

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

**CASE NO. 08-21243-CIV-ALTONAGA/Brown**

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

Plaintiffs,  
vs.

**KURT S. BROWNING**, in his official capacity  
as Secretary of State of the State of Florida; and  
**DONALD L. PALMER**, in his official capacity as  
Director of the Division of Elections within the  
Department of State for the State of Florida,

Defendants.

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**CONSENT ORDER STAYING ENFORCEMENT OF CHALLENGED STATUTE,  
GRANTING WITHDRAWAL OF MOTION FOR TEMPORARY RESTRAINING  
ORDER, AND SETTING BRIEFING SCHEDULE ON PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

Plaintiffs and Defendants, by their counsel, do voluntarily agree to the entry of this Consent Order by the Court:

1. Defendants will not enforce Florida Statutes §§ 97.021(36) and 97.0575 (the "amended law") until such time as a final rule implementing the amended law is adopted and becomes effective pursuant to the Florida Administrative Procedure Act, Chapter 120, Fla. Stat., which the Secretary has represented to the Court he estimates will be no earlier than early July based on the rulemaking provisions of Chapter 120. During the period in which the amended law remains unenforced by reason of this Consent Order, liability for fines under the amended law shall not accrue.
2. Plaintiffs' Emergency Motion for a Temporary Restraining Order [D.E. 2] is deemed withdrawn without prejudice.

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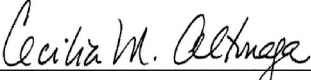
3. The parties shall abide by the following schedule for briefing Plaintiffs' forthcoming motion for a preliminary injunction:

May 14, 2008	Plaintiffs' Motion for a Preliminary Injunction Due
May 28, 2008	Defendants' Opposition Due
June 6, 2008	Plaintiffs' Reply Due
<b>June 19, 2008,</b> <sup>1</sup> 8:30 a.m.	Hearing on Plaintiffs' Motion

4. The parties shall meet and confer regarding the scope and timing of discovery related to the forthcoming preliminary injunction hearing no later than May 2, 2008.

5. Except as otherwise provided in this Consent Order, the parties reserve all rights and defenses relating to this litigation. Without limitation, the parties agree that Defendants' consent to this order does not operate to waive any defenses referenced in Federal Rule of Civil Procedure 12. The parties further agree that this order does not confer on Plaintiffs prevailing party status for purposes of 42 U.S.C. § 1988 or otherwise entitle them to fees and/or costs. However, Plaintiffs do not waive any claims to fees or costs that accrue during the time this agreement is in effect if they are later deemed prevailing parties in this matter. The parties further agree without limitation that the Plaintiffs' consent to this order does not operate to waive any right to future injunctive relief.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 30th day of April, 2008.

  
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**CECILIA M. ALTONAGA**  
**UNITED STATES DISTRICT JUDGE**

Copies provided to  
(1) Magistrate Judge Stephen T. Brown  
(2) Counsel of record

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<sup>1</sup> The Court has changed the date proposed by the parties.