

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

RON DESANTIS, in his official capacity
as Governor of the State of Florida,
RICHARD CORCORAN, in his official
capacity as Florida Commissioner of
Education, FLORIDA DEPARTMENT
OF EDUCATION, and FLORIDA
BOARD OF EDUCATION,

DCA Case No. 1D20-2470
L.T. Case No.: 2020-CA-001450

Appellants/Defendants,

vs.

FLORIDA EDUCATION ASSOCIATION,
STEPHANIE BETH MILLER, LADARA
ROYAL, MINDY FESTGE, VICTORIA
DUBLINO-HENJES, ANDRES HENJES,
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
INC., AND NAACP FLORIDA STATE
CONFERENCE,

Appellees/Plaintiffs.

**RESPONSE TO SUGGESTION THAT ORDER BE CERTIFIED AS
REQUIRING IMMEDIATE RESOLUTION BY THE FLORIDA
SUPREME COURT**

Appellees/Plaintiffs, Florida Education Association, Stefanie Beth Miller,
Ladara Royal, Mindy Festge, Victoria Dublino-Henjes, Andres Henjes, National
Association for the Advancement of Colored People, Inc., and NAACP Florida
State Conference (collectively, "Plaintiffs") hereby respond and agree to the
Suggestion that Order be Certified as Requiring Immediate Resolution by the

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Florida Supreme Court (the “Suggestion”) filed by Appellants/Defendants Ron DeSantis, in his Official Capacity as Governor of the State of Florida, Richard Corcoran, in his Official Capacity as Florida Commissioner of Education, Florida Department of Education, and Florida Board of Education (collectively, “Defendants”). The Suggestion should be granted.

Plaintiffs agree that this matter should be certified as requiring immediate resolution by the Florida Supreme Court because the Order has statewide effect on the public school system, teachers and parents, and a prompt, authoritative resolution by the Supreme Court is needed. Fla. R. App. P. 9.125(e).

While agreeing to Certification under Rule 9.125, Plaintiffs disagree that the Suggestion (a) accurately states the facts of the case (which come to this Court after an evidentiary hearing), or (b) accurately states the content of the trial court’s Order. Because Plaintiffs agree that the Suggestion should be granted, no useful purpose would be served by including in this Response a detailed factual reply to the erroneous statements in the Suggestion.

For purposes of this Response, Plaintiffs simply note their disagreement and reserve the right to respond to Appellants’ version of the facts and legal analysis elsewhere in these proceedings.

WHEREFORE, Plaintiffs agree that the Suggestion should be granted.

Respectfully submitted,

/s/ Katherine E. Giddings

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this 28th day of August 2020 that a true and correct copy of the foregoing has been furnished by E-Mail to all parties below.

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