

STAYED,CLOSED

**U.S. District Court
Northern District of Florida (Tallahassee)
CIVIL DOCKET FOR CASE #: 4:12-cv-00285-RH-CAS**

UNITED STATES OF AMERICA v. STATE OF FLORIDA et al
Assigned to: JUDGE ROBERT L HINKLE
Referred to: MAGISTRATE JUDGE CHARLES A STAMPELOS
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 06/12/2012
Date Terminated: 01/16/2013
Jury Demand: None
Nature of Suit: 441 Civil Rights: Voting
Jurisdiction: U.S. Government Plaintiff

Plaintiff

UNITED STATES OF AMERICA

represented by **ELISE SANDRA SHORE**
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V.

Defendant

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Defendant

KEN DETZNER
*SECRETARY OF STATE IN HIS
OFFICIAL CAPACITY*

represented by **WARREN DAVID POSTMAN**
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TERMINATED: 12/12/2012

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V.

Intervenor Defendant

LUIS I GARCIA

represented by **RAQUEL AURORA RODRIGUEZ**
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Intervenor Defendant

DIANA K WHITEHURST

represented by **RAQUEL AURORA RODRIGUEZ**
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ATTORNEY TO BE NOTICED

Intervenor Defendant

HAL DAVID RUSH

represented by **RAQUEL AURORA RODRIGUEZ**
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ATTORNEY TO BE NOTICED

Intervenor Defendant

BARBARA A DEREUIL

represented by **RAQUEL AURORA RODRIGUEZ**
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ATTORNEY TO BE NOTICED

Intervenor Defendant

JUDICIAL WATCH, INC.
*ON BEHALF OF CERTAIN OF ITS
MEMBERS*

represented by **CHRISTOPHER ALAN FEDELI**
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Intervenor Defendant

TRUE THE VOTE
*IN ITS INDIVIDUAL CORPORATE
CAPACITY*

represented by **CHRISTOPHER ALAN FEDELI**
(See above for address)
ATTORNEY TO BE NOTICED

CHRISTOPHER BRIAN LUNNY
(See above for address)
ATTORNEY TO BE NOTICED

Amicus

**BRENNAN CENTER FOR JUSTICE
AT N.Y.U. SCHOOL OF LAW**

represented by **DIANA KASDAN**
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Amicus

**LEAGUE OF WOMEN VOTERS OF
 FLORIDA**

represented by **DIANA KASDAN**
 (See above for address)
ATTORNEY TO BE NOTICED

Amicus

**LEAGUE OF WOMEN VOTERS OF
 THE UNITED STATES**

represented by **DIANA KASDAN**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/12/2012	<u>1</u>	CIVIL COVER SHEET. (MARSH, PAMELA) Modified on 6/13/2012 (krb). (Entered: 06/12/2012)
06/12/2012	<u>2</u>	COMPLAINT against All Defendants, filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2, # <u>3</u> Attachment 3, # <u>4</u> Attachment 4, # <u>5</u> Attachment 5, # <u>6</u> Attachment 6) (MARSH, PAMELA) Modified on 6/13/2012 (krb). (Entered: 06/12/2012)
06/12/2012	3	Summons Issued as to KEN DETZNER, STATE OF FLORIDA. (krb) (Entered: 06/12/2012)
06/13/2012	<u>4</u>	NOTICE of Appearance by ELISE SANDRA SHORE on behalf of UNITED STATES OF AMERICA (SHORE, ELISE) (Entered: 06/13/2012)
06/13/2012	<u>5</u>	NOTICE of Appearance by JOHN ALBERT RUSS, IV on behalf of UNITED STATES OF AMERICA (RUSS, JOHN) (Entered: 06/13/2012)
06/13/2012	<u>6</u>	ORDER OF DISQUALIFICATION. SENIOR JUDGE WILLIAM STAFFORD recused. Case reassigned to JUDGE ROBERT L HINKLE for all further proceedings. Signed by SENIOR JUDGE WILLIAM STAFFORD on 06/13/2012. (krb) (Entered: 06/14/2012)
06/14/2012		ACTION REQUIRED BY DISTRICT JUDGE: Chambers of JUDGE ROBERT L HINKLE notified that action is needed, Re: <u>6</u> ORDER OF DISQUALIFICATION. (krb) (Entered: 06/14/2012)
06/14/2012	<u>14</u>	SUMMONS Returned Executed – STATE OF FLORIDA served on 6/12/2012, answer due 7/3/2012. (krb) (Entered: 06/19/2012)
06/14/2012	<u>15</u>	SUMMONS Returned Executed – KEN DETZNER served on 6/12/2012, answer due 7/3/2012. (krb) (Entered: 06/19/2012)
06/15/2012	<u>7</u>	MOTION for Temporary Restraining Order <i>and Memorandum in Support of Motion</i> by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Exhibit 1 A1 to A4, # <u>2</u> Exhibit 1 A5 to A7, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12) (RUSS, JOHN) (Entered: 06/15/2012)
06/15/2012		Set/Reset Deadlines as to <u>7</u> MOTION for Temporary Restraining Order <i>and Memorandum in Support of Motion</i> . (Internal deadline for referral to judge if response not filed earlier: 7/3/2012). (dlt) (Entered: 06/19/2012)
06/18/2012	<u>8</u>	ORDER SETTING A SCHEDULING CONFERENCE. Signed by JUDGE ROBERT L HINKLE on 6/18/12. (sms) (Entered: 06/18/2012)
06/18/2012	9	NOTICE OF TELEPHONIC HEARING: Telephonic Scheduling Conference set for 6/18/2012 04:30 PM before JUDGE ROBERT L HINKLE, United States Courthouse, 111 North Adams St., Tallahassee, Florida 32301.

		<p>Parties are instructed to call (850) 521-3601 at the time of hearing.</p> <p><i>NOTE: If you or any party, witness or attorney in this matter has a disability that requires special accommodation, such as, a hearing impairment that requires a sign language interpreter or a wheelchair restriction that requires ramp access, please contact Elizabeth Lawrence at 850-521-3501 in the Clerk's Office at least one week prior to the hearing (or as soon as possible) so arrangements can be made.</i></p> <p><u>s/ Elizabeth Lawrence</u> Courtroom Deputy Clerk (erl) (Entered: 06/18/2012)</p>
06/18/2012	<u>10</u>	NOTICE of Appearance by DANIEL ELDEN NORDBY on behalf of KEN DETZNER (NORDBY, DANIEL) (Entered: 06/18/2012)
06/18/2012	<u>11</u>	NOTICE of Appearance by ASHLEY E DAVIS on behalf of KEN DETZNER (DAVIS, ASHLEY) (Entered: 06/18/2012)
06/18/2012	<u>12</u>	NOTICE of Appearance by JENIGH J GARRETT on behalf of UNITED STATES OF AMERICA (GARRETT, JENIGH) (Entered: 06/18/2012)
06/18/2012	<u>13</u>	ORDER SETTING THE SCHEDULE ON THE MOTION FOR A TEMPORARY RESTRAINING ORDER. Signed by JUDGE ROBERT L HINKLE on 6/18/12. (sms) (Entered: 06/18/2012)
06/18/2012	<u>17</u>	Minute Entry for proceedings held before JUDGE ROBERT L HINKLE:Scheduling Conference held on 6/18/2012. Parties discuss schedule for the Motion for Temporary Restraining Order. Ruling by Court: The deadline for filing a response to the motion is June 25, 2012. Oral argument on the motion will be held on June 27, 2012 at 10:00 am. (Court Reporter Lisa Jones) (erl) (Entered: 06/19/2012)
06/18/2012		Set Deadline, per <u>13</u> ORDER. (Memorandum in Opposition: By 5:00 p.m. on June 25, 2012, the defendants must file a memorandum and any evidence on which they rely in opposition to the motion for a temporary restraining order – by 6/25/2012 .) By a separate notice, the clerk must set oral argument on the motion for Wednesday, June 27, 2012, at 10:00 a.m. (krb) (Entered: 06/19/2012)
06/19/2012	<u>16</u>	<p>NOTICE of Hearing on <u>7</u> MOTION for Temporary Restraining Order : Oral Argument on Motion set for 6/27/2012 10:00 AM before JUDGE ROBERT L HINKLE, United States Courthouse, Courtroom 5 East, 111 North Adams St., Tallahassee, Florida 32301.</p> <p><i>NOTE: If you or any party, witness or attorney in this matter has a disability that requires special accommodation, such as, a hearing impairment that requires a sign language interpreter or a wheelchair restriction that requires ramp access, please contact Elizabeth Lawrence at 850-521-3501 in the Clerk's Office at least one week prior to the hearing (or as soon as possible) so arrangements can be made.</i></p> <p><u>s/ Elizabeth Lawrence</u> Courtroom Deputy Clerk (erl) (Entered: 06/19/2012)</p>
06/20/2012	<u>18</u>	First MOTION to Intervene by LUIS I GARCIA, DIANA K WHITEHURST, HAL DAVID RUSH, BARBARA A DEREUIL. (Attachments: # <u>1</u> Exhibit A) (RODRIGUEZ, RAQUEL) (Entered: 06/20/2012)
06/20/2012	<u>19</u>	First MOTION to Expedite by BARBARA A DEREUIL, LUIS I GARCIA, HAL DAVID RUSH, DIANA K WHITEHURST. (RODRIGUEZ, RAQUEL) (Entered: 06/20/2012)
06/20/2012		Set Deadline, re <u>18</u> First MOTION to Intervene. (Internal deadline for referral to judge if Response not filed earlier: 7/9/2012). (krb) (Entered: 06/21/2012)
06/20/2012		Set Deadline, re <u>19</u> First MOTION to Expedite. (Internal deadline for referral to judge if Response not filed earlier: 7/9/2012). (krb) (Entered: 06/21/2012)

06/21/2012	<u>20</u>	INITIAL SCHEDULING ORDER. Signed by JUDGE ROBERT L HINKLE on 06/21/2012. (Fed.R.Civ.P. 7.1 Corporate Disclosure Statement Deadline set for 7/5/2012. Rule 26 Meeting Report due by 8/6/2012. Discovery due by 10/17/2012.) (krb) (Entered: 06/21/2012)
06/21/2012	<u>21</u>	NOTICE OF COMPLIANCE WITH N.D. FLA LOC.R. 7.1(B) by BARBARA A DEREUIL, LUIS I GARCIA, HAL DAVID RUSH, DIANA K WHITEHURST (AXELMAN, DAVID) (Entered: 06/21/2012)
06/21/2012	<u>22</u>	ORDER SETTING THE SCHEDULING ON THE MOTION TO INTERVENE. Signed by JUDGE ROBERT L HINKLE on 6/21/12. (sms) (Entered: 06/21/2012)
06/21/2012		Set Deadline, per <u>22</u> ORDER SETTING THE SCHEDULING ON THE MOTION TO INTERVENE, re <u>23</u> INTERVENOR'S NOTICE OF COMPLIANCE WITH COURT'S ORDER. (Response Deadline: The plaintiff must file a response to the motion to intervene (a) by June 26, 2012, at 5:00 p.m., if the proposed intervenors file a timely notice of yielded oral-argument time, or (b) otherwise, July 9, 2012 – 6/26/2012). (krb) (Entered: 06/22/2012)
06/22/2012	<u>23</u>	NOTICE INTERVENOR'S NOTICE OF COMPLIANCE WITH COURT'S ORDER DATED JUNE 21, 2012 (D.E. #22) by BARBARA A DEREUIL, LUIS I GARCIA, HAL DAVID RUSH, DIANA K WHITEHURST re <u>22</u> Order (AXELMAN, DAVID) (Entered: 06/22/2012)
06/25/2012	<u>24</u>	NOTICE of Appearance by MICHAEL ANTHONY CARVIN on behalf of KEN DETZNER (CARVIN, MICHAEL) (Entered: 06/25/2012)
06/25/2012	<u>25</u>	NOTICE of Appearance by WARREN DAVID POSTMAN on behalf of KEN DETZNER (POSTMAN, WARREN) (Entered: 06/25/2012)
06/25/2012	<u>26</u>	NOTICE of Appearance by GREGORY GEORGE KATSAS on behalf of KEN DETZNER (KATSAS, GREGORY) (Entered: 06/25/2012)
06/25/2012	<u>27</u>	RESPONSE in Opposition re <u>7</u> MOTION for Temporary Restraining Order and Memorandum in Support of Motion filed by KEN DETZNER, STATE OF FLORIDA. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (CARVIN, MICHAEL) (Entered: 06/25/2012)
06/26/2012	<u>28</u>	MOTION to Intervene ; Memorandum in Support; and Request to Expedite by JUDICIAL WATCH, INC., TRUE THE VOTE. (Attachments: # <u>1</u> Exhibit 1) (LUNNY, CHRISTOPHER) (Entered: 06/26/2012)
06/26/2012	<u>29</u>	Corporate Disclosure Statement/Certificate of Interested Persons by JUDICIAL WATCH, INC., TRUE THE VOTE. (LUNNY, CHRISTOPHER) (Entered: 06/26/2012)
06/26/2012	<u>30</u>	MEMORANDUM in Opposition re <u>18</u> First MOTION to Intervene by Garcia Intervenors filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5) (GARRETT, JENIGH) (Entered: 06/26/2012)
06/26/2012	<u>31</u>	CERTIFICATE OF SERVICE by JUDICIAL WATCH, INC., TRUE THE VOTE re <u>28</u> MOTION to Intervene ; Memorandum in Support; and Request to Expedite, <u>29</u> Corporate Disclosure Statement/Certificate of Interested Persons (LUNNY, CHRISTOPHER) (Entered: 06/26/2012)
06/26/2012	<u>32</u>	MOTION to File Amicus Brief by BRENNAN CENTER FOR JUSTICE AT N.Y.U. SCHOOL OF LAW, LEAGUE OF WOMEN VOTERS OF FLORIDA, LEAGUE OF WOMEN VOTERS OF THE UNITED STATES. (Internal deadline for referral to judge if response not filed earlier: 7/16/2012). (Attachments: # <u>1</u> Exhibit Brief of Amici Curiae) (KASDAN, DIANA) (Entered: 06/26/2012)
06/27/2012	<u>33</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 06/27/2012, before Judge ROBERT L. HINKLE. Court Reporter/Transcriber Judy A. Nolton, Telephone number 850-561-6822. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be

		obtained through PACER. Redaction Request due 7/5/2012 . Release of Transcript Restriction set for 10/2/2012 . (jag) Modified on 10/11/2012 to UNSEAL TRANSCRIPT (dlt). (Entered: 06/27/2012)
06/27/2012	<u>35</u>	Minute Entry for proceedings held before JUDGE ROBERT L HINKLE: Motion Hearing held on 6/27/2012 re <u>7</u> MOTION for Temporary Restraining Order. Ruling by Court: The motion is DENIED. (Court Reporter Judy Nolton) (erl) (Entered: 06/28/2012)
06/28/2012	<u>34</u>	ORDER Denying <u>7</u> A Motion for Temporary Restraining Order. Signed by JUDGE ROBERT L HINKLE on 6/28/12. (sms) (Entered: 06/28/2012)
06/29/2012	<u>36</u>	NOTICE of Appearance by CHRISTOPHER ALAN FEDELI on behalf of JUDICIAL WATCH, INC., TRUE THE VOTE (FEDELI, CHRISTOPHER) (Entered: 06/29/2012)
06/29/2012	<u>37</u>	ORDER GRANTING <u>32</u> LEAVE TO FILE AN AMICUS BRIEF AND TO FILE REPLY MEMORANDA IN SUPPORT OF THE MOTIONS TO INTERVENE. The amicus brief, ECF No. [32-1], is deemed properly filed and was considered in ruling on the motion for a temporary restraining order. (Memorandum in Opposition: A party who opposes the motion to intervene filed by Judicial Watch, Inc., and others, ECF No. <u>28</u> , must file a memorandum – due by 7/13/2012 . Memorandum in Support: A party seeking intervention – including Judicial Watch, Inc., and others, and Luis I. Garcia and others – may file a reply memorandum in support of the motion to intervene – by 7/20/2012 .) Signed by JUDGE ROBERT L HINKLE on 06/29/2012. (krb) (Entered: 07/02/2012)
07/03/2012	<u>38</u>	ANSWER to <u>2</u> Complaint, by KEN DETZNER, STATE OF FLORIDA. (CARVIN, MICHAEL) (Entered: 07/03/2012)
07/13/2012	<u>39</u>	MEMORANDUM in Opposition re <u>28</u> MOTION to Intervene ; <i>Memorandum in Support; and Request to Expedite</i> filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (SHORE, ELISE) (Entered: 07/13/2012)
07/19/2012	<u>40</u>	REPLY to Response to Motion re <u>18</u> First MOTION to Intervene filed by BARBARA A DEREUIL, LUIS I GARCIA, HAL DAVID RUSH, DIANA K WHITEHURST. (AXELMAN, DAVID) (Entered: 07/19/2012)
07/20/2012	<u>41</u>	REPLY by JUDICIAL WATCH, INC., TRUE THE VOTE re <u>39</u> Memorandum in Opposition to Motion, <i>Judicial Watch, Inc. and True the Vote's Reply to Plaintiff's Opposition and Response to Motion for Intervention</i> by JUDICIAL WATCH, INC., TRUE THE VOTE. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (LUNNY, CHRISTOPHER) (Entered: 07/20/2012)
08/01/2012	<u>42</u>	REPORT of Rule 26(f) Planning Meeting. (SHORE, ELISE) (Entered: 08/01/2012)
08/08/2012	<u>43</u>	SCHEDULING ORDER. Signed by JUDGE ROBERT L HINKLE on 08/08/2012. (Discovery due by 12/17/2012. Summary–Judgment Motions to be filed by 1/7/2013. The clerk must set a scheduling conference for the first available date on or after January 3, 2013. (krb) (Entered: 08/08/2012)
08/20/2012	44	NOTICE OF TELEPHONIC HEARING: Telephonic Scheduling Conference set for 1/17/2013 11:00 AM before JUDGE ROBERT L HINKLE, United States Courthouse, 111 North Adams St., Tallahassee, Florida 32301. Parties are instructed to call (850) 521–3601 at the time of hearing. <i>NOTE: If you or any party, witness or attorney in this matter has a disability that requires special accommodation, such as, a hearing impairment that requires a sign language interpreter or a wheelchair restriction that requires ramp access, please contact Elizabeth Lawrence at 850–521–3501 in the Clerk's Office at least one week prior to the hearing (or as soon as possible) so arrangements can be made.</i>

		<u>s/ Elizabeth Lawrence</u> Courtroom Deputy Clerk (erl) (Entered: 08/20/2012)
08/29/2012	<u>45</u>	MOTION to Extend Time <i>and Amend Scheduling Order</i> by UNITED STATES OF AMERICA. (RUSS, JOHN) (Entered: 08/29/2012)
08/31/2012	<u>46</u>	ORDER EXTENDING THE DEADLINES FOR 26(a)(2) DISCLOSURES AND FOR AMENDING A PLEADING. Granting <u>45</u> Motion to Extend Time. Signed by JUDGE ROBERT L HINKLE on 8/31/12. (pll) (Entered: 08/31/2012)
09/27/2012	<u>47</u>	Joint MOTION to Stay <i>Proceedings</i> by UNITED STATES OF AMERICA. (SHORE, ELISE) (Entered: 09/27/2012)
10/10/2012	<u>48</u>	ORDER STAYING PROCEEDINGS – GRANTED IN PART <u>47</u> Parties' Joint MOTION to Stay <i>Proceedings</i> . (Parties' Joint Status Report due by 12/4/2012 .) All deadlines that did not pass prior to September 27, 2012, are tolled until otherwise ordered. All proceedings other than the pending motions to intervene are stayed until otherwise ordered. Signed by JUDGE ROBERT L HINKLE on 10/10/2012. (dlt) (Entered: 10/10/2012)
11/06/2012	<u>49</u>	ORDER denying <u>28</u> Motion to Intervene; denying <u>18</u> Motion to Intervene. Signed by JUDGE ROBERT L HINKLE on 11/6/12. (sms) (Entered: 11/06/2012)
12/03/2012	<u>50</u>	Joint MOTION to Stay by KEN DETZNER, STATE OF FLORIDA. (DAVIS, ASHLEY) (Entered: 12/03/2012)
12/05/2012	<u>51</u>	ORDER EXTENDING THE STAY – The parties' joint motion to extend the stay, ECF No. <u>50</u> , is GRANTED. The parties must file a joint status report by January 11, 2013, addressing the status of the case and setting out their proposed schedule for further proceedings. (Miscellaneous Deadline: Joint Status Report – by 1/11/2013 .) Signed by JUDGE ROBERT L HINKLE on 12/5/2012. (tdl) (Entered: 12/06/2012)
12/10/2012	<u>52</u>	MOTION to Withdraw as Attorney by KEN DETZNER, STATE OF FLORIDA. (DAVIS, ASHLEY) (Entered: 12/10/2012)
12/12/2012	<u>53</u>	ORDER GRANTING LEAVE TO WITHDRAW NORDBY – The unopposed motion of attorney Daniel E. Nordby for leave to withdraw as an attorney for the defendants, ECF No. <u>52</u> , is GRANTED, effective immediately. Signed by JUDGE ROBERT L HINKLE on 12/12/2012. **Attorney DANIEL ELDEN NORDBY terminated** (tdl) (Entered: 12/13/2012)
01/10/2013	<u>54</u>	NOTICE of Voluntary Dismissal by UNITED STATES OF AMERICA (SHORE, ELISE) (Entered: 01/10/2013)
01/16/2013	<u>55</u>	ORDER CLOSING THE FILE. Signed by JUDGE ROBERT L HINKLE on 1/16/2013. (tdl) (Entered: 01/16/2013)