

No. 24-11892

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

Hispanic Federation et al.,
Plaintiffs-Appellees,

v.

Florida Secretary of State et al.,
Defendants-Appellants.

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

**DEFENDANTS-APPELLANTS' MOTION TO HAVE JUDGES WILSON,
GRANT, AND LAGOA PRESIDE OVER THE APPEAL**

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

Per Rule 26.1 and Circuit Rule 26.1, Defendants-Appellants 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. Cepeda-Derieux, Adriel, *Counsel for Plaintiffs*
7. Chappell, William, *Former Counsel for Defendant*
8. Cruz, Roberto, *Counsel for Plaintiffs*
9. Cycon, John, *Counsel for Defendants*
10. Darlington, Andrew, *Declarant for Defendants*
11. Davis, Ashley, *Counsel for Defendant*
12. Derieux, Adriel, *Counsel for Plaintiffs*
13. Druks, Roni, *Counsel for Plaintiffs*
14. Ebenstein, Julie, *Counsel for Plaintiffs*
15. Ellis, Rayne, *Counsel for Plaintiffs*
16. Freedman, John, *Counsel for Plaintiffs*
17. Galindo, Miranda, *Counsel for Plaintiffs*

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18. Herrera-Lucha, Veronica, *Plaintiff*
19. Hispanic Federation, *Plaintiff*
20. Jazil, Mohammad, *Counsel for Defendant*
21. Karpatkin, Jeremy, *Counsel for Plaintiffs*
22. Keenan, Megan, *Counsel for Plaintiffs*
23. Konor, Estee, *Counsel for Plaintiffs*
24. Lakin, Sophia, *Counsel for Plaintiffs*
25. Martinez, Norka, *Plaintiff*
26. McNamara, Caroline Andrews, *Counsel for Plaintiffs*
27. McVay, Bradley R., *Counsel for Defendant*
28. Moody, Ashley, *Defendant*
29. Morse Stephanie, *Counsel for Defendant*
30. Nguyen, Phi Uyen, *Counsel for Plaintiffs*
31. Ochoa, Victoria, *Counsel for Plaintiffs*
32. Perko, Gary, *Counsel for Defendants*
33. Pico, Elizabeth, *Plaintiff*
34. Poder Latinx, *Plaintiff*
35. Pratt, Joshua, *Counsel for Defendant*
36. Preminger, Evan, *Counsel for Plaintiffs*
37. Ruiz, Cesar, *Counsel for Plaintiffs*

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38. Sjostrom, Noah, *Counsel for Defendant*
39. Tilley, Daniel, *Counsel for Plaintiffs*
40. Van de Bogart, Joseph, *Counsel for Defendant*
41. Walker, Mark E., *U.S. District Court Judge*
42. Warren, Nicholas, *Counsel for Plaintiffs*
43. Whitaker, Henry, *Counsel for Defendant*

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

Dated: June 24, 2024

/s/ Mohammad O. Jazil

/s/ Henry C. Whitaker

Lead Counsel for Defendant-Appellant
Secretary of State Byrd

Lead Counsel for Defendant-Appellant
Attorney General Moody

MEMORANDUM

Defendants-Appellants Florida Secretary of State Cord Byrd and Florida Attorney General Ashley Moody ask this Court to allow Judges Wilson, Grant, and Lagoa to preside over this appeal.

They are already familiar with the issues in this case. They presided over, read the briefs, and conducted oral arguments in *Hispanic Federation v. Florida Secretary of State*, No. 23-12313 (11th Cir.). In that appeal, the Secretary and Attorney General challenged the district court's preliminary injunction against the Citizenship Restriction in Florida Senate Bill 7050. An opinion has yet to be rendered in that case.

Now, in this case, the Secretary and Attorney General appeal the district court's permanent injunction against the Citizenship Restriction in SB7050. The same bases that grounded the district court's preliminary injunction (and thus preliminary-injunction appeal) ground its permanent injunction.

As a matter of judicial efficiency, Judges Wilson, Grant, and Lagoa should preside over this case. The district court judge is the same. The parties are the same. The legal issues are the same. The opinion that would have been rendered in the preliminary-injunction appeal would mirror an opinion in this appeal. Allowing a different panel of judges, who have to learn these issues anew, would be less efficient and less administratively desirable.

Therefore, the Secretary and Attorney General move this Court to allow Judges Wilson, Grant, and Lagoa to preside over this appeal. That can be done either by

appointing that panel to hear this appeal, or by consolidating this case with the preliminary-injunction appeal (23-12313).

Plaintiffs were contacted about their position on this motion. Plaintiffs take no position to the extent the motion seeks the same panel, but Plaintiffs oppose the motion as to consolidation.

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Dated: June 24, 2024

Respectfully Submitted,

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

CERTIFICATE OF COMPLIANCE

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

Dated: June 24, 2024

/s/ Mohammad O. Jazil
Mohammad O. Jazil

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing certificate was filed on ECF.

Dated: June 24, 2024

/s/ Mohammad O. Jazil
Mohammad O. Jazil

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