UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA

DEMOCRATIC EXECUTIVE
COMMITTEE OF FLORIDA,
and BILL NELSON FOR U.S.
SENATE,

                Plaintiffs,

        v.

KEN DETZNER, in his official
capacity as Secretary of State of
the State of Florida,

                Defendant.

Case No. _____

PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY INJUNCTION, TEMPORARY RESTRAINING ORDER, AND PRELIMINARY INJUNCTION

NOW COME Plaintiffs Democratic Executive Committee of Florida and Bill Nelson for U.S. Senate (collectively, "Plaintiffs"), by and through their attorneys, and move the Court pursuant to Rules 65(a) and 65(b) of the Federal Rules of Civil Procedure for a preliminary injunction and temporary restraining order against Ken Detzner, in his official capacity as Florida Secretary of State. In support thereof, Plaintiffs state as follows:

1. On November 8, 2018, Plaintiffs filed their Complaint for Declaratory and Injunctive Relief, alleging that Plaintiffs are entitled to relief

from this Court for violations of their rights as well as the rights of their members and constituents—thousands of eligible Florida voters—under the the Fourteenth Amendment to the U.S. Constitution, pursuant to 42 U.S.C. §§ 1983 and 1988.

2.   Plaintiffs seek a temporary restraining order and preliminary injunction enjoining Defendant, his officers, employees, and agents; all persons acting in active concert or participation with Defendant, or under Defendant's supervision, direction, or control; and all other persons within the scope of Federal Rule of Civil Procedure 65, from enforcing Fla. Stat. §§ 101.68(2)(c)(1) and § 101.048(2)(b)(1). Plaintiffs further request that the Court toll the deadline for the county canvassing board to submit "unofficial" results to the Department of State until this matter can be heard, in order to ensure that all signed absentee and provisional ballots are counted and included in all submitted results.

3.   Federal Rule of Civil Procedure 65 provides for the issuance of a temporary restraining order and preliminary injunction under circumstances such as those that exist in the present case.

4.   In support of this motion, Plaintiffs submit a Memorandum of Law, addressing all necessary elements for the entry of a preliminary injunction, as well as articles and studies supporting Plaintiffs' claims.

5.   Plaintiffs seek leave to present 30 minutes of oral argument in

support of this Motion pursuant to Local Civil Rule 7.1(K).

6.   Plaintiffs file this motion as an emergency motion pursuant to Local Rule 7.1(L) since it is essential that this Court expeditiously rule on this motion to ensure no voters are unfairly and arbitrarily disenfranchised.

WHEREFORE, for the foregoing reasons, and for those set forth in Plaintiffs' supporting memorandum of law, Plaintiffs respectfully move that the Court enter a temporary restraining order and preliminary injunction enjoining Defendant, his officers, employees, and agents; all persons acting in active concert or participation with Defendant, or under Defendant's supervision, direction, or control; and all other persons within the scope of Federal Rule of Civil Procedure 65, from rejecting vote by mail and provisional ballots on the basis of a signature mismatch. Plaintiffs further request that the Court toll the deadline for the county canvassing board to submit "unofficial" results to the Department of State until this matter can be heard, in order to ensure that all signed absentee and provisional ballots are counted and included in all submitted results.

Dated: November 8, 2018

Respectfully submitted,

_____/s/_____

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*Pro Hac Vice Motion forthcoming