

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA**

EQUAL GROUND EDUCATION FUND, INC.,
et al.,

Plaintiffs,

v.

Case No. 2026-CA-000914

CORD BYRD, in his official capacity as
Florida Secretary of State, *et al.*,

Defendants.

_____ /

VERIFIED REPLY IN SUPPORT OF MOTION FOR DISQUALIFICATION

The Secretary replies to Plaintiffs' response in opposition to the motion to disqualify.

Plaintiffs say that the Secretary can't file a motion to disqualify where he might be the beneficiary of any partiality. This misstates the test and underestimates the problem from the reasonable person's perspective.

First, from the reasonable person's perspective, there's an objective fear that the Secretary will be prejudiced. Mr. Jazil's involvement may cause this Court to overcorrect—to favor Plaintiffs in an effort to appear fair. Also, if the State ultimately prevails in the three cases now challenging the 2026 congressional plan, which are likely to be consolidated, the Secretary doesn't want reasonable observers, or the other set of Plaintiffs, to raise concerns.

Second, and relatedly, Rule 2.330 contemplates just such a scenario. It allows “[a]ny party” to move to disqualify the judge. Fla. R. J. Admin. 2.330(b).

Third, Plaintiffs downplay Mr. Jazil's involvement in Judge Marsh's ongoing re-election campaign. Yes, “an allegation in a motion that a litigant or counsel for a litigant has made a legal campaign contribution to the political campaign” of the judge, “without more, is not a legally

sufficient ground.” *Mackenzie v. Super Kids Bargain Store*, 565 So. 2d 1332, 1335 (Fla. 1990). Yes, the fact that an attorney “served on a judge’s campaign committee does not, without more, require disqualification.” *Zaias v. Kaye*, 643 So. 2d 687, 687 (Fla. 3d DCA 1994). And yes, Mr. Jazil has done both those things. But the Secretary has alleged more than an isolated campaign contribution or indistinct participation on a campaign committee. The Secretary’s motion for disqualification states that Mr. Jazil “co-hosted a fundraiser with one other person” for Judge Marsh’s campaign and “participated in discussions related to the ongoing re-election effort.”

Finally, the cases support disqualification. *Rivera v. Bosque* remains analogous to the situation here. The Fifth District granted the petition to disqualify the circuit judge, explaining that “counsel’s involvement of a significant nature in a current, ongoing, or recently concluded reelection campaign can constitute sufficient legal grounds for granting a motion to disqualify.” 188 So. 3d 889, 890-91 (Fla. 5th DCA 2016). The motion for disqualification in *Rivera* alleged that an attorney was not only “involved in the trial judge’s current, ongoing reelection campaign,” but also “was a member of the host committee for a reception in support of the judge’s reelection.” *Id.* at 890. Those allegations were found to be sufficient. *Id.* at 891. *Cini v. Cabezas*, which Plaintiffs cite, is not analogous. The petitioners “alleged that the *law firm* ‘was the first listed firm [of *sixteen*] that hosted a [single] re-election fundraising event for the [j]udge.’” 343 So. 3d 1282, 1285 (Fla. 3d DCA 2022) (alterations in original) (emphasis added). “There were no individualized allegations regarding respondents’ attorney of record.” *Id.*

Because “the judge’s impartiality might reasonably be questioned,” Fla. R. J. Admin. 2.330(e), the Secretary respectfully moves for disqualification.

VERIFICATION

In accordance with Rule 2.330(c)(3) and pursuant to section 92.525, Florida Statutes (2026), I declare under penalty of perjury that I have read the foregoing motion and that the facts stated in it are true.

/s/ Cord Byrd
Cord Byrd
Florida Secretary of State

CERTIFICATE OF GOOD FAITH

In accordance with Rule 2.330(c)(5), I certify that this motion and all of the statements herein are made in good faith.

/s/ Mohammad O. Jazil
Mohammad O. Jazil

Dated: May 7, 2026

Respectfully submitted,

/s/ Mohammad O. Jazil
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CERTIFICATE OF SERVICE

I certify that on May 7, 2026, a true and correct copy of the foregoing has been furnished to all counsel of record by electronic mail via the Florida Courts E-Filing Portal:

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Pursuant to Rule 2.330(d), I also certify that a true and correct copy of the foregoing will be served on the Court via chambers email concurrently with the filing of this reply.

/s/ Mohammad O. Jazil
Mohammad O. Jazil