

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

RABBI MERRILL SHAPIRO, et al.,

Plaintiffs,

v.

CASE NO. 2011-CA-1892
(Honorable Jackie L. Fulford)

KURT S. BROWNING, in his official
capacity as Florida Secretary of State,

Defendant.

STATE OF FLORIDA'S MOTION TO INTERVENE

The State of Florida, by and through Attorney General Pam Bondi, moves to intervene as a party defendant in this action. Rule 1.230, Fla. R. Civ. P. (2011).

1. The Attorney General is the chief legal officer of the State. Art. IV, § 4(b), Fla. Const. She is specifically authorized by law to appear in all state and federal courts to represent the interests of the State. *See* § 16.01(4) & (5), Fla. Stat. (2010); *see also* Boyles v. Fla. Parole & Probation Comm'n, 436 So. 2d 207, 210 (Fla. 1983) (“the Attorney General has standing as a representative of the people ... [and] as chief law officer of the State, may appear in and attend to all suits or actions in which the State may be ‘in anywise interested.’”).

2. This case involves legal matters that warrant the Attorney General’s intervention. First, this case involves a legislative proposal to amend a constitutional provision, article I, section 3, Florida Constitution. The Attorney General has an interest in ensuring that the legislative proposal is placed before the voters and that its ballot title and summary meet legal standards. Second, this case involves a challenge to a portion of Chapter 2011-40, Laws of Florida, which provides a mechanism for ensuring that the ballot title and summary in proposed legislative amendments are accurate. The Attorney General has an interest in this type of

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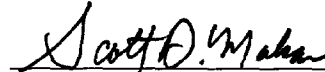
provision, which allows for ballot titles and summaries to be corrected and, if challenged, judicially-approved rather than be deemed inaccurate and jettisoned on the eve of elections thereby depriving voters of the opportunity to vote upon them.

3. Granting this motion will facilitate, and not delay or prejudice, the adjudication of the rights of the parties.

4. Undersigned counsel has conferred with counsel for Plaintiffs, who have no objection to the relief sought in this motion. Undersigned counsel has also conferred with counsel for Secretary of State Kurt S. Browning, who has no objection to the relief sought in this motion.

Respectfully submitted,

PAMELA JO BONDI
ATTORNEY GENERAL



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CERTIFICATE OF SERVICE

I hereby certify that, on this 3rd day of August, 2011, a copy of the foregoing was

served by U.S. Mail upon:

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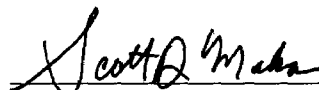
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