

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

HARRIET TUBMAN FREEDOM
FIGHTERS, CORP. and HEAD
COUNT, INC.,

Plaintiffs,

No. 4:21-cv-242-MW-MAF

v.

LAUREL LEE, in her official capacity as
Secretary of State of Florida, and ASH-
LEY MOODY, in her official capacity as
Florida Attorney General,

Defendants,

REPUBLICAN NATIONAL
COMMITTEE and NATIONAL
REPUBLICAN SENATORIAL
COMMITTEE,

Intervenor-Defendants.

**INTERVENOR-DEFENDANTS' ANSWER TO FIRST AMENDED COM-
PLAINT**

Intervenors—the Republican National Committee and National Republican Congressional Committee—now answer Plaintiffs’ first amended complaint (Doc. 44). Unless expressly admitted below, every allegation in the complaint is denied. When Intervenors say something “speaks for itself,” they mean they lack sufficient information to admit or deny the allegation; because Plaintiffs cite nothing, Intervenors do not know whether the referenced material exists, is accurate, or is placed in the proper context. Accordingly, Intervenors state:

1. Denied.
2. Denied.
3. Statements speak for themselves.
4. Statements speak for themselves. Intervenors otherwise lack sufficient information to admit or deny this allegation.
5. Intervenors admit that the Legislature enacted SB 90 and Governor DeSantis signed it into law on May 6, 2021. SB 90 speaks for itself.
6. Denied.
7. Denied.
8. Intervenors lack sufficient information to admit or deny this allegation.
9. Denied.
10. Denied.
11. Denied.
12. Denied.

13. These legal arguments require no response.

14. Federal law speaks for itself. The last sentence is denied. The remainder of these allegations are legal arguments that require no response.

15. The Voting Rights Act speaks for itself. Because Plaintiffs cite nothing, Intervenors lack sufficient information to admit or deny the other allegations.

16. These legal arguments require no response.

17. SB 90 speaks for itself. Intervenors lack sufficient information to admit or deny the remaining allegations.

18. Denied.

19. These legal arguments require no response.

20. These legal arguments require no response.

21. Intervenors admit that Defendants reside in Florida, the remainder of this paragraph consists of legal arguments that require no response.

22. Intervenors lack sufficient information to admit or deny this allegation.

23. Intervenors lack sufficient information to admit or deny this allegation.

24. Intervenors lack sufficient information to admit or deny this allegation.

25. Intervenors lack sufficient information to admit or deny this allegation.

26. Intervenors lack sufficient information to admit or deny this allegation.

27. Intervenors lack sufficient information to admit or deny this allegation.

28. Intervenors lack sufficient information to admit or deny this allegation.

29. Intervenors lack sufficient information to admit or deny this allegation.

30. Intervenors lack sufficient information to admit or deny this allegation.
31. Denied.
32. Intervenors lack sufficient information to admit or deny this allegation.
33. Intervenors lack sufficient information to admit or deny this allegation.
34. Intervenors lack sufficient information to admit or deny this allegation.
35. Intervenors lack sufficient information to admit or deny this allegation.
36. Intervenors lack sufficient information to admit or deny this allegation.
37. Intervenors lack sufficient information to admit or deny this allegation.
38. Intervenors lack sufficient information to admit or deny this allegation.
39. Intervenors lack sufficient information to admit or deny this allegation.
40. Intervenors lack sufficient information to admit or deny this allegation.
41. Intervenors lack sufficient information to admit or deny this allegation.
42. Intervenors lack sufficient information to admit or deny this allegation.
43. Intervenors lack sufficient information to admit or deny this allegation.
44. Denied.
45. Intervenors lack sufficient information to admit or deny this allegation.
46. Intervenors lack sufficient information to admit or deny this allegation.
47. Intervenors lack sufficient information to admit or deny this allegation.
48. Intervenors lack sufficient information to admit or deny this allegation.
49. Intervenors lack sufficient information to admit or deny this allegation.
50. Intervenors lack sufficient information to admit or deny this allegation.

51. Intervenors lack sufficient information to admit or deny this allegation.
52. Intervenors lack sufficient information to admit or deny this allegation.
53. Intervenors lack sufficient information to admit or deny this allegation.
54. Intervenors lack sufficient information to admit or deny this allegation.
55. The first sentence is admitted. The cited authorities speak for themselves.
56. The cited authorities speak for themselves.
57. The first sentence is admitted. The cited authorities speak for themselves.
58. The first sentence is legal argument that requires no response. The second sentence is admitted.
59. The referenced sources and data speak for themselves.
60. The referenced sources and data speak for themselves.
61. Intervenors lack sufficient information to admit or deny this allegation.
62. Intervenors lack sufficient information to admit or deny this allegation.
63. Intervenors lack sufficient information to admit or deny this allegation.
64. Intervenors lack sufficient information to admit or deny this allegation.
65. Intervenors lack sufficient information to admit or deny this allegation.
66. Denied.
67. The first sentence is admitted. The remaining authorities speak for themselves.
68. The quoted authority speaks for itself.
69. Statements and cited authorities speak for themselves.

70. Cited authorities speak for themselves.

71. Cited authorities speak for themselves.

72. Cited authorities speak for themselves.

73. Cited authorities speak for themselves.

74. Because Plaintiffs cite nothing, Intervenors lack sufficient information to admit or deny these allegations.

75. Statement and cited authority speak for themselves.

76. Because Plaintiffs cite nothing, Intervenors lack sufficient information to admit or deny these allegations.

77. Admitted.

78. Statements speak for themselves.

79. Cited authorities speak for themselves.

80. Florida law speaks for itself.

81. Denied.

82. SB 90 speaks for itself.

83. SB 90 speaks for itself. To the extent note 14 makes allegations regarding the management of Florida's voter registration, because Plaintiffs cite nothing, Intervenors lack sufficient information to admit or deny the other allegations.

84. Because Plaintiffs cite nothing, Intervenors lack sufficient information to admit or deny these allegations.

85. SB 90 speaks for itself. Intervenors lack sufficient information to admit or deny the remainder of this allegation.

86. Data speak for themselves.

87. Because Plaintiffs cite nothing, Intervenors lack sufficient information to admit or deny these allegations.

88. Denied.

89. Denied.

90. The cited authorities speak for themselves.

91. The cited authority and quotations speak for themselves.

92. Because Plaintiffs cite nothing, Intervenors lack sufficient information to admit or deny this allegation.

93. The cited materials speak for themselves. Because Plaintiffs cite nothing regarding the regularity of SB 90's signing, Intervenors lack sufficient information to admit or deny this allegation.

94. Because Plaintiffs cite nothing, Intervenors lack sufficient information to admit or deny these allegations.

95. Intervenors lack sufficient information to admit or deny this allegation.

96. The first sentence is denied. The VRA speaks for itself.

97. Legislative history speaks for itself.

98. Florida law speaks for itself.

99. This is a legal argument that requires no response.

100. The cited authority speaks for itself.
101. This is a legal argument that requires no response.
102. This is a legal argument that requires no response.
103. This is a legal argument that requires no response. The last sentence is denied.
104. This is a legal argument that requires no response.
105. The referenced sources and data speak for themselves.
106. The referenced sources and data speak for themselves.
107. The referenced sources and data speak for themselves.
108. The referenced sources and data speak for themselves.
109. This is a legal argument that requires no response.
110. Denied.
111. Intervenors repeat and reallege their responses to each allegation in the preceding paragraphs.
112. The Fourteenth Amendment speaks for itself.
113. The quoted authority speaks for itself.
114. The quoted authority speaks for itself.
115. These legal arguments require no response.
116. SB 90 speaks for itself. The remaining legal arguments require no response.
117. Denied.

118. SB 90 speaks for itself. The remaining legal arguments require no response.

119. This legal argument requires no response.

120. Denied.

121. Intervenors repeat and reallege their responses to each allegation in the preceding paragraphs.

122. The First Amendment speaks for itself.

123. These legal arguments require no response.

124. These legal arguments require no response.

125. These legal arguments require no response.

126. These legal arguments require no response.

127. These legal arguments require no response.

128. SB 90 speaks for itself. The last sentence is denied.

129. The first and last sentences are denied. SB 90 speaks for itself.

130. Intervenors lack sufficient information to admit or deny the allegation in the first sentence. The remainder of the allegations are denied.

131. Denied.

132. Denied.

133. Denied.

134. Denied.

135. Because Plaintiffs cite nothing, Intervenor's lack sufficient information to admit or deny this allegation.

136. Because Plaintiffs cite nothing, Intervenor's lack sufficient information to admit or deny this allegation.

137. Because Plaintiffs cite nothing, Intervenor's lack sufficient information to admit or deny this allegation.

138. The cited authority speaks for itself. The other allegations are denied.

139. The cited authority speaks for itself.

140. Denied.

141. The characterization of SB 90 in the first sentence is denied. Intervenor's lack sufficient information to admit or deny the allegation in the second and third sentences.

142. This legal argument requires no response.

143. Denied.

144. Intervenor's repeat and reallege their responses to each allegation in the preceding paragraphs.

145. Intervenor's lack sufficient information to admit or deny the allegation in the first sentence. The quoted authority speaks for itself.

146. Denied.

147. These legal arguments require no response.

148. Denied.

149. Denied.

150. Denied.

151. Intervenors repeat and reallege their responses to each allegation in the preceding paragraphs.

152. The VRA speaks for itself.

153. The cited authorities speak for themselves.

154. This legal argument requires no response.

155. The second sentence is denied. The remainder of these allegations are legal arguments that require no response.

156. Intervenors lack sufficient information to admit or deny the allegations in the first sentence. The second sentence is a legal argument that requires no response.

157. Intervenors lack sufficient information to admit or deny these allegations.

158. The last sentence is denied. Intervenors lack sufficient information to admit or deny the remaining allegations.

159. Denied.

RESPONSE TO PRAYER FOR RELIEF

Intervenors deny that Plaintiffs are entitled to any of relief requested in the “WHEREFORE” clause of the complaint.

AFFIRMATIVE DEFENSES

1. The allegations in the complaint fail to state a claim.
2. Plaintiffs’ requested relief is barred by the *Purcell* principle.

Dated: July 29, 2021

Tyler Green*
Cameron T. Norris*
Steven C. Begakis*
Daniel Shapiro
Fla. Bar No. 1011108
CONSOVOY MCCARTHY PLLC
1600 Wilson Blvd., Ste. 700
Arlington, VA 22209
(703) 243-9423
tyler@consovoymccarthy.com
cam@consovoymccarthy.com
steven@consovoymccarthy.com
daniel@consovoymccarthy.com

Respectfully submitted,

/s/ Daniel E. Nordby
Daniel E. Nordby
Fla. Bar No. 14588
Benjamin J. Gibson
Fla. Bar No. 58661
George N. Meros, Jr.
Fla. Bar No. 263321
Amber Stoner Nunnally
Fla. Bar No. 109281
SHUTTS & BOWEN LLP
215 South Monroe Street, Suite 804
Tallahassee, Florida 32301
Tel: (850) 241-1717
dnordby@shutts.com
bgibson@shutts.com
gmeros@shutts.com
anunnally@shutts.com
mmontanaro@shutts.com

**pro hac vice*

*Counsel for Intervenor-Defendants Republican National Committee and
National Republican Senatorial Committee*

CERTIFICATE OF SERVICE

I certify that on July 29, 2021, I electronically filed this document with the Clerk of the Court by using the CM/ECF system, which will serve all parties whose counsel have entered appearances. Those parties who have not yet appeared will be served via email.

/s/ Daniel E. Nordby