

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.04-22572-CIV-KING

-----	X
EMMA YAIZA DIAZ; AMERICAN	:
FEDERATION OF LABOR AND CONGRESS OF	:
INDUSTRIAL ORGANIZATIONS; AMERICAN	:
FEDERATION OF STATE, COUNTY AND	:
MUNICIPAL EMPLOYEES, AFL-CIO; FLORIDA	:
PUBLIC EMPLOYEES COUNCIL 79, AFSCME,	:
AFL-CIO, and SERVICE EMPLOYEES	:
INTERNATIONAL UNION	:
	:
Plaintiffs,	:
	:
vs.	:
	:
KURT S. BROWNING, Secretary of State of	:
Florida; BRENDA C. SNIPES, Broward County	:
Supervisor of Elections; JERRY HOLLAND, Duval	:
County Supervisor of Elections; LESTER SOLA,	:
Miami-Dade County Supervisor of Elections; BILL	:
COWLES, Orange County Supervisor of Elections;	:
and ARTHUR ANDERSON, Palm Beach County	:
Supervisor of Elections,	:
	:
Defendants.	:
-----	X

JOINT DISCOVERY CONFERENCE REPORT

Pursuant to Fed. R. Civ. P. 26(f) and Local Rule 16.1(B), the attorneys of record have conferred and jointly submit this report. A meeting was held via teleconference on April 12, 2007 between plaintiffs' counsel and counsel for defendants Browning, Snipes, Holland and Cowles. A second meeting was held via teleconference on April 17, 2007 between plaintiffs' counsel and counsel for defendants Sola and Anderson. During these meetings, the parties conferred on those topics required under Fed. R. Civ. P. 26(f) and Local Rule 16.1(B), including but not limited to the scope of discovery, the timing and

deadlines for discovery, electronic discovery, work product and privilege issues, the parties' initial disclosures, and settlement.

I. DISCOVERY PLAN AND RELEVANT DEADLINES

Pursuant to the Court's Order Setting Trial, dated March 6, 2007, and the Court's Amended Order Resetting Trial, dated March 7, 2007, all discovery is to be completed by October 3, 2007, and all motions filed by October 8, 2007. The parties will comply with these deadlines and any other deadlines imposed by the Court. In the event that the parties believe that additional time is needed for discovery, or a motion to compel is pending, the parties, or a party, may request an extension of the discovery deadline from the Court.

II. ADDITIONAL SUBJECTS

Pursuant to Local Rule 16.1, the parties agree and report as follows:

(a) Settlement and Narrowing of Issues for Trial: Although the parties agree that it is unlikely this case will be resolved in its entirety by settlement before trial, all parties agree that they are open to good faith negotiations regarding settlement or the narrowing of issues at stake.

(b) Amendments to Pleadings and Appearance of Additional Parties: The parties do not anticipate the appearance in this action of any additional parties. Plaintiffs do not anticipate further amendments to the Third Amended Complaint. To the extent that any defendant has requested leave to amend their answer, plaintiffs do not object.

(c) Advisability of Referring Matters to a Magistrate Judge or Master: At this point, the parties do not believe that there are any matters that should be referred to a Magistrate Judge or special master.

Dated: April 26, 2007

GRAY ROBINSON, P.A.

s/ Allen C. Winsor

Allen C. Winsor
301 South Bronough Street
Suite 600
Tallahassee, FL 32301
Telephone: 850-577-9090
Fax: 850-577-3311
Email: awinsor@gray-robinson.com

Attorney for Defendant Kurt Browning

MIAMI-DADE COUNTY ATTORNEY'S
OFFICE

s/ Jeffrey P. Ehrlich

Jeffrey P. Ehrlich, Esq.
111 N.W. First St., Ste. 2810
Miami, Florida 33128
Telephone: (305) 375-5151
Fax: (305) 375-5634
E-mail: ehrlich@miamidade.gov

Attorney for Defendant Lester Sola

BURNADETTE NORRIS-WEEKS, P.A.

s/ Burnadette Norris-Weeks

Burnadette Norris-Weeks, Esq.
100 S.E. Sixth Street, Suite 6
Ft. Lauderdale, FL 33301-3422
Telephone: (954) 768-9770
Fax: (954) 768-9790
E-mail: bnorris199@aol.com

Attorney for Defendant Brenda Snipes

HANSON, PERRY & JENSEN, P.A.

s/ Mary Jill Hanson

Mary Jill Hanson, Esq.
Florida Bar No.: 0727369
400 Executive Center Drive, Suite 207
West Duval, Florida 33401
Telephone: 561-686-6550
Fax: 561-686-2802
E-mail: mihanson@hpilaw.com

Michael Halberstam (MH-3488)

*Thomas P. Abt

Adam Skaggs (JS-1970)

*Sarah Kroll-Rosenbaum (SK-1379)

Paul, Weiss, Rifkind, Wharton &
Garrison LLP

1285 Avenue of the Americas
New York, New York 10019-6064

Phone: (212) 373-3000

Fax: 212-492-0111

E-mail: mhalberstam@paulweiss.com

Judith A. Browne

Elizabeth S. Westfall

Advancement Project

1730 M. Street, NW, Suite 910

Washington, DC 20036

Phone: 202-728-9557

Fax: 202-728-9558

email: ewestfall@advancementproject.org

Attorney for Plaintiffs

* *Pro hac vice* application pending

CITY OF JACKSONVILLE

s/ Tracey I. Arpen, Jr.

Tracey I. Arpen, Jr., Esq.
Deputy General Counsel
City of Jacksonville
City Hall, St. James Building
117 West Duval Street, Suite 480
Jacksonville, Florida 32202
Telephone: (904) 630-1700
Fax: (904) 630-2388
E-mail: tarpen@coj.net

Attorney for Defendant Jerry Holland

GOREN, CHEROF, DOODY & EZROL,
P.A.

s/ Michael Cirullo

Michael Cirullo, Esq.
3099 East Commercial Boulevard
Suite 200
Fort Lauderdale, Florida 33308
Telephone: (954) 771-4500
Fax: (954) 771-4923
E-mail: mcirullo@cityatty.com

Attorney for Defendant Bill Cowles

YOUNG VAN ASSENDERP, P.A.

s/ Ronald A. Labasky

Ronald A. Labasky, Esq.
225 S Adams Street
Suite 200
Tallahassee, FL 32301
850-222-7206
Fax: 561-6834
Email: rlabasky@yvlaw.net

Attorney for Defendant Arthur Anderson

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing JOINT DISCOVERY CONFERENCE REPORT was sent this 26th day of April, 2007, by U.S. mail and electronically as an e-mail attachment to counsel for the defendants, and as an email attachment only to counsel for plaintiffs, listed in Exhibit A, attached hereto.

By: s/ Adam Skaggs
Adam Skaggs

Paul, Weiss, Rifkind, Wharton
& Garrison LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Phone: 212-373-3000
Fax: 212-492-0111
email: askaggs@paulweiss.com

EXHIBIT A

SERVICE LIST

Counsel for Defendants

Burnadette Norris-Weeks
100 S.E. 6th Street
Ft. Lauderdale, Florida 33301-3422
Phone: 954-768-9770
Fax: 954-768-9790
email: bnorris199@aol.com
*Attorneys for Brenda Snipes, Broward
County Supervisor of Elections*

Peter Antonacci
Allen C. Winsor
GrayRobinson, P.A.
301 South Bronough Street, Suite 600
P.O. Box 11189
Tallahassee, Florida 32302-3189
Phone: 850-577-9090
Fax: 850-577-3311
email: pva@gray-robinson.com,
awinsor@gray-robinson.com
Attorneys for Secretary of State

Tracey I. Arpen, Jr.
Deputy General Counsel
City of Jacksonville
City Hall, St. James Building
117 West Duval Street, Suite 480
Jacksonville, Florida 32202
Phone: 904-630-1700
Fax: 904-630-2388
email: tarpen@coj.net
*Attorneys for Jerry Holland, Duval
County Supervisor of Elections*

Ernst Mueller
Office of City Attorney
117 W. Duval Street, Suite 480
Jacksonville, Florida 32202-3700
Phone: 904-630-1700
Fax: 904-630-1731
email: emueller@coj.net
Attorneys for Duval County

Jeffrey P. Ehrlich
Miami-Dade County Attorney's Office
111 N.W. First Street, Suite 2810
Miami, Florida 33128
Phone: 305-375-5151
Fax: 305-375-5634
email: ehrich@miamidade.gov
*Attorneys for Lester Sola, Miami-
Dade County Supervisor of Elections*

Michael Cirullo
David N. Tolces
Goren, Cherof, Doody & Ezrol, P.A.
3099 East Commercial Boulevard, Suite 200
Fort Lauderdale, Florida 33308
Phone: 954-771-4500
Fax: 954-771-4923
email: mcirullo@cityatty.com,
dtolces@cityatty.com
*Attorneys for Bill Cowles,
Orange County Supervisor of
Elections*

Ronald A. Labasky
Young Van Assenderp, P.A.
225 S. Adams Street, Suite 200
P.O. Box 1833
Tallahassee, Florida 32302
Phone: 850-222-7206
Fax: 850-561-6834
email: rlabasky@yvlaw.net
*Attorneys for Arthur Anderson, Palm
Beach County Supervisor of Elections*

Counsel For Plaintiffs

Mary Jill Hanson
Hanson, Perry & Jensen, P.A.
400 Executive Center Drive, Suite 207
West Palm Beach, Florida 33401
Tel: (561) 686-6550
Fax: (561) 686-2802
Email: mjhanson@hpjlaw.com

Manny Anon, Jr.
Florida Public Employees Council 79
3064 Highland Oaks Terrace
Tallahassee, Florida 32301
Phone: 850-222-0842
Fax: 850-224-6926
email: m_anon@afscmefl.org

**Judith A. Browne
**Elizabeth S. Westfall
Advancement Project
1730 M. Street, NW, Suite 910
Washington, DC 20036
Phone: 202-728-9557
Fax: 202-728-9558
email: ewestfall@advancementproject.org

* David Becker
People for the American Way Foundation
2000 M Street, Suite 400
Washington, DC 20036
Phone: 202-467-2360
Fax: 202-293-2672
email: dbecker@pfaw.org

* Michael Halberstam, Esq.
* Adam Skaggs, Esq.
**Thomas P. Abt, Esq.
**Sarah Kroll-Rosenbaum, Esq.
Paul, Weiss, Rifkind, Wharton
& Garrison LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Phone: 212-373-3000
Fax: 212-492-0111
email: mhalberstam@paulweiss.com

* Judith A. Scott
* John J. Sullivan
SEIU
1313 L. Street, NW
Washington, DC 20005
Phone: 202-898-3453
Fax: 202-898-3323
email: sullivaj@seiu.org

* Jonathan P. Hiatt
AFL-CIO
815 Sixteenth Street, NW
Washington, DC 20006
Phone: 202-637-5053
Fax: 202-637-5323
email: jhiatt@aflcio.org

* Pro hac vice motion to be filed.

** Admitted pro hac vice.