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**STATE OF FLORIDA**

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February 12, 2010

Honorable Frank E. Sheffield  
Circuit Judge, Second Judicial Circuit  
Leon County Courthouse, Room 365-I  
301 South Monroe Street  
Tallahassee, Florida 32301

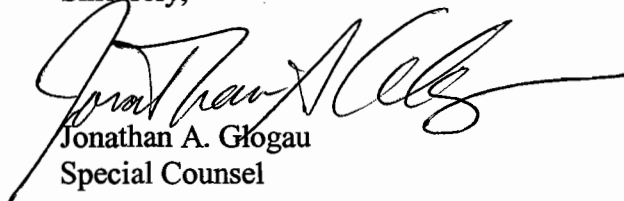
**Re: City of Weston, et al. v. The Honorable Charlie Crist, Case No. 09-CA-263**

Dear Judge Sheffield:

Enclosed please find a courtesy copy of the Notice and Motion Pursuant to § 11.111, Fla. Stat., filed today. Also enclosed is a proposed order for the court.

Thank you for your attention to this matter.

Sincerely,

  
Jonathan A. Glogau  
Special Counsel

copies to:  
Jamie A. Cole  
Susan L. Trevarthen  
Edward G. Guedes  
John J. Quick

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

CITY OF WESTON, FLORIDA, et al.,

Plaintiffs,

v.

Case No. 09-CA-2639

THE HONORABLE CHARLIE CRIST,  
Governor of the State of Florida;  
HONORABLE KURT S. BROWNING,  
Secretary of State, State of Florida; THE  
HONORABLE JEFF ATWATER,  
President of the Senate, State of Florida;  
and THE HONORABLE LARRY  
CRETUL, Speaker of the House, State of  
Florida,

Defendants.

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DEFENDANTS NOTICE AND MOTION  
PURSUANT TO § 11.111, FLA. STAT.

PLEASE TAKE NOTICE that Defendants, Cretul and Atwater, hereby  
invoke the provisions of § 11.111, Fla. Stat., and that this cause should stand  
continued until May 17, 2010, or such other date that is 15 days subsequent to the  
conclusion of the 2010 Regular Session of the Florida Legislature. Section 11.111,  
Fla. Stat., provides in pertinent part:

Any proceeding before any court, municipality, or  
agency of government of this state shall stand continued,  
without the continuance being charged against any party,  
during any session of the Legislature and for a period of

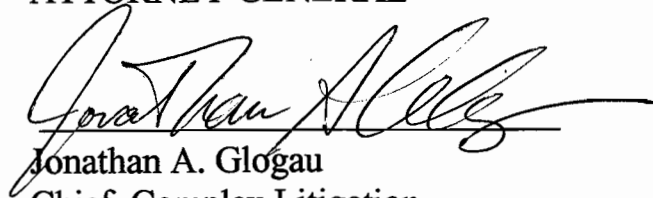
time 15 days prior to any session of the Legislature and 15 days subsequent to the conclusion of any session of the Legislature... when a member of the Legislature is a party..., when notice to that effect is given to the convening authority by such member.

In *A.B.C. Business Forms, Inc. v. Spaet*, 201 So.2d 890, 891 (Fla. 1967), the Florida Supreme Court held: “We accept the constitutionality of the Act [§ 11.111, Fla. Stat.] insofar as it relates to non-emergency litigation.” There is no emergency involved in this case.

WHEREFORE, Defendants respectfully request that this court issue an order staying/continuing all actions in this case until 15 days after the conclusion of the 2010 Legislative session.

Respectfully submitted this 12th Day of February, 2010.

BILL McCOLLUM  
ATTORNEY GENERAL



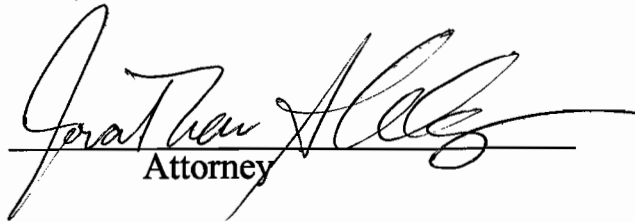
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing document was served by U.S. mail and e-mail this 12th Day of February, 2010, on:

Jamie A. Cole  
Susan L. Trevarthen  
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
200 East Broward Blvd., Suite 1900  
Ft. Lauderdale, FL 33301

Edward G. Guedes  
John J. Quick  
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\_\_\_\_\_  
Attorney

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

CITY OF WESTON, FLORIDA, et al.,

Plaintiffs,

v.

Case No. 09-CA-263

THE HONORABLE CHARLIE CRIST,  
Governor of the State of Florida;  
HONORABLE KURT S. BROWNING,  
Secretary of State, State of Florida;  
THE HONORABLE JEFF ATWATER,  
President of the Senate, State of Florida;  
and THE HONORABLE LARRY CRETUL,  
Speaker of the House, State of Florida,

Defendants.

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ORDER TO STAY ALL ACTIVITIES

Pursuant to § 11.111, Fla. Stat., all activities in this case are stayed/continued until 15 days after the close of the 2010 regular session of the Florida Legislature.

Done and Ordered in chambers in Leon County, Florida, this \_\_\_\_ day of February, 2010.

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Frank E. Sheffield, Circuit Judge

copies to:  
Jonathan A. Glogau  
Jamie A. Cole  
Susan L. Trevarthen  
Edward G. Guedes  
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