

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

**COMMON CAUSE; LEAGUE OF WOMEN VOTERS  
OF FLORIDA, INC.; and LEAGUE OF UNITED LATIN  
AMERICAN CITIZENS,**

Plaintiffs,

**CASE NO: 2026 CA 000928**

vs.

**RON DESANTIS**, Florida Governor; **CORD BYRD**,  
Florida Secretary of State; **JAMES UTHMEIER**,  
Florida Attorney General; **DANIEL PEREZ**, Speaker  
of the Florida House; **BEN ALBRITTON**, President  
of the Florida Senate; **MIKE REDONDO**, Chair of  
the Florida House Select Committee on  
Congressional Redistricting; **KATHLEEN  
PASSIDOMO**, Florida Senate Committee on Rules  
Chair; **DON GAETZ**, Florida Senator; **JENNA  
PERSONS-MULICKA**, Florida Representative; the  
**FLORIDA HOUSE**; and the **FLORIDA SENATE**,

Defendants.

**PLAINTIFFS' MOTION FOR TEMPORARY INJUNCTION**

Pursuant to Florida Rule of Civil Procedure 1.610, Plaintiffs Common Cause, the League of Women Voters of Florida, and the League of United Latin American Citizens seek an order temporarily enjoining Defendants from implementing and enforcing the newly adopted 2026 Congressional Plan (the "Challenged Plan"), for the reasons set forth herein and in the memorandum of law filed concurrently with this motion and as supported by the attached exhibits.

On May 4, 2026, in the midst of an ongoing nationwide partisan redistricting war in which both Republicans and Democrats have sought to re-draw congressional redistricting maps in pursuit of maximum partisan advantage, the Challenged Plan was signed into law, substantially redrawing the state's congressional districts. *See* Pls.' Memo. Supp. Temporary Inj. Background.

The Challenged Plan blatantly disregards and runs roughshod over Article III, Section 20 of the Florida Constitution, an amendment which was adopted by Floridian voters in 2010 which unambiguously prohibits drawing congressional redistricting plans with partisan intent. *See* Pls.’ Memo. Supp. Temporary Inj. Background.

Plaintiffs are substantially likely to succeed on the merits of their claims that the Challenged Plan was drawn with intent to favor the Republican Party and disfavor the Democratic Party, justifying temporary injunctive relief here. Direct evidence in contemporaneous statements, and analysis of the Challenged Plan itself, provide overwhelming evidence of partisan intent. Partisan intent was admitted before and during the legislative process, including by the map drawer himself in statements to the legislature. The Challenged Plan itself is an extreme partisan outlier, performing significantly better for Republicans than ten million alternative plans generated algorithmically using the traditional Tier II redistricting criteria codified in Article III, Section 20 of the Florida Constitution. The partisan bias was orchestrated by disproportionately disrupting Democratic-held districts: whereas 82.73% of Floridians in Republican-held districts remained in the same district in the Challenged Plan as they were in the Benchmark Plan, only 41.35% of Floridians in Democratic-held districts remained in the same district.

In light of this blatant constitutional violation, Plaintiffs can also meet the remaining factors required for granting a temporary injunction. *See* Pls.’ Memo. Supp. Temporary Inj. Arg. §§ II–IV. Because their injuries result from the violation of the fundamental constitutional right to vote, Plaintiffs lack an adequate remedy at law and will suffer irreparable injury absent temporary injunctive relief. *See, e.g., Gainesville Woman Care, LLC v. State*, 210 So. 3d 1243, 1263–64 (Fla. 2017), *receded from on other grounds by Planned Parenthood of Sw. & Cent. Fla. v. State*, 384 So. 3d 67 (Fla. 2024); *League of Women Voters of N.C. v. North Carolina*, 769 F.3d 224, 247 (4th

Cir. 2014) (“Courts routinely deem restrictions on fundamental voting rights irreparable injury” because “once the election occurs, there can be no do-over and no redress.”). Likewise, Florida courts have repeatedly found that temporary injunctive relief is in the public interest once a plaintiff establishes that a law is likely to violate constitutional rights. *See, e.g., Gainesville Woman Care*, 210 So. 3d at 1264 (finding that it “would be specious to require . . . that the trial court make additional factual findings” that enjoining an unconstitutional law “would also be in the public interest”); *Green v. Alachua Cnty.*, 323 So. 3d 246, 254 (Fla. 1st DCA 2021) (reversing denial of temporary injunction when the law at issue infringed upon a constitutional right, observing that “enjoining the enforcement of a law encroaching a fundamental constitutional right presumptively ‘would serve the public interest’” (citing *Gainesville Woman Care*, 210 So. 3d at 1263–64)). That public interest is particularly pressing here, where the constitutional provisions that have been violated were themselves proposed and enacted by Floridian voters through the initiative petition process.

Plaintiffs therefore request that the Court temporarily enjoin implementation of the Challenged Plan, “reinstat[ing]” the 2022 Congressional Plan that was in effect previously. *See Byrd v. Black Voters Matter Capacity Building Institute*, 339 So. 3d 1070, 1079 (Fla. 1st DCA 2022).

Plaintiffs also request that the Court expedite its consideration of this motion, including the scheduling of any hearings, to ensure that an injunction may be in place in time for the upcoming candidate qualifying period in June and the primary elections in August. If these cases are consolidated, Plaintiffs respectfully request leave to participate in that hearing. Having filed their complaint on May 4—the same day Governor DeSantis signed the Challenged Plan into law—and this motion seven days later, Plaintiffs have diligently prosecuted this case and are

prepared to proceed on Friday. If the Court determines it cannot proceed on the instant Motion on Friday, Plaintiffs are prepared to proceed on any schedule the Court deems appropriate, whether together with or separate from any other motions for temporary injunction.

Plaintiffs also request that the Court, in determining the posting of bond as required by Florida Rule of Civil Procedure 1.610(b), set no more than a nominal bond, because Plaintiffs seek equitable relief to prevent blatant violations of the Florida Constitution and to protect the public interest. *See, e.g., Montville v. Mobile Med. Indus., Inc.*, 855 So. 2d 212, 215–16 (Fla. 4th DCA 2003) (recognizing the trial court’s discretion in setting the amount of an injunction bond); *Southards v. Motel Management Co.*, 567 So. 2d 523, 524 (Fla. 3d DCA 1990) (holding that equitable considerations supported imposition of only a nominal bond).<sup>1</sup> As time is of the essence, Plaintiffs ask that the Court impose the injunction bond at the same time as it grants their request for a temporary injunction.

**WHEREFORE**, Plaintiffs request that the Court temporarily enjoin implementation of the Challenged Plan, expedite consideration of this matter to ensure that a necessary remedy is timely adopted and that the 2026 congressional elections proceed under the prior 2022 map, and request no more than a nominal bond for injunctive relief.

### **CERTIFICATE OF GOOD FAITH CONFERRAL**

Pursuant to Section 2.3 of the Court’s Policies and Procedures, on May 8, 2026, Plaintiffs’ counsel—Matletha Bennette—conferred with counsel for the Defendants—Mohammad Jazil,

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<sup>1</sup> As of the time of filing, Plaintiffs have conferred with Defendants regarding waiver of bond. Defendant The Florida House of Representatives takes no position on the bond; Plaintiffs have not otherwise received agreement regarding waiver.

Daniel Nordby, and Andy Bardos—in a good faith effort to resolve the issues raised in this motion, and counsel have been unable to agree on the resolution of the motion.

Dated: May 11, 2026

Respectfully submitted by:

/s/ Jennifer Thelusma

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### **CERTIFICATE OF SERVICE**

I hereby certify that on May 11, 2026, I electronically filed the foregoing using the State of Florida ePortal Filing System, which will serve an electronic copy to counsel in the Service List below. I further certify that I have caused to be served, via Process Server, the foregoing on Defendants who have not yet made an appearance in this case.

*/s/ Jennifer Thelusma*

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