

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

FLORIDA RISING TOGETHER, *et al.*,

Plaintiffs,

v.

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

Defendants,

and

NATIONAL REPUBLICAN
SENATORIAL COMMITTEE, *et al.*,

Intervenor-Defendants.

Case No. 4:21-cv-201-MW/MAF

FLORIDA SECRETARY OF STATE'S ANSWER
AND AFFIRMATIVE DEFENSES

Defendant, Laurel Lee, in her official capacity as the Florida Secretary of State, by and through her undersigned counsel, hereby answers Plaintiffs' Amended Complaint for Injunctive and Declaratory Relief. In the interest of completeness, the Secretary answers each and every paragraph in Plaintiffs' amended complaint, notwithstanding the fact that certain claims have been dismissed as against the Secretary or as against all defendants.

RESPONSE TO ALLEGATIONS

The introductory paragraph is not an allegation and so requires no response.

As to the numbered paragraphs of the Complaint, the Secretary answers as follows:¹

INTRODUCTION

1. Plaintiffs' rhetorical flourishes in the first and last two sentences of paragraph 1 are not factual allegations to which a response is required, to the extent a response is required; it is denied. The cases cited in the remainder of paragraph 1 speak for themselves. The secretary denies any remaining factual allegations of legal conclusions contained in paragraph 1.

2. Denied.

3. The statutes cited speaks for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 3.

4. The statute cited speaks for itself. The Secretary specifically denies that the bill that would become Chapter 2021-11 of the Laws of Florida was enacted in June of 2021. The Secretary also specifically denies the allegations in paragraph 4 concerning the impact of "SB 90." The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 4.

¹ The headings herein are recreated from Plaintiffs' Amended Complaint and are included for the purposes of organization and clarity only. Further, the headings are material to which no response is required, to the extent a response is required, it is denied.

5. The Secretary is without sufficient knowledge to admit or deny the factual allegations in paragraph 5; therefore denied.

6. The statute cited speaks for itself. The Secretary specifically denies the allegations in paragraph 6 concerning the impact of “SB 90.” The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 6.

7. The statute cited speaks for itself. The Secretary specifically denies the allegations in paragraph 7 concerning the impact of “SB 90.” The Secretary is without sufficient knowledge to admit or deny the remainder of the factual allegations in paragraph 7; therefore denied.

8. The statute cited speaks for itself. The Secretary specifically denies the allegations in paragraph 8 concerning the impact of “SB 90.” The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 8.

9. The statute cited speaks for itself. The Secretary specifically denies the allegations in paragraph 9 concerning the impact of “SB 90.” The Secretary is without sufficient knowledge to admit or deny the remainder of the factual allegations in paragraph 9; therefore denied.

10. The statute cited speaks for itself. The Secretary specifically denies the allegations in paragraph 10 concerning the impact of “SB 90.” The Secretary is without sufficient knowledge to admit or deny the remainder of the factual allegations in paragraph 10; therefore denied.

11. The Secretary admits that Governor DeSantis signed what became Chapter 2021-11 Laws of Florida. The statute cited speaks for itself. The Secretary specifically denies the allegations in paragraph 11 concerning the impact of “SB 90.” The Secretary is without sufficient knowledge to admit or deny the remainder of the factual allegations in paragraph 11; therefore denied.

12. Admit that Senator Dennis Baxley sponsored SB 90. The Secretary is without sufficient knowledge to admit or deny the remainder of the factual allegations in paragraph 12; therefore denied.

13. The statute cited speaks for itself. The Secretary specifically denies the allegations in paragraph 13 concerning the impact of “SB 90.” The Secretary is without sufficient knowledge to admit or deny the remainder of the factual allegations in paragraph 10; therefore denied.

14. Paragraph 14 contains legal conclusion to which no response is required, to the extent a response is required, it is denied. The Secretary denies any remaining factual or legal allegation in Paragraph 14.

15. The case cited in paragraph 15 speaks for itself. The secretary denies any remaining factual allegations of legal conclusions contained in paragraph 15.

16. The Secretary admits that Plaintiffs are challenging certain provisions of what would become Chapter 2021-11 Laws of Florida. The statute cited speaks for itself. The Secretary specifically denies the allegations in paragraph 16 concerning the

impact of “SB 90.” The Secretary denies any remaining factual or legal allegation in Paragraph 16.

17. Denied.

18. The Secretary specifically denies the allegations in paragraph 18 concerning the impact of “SB 90.” The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 18.

19. Denied.

THE PARTIES

Plaintiffs

20. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 20; therefore denied.

21. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 21; therefore denied.

22. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 22; therefore denied.

23. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 23; therefore denied.

24. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 24; therefore denied.

25. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 25; therefore denied.

26. The Secretary specifically denies the allegations in paragraph 26 concerning the impact of “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 26; therefore denied.

27. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 27; therefore denied.

28. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 28; therefore denied.

29. The Secretary specifically denies the allegations in paragraph 29 concerning the impact of “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 29; therefore denied.

30. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 30; therefore denied.

31. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 31; therefore denied.

32. The Secretary specifically denies the allegations in paragraph 32 concerning the impact of “SB 90.” The Secretary is without sufficient information to

admit or deny the remaining factual allegations contained within paragraph 29; therefore denied.

33. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 33; therefore denied.

34. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 34; therefore denied.

35. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 35; therefore denied.

36. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 36; therefore denied.

37. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 37; therefore denied.

38. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 38; therefore denied.

39. The Secretary specifically denies the allegations in paragraph 39 concerning the impact of “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 39; therefore denied.

40. The Secretary specifically denies the allegations in paragraph 40 concerning the impact of “SB 90.” The Secretary is without sufficient information to

admit or deny the remaining factual allegations contained within paragraph 40; therefore denied.

41. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 41; therefore denied.

42. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 42; therefore denied.

43. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 43; therefore denied.

44. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 44; therefore denied.

45. The Secretary specifically denies the allegations in paragraph 45 concerning the impact of “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 45; therefore denied.

46. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 46; therefore denied.

47. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 47; therefore denied.

48. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 48; therefore denied.

49. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 49; therefore denied.

50. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 50; therefore denied.

51. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 51; therefore denied.

52. The Secretary specifically denies the allegations in paragraph 52 concerning the impact of “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 52; therefore denied.

53. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 53; therefore denied.

54. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 54; therefore denied.

55. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 55; therefore denied.

56. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 56; therefore denied.

57. The Secretary specifically denies the allegations in paragraph 57 concerning the impact of “SB 90.” The Secretary is without sufficient information to

admit or deny the remaining factual allegations contained within paragraph 57; therefore denied.

Defendants

58. Admit that Laurel M. Lee is the Florida Secretary of State and that she is sued in her official capacity. Admit that the Division of Elections is a division within the Florida Department of State. The statutes cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 58.

59. Admit that Plaintiffs have sued the Supervisor of Elections, in their official capacities, in each of Florida's 67 counties. Admit that, at the time the Amended Complaint was filed, each supervisor named was in fact the Supervisor of Elections in the referenced county. The statutes cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 59.

JURISDICTION & VENUE

60. The Secretary admits that this action was brought under 42 U.S.C. §§ 1983, Section 2 of the Voting Rights Act, and the First, Fourteenth, and Fifteenth Amendments to the Constitution. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 60.

61. The Secretary specifically denies that this Court has subject matter

jurisdiction over some or all of Plaintiffs' claims. Admit that Plaintiffs brought this action pursuant to 28 U.S.C. §§ 1331 and 1343 as well as 28 U.S.C. §§ 2201 and 2202. Otherwise, the statutes cited speak for themselves. The Secretary denies any remaining factual allegations contained in paragraph 61.

62. Admit.

63. Admit that venue is proper in this Court. The Secretary is without sufficient information to admit or deny the remaining factual allegations as to Plaintiffs' activities contained within paragraph 63; therefore denied.

64. The Secretary specifically denies that this Court has subject matter jurisdiction over some of Plaintiffs claims, either in whole or in part. Otherwise, the statutes and Rules cited speak for themselves.

FACTUAL ALLEGATIONS

A. Florida's History of Racially Discriminatory Voting Practices

65. The case cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 65.

66. The case and statutes cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 66.

67. Denied.

68. The cases and sources cited speak for themselves. Admit that certain Florida counties were previously subject to pre-clearance. The Secretary denies any

remaining factual allegations or legal conclusions contained in paragraph 68.

69. The Secretary denies the first sentence of paragraph 69. The Secretary is without sufficient information to admit or deny the remaining factual allegations in paragraph 69; therefore denied.

70. The sources cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 70.

71. The case and statute cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 71.

72. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 72; therefore denied.

73. The source cited speaks for itself. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 73; therefore denied.

74. The statutes and case cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 74.

75. The source cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 75.

76. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 76.

77. The source and constitutional provision cited speaks for themselves. The

Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 77; therefore denied.

78. The statute and sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 78; therefore denied.

79. The case cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 79.

80. Denied.

B. Legislative History of SB 90

81. Admit the first sentence and admit Secretary Lee's statement. Otherwise, the sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 81; therefore denied.

82. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 82; therefore denied.

83. Denied.

84. Admit as to the substance of paragraph 84. The characterization contained in the first sentence is denied.

85. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained

within paragraph 85; therefore denied.

86. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 86; therefore denied.

87. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 87; therefore denied.

88. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 88; therefore denied.

89. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 89; therefore denied.

90. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 90; therefore denied.

91. Admit that Donald Trump received the most votes in Florida in the 2020 presidential election. The Secretary specifically denies that there have been no “credible allegations of voter fraud in” Florida. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 91; therefore denied.

92. The sources cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 92.

93. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 93; therefore denied.

94. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 94; therefore denied.

95. Admit that Rep. Blaise Ingoglia sponsored HB 7041 and admit that he represents Hernando County. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 94; therefore denied.

96. The sources cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 96.

97. The source cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 97; therefore denied.

98. The source cited speaks for itself. The Secretary specifically denies the allegation in paragraph 98 concerning the impact of “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained

within paragraph 98; therefore denied.

C. SB 90 Was the Culmination of a Flawed and Rushed Process

99. Denied.

100. The sources cited speaks for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 100; therefore denied.

101. The sources cited speaks for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 101; therefore denied.

102. Admitted.

103. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 103; therefore denied.

104. Admit that the bill passed the House on April 29. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 104; therefore denied.

D. The Impact of SB 90

105. Admit that the Amended Complaint challenges provisions of Chapter 2021-11 Laws of Florida. The Secretary specifically denies the remaining allegations in paragraph 105 concerning the impact or “burden” of “SB 90.”

106. Denied.

107. Admit that Secretary Lee testified to the Senate Committee on Ethics and Elections. The sources cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 107; therefore denied.

108. Admit that there were approximately 4.85 million ballots cast in the 2020 Florida general election. Otherwise, the source cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 108; therefore denied.

109. The source cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 109; therefore denied.

110. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 110; therefore denied.

111. The source cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 111; therefore denied.

112. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 112.

113. The statute cited speaks for itself. The Secretary denies any remaining

factual allegations or legal conclusions contained in paragraph 113.

114. The content of the law as it existed prior to the enactment of Chapter 2021-11Laws of Florida speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 114; therefore denied.

115. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 115.

116. The source cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 116; therefore denied.

117. The statutes cited speak for themselves. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 117; therefore denied.

118. The statute cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 118; therefore denied.

119. The statute and source cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 119.

120. Denied.

121. The Secretary specifically denies the allegations in paragraph 121

concerning the alleged impact or burden imposed by “SB 90.” The source cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 121; therefore denied.

122. The Secretary specifically denies the allegations in paragraph 122 concerning the alleged impact or burden imposed by “SB 90.” The source cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained within paragraph 122; therefore denied.

123. The Secretary specifically denies the allegations in paragraph 123 concerning the alleged impact or burden imposed by “SB 90.” The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 123.

124. The Secretary is without sufficient information to admit or deny the factual allegations contained within paragraph 124; therefore denied.

125. The Secretary is without sufficient information to admit or deny the factual allegations contained in paragraph 125; therefore denied.

126. The Secretary is without sufficient information to admit or deny the factual allegations contained in paragraph 126; therefore denied.

127. The statutes cited and referenced speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 127.

128. The predecessor regulatory framework speaks for itself. The Secretary

denies any factual allegations or legal conclusions inconsistent with that framework.

129. The Secretary specifically denies the allegations in paragraph 129 concerning the alleged impact or burden imposed by “SB 90.” The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 129.

130. The statutes cited speaks for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 130.

131. The Secretary is without sufficient information to admit or deny the factual allegations contained in paragraph 131; therefore denied.

132. The Secretary specifically denies the allegations in paragraph 132 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 132; therefore denied.

133. The Secretary specifically denies the allegations in paragraph 133 concerning the alleged impact or burden imposed by “SB 90.” The statute referenced speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 133; therefore denied.

134. The Secretary specifically denies the allegations in paragraph 134 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations

contained in paragraph 134; therefore denied.

135. The Secretary specifically denies the allegations in paragraph 135 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 135; therefore denied.

136. The Secretary specifically denies the allegations in paragraph 136 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 136; therefore denied.

137. The Secretary specifically denies the allegations in paragraph 137 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 137; therefore denied.

138. The Secretary specifically denies the allegations in paragraph 138 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 138; therefore denied.

139. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 139.

140. The statute cited speaks for itself. The Secretary denies any remaining

factual allegations or legal conclusions contained in paragraph 140.

141. The Secretary specifically denies the allegations in paragraph 141 concerning the alleged impact or burden imposed by “SB 90.” The provisions of Florida law referenced speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 141.

142. The source referenced speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 142; therefore denied.

143. The source referenced speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 143; therefore denied.

144. The Secretary specifically denies the allegations in paragraph 144 concerning the alleged impact or burden imposed by “SB 90.” The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 144.

145. Data speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 145.

146. The Secretary specifically denies the allegations in paragraph 146 concerning the alleged impact or burden imposed by “SB 90.” The statute cited, including any predecessors to the cited statute, speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 146.

147. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 146.

148. The Secretary admits the first three sentences. She denies the fourth.

149. The Secretary specifically denies the allegations in paragraph 149 concerning the alleged impact or burden imposed by “SB 90.” The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 149.

150. The sources cited speak for themselves. The Secretary specifically denies the allegations in paragraph 150 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 150; therefore denied.

151. The provision of Florida law referenced speaks for itself. The Secretary specifically denies the allegations in paragraph 151 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 151; therefore denied.

152. The source cited speaks for itself. The Secretary specifically denies the allegations in paragraph 152 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 152; therefore denied.

153. The statute cited speaks for itself. The Secretary specifically denies the

allegations in paragraph 153 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 153; therefore denied.

154. The Secretary is without sufficient information to admit or deny the factual allegations contained in paragraph 154; therefore denied.

155. The statute cited, including any preceding statute, speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 155.

156. Denied.

157. The statute cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 157; therefore denied.

158. The source cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 158; therefore denied.

159. The source cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 159; therefore denied.

160. The source cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph

160; therefore denied.

161. The Secretary specifically denies the allegations in paragraph 161 concerning the alleged impact or burden imposed by “SB 90.” The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 160; therefore denied.

THE NEED FOR SECTION 3(C) RELIEF

162. Denied.

163. The statute referenced speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 163.

164. Denied.

The Secretary further denies that Plaintiffs are entitled to relief under Section 3(c) of the Voting Rights Act.

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

Violation of Section 2 of the Voting Rights Act

52 U.S.C. § 10301, et seq.

(Intentional Racial Discrimination and Discriminatory Results)
(Secure Drop Box Restriction, Vote-By-Mail Application Restriction, Voter
Registration Delivery Restriction, and Line Warming Restriction)
Against Supervisor Defendants (Secure Drop Box Restriction, Vote-By-Mail
Application Restriction, and Line Warming Restriction)
Against Defendant Lee (Secure Drop Box Restriction, Voter Registration
Delivery Restriction, and Line Warming Restriction)

165. The Secretary incorporates by reference the responses to paragraphs numbered 1-163 of the Amended Complaint.

166. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 166.

167. Denied.

168. Denied.

169. Denied.

170. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 170.

171. Denied.

172. The statute referenced speaks for itself with respect to what state offers implement or are responsible for enforcing certain provisions of Chapter 2021-11 Laws of Florida. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 172.

The Secretary further denies that Plaintiffs are entitled to any relief pursuant to the First Claim for Relief in the Amended Complaint.

SECOND CLAIM FOR RELIEF

Fourteenth Amendment

U.S. Const. amend., XIV; 42 U.S.C. § 1983

(Intentional Racial Discrimination)

(Secure Drop Box Restriction, Vote-By-Mail Application Restriction, Voter Registration Delivery Restriction, and Line Warming Restriction)

Against Supervisor Defendants (Secure Drop Box Restriction, Vote-By-Mail Application Restriction, and Line Warming Restriction)

Against Defendant Lee (Secure Drop Box Restriction, Voter Registration Delivery Restriction, and Line Warming Restriction)

173. The Secretary incorporates by reference the responses to paragraphs

numbered 1-163 of the Amended Complaint.

174. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 174.

175. The constitutional amendment referenced speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 175.

176. Denied.

177. The cases cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 177.

178. Denied.

The Secretary further denies that Plaintiffs are entitled to any relief pursuant to the Second Claim for Relief in the Amended Complaint.

THIRD CLAIM FOR RELIEF

Fifteenth Amendment

U.S. Const. amend., XV; 42 U.S.C. § 1983

(Intentional Racial Discrimination in Voting)

(Secure Drop Box Restriction, Vote-By-Mail Application Restriction, Voter Registration Delivery Restriction, and Line Warming Restriction)

Against Supervisor Defendants (Secure Drop Box Restriction, Vote-By-Mail Application Restriction, and Line Warming Restriction)

Against Defendant Lee (Secure Drop Box Restriction, Voter Registration Delivery Restriction, and Line Warming Restriction)

179. The Secretary incorporates by reference the responses to paragraphs numbered 1-163 of the Amended Complaint

180. The statute cited speaks for itself. The Secretary denies any remaining

factual allegations or legal conclusions contained in paragraph 180.

181. The constitutional amendment referenced speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 181.

182. Denied.

The Secretary further denies that Plaintiffs are entitled to any relief pursuant to the Third Claim for Relief in the Amended Complaint.

FOURTH CLAIM FOR RELIEF
First and Fourteenth Amendments
U.S. Const. amends. I, XIV; 42 U.S.C. § 1983
(Undue Burden on the Right to Vote)
(Secure Drop Box Restriction, Vote-By-Mail Application Restriction, Voter Registration Delivery Restriction, and Line Warming Restriction)
Against Supervisor Defendants (Secure Drop Box Restriction, Vote-By-Mail Application Restriction, and Line Warming Restriction)
Against Defendant Lee (Secure Drop Box Restriction, Voter Registration Delivery Restriction, and Line Warming Restriction)

183. The Secretary incorporates by reference the responses to paragraphs numbered 1-163 of the Amended Complaint

184. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 184.

185. The constitutional amendments referenced speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 185.

186. The cases cited speak for themselves. The Secretary denies any

remaining factual allegations or legal conclusions contained in paragraph 186.

187. The case cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 187.

188. The case cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 188.

189. Denied.

190. Denied.

The Secretary further denies that Plaintiffs are entitled to any relief pursuant to the Fourth Claim for Relief in the Amended Complaint.

FIFTH CLAIM FOR RELIEF
Freedom of Speech/Expression and Unconstitutional Overbreadth and
Vagueness
U.S. Const. amend. I; 42 U.S.C. § 1983
(Line Warming Restriction)
Against Supervisor Defendants and Defendant Lee

191. The Secretary incorporates by reference the responses to paragraphs numbered 1-163 of the Amended Complaint

192. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 192.

193. The constitutional amendments referenced speak for themselves. Paragraph 193 is a legal conclusion to which no response is required, to the extent a response is required, it is denied.

194. The Secretary is without sufficient information to admit or deny the

factual allegations contained in paragraph 194; therefore denied.

195. The Secretary is without sufficient information to admit or deny the factual allegations contained in paragraph 195; therefore denied.

196. The case cited speaks for itself. The Secretary is without sufficient information to admit or deny the remaining factual allegations contained in paragraph 196; therefore denied.

197. Denied.

198. Denied.

199. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 199.

200. The Secretary is without sufficient information to admit or deny the factual allegations contained in the first sentence of paragraph 200; therefore denied. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 200.

201. The case cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 201.

202. Denied.

203. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 203.

204. The case cited speaks for itself. The Secretary denies any remaining

factual allegations or legal conclusions contained in paragraph 204.

205. The case cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 205.

206. The statute referenced speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 206.

207. Denied.

208. Denied.

209. The statute referenced speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 209.

210. The statutes referenced speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 210.

The Secretary further denies that Plaintiffs are entitled to any relief pursuant to the Fifth Claim for Relief in the Amended Complaint.

SIXTH CLAIM FOR RELIEF

**Violation of Section 208 of the Voting Rights Act of 1965, 52 U.S.C. § 10508;
42 U.S.C. § 1983**

Preemption

(Line Warming Restriction)

Against Supervisor Defendants and Defendant Lee

211. The Secretary incorporates by reference the responses to paragraphs numbered 1-163 of the Amended Complaint

212. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 212.

213. The statutes cited speaks for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 213.

214. Denied.

215. Denied.

216. Denied.

217. Denied.

218. The statutes referenced speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 218.

The Secretary further denies that Plaintiffs are entitled to any relief pursuant to the Sixth Claim for Relief in the Amended Complaint.

SEVENTH CLAIM FOR RELIEF
Freedom of Speech and Association and Viewpoint/Speaker Discrimination
U.S. Const. amend. I; 42 U.S.C. § 1983
(Voter Registration Delivery Restriction)
Against Defendant Lee

219. The Secretary incorporates by reference the responses to paragraphs numbered 1-163 of the Amended Complaint

220. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 220.

221. The constitutional amendments referenced speak for themselves. Paragraph 221 is a legal conclusion to which no response is required, to the extent a response is required, it is denied.

222. The Secretary is without sufficient information to admit or deny the factual allegations contained in the first sentence of paragraph 222; therefore denied.

223. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 223.

224. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 224.

225. Denied.

226. Denied.

227. Denied.

228. Denied.

229. Denied.

230. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 230.

231. Denied.

232. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 232.

233. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 223.

234. Paragraph 234 is a legal conclusion to which no response is required, to the extent a response is required; it is denied.

235. Denied.

236. Denied.

The Secretary further denies that Plaintiffs are entitled to any relief pursuant to the Seventh Claim for Relief in the Amended Complaint.

EIGHTH CLAIM FOR RELIEF
Freedom of Speech and Association and Compelled Speech
U.S. Const. amend. I; 42 U.S.C. § 1983
(Voter Registration Disclaimer)
Against Defendant Lee

237. The Secretary incorporates by reference the responses to paragraphs numbered 1-163 of the Amended Complaint

238. The statute cited speaks for itself. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 238.

239. The constitutional amendments referenced speak for themselves. Paragraph 239 is a legal conclusion to which no response is required, to the extent a response is required, it is denied.

240. The Secretary is without sufficient information to admit or deny the factual allegations contained in the first sentence of paragraph 240; therefore denied.

241. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 241.

242. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 242.

243. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 243.

244. Denied.

245. Denied.

246. Denied.

247. Denied.

248. Paragraph is a legal conclusion to which no response is required, to the extent a response is required; it is denied.

249. The cases cited speak for themselves. The Secretary denies any remaining factual allegations or legal conclusions contained in paragraph 249.

250. Denied.

251. Denied.

252. Denied.

The Secretary further denies that Plaintiffs are entitled to any relief pursuant to the Eighth Claim for Relief in the Amended Complaint.

AFFIRMATIVE DEFENSES

The Secretary hereby alleges the following affirmative defenses:

1. Failure to State a Cause of Action. The Complaint and each claim alleged therein fails to state a valid cause of action or claim for relief.
2. Lack of Standing. The Plaintiffs lack standing under Article III of the U.S.

Constitution.

Dated: October 22, 2021

Respectfully submitted:

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CERTIFICATE OF SERVICE

I certify that on October 22, 2021, I caused to be served a copy of the foregoing by CM/ECF to all counsel of record.

/s/ Mohammad O. Jazil _____