

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

KELVIN JONES,

Plaintiffs,

v.

RON DESANTIS, in his official capacity as  
Governor of the State of Florida, et al.,

Defendants.

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CONSOLIDATED

Case No.: 4:19-cv-00300-RH/MJF  
(Lead Case)

BONNIE RAYSOR, et al.,

Plaintiffs,

v.

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

Defendant.

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Case No.: 4:19-cv-00301-RH/MJF

JEFF GRUVER, et al.,

Plaintiffs,

v.

KIM BARTON, et al.,

Defendants.

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Case No.: 4:19-cv-00302-RH/MJF

LUIS MENDEZ,

Plaintiff,

v.

RON DESANTIS, in his official capacity as  
Governor of the State of Florida, et al.,

Defendants.

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Case No: 4:19-cv-00272-RH/MJF

**CHRISTINA WHITE, SUPERVISOR OF ELECTIONS OF MIAMI-DADE  
COUNTY'S ANSWER AND AFFIRMATIVE DEFENSES TO  
COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF**

Defendant, Christina White, Supervisor of Elections of Miami-Dade County (“Defendant” or Supervisor White”), through undersigned counsel answers Plaintiffs’ Complaint as follows:

1. Defendant admits the allegations to the extent that Amendment 4 passed and denies in all other respects the allegations contained in Paragraph 1 of the Complaint.

2. Defendant is without knowledge as to the allegations contained in Paragraph 2 of the Complaint.

3. Defendant denies the allegations contained in Paragraph 3 of the Complaint.

4. Defendant denies the allegations contained in Paragraph 4 of the Complaint.

5. Defendant is without knowledge as to the allegations contained in Paragraph 5 of the Complaint.

6. Defendant is without knowledge as to the allegations contained in Paragraph 6 of the Complaint.

7. Defendant is without knowledge as to the allegations contained in Paragraph 7 of the Complaint.

8. Defendant denies the allegations contained in Paragraph 8 of the Complaint.

9. Defendant denies the allegations contained in Paragraph 9 of the Complaint.

10. Defendant is without knowledge as to the allegations contained in Paragraph 10 of the Complaint

11. Defendant is without knowledge as to the allegations contained in Paragraph 11 of the Complaint.

12. Defendant is without knowledge as to the allegations contained in Paragraph 12 of the Complaint.

13. Defendant admits to the allegations with respect to Plaintiff Leicht being a registered Miami-Dade voter, denies with respect to when Plaintiff Leicht registered to vote, and is without knowledge as to all other respects/allegations contained in Paragraph 13 of the Complaint.

14. Defendant is without knowledge as to the allegations contained in Paragraph 14 of the Complaint.

15. Defendant is without knowledge as to the allegations contained in Paragraph 15 of the Complaint.

16. Defendant is without knowledge as to the allegations contained in Paragraph 16 of the Complaint.

17. Defendant is without knowledge as to the allegations contained in Paragraph 17 of the Complaint.

18. Defendant is without knowledge as to the allegations contained in Paragraph 18 of the Complaint.

19. Defendant is without knowledge as to the allegations contained in Paragraph 19 of the Complaint.

20. Defendant is without knowledge as to the allegations contained in

Paragraph 20 of the Complaint.

21. Defendant is without knowledge as to the allegations contained in Paragraph 21 of the Complaint.

22. Defendant is without knowledge as to the allegations contained in Paragraph 22 of the Complaint.

23. Defendant is without knowledge as to the allegations contained in Paragraph 23 of the Complaint.

24. Defendant is without knowledge as to the allegations contained in Paragraph 24 of the Complaint.

25. Defendant is without knowledge as to the allegations contained in Paragraph 25 of the Complaint.

26. Defendant is without knowledge as to the allegations contained in Paragraph 26 of the Complaint.

27. Defendant is without knowledge as to the allegations contained in Paragraph 27 of the Complaint.

28. Defendant is without knowledge as to the allegations contained in Paragraph 28 of the Complaint.

29. Defendant is without knowledge as to the allegations contained in Paragraph 29 of the Complaint.

30. Defendant admits the allegations contained in Paragraph 30 of the Complaint.

31. Defendant admits the allegations contained in Paragraph 31 of the Complaint.

32. Defendant is without knowledge as to the allegations contained in Paragraph 32 of the Complaint.

33. Defendant is without knowledge as to the allegations contained in Paragraph 33 of the Complaint.

34. Defendant is without knowledge as to the allegations contained in Paragraph 34 of the Complaint.

35. Defendant is without knowledge as to the allegations contained in Paragraph 35 of the Complaint. .

36. Defendant is without knowledge as to the allegations contained in Paragraph 36 of the Complaint.

37. Defendant admits to the allegations contained in Paragraph 37 of the Complaint.

38. Defendant admits the allegations contained in Paragraph 38 of the Complaint.

39. Defendant admits the allegations contained in Paragraph 39 of the Complaint.

40. Defendant admits to the allegations contained in Paragraph 40 of the Complaint.

41. Defendant admits the allegations contained in Paragraph 41 of the Complaint.

42. Defendant admits the allegations contained in Paragraph 42 of the Complaint.

43. Defendant is without knowledge as to the allegations contained in

Paragraph 43 of the Complaint.

44. Defendant is without knowledge as to the allegations contained in Paragraph 44 of the Complaint.

45. Defendant is without knowledge as to the allegations contained in Paragraph 45 of the Complaint.

46. Defendant is without knowledge as to the allegations contained in Paragraph 46 of the complaint.

47. Defendant is without knowledge as to the allegations contained in Paragraph 47 of the Complaint.

48. Defendant is without knowledge as to the allegations contained in Paragraph 48 of the Complaint.

49. Defendant admits the allegations contained in Paragraph 49 of the Complaint.

50. Defendant admits the allegations contained in Paragraph 50 of the Complaint.

51. Defendant admits the allegations contained in Paragraph 51 of the Complaint.

52. Defendant admits the allegations contained in Paragraph 52 of the Complaint.

53. Defendant admits the allegations contained in Paragraph 53 of the Complaint.

54. Defendant admits the allegations contained in Paragraph 54 of the Complaint.

55. Defendant admits the allegations contained in Paragraph 55 of the Complaint.

56. Defendant admits the allegations contained in Paragraph 56 of the Complaint.

57. Defendant admits the allegations contained in Paragraph 57 of the Complaint.

58. Defendant is without knowledge as to the allegations contained in Paragraph 58 of the Complaint.

59. Defendant is without knowledge as to the allegations contained in Paragraph 59 of the Complaint.

60. Defendant is without knowledge as to the allegations contained in Paragraph 60 of the Complaint.

61. Defendant is without knowledge as to the allegations contained in Paragraph 61 of the Complaint.

62. Defendant is without knowledge as to the allegations contained in Paragraph 62 of the Complaint.

63. Defendant is without knowledge as to the allegations contained in Paragraph 63 of the Complaint.

64. Defendant is without knowledge as to the allegations contained in Paragraph 64 of the Complaint.

65. Defendant is without knowledge as to the allegations contained in Paragraph 65 of the Complaint.

66. Defendant admits the allegations contained in Paragraph 66 of the

Complaint.

67. Defendant is without knowledge as to the allegations contained in Paragraph 67 of the Complaint.

68. Defendant is without knowledge as to the allegations contained in Paragraph 68 of the Complaint.

69. Defendant is without knowledge as to the allegations contained in Paragraph 69 of the Complaint.

70. Defendant is without knowledge as to the allegations contained in Paragraph 70 of the Complaint.

71. Defendant is without knowledge as to the allegations contained in Paragraph 71 of the Complaint.

72. Defendant is without knowledge as to the allegations contained in Paragraph 72 of the Complaint.

73. Defendant is without knowledge as to the allegations contained in Paragraph 73 of the Complaint.

74. Defendant is without knowledge as to the allegations contained in Paragraph 74 of the Complaint.

75. Defendant is without knowledge as to the allegations contained in Paragraph 75 of the Complaint.

76. Defendant is without knowledge as to the allegations contained in Paragraph 76 of the Complaint.

77. Defendant is without knowledge as to the allegations contained in Paragraph 77 of the Complaint.

78. Defendant is without knowledge as to the allegations contained in Paragraph 78 of the Complaint.

79. Defendant is without knowledge as to the allegations contained in Paragraph 79 of the Complaint.

80. Defendant is without knowledge as to the allegations contained in Paragraph 80 of the Complaint.

81. Defendant is without knowledge as to the allegations contained in Paragraph 81 of the Complaint.

82. Defendant is without knowledge as to the allegations contained in Paragraph 82 of the Complaint.

83. Defendant is without knowledge as to the allegations contained in Paragraph 83 of the Complaint.

84. Defendant is without knowledge as to the allegations contained in Paragraph 84 of the Complaint.

85. Defendant is without knowledge as to the allegations contained in Paragraph 85 of the Complaint.

86. Defendant is without knowledge as to the allegations contained in Paragraph 86 of the Complaint.

87. Defendant is without knowledge as to the allegations contained in Paragraph 87 of the Complaint.

88. Defendant is without knowledge as to the allegations contained in Paragraph 88 of the Complaint.

89. Defendant is without knowledge as to the allegations contained in

Paragraph 89 of the Complaint.

90. Defendant is without knowledge as to the allegations contained in Paragraph 90 of the Complaint.

91. Defendant re-allege all responses to preceding paragraphs as though fully set forth herein.

92. Defendant admits the allegations contained in Paragraph 92 of the Complaint.

93. Defendant is without knowledge as to the allegations contained in Paragraph 93 of the Complaint.

94. Defendant is without knowledge as to the allegations contained in Paragraph 94 of the Complaint.

95. Defendant is without knowledge as to the allegations contained in Paragraph 95 of the Complaint.

96. Defendant is without knowledge as to the allegations contained in Paragraph 96 of the Complaint.

97. Defendant is without knowledge as to the allegations contained in Paragraph 97 of the Complaint.

98. Defendant is without knowledge as to the allegations contained in Paragraph 98 of the Complaint.

99. Defendant re-allege all responses to preceding paragraphs as though fully set forth herein.

100. Defendant is without knowledge as to the allegations contained in Paragraph 100 of the Complaint.

101. Defendant admits the allegations contained in Paragraph 101 of the Complaint.

102. Defendant is without knowledge as to the allegations contained in Paragraph 102 of the Complaint.

103. Defendant is without knowledge as to the allegations contained in Paragraph 103 of the Complaint.

104. Defendant is without knowledge as to the allegations contained in Paragraph 104 of the Complaint.

105. Defendant is without knowledge as to the allegations contained in Paragraph 105 of the Complaint.

106. Defendant is without knowledge as to the allegations contained in Paragraph 106 of the Complaint.

107. Defendant is without knowledge as to the allegations contained in Paragraph 107 of the Complaint.

108. Defendant is without knowledge as to the allegations contained in Paragraph 108 of the Complaint.

109. Defendant is without knowledge as to the allegations contained in Paragraph 109 of the Complaint.

110. Defendant is without knowledge as to the allegations contained in Paragraph 110 of the Complaint.

111. Defendant is without knowledge as to the allegations contained in Paragraph 111 of the Complaint.

112. Defendant re-allege all responses to preceding paragraphs as though fully

set forth herein.

113. Defendant admits the allegations contained in Paragraph 113 of the Complaint.

114. Defendant admits the allegations contained in Paragraph 114 of the Complaint.

115. Defendant is without knowledge as to the allegations contained in Paragraph 115 of the Complaint.

116. Defendant denies the allegations contained in Paragraph 116 of the Complaint.

117. Defendant is without knowledge as to the allegations contained in Paragraph 117 of the Complaint.

118. Defendant is without knowledge as to the allegations contained in Paragraph 118 of the Complaint.

119. Defendant is without knowledge as to the allegations contained in Paragraph 119 of the Complaint.

120. Defendant is without knowledge as to the allegations contained in Paragraph 120 of the Complaint.

121. Defendant is without knowledge as to the allegations contained in Paragraph 121 of the Complaint.

122. Defendant is without knowledge as to the allegations contained in Paragraph 122 of the Complaint.

123. Defendant is without knowledge as to the allegations contained in Paragraph 123 of the Complaint.

124. Defendant is without knowledge as to the allegations contained in Paragraph 124 of the Complaint.

125. Defendant is without knowledge as to the allegations contained in Paragraph 125 of the Complaint.

126. Defendant is without knowledge as to the allegations contained in Paragraph 126 of the Complaint.

127. Defendant is without knowledge as to the allegations contained in Paragraph 127 of the Complaint.

128. Defendant re-allege all responses to preceding paragraphs as though fully set forth herein.

129. Defendant is without knowledge as to the allegations contained in Paragraph 129 of the Complaint.

130. Defendant admits the allegations contained in Paragraph 130 of the Complaint.

131. Defendant admits the allegations contained in Paragraph 131 of the Complaint.

132. Defendant is without knowledge as to the allegations contained in Paragraph 132 of the Complaint.

133. Defendant is without knowledge as to the allegations contained in Paragraph 133 of the Complaint.

134. Defendant re-allege all responses to preceding paragraphs as though fully set forth herein.

135. Defendant admits the allegations contained in Paragraph 135 of the

Complaint.

136. Defendant is without knowledge as to the allegations contained in Paragraph 136 of the Complaint.

137. Defendant is without knowledge as to the allegations contained in Paragraph 137 of the Complaint.

138. Defendant is without knowledge as to the allegations contained in Paragraph 138 of the Complaint.

139. Defendant is without knowledge as to the allegations contained in Paragraph 139 of the Complaint.

140. Defendant is without knowledge as to the allegations contained in Paragraph 140 of the Complaint.

141. Defendant is without knowledge as to the allegations contained in Paragraph 141 of the Complaint.

142. Defendant is without knowledge as to the allegations contained in Paragraph 142 of the Complaint.

143. Defendant is without knowledge as to the allegations contained in Paragraph 143 of the Complaint.

144. Defendant is without knowledge as to the allegations contained in Paragraph 144 of the Complaint.

145. Defendant is without knowledge as to the allegations contained in Paragraph 145 of the Complaint.

146. Defendant is without knowledge as to the allegations contained in Paragraph 146 of the Complaint.

147. Defendant is without knowledge as to the allegations contained in Paragraph 147 of the Complaint.

148. Defendant is without knowledge as to the allegations contained in Paragraph 148 of the Complaint.

149. Defendant re-allege all responses to preceding paragraphs as though fully set forth herein.

150. Defendant is without knowledge as to the allegations contained in Paragraph 150 of the Complaint.

151. Defendant is without knowledge as to the allegations contained in Paragraph 151 of the Complaint.

152. Defendant is without knowledge as to the allegations contained in Paragraph 152 of the Complaint.

153. Defendant is without knowledge as to the allegations contained in Paragraph 153 of the Complaint.

154. Defendant is without knowledge as to the allegations contained in Paragraph 154 of the Complaint.

155. Defendant is without knowledge as to the allegations contained in Paragraph 155 of the Complaint.

156. Defendant re-allege all responses to preceding paragraphs as though fully set forth herein.

157. Defendant admits the allegations contained in Paragraph 157 of the Complaint.

158. Defendant is without knowledge as to the allegations contained in

Paragraph 158 of the Complaint.

159. Defendant is without knowledge as to the allegations contained in Paragraph 159 of the Complaint.

160. Defendant is without knowledge as to the allegations contained in Paragraph 160 of the Complaint.

161. Defendant is without knowledge as to the allegations contained in Paragraph 161 of the Complaint.

162. Defendant is without knowledge as to the allegations contained in Paragraph 162 of the Complaint.

163. Defendant is without knowledge as to the allegations contained in Paragraph 163 of the Complaint.

164. Defendant is without knowledge as to the allegations contained in Paragraph 164 of the Complaint.

165. Defendant is without knowledge as to the allegations contained in Paragraph 165 of the Complaint.

166. Defendant re-allege all responses to preceding paragraphs as though fully set forth herein.

167. Defendant admits the allegations contained in Paragraph 167 of the Complaint.

168. Defendant is without knowledge as to the allegations contained in Paragraph 168 of the Complaint.

169. Defendant is without knowledge as to the allegations contained in Paragraph 169 of the Complaint.

170. Defendant is without knowledge as to the allegations contained in Paragraph 170 of the Complaint.

171. Defendant is without knowledge as to the allegations contained in Paragraph 171 of the Complaint.

172. Defendant is without knowledge as to the allegations contained in Paragraph 172 of the Complaint.

**AFFIRMATIVE DEFENSES OF DEFENDANT CHRISTINA WHITE,**  
**SUPERVISOR OF ELECTIONS OF MIAMI-DADE COUNTY**

1. Plaintiffs' claims are not yet ripe for adjudication. Defendant Christina White has not removed any voters, including any Plaintiffs, from the rolls as a result of the provisions of SB 7066 addressed in the Complaint and she has not received any information from the Secretary of State to initiate the removal process for any voter as a result of those provisions.

2. Even if this claim were ripe for adjudication, Fla. Stat. § 97.075(7) provides administrative procedures that must be followed prior to removal of any voter for ineligibility and Fla. Stat. § 98.0755 provides appellate jurisdiction over such administrative determinations to the state circuit court in the relevant county. Plaintiffs have not exhausted any of these administrative or state court remedies prior to filing this challenge.

3. Plaintiffs have not suffered an injury in fact as a result of any action by Defendant Christina White and therefore do not possess the requisite standing to bring this cause of action against Defendant Christina White.

4. Plaintiffs' Complaint does not state a cause of action against Defendant Christina White for which relief may be granted because the relief requested is not sought

from Defendant Christina White and is only sought from the State of Florida and the Secretary of State.

5. Plaintiffs' Complaint does not state a cause of action against Defendant Christina White for which relief can be granted because Florida Statutes provide that the Secretary of State is the "chief election officer of the state" with "responsibility to ... [o]btain and maintain uniformity in the interpretation and implementation of the election laws ... [and] may ... adopt by rule uniform standards for the proper and equitable interpretation and implementation of the requirements of chapters 97 through 102 and 105 of the Election Code." *See* § 97.012, Fla. Stat.

6. Plaintiffs' Complaint fails to provide a short and plain statement of the claim showing that they are entitled to relief because the Complaint is an improper "shotgun pleading."

7. To the extent Plaintiffs' allege that Defendant Christina White is an indispensable or necessary party for purposes of relief, Plaintiffs' claims fail for failing to join the other fifty-seven unnamed Supervisors of Elections in Florida as indispensable and necessary parties.

8. Plaintiff Karen Leicht's claims against Defendant Christina White are barred by waiver or estoppel because Ms. Leicht agreed in her plea agreement that restitution would be imposed as a term of her criminal sentence.

9. To the extent Plaintiffs suffered any damages as a result of facts alleged in the Complaint, Defendant Christina White is entitled to immunity under the Eleventh Amendment of the United States Constitution.

10. To the extent Plaintiffs suffered any damages as a result of facts alleged in the Complaint, Defendant Christina White is not the proximate cause of those damages.

11. Plaintiffs' recovery, if any is limited by the provisions of Fla. Stat. § 768.28(5).

12. Defendant Christina White adopts all affirmative defenses asserted by the other Defendants and incorporates them by reference as if fully set forth herein.

13. Defendant Christina White reserves the right to assert additional defenses as appropriate.

Respectfully submitted,

ABIGAIL PRICE-WILLIAMS  
MIAMI-DADE COUNTY ATTORNEY

By: *s/Oren Rosenthal*

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served to all counsel of record through the Court's CM/ECF system on this 29<sup>th</sup> day of August, 2019.

*s/Oren Rosenthal*  
Oren Rosenthal  
Assistant County Attorney