

No. 23-12308

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

Florida State Conference of Branches and Youth Units of the NAACP, et al.,
Plaintiffs-Appellees,

v.

Cord Byrd, et al.,
Defendants-Appellants.

U.S. District Court for the Northern District of Florida, 4:23-cv-215 (Walker, C.J.)

UNOPPOSED MOTION TO CONSOLIDATE

Bradley R. McVay
Deputy Secretary of State
Joseph S. Van de Bogart
General Counsel
Ashley Davis
Chief Deputy General Counsel
Florida Department of State
R.A. Gray Building
500 S. Bronough St.
Tallahassee, FL 32399
(850) 245-6536

Mohammad O. Jazil*
Michael Beato
Joshua E. Pratt
HOLTZMAN VOGEL BARAN
TORCHINSKY & JOSEFIK PLLC
119 South Monroe Street, Suite 500
Tallahassee, FL 32301
(850) 274-1690

*Counsel for Defendant-Appellant Secretary of
State Byrd*

Ashley Moody
Attorney General

Henry C. Whitaker*
Solicitor General

Daniel W. Bell
Chief Deputy Solicitor General

Robert S. Schenck
Assistant Solicitor General

W. David Chappell
Senior Assistant Attorney General

OFFICE OF THE ATTORNEY GENERAL

The Capitol, PL-01
Tallahassee, FL 32399
(850) 414-3300

*Counsel for Defendant-Appellant Attorney
General Moody*

*Designates lead counsel

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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. Adkins, Janet, *Defendant*
2. Alianza Center, *Plaintiff*
3. Alianza for Progress, *Plaintiff*
4. Andersen, Mark, *Defendant*
5. Anderson, Chris, *Defendant*
6. Anderson, Shirley, *Defendant*
7. Arnold, Melissa, *Defendant*
8. Arrington, Mary, *Defendant*
9. Artasanchez, Santiago, *Former Plaintiff*
10. Babis, Olivia, *Declarant for Plaintiffs*
11. Baird, Maureen, *Defendant*
12. Bardos, Andy, *Counsel for Defendants*
13. Barton, Kim, *Defendant*
14. Beato, Michael, *Counsel for Defendant*
15. Bell, Daniel, *Counsel for Defendant*
16. Benda, Kyle, *Counsel for Defendant*
17. Bennett, Michael, *Defendant*

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18. Blazier, Melissa, *Defendant*
19. Bledsoe, William, *Counsel for Defendant*
20. Bobanic, Tim, *Defendant*
21. Boltrek, William, III, *Counsel for Defendants*
22. Brown, Tomi, *Defendant*
23. Byrd, Cord, *Defendant*
24. Cannon, Starlet, *Defendant*
25. Chambless, Chris, *Defendant*
26. Chappell, W. David, *Counsel for Defendant*
27. Chason, Sharon, *Defendant*
28. Conyers, Grant, *Defendant*
29. Corley, Brian, *Defendant*
30. Cowles, Bill, *Defendant*
31. Darlington, Andrew, *Declarant for Defendants*
32. Davis, Ashley, *Counsel for Defendant,*
33. Davis, Vicky, *Defendant*
34. Disability Rights Florida, *Plaintiff*
35. Doe, A, *Former Plaintiff*
36. Doe, B, *Former Plaintiff*
37. Doyle, Tommy, *Defendant*

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38. Driggers, Heath, *Defendant*
39. Dunaway, Carol, *Defendant*
40. Earley, Mark, *Defendant*
41. Edwards, Jennifer, *Defendant*
42. Edwards, Lori, *Defendant*
43. Equal Ground Education Fund, *Former Plaintiff*
44. Erdelyi, Susan, *Counsel for Defendants*
45. Farnam, Aletris, *Defendant*
46. Feiser, Craig, *Counsel for Defendants*
47. Florez, Johana, *Declarant for Plaintiffs*
48. Florida Alliance for Retired Americans, *Plaintiff*
49. Florida State Conference of Branches and Youth Units of the NAACP,
Plaintiff
50. Glickman, Jessica, *Counsel for Defendant*
51. Griffin, Joyce, *Defendant*
52. Guzzo, Sophia, *Counsel for Defendant*
53. Hankins, Christi, *Counsel for Defendant*
54. Hanlon, John, *Defendant*
55. Hart, Travis, *Defendant*
56. Hays, Alan, *Defendant*

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57. Healy, Karen, *Defendant*
58. Herrera-Lucha, Veronica, *Former Plaintiff*
59. Herron, Mark, *Counsel for Defendant*
60. Hispanic Federation, *Former Plaintiff*
61. Hogan, Mike, *Defendant*
62. Hoots, Brenda, *Defendant*
63. Hutto, Laura, *Defendant*
64. Jarone, Joseph, *Counsel for Defendant*
65. Jazil, Mohammad, *Counsel for Defendant*
66. Johnson, Diana, *Counsel for Defendant*
67. Johnson, Melinda, *Counsel for Plaintiffs*
68. Jonas, Sarah, *Counsel for Defendant*
69. Jones, Tammy, *Defendant*
70. Joshi, Raghav Vikas, *Declarant for Plaintiffs*
71. Kahn, Jared, *Counsel for Defendant*
72. Keen, William, *Defendant*
73. Khanna, Abha, *Counsel for Plaintiffs*
74. Kinsey, Jennifer, *Defendant*
75. Klitsberg, Nathaniel, *Counsel for Defendant*
76. Knight, Shirley, *Defendant*

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77. Latimer, Craig, *Defendant*
78. Lavia, John, III, *Counsel for Defendants*
79. Lenhart, Kaiti, *Defendant*
80. Lewis, Lisa, *Defendant*
81. Link, Wendy, *Defendant*
82. Lux, Paul, *Defendant*
83. Madduri, Lalitha, *Counsel for Plaintiffs*
84. Marcus, Julie, *Defendant*
85. Mari, Frank, *Counsel for Defendants*
86. Markarian, David, *Counsel for Defendant*
87. Martinez, Norka, *Former Plaintiff*
88. McVay, Bradley R., *Counsel for Defendant*
89. Meadows, Theresa, *Defendant*
90. Messer, Ryan, *Defendant*
91. Milligan, Michelle, *Defendant*
92. Milton, Christopher, *Defendant*
93. Moody, Ashley, *Defendant*
94. Morgan, Joseph, *Defendant*
95. Morse, Stephanie, *Counsel for Defendant*
96. Negley, Mark, *Defendant*

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97. Nordlund, Jared, *Declarant for Plaintiffs*
98. Nweze, Adora Obi, *Declarant for Plaintiffs*
99. O'Donnell, Renata, *Counsel for Plaintiffs*
100. Oakes, Vicky, *Defendant*
101. Osborne, Deborah, *Defendant*
102. Overturf, Charles, *Defendant*
103. Perez, Devona, *Counsel for Defendant*
104. Poder Latinx, *Former Plaintiff*
105. Pratt, Joshua, *Counsel for Defendant*
106. Riley, Heather, *Defendant*
107. Rudd, Carol, *Defendant*
108. Rutahindurwa, Makeba, *Counsel for Plaintiffs*
109. Sanchez, Connie, *Defendant*
110. Sanchez, Esperanza, *Former Plaintiff*
111. Schenck, Robert S., *Counsel for Defendant*
112. Scott, Dale, *Counsel for Defendant*
113. Scott, Joe, *Defendant*
114. Seyfang, Amanda, *Defendant*
115. Shannin, Nicholas, *Counsel for Defendant*
116. Shaud, Matthew, *Counsel for Defendant*

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117. Sjostrom, Noah, *Counsel for Defendant*
118. Slater, Cynthia, *Declarant for Plaintiffs*
119. Smith, Diane, *Defendant*
120. Southerland, Dana, *Defendant*
121. Stafford, David, *Defendant*
122. Stewart, Gregory, *Counsel for Defendant*
123. Swain, Robert, *Counsel for Defendant*
124. Swan, Leslie, *Defendant*
125. Todd, Stephen, *Counsel for Defendant*
126. Turner, Ron, *Defendant*
127. UnidosUS, *Plaintiff*
128. Valdes, Michael, *Counsel for Defendant*
129. Valenti, Leah, *Defendant*
130. Van De Bogart, Joseph, *Counsel for Defendant*
131. Vilar, Marcos, *Declarant for Plaintiffs*
132. Villane, Tappie, *Defendant*
133. Voters of Tomorrow Action, Inc., *Plaintiff*
134. Walker, Gertrude, *Defendant*
135. Walker, Mark E., *U.S. District Court Judge*
136. Wermuth, Frederick, *Counsel for Plaintiffs*

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137. Whitaker, Henry, *Counsel for Defendant*

138. White, Christina, *Defendant*

139. Wilcox, Wesley, *Defendant*

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

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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 *Hispanic Federation v Byrd*, 23-12313 (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.

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Dated: August 21, 2023

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

/s/ Mohammad O. Jazil
Mohammad O. Jazil (FBN 72556)
Michael Beato (FBN 1017715)
Joshua E. Pratt (FBN 119347)
HOLTZMAN VOGEL BARAN
TORCHINSKY & JOSEFIK PLLC
119 South Monroe Street, Suite 500
Tallahassee, FL 32301
Phone: (850) 391-0503
Facsimile: (850) 741-1023
mjazil@holtzmanvogel.com
mbeato@holtzmanvogel.com
jpratt@holtzmanvogel.com

*Counsel for Defendant-Appellant Secretary of
State Cord Byrd*

Respectfully Submitted,

Ashley Moody
Attorney General
/s/ Henry C. Whitaker
Henry C. Whitaker (FBN 1031175)
Solicitor General
Daniel W. Bell (FBN 1008587)
Chief Deputy Solicitor General
Robert S. Schenck (FBN 1044532)
Assistant Solicitor General
W. David Chappell (FBN 120449)
Senior Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
The Capitol, PL-01
Tallahassee, FL 32399
Phone: (850) 414-3300
Henry.whitaker@myfloridalegal.com
Daniel.bell@myfloridalegal.com
Robert.schenck@myfloridalegal.com
William.chappell@myfloridalegal.com

*Counsel for Defendant-Appellant Attorney
General Moody*

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

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