

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

CASE NO. 2010 CA 1803

FLORIDA STATE CONFERENCE OF NAACP  
BRANCHES; ADORA OBI NWEZE; THE  
LEAGUE OF WOMEN VOTERS OF FLORIDA,  
INC.; DEIRDRE MACNAB; ROBERT MILLIGAN;  
NATHANIEL P. REED; DEMOCRACIA AHORA;  
and JORGE MURSULI,

Plaintiffs,

vs.

DEPARTMENT OF STATE, an agency of the  
State of Florida; and DAWN K. ROBERTS, in  
her official capacity as the Secretary of State,

Defendants,

and

FLORIDA HOUSE OF REPRESENTATIVES and  
FLORIDA SENATE,

Intervenors.

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**DEFENDANTS, DEPARTMENT OF STATE and DAWN K. ROBERTS,  
MOTION FOR SUMMARY JUDGMENT, RESPONSE TO PLAINTIFF'S  
SUMMARY JUDGMENT AND MEMORANDUM OF LAW**

DEFENDANTS, DEPARTMENT OF STATE and DAWN K. ROBERTS,  
pursuant to Rule 1.510, Florida Rules of Civil Procedure, and this Court's Scheduling  
Order, move for Summary Judgment in that there are no disputed issues of material fact  
and Defendants are entitled to judgment as a matter of law. Defendants seek a judgment  
that the ballot title and summary of Amendment 7 are valid and the Amendment should  
remain on the ballot. The Defendants file the following Memorandum of Law in support

of their Motion for Summary Judgment and in opposition to the Motion filed by Plaintiffs.

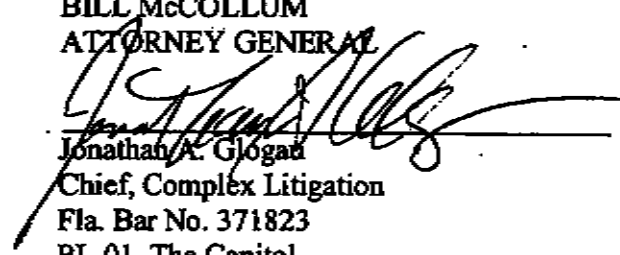
### MEMORANDUM

Defendants respectfully adopt the arguments presented by the Intervenors, the Florida House of Representatives and the Florida Senate in opposition to Plaintiffs' Motion for Summary Judgment and in support of their Motion for Summary Judgment. Plaintiffs have not met their burden to demonstrate that Amendment 7 is "clearly and conclusively defective." See *Floridians Against Casino Takeover v. Let's Help Florida*, 363 So. 2d 337, 339 (Fla. 1978). Defendants Motion for Summary Judgment should be granted and Amendment 7 should be retained on the ballot.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

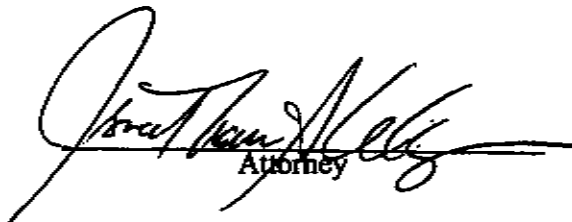
I HEREBY CERTIFY that a true and correct copy of the forgoing was served by U.S. Mail this 25th Day of June, 2010, on:

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