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

Case No. 24-cv-21983-JB

CUBANOS PA'LANTE, *et al.*,

Plaintiffs,

v.

FLORIDA HOUSE OF REPRESENTATIVES, *et al.*,

Defendants.
_____/

PLAINTIFFS' RESPONSE TO HOUSE'S NOTICE OF SUPPLEMENTAL AUTHORITY

The House filed notices of supplemental authority (ECF Nos. 217, 220) attaching orders from state-court litigation over Florida's new congressional plan ("2026 Plan"): the trial court order declining to grant the "extraordinary and drastic remedy" of a temporary injunction, the First DCA's order declining to certify the appeal of the TI denial as requiring immediate resolution by the Florida Supreme Court, and the Supreme Court's denial of a writ of all writs in a separately filed action.

Plaintiffs note that, as argued in their supplemental brief, if the 2026 Plan is enjoined after trial, the 2022 Plan *will* come back into force. HB 1-D amends the statute that defines Florida's congressional districts, repealing and replacing the 2022 Plan's district definitions. HB 1-D, § 1. Resultingly, if HB 1-D is enjoined after trial, the 2022 Plan will go back into effect. Of course, the Legislature remains free to legislate in this area at any time if it so chooses. But the fact remains: there is a "reasonable expectation" the 2026 Plan will be enjoined and the challenged racial classification will be reinstated. The Court should follow the House's suggestion and hold the congressional claim in abeyance until the state-court litigation resolves.

Respectfully submitted June 22, 2026,

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