

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

CASE NO. 1:08-21243-CIV-ALTONAGA

LEAGUE OF WOMEN VOTERS OF FLORIDA,
FLORIDA AFL-CIO, and MARILYNN WILLS,

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.

**DEFENDANTS' NOTICE REGARDING DECLARATION
OF SARAH JANE BRADSHAW IN OPPOSITION TO PLAINTIFFS'
MOTION FOR PRELIMINARY INJUNCTION**

Defendants Kurt S. Browning, in his official capacity as Secretary of State for the State of Florida, and Donald L. Palmer, in his official capacity as Director of the Division of Elections, respectfully submit this notice regarding the declaration of Sarah Jane Bradshaw in opposition to Plaintiffs' Motion for Preliminary Injunction.

1 On June 13, 2008, Defendants filed the Declaration of Sarah Jane Bradshaw in opposition to Plaintiffs' Motion for Preliminary Injunction. The Declaration appears on the docket as document 61-2.

2. On June 19, 2008, at the hearing on Plaintiffs' Motion for Preliminary Injunction, Plaintiffs objected to the admission of one sentence in Ms. Bradshaw's Declaration. The sentence reads:

The prompt submission to election officials of voter registration applications collected by third parties would ensure that applicants providing complete applications are registered for upcoming elections, and would increase the likelihood that individual applicants whose applications are incomplete would be provided an opportunity to timely correct their applications before the book closing deadline.

Plaintiffs objected, claiming that they had no opportunity to cross-examine Ms. Bradshaw as to this one statement. In response, the Court accurately characterized the disputed statement as a “fairly common sense sort of position” (Tr. 6/19/08, at 51:21-22), but stated that Plaintiffs could conduct a telephone deposition of Ms. Bradshaw as to this statement following the hearing.

3. Plaintiffs waited thirteen days after the conclusion of the hearing before raising this issue. On July 2, Plaintiffs sent a Notice of Deposition for Ms. Bradshaw, scheduling the deposition for July 11. Rather than contribute to additional delay, Defendants agreed to withdraw from the Court’s consideration the disputed sentence. In return, Plaintiffs agreed to withdraw their Notice of Deposition.

4. Accordingly, Defendants provide this notice that they withdraw from the Court’s consideration the above-quoted sentence of Ms. Bradshaw’s declaration.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served through the Court's CM/ECF system on all counsel or parties of record on the attached service list this 8th day of July, 2008.

/s/ Allen Winsor

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