

IN THE SUPREME COURT OF FLORIDA

CASE NO. SC18-67

CITIZENS FOR STRONG SCHOOLS, INC., ET AL.,

Petitioners,

v.

FLORIDA STATE BOARD OF EDUCATION, ET AL.,

Respondents.

**On Appeal From the First District Court of Appeal of Florida
L.T. Case No. 1D16-2862**

**MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF MOTION
FOR LEAVE TO FILE *AMICUS* BRIEF ON BEHALF OF CERTAIN
MEMBERS OF THE 1998 CONSTITUTION REVISION COMMISSION**

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*Attorneys for Certain Commissioners of the 1998
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On May 22, Certain Commissioners of the 1998 Constitution Revision Commission filed a motion for leave to file a brief as *amici curiae* on behalf of Petitioners. On June 1, 2018, Respondents filed a lengthy opposition to the Commissioners' motion. Pursuant to Fla. R. App. P. 9.300,¹ the Commissioners seek leave to file a reply brief in support of their motion.

The reply brief, which would not exceed 10 pages, would be limited to addressing arguments raised for the first time in the Respondents' Response brief. The Commissioners intend to show through their reply brief that (1) the Response misconstrues the nature of the Commissioners' proposed brief, as the Commissioners intend to provide legal argument of the same nature as any other proper amicus brief and *do not* intend to provide subjective opinions or submit new testimony or evidence; and (2) the Commissioners do have an interest in this litigation and they would be able to assist the court in the disposition of this case.

Counsel for the Commissioners has conferred with counsel for Plaintiffs and counsel for Intervenor-Defendants, who have stated that they do not oppose the Commissioners' request for leave to file a reply. Counsel also conferred with

¹ See Fla. R. App. P. 9.300, Committee Notes, 1997 Amendment (“Routine motions usually require only limited argument. Provision is made for a response by the opposing party. No further responses by either party are permitted, however, without an order of the court entered on the court’s own motion or the motion of a party.”).

counsel for Respondents, who stated that Respondents do not have a position on the Commissioners' request for leave to reply, but do not intend to file a memo in opposition.

Date: June 7, 2018

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I hereby certify that this brief was prepared in Times New Roman 14-point font, in compliance with Rule 9.210(a)(2) of the Florida Rules of Appellate Procedure.

s/ Jon Lester Mills _____
Jon Lester Mills

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2018, a true and correct copy of the foregoing document was sent via email pursuant to Fla. R. Jud. Admin. 2.516 to all counsel of record on the attached Service List.

s/ Jon Lester Mills

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