

IN THE CIRCUIT COURT OF THE  
EIGHTEENTH JUDICIAL CIRCUIT, IN AND FOR  
SEMINOLE COUNTY, FLORIDA

J. THOMAS MONK,  
AND ALL THOSE PERSONS  
SIMILARLY SITUATED THROUGHOUT  
THE STATE OF FLORIDA

CLASS REPRESENTATION

Plaintiffs,

vs.

CASE NO.: \_\_\_\_\_

DEMOCRATIC NATIONAL COMMITTEE,  
DEMOCRATIC EXECUTIVE COMMITTEE OF SEMINOLE COUNTY,  
AND THE FLORIDA DEMOCRATIC PARTY,

Defendants.

ORDER ON MOTION FOR TEMPORARY INJUNCTION

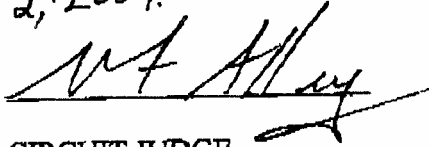
Having come before the Court, this 1st day of November, 2004, and having reviewed the Complaint and Temporary Injunction and having heard the arguments of counsel, the Court makes the following findings:

1. Representatives of Defendants have distributed or intend to distribute flyers to Republican poll watchers, substantially in the form of Exhibit "A" attached to this Order.
2. The election process should be allowed to proceed without any interference, intimidation, or other threats that may have a chilling effect on the free exercise of voters to cast their legal ballots and, as well, the free exercise of the duties of all election workers, including officials of the Supervisor of Election's office and all duly appointed authorized poll watchers.
3. It appears from the specific facts shown by the verified pleading that immediate and irreparable injury or loss will result to Plaintiff and other poll watchers if an injunction is not

granted. The injury if an injunction is not granted outweighs any harm if an injunction is granted.

4. Granting an injunction is in the public interest.
5. An injunction is necessary to preserve, maintain, and restore the status quo.
6. Plaintiff is likely to prevail on the merits due to the misrepresentations of legal rights and obligations in the flyer.

Accordingly, this Court orders that the Motion for Temporary Injunction is **GRANTED**.  
The Court hereby **ENJOINS** the further intimidation, further dissemination of ~~any~~ <sup>these</sup> materials ~~as~~  
~~other actions~~ <sup>by Defendants</sup> designed or intended to intimidate or unduly threaten the activities of poll watchers  
who are duly carrying out their responsibilities ~~and privileges~~ <sup>in</sup> granted Florida Statutes,  
§ 101.131. <sup>was</sup> on November 2, 2004.

  
CIRCUIT JUDGE

Dated: November 2, 2004 <sup>was</sup>



## IMPORTANT LEGAL NOTICE

October 28, 2004

To all Republican Party Election Day poll watchers:

Your name has been filed to serve as a poll watcher on Election Day, on behalf of the Republican Party or a Republican candidate. The Democratic Party recognizes the legal right of poll watchers, under Florida election law, to perform their lawful duties.

We want to make sure that all poll watchers recognize the importance of their role in this process and understand the repercussions for abusing that role. As a poll watcher you have the ability to protect one of the most sacred rights of our democracy. Regardless of party affiliation, we can all agree that no citizen should be deprived of their right to vote without good cause. Whatever the outcome on Election Day, the challenge process must not be abused as a means of harassing or intimidating voters, or of obstructing the ability of lawfully qualified and registered citizens to vote safely, efficiently and conveniently.

You should be aware, that, under Florida law, a poll watcher must explain in writing *and under oath* the basis for a challenge. This affirmation requires that the poll watcher have personal knowledge of the facts upon which the challenge is based.

Florida law provides that a challenger is to be removed from the polling place if his or her activities slow down the voting process or intimidate voters. Indeed, it is a crime under Florida law to be in a polling place to "intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such person to vote." (Fla. Stat. § 104.0515(3)). Therefore, should a challenger make a knowingly false challenge, that person could be subject to criminal prosecution.

Please be advised that the National Democratic Party and the Florida Democratic Party will insist on strict enforcement of the law. You have now been provided notice of the law, and thus, please govern yourself accordingly.

Paid for by the Democratic National Committee, [www.democrats.org](http://www.democrats.org).  
The communication is not authorized by any candidate or candidate's committee.

EXHIBIT "A"