

IN THE SUPREME COURT OF FLORIDA

CITY OF TALLAHASSEE, FLORIDA
et al.,

Petitioners,

vs.

Case No.: SC21-651

FLORIDA POLICE BENEVOLENT
ASSOCIATION, INC., JOHN DOE 1,
AND JOHN DOE 2.

Respondents.

**RESPONDENTS UNOPPOSED MOTION
TO RESCHEDULE ORAL ARGUMENT**

Respondents move this Court for an order rescheduling the recently scheduled oral argument. This motion is made on the authority of Rule 9.300(a). In support thereof, the Respondents offer the following:

1. Oral argument was originally scheduled to be held on August 31, 2022. Counsel for Petitioner City of Tallahassee moved to continue the argument due to pre-planned travel arrangements. Respondents did not object to the motion.

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2. Undersigned counsel communicated directly with the Clerk of this court. Undersigned counsel advised that counsel for the Respondents would be on an international trip between October 18th and November 4th, 2022.

3. Oral argument was scheduled to be held on October 3rd, 2022.

4. With Hurricane Ian approaching Florida, this court canceled oral arguments scheduled for October 3rd, 2022. With Hurricane Ian approaching Florida, the October 3rd oral argument was re-scheduled for November 3rd, 2022.

5. Two attorneys for the Respondents will be outside of the state for a longstanding, prepaid, preplanned, non-refundable, international trip from October 18th through November 2nd, 2022. Counsel are expected to arrive back in Tallahassee from international air travel on the night of November 2nd, 2022. Any delay in international travel would result in counsel missing the oral argument. Even assuming no travel delays, counsel are asked to appear at oral argument after arriving in Tallahassee following international travel, with less than one night to adjust to Eastern time.

6. In addition, the President of the Florida Police Benevolent Association, Inc., Big Bend Chapter, will be serving as a commissioner of the Criminal Justice Standards & Training Commission (“CJSTC”) which is holding commission meetings during the week November 3rd and 4th. The CJISTC meetings are scheduled to be held in Panama City, Florida.

7. Respondents have made no previous request to continue the oral argument.

8. Undersigned counsel has conferred with opposing counsels. Both opposing counsel indicate they have no objection to rescheduling the oral argument to avoid a scheduling conflict.

9. Respondents counsel have viewed the oral argument schedule on the court’s website and represent they are available for oral argument on December 5th, 6th, 7th, 8th and 9th, 2022.

WHEREFORE, Respondents respectfully move for an order rescheduling the oral argument to any of the dates described above in Paragraph 9.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been filed using the Florida ePortal system and **electronic** service has been directed to all attorneys of record as well as all alternate email addresses displayed in the Florida ePortal on this third (3rd) day of October, 2022.

Respectfully submitted;

/s/ Luke Newman

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