

**IN THE SUPREME COURT OF FLORIDA**

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

Petitioners,

Case No. SC18-67

v.

L.T. Case Nos. 1D16-2862

FLORIDA STATE BOARD OF  
EDUCATION, et al.,

Respondents,

and

CELESTE JOHNSON, et al.,

Intervenors/Respondents.  
\_\_\_\_\_ /

**MOTION FOR LEAVE TO FILE BRIEF AS AMICI CURIAE  
IN SUPPORT OF INTERVENORS/RESPONDENTS**

The Florida State Hispanic Chamber of Commerce and EdChoice, pursuant to Florida Rule of Appellate Procedure 9.370, respectfully move for leave to file a brief as amici curiae in support of the Intervenors/Respondents in this proceeding.

In support, Movants state:

1. The Court has exercised its jurisdiction to review a decision of the First District Court of Appeal concerning the constitutionality of various aspects of Florida's K-12 public education system.

RECEIVED, 07/30/2018 05:13:25 PM, Clerk, Supreme Court

2. Petitioners' arguments include challenges involving two educational choice programs—the John M. McKay Scholarship for Students with Disabilities Program and the Florida Tax Credit Scholarship Program.

3. Movant Florida State Hispanic Chamber of Commerce (FSHCC) was founded to promote the economic advancement of Florida's Hispanic business community and improve the quality of life of every Hispanic in Florida. Hispanic children consistently compose the largest percentage of children receiving scholarships from the Florida Tax Credit Scholarship Program.

4. Movant EdChoice is a 501(c)(3) nonpartisan, nonprofit organization and a national leader in educational choice research, analysis, policy development, training, and outreach. EdChoice's mission is to advance educational freedom and choice for all as a pathway to successful lives and a stronger society.

5. Accordingly, Movants are interested in the issues presented in this case and can offer their expertise regarding the issues presented, including the correct analysis to be undertaken when determining if a taxpayer has standing to challenge government action and the actual benefits of educational choice programs as a matter of public policy.

6. The undersigned has conferred with counsel for the parties and is authorized to represent that all Respondents consent to the filing of this brief. The undersigned is also authorized to represent that Petitioners informed the

undersigned that they would object only if Movants introduced new facts. Movants respectfully submit they have not done so. As ardent educational choice supporters, they discuss for this Court's benefit the public policy reasons why educational choice programs are beneficial to students and schools, including studies that identify such benefits, but Movants do not attempt to alter the factual record as it was created in the trial court and analyzed in that court's findings of fact. The brief presents legal arguments and public policy arguments in the Brandeis brief tradition.

WHEREFORE, Movants respectfully request that they be permitted to file a brief as amici curiae in support of Intervenors/Respondents.

/s/ Lazaro J. Mur

LAZARO J. MUR

Florida Bar No. 511188

THE MUR LAW FIRM, P.A.

616 Clearwater Park Rd. #305

West Palm Beach, Florida 33401-6227

561-531-1005

lmur@murlaw.com

*Counsel for Florida State Hispanic*

*Chamber of Commerce*

/s/ Matthew J. Conigliaro

MATTHEW J. CONIGLIARO

Florida Bar No. 63525

CARLTON FIELDS JORDEN BURT, P.A.

4221 Boy Scout Blvd., Suite 1000

Tampa, Florida 33607

813-229-4254

mconigliaro@carltonfields.com  
*Counsel for EdChoice*

LESLIE DAVIS HINER  
*pro hac vice pending*  
EDCHOICE  
111 Monument Circle, Suite 2650  
Indianapolis, Indiana 46204  
317-681-0745  
leslie@edchoice.org  
*Counsel for EdChoice*

RUSSELL C. MENYHART  
*pro hac vice pending*  
TAFT STETTINIUS & HOLLISTER LLP  
One Indiana Square, Suite 3500  
Indianapolis, Indiana 46204  
317-713-3500  
rmenyhart@taftlaw.com  
*Counsel for EdChoice*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 30, 2018, a true and correct copy of the foregoing motion was served by mail to PHV Admissions, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2333, accompanied by payment of the \$250.00 filing fee made payable to The Florida Bar, and by e-mail on the following:

Jodi Siegel  
Kirsten Clanton  
Southern Legal Counsel, Inc.  
1229 NW 12th Avenue  
Gainesville, Florida 32601  
Jodi.siegel@southerlegal.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 Ave., Box 215  
Gainesville, Florida 32607  
tedmcl@msn.com  
mclendon@law.ufl.edu  
*Attorney for Petitioners*

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

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

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

Timothy D. Keller  
398 S. Mill Avenue, Ste. 301  
Tempe, Arizona 85281  
tkeller@ij.org  
*Attorney for Intervenors*

Richard Komer  
901 N. Glebe Road, Ste. 900  
Arlington, Virginia 22203  
rkomer@ij.org  
*Attorney for Intervenors*

Robert M. Brochin  
Morgan, Lewis & Bockius LLP  
200 South Biscayne Blvd., Ste. 5300  
Miami, Florida 33131  
bobby.brochin@morganlewis.com  
donna.thomas@morganlewis.com  
peggy.martinez@morganlewis.com  
*Attorneys for Certain Members of the  
1998 Constitution Revision  
Commission*

Jon Lester Mills  
Stephen N. Zack  
Boies Schiller & Flexner, LLP  
100 SE Second Street, Ste. 2800  
Miami, Florida 33131  
jmills@bsfllp.com  
rpazo@bsfllp.com  
ftlserve@bsfllp.com  
*Attorneys for Certain Members of the  
1998 Constitution Revision  
Commission*

Stuart H. Singer  
Boies Schiller & Flexner, LLP  
401 E. Las Olas Blvd., Ste. 1200  
Fort Lauderdale, Florida 33301-2211  
ssinger@bsfllp.com  
*Attorney for Certain Members of the  
1998 Constitution Revision  
Commission*

Jonathan Glogau, Special Counsel  
jon.glogau@myfloridalegal.com  
chrystal.harwood@myfloridalegal.com  
alisha.robinson@myfloridalegal.com  
Office of the Attorney General  
PL-01, The Capital  
Tallahassee, Florida 32399-0400  
*Attorney for Respondents*

Christie Letarte, General Counsel  
letarte.christie@flsenate.gov  
christie.letarte@yahoo.com  
The Florida Senate  
302 The Capital  
404 South Monroe Street  
Tallahassee, Florida 32399-1100  
*Attorney for Respondents*

Rocco Testani  
roccotestani@eversheds-sutherland.com  
phylliswhite@eversheds-sutherland.com  
janiceenglish@eversheds-sutherland.com  
Stacey McGavin Mohr  
staceymohr@eversheds-sutherland.com  
cynthiagarrett@eversheds-sutherland.com  
suemcqueen@eversheds-sutherland.com  
Lee A. Pfeifer  
leepfeifer@eversheds-sutherland.com

cynthiagarrett@eversheds-sutherland.com  
betzhandmaker@eversheds-sutherland.com  
Sutherland, Asbill & Brennan, LLP  
999 Peachtree St. NE, Ste. 2300  
Atlanta, Georgia 30309-4416  
*Attorneys for Respondents*

Judy Bone  
judy.bone@fldoe.org  
Mari Presley  
mari.presley@fldoe.org  
Matthew Mears  
matthew.mears@fldoe.org  
diana.harper@fldoe.org  
Florida Department of Education  
1244 Turlington Building  
325 W. Gaines Street  
Tallahassee, Florida 32399  
*Attorneys for Respondent*

Adam S. Tanenbaum  
General Counsel  
Adam.tanenbaum@myfloridahouse.gov  
Office of the General Counsel  
Florida House of Representatives  
422 The Capital  
Tallahassee, Florida 32399-1300  
*Attorney for Respondents*

Courtney Brewer  
The Mills Firm, P.A.  
The Bowen House  
325 N. Calhoun St.  
Tallahassee, Florida 32301  
cbrewer@mills-appeals.com  
service@mills-appeals.com  
*Counsel for Education Law Center*

Angelica M. Firoentino  
Michael Santos  
Baker Donelson Bearman Caldwell &  
Berkowitz, P.C.  
200 South Orange Avenue, Ste. 2900  
Orlando, Florida 32801  
afiroentino@bakerdonelson.com  
msantos@bakerdonelson.com  
*Attorneys for Petitioners*

Rachel Nordby  
Office of the Attorney General  
PL-01, The Capitol  
Tallahassee, Florida 32399-1050  
Rachel.nordby@myfloridalegal.com  
*Attorney for Respondents*

Dena H. Sokolow  
Renee Meenach Decker  
Baker, Donelson, Bearman, Caldwell  
& Berkowitz, PC  
100 S.E. Third Ave., Ste. 1620  
Ft. Lauderdale, Florida 33394  
dsokolow@bakerdonelson.com  
redecker@bakerdonelson.com  
*Counsel for Amicus Curiae National  
Law Center on Homelessness &  
Poverty; the Children and Youth Law  
Clinic at the University of Miami  
School of Law; Florida's Children  
First; FSU College of Law, Children's  
Advocacy Clinic; and Michael J. Dale,  
Professor of Law at Nova  
Southeastern University*

/s/ Matthew J. Conigliaro

MATTHEW J. CONIGLIARO

Florida Bar No. 63525