

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

DNC SERVICES CORPORATION /  
DEMOCRATIC NATIONAL  
COMMITTEE, DEMOCRATIC  
EXECUTIVE COMMITTEE OF  
FLORIDA, DSCC a/k/a DEMOCRATIC  
SENATORIAL CAMPAIGN  
COMMITTEE, and DCCC a/k/a  
DEMOCRATIC CONGRESSIONAL  
CAMPAIGN COMMITTEE,

Plaintiffs,

v.

LAUREL M. LEE, in her official capacity  
as Florida Secretary of State, *et al.*,

Defendant and Defendant-Intervenors.

Case No. 4:18-cv-520 (MW/MJF)

**PLAINTIFFS' UNOPPOSED MOTION FOR TEMPORARY STAY OF  
DISCOVERY**

Plaintiffs DNC Services Corporation / Democratic National Committee (the “DNC”), Democratic Executive Committee of Florida (“DECF”), DSCC a/k/a Democratic Senatorial Campaign Committee, and DCCC a/k/a Democratic Congressional Campaign Committee respectfully request a temporary, two-week stay of discovery, effective May 29, 2019, in light of the recently passed amendments to Fla. Stat. §§ 101.68 and 101.048 (collectively, the “Signature Match Laws”), which are currently awaiting the Governor’s signature. In support of this Motion, Plaintiffs state the following:

On February 14, 2019, Plaintiffs filed their Amended Complaint for Injunctive and Declaratory Relief, challenging the signature matching processes as set forth under Fla. Stat. § 101.68, regarding vote-by-mail (“VBM”) ballots, and Fla. Stat. § 101.048, regarding provisional ballots. On May 3, 2019, the Florida Legislature passed SB 7066,<sup>1</sup> which seeks to amend the Signature Match Laws in several respects. The amendments most relevant to this lawsuit are as follows:

- (1) Extends the cure deadline for VBM and provisional ballots to the 2nd day after Election Day;
- (2) Requires the Secretary to provide signature matching training to all Supervisors of Elections (“SOEs”) and canvassing boards;
- (3) Requires that SOEs inform voters of potential signature defects by email, text, or phone as soon as practicable; and
- (4) Requires that all signature mismatch determinations be made by majority vote of the canvassing board, and any rejection must be beyond a reasonable doubt.

While SB 7066 has yet to be presented for the Governor’s signature,<sup>2</sup> the Governor has indicated that he intends to sign the bill,<sup>3</sup> and has 15 days from the date of

---

<sup>1</sup> Florida Senate, Bill History, available at: <https://www.flsenate.gov/Session/Bill/2019/07066>

<sup>2</sup> *See id.*

<sup>3</sup> *See, e.g.*, <https://www.palmbeachpost.com/news/20190508/democrats-rip-desantis-after-he-pledges-to-sign-voting-bill>.

presentment to do so. *See* Fla. Const. art. III, § 8(a).<sup>4</sup>

The Court has broad discretion “to stay proceedings when a stay would promote judicial economy and efficiency.” *Gray v. Target Corp.*, No. 13-62769-Civ-SCOLA, 2014 WL 12600138, at \*1 (S.D. Fla. Jan. 27, 2014); *see also* ECF No. 91 at 2. A temporary stay will allow the parties to avoid unnecessary expenditure of resources in discovery until SB 7066 is either signed into law or vetoed by the Governor. Moreover, the requested two-week stay will not unduly delay the resolution of this matter should this case resume. Under the current schedule, discovery closes on July 29, 2019, and trial is scheduled to begin on January 21, 2020. In the event that this lawsuit continues, the parties will have sufficient time to either complete discovery, or meet and confer and submit a proposed, revised schedule for any remaining or outstanding discovery.

Counsel for Plaintiffs has conferred with counsel for Defendant and Defendants-Intervenors and all parties have indicated that they do not oppose the requested stay.

WHEREFORE Plaintiffs respectfully request that the Court issue a temporary, two-week stay of discovery and all discovery deadlines in the interim.

---

<sup>4</sup> On May 6, 2019, the Court issued its Order Regarding Pending Legislation, which requires the parties to file memoranda within ten days of the Governor’s signing SB 7066. Plaintiffs do not seek to amend this deadline.

Dated: May 28, 2019

Respectfully submitted,

/s/ Uzoma Nkwonta

Marc E. Elias

Email: MElias@perkinscoie.com

Bruce V. Spiva \*

Email: BSpiva@perkinscoie.com

Uzoma N. Nkwonta\*

Email: UNkwonta@perkinscoie.com

Alexi M. Velez\*

Email: AVelez@perkinscoie.com

Lalitha D. Madduri\*

Email: LMadduri@perkinscoie.com

PERKINS COIE LLP

700 Thirteenth Street, N.W., Suite 600

Washington, D.C. 20005-3960

Telephone: (202) 654-6200

Facsimile: (202) 654-6211

RONALD G. MEYER

Florida Bar No. 0148248

Email: rmeyer@meyerbrookslaw.com

JENNIFER S. BLOHM

Florida Bar No. 0106290

Email: jblohm@meyerbrookslaw.com

Meyer, Brooks, Blohm and Hearn, P.A.

131 North Gadsden Street

Post Office Box 1547

Tallahassee, FL 32302-1547

(850) 878-5212

*Counsel for Plaintiffs*

\*Admitted *Pro Hac Vice*

**LOCAL RULE 7.1(F) CERTIFICATION**

I HEREBY CERTIFY that this motion contains 554 words, and complies with the size, font, and formatting requirements of Local Rule 5.1(C).

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on May 28, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

*/s/ Uzoma Nkwonta* \_\_\_\_\_  
Uzoma N. Nkwonta