

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

FLORIDA STATE CONFERENCE OF THE  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE  
(NAACP), as an organization and representative  
of its members; *et al.*;

Plaintiffs,

v.

CASE NO. 4:07CV-402-SPM/WCS

KURT S. BROWNING, in his official capacity as  
Secretary of State for the State of Florida,

Defendant.

\_\_\_\_\_/

**SECRETARY OF STATE'S MOTION FOR  
IMMEDIATE HEARING PURSUANT TO LOCAL RULE 7.1(E)**

Pursuant to Local Rule 7.1(E), Defendant Kurt S. Browning, in his official capacity as Secretary of State for the State of Florida (the "Secretary"), respectfully moves this Court for an immediate hearing, either in person or by telephone, with respect to the Motion for Protective Order filed by the Secretary on October 25, 2007 (doc. 37). In support of this Motion, the Secretary states as follows:

1. On October 24, 2007, Plaintiffs noticed the depositions of Jim Reed and Sharon Smith, employees of the Supervisor of Elections of Hillsborough County. Plaintiffs noticed these depositions to take place on Thursday, November 1, 2007.
2. On October 25, 2007, the Secretary filed a Motion for Protective Order requesting the Court to prohibit these depositions for the purpose, among others, of

securing election officials from undue burden and expense and needless and duplicative discovery. Unless the Secretary's request is resolved before November 1, 2007, this purpose would be frustrated.

3. The Secretary's counsel estimates that the requested hearing would require no more than 15 minutes.

4. The Secretary's counsel has conferred with Plaintiffs' counsel regarding this Motion. Plaintiffs' counsel does not object to an immediate hearing.

**WHEREFORE**, the Secretary respectfully requests the Court to grant a hearing, either in person or by telephone, on the Secretary's Motion for Protective Order prior to November 1, 2007.

*/s/ Andy Bardos*

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been served by Notice of

Electronic Filing this 29th day of October, 2007, to the following:

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/s/ Andy Bardos

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