

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-22572-Civ-King

EMMA YAIZA DIAZ *et al.*,

Plaintiffs,

v.

KURT S. BROWNING, Secretary of State of
Florida

Defendant.

**PLAINTIFFS' MOTION FOR LEAVE TO POSSESS AND USE
TRIAL PRESENTATION TECHNOLOGY**

Plaintiff unions, the AFL-CIO, AFSCME, Council 79, and SEIU (“Plaintiffs”), hereby move for an Order granting Plaintiffs leave to possess and use trial presentation technology at the trial scheduled to commence on February 4, 2008.

The parties have previously stated in the Pre-Trial Stipulation that they “will use demonstrative exhibits and presentations at trial” (D.E. No. 304 at ¶ 30) Plaintiffs intend to present demonstratives and other trial exhibits by means of trial presentation tools. Specifically, Plaintiffs intend to use one LCD Projector, one projector screen, and one VGA switch, as well as cables, plugs, power strips, and other equipment necessary to operate the presentation tools. Plaintiffs also intend to use the software programs Trial Director and PowerPoint via laptop computers. These tools will

streamline Plaintiffs' presentation of evidence and allow Plaintiffs to make efficient use of the Court's time.

Accordingly, Plaintiffs respectfully request an Order allowing Plaintiffs to possess and use trial presentation technology during the trial of the above-captioned case.

Dated: Miami, Florida
January 18, 2008

RESPECTFULLY SUBMITTED,

/s/ Robert Harris
Robert Harris, Esq.
Florida Bar No.: 0817783
Stack Fernandez Anderson & Harris, P.A.
1200 Brickell Avenue, Suite 950
Miami, Florida 33131
Telephone: 305-371-0001
Fax: 305-371-0002
E-mail: rharris@stackfernandez.com

*Thomas Abt
*Michael Halberstam
*Sarah Kroll-Rosenbaum
*Sarah Nolan
Paul, Weiss, Rifkind, Wharton
& Garrison LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Phone: 212-373-3000
Fax: 212-757-3990
E-mail: tabt@paulweiss.com

Attorneys for Plaintiffs
*Admitted pro hac vice

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent electronically as an email attachment this 18th day of January, 2008, to counsel for the parties listed in Exhibit A, attached hereto.

Dated: Miami, Florida
January 18, 2008

By: /s/ Robert Harris
Robert Harris, Esq.
Florida Bar No.: 0817783
Stack Fernandez Anderson & Harris, P.A.
1200 Brickell Avenue, Suite 950
Miami, Florida 33131
Telephone: 305-371-0001
Fax: 305-371-0002
E-mail: rharris@stackfernandez.com

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1.A(3), I certify that undersigned counsel made reasonable efforts to confer with counsel for Defendant.

By: /s/ Thomas P. Abt
Thomas P. Abt
Paul, Weiss, Rifkind, Wharton &
Garrison LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Phone: 212-373-3000
Fax: 212-492-0596
E-mail: tabt@paulweiss.com

EXHIBIT A
SERVICE LIST

Counsel for Defendants

Peter Antonacci
Allen C. Winsor
GrayRobinson, P.A.
301 South Bronough Street, Suite 600
P.O. Box 11189
Tallahassee, Florida 32302-3189
Phone: 850-577-9090
Fax: 850-577-3311
email: pva@gray-robinson.com,
awinsor@gray-robinson.com
Attorneys for Secretary of State

Counsel For Plaintiffs

Mary Jill Hanson
Hanson, Perry & Jensen, P.A.
400 Executive Center Drive, Suite 207
West Palm Beach, Florida 33401
Tel: (561) 686-6550
Fax: (561) 686-2802
Email: mjhanson@hpjlaw.com

Robert Harris, Esq.
Stack Fernandez Anderson
& Harris, P.A.
Suite 950, 1200 Brickell Avenue
Miami, Florida 33131
Phone: 305-371-0001
Fax: 305.371.0002
E-mail: rharris@stackfernandez.com

* Judith A. Browne
* Elizabeth S. Westfall
Advancement Project
1730 M. Street, NW, Suite 910
Washington, DC 20036
Phone: 202-728-9557
Fax: 202-728-9558
email: ewestfall@advancementproject.org

* Thomas P. Abt, Esq.
* Michael Halberstam, Esq.
* Sarah Kroll-Rosenbaum, Esq.
* Sarah A. Nolan, Esq.
Paul, Weiss, Rifkind, Wharton
& Garrison LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Phone: 212-373-3000
Fax: 212-492-0111
email: mhalberstam@paulweiss.com

** Jonathan P. Hiatt
AFL-CIO
815 Sixteenth Street, NW
Washington, DC 20006
Phone: 202-637-5053
Fax: 202-637-5323
email: jhiatt@aflcio.org

Manny Anon, Jr.
Florida Public Employees Council 79
3064 Highland Oaks Terrace
Tallahassee, Florida 32301
Phone: 850-222-0842
Fax: 850-224-6926
email: m_anon@afscmeffl.org

** David Becker
People for the American Way Foundation
2000 M Street, Suite 400
Washington, DC 20036
Phone: 202-467-2360
Fax: 202-293-2672
email: dbecker@pfaw.org

** Judith A. Scott
** John J. Sullivan
SEIU
1313 L. Street, NW
Washington, DC 20005
Phone: 202-898-3453
Fax: 202-898-3323
email: sullivaj@seiu.org

* Admitted pro hac vice.

** Pro hac vice motion to be filed.