

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

NETCHOICE, LLC d/b/a NETCHOICE, a
501(c)(6) District of Columbia organization; and
COMPUTER & COMMUNICATIONS
INDUSTRY ASSOCIATION d/b/a CCIA, a
501(c)(6) non-stock Virginia corporation,

**Civil Action No.
4:21-cv-00220-RH-MAF**

Plaintiffs,

v.

ASHLEY BROOKE MOODY, in her official
capacity as Attorney General of the State of
Florida; JONI ALEXIS POITIER, in her official
capacity as Commissioner of the Florida Elections
Commission; JASON TODD ALLEN, in his
official capacity as Commissioner of the Florida
Elections Commission; JOHN MARTIN HAYES,
in his official capacity as Commissioner of the
Florida Elections Commission; KYMBERLEE
CURRY SMITH, in her official capacity as
Commissioner of the Florida Elections
Commission; and PATRICK GILLESPIE, in his
official capacity as Deputy Secretary of Business
Operations of the Florida Department of
Management Services,

Defendants.

JOINT MOTION TO CONTINUE STAY OF CASE

Pursuant to Local Rule 7.1, the Parties jointly and respectfully request that the Court stay the proceedings in this case pending efforts by the parties to obtain further review of the decision recently issued by the United States Court of Appeals for the Eleventh Circuit. In support thereof, the Parties state as follows:

1. On June 30, 2021, this Court entered a Preliminary Injunction (ECF No. 113) enjoining enforcement of sections 106.072 and 501.2041, Florida Statutes.

2. Defendants appealed the Preliminary Injunction and on August 25, 2021, the Court entered an Order Staying Proceedings (ECF No. 129) until the Eleventh Circuit handed down its decision on the appeal.

3. On May 23, 2022, a panel of the Eleventh Circuit issued its opinion affirming in part, and vacating and remanding in part, the Preliminary Injunction. *See*, ECF No. 131.

4. On May 26, 2022, this Court issued its Order For Additional 26(f) Attorney Conference (ECF No. 130). Pursuant to that Order, on June 13, 2022, counsel for the Parties met by telephone, at which time the Parties confirmed their shared view that this case warrants further review in the United States Supreme Court. The parties further agreed that they will file a joint motion in the Eleventh Circuit to stay issuance of the mandate by that Court pending Supreme Court review. And the parties agreed that the most efficient course (for many of the same reasons stated by the Court in ECF No. 129) would be to request a stay of further proceedings

in this case at the District Court pending the Supreme Court's disposition of the parties' anticipated petition(s) for a writ of certiorari.

WHEREFORE, the Parties jointly and respectfully request that the Court stay further proceedings in this case until the Supreme Court disposes of the forthcoming petition(s) for a writ of certiorari and the mandate issues from the Eleventh Circuit.

Respectfully submitted,

/s/ Douglas L. Kilby

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LOCAL RULE 7.1(F) CERTIFICATION

Counsel for Plaintiff Computer & Communications Industry Association certifies that this motion contains 319 words.

CERTIFICATE OF SERVICE

Counsel certifies that the foregoing document was electronically served on all counsel of record via the CM/ECF system on this 16th day of June, 2022.

Respectfully submitted,

/s/ Douglas L. Kilby