

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FLORIDA RISING TOGETHER, INC.

Plaintiff,

v.

No: 6:24-cv-1682-WWB-EJK

CORD BYRD, in his official capacity as Florida
Secretary of State, et. al.,

Defendants,

REPUBLICAN NATIONAL
COMMITTEE and REPUBLICAN PARTY OF
FLORIDA,

Proposed Intervenor-Defendants.

**[PROPOSED] ANSWER BY THE REPUBLICAN NATIONAL
COMMITTEE AND REPUBLICAN PARTY OF FLORIDA**

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Proposed Intervenor—the Republican National Committee and Republican Party of Florida—now answer Plaintiff’s complaint. Unless expressly admitted below, every allegation in the complaint is denied. Accordingly, Intervenor state:

INTRODUCTION

1. Intervenor deny that Plaintiff is entitled to relief. The remaining allegations in this paragraph are legal conclusions to which no response is required.

2. The allegations in this paragraph are legal conclusions to which no response is required.

3. The allegations in this paragraph are legal conclusions to which no response is required.

4. The allegations in this paragraph are legal conclusions to which no response is required. Intervenor otherwise lack sufficient information to admit or deny the allegations made in this paragraph.

5. The allegations in this paragraph are legal conclusions to which no response is required. Intervenor otherwise lack sufficient information to admit or deny the allegations made in this paragraph.

6. The allegations in this paragraph are legal conclusions to which no response is required. Intervenor otherwise lack sufficient information to admit or deny the allegations made in this paragraph.

7. The allegations in this paragraph are argument and opinion to which no response is required. Intervenor otherwise lack sufficient information to admit or deny the allegations made in this paragraph.

8. Intervenor lack sufficient information to admit or deny the allegations made in this paragraph.

9. Intervenor lack sufficient information to admit or deny the allegations made in this paragraph.

10. Deny.

11. Deny.

JURISDICTION AND VENUE

12. Intervenor admit that Plaintiff has filed this action under 28 U.S.C. § 1331, 42 U.S.C. §1983, and 52 U.S.C. § 20510, but deny that Plaintiff has any valid claim under these laws.

13. Intervenor admit that Plaintiff has filed this action under 28 U.S.C. §§ 2201, 2202 but deny that Plaintiff has any valid claim under these laws.

14. Intervenor lack sufficient information to admit or deny the allegations made in this paragraph.

15. Intervenor lack sufficient information to admit or deny the allegations made in this paragraph.

PARTIES

16. Intervenor lack sufficient information to admit or deny the allegations made in this paragraph.

17. Intervenor lack sufficient information to admit or deny the allegations made in this paragraph.

18. Intervenor lack sufficient information to admit or deny the allegations made in this paragraph.

19. Intervenor lack sufficient information to admit or deny the allegations made in this paragraph.

20. Intervenor lack sufficient information to admit or deny the allegations made in this paragraph.

21. Admit.

22. Admit.

23. Admit.

24. Admit.

25. Admit.

26. Admit.

27. Intervenor lack sufficient information to admit or deny the allegations made in this paragraph.

FACTS AND BACKGROUND

28. The cited constitutional provision speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

29. The cited constitutional provision speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

30. The cited statutes speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

31. The cited statutes and rules speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

32. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

33. The cited statute and rule speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

34. The cited statute speaks for itself. Intervenor otherwise lack sufficient information to admit or deny the allegations made in the paragraph.

35. The cited rule speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

36. The cited rule speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

37. The cited rule speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

38. The cited rule speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

39. Intervenor lack sufficient information to admit or deny the allegations made in the paragraph.

40. The cited rules speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

41. Intervenor lack sufficient information to admit or deny the allegation made in the paragraph.

42. The cited rule speaks for itself. Intervenor otherwise lack sufficient information to admit or deny the allegations made in the paragraph.

43. Intervenor lack sufficient information to admit or deny the allegation made in the paragraph.

44. The cited rule speaks for itself. Intervenors otherwise lack sufficient information to admit or deny the allegations made in the paragraph.

45. Intervenors lack sufficient information to admit or deny the allegation made in the paragraph.

46. The referenced exhibit speaks for itself. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

47. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

48. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

49. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

50. The cited statute and exhibit speak for themselves. This paragraph otherwise consists of legal conclusions to which no response is required.

51. Intervenors lack sufficient information to admit or deny the allegation made in the paragraph.

52. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

53. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

54. This paragraph consists of statements of opinion to which no response is required. Intervenors lack sufficient information to admit or deny the allegation made in the paragraph.

55. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

56. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

57. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

58. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

59. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

60. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

61. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

62. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

63. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph and Table 1.

64. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph and Table 2.

65. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

66. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

67. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

68. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

69. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

70. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

71. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

72. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

73. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

74. This paragraph consists of legal conclusions and opinions to which no response is required.

75. This paragraph consists of arguments and opinions to which no response is required.

76. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

77. This paragraph consists of arguments and opinions to which no response is required.

78. This paragraph consists of arguments and opinions to which no response is required. Intervenors lack sufficient information to admit or deny the remaining allegations made in the paragraph.

79. Deny.

80. To the extent this paragraph suggests that the exact match process lacks a legal justification, it is denied. Intervenors otherwise lack sufficient information to admit or deny the allegations made in the paragraph.

81. Deny.

82. Deny.

Count I

83. Intervenors incorporate their prior responses.

84. The cited statutes and constitutional provisions speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

85. The cited statute speaks for itself.

86. Deny.

87. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

88. Deny.

89. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

90. The first sentence of the paragraph is denied. The remaining allegations in this paragraph are legal conclusions to which no response is required.

91. Deny.

Count II

92. Intervenors incorporate their prior responses.

93. The cited statute speaks for itself.

94. Deny.

95. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

96. Intervenors lack sufficient information to admit or deny the allegations made in the paragraph.

97. The cited statute speaks for itself. The remaining allegations in this paragraph are denied.

98. Deny.

Count III

99. Intervenors incorporate their prior responses.

100. The cited statute speaks for itself.

101. The cited statute speaks for itself.

102. Deny.

103. Deny.

104. Deny.

105. Deny.

106. Deny.

REQUEST FOR RELIEF

107. Intervenor deny that Plaintiff is entitled to the requested relief.
108. Intervenor deny that Plaintiff is entitled to the requested relief.
109. Intervenor deny that Plaintiff is entitled to the requested relief.
110. Intervenor deny that Plaintiff is entitled to the requested relief.
111. Intervenor deny that Plaintiff is entitled to the requested relief.
112. Intervenor deny that Plaintiff is entitled to the requested relief.

AFFIRMATIVE DEFENSES

1. The allegations in the complaint fail to state a claim upon which relief may be granted.
2. Plaintiff lacks standing to bring this case.
3. Plaintiff's requested relief is barred by the *Purcell* principle.
4. Plaintiff cannot obtain statewide relief without naming all 67 county supervisors of elections pursuant to *Jacobson v. Florida Secretary of State*, 974 F. 3d 1236 (11th Cir. 2020). To the extent that Plaintiff seeks relief only in those counties where the supervisors of elections have been named as Defendants, Plaintiff is barred by the Equal Protection Clause of the Fourteenth Amendment.

Respectfully submitted this 16th day of October, 2024.

/s/ Benjamin J. Gibson

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*Counsel for Proposed Intervenor-Defendants
The Republican National Committee and Republican Party of Florida*

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CERTIFICATE OF SERVICE

I CERTIFY that on October 16, 2024, I electronically filed this document with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Benjamin J. Gibson

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