

**IN THE CIRCUIT COURT
OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA**

ANDY FORD, BEVERLY SLOUGH,)
JOSEPH JOYNER, CHRISTI MOSS,)
RABBI MERRILL SHAPIRO, and)
and REVEREND HARRY PARROT, JR.,)
)
Plaintiffs,)
)
v.)
)
KURT BROWNING, in his official capacity)
as Florida Secretary of State,)
)
Defendant.)

Case No. 2008-001905
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 U.S. IN & R.
 CIRCUIT COURT
 LEON COUNTY, FLORIDA
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PLAINTIFFS' MOTION FOR TEMPORARY INJUNCTION

Pursuant to Florida Rule of Civil Procedure 1.610, Plaintiffs Andy Ford, Beverly Slough, Joseph Joyner, Christi Moss, Merrill Shapiro, and Harry Parrott, Jr., by and through their undersigned counsel, move this Court for a temporary injunction prohibiting Defendant Kurt Browning, in his official capacity as Florida Secretary of State, from placing Ballot Initiative No. 7 and Ballot Initiative No. 9 on the ballot in the November 2008 general election. In support of this Motion, Plaintiffs submit the attached Memorandum of Law, and state as follows:

1. On April 28, 2008, the Florida Taxation and Budget Reform Commission ("TBRC") submitted seven proposed constitutional amendments to Defendant Browning for inclusion on the ballot for the November 2008 general election. Two of these proposed amendments – which are scheduled to appear on the ballot as Ballot Initiatives Nos. 7 and 9 – cannot lawfully be submitted to Florida voters because they do not deal with the limited subjects over which the TBRC has constitutional authority to propose amendments, and, in the case of Ballot Initiative No. 9, for the additional reason that the ballot title and summary language

adopted by the TBRC is misleading as to the true effect of the proposed constitutional amendment.

2. Plaintiffs will suffer immediate and irreparable harm if Ballot Initiative No. 7 and Ballot Initiative No. 9 are placed on the ballot for the November 2008 general election. Plaintiffs have no adequate remedy at law, and it is in the public interest to ensure that Florida voters are not asked to vote on unlawful amendments to the Florida Constitution, or on amendments as to which the ballot title and summary language is misleading as to the true effect of the proposed amendment.

The grounds for this Motion are more fully set forth in the accompanying Memorandum of Law, which is incorporated herein by reference.

WHEREFORE, the Plaintiffs respectfully request that this Court enter a temporary injunction prohibiting Defendant from placing Ballot Initiatives Nos. 7 and 9 on the ballot for the November 2008 general election, and grant Plaintiffs such other and further relief as this Court may deem just and proper.

Respectfully submitted,



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*verified motion to appear *pro hac vice* filed

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and exact copy of the foregoing has been furnished by

Hand Delivery on this 13th day of June, 2008, to:

Kurt Browning
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