action that has resulted in any injury-in-fact to Plaintiffs.
6. To the extent that the First Amended Complaint constitutes a claim by Plaintiffs for damages, Supervisor White is entitled to immunity under the Eleventh Amendment of the United States Constitution.
7. Supervisor White adopts all affirmative defenses asserted by the other Defendants and incorporates them by reference as if fully set forth herein.
8. Supervisor White reserves the right to assert additional defenses as appropriate.

**WHEREFORE**, Supervisor White demands that the First Amended Complaint be dismissed and that judgment be entered in her favor.

Date: June 26, 2023

Respectfully submitted,  
**GERALDINE BONZON-KEENAN**  
MIAMI-DADE COUNTY ATTORNEY

By: /s/ Michael B. Valdes

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*Counsel for Christina White*

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served to all counsel of record through the Court's CM/ECF system on June 26, 2023.

/s/ Michael B. Valdes

Michael B. Valdes  
Assistant County Attorney

## CERTIFICATE OF COMPLIANCE

The undersigned certifies that the foregoing complies with the size, font, and formatting requirements of Local Rule 5.1(C).

/s/ Michael B. Valdes

Michael B. Valdes  
Assistant County Attorney

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