

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
CASE NO. 1:24-21983-CIVIL BECERRA/TORRES**

CUBANOS PA'LANTE, et al.,

Plaintiffs,

v.

FLORIDA HOUSE OF REPRESENTATIVES,
et al.,

Defendants.

**THE SECRETARY'S RESPONSES TO
PLAINTIFFS' FIRST REQUESTS FOR ADMISSION**

Secretary of State Cord Byrd responds to Plaintiffs' first requests for admission as follows:

Request No. 1: Admit that, in the development of each of the following, the State of Florida complied with the Florida Constitution's prohibition on drawing an apportionment plan or district with the intent to favor or disfavor a political party:

- a. The 2022 enacted House plan (Plan H000H8013).
- b. Districts 112, 113, 114, 115, 116, 118, and 119 in the 2022 enacted House plan (Plan H000H8013).
- c. The 2022 enacted congressional plan (Plan P000C0109).
- d. Districts 26, 27, and 28 in the 2022 enacted congressional plan (Plan P000C0109)

Response: For parts (c) and (d), admitted. For parts (a) and (b), the Secretary is unable to answer at this time, due to lack of knowledge; only the Florida Legislature is responsible for creating and passing state legislative district maps. Fla. Const. art. III, § 16.

Request No. 2: Admit that, in the development of each of the following, the State of Florida complied with the Florida Constitution's prohibition on drawing an apportionment plan or district with the intent to favor or disfavor an incumbent, with respect to the following:

- a. The 2022 enacted House plan (Plan H000H8013).
- b. Districts 112, 113, 114, 115, 116, 118, and 119 in the 2022 enacted House plan (Plan H000H8013).
- c. The 2022 enacted congressional plan (Plan P000C0109).

Response: For part (c), admitted. For parts (a) and (b), the Secretary is unable to answer at this time, due to lack of knowledge; only the Florida Legislature is responsible for creating and passing state legislative district maps. Fla. Const. art. III, § 16.

Request No. 3: Admit that retaining the “cores” of pre-existing districts, as described by the U.S. Supreme Court in *Alexander v. South Carolina State Conference of the NAACP*, 144 S. Ct. 1221, 1245 (2024) (citing *Allen v. Milligan*, 599 U.S. 1, 21 (2023)), was not a criterion utilized in the drawing of each of the following:

- a. The 2022 enacted House plan (Plan H000H8013).
- b. Districts 112, 113, 114, 115, 116, 118, and 119 in the 2022 enacted House plan (Plan H000H8013).
- c. The 2022 enacted congressional plan (Plan P000C0109).
- d. Districts 26, 27, and 28 in the 2022 enacted congressional plan (Plan P000C0109).

Response: The Secretary objects to this request as vague. Different advocates can interpret “cores” in the two Supreme Court cases differently. Without waiving the objection, for parts (c) and (d), denied. For parts (a) and (b), the Secretary is unable to answer at this time, due to lack of knowledge; only the Florida Legislature is responsible for creating and passing state legislative district maps. Fla. Const. art. III, § 16.

Request No. 4: Admit that, in the development of each of the following, the Florida House of Representatives complied with Article I, Section 24 of the Florida Constitution:

- a. The 2022 enacted House plan (Plan H000H8013).
- b. The 2022 enacted congressional plan (Plan P000C0109).

Response: The Secretary is unable to answer both parts (a) and (b) at this time, due to lack of knowledge. How the Florida House complies with article I, section 24 or Florida’s public records and meetings laws is solely up to the Florida House. The Secretary would have no need to conduct the analysis needed to answer this question, and upon conducting a reasonable inquiry—but without waiving executive privilege—the Secretary is unaware of such an analysis being conducted by the Department of State.

Request No. 5: Admit that, in the development of each of the following, the Florida Senate complied with Article I, Section 24 of the Florida Constitution:

- a. The 2022 enacted House plan (Plan H000H8013).
- b. The 2022 enacted congressional plan (Plan P000C0109).

Response: The Secretary is unable to answer both parts (a) and (b) due to lack of knowledge. How the Florida Senate complies with article I, section 24 or Florida’s public records and meetings laws is solely up to the Florida Senate. The Secretary would have no need to conduct the analysis needed to answer this question, and upon conducting a reasonable inquiry—but without waiving executive privilege—the Secretary is unaware of such an analysis being conducted by the Department of State.

Request No. 6: Admit that, in the development of the 2022 enacted congressional plan (Plan P000C0109), the Executive Office of the Governor complied with Article I, Section 24 of the Florida Constitution.

Response: To the best of the Secretary's knowledge, admitted that the Executive Office of the Governor adhered to article I, section 24.

Request No. 7: Admit that the boundary between Miami-Dade and Collier Counties is a political boundary.

Response: Admitted.

Dated: September 12, 2024

Respectfully submitted by,

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CERTIFICATE OF SERVICE

I certify that on September 12, 2024, this response was served to all counsel of record via email.

/s/ Mohammad O. Jazil