

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

CONGRESSWOMAN CORRINE BROWN,  
JOHNNY BROWN, THEODORE BROWN,  
MARY LAWSON BROWN, MARY L. GEORGE,  
CRYSTAL R. BROWN, JUSTIN CAMPBELL,  
FERRILL HILL, MARGIE KELLY CODY,  
JOSEPHINE HALL, SANDRA JACKSON,  
MAMIE JACKSON, WILFRED W. REDDICK,  
JR., SHANTEZ ROBINSON, CARRIE DAVIS,  
JEAN REDDICK, ALVIN SHEPARD, CURTIS  
WALKER, PHYLLIS JOHNSON, JEROME  
BROWN, JOANN M. BROWN, HAZEL D. GILLIS,  
ANTONIA G. BRYANT, EULIE B. JOHNSON,  
LAVONNE P. MITCHELL, DARRYL MACK,  
ANTHONY MACK, DORETHA MACK, CONSTANCE  
S. HALL, SHAKUR ALI, MICHAEL ASHLEY,  
LAWRENCE AVERBECK, ANITA BAILEY, LEON  
BERRIER, DANIEL L. COLE, JASMINE CROMWELL,  
TRICIA DUNLAP, LA' DAISHA EVANS, JAMES  
FREEMAN, RUSSELL T. GASKIN, CLARETHA S.  
HICKS, TEVIN HENDERSON, MITZI HUTCHINSON,  
ANGELIQUE MATTHEWS, ANNA MCLAUGHLIN,  
EDWIN MERRITT, LILLIE P. POWELL, TAURICE  
RICKS, DEVIN ROBERTS, CARY P. ROBINSON,  
ALEXANDRA SAFFICE, SHAKA SHABAZZ, FELICIA  
SMITH, RICHARD ALAN SPAULDING, WILLIE  
THOMAS, TEAONNDA THOMPSON, RODERIC  
TURNER, MARY S. ADAMS, JOY GREGORY, WILBERT  
GREGORY, CARLOTTA L. GUYTON, LUELLE  
MCQUEEN, DOROTHY M. OLIVER, JACOBY  
PITTMAN, BARON RIVERS, KIMBERLY RIVERS,  
ANMENIA SHAHAB, NEEMA YA NATHIERI,  
MELVIN A. PHILPOT, VELMA WILLIAMS,  
BEVERLYE COLSON NEAL, TYRONE FIELDS,  
GLORIA R. GREEN, MAXINE S. HIXON, REBECCA  
JOHNSON, NEVA SPANN-KIRKLAND, SUSIE L.  
JOHNSON HARRIS, EDDIE L. JAMES, BENTLEY  
M. CAREY, DWYCE L. ROSS, KENNETH WALKER,  
TIFFANY WARE, VANESSA WILLIAMS, CHARITA FINCH,  
LAVENIA MAY, DR. ROLOUS A. FRAZIER, JR., DOROTHY  
FLUITT, SHEILA B. SMITH, CLARISE REDDICK, DAISY  
BALES, CONSTANCE BANGO, DELORIS R. SHEPHERD,

Case No.: 4:15-cv-00398-MW-CAS

**VERNON MCQUEEN, HERBERT WILLIAMS JR.,  
ROD ZEIGLER, ROYCE FLAGLER, MABLE BUTLER,  
JEAN CAMPBELL, WILLIE CAMPBELL, ELLA MAE  
CAMPBELL, KALEIGH CAMPBELL, MIA CAMPBELL,  
WALTER DULES WILLIAMS, LULA COOKS WILLIAMS,  
ROBERTA WILLIAMS, DANIEL J. WILLIAMS, IDA M.  
CARSON, JUANITA SANDERS, CHERYLL DANIELS, EDDIE  
A. BENN, RICH SLEET, MARIA T. BARNES, ALLEN WIGGINS,  
HENRIETTA J. TICE, JASMINE MCKAY, LATOYA DAVIS,  
AND LULA DAVIS,**

**Plaintiffs,**

**vs.**

**KEN DETZNER, in his official capacity as  
Secretary of State of the State of Florida,  
THE FLORIDA SENATE and THE  
FLORIDA HOUSE OF REPRESENTATIVES,**

**Defendants.**

---

**JOINT STIPULATION OF PARTIAL DISMISSAL**

Plaintiffs, by and through undersigned counsel, hereby provide notice of voluntary dismissal, without prejudice, of their state law claims (Counts III and IV).

1. On December 29, 2015, Plaintiffs filed a Motion for Leave to File First Amended Verified Complaint. Doc. 34.

2. Counts III and IV of Plaintiff's Amended Complaint alleged two state law claims for violations of Article III, § 20 of the Florida Constitution against all defendants, including Defendant Detzner. Doc. 34-1 at 23–24.

3. On January 13, 2016, this Court entered its Order granting in Part Plaintiff's Motion to amend its complaint. Doc. 47.

4. The Order specifically requested that Plaintiffs address the issue of whether the Eleventh Amendment permitted suit against Defendant Detzner in this Court for state law claims

in light of the Supreme Court's decision in *Pennhurst State School & Hosp. v. Halderman*, 465 U.S. 89 (1984). *Id.* at 6; Doc. 46 at 2.

5. Plaintiffs now seek to voluntarily dismiss Counts III and IV of Plaintiff's Amended Complaint.

6. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, an action may be dismissed without order of court by filing a stipulation of dismissal signed by all parties who have appeared in the action.

7. All parties who have appeared in this action have stipulated to the dismissal of these claims.

WHEREFORE, the parties pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), hereby stipulate that claims III and IV of Plaintiff's Amended Complaint be dismissed without prejudice, the parties to bear their respective costs, including any possible attorney fees or other expenses of the litigation.

Respectfully submitted,

/s/ Wm. J. Sheppard  
Counsel for Plaintiff, Corrine Brown

/s/ David A. Fugett  
Counsel for Defendant, Ken Detzner

/s/ Raoul G. Cantero  
Counsel for Defendant, Florida Senate

/s/ Andy Bardos  
Counsel for Defendant, Florida House of Representatives

/s/ Thomas A. Zehnder  
Counsel for Intervenors

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 20, 2016, I electronically filed the foregoing with the Clerk of the Court by using CM/ECF System which will send a notice of electronic filing to the following:

**Adam S. Tanenbaum, Esquire  
General Counsel  
Florida Department of State  
500 South Bronough Street, Suite 100  
Tallahassee, Florida 32399-0250**

**David A. Fugett, Esquire  
Assistant General Counsel  
Florida Department of State  
500 South Bronough Street, Suite 100  
Tallahassee, Florida 32399-0250**

**Jason N. Zakia, Esquire  
Jesse L. Green, Esquire  
Raoul G. Cantero, Esquire  
Wachovia Financial Center  
Suite 4900  
200 South Biscayne Boulevard  
Miami, Florida 33131**

**Andy V. Bardos, Esquire  
Gray Robinson, P.A.  
301 South Bronough Street, Suite 600  
Tallahassee, Florida 32301**

**David B. King, Esquire  
Thomas A. Zehnder, Esquire  
Vincent Falcone III, Esquire  
King Blackwell Zehnder, et al.  
25 East Pine Street  
Orlando, Florida 32801**

I HEREBY CERTIFY that on January 20, 2016, a true and correct copy of the foregoing document and the notice of electronic filing was sent by United States Mail to the following non-CM/ECF participants:

N/A

/s/ Wm. J. Sheppard  
ATTORNEY

Swp[brown.corrine, joint.stip, partial.dismiss