

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

**LEAGUE OF WOMEN VOTERS OF  
FLORIDA, INC., et al.,**

*Plaintiffs,*

v.

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

*Defendants.*

**Case No. 4:21-cv-00186-MW-MAF**

**DEFENDANT CHRISTINA WHITE’S ANSWER AND AFFIRMATIVE  
DEFENSES TO PLAINTIFFS’ COMPLAINT**

Defendant Christina White, in her official capacity as Supervisor of Elections for Miami-Dade County, (“Defendant” or “Supervisor White”), pursuant to Fed. R. Civ. P. 8, hereby answers Plaintiffs’ Complaint, D.E. 1, as follows:

1. Defendant admits 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 admits the allegations contained in the first two sentences and is without knowledge of the reminder of Paragraph 3 of the Complaint.

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

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

12. Defendant admits the allegations contained in Paragraph 12 of the Complaint.

13. Defendant admits the 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 admits the allegations contained in Paragraph 28 of the Complaint.

29. Defendant admits 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 admits the allegations contained in Paragraph 36 of the Complaint.

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

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

42. Defendant is without knowledge as to 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 denies the allegations contained in Paragraph 45 of the Complaint as the statement was issued by the Florida Supervisors of Elections Association not the Defendants collectively and the quote is incomplete.

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

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

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

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

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

54. Defendant is without knowledge as to the allegations contained in Paragraph 54 of the Complaint.

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

56. Defendant is without knowledge as to the allegations contained in Paragraph 56 of the Complaint.

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

70. Defendant admits the allegations contained in Paragraph 70 of the Complaint.

71. Defendant admits the allegations with respect to the statistics of voter-by-mail ballots in 2020 and is without knowledge as to all other respects/allegations contained in Paragraph 71 of the Complaint.

72. Defendant admits the allegations with respect to the first sentence and is without knowledge as to all other respects/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 admits the allegations with respect to first two sentences and is without knowledge as to all other respects/allegations contained in Paragraph 75 of the Complaint.

76. Defendant admits the allegations with respect to the last sentence, and is without knowledge as to all other respects/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 denies the allegations contained in Paragraph 78 of the Complaint.

79. Defendant admits 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 admits 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 is without knowledge as to the allegations contained in Paragraph 91 of the Complaint.

92. Defendant denies 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 denies the allegations contained in Paragraph 94 of the Complaint.

95. Defendant denies 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 is without knowledge as to the allegations contained in Paragraph 99 of the Complaint.

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

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

102. Defendant admits the allegations contained in Paragraph 102 of the Complaint.

103. Defendant admits the allegations contained in Paragraph 103 of the Complaint.

104. Defendant admits the allegations contained in Paragraph 104 of the Complaint.

105. Defendant admits 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 is without knowledge as to the allegations contained in Paragraph 112 of the Complaint.

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

114. Defendant is without knowledge as to the allegations contained in Paragraph 114 of the Complaint.

115. Defendant admits the allegations contained in Paragraph 115 of the Complaint.

116. Defendant is without knowledge as to the allegations contained in Paragraph 116 of the Complaint.

117. Defendant denies the allegations contained in Paragraph 117 of the Complaint.

118. Defendant denies 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. The referenced Florida statute contained in Paragraph 121 of the Complaint speaks for itself.

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 admits the allegations contained in Paragraph 128 of the Complaint.

129. Defendant admits the allegations contained in Paragraph 129 of the Complaint.

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

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

132. Defendant admits 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 is without knowledge as to the allegations contained in Paragraph 134 of the Complaint.

135. Defendant is without knowledge as to 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.

### **COUNT I**

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

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

140. The referenced case law contained in Paragraph 140 of the Complaint speaks for itself.

141. The referenced case law contained in Paragraph 141 of the Complaint speaks for itself.

142. The referenced case law contained in Paragraph 142 of the Complaint speaks for itself.

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

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.

## **COUNT II**

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

153. The U.S. Constitution provision contained in Paragraph 153 of the Complaint speaks for itself.

154. The referenced case laws contained in Paragraph 154 of the Complaint speak for themselves.

155. The referenced case law contained in Paragraph 155 of the Complaint speaks for itself.

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

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

158. The referenced case laws contained in Paragraph 158 of the Complaint speak for themselves.

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.



**COUNT III**

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

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

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

167. The referenced case laws contained in Paragraph 167 of the Complaint speak for themselves.

168. The referenced case laws contained in Paragraph 168 of the Complaint speak for themselves.

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

**COUNT IV**

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

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.

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

174. Defendant is without knowledge as to the allegations contained in Paragraph 174 of the Complaint.

175. The referenced case laws contained in Paragraph 175 of the Complaint speak for themselves.

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

### **COUNT V**

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

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

179. The referenced case laws contained in Paragraph 179 of the Complaint speak for themselves.

180. The referenced case law contained in Paragraph 180 of the Complaint speaks for itself.

181. The referenced case laws contained in Paragraph 181 of the Complaint speak for themselves.

182. The referenced case law contained in Paragraph 182 of the Complaint speaks for itself.

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

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

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

### **AFFIRMATIVE DEFENSES**

1. The Complaint fails to state a claim upon which relief can be granted.

2. This Court lacks subject-matter jurisdiction over this action.

3. Plaintiffs have not suffered an injury in fact because of any action by Supervisor White and, therefore, do not possess the requisite standing to bring these causes of action against Supervisor White.

4. Plaintiffs' claims under Count I are not ripe as to Supervisor White because Plaintiffs have failed to allege any action by Supervisor White that has created an undue burden on the right to vote.

5. For Counts I-V, Plaintiffs do not possess the requisite standing to request declaratory relief against Supervisor White because Plaintiffs' alleged injury is not likely to be redressed by the requested relief of enjoining Supervisor White from acting in concert with the identified provisions.

6. For Count IV and V, Plaintiffs do not possess the requisite standing to request declaratory relief against Supervisor White because Plaintiffs' alleged injury cannot be fairly traced to any action by Supervisor White.

7. Plaintiffs' claims as to the Drop Box Restrictions, Line Warming Ban, Vote-by-Mail Repeat Request Requirement, and Volunteer Assistance Ban are not yet ripe for adjudication against Supervisor White because Plaintiffs provide no allegations that Supervisor White has taken any action that has resulted in any injury-in-fact to Plaintiffs.

8. As to any claims relating to the Voter Assistance Ban and the Line Warming Ban, Plaintiffs have failed to satisfy Article III's redressability requirement because other relevant statutes and regulations remain unchallenged.

9. As to the Drop Box Restrictions, Plaintiffs lack standing to seek declaratory relief because the Drop Box Restrictions place restrictions on Supervisors of Elections, and Plaintiffs cannot rest a claim to relief on the legal rights or interests of third parties.

10. Plaintiffs cannot demonstrate that the Line Warming Ban is impermissibly vague in all of its applications.

11. As to any claims relating to the Deceptive Registration Warning, Plaintiffs lack standing as to Supervisor White because Supervisor White does not enforce that provision and any government official who would enforce the Deceptive Registration Warning is not under her control.

12. To the extent Plaintiffs' claims relate to the potential for arrest for a violation of the Deceptive Registration Warning, Plaintiffs have failed to join an appropriate law enforcement agency as a required party.

13. Plaintiffs' Complaint does not state a cause of action against Supervisor 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.

14. Plaintiffs cannot establish that no set of circumstances exists under which the challenged election laws would be valid.

15. Supervisor White is not liable in this action because her actions were not deliberately indifferent to Plaintiffs' constitutional rights.

16. Plaintiffs fail to state a claim upon which relief can be granted because the challenged election laws are supported by a sufficient state interest in Miami-Dade County which outweighs any burden such laws may impose.

17. To the extent Plaintiffs claim to suffer any damages as a result of the allegations in their Complaint, Supervisor White is entitled to immunity under the Eleventh Amendment of the United States Constitution.

18. To the extent Plaintiffs claim to suffer any damages as a result of the allegations in their Complaint, Supervisor White is not the proximate cause of those damages.

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

20. Supervisor White reserves the right to assert additional defenses as appropriate.

**WHEREFORE**, Supervisor White demands that the Complaint be dismissed with prejudice, that judgment be entered in its favor, that it be awarded attorney's fees, litigation expenses, and costs in accordance with applicable federal and state law, and that it be awarded such other relief as the Court deems proper, equitable, and just.

Date: July 12, 2021

Respectfully submitted,  
**GERALDINE BONZON-KEENAN**  
MIAMI-DADE COUNTY ATTORNEY

By: /s/ Oren Rosenthal  
Oren Rosenthal  
Assistant County Attorney  
Florida Bar No. 86320  
Michael B. Valdes  
Assistant County Attorney  
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*Counsel for Christina White*

### **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 July 12, 2021.

/s/ Oren A. Rosenthal

Oren A. Rosenthal  
Assistant County Attorney

### **CERTIFICATE OF COMPLIANCE**

The undersigned certifies that the foregoing complies with the size, font, and formatting requirements of Local Rule 5.1(C).

/s/ Oren A. Rosenthal

Oren A. Rosenthal  
Assistant County Attorney