

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

**FLORIDA DECIDES HEALTHCARE,
INC., et al.,**

Plaintiffs/Intervenor-Plaintiffs,

v.

Case No.: 4:25cv211-MW/MAF

CORD BYRD, et al.,

Defendants/Intervenor-Defendants.

**ORDER ON SMART & SAFE FLORIDA'S SECOND MOTION FOR
PRELIMINARY INJUNCTION**

Pending before this Court is Plaintiff-Intervenor Smart & Safe Florida's second motion for preliminary injunction, ECF No. 291, which seeks to extend the preliminary injunction to include the Defendant State Attorneys' enforcement of §§ 104.187 and 104.188(2) to the extent those provisions incorporate the residency requirement for petition circulation. Plaintiff's motion indicates that it has conferred with the Defendant State Attorneys, and they do not oppose the requested relief. ECF No. 291 at 4. However, the parties cannot stipulate to standing, and this Court has an independent obligation to satisfy itself that Plaintiff Smart & Safe has demonstrated standing for purposes of seeking preliminary injunctive relief against the State Attorneys, notwithstanding their agreement with the motion.

Inasmuch as Plaintiff Smart & Safe have only just added the Defendant State Attorneys as parties to their suit, and Plaintiff's evidence did not contemplate Defendant State Attorneys enforcing these provisions against Smart & Safe or non-residents who gather signed petitions on Smart & Safe's behalf when this Court entered the preliminary injunction on July 8, 2025, this Court is not satisfied that Plaintiff Smart & Safe has demonstrated standing for purposes of a preliminary injunction simply by incorporating by reference its prior arguments and record evidence in the pending motion. Accordingly, **on or before Monday, July 21, 2025**, Plaintiff Smart & Safe must supplement the record if it can in good faith demonstrate standing for purposes of seeking preliminary injunctive relief against the Defendant State Attorneys.

To be clear, this Court is permitting Plaintiff Smart & Safe additional time to attempt to demonstrate standing with respect to its second motion for preliminary injunction only insofar as the Defendant State Attorneys, against whom the motion directs its limited request for relief, were not originally included in the Plaintiff's complaint or original motion and who also do not oppose the motion. This is not an invitation for any other Plaintiff to seek to reopen any other aspect of a prior motion that this Court has already ruled on and for which Plaintiffs failed to meet their burden.

If Plaintiff requires additional time, Plaintiff must confer with the Defendant State Attorneys and alert this Court in writing **on or before July 21, 2025**, keeping in mind that Plaintiff has requested expedited relief, and thus, any extension will be brief.

Finally, given that Plaintiff Smart & Safe's motion is limited only to the Defendant State Attorneys, who do not oppose the motion, and Plaintiff Smart & Safe has not requested oral argument, this Court will take the matter under advisement once Plaintiff submits any additional evidence to support the motion by this Court's deadline.

SO ORDERED on July 16, 2025.

s/Mark E. Walker

United States District Judge