

IN THE
Supreme Court of Florida

Case No. 2448

RONALD TAYLOR and JOHN and JANE
DOES 1-NNN,

Plaintiffs/Appellants,

1st DCA Case No. 1D00-4829

v.

FROM THE CIRCUIT COURT, SECOND
JUDICIAL CIRCUIT IN AND FOR LEON COUNTY,
FLORIDA CASE NO: CV-00-2850

THE MARTIN COUNTY CANVASSING
BOARD, PEGGY S. ROBBINS, THE
HONORABLE STEWART HERSHEY,
MARSHALL WILCOX, THE FLORIDA
REPUBLICAN PARTY, TOM HAUCK,
GEORGE W. BUSH, RICHARD
CHENEY, THE STATE OF FLORIDA
ELECTION CANVASSING
COMMISSION and KATHERINE
HARRIS,

Defendants/Appellees.

**PETITIONERS' MOTION FOR LEAVE TO FILE
SUPPLEMENT TO INTIAL BRIEF**

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The Plaintiffs, Ronald Taylor and John and Jane Does 1-NNN, file this Motion for Leave to File Supplement to Initial Brief and in support thereof state the following:

1. This Court entered a Scheduling Order by which the parties' briefs were to be submitted by 9:00 a.m. on December 11, 2000. Petitioners have submitted their Initial Brief in a timely manner. However, undersigned counsel, who represents Taylor, and, in addition, Plaintiffs John and Jane Does 1-NNN, who represent similarly situated voters in Martin County, Florida, have just realized that a critical argument was omitted from the brief submitted to this Court. As such, undersigned seeks leave of Court to submit this very short supplement to the Initial Brief in which argument is made as to one aspect of the issues on appeal, specifically the application and interpretation of this Court's decision in *Boardman v. Estava*, 323 So.2d 259 (Fla. 1976).

2. Undersigned respectfully submits that the submission of this Brief will assist the Court in understanding the applicable legal standards and the appropriateness of the judgment entered by the lower court. In addition, submission of this very brief supplement will not prejudice the parties in any way in that the *Boardman* case is discussed by both parties in their briefs, it was the subject of much discussion and argument below, and nothing prejudicial is presented in the supplement. Moreover, undersigned would respectfully point out that this Court permitted George W. Bush and Richard Cheney to submit an Amended Brief in Case No. SC 00-2431. Rather than submitting an Amended Brief, with all the additional pages duplicated and expenses and charges incurred therefor, undersigned has instead submitted this very brief supplement (6 pages, excluding tables) for the Court's review.

3. Undersigned apologizes to the Court for any inconvenience this may have caused and thanks the Court for any indulgence it sees fit in granting.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished by fax and mail delivery this _____ day of December, 2000.

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