

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:24-cv-21983-JB

CUBANOS PA'LANTE, *et al.*,

Plaintiffs,

v.

FLORIDA HOUSE OF REPRESENTATIVES
and CORD BYRD, in his official capacity as
Florida Secretary of State,

Defendants.

**PLAINTIFF ENGAGE MIAMI'S SUPPLEMENTAL RESPONSES TO DEFENDANT
HOUSE OF REPRESENTATIVES' SECOND SET OF INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, and the Local Rules of the U.S. District Court for the Southern District of Florida ("Local Rules"), Plaintiff Engage Miami's ("Plaintiff" or "Engage Miami"), by and through its undersigned counsel, hereby supplements its November 18, 2024 responses and objections to Defendant House of Representatives Second Set of Interrogatories ("Interrogatories"), dated October 11, 2024. These responses and objections are made to the best of Plaintiff's present knowledge, information, and belief, and are provided without prejudice to Plaintiff's right to amend, clarify, and/or supplement these responses and objections at a later time for any reason.

PRELIMINARY STATEMENT

1. Plaintiff's counsel is prepared to meet and confer with the House's counsel about any disputes concerning the meaning, scope, and relevance of the House's Interrogatories or these Responses and Objections.

2. Each response below is on behalf of Engage Miami and no other entity or individual.

3. The following objections are made without waiving but, instead, preserving: (a) the right to raise all questions of, and to object to, the authenticity, competence, foundation, relevancy, materiality, privilege, and/or admissibility of any information or document provided or identified in response to the Interrogatories; (b) the right to object on any ground to the use or introduction into evidence of any information or any document in any subsequent proceeding or in the trial of this or any other action on any ground; and (c) the right to object on any ground at any time to additional discovery.

4. As of the date of this response, Plaintiff has not completed its discovery and investigation of the facts in this case, has not completed its review and production of relevant documents, and has not completed its preparation for summary judgment and, if necessary, trial. Accordingly, the responses and objections set forth below are based on information presently known and reasonably available to Plaintiff at this time after a diligent search and reasonable and good-faith inquiry. Plaintiff reserves the right to: (a) amend, alter, supplement, clarify, or otherwise modify these Responses and Objections; (b) make use of, or introduce at any hearing or trial, any documents, information, facts, evidence, and legal theories which are subsequently discovered or which are now known but whose relevance, significance, or applicability has not yet been ascertained; and (3) offer expert witness opinions or testimony on any relevant matter, which opinions or testimony may be at variance with these Responses and Objections or the documents and information referenced in these Responses and Objections or produced in response to the Requests.

5. The Responses and Objections set forth below shall not be construed as any admission that Plaintiff adopts or agrees with any definition, premise, characterization, or legal conclusion in any Interrogatories.

6. Any inadvertent disclosure of privileged or protected information or documents shall not be deemed a waiver of any privilege. The House shall notify Plaintiff of any inadvertently disclosed privileged or protected information or documents pursuant to Federal Rule of Civil Procedure 26(b)(5)(B) and/or any procedures for doing so in any orders governing discovery in this litigation. The House must not use any privileged or protected information or documents inadvertently disclosed. In addition, nothing herein is intended to be, or should be construed as, a waiver of any privilege.

7. Plaintiff objects to each of the House's Definitions, Instructions, and Interrogatories to the extent that they seek to impose on Plaintiff any obligations not required by the Federal Rules of Civil Procedure, the Local Rules of the United States District Court for the Southern District of Florida, any protocol governing the production of documents and/or information in this action, the orders of this Court, and/or any agreements of the parties with respect to document collection, search, and/or production.

RESPONSES AND OBJECTIONS

Plaintiff responds and objects to the House of Representatives' Interrogatories, as follows:

INTERROGATORY NO. 1: Describe how and what information about your decision to initiate this litigation was shared with your membership before you filed your initial complaint, including, for each communication, (i) the date of the communication, (ii) the means of communication, (iii) and the substance of the communication. If no information was shared with your membership about your decision to initiate this litigation, then state so.

RESPONSE TO INTERROGATORY NO. 1: Plaintiff objects to this Interrogatory because it is improperly compound and contains multiple subparts. Plaintiff responds as follows:

Engage Miami joined the litigation after consulting with the leadership of the Board of Directors, reviewing the case, and determining alignment with our organization's purpose. This included a discussion between Rebecca Pelham, Executive Director, and Aimee Ferrer, Board Chair, on September 7-8, 2023. Updated bylaws were in the process of final review and approval, including an updated member intake form in which new members affirm their commitment to supporting our organizational platform, the Young People's Priorities, including Democracy and Voting Rights. Members who are not part of the Board of Directors were not asked to vote on this specific litigation.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 1: Engage Miami joined the litigation after consulting with the leadership of the Board of Directors, reviewing the case, and determining alignment with our organization's purpose. This included a discussion between Rebecca Pelham, Executive Director, and Aimee Ferrer, Board Chair, on September 7-8, 2023. This discussion is referenced in CUBANOS-0000000308.

Engage Miami's decision to initiate this litigation, including the subject matter of the case and claims, was shared orally by Rebecca Pelham with the members of the Board of Directors during at least one Board of Directors meeting held on December 14, 2023; February 15, 2024; and/or April 25, 2024. During this time period, updated bylaws were in the process of final review and approval, including an updated member intake form in which new members affirm their commitment to supporting our organizational platform, the Young People's Priorities, including Democracy and Voting Rights. Board of Directors member Rachel Prestipino is a member of Engage Miami and participated in these meetings.

Additionally, information about the case and claims, including a memorandum written by counsel, was shared via email on September 6–7, 2023 with Yanelis Valdes, who was at the time an Engage Miami member and Engage Miami’s Director of Organizing and Advocacy. Engage Miami objects to disclosing the contents of these emails and the memorandum, which are protected by the attorney-client privilege.

INTERROGATORY NO. 2: If, before you made your decision to initiate this litigation, you consulted with your membership about that decision, then, for each such communication, state the date of the communication, the means of communication, and the substance of the communication. If you did not consult with your membership about the decision to initiate this litigation before filing your initial complaint, then state so.

RESPONSE TO INTERROGATORY NO. 2: Engage Miami joined the litigation after consulting with the leadership of the Board of Directors, reviewing the case and determining alignment with our organization’s purpose. Members who were not part of the Board of Directors were not asked to vote on this specific litigation.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2: Before Engage Miami made its decision to initiate this litigation, information about the case and claims, including a memorandum written by counsel, was shared via email on September 6–7, 2023 with Yanelis Valdes, who was at the time an Engage Miami member and Engage Miami’s Director of Organizing and Advocacy. Engage Miami objects to disclosing the contents of these emails and the memorandum, which are protected by the attorney-client privilege.

Membership was not otherwise consulted about the decision to initiate this litigation, prior to Engage Miami’s decision to initiate this litigation.

Dated: December 27, 2024

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**VERIFICATION TO PLAINTIFF ENGAGE MIAMI, INC.'S SUPPLEMENTAL
RESPONSES TO DEFENDANT'S SECOND SET OF INTERROGATORIES**

My name is Rebecca Pelham. I have read *Plaintiff Engage Miami, Inc.'s Supplemental Responses to Defendant House of Representatives' Second Set of Interrogatories* and know its contents. While I have relied on others to compile and prepare these responses, I am informed and believe that the matters stated therein are true and correct, and on that basis verify the responses on behalf of Engage Miami, Inc., reserving the right to, in the event new, additional, or different information is discovered, revise or supplement the responses as appropriate.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of December, 2024, at Miami, Florida.



Rebecca Pelham

CERTIFICATE OF SERVICE

I certify that I served the foregoing document on counsel for all parties by email on June 25, 2025.

/s/ Nicholas L.V. Warren

Nicholas L.V. Warren

Counsel for Plaintiffs