

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

THE LEAGUE OF WOMEN VOTERS OF FLORIDA;
COMMON CAUSE; JOAN ERWIN; ROLAND
SANCHEZ-MEDINA, JR.; J. STEELE OLMSTEAD
CHARLES PETERS; OLIVER D. FINNIGAN;
SERENA CATHERINA BALDACCHINO; AND
DUDLEY BATES,

PLAINTIFFS,

v.

KENNETH W. DETZNER, in his official
capacity as Florida Secretary of State; THE
FLORIDA SENATE; ANDY GARDINER,
in his official capacity as President of the
Florida State Senate; THE FLORIDA HOUSE OF
REPRESENTATIVES; and STEVE CRISAFULLI, in
his official capacity as Speaker of the Florida
House of Representatives,

DEFENDANTS.

CASE No.: 2012-CA-2842

**PLAINTIFFS' NOTICE OF FILING AND SERVICE (.doj) OF
PROPOSED ALTERNATIVE REMEDIAL SENATE PLANS**

The League of Women Voters of Florida, Common Cause, Joan Erwin, Roland Sanchez-Medina, Jr., J. Steele Olmstead, Charles Peters, Oliver D. Finnigan, Serena Catherina Baldacchino, and Dudley Bates (collectively "Plaintiffs"), hereby give notice of the filing and service (in native .doj format) of their Alternative Remedial Senate Plans (CPS-2a, CPS-2b, CPS-3a, CPS-3b, CPS-4a, and CPS-4b), and disclose the individuals who were involved in drawing, reviewing, directing, or approving the Alternative Senate Remedial Plans, as follows:

Plaintiffs' proposed remedial Senate plan **CPS-2a** includes a fourth Hispanic district in South Florida (District 38) and a performing African-American district in Hillsborough County that does not cross Tampa Bay into Pinellas (District 19).

Plaintiffs' proposed remedial Senate plan **CPS-2b** is identical to CPS-2, except in regard to Districts 36 and 38. CPS-2b is presented merely to show an alternative configuration of districts in Miami-Dade county that has three Hispanic-performing districts (Districts 35, 36, and 37), that is superior to House Plan 9079 and Senate Plan 9124 on tier-two criteria, and that does not suffer from the tier-one infirmity of favoring a political party or incumbents.

Plaintiffs' proposed remedial Senate plan **CPS-3a** includes the fourth Hispanic district in South Florida (SD38) found in CPS-2a. CPS-3a, however, has an African-American performing version of District 19 that (unlike District 19 in CPS-2a and CPS-2b) crosses Tampa Bay from Hillsborough County into Pinellas County.

Plaintiffs' proposed remedial Senate plan **CPS-3b** is identical to CPS-3a, except in regard to Districts 36 and 38. Just as with CPS-2b, CPS-3b is presented merely to show an alternative configuration of districts in Miami-Dade county that has three Hispanic-performing districts (Districts 35, 36, and 37), that is superior to House Plan 9079 and Senate Plan 9124 on tier-two criteria, and that does not suffer from the tier-one infirmity of favoring a political party or incumbents.

Plaintiffs' proposed remedial Senate plan **CPS-4a** has the same African-American performing version of District 19 (crossing Tampa Bay from Hillsborough into Pinellas) as found in CPS-3a, and includes the fourth Hispanic district in South Florida (District 38) found in CPS-2a.

Plaintiffs' proposed remedial Senate plan **CPS-4b** is identical to CPS-4a, except in regard to Districts 36 and 38. Just as with CPS-2b and CPS-3b, CPS-4b is presented merely to show an alternative configuration of districts in Miami-Dade county that has three Hispanic-performing districts (Districts 35, 36, and 37), that is superior to House Plan 9079 and Senate Plan 9124 on

tier-two criteria, and that does not suffer from the tier-one infirmity of favoring a political party or incumbents.

Plaintiffs' Alternative Remedial Senate Plans CPS-2a, CPS-2b, CPS-3a, CPS-3b, CPS-4a, and CPS-4b were drawn by John O'Neill, a mapping and GIS expert, who lives in Los Angeles, CA and serves as an independent contractor for Strategic Telemetry, located in Washington D.C. Mr. O'Neill drew the Alternative Remedial Senate Plans in coordination with, and at the direction of, Fritz S. Wermuth of King, Blackwell, Zehnder & Wermuth, P.A., legal counsel for Plaintiffs. David B. King, Thomas A. Zehnder, and Vincent Falcone, III of King, Blackwell, Zehnder & Wermuth, P.A. reviewed and provided additional, albeit limited, direction in the drawing process. Allan J. Lichtman, Ph.D., a Distinguished Professor at American University, reviewed, assessed, and analyzed the minority districts in the Alternative Remedial Senate Plans, as will be reflected in his forthcoming Expert Report. Once CPS-2a, CPS-3a, and CPS-4a were each complete, they were reviewed and approved by Pamela Goodman, President of the LOWV; and Peter Butzin, Volunteer State Chair (Florida) of Common Cause; and Attorney Ellen Freidin, legal advisor for the League of Women Voters of Florida and Common Cause.

Dated: November 18, 2015

Respectfully Submitted,

/s/David B. King

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 18, 2015 I filed the foregoing using the State of Florida ePortal Filing System, which will serve a copy by email on all counsel listed on the Service List below.

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