

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

RENE ROMO, an individual; BENJAMIN
WEAVER, an individual; *et. al.*,

Plaintiffs,

vs.

CASE NO. 2012-CA-00412

KEN DETZNER, in his official capacity
as Florida Secretary of States, PAMELA
JO BONDI, in her official capacity as
Attorney General,

Defendants.

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THE LEAGUE OF WOMEN VOTERS OF FLORIDA;
THE NATIONAL COUNCIL OF LA RAZA;
et al.,

Plaintiffs,

vs.

CASE NO. 2012-CA-00490

KEN DETZNER, in his official capacity
as Florida Secretary of State; THE FLORIDA SENATE;
et al.,

Defendants.

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LEON COUNTY FLORIDA

ORDER RESOLVING DISCOVERY MOTIONS

Before the Court are (i) “The Florida House of Representatives’ Motion to Compel Romo Plaintiffs to Produce Privilege-Log Documents,” filed November 29, 2012, (ii) “The Romo Plaintiffs’ Motion to Compel Materials Withheld By the Legislative Defendants On Grounds of Attorney-Client Privilege and Attorney Work Product,” filed October 29, 2012, and (iii) “The Florida House of Representatives’ Motion to Compel or, in the Alternative, Motion in Limine,” filed October 10, 2012. The Court having reviewed the motions, responses, and other pertinent

materials, having heard argument of counsel, and being otherwise fully informed, it is hereby ordered and adjudged as follows:

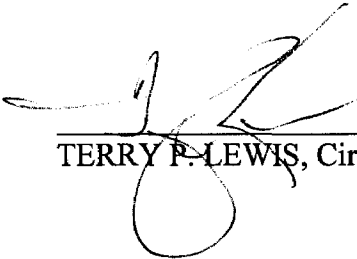
1. The Florida House of Representatives' Motion to Compel Romo Plaintiffs to Produce Privilege-Log Documents is DENIED.

2. The Romo Plaintiffs' Motion to Compel Materials Withheld By the Legislative Defendants On Grounds of Attorney-Client Privilege and Attorney Work Product, is GRANTED. The Court finds, under the circumstances of this case, that the Legislative Defendants have not met their burden to show that documents generated before the legislative enactment at issue was passed are privileged from disclosure. Therefore, no later than January 10, 2013, the Legislative Defendants shall produce all documents listed in their privilege logs that were created before February 9, 2012, and are identified with yellow highlighting in Exhibits A, B, and C of the Romo Plaintiffs' Motion to Compel. The Court further finds that the Legislative Defendants have not met their burden to show that documents generated for purposes of other litigation that has now concluded are privileged from disclosure. Therefore, no later than January 10, 2013, the Legislative Defendants shall produce all such documents listed in their privilege logs that were created for purposes of other litigation that has now concluded and are identified with yellow highlighting in Exhibits A, B, and C of the Romo Plaintiffs' Motion to Compel. The remaining yellow-highlighted documents in Exhibits A, B, and C of the Romo Plaintiffs' Motion to Compel contain insufficient descriptions for the Court to evaluate the assertions of privilege. Therefore, the Legislative Defendants shall submit such documents for *in camera* inspection no later than January 7, 2012.

3. The Florida House of Representatives' Motion to Compel or, in the Alternative, Motion in Limine is GRANTED IN PART AND DENIED IN PART. The Court finds that for

any alternative map the Plaintiffs have or intend to present, either in part or whole, as evidence in this case, Defendants are entitled to the discovery requested, including documents and information relating to the process by which alternative maps were prepared, identities of individuals who prepared them, and activities and communications concerning alternative maps. No later than January 10, 2013, consistent with this Order, Plaintiffs shall produce the documents addressed in the motion to compel, shall respond to the interrogatories addressed in the motion to compel, and shall respond to the request for admission addressed in the motion to compel. In all other respects, the motion is denied.

DONE AND ORDERED in Chambers at Tallahassee, Leon County, Florida, this 17 day of January, 2013.



TERRY P. LEWIS, Circuit Judge

Copies to: All Counsel of Record