

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

VOTE.ORG, et al.

Plaintiffs,

v.

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

Defendants.

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

**PLAINTIFFS' STATUS REPORT IN RESPONSE TO ORDER
REGARDING CASE MANAGEMENT (ECF 72)**

To comply with the Court's Order Regarding Case Management (ECF 72), Plaintiffs Vote.org, Florida Alliance for Retired Americans, and Florida State Conference of Branches and Youth Units of the NAACP ("Plaintiffs"), submit the following status report on the progress of efforts to confer with all parties regarding efficient means to litigate this case:

1. To the 67 County Supervisors of Election ("Supervisors"), Plaintiffs have proposed a limited participation agreement to streamline litigation by, in essence, each Supervisor filing, or joining with other Supervisors in filing, a truthful answer to Plaintiffs' Complaint; thereafter responding to reasonable discovery; and, otherwise, generally not engaging in litigation activities, such as filing motions, that would consume the Court's judicial resources. The Supervisors may, however,

present facts and argument regarding the timing and feasibility of specific remedies that Plaintiffs may seek at trial or in remedial proceedings. To date, at least 39 Supervisors have decided to pursue the proposed means to streamline litigation, and counsel for several more expect to confirm they will do the same. Undersigned counsel awaits confirmation on whether the remaining Supervisors will participate in the litigation in the same or similar manner, as would reduce or minimize the consumption of judicial resources.

2. Undersigned counsel conferred with counsel for the Secretary, who reported the Secretary's intention to file a motion to dismiss Plaintiffs' Complaint.

3. Plaintiffs intend to schedule a conference of counsel, pursuant to Federal Rule of Civil Procedure 26(f) within the next 21 days.

Dated: May 5, 2023

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Respectfully submitted,

/s/ Frederick S. Wermuth
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**Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 5, 2023 I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Frederick S. Wermuth
Frederick S. Wermuth
Florida Bar No. 0184111