

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

GEORGE WILLIAMS, et al.,

Plaintiffs,

Case No. 2011-CA-1584

v.

RICK SCOTT, et al.,

Defendants.

FILED
2011 JUN 29 A 11:50
CLERK OF CIRCUIT COURT
LEON COUNTY, FLORIDA

FILED

MOTION TO INTERVENE AS PARTY PLAINTIFF

COMES NOW RODNEY DURBIN and files this motion to intervene as a party plaintiff in the captioned case and for grounds would state:

1. This motion is filed pursuant to Fla. R. Civ. P. 1.230
2. RODNEY DURBIN, (hereinafter referred to as "Durbin"), is a Senior Forest Ranger employed by the State of Florida, Department of Agriculture, Division of Forestry. He currently is and has been a special risk member of the Florida Retirement System since 1995. He is a member of Local S-20 of the International Association of Fire Fighters, AFL-CIO. DURBIN is a beneficiary of a collective bargaining agreement ("CBA") between The State of Florida AND Local S-20 of the International Association of Fire Fighters.
3. As a member of the Florida Retirement System, DURBIN has a real and direct interest in the pending litigation.
4. In *City of Orlando v. State Dept. of Ins.*, 528 So.2d 468 (Fla. 1st DCA 1988); review denied, 537 So.2d 568 (Fla. 1988), firefighters were recognized as intervenors in regard to the constitutional validity of changes in the Florida Retirement System.

5. The plaintiffs have consented to this motion. Undersigned counsel has contacted the office of Counsel for the defendants, Blaine Winship, to determine defendants' position on this motion, and will advise the Court as soon as defendants position is made known.

6. DURBIN seeks to intervene on the side with the plaintiffs and hereby adopts:

(a) the complaint for declaratory and injunctive relief as well as the legal positions asserted therein;

(b) the motion for temporary injunction as well as the legal positions asserted therein;
and

(c) the memorandum of law in support of plaintiffs' motion for temporary injunction as well as the legal position asserted therein.

WHEREFORE, DURBIN requests the granting of this motion to intervene.

Dated: June 28, 2011



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 28, 2011 a copy of the foregoing has been furnished by U.S. mail to the following:

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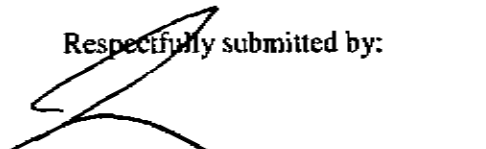
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Respectfully submitted by:



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