

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;
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.

**SECRETARY'S RESPONSE TO THE
ORDER GRANTING MOTION FOR MEDIATION**

COMES NOW Kurt S. Browning, Florida Secretary of State, and files this response to the Court's Order granting Supervisor Sola's Motion for Mediation (Doc. No. 243). In that Order the Court extended the option to decline participation in the authorized mediation. Accordingly, the Secretary will not participate in a mediation in this case because he has a duty to defend the constitutionality of a statute (Fla. Stat. § 97.055 (2006)) duly enacted by the Florida Legislature.

Respectfully submitted, this 8 day of May, 2007.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing has been served by electronic service or facsimile this 8 day of May, 2007, to the following:

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