

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

COMMON CAUSE FLORIDA, et al.,

*Plaintiffs,*

v.

Case No.: 4:22-cv-109-AW/MAF

CORD BYRD, in his official capacity as  
Florida Secretary of State,

*Defendant.*

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**NOTICE OF FILING**

Consistent with the colloquy with the undersigned during the May 15, 2023 hearing, non-parties Governor DeSantis, Ryan Newman, and J. Alex Kelly file the *Black Voters Matter v. Byrd*, 2022-ca-666 (Fla. 2d Jud. Cir. 2022), stipulation of parties that followed Judge Marsh's order laying out the parameters of any deposition of Mr. Kelly.

Dated: May 15, 2023

Respectfully submitted,

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Newman, and Mr. Kelly*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2023, I electronically filed the foregoing with the Clerk of Court by using CM/ECF, which automatically serves all counsel of record for the parties who have appeared.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

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

Black Voters Mater Capacity  
Building Institute, Inc., *et al.*,

Plaintiffs,

Case No. 2022-ca-000666

v.

Cord Byrd, in his official capacity as  
Florida's Secretary of State, *et. al.*,

Defendants.

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**STIPULATION OF PARTIES AND JOINT MOTION TO EXTEND  
DEADLINES IN COURT'S OCTOBER 27, 2022 ORDER**

On October 27, 2022, this Court issued an Order on Governor and J. Alex Kelly's Motion to Quash and for Protection from Subpoena Duces Tecum for Deposition. After the issuance of the order, counsel for the Governor, Mr. Kelly, and Plaintiffs conferred to resolve issues, where possible, and avoid appeals that might delay the proceedings. These discussions have yielded the following stipulation:

- As it relates to the Executive Office of the Governor, Plaintiffs will *only* seek the deposition of two individuals working on behalf of the Executive Office of the Governor: (1) Deputy Chief of Staff J. Alex Kelly, and (2) outside consultant Adam Foltz. None of the signatories to this Stipulation objects to these depositions taking place, provided

that the depositions of these two map drawers will proceed consistent with the parameters provided in this Court's October 27, 2022 Order, i.e., the parameters applicable to Mr. Kelly will also apply to Mr. Foltz. Appropriate work-product objections can be raised in Mr. Foltz's depositions, which this Court may resolve. Stated differently, the Governor, his Chief of Staff, his General Counsel, his Deputy General Counsel, his outside counsel, and the other members of his staff will not be set for deposition.

- Plaintiffs will withdraw requests for production 1, 8, and 9 directed at the Executive Office of the Governor and Mr. Kelly.
- The Governor and Mr. Kelly will not appeal this Court's October 27, 2022 Order.

To further this stipulation, the Governor, Mr. Kelly, and Plaintiffs ask that this Court extend to December 8, 2022 the deadline by which the Executive Office of the Governor and Mr. Kelly must submit documents to this Court for *in camera* review. This ten-day extension should allow counsel to review relevant documents and exclude those responsive only to requests 1, 8, and 9 in the Plaintiffs' request for production of documents.

Dated: November 28, 2022

Respectfully Submitted By:

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal, on this 28th day of November, 2022.

/s/ Mohammad O. Jazil  
Attorney