

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

**CONGRESSWOMAN CORRINE BROWN,
JOHNNY BROWN, THEODORE BROWN,
MARY LAWSON BROWN, MARY L. GEORGE,
CRYSTAL R. BROWN, JUSTIN CAMPBELL,
FERRILL HILL, MARGIE KELLY CODY,
JOSEPHINE HALL, SANDRA JACKSON,
MAMIE JACKSON, WILFRED W. REDDICK,
JR., SHANTEZ ROBINSON, CARRIE DAVIS,
JEAN REDDICK, ALVIN SHEPARD, CURTIS
WALKER, PHYLLIS JOHNSON, JEROME
BROWN, JOANN M. BROWN, HAZEL D. GILLIS,
ANTONIA G. BRYANT, EULIE B. JOHNSON,
LAVONNE P. MITCHELL, DARRYL MACK,
ANTHONY MACK, DORETHA MACK, CONSTANCE
S. HALL, SHAKUR ALI, MICHAEL ASHLEY,
LAWRENCE AVERBECK, ANITA BAILEY, LEON
BERRIER, DANIEL L. COLE, JASMINE CROMWELL,
TRICIA DUNLAP, LA' DAISHA EVANS, JAMES
FREEMAN, RUSSELL T. GASKIN, CLARETHA S.
HICKS, TEVIN HENDERSON, MITZI HUTCHINSON,
ANGELIQUE MATTHEWS, ANNA MCLAUGHLIN,
EDWIN MERRITT, LILLIE P. POWELL, TAURICE
RICKS, DEVIN ROBERTS, CARY P. ROBINSON,
ALEXANDRA SAFFICE, SHAKA SHABAZZ, FELICIA
SMITH, RICHARD ALAN SPAULDING, WILLIE
THOMAS, TEAONNDA THOMPSON, RODERIC
TURNER, MARY S. ADAMS, JOY GREGORY, WILBERT
GREGORY, CARLOTTA L. GUYTON, LUELLA
MCQUEEN, DOROTHY M. OLIVER, JACOBY
PITTMAN, BARON RIVERS, KIMBERLY RIVERS,
ANMENIA SHAHAB, NEEMA YA NATHIERI,
MELVIN A. PHILPOT, VELMA WILLIAMS,
BEVERLYE COLSON NEAL, TYRONE FIELDS,
GLORIA R. GREEN, MAXINE S. HIXON, REBECCA
JOHNSON, NEVA SPANN-KIRKLAND, SUSIE L.
JOHNSON HARRIS, EDDIE L. JAMES, BENTLEY
M. CAREY, DWYCE L. ROSS, KENNETH WALKER,
TIFFANY WARE, VANESSA WILLIAMS, CHARITA FINCH,
LAVENIA MAY, DR. ROLOUS A. FRAZIER, JR., DOROTHY
FLUITT, SHEILA B. SMITH, CLARISE REDDICK, DAISY
BALES, CONSTANCE BANGO, DELORIS R. SHEPHERD,**

Case No.: 4:15-cv-00398-MW-CAS

**VERNON MCQUEEN, HERBERT WILLIAMS JR.,
ROD ZEIGLER, ROYCE FLAGLER, MABLE BUTLER,
JEAN CAMPBELL, WILLIE CAMPBELL, ELLA MAE
CAMPBELL, KALEIGH CAMPBELL, MIA CAMPBELL,
WALTER DULES WILLIAMS, LULA COOKS WILLIAMS,
ROBERTA WILLIAMS, DANIEL J. WILLIAMS, IDA M.
CARSON, JUANITA SANDERS, CHERYLL DANIELS, EDDIE
A. BENN, RICH SLEET, MARIA T. BARNES, ALLEN WIGGINS,
HENRIETTA J. TICE, JASMINE MCKAY, LATOYA DAVIS,
AND LULA DAVIS,**

Plaintiffs,

vs.

**KEN DETZNER, in his official capacity as
Secretary of State of the State of Florida,
THE FLORIDA SENATE and THE
FLORIDA HOUSE OF REPRESENTATIVES,**

Defendants.

JOINT STIPULATION OF PARTIAL DISMISSAL

Plaintiffs, by and through undersigned counsel, hereby provide notice of voluntary dismissal, without prejudice, of their state law claims (Counts III and IV).

1. On December 29, 2015, Plaintiffs filed a Motion for Leave to File First Amended Verified Complaint. Doc. 34.

2. Counts III and IV of Plaintiff's Amended Complaint alleged two state law claims for violations of Article III, § 20 of the Florida Constitution against all defendants, including Defendant Detzner. Doc. 34-1 at 23–24.

3. On January 13, 2016, this Court entered its Order granting in Part Plaintiff's Motion to amend its complaint. Doc. 47.

4. The Order specifically requested that Plaintiffs address the issue of whether the Eleventh Amendment permitted suit against Defendant Detzner in this Court for state law claims

in light of the Supreme Court's decision in *Pennhurst State School & Hosp. v. Halderman*, 465 U.S. 89 (1984). *Id.* at 6; Doc. 46 at 2.

5. Plaintiffs now seek to voluntarily dismiss Counts III and IV of Plaintiff's Amended Complaint.

6. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, an action may be dismissed without order of court by filing a stipulation of dismissal signed by all parties who have appeared in the action.

7. All parties who have appeared in this action have stipulated to the dismissal of these claims.

WHEREFORE, the parties pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), hereby stipulate that claims III and IV of Plaintiff's Amended Complaint be dismissed without prejudice, the parties to bear their respective costs, including any possible attorney fees or other expenses of the litigation.

Respectfully submitted,

/s/ Wm. J. Sheppard

Counsel for Plaintiff, Corrine Brown

/s/ David A. Fugett

Counsel for Defendant, Ken Detzner

/s/ Raoul G. Cantero

Counsel for Defendant, Florida Senate

/s/ Andy Bardos
Counsel for Defendant, Florida House of Representatives

/s/ Thomas A. Zehnder
Counsel for Intervenors

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 20, 2016, I electronically filed the foregoing with the Clerk of the Court by using CM/ECF System which will send a notice of electronic filing to the following:

**Adam S. Tanenbaum, Esquire
General Counsel
Florida Department of State
500 South Bronough Street, Suite 100
Tallahassee, Florida 32399-0250**

**David A. Fugett, Esquire
Assistant General Counsel
Florida Department of State
500 South Bronough Street, Suite 100
Tallahassee, Florida 32399-0250**

**Jason N. Zakia, Esquire
Jesse L. Green, Esquire
Raoul G. Cantero, Esquire
Wachovia Financial Center
Suite 4900
200 South Biscayne Boulevard
Miami, Florida 33131**

**Andy V. Bardos, Esquire
Gray Robinson, P.A.
301 South Bronough Street, Suite 600
Tallahassee, Florida 32301**

**David B. King, Esquire
Thomas A. Zehnder, Esquire
Vincent Falcone III, Esquire
King Blackwell Zehnder, et al.
25 East Pine Street
Orlando, Florida 32801**

I HEREBY CERTIFY that on January 20, 2016, a true and correct copy of the foregoing document and the notice of electronic filing was sent by United States Mail to the following non-CM/ECF participants:

N/A

/s/ Wm. J. Sheppard
ATTORNEY

Swp[brown.corrine, joint.stip, partial.dismiss]