

IN THE SUPREME COURT OF FLORIDA

CITIZENS FOR STRONG
SCHOOLS, INC., *et al.*,
Petitioners,

v.

FLORIDA STATE BOARD OF
EDUCATION, *et al.*,
Respondents,

and

CELESTE JOHNSON, *et al.*,
Intervenors/Respondents.

Case No. SC18-67
L.T. Case No: 1D16-2862

RESPONDENTS' UNOPPOSED MOTION
TO EXTEND PAGE LIMIT FOR ANSWER BRIEF

In accordance with Florida Rule of Appellate Procedure 9.210(a)(5)(E), Respondents respectfully move this Court for leave to file a 60-page answer brief—which is due to be filed on July 19, 2018—and state the following in support of this motion:

1. The record in this case is voluminous. The circuit court conducted a four-week trial with testimony from more than 40 live witnesses, and the trial record contains more than 5,300 exhibits.
2. The circuit court's Final Judgment in favor of the Respondents spanned nearly 30 pages and was accompanied by a 175-page Appendix for

RECEIVED, 07/17/2018 11:08:26 AM, Clerk, Supreme Court

Findings of Fact that contained 469 paragraphs, over 800 footnotes, and thousands of citations to the trial record. (R.3371–3578.)

3. While this case was pending before the First District Court of Appeal, that court allowed Petitioners (then Plaintiff–Appellants) and Respondents (then Defendant–Appellees) to file 60-page initial and answer briefs.

4. The statement of the case and facts in Petitioners’ initial brief is not “satisfactory” to Respondents under Rule 9.210(c), and Respondents therefore intend to include a statement of the case and facts in their answer brief.

5. Three amicus briefs supporting Petitioners have been filed.

6. For all of these reasons, Respondents submit that there is good cause to extend the 50-page limit set forth in Rule 9.210(a)(5)(B) and request leave to include an additional 10 additional pages in their answer brief.

7. The undersigned have conferred with counsel for Petitioners and counsel for Intervenors–Respondents and are authorized to represent that the other parties do not object to the extension requested in this motion.

WHEREFORE, Respondents request a 10-page extension under Rule 9.210(a)(5)(E), permitting them to file an answer brief no longer than 60 pages.

Respectfully submitted this 17 day of July 2018.

/s/ Rachel Nordby

Rachel Nordby (FBN 56606)
Senior Deputy Solicitor General
Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399-1050
(850) 414-3681
rachel.nordby@myfloridalegal.com

Rocco E. Testani (*pro hac vice*)
Eversheds Sutherland (US) LLP
999 Peachtree Street, NE, Suite 2300
Atlanta, Georgia 30309-3996

Matthew H. Mears (FBN 885231)
General Counsel, Department of Education
Turlington Building, Suite 1244
325 West Gaines Street
Tallahassee, Florida 32399-0400

Dawn Roberts (FBN 986518)
General Counsel, Florida Senate
302 The Capitol
Tallahassee, Florida 32399-1100

Adam S. Tanenbaum (FBN 117498)
General Counsel, Florida House
of Representatives
418 The Capitol
Tallahassee, Florida 32399-1300

Counsel for Respondents

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been furnished by electronic service through the Florida Courts E-Filing Portal on July 17, 2018 to the following counsel:

Jodi Siegel
Kirsten Clanton
Southern Legal Counsel, Inc.
1229 NW 12th Avenue
Gainesville, Florida 32601
Jodi.siegel@southernlegal.org
Kirsten.clanton@southernlegal.org
Lenette.daniels@southernlegal.org
Attorneys for Petitioners

Neil Chonin
2436 N.W. 27th Place
Gainesville, Florida 32601
neil@millerworks.net
Attorney for Petitioners

Timothy McLendon
3324 West University Avenue, Box 215
Gainesville, Florida 32607
tedmcl@msn.com
Attorney for Petitioners

Deborah Cupples
2841 SW 13th Street, G-327
Gainesville, Florida 32608
dcupples@gmail.com
Attorney for Petitioners

Eric J. Lindstrom
Egan, Lev & Siwica, P.A.
P.O. Box 5276
Gainesville, Florida 32627-5276
elindstrom@eganlev.com
Attorney for Petitioners

Ari Bargil
2 South Biscayne Boulevard
Suite 3180
Miami, Florida 33131
abargil@ij.org
Attorney for Intervenors

Timothy D. Keller
398 S. Mill Avenue, Suite 301
Tempe, Arizona 85281
tkeller@ij.org

Attorney for Intervenors

/s/ Rachel Nordby
Rachel Nordby