

UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-22572-CIV-KING/O'SULLIVAN

EMMA YAIZA DIAZ; JOHN LANMAN;
AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL
ORGANIZATIONS; AMERICAN FEDERATION OF
STATE, COUNTY AND LOCAL EMPLOYEES,
AFL-CIO; FLORIDA PUBLIC EMPLOYEES COUNCIL
79, AFSCME, AFL-CIO; AND SERVICE EMPLOYEES
INTERNATIONAL UNION, AFL-CIO,

Plaintiffs,

v.

KURT S. BROWNING, Secretary of State of Florida,

Defendant.

**SECRETARY OF STATE'S RESPONSE TO PLAINTIFFS' MOTION
FOR LEAVE TO POSSESS AND USE TRIAL PRESENTATION TECHNOLOGY**

Kurt S. Browning, in his official capacity as Secretary of State of the State of Florida (the "Secretary") respectfully submits this Response to Plaintiffs' Motion for Leave to Possess and Use Trial Presentation Technology (the "Motion") (doc. 318).

1. In their Motion, Plaintiffs seek leave to use trial presentation technology at trial. Plaintiffs state that they intend to present demonstratives at trial using an LCD Projector and screen.
2. The Secretary has no objection to the Plaintiffs' use of a projector and screen, provided that he is likewise permitted to possess and use similar equipment.
3. The Secretary objects, however, to the use of any demonstratives or trial exhibits not previously disclosed. The Plaintiffs note in their Motion that the pretrial stipulation states that the parties "will use demonstrative exhibits and presentations at trial" The pretrial stipulation also

states that “[t]he parties will exchange such demonstrative exhibits a reasonable time before trial.”

The Secretary objects to the use of any demonstratives not yet disclosed.

Respectfully submitted, this 22nd day of January, 2008.

/s/ Allen Winsor

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 22, 2008, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

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