ECF 32-1 ¶ 25; ECF 32-2 ¶ 26. The Non-Citizen Ban would also require Organizational Plaintiffs to redirect funding that would have gone to community programming towards hiring, vetting, and training new staff and volunteers, as well as rebuilding institutional knowledge and relationships. ECF 32-1 ¶¶ 30-31, 43; ECF 32-2 ¶¶ 25, 32, 36, 44; ECF 125-13 at 122:2-123:5, 136:24-139:11; ECF 125-14 at 85:23-86:7. And in preparing for compliance with the Non-Citizen Ban in the weeks before it was scheduled to take effect, Organizational Plaintiffs had *already* diverted resources and suffered concrete harms, including turning down qualified non-citizen applicants for open positions, redirecting staff time toward developing policies to comply with the Non-Citizen Ban, and altering their planning for registering voters in the 2023 election cycle. ECF 32-1 ¶¶ 28, 33-34, 42; ECF 32-2 ¶¶ 31, 43; ECF 125-13 at 57:5-58:18; ECF 125-14 at 87:15-23.

*Third*, the Non-Citizen Ban would force Organizational Plaintiffs to take significant additional measures to ensure their staff and volunteers are citizens, given the strict liability and $50,000 fine for each non-citizen who handles or collects voter registration forms. ECF 32-1 ¶¶ 31, 33, 43; ECF 32-2 ¶¶ 32, 36, 44; ECF 125-13 at 122:3-17, 136:24-139:11. Determining citizenship for any organization is a "complex inquiry" because of "the fluidity [individuals] may experience with respect to immigration status." *Gonzalez v. Immigr. & Customs Enf't*, 416 F.Supp.3d 995, 1004 (C.D. Cal. 2019), *rev'd and vacated on other grounds*, 975 F.3d 788 (9th Cir. 2020). And because Organizational Plaintiffs would be strictly liable for even

inadvertent violations, they would also have to turn away help from *U.S. citizens* whose statuses cannot be readily verified. ECF 32-1 ¶ 32-33; ECF 32-2 ¶¶ 33-34. For example, Hispanic Federation would no longer let individuals assist with voter registration efforts unless they can provide *proof* of citizenship. That would force Hispanic Federation to turn away even U.S.-citizen staff and volunteers who cannot (or do not wish to) furnish requisite proof. ECF 32-1 ¶¶ 32-33. Likewise, Poder Latinx would sever community-service partnerships that enable local student volunteers to register voters because of the added hurdle of confirming students' citizenship statuses. ECF 32-2 ¶¶ 33-34.

*Fourth*, the Non-Citizen Ban would harm the communities and constituents Plaintiffs serve, because Plaintiffs' more limited capacities would result in them registering substantially fewer citizens to vote. Organizational Plaintiffs work closely with Latino citizens to help them register, relying in part on a network of key community activists who help shape the organizations' agendas and who play a critical role in implementing their programs. For the reasons described above, the severe burden the Non-Citizen Ban places on the Organizational Plaintiffs would force them to drastically curtail or potentially end their registration efforts. The Non-Citizen Ban would reduce the political voice of Latino voters who benefit from these programs. ECF 32-1 ¶¶ 44-45; ECF 32-2 ¶¶ 45-47.

Indeed, in response to the Non-Citizen Ban's threat of civil penalties, Organizational Plaintiffs' largest funders have already withheld donations earmarked

for voter registration efforts in Florida because of the threat of costly fines. ECF 32-1 ¶ 37; ECF 32-2 ¶ 38; ECF 125-13 at 105:21-23, ECF 125-14 at 84:4-85:6. Following the Non-Citizen Ban, Poder Latinx lost "a large percentage" of anticipated funding, ECF 125-14 at 84:25-85:6, 86:25-87:14, and Hispanic Federation was unable to secure any private funding for voter registration in 2023 following passage of the Non-Citizen Ban, ECF 125-13 at 105:21-23; *see id.* 28:16-29:20. Because the Non-Citizen Ban delayed Organizational Plaintiffs' voter registration efforts in 2023 and decreased the amount of funding they were able to receive, the Non-Citizen Ban has already decreased the number of voters that Organizational Plaintiffs were able to register in 2023. ECF 125-13 at 134:23-136:23, 139:12-140:15; ECF 125-14 at 86:25-87:14, 87:24-88:6. The Non-Citizen Ban would force Organizational Plaintiffs to consider halting voter registration activities altogether—and even if Plaintiffs did not cease these activities, they would significantly scale back the volume of their voter registration drives because most of their experienced staff and volunteers would be banned from participating. ECF 32-1 ¶¶ 39-42; ECF 32-2 ¶¶ 39-42.



Expert analysis also supports this harm. Because this Court preliminarily enjoined the Non-Citizen Ban, no available data would permit Plaintiffs' expert Dr. Smith to examine the extent of the impact that the law would have on voter

registration rates.[7] But if the new restrictions on 3PVROs were to take effect, experts for both parties agree that at least *some* voters would not register to vote as a result.[8] Moreover, the only evidence cited by any expert in the case about the impact of 3PVRO regulations on voter registration is "The Effects of House Bill 1355 on Voter Registration in Florida," a paper co-authored and published by Daniel A. Smith (Hispanic Federation Plaintiffs' expert witness) and Michael C. Herron (NAACP Plaintiffs' expert witness). ECF 125-15 (Ex. 5 to Stein Dep.). Defendants' expert Dr. Stein testified that he didn't disagree with any of that report's findings, including



[7] This was the subject of Defendants' experts' only empirical critique about Dr. Smith's report: that he failed to account for empirical evidence that Dr. Stein and Dr. Alford admitted "could not be evaluated" prior to enforcement of the Non-Citizen Ban. ECF 125-3 at 105:2-9; *see also* ECF 125-4 at 207:5-208:21 (admitting that no graph could show "the result of the law being implemented if the law hasn't been implemented"). To "show that SB 7050 has an actual demonstrated disparate impact in the way" that Defendants' experts propose, "[t]wo empirical conditions need to be shown": that "the difference between the proportion of non-white and white citizen voting age persons who registered to vote and registered to vote by third parties was significantly lower after the adoption of 7050 than before its adoption and implementation," and that any disproportionate "decline in the proportion of non-white citizen voting age persons who registered to vote by a third party" was not "offset by an increase in non-white citizen voting age persons registering to vote by another mode of voter registration." ECF 125-3 at 99:11-100:22. To establish both empirical conditions, "it's important to have a baseline before and after" the law was implemented. *Id.* 101:11-102:4. But because SB 7050's citizenship requirement "has not yet been enforced," that provision "could not be evaluated" based on the before-and-after baseline suggested by Defendants' experts. *Id.* 102:14-105:10.

[8] ECF 125-3 at 300:11-17 ("Q: Do you agree that it's possible that there will be a set of voters who do not register to vote at all now that 3PVROs face additional regulations under SB 7050? A: Absolutely I think it's possible, yes. **There will be some voters who will not register to vote, yes.**") (emphasis added).

that after HB 1355 took effect, registration rates went down for Black, Hispanic, and white voters, and that the drop in Black voters' registrations were "particularly pronounced" and "statistically significant." ECF 125-15 at 298-299; ECF 125-3 at 301:15-304:8, 331:21-333:8. That is, the actual effect of the law on registration rates was negative, consistent with its predicted effect.[9]

*Fifth*, if the Non-Citizen Ban takes effect, none of the Individual Plaintiffs would be legally permitted to continue collecting and handling voter registration applications, which would prevent them from working the jobs they held before the Non-Citizen Ban's enactment. ECF 66-1 ¶¶ 18-25; ECF 66-2 ¶¶ 17-23; ECF 66-3 ¶¶ 21-26. In fact, the Non-Citizen Ban has already imposed personal and professional consequences on the Individual Plaintiffs, both because their employer acted in the summer of 2023 to comply with the Non-Citizen Ban and because their employer ultimately stopped voter registration work after it passed. ECF 125-16 (Martínez Dep.) at 31:21-32:3, 76:22-77:4; ECF 125-18 (Herrera-Lucha Dep.) at



[9] None of the papers that Defendants' experts cited to support their conclusions about the perverse, unexpected effects of some election laws studied 3PVROs or voter registration laws. ECF 125-3 at 164:1-9, 176:21-177:3 ("I don't think there's a single citation here dealing with voter registration laws."). Indeed, to the extent the papers cited in Defendants' expert report mentioned voter registration rules, they indicated that registration rules operate differently (and more predictably) than other election rules: specifically, in contrast to the early-voting laws and voter-ID requirements described in Defendants' expert report, registration rules "do have positive effects on turnout," including "significant and positive effects." *Id.* 161:17-163:11; 183:3-184:21 (acknowledging that paper cited in Defendants' expert report contrasts participation effects of voter registration laws with effects of voter ID laws).

70:8-15; ECF 125-17 (Pico Dep.) at 16:25-17:2, 30:2-5. This has impacted each of their employment in distinct ways.

Ms. Martínez testified that her 3PVRO employer's preparations to comply with the Non-Citizen Ban kept her "from earning … a single dollar . . . for longer than a month." ECF 125-16 at 76:22-77:4. In that way, the statute "affected [her] financially at home because during that period of time, [she] wasn't making money. And also [her] family in Venezuela, the family that [she] help[s], they were also affected." *Id.* 77:4-8. Because her employer subsequently stopped doing voter registration work after S.B. 7050 passed, Plaintiff Martínez is no longer employed in a paid staff position as a canvasser. *Id.* 31:21-32:3. She would return to that employer if she had the opportunity to do voter registration work there again. *Id.*; *see also id.* 38:16-39:7.

Plaintiffs Herrera-Lucha and Pico still work for the same employer, but both have been deprived of conducting meaningful voter-registration work that helps ensure their communities receive adequate representation. ECF 66-1 ¶¶ 24-25; ECF 66-3 ¶¶ 21, 25-26; ECF 125-18 at 70:8-15; ECF 125-17 at 16:25-17:2, 30:2-5. For example, Plaintiff Herrera-Lucha is currently employed as the Florida State Field Director for Mi Vecino, and before passage of the Non-Citizen Ban, she oversaw that organization's voter registration activities. ECF 66-1 ¶¶ 8-10. She spent years training and preparing to do this work, and she was able to serve her community by increasing the number of registered eligible voters, including U.S. citizen, vote-

eligible former residents of Puerto Rico who moved to Florida after Hurricane Maria and had not yet registered to vote. *Id.* ¶ 25; ECF 125-18 at 91:18-92:24. Following the passage of the Non-Citizen Ban, her employer stopped conducting voter registration activities, depriving Ms. Herrera-Lucha of the opportunity to do the work that she had "prepared professionally to do" and that she found most "rewarding." ECF 125-18 at 91:18-92:24; *see also* ECF 125-17 at 16:25-17:2, 30:2-5.

## ARGUMENT

Summary judgment is appropriate when "there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(a); *Shotz v. City of Plantation*, 344 F.3d 1161, 1166 (11th Cir. 2003). "An issue of fact is 'material' if it is a legal element of the claim under the applicable substantive law which might affect the outcome of the case." *Allen v. Tyson Foods, Inc.*, 121 F.3d 642, 646 (11th Cir. 1997).



After discovery, Defendants cannot point to any disputed facts that would so affect the outcome of the case. Summary judgment on Plaintiffs' claim that the Non-Citizen Ban violates the Equal Protection Clause is proper.

### I. Plaintiffs Are Entitled to Summary Judgment on Their Equal Protection Claim.

The Non-Citizen Ban unlawfully discriminates against Plaintiffs based on citizenship status, in violation of the Equal Protection Clause.

### A. The Equal Protection Clause Demands that the Court Apply Strict Scrutiny to the Non-Citizen Ban.

The Fourteenth Amendment protects all persons within the United States from denial of "the equal protection of the laws." U.S. Const. amend. XIV § 1. It applies to all aliens. *See Plyler v. Doe*, 457 U.S. 202, 215 (1982) ("[T]he protection . . . extends to anyone, citizen or stranger, who *is* subject to the laws of a State[.]"); *Yick Wo v. Hopkins*, 118 U.S. 356, 369 (1886) (noting Equal Protection Clause is "universal in [its] application, to all persons . . . without regard to [] differences of race, of color, or of nationality").

Certain Supreme Court-defined classifications are "suspect and subject to heightened scrutiny under the Equal Protection Clause." *Doe v. Moore*, 410 F.3d 1337, 1346 (11th Cir. 2005). That includes classifications based on alienage. *Id.* Because "[a]liens as a class are a prime example of a 'discrete and insular' minority," the Court has long held that "classifications based on alienage, like those based on nationality or race, are inherently suspect and subject to close judicial scrutiny." *Graham v. Richardson*, 403 U.S. 365, 372 (1971).

Laws that facially discriminate on the basis of alienage, like the Non-Citizen Ban, are evaluated under strict scrutiny. "Alienage classifications by a State that do not withstand th[at] stringent examination cannot stand." *Nyquist v. Mauclet*, 432 U.S. 1, 7 (1977); *see also Bernal v. Fainter*, 467 U.S. 216, 219 (1984). And to meet that standard, the State must "show that its purpose . . . is both constitutionally

permissible and substantial, and that its . . . classification is 'necessary . . . to the accomplishment' of its . . . interest.'" *In re Griffiths*, 413 U.S. 717, 721-22 (1973).

Strict scrutiny thus "confine[s]" the "power of a state to apply its laws exclusively to its alien inhabitants *as a class* . . . within narrow limits" of which courts make few exceptions. *Takahashi v. Fish & Game Comm'n*, 334 U.S. 410, 420 (1948) (emphasis added). Defendants do not come close to meeting that most-exacting standard.

### B. Defendants Have Failed to Put Forth a Compelling Interest to Justify the State's Blanket-Alienage Classification.

Defendants have not offered a compelling state interest to justify barring non-citizens as a class from handling and collecting voter registration forms. During legislative debate, the bill's sponsors cited "protecting [] sensitive information" on completed registration forms as the Law's rationale; they also voiced their view "that there are certain rights in our country that only citizens get to enjoy," and stressed that the bill was meant to ensure that "illegal[s]" didn't handle voter registration applications. *See supra*, Statement of Facts § II.B.1. Those suppositions were the extent of any alleged justification for the provision: the legislative record contained no evidence showing that all non-citizens—even lawful permanent residents—are untrustworthy. Nor did it have evidence suggesting the State's concerns about 3PVROs are particularly attributable to their non-citizen staff and volunteers, or that

the Non-Citizen Ban is narrowly tailored to address any such risk. Nor has any evidence to support these propositions come to light in discovery.

The Secretary of State has proposed additional *post-hoc* rationales that purportedly support the passage of the Non-Citizen Ban, including preventing voter fraud, ensuring the timely submission of voter registration applications, and safeguarding election integrity, uniformity, and efficiency. *Supra* Statement of Facts, § II.B.2. But under strict (or even intermediate) scrutiny, the justification for the classification "must be genuine, not hypothesized or invented *post hoc* in response to litigation." *United States v. Virginia*, 518 U.S. 515, 533 (1996); *Bethune-Hill v. Va. State Bd. of Elections*, 580 U.S. 178, 189-90 (2017) (looking to "the actual considerations that provided the essential basis for the lines drawn, not *post hoc* justifications the legislature in theory could have used but in reality did not").

Those *post-hoc* rationales should be disregarded. But even had the Legislature considered any of these rationales, there are no facts in the summary-judgment record to suggest that any of them meet the mark. Defendants could not identify even a single instance in which a non-citizen engaged in registration fraud, submitted a late application, or otherwise undermined election integrity or efficiency while working on behalf of a 3PVRO. *See supra*, Statement of Facts § II.B. That lack of any factual support underpinning the purported state interests for the Non-Citizen Ban is consistent with many of Florida's other laws regulating election workers, which do *not* restrict participation based on citizenship. *See* ECF 125-1 at 48:8-15;

ECF 125-10 at 299:19-300:9; ECF 125-11 at 131:3-8, 135:23-136:17. "Without a factual underpinning," the Secretary's asserted concerns about the timely delivery of voter registration applications, preventing fraud, and promoting election integrity "lack[] the weight [the Supreme Court] has required of interests properly denominated as compelling." *Bernal*, 467 U.S. at 228.

Finally, the Secretary's office strains reason by contending that the fact that non-citizens cannot vote means they "really don't have much stake in the election at all" and can therefore be excluded from assisting eligible voters to register. ECF 125-10 at 77:6-7. Indeed, the very reason that the Supreme Court affords "heightened judicial solicitude" to classifications based on alienage is that non-citizens who are "lawfully residing in this society" and contributing to our "nation of immigrants" have "no direct voice in the political processes." *Foley v. Connelie*, 435 U.S. 291, 294 (1978). That lack of a direct voice is not a reason to support discrimination against non-citizens; it is a reason to be protective *against* such discrimination.



### C. Even if Defendants Had Asserted a Compelling Interest, The Non-Citizen Ban is Not Narrowly Tailored.

Even if Defendants had established a factual basis for needing to protect Florida's electorate from non-citizens mishandling voter registration forms, their ban on all non-citizens is in no way tailored to address that interest. *See Bernal*, 467 U.S. at 219 (challenged law must "advance a compelling [] interest" by the "least

restrictive means available"). The record establishes that the Non-Citizen Ban is not tailored in any way (much less narrowly) to advance the State's purported interests.

Defendants have presented no evidence to dispute that the Non-Citizen Ban is not the least restrictive means to advance their claimed interest. As the Court found in its Preliminary Injunction Order, "along with the citizenship requirement, Florida also enacted higher fines for late submissions" and these penalties are "certainly less restrictive than banning an entire class of people from collecting or handling voter registration applications." ECF 68 at 36; *see also Meyer v. Grant*, 486 U.S. 414, 426-27 (1988) (state failed to show challenged procedures were necessary where pre-existing procedures were "adequate to the task of minimizing the risk of improper conduct"). That still holds true, and no facts gleaned in discovery undermine that finding. *See, e.g.*, ECF 122-1 (Secretary's declarant stating the same generic interests discussed *supra*, Statement of Facts § II.B.2, but without any attempt to describe how the Non-Citizen Ban is tailored to those interests or why those interests could not be advanced by narrower restrictions). Indeed, in addition to these fines at the Secretary's disposal, OAG acknowledged that it had a panoply of existing tools to punish various types of misconduct by 3PVROs and employees, ECF 125-12 at 151:12-152:9, further demonstrating that a blanket ban on an entire class of people is not the least restrictive means to advance any state interest in election integrity.

Separately, Defendants cannot dispute that the "employees of several state agencies are also responsible for handling completed voter registration applications,

and the State . . . has not decided to exclude all noncitizens from these positions." ECF 68 at 32 (citing Fla. Stat. §§ 448.09, 97.053(1)). Defendants' admissions and the legislative record establish that Florida vests noncitizens with authority to handle personal information, including the *same information* on voter registration applications, through positions at other state agencies: Florida's Division of Elections, Supervisor of Elections offices, Elections Commissions, and Department of Highway Safety and Motor Vehicles, to name a few. Fla. Stat. §§ 97.0525, 97.057; *see also* ECF 125-1 at 48:8-15; ECF 125-9 at 29:18-30:5; ECF 125-10 at 299:19-300:9; ECF 125-11 at 131:3-8, 135:23-136:17. Permanent residents may also apply and be appointed as a notary public, a position that also involves handling signatures and other personal information. Fla. Stat. § 117.01(1). That is, the law specifies "only one particular post with respect to which the State asserts a right to exclude aliens," while allowing non-citizens to perform similar functions in other offices. *Bernal*, 467 U.S. at 222. Such underinclusivity "tends to undercut the [] claim that the classification serves legitimate political ends." *Bernal*, 467 U.S. at 221.



### D. The Political-Function Exception Cannot Save the Non-Citizen Ban.

In litigation, Defendants have incorrectly argued that their blanket-alienage classification can be saved by application of the "narrow political-function exception" to strict scrutiny. *Bernal*, 467 U.S. at 221. That limited exception goes to "the authority of the people of the States to determine the qualification of their most

important government officials." *Gregory v. Ashcroft*, 501 U.S 452, 463 (1991). Under this exception, the blanket exclusion of non-citizens from some functions is *not* subject to strict scrutiny so long as the classification: (1) is "sufficiently tailored," such that it is not overinclusive nor underinclusive, and (2) applies "only to 'persons holding state elective or important nonelective executive, legislative, and judicial positions'"—that is, only to "officers who 'participate directly in the formulation, execution, or review of broad public policy." *Bernal*, 467 at 221-22 (quoting *Cabell v. Chavez-Salido*, 454 U.S. 432, 440 (1982)) (citations omitted).

At a minimum, on the first prong, the Non-Citizen Ban is "fatally underinclusive," for the very reasons described above: many other positions that are more integral to election integrity, including supervisory positions within Florida's own Division of Elections, can be held by non-citizens. ECF 125-1 at 48:8-15; ECF 125-10 at 299:19-300:9; ECF 125-11 at 131:3-8, 135:23-136:17.



As to the second prong, the Supreme Court has explained that even if a classification like the Non-Citizen Ban is "sufficiently tailored," the political-function exception "may be applied . . . only to . . . officers who 'participate directly in the formulation, execution, or review of broad public policy.'" *Cabell*, 454 U.S. at 440 (quoting *Sugarman v. Dougall*, 413 U.S. 634, 647 (1973)). Accordingly, the number of functions that the Supreme Court has said fall under this exception is small. Police officers meet the exemption, because they exercise "an almost infinite variety of discretionary powers" that "affect[] members of the public significantly,

and often in the most sensitive areas of daily life." *Foley*, 435 U.S. at 297. Likewise, probation officers exert the state's "sovereign coercive powers" and meet the political-function exemption. *Cabell*, 454 U.S. at 459; *see also id.* at 444. And public school teachers, who are in "direct, day-to-day contact with students" and "by necessity have wide discretion [to] influence the attitudes of students toward government, the political process, and a citizen's social responsibilities," do as well. *Ambach*, 441 U.S. at 78.[10]

On the other hand, in *Bernal*, the Supreme Court underscored that the political-function exception "must be narrowly construed; otherwise the exception will swallow the rule[.]" 467 U.S. at 222 n.7. *Bernal* concluded that Texas's flat ban of all non-citizens from the role of notary public did not come under the political-function exception, because notaries do not "'perform functions that go to the heart of representative government.'" *Id.* at 222 (citation omitted); *see also id.* at 224-27. Despite the "critical need for a notary's duties to be carried out correctly and with integrity,"[11] the Court explained, a notary's responsibilities are "clerical and



[10] A precedential Fifth Circuit decision similarly upheld a prohibition restricting non-citizens from serving on the board of directors of a public-private agency, citing members' ability to "exercise discretion" to "design and carry out [policy] programs" as they saw fit. *Cervantes v. Guerra*, 651 F.2d 974, 981 (5th Cir. 1981).

[11] The notarial duties the Court highlighted in *Bernal* were extensive, and surely closer than Plaintiffs' voter registration activities to the "formulation or execution of public policies importantly affecting the citizen population." 467 U.S. at 224. Texas notaries, *Bernal* explained, had "the power to acknowledge instruments such as wills and deeds and leases and mortgages; to take out-of-court depositions; to administer oaths; and the discretion to refuse to perform any of [those] acts." *Id.*

ministerial"—not comparable to those of officers clothed with "the State's monopoly of legitimate coercive force," (*e.g.*, police officers) or "wide discretion" (*e.g.*, public school teachers). *Id.* at 225.

The Non-Citizen Ban is no different. Like membership to the state bar (*Griffiths*) or appointment as a notary (*Bernal*), collecting and handling voter registration forms does not provide someone with "broad discretionary power over the formulation or execution of public policies importantly affecting the citizen population." *Id.* at 223-25. Rather, 3PVRO employees perform tasks that "hardly implicate [] responsibilities that go to the heart of representative government." *Id.* at 225. They are in no way "clothed with authority to exercise [] almost infinite [] discretionary powers . . . involving the most sensitive areas of daily life." *Id.* at 220 (quoting *Foley*, 435 U.S. at 297). Nor does the act of collecting or handling a voter registration application require discretion "that places [a canvasser] in a position of direct authority over other individuals." *Id.*



3PVRO employees and volunteers do not exercise any form of discretionary power akin to designing policy programs or exercising coercive force. Non-citizens who collect and handle voter registration forms are private actors managed by 3PVROs. They are subject to strict regulation and oversight by the state. They perform the ministerial tasks of providing eligible citizens with state-prescribed forms, helping eligible citizens correctly complete those state-prescribed forms, and returning those forms to state actors on a tight, state-mandated timeline.

## CONCLUSION

Plaintiffs respectfully request that this Court grant summary judgment on their claim that Section 97.0575(1)(f) of the Florida Statutes violates the Equal Protection Clause of the Fourteenth Amendment.

## LOCAL RULE 7.1(F) CERTIFICATE

This Memorandum contains 7,966 words.

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Respectfully submitted,

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