

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

DELANEY REYNOLDS; LEVI D., by and
through his natural guardian and mother
Leigh Ann Draheim; ISAAC A., by and through
his natural guardian and mother, Janet Ray Augspurg;
JOSE ("Andres") P., by and through his natural
guardian and mother, Valerie Jean Phillips;
LUSHIA ("Luxha") P., by and through her guardian
and mother; Valerie Jean Phillips; OLIVER C., by and
through his natural guardian and mother, Emily Chamblin;
VALHOLLY F., by and through her natural guardian
and mother, Rhonda Roff; and OSCAR PSYCHAS,

Plaintiffs,

v.

CASE NO.: 2018-CA-000819

THE STATE OF FLORIDA; RON DESANTIS, in his
official capacity as Governor of the State of Florida; the
FLORIDA DEPARTMENT OF ENVIRONMENTAL
PROTECTION; by and through NOAH VALENSTEIN,
in his capacity as Secretary of the Florida Department of
Environmental Protection; the FLORIDA DEPARTMENT
OF AGRICULTURE AND CONSUMER SERVICES; by
and through NICOLE FRIED, in her capacity as
Commissioner of the Florida Department of Agriculture
and Consumer Services; the FLORIDA BOARD OF
TRUSTEES OF INTERNAL IMPROVEMENT TRUST
FUND; and the PUBLIC SERVICE COMMISSION,

Defendants.

ORDER AUTHORIZING SUPPLEMENTAL PLEADING

This action came before the Court on this 6 day of January 2020, on the motion of
Plaintiffs to supplement the first amended complaint or in the alternative to take judicial notice.
The parties have agreed on the form of an order to resolve the motion. Having reviewed the motion
and otherwise being duly advised in the premises, it is hereby ORDERED and ADJUDGED that

the motion to supplement is granted. The proposed Supplemental First Amended Complaint, filed on October 16, 2019, is accepted and deemed filed as the Plaintiffs' operative pleading. Consistent with rule 1.190(d), Florida Rules of Civil Procedure, Defendants are not required to submit a pleading or response to the Supplemental First Amended Complaint. Instead, the pending motions to dismiss will be deemed to stand over in response to the Supplemental First Amended Complaint and the Plaintiffs may file a supplemental memorandum of law in opposition to the pending motions to dismiss no later than January 15 2020. The Defendants may file a reply memorandum (which may address both the Plaintiff's filed memorandum in opposition to the motions, together with any materials addressed in Plaintiffs' supplemental memorandum) within ten days of service of the Plaintiffs' supplemental memorandum. Thereafter, the Court will consider the pending motions to dismiss. The alternative motion for judicial notice is denied without prejudice.

DONE and ORDERED this 6 day of January 2020.



KEVIN J. CARROLL
Circuit Judge