

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO. 04-22572-CIV-KING

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

Plaintiffs,

v.

SUE M. COBB, Secretary of State of Florida;
BRENDA SNIPES, Broward County Supervisor of
Elections; JERRY HOLLAND, Duval County Supervisor
of Elections; LESTER SOLA, Miami-Dade
Supervisor of Elections; BILL COWLES, Orange County
Supervisor of Elections; and ARTHUR ANDERSON, Palm
Beach County Supervisor of Elections,

Defendants.

ORDER GRANTING MOTION FOR MEDIATION

THIS CAUSE comes before the Court upon Defendant Miami Dade County
Supervisor of Election's Motion to Appoint Mediator (DE # 235), filed April 30,

2007.

In this Motion, Defendant Sola informs the Court that he believes an in person mediation might result in a successful resolution of the case or at least a narrowing of the issues to be tried. Accordingly, Defendant Sola requests that the Court appoints a mediator and requires the parties in the above-styled action to attend mediation. To this end, Defendant Sola recommends retired State court judge Gerald Wetherington as a possible mediator for this dispute.

In a letter dated April 30, 2007, Plaintiffs agreed to seek a mediation of this action. Plaintiffs further stated they will consider State court judge Gerald Wetherington and will provide names of other possible mediators.

Accordingly, after a careful review of the record and the Court being otherwise fully advised, it is ORDERED and ADJUDGED that pursuant to S.D. Fla. L.R. 16.2D(1) Defendant's Motion to Appoint Mediator (**DE # 235**) be, and the same is hereby, **GRANTED**. Any Defendant who does not wish to participate in the above-referenced mediation must notify the court within five (5) days from the date of this order.

The parties have five (5) days to submit names of possible mediators or object to State court judge Gerald Wetherington as a mediator. If there is no agreement, the Court shall select from both (or all) lists of counsel purposed

mediators.

DONE AND ORDERED in chambers at the James Lawrence King Federal Justice Building and United States Courthouse, Miami, Florida, this 4th day of May, 2007.



JAMES LAWRENCE KING
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF FLORIDA

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