

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

KELVIN LEON JONES, et al.,

Case No. 4:19cv00300-RH-MJF

Plaintiffs,

vs.

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

Defendant.

**DEFENDANT, RON TURNER, SARASOTA COUNTY
SUPERVISOR OF ELECTIONS ANSWER TO FIRST AMENDED
COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF**

Defendant, Ron Turner, Sarasota County Supervisor of Elections, answers the Plaintiff's First Amended Complaint for Injunctive and Declaratory Relief, and says:

1. Defendant admits the allegations to the extent that Amendment 4 was approved by the voters on November 6, 2018 and denies in all other respects the allegations contained in Paragraph 1 of the First Amended Complaint.

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

3. The paragraph is a conclusory allegation to which no response is required.

4. Without knowledge and therefore denied.

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

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

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

8. Defendant is without knowledge as to the allegations contained in Paragraph 8 of the First Amended Complaint.

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

10. Without knowledge and therefore denied.

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

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

13. Defendant is without knowledge as to the allegations contained in Paragraph 13 of the First Amended Complaint.

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

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

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

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

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

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

20. Defendant is without knowledge as to the allegations contained in Paragraph 20 of the First Amended Complaint.

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

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

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

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

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

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

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

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

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

30. Defendant is without knowledge as to the allegations contained in Paragraph 30 of the First Amended Complaint.

31. Defendant is without knowledge as to the allegations contained in Paragraph 31 of the First Amended Complaint.

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

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

34. Defendant admits that Laurel M. Lee is the Secretary of State and that the statutes and cases speak for themselves, and otherwise denies the remaining

allegations contained in Paragraph 34 of the First Amended Complaint.

35. Defendant admits the allegations as to the identification of the named Supervisors of Elections contained in Paragraph 35 of the First Amended Complaint and otherwise denies the remaining allegations.

36. Admitted for jurisdictional purposes only.

37. Admitted for jurisdictional purposes only.

38. Admitted for jurisdictional purposes only.

39. Denied.

40. Denied.

41. Defendant admits that the voters on November 6, 2018 approved Amendment 4 and is without knowledge as to the remaining allegations contained in Paragraph 41 of the First Amended Complaint.

42. Defendant admits the text of the Amendment speaks for itself; otherwise denied.

43. Defendant admits that Amendment 4 and the Florida Supreme Court's opinion speak for themselves and is without knowledge as to all other allegations contained in Paragraph 43 of the First Amended Complaint, including footnote 3.

44. Defendant admits that the cases speak for themselves and denies all remaining allegations in Paragraph 44.

45. Defendant admits the cases speak for themselves and otherwise denies the remaining allegations contained in Paragraph 45 of the First Amended Complaint.

46. Defendant admits the allegations contained in Paragraph 46 of the First Amended Complaint.

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

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

49. Defendant is without knowledge as to the allegations contained in Paragraph 49 of the First Amended Complaint.

50. Defendant is without knowledge as to the allegations contained in Paragraph 50 of the First Amended Complaint.

51. Defendant is without knowledge as to the allegations contained in Paragraph 51 of the First Amended Complaint.

52. Defendant is without knowledge as to the allegations contained in Paragraph 52 of the First Amended Complaint.

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

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

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

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

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

58. Defendant admits the allegations contained in Paragraph 58 of the First Amended Complaint.

59. Defendant admits the allegations contained in Paragraph 59 of the First Amended Complaint.

60. Defendant admits the allegations contained in Paragraph 60 of the First Amended Complaint.

61. Defendant admits the allegations contained in Paragraph 61 of the First Amended Complaint.

62. Defendant admits the allegations contained in Paragraph 62 of the First Amended Complaint.

63. Defendant admits the allegations contained in Paragraph 63 of the First Amended Complaint.

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

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

66. Defendant is without knowledge as to the allegations contained in Paragraph 66 of the First Amended Complaint.

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

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

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

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

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

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

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

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

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

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

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

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

79. Admitted that §775.089(3)(b) speaks for itself; otherwise denied.

80. Admitted that §775.089(3)(d) speaks for itself; otherwise denied.

81. Admitted that §775.089(3)(d) speaks for itself; otherwise denied.

82. Defendant admits that SB 7066 speaks for itself; otherwise denied.

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

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

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

86. Admitted that SB7066 speaks for itself; otherwise denied.

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

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

89. Admitted that SB7066 speaks for itself; otherwise denied.

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

91. Defendant is without knowledge as to the allegations contained in Paragraph 91 of the First Amended Complaint.

92. Admitted that SB7066 speaks for itself; otherwise denied.

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

94. Admitted that the referenced hearing transcript speaks for itself; otherwise denied.

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

96. Admitted the hearing transcript speaks for itself; otherwise denied.

97. Admitted the hearing transcript speaks for itself; otherwise denied.

98. Admitted the hearing transcript speaks for itself; otherwise denied.

99. Admitted the hearing transcript speaks for itself; otherwise denied.

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

101. Defendant is without knowledge as to the allegations contained in Paragraph 101 of the First Amended Complaint.

102. Admitted the hearing transcript speaks for itself; otherwise denied.

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

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

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

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

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

108. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein.

109. Defendant admits that the Constitution speaks for itself and denies all remaining allegations contained in Paragraph 109 of the First Amended Complaint.

110. Defendant admits that the Constitution speaks for itself and denies all remaining allegations contained in Paragraph 110 of the First Amended Complaint

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

112. Defendant is without knowledge as to the allegations contained in Paragraph 112 of the First Amended Complaint.

113. Defendant is without knowledge as to the allegations contained in Paragraph 113 of the First Amended Complaint.

114. Denied.

115. Denied.

116. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein.

117. Denied.

118. Defendant admits the cases speak for themselves and otherwise denies the allegations contained in Paragraph 118 of the First Amended Complaint.

119. Defendant admits the cases speak for themselves and otherwise denies the allegations contained in Paragraph 119 of the First Amended Complaint.

120. Defendant admits the case speaks for itself and otherwise denies the allegations contained in Paragraph 120 of the First Amended Complaint.

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

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

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

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

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

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

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

128. Defendant is without knowledge as to the allegations contained in Paragraph 128 of the First Amended Complaint.

129. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein.

130. Defendant is without knowledge as to the allegations contained in Paragraph 130 of the First Amended Complaint.

131. Defendant is without knowledge as to the allegations contained in Paragraph 131 of the First Amended Complaint.

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

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

134. Defendant is without knowledge as to the allegations contained in Paragraph 134 of the First Amended Complaint.

135. Defendant is without knowledge as to the allegations contained in Paragraph 135 of the First Amended Complaint.

136. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein

137. Defendant admits the 14th Amendment speaks for itself; otherwise denied.

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

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

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

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

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

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

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

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

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

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

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

149. Defendant is without knowledge as to the allegations contained in Paragraph 149 of the First Amended Complaint.

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

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

152. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein.

153. Defendant admits the 24th Amendment speaks for itself; otherwise denied.

154. Defendant admits the 24th Amendment speaks for itself; otherwise denied.

155. Defendant admits SB7066 speaks for itself; otherwise denied.

156. Defendant is without knowledge as to the allegations contained in Paragraph 156 of the First Amended Complaint.

157. Defendant is without knowledge as to the allegations contained in Paragraph 157 of the First Amended Complaint.

158. Defendant admits SB7066 speaks for itself; otherwise denied.

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

160. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein.

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

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

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

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

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

166. Defendant is without knowledge as to the allegations contained in Paragraph 166 of the First Amended Complaint.

167. Defendant is without knowledge as to the allegations contained in Paragraph 167 of the First Amended Complaint.

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

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

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

171. Defendant admits SB7066 speaks for itself; otherwise denied.

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

173. Defendant is without knowledge as to the allegations contained in Paragraph 173 of the First Amended Complaint.

174. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein.

175. Defendant is without knowledge as to the allegations contained in Paragraph 175 of the First Amended Complaint.

176. Defendant is without knowledge as to the allegations contained in Paragraph 176 of the First Amended Complaint.

177. Defendant is without knowledge as to the allegations contained in Paragraph 177 of the First Amended Complaint.

178. Defendant is without knowledge as to the allegations contained in Paragraph 178 of the First Amended Complaint.

179. Defendant is without knowledge as to the allegations contained in Paragraph 179 of the First Amended Complaint.

180. Defendant is without knowledge as to the allegations contained in Paragraph 180 of the First Amended Complaint.

181. Defendant is without knowledge as to the allegations contained in Paragraph 181 of the First Amended Complaint.

182. Defendant is without knowledge as to the allegations contained in Paragraph 182 of the First Amended Complaint.

183. Defendant is without knowledge as to the allegations contained in Paragraph 183 of the First Amended Complaint.

184. Defendant is without knowledge as to the allegations contained in Paragraph 184 of the First Amended Complaint.

185. Defendant is without knowledge as to the allegations contained in Paragraph 185 of the First Amended Complaint.

186. Defendant is without knowledge as to the allegations contained in Paragraph 186 of the First Amended Complaint.

187. Defendant is without knowledge as to the allegations contained in Paragraph 187 of the First Amended Complaint.

188. Defendant is without knowledge as to the allegations contained in Paragraph 188 of the First Amended Complaint.

189. Denied.

190. Defendant is without knowledge as to the allegations contained in Paragraph 190 of the First Amended Complaint

191. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein.

192. Defendant admits that the Constitution speaks for itself and otherwise denies the remaining allegations contained in Paragraph 192 of the First Amended Complaint.

193. Defendant is without knowledge as to the allegations contained in Paragraph 193 of the First Amended Complaint.

194. Defendant is without knowledge as to the allegations contained in Paragraph 194 of the First Amended Complaint.

195. Defendant is without knowledge as to the allegations contained in Paragraph 195 of the First Amended Complaint.

196. Defendant is without knowledge as to the allegations contained in Paragraph 196 of the First Amended Complaint.

197. Defendant is without knowledge as to the allegations contained in Paragraph 197 of the First Amended Complaint.

198. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein.

199. Defendant admits that the Constitution and case speak for themselves and otherwise denies the remaining allegations contained in Paragraph 199 of the First Amended Complaint.

200. Defendant is without knowledge as to the allegations contained in Paragraph 200 of the First Amended Complaint.

201. Defendant is without knowledge as to the allegations contained in Paragraph 201 of the First Amended Complaint.

202. Defendant is without knowledge as to the allegations contained in Paragraph 202 of the First Amended Complaint.

203. Defendant is without knowledge as to the allegations contained in Paragraph 203 of the First Amended Complaint.

204. Defendant admits the referenced news article speaks for itself; otherwise denied.

205. Defendant is without knowledge as to the allegations contained in Paragraph 205 of the First Amended Complaint.

206. Defendant is without knowledge as to the allegations contained in Paragraph 206 of the First Amended Complaint.

207. Defendant is without knowledge as to the allegations contained in Paragraph 207 of the First Amended Complaint.

208. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein.

209. Defendant admits the 14th Amendment speaks for itself; otherwise denied.

210. Defendant is without knowledge as to the allegations contained in Paragraph 210 of the First Amended Complaint.

211. Defendant is without knowledge as to the allegations contained in Paragraph 211 of the First Amended Complaint.

212. Defendant is without knowledge as to the allegations contained in Paragraph 212 of the First Amended Complaint.

213. Defendant is without knowledge as to the allegations contained in Paragraph 213 of the First Amended Complaint.

214. Defendant is without knowledge as to the allegations contained in Paragraph 214 of the First Amended Complaint.

215. Defendant re-alleges all responses to preceding paragraphs as though fully set forth herein.

216. Defendant is without knowledge as to the allegations contained in Paragraph 216 of the First Amended Complaint.

217. Defendant is without knowledge as to the allegations contained in Paragraph 217 of the First Amended Complaint.

218. Defendant is without knowledge as to the allegations contained in Paragraph 218 of the First Amended Complaint.

219. Defendant is without knowledge as to the allegations contained in Paragraph 219 of the First Amended Complaint.

220. Defendant admits SB7066 speaks for itself; otherwise denied.

221. Defendant is without knowledge as to the allegations contained in Paragraph 221 of the First Amended Complaint.

222. Defendant is without knowledge as to the allegations contained in Paragraph 222 of the First Amended Complaint.

223. Defendant is without knowledge as to the allegations contained in Paragraph 223 of the First Amended Complaint.

224. Defendant is without knowledge as to the allegations contained in Paragraph 224 of the First Amended Complaint.

225. Defendant is without knowledge as to the allegations contained in Paragraph 225 of the First Amended Complaint.

226. Defendant is without knowledge as to the allegations contained in Paragraph 226 of the First Amended Complaint.

227. Defendant is without knowledge as to the allegations contained in Paragraph 227 of the First Amended Complaint.

228. Defendant is without knowledge as to the allegations contained in Paragraph 228 of the First Amended Complaint.

229. Defendant is without knowledge as to the allegations contained in Paragraph 229 of the First Amended Complaint.

230. Defendant admits SB7066 speaks for itself; otherwise denied.

AFFIRMATIVE DEFENSES OF DEFENDANT RON TURNER,
SUPERVISOR OF ELECTIONS OF SARASOTA COUNTY

1. Plaintiffs' claims are not yet ripe for adjudication. Supervisor Turner has not removed any voters, including any Plaintiffs, from the rolls as a result of the provisions of SB 7066 addressed in the First Amended Complaint and he 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 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 Supervisor Turner and therefore do not possess the requisite standing to bring this cause of action against Supervisor Turner.

4. Plaintiffs' First Amended Complaint does not state a cause of action against Supervisor Turner for which relief may be granted because the relief requested is not sought from Supervisor Turner and is only sought from the State of Florida and the Secretary of State.

5. Plaintiffs' First Amended Complaint does not state a cause of action against Supervisor Turner 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 Fla. Stat. § 97.012.*

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

7. To the extent Plaintiffs' allege that Supervisor Turner 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. To the extent Plaintiffs suffered any damages as a result of facts alleged in the First Amended Complaint, Supervisor Turner is entitled to immunity under the Eleventh Amendment of the United States Constitution.

9. To the extent Plaintiffs suffered any damages as a result of facts alleged in the First Amended Complaint, Supervisor Turner is not the proximate cause of those damages.

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

11. The First Amended Complaint incorporates all preceding counts into each count and therefore fails to state a claim as a matter of law.

12. Plaintiffs have failed to state a basis for attorneys' fees and costs against Supervisor Turner.

13. Supervisor Turner adopts all affirmative defenses asserted by the other Defendants and incorporates them by reference as if fully set forth herein.

14. Supervisor Turner reserves the right to assert additional defenses as appropriate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail upon counsel of record for all parties in the above-captioned matter this 3^d day of December, 2019.



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