

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 OF FILING NEWLY AVAILABLE EVIDENCE 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 of Filing Newly Available Evidence in Opposition to Plaintiffs' Motion for Preliminary Injunction (doc. 24).

1 On May 14, 2008, Plaintiffs filed their Motion for Preliminary Injunction (the "MPI"). On June 18 and 19, 2008, the Court conducted a hearing on the MPI. In their MPI papers and at the hearing, Plaintiffs have asserted that the state's interest in the challenged law is insufficient to justify its requirements.

2. Following the hearing, additional evidence has become available that further demonstrates the problems caused by third-party groups' hoarding applications. On July 14,

2008, the Secretary received a copy of a letter from Dr. Brenda Snipes, the Supervisor of Elections for Broward County, addressed to a third-party group that recently submitted a number of applications collected months before they were submitted. The letter, dated July 8, 2008, was not available at the time of this Court's hearing.

3. Attached to this Notice is the Declaration of Amy Woodward, as custodian for the letter from Dr. Snipes and its attachments.

WHEREFORE, Defendants respectfully request that this Court consider these supplemental materials.

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 15th day of July, 2008.

/s/ Allen Winsor

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