

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF FLORIDA**

FLORIDA DEMOCRATIC PARTY,

Plaintiff,

v.

CASE NO. 4:16-cv-626-MW/CAS

RICHARD SCOTT, in his official capacity as  
Governor of the State of Florida, and  
KEN DETZNER, in his official capacity as  
Secretary of State of the State of Florida,

Defendants.

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**GOVERNOR SCOTT'S RESPONSE TO PLAINTIFF'S EMERGENCY  
MOTION TO ENFORCE PRELIMINARY INJUNCTION**

The Defendant, Governor Scott (“the Governor”), by and through undersigned counsel, hereby responds to the Florida Democratic Party’s (“FDP’s”) emergency motion. The Governor, as an improper party, files this Response out of an abundance of caution, and as grounds therefore, states:

1. On October 18, 2016, Plaintiff filed a Motion to Enforce Preliminary Injunction. Doc. # 32. The Plaintiff’s October 18, 2016, Motion, relates to this Court’s October 12, 2016 Preliminary Injunction Order directed at Defendant Detzner. Plaintiff’s October 18, 2016, Motion to Enforce appears to only apply Secretary Detzner. Doc. # 32.

2. On October 18, 2016, this Court issued an order directed at “Defendant” to respond to the Plaintiff’s October 18, 2016 Motion. Doc. # 36. This Court’s October 18, 2016 Order directing Defendant to respond appears to apply to Secretary Detzner. Doc. # 36.

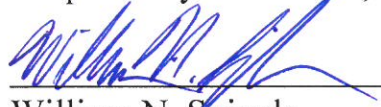
3. As noted in this Court’s October 10, 2016 Temporary Restraining Order, the Governor is not a proper party to these proceedings. Doc. # 15. However, this Court has not issued an order formally dismissing the Governor as a party.

4. For the reasons outlined above, the Governor files this Response out of an abundance of caution.

**Conclusion**

For the reasons outlined above, the Governor is not a proper party to these proceedings and requests his dismissal from these proceedings.

Respectfully Submitted,



William N. Spicola

Fla. Bar No. 70732

Executive Office of the Governor

400 S. Monroe St., Room 209

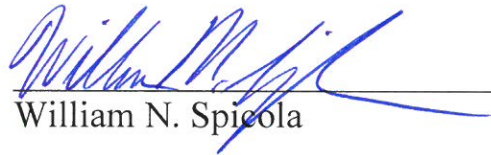
Tallahassee, FL 32399-6536

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following parties via electronic mail; Adam S. Tanenbaum, General Counsel for The Secretary of State, adam.tanenbaum@dos.myflorida.com, Mark Herron at [mherron@lawfla.com](mailto:mherron@lawfla.com) and Marc E. Elias at [MElias@perkinscoie.com](mailto:MElias@perkinscoie.com), Counsel for Florida Democratic Party.

  
William N. Spicola