

No. 23-12313

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

Hispanic Federation et al.,
Plaintiffs-Appellees,

v.

Cord Byrd et al.,
Defendants-Appellants.

U.S. District Court for the Northern District of Florida, 4:23-cv-218 (Walker, C.J.)

UNOPPOSED MOTION TO CONSOLIDATE

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**CERTIFICATE OF INTERESTED PERSONS AND
CORPORATE DISCLOSURE STATEMENT**

Per Rule 26.1 and Circuit Rule 26.1, all parties certify that the following have an interest in the outcome of this case:

1. Alicea, Delmarie, *Counsel for Plaintiffs*
2. Beato, Michael, *Counsel for Defendant*
3. Bell, Daniel, *Counsel for Defendant*
4. Byrd, Cord, *Defendant*
5. Campbell-Harris, Dayton, *Counsel for Plaintiffs*
6. Chappell, W. David, *Counsel for Defendant*
7. Cruz, Roberto, *Counsel for Plaintiffs*
8. Darlington, Andrew, *Declarant for Defendants*
9. Davis, Ashley, *Counsel for Defendant*
10. Derieux, Adriel, *Counsel for Plaintiffs*
11. Doe, A, *Plaintiff*
12. Doe, B, *Plaintiff*
13. Ebenstein, Julie, *Counsel for Plaintiffs*,
14. Ellis, Rayne, *Counsel for Plaintiffs*
15. Herrera-Lucha, Veronica, *Plaintiff*
16. Hispanic Federation, *Plaintiff*
17. Jazil, Mohammad, *Counsel for Defendant*

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18. Karpatkin, Jeremy, *Counsel for Plaintiffs*
19. Keenan, Megan, *Counsel for Plaintiffs*
20. Konor, Estee, *Counsel for Plaintiffs*
21. Lakin, Sophia, *Counsel for Plaintiffs*
22. Martinez, Norka, *Plaintiff*
23. McVay, Bradley R., *Counsel for Defendant*
24. Moody, Ashley, *Defendant*
25. Morse Stephanie, *Counsel for Defendant*
26. Poder Latinx, *Plaintiff*
27. Pratt, Joshua, *Counsel for Defendant*
28. Preminger, Evan, *Counsel for Plaintiffs*
29. Ruiz, Cesar, *Counsel for Plaintiffs*
30. Schenck, Robert S., *Counsel for Defendant*
31. Sjostrom, Noah, *Counsel for Defendant*
32. Tilley, Daniel, *Counsel for Plaintiffs*
33. Van De Bogart, Joseph, *Counsel for Defendant*
34. Walker, Mark E., *U.S. District Court Judge*
35. Warren, Nicholas, *Counsel for Plaintiffs*
36. Whitaker, Henry, *Counsel for Defendant*

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Per Circuit Rule 26.1-2(c), all parties certify that the CIP contained herein is complete.

Dated: August 21, 2023

/s/ Mohammad O. Jazil

Lead Counsel for Defendant-Appellant
Secretary of State Byrd

/s/ Henry C. Whitaker

Lead Counsel for Defendant-Appellant
Attorney General Moody

MEMORANDUM

Secretary Byrd and Attorney General Moody, under Federal Rule of Appellate Procedure 27, as well as Eleventh Circuit Local Rule 27-1, move this court to consolidate this appeal with *Florida State Conference of Branches and Youth Units of the NAACP v. Byrd*, 23-12308 (11th Cir.).

Consolidation is warranted. The *Hispanic Federation* Plaintiffs and *NAACP* Plaintiffs challenge the same state bill, SB 7050, Florida's most recent election-reform legislation. Both sets of plaintiffs make Fourteenth Amendment arguments against SB 7050. The *Hispanic Federation* Plaintiffs and *NAACP* Plaintiffs lodge the same equal-protection claims against SB 7050's "non-U.S. citizen volunteer restriction," which requires those who "handle" and "collect" voter-registration applications on behalf of third-party-voter-registration organizations to be U.S. citizens. The *NAACP* Plaintiffs lodge a vagueness challenge to an additional provision, the "voter information retention restriction," which prevents third-party-voter-registration organizations from retaining certain pieces of information from voter-registration applications. No other statutory provisions are challenged in these appeals.

Chief Judge Walker heard both cases and issued a joint preliminary-injunction order enjoining the Secretary and the Attorney General from enforcing those two provisions of SB 7050; the same order is the subject of both appeals. While the plaintiffs don't overlap, Secretary Byrd and Attorney General Moody are the same appealing defendants and are represented by the same attorneys. What's more, Plaintiffs-Appellees

in both cases don't oppose consolidation. They ask only to be allowed to file separate briefs and present separate oral arguments.

As a matter of judicial economy, *Hispanic Federation* and *NAACP* should be consolidated.

Dated: August 21, 2023

Respectfully Submitted,

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CERTIFICATE OF COMPLIANCE

I certify that the foregoing complies with the typeface and type-style requirements of Rule 32.

Dated: August 21, 2023

/s/ Mohammad O. Jazil
Mohammad O. Jazil

CERTIFICATE OF SERVICE

I e-filed this motion on ECF, which will email a copy of the foregoing to all counsel who have entered notices of appearance.

Dated: August 21, 2023

/s/ Mohammad O. Jazil
Mohammad O. Jazil