

**IN THE SUPREME COURT OF FLORIDA**

**DEPARTMENT OF STATE, ETC.,  
ET AL,**

**Petitioners,**

**CASE No.: SC18-1287  
L.T. No.: 1D18-3260**

**vs.**

**FLORIDA GREYHOUND  
ASSOCIATION, a Florida  
Corporation,**

**Respondent.**

\_\_\_\_\_ /

**MOTION FOR LEAVE TO APPEAR AS AMICUS CURIAE  
IN SUPPORT OF PETITIONERS' POSITION**

Pursuant to F.A.R. 9.370, the Committee to Protect Dogs (“Committee”), a Florida Political Action Committee, moves for leave to appear as Amicus Curiae and provide supporting argument for the position of the Petitioners, Department of State and the Constitutional Revision Commission (“CRC”), for Amendment 13 to appear for vote by the people on the general election ballot, and says:

1. The Committee is the Florida Political Committee that supports Amendment 13.

2. The Committee is operated and funded in part by GREY2K USA Worldwide (hereinafter “GREY2K”), The Humane Society of the United States, and other proponents of Amendment 13.

3. GREY2K and The Humane Society of the United States were the main proponents of Amendment 13 outlawing commercial dog racing in connection with wagering in Florida. Amendment 13 was known as Proposition 67 when it was considered by the CRC. The CRC voted to place Amendment 13 on the November 2018 ballot to be considered as a potential amendment to the State constitution.

4. GREY2K worked directly with the chief CRC sponsor of this proposal and provided evidence, statistics, images and legal memoranda to the full CRC in support of this proposal. Additionally, GREY2K presented the CRC with a petition of support for the amendment with over 100,000 signatures (which grew to 256,264 signatures). The Committee entered into numerous contracts, retained consultants, spent considerable time organizing volunteers in preparation for the November 2018 election, and plans to vigorously advance the interests of ending dog racing in Florida to the public.

5. As a main advocate for Amendment 13, the Committee has a substantial interest in the outcome of this litigation, and the position that the State as Petitioner is advancing.

6. As Amicus Curiae, the Committee would address the issue of the sufficiency and propriety of ballot title and summary for Amendment 13 to validate the work of the CRC.

7. Because of its committed interest and that of its members, the Committee believes its arguments will be of assistance to the Court in determining this case of important public interest as to whether proposed Amendment 13 should be submitted for vote by the people at the upcoming general election.

8. The Committee participated in the proceedings in Leon County Circuit Court below as Amicus submitting an Amicus Brief and sharing oral argument time in support of the State's position that the proposed amendment should be submitted to the electorate.

9. If allowed to appear as Amicus before this Court, the Committee's Amicus Brief will comply with the requirements of Rule 9.730(b) and not exceed 20 pages.

10. The Committee requests that its supporting Amicus Brief be allowed to be served in a shorten period of three days from the date of the State's first brief is due, and that it be allowed to participate in oral argument in this case, as may be appropriate given its sponsorship role of CRC's proposed Amendment 13.

11. Counsel for Petitioners and Respondent did not object to the Committee's participation as Amicus below, and do not object to the Committee's appearance as Amicus before this Court.

RESPECTFULLY SUBMITTED this 8th day of August, 2018.

s/ M. Stephen Turner

M. STEPHEN TURNER, P.A., FBN 0095691

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*Attorneys for the Committee to Protect Dogs*

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via E-Mail on Counsel for Plaintiff: Jeff Kottkamp ([JeffKottkamp@gmail.com](mailto:JeffKottkamp@gmail.com)), Paul Hawkes ([Hawkes.paul@gmail.com](mailto:Hawkes.paul@gmail.com)), Major Harding ([Mharding@ausley.com](mailto:Mharding@ausley.com)) and Stephen Emmanuel ([Semmanuel@ausley.com](mailto:Semmanuel@ausley.com)); Counsel for Defendant, Jordan Pratt ([Jordan.pratt@myfloridalegal.com](mailto:Jordan.pratt@myfloridalegal.com)) and Rachel E. Nordby ([Rachel.Nordby@myfloridalegal.com](mailto:Rachel.Nordby@myfloridalegal.com)) on this 8th day of August, 2018.

s/ M. Stephen Turner

M. Stephen Turner