

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

DELANEY REYNOLDS; et al.,

Plaintiffs,

v.

CASE NO.: 2018-CA-000819

THE STATE OF FLORIDA; RON DESANTIS,
in his official capacity as Governor of the
State of Florida; et al.,

Defendants.

MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF

The organizations Reef Relief (“RR”), The Izaak Walton League of America Florida Keys Chapter (“IWLFK”), and The League of Women Voters of Florida (“LWV”) (together, the “Interested Parties”), by and through undersigned counsel, request leave of this Court to appear as Amici Curiae and file a brief that supplements the Plaintiffs’ claims in this case. As there is no Florida Rule of Civil Procedure providing for the filing of Amicus Curiae briefs at this stage, and as this matter has been deemed a “Case of Statewide Interest” by the Leon County Clerk of Court, the Interested Parties respectfully request that this Court exercise its discretion to allow the submittal of an Amicus Curiae brief. In support, the Interested Parties state:

1. RR is a Florida non-profit corporation.
2. IWLFK is a Florida Keys-based affiliate of The Izaak Walton League of America, a foreign non-profit corporation.
3. LWV is a Florida non-profit corporation and the Florida Chapter of the League of Women Voters.
4. RR, IWLFK, and LWV seek to file a Brief of Amici Curiae (“Brief”) with this Court in support of the Plaintiffs in the above-captioned matter.
5. RR, IWLFK, and LWV request such leave on behalf of their members, who are residents of the State of Florida and stakeholders in the outcome of this case.
6. RR, IWLFK, and LWV are all non-profit, membership-based organizations in Florida: RR and IWLFK are located in the Florida Keys, and LWV is a statewide organization with twenty-nine chapters from the Lower Keys to the Pensacola Bay Area. The Interested Parties have a clear and compelling interest in protecting the environment and natural resources of the State for their future members.
7. RR and IWLFK are environmental conservation organizations that, through robust programming, educate the public about the essential role of marine ecosystems in sustaining Florida’s economy. RR specifically stewards the health of Key West coral reefs in its management of Key West Marine Park. Both groups were founded to engage their members and the broader public in the preservation, use, and enjoyment of Florida’s unique coastal environs.

8. LWV is a non-partisan advocacy organization that engages its members in issue-specific policy change. Its priorities include expanding renewable energy use in Florida and the preservation of natural resources. LWV members are Floridians passionate about conserving the State's environmental assets for generations to come, and who dedicate their time, energy, and resources to that end.

9. The Brief supports the Plaintiffs and accordingly, addresses why this Court should grant the relief requested.

10. The Interested Parties will assist this Court in its disposition of this matter by explaining the devastating impacts of global warming on Florida's coral reefs, marine estuaries, and mangrove forests.

11. A presentation of facts regarding the connection between Florida's economy and coral reefs, mangrove forests, and marine estuaries is provided.

12. Evidence in support of the allegation that Defendants' actions exacerbate the harm caused by global warming is also provided.

13. The Interested Parties seek to inform the Court as to how the result Defendants seek would endanger and ultimately cause the destruction of the environmental resources the Interested Parties depend on for their enjoyment and fundamental existence.

14. Counsel for Defendants the State of Florida, the Office of the Governor, the Department of Agriculture and Consumer Services, the Public Service Commission,

the Department of Environmental Protection, and the Board of Trustees of the Internal Improvement Trust were contacted regarding the Interested Parties' request to file an Amicus Curiae brief in this matter. Counsel for each Defendant responded with no objection to same.

15. Counsel for RR has contacted IWLFK and LWV and is authorized to represent that IWLFK and LWV join in this motion.

16. If granted leave to file, the Interested Parties will serve a Consolidated Amici Curiae Brief within the timeframe ordered by this Court.

WHEREFORE, RR, IWLFK and LWV respectfully request that this Court grant them leave to file a Consolidated Amici Curiae Brief, with permission to be served within ten (10) days of the filing of Plaintiffs' Response to Defendants' Motion to Dismiss the Amended Complaint.

Respectfully submitted this 7th day of March, 2019.

/s/ Rachel Streitfeld

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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail to the parties listed on the attached Service List on this 7th day of March, 2019.

/s/ Rachel Streitfeld

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CERTIFICATE OF COMPLIANCE

I **FURTHER CERTIFY** that this motion is typed in 14-point Times New Roman font, in compliance with the font requirements of Fla. R. App. P. 9.100(I) and 9.210(a)(2).

/s/ Rachel Streitfeld

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