

IN THE DISTRICT COURT OF APPEAL
FOR THE FIRST DISTRICT
STATE OF FLORIDA

JOHN ELLIS (JEB) BUSH, ET AL.,

CASE NOS. 1D02-3160
1D02-3163
1D02-3199

Appellants,

v.

RUTH D. HOLMES, ET AL.,

Appellees.

I CERTIFY THE ABOVE TO BE A TRUE COPY
JOHN S. WHEELER, CLERK
FIRST DISTRICT COURT OF APPEAL
BY: Paul R. Laynes
DEPUTY CLERK

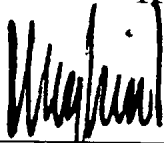
NOTICE OF APPEAL

NOTICE IS GIVEN that Appellants, Governor John Ellis (“Jeb”) Bush, Chief Financial Officer Tom Gallagher, Commissioner of Agriculture Charles H. Bronson, the Florida Department of Education, and the State Board of Education appeal to the Florida Supreme Court the decision of this Court rendered on November 12, 2004. The nature of the decision is a decision declaring invalid a state statute thereby invoking the Florida Supreme Court’s non-discretionary appeal jurisdiction. Art. V, § 3(b)(1), Fla. Const; Fla. R. App. P. 9.030(a)(1)(A)(ii). A copy of the decision is attached hereto as Exhibit A.

The Florida Supreme Court also has discretionary review jurisdiction of this Court’s November 12, 2004 decision, because the Court certified that

its decision passes upon a question of great public importance. Art. V, §
3(b)(4), Fla. Const.; Fla. R. App. P. 9.030(a)(2)(A)(v).

Respectfully submitted this 10th day of December, 2004.



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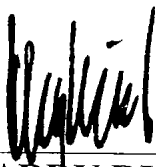
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