

**U.S. District Court
Northern District of Florida (Gainesville)
CIVIL DOCKET FOR CASE #: 1:23-cv-00176-AW-HTC**

GAINESVILLE RESIDENTS UNITED, INC. et al v.
DESANTIS et al
Assigned to: JUDGE ALLEN C WINSOR
Referred to: MAGISTRATE JUDGE HOPE T CANNON
related Case: [1:23-cv-00210-AW-MJF](#)
Cause: 42:1983 Civil Rights Act

Date Filed: 07/03/2023
Jury Demand: None
Nature of Suit: 950 Constitutional -
State Statute
Jurisdiction: Federal Question

Plaintiff

**GAINESVILLE RESIDENTS
UNITED, INC.**
*A FLORIDA NOT-FOR-PROFIT
CORPORATION*

represented by **JOSEPH W LITTLE**
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Plaintiff

IRVING W WHEELER, JR

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Plaintiff

ROBERT HUTCHINSON

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Plaintiff

SUSAN BOTTCHER

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Plaintiff

MICHAEL VARVEL

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Plaintiff

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Plaintiff

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V.

Defendant

RON DESANTIS
*IN HIS OFFICIAL CAPACITY AS
GOVERNOR OF THE STATE OF
FLORIDA*

represented by **NICHOLAS JOHN PETER MEROS**
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Defendant

ASHLEY MOODY
*IN HER OFFICIAL CAPACITY AS
ATTORNEY GENERAL
TERMINATED: 10/04/2023*

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TERMINATED: 09/15/2023

Defendant

CORD BYRD
*IN HIS OFFICIAL CAPACITY AS
SECRETARY OF STATE
TERMINATED: 10/04/2023*

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Defendant

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Date Filed	#	Docket Text
07/03/2023	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 402 receipt number AFLNDC-7947996.), filed by Evelyn Foxx, Robert Hutchinson, JOSEPH W LITTLE, Irving W Wheeler, SUSAN BOTTCHEER, GAINESVILLE

		RESIDENTS UNITED, INC., Michael Varvel. (Attachments: # 1 Exhibit House Bill 1645, # 2 Exhibit Original Version of HB 1645, # 3 Exhibit Staff Analysis of HB 1645, # 4 Exhibit Affidavit of Publication, # 5 Exhibit HB 759, # 6 Exhibit Bond Covenants, # 7 Civil Cover Sheet Civil Cover Sheet, # 8 Errata Summons - DeSantis, # 9 Errata Summons - Moody, # 10 Errata Summons - Byrd, # 11 Errata Summons - City of Gainesville) (EDINGER, GARY) (Entered: 07/03/2023)
07/03/2023	2	NOTICE of <i>Serving Attorney General - Rule 24.1</i> by SUSAN BOTTCHER, Evelyn Foxx, GAINESVILLE RESIDENTS UNITED, INC., Robert Hutchinson, JOSEPH W LITTLE, Michael Varvel, Irving W Wheeler re 1 Complaint,, (EDINGER, GARY) (Entered: 07/03/2023)
07/03/2023	3	CIVIL COVER SHEET. (tss) (Entered: 07/03/2023)
07/03/2023	4	Summons Issued as to CORD BYRD. (tss) (Entered: 07/03/2023)
07/03/2023	5	Summons Issued as to RON DESANTIS. (tss) (Entered: 07/03/2023)
07/03/2023	6	Summons Issued as to CITY OF GAINESVILLE. (tss) (Entered: 07/03/2023)
07/03/2023	7	Summons Issued as to ASHLEY MOODY. (tss) (Entered: 07/03/2023)
07/12/2023	8	WAIVER OF SERVICE Returned Executed by EVELYN FOXX, ROBERT HUTCHINSON, JOSEPH W LITTLE, IRVING W WHEELER, JR, GAINESVILLE RESIDENTS UNITED, INC., MICHAEL VARVEL. CORD BYRD waiver sent on 7/12/2023, answer due 9/11/2023. (EDINGER, GARY) (Entered: 07/12/2023)
07/13/2023	9	WAIVER OF SERVICE Returned Executed by EVELYN FOXX, ROBERT HUTCHINSON, JOSEPH W LITTLE, IRVING W WHEELER, JR, SUSAN BOTTCHER, GAINESVILLE RESIDENTS UNITED, INC., MICHAEL VARVEL. RON DESANTIS waiver sent on 7/10/2023, answer due 9/8/2023. (EDINGER, GARY) Modified on 7/14/2023 - see 10 for amended docket entry (atm). (Entered: 07/13/2023)
07/13/2023	10	WAIVER OF SERVICE Returned Executed by EVELYN FOXX, ROBERT HUTCHINSON, JOSEPH W LITTLE, IRVING W WHEELER, JR, SUSAN BOTTCHER, GAINESVILLE RESIDENTS UNITED, INC., MICHAEL VARVEL. RON DESANTIS waiver sent on 7/10/2023, answer due 9/8/2023 (EDINGER, GARY) Modified on 7/14/2023 (atm) to add party served; see 9 for pdf. (Entered: 07/13/2023)
07/14/2023	11	WAIVER OF SERVICE Returned Executed by EVELYN FOXX, ROBERT HUTCHINSON, JOSEPH W LITTLE, IRVING W WHEELER, JR, SUSAN

		BOTTCHER, GAINESVILLE RESIDENTS UNITED, INC., MICHAEL VARVEL. CITY OF GAINESVILLE waiver sent on 7/3/2023, answer due 9/1/2023. (EDINGER, GARY) (Entered: 07/14/2023)
07/14/2023	12	NOTICE of Appearance by CINDY A LAQUIDARA on behalf of CITY OF GAINESVILLE (LAQUIDARA, CINDY) (Entered: 07/14/2023)
07/14/2023	13	WAIVER OF SERVICE Returned Executed by EVELYN FOXX, ROBERT HUTCHINSON, JOSEPH W LITTLE, IRVING W WHEELER, JR, SUSAN BOTTCHER, GAINESVILLE RESIDENTS UNITED, INC., MICHAEL VARVEL. ASHLEY MOODY waiver sent on 7/13/2023, answer due 9/11/2023. (EDINGER, GARY) (Entered: 07/14/2023)
07/25/2023	14	NOTICE of Appearance by ERIK LOUIS SAYLER on behalf of ASHLEY MOODY (SAYLER, ERIK) (Entered: 07/25/2023)
07/27/2023	15	Corporate Disclosure Statement/Certificate of Interested Persons by SUSAN BOTTCHER, EVELYN FOXX, GAINESVILLE RESIDENTS UNITED, INC., ROBERT HUTCHINSON, JOSEPH W LITTLE, MICHAEL VARVEL, IRVING W WHEELER, JR. (EDINGER, GARY) (Entered: 07/27/2023)
07/28/2023	16	NOTICE of Appearance by ASHLEY E DAVIS on behalf of CORD BYRD (DAVIS, ASHLEY) (Entered: 07/28/2023)
08/01/2023	17	NOTICE <i>To The Court</i> by ASHLEY MOODY (SAYLER, ERIK) (Entered: 08/01/2023)
08/07/2023	18	NOTICE of Appearance by NICHOLAS JOHN PETER MEROS on behalf of RON DESANTIS (MEROS, NICHOLAS) (Entered: 08/07/2023)
08/11/2023	19	NOTICE of Appearance by JOSEPH SCOTT VAN DE BOGART on behalf of CORD BYRD (VAN DE BOGART, JOSEPH) (Entered: 08/11/2023)
08/25/2023	20	NOTICE of Appearance by ANITA J PATEL on behalf of ASHLEY MOODY (PATEL, ANITA) (Entered: 08/25/2023)
09/01/2023	21	ANSWER to 1 Complaint,, <i>and Affirmative Defenses</i> by CITY OF GAINESVILLE. (LAQUIDARA, CINDY) (Entered: 09/01/2023)
09/07/2023	22	First MOTION to Extend Time <i>to Respond to Complaint</i> by RON DESANTIS. (MEROS, NICHOLAS) (Entered: 09/07/2023)
09/07/2023	23	ORDER GRANTING EXTENSION. The unopposed motion for extension (ECF No. 22) is GRANTED. The Governor's deadline to respond to the complaint is extended to 9/11/2023. Signed by JUDGE ALLEN C WINSOR on 9/7/2023. (atm) (Entered: 09/07/2023)

09/08/2023	24	REPORT of Rule 26(f) Planning Meeting. (EDINGER, GARY) (Entered: 09/08/2023)
09/11/2023	25	MOTION re 1 Complaint,, <i>Attorney General's Motion to Dismiss And Incorporated Memorandum Law</i> by ASHLEY MOODY. (SAYLER, ERIK) (Entered: 09/11/2023)
09/11/2023	26	MOTION to Dismiss for Lack of Jurisdiction by CORD BYRD. (Internal deadline for referral to judge if response not filed earlier: 9/25/2023). (DAVIS, ASHLEY) (Entered: 09/11/2023)
09/11/2023	27	NOTICE of Appearance by PAIGE CHAM on behalf of Defendant, CITY OF GAINESVILLE. (CHAM, PAIGE) (Entered: 09/11/2023)
09/11/2023	28	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>AND FOR LACK OF STANDING</i> by RON DESANTIS. (Attachments: # 1 Exhibit A) (MEROS, NICHOLAS) (Entered: 09/11/2023)
09/15/2023	29	MOTION to Withdraw as Attorney by ASHLEY MOODY. (SAYLER, ERIK) (Entered: 09/15/2023)
09/15/2023	30	ORDER GRANTING 29 LEAVE TO WITHDRAW. Erik Saylor is relieved of further responsibility in this case. The clerk will remove him from the CM/ECF distribution list. Signed by JUDGE ALLEN C WINSOR on 9/15/2023. (atm) (Entered: 09/15/2023)
09/21/2023	31	Consent MOTION to Extend Timefor <i>Responses to Motions to Dismiss</i> by SUSAN BOTTCHEER, EVELYN FOXX, GAINESVILLE RESIDENTS UNITED, INC., ROBERT HUTCHINSON, JOSEPH W LITTLE, MICHAEL VARVEL, IRVING W WHEELER, JR. (EDINGER, GARY) (Entered: 09/21/2023)
09/22/2023	32	ORDER GRANTING EXTENSION. Plaintiffs' unopposed motion for extension (ECF No. 31) is GRANTED. The deadline to respond to the motions to dismiss is extended to: 10/3/2023 . Signed by JUDGE ALLEN C WINSOR on 9/22/2023. (atm) (Entered: 09/22/2023)
09/27/2023	33	ORDER REGARDING SCHEDULE re 24 Report of Rule 26(f) Planning Meeting. Signed by JUDGE ALLEN C WINSOR on 9/27/2023. (atm) (Entered: 09/27/2023)
10/02/2023	34	NOTICE of Voluntary Dismissal by SUSAN BOTTCHEER, EVELYN FOXX, GAINESVILLE RESIDENTS UNITED, INC., ROBERT HUTCHINSON, JOSEPH W LITTLE, MICHAEL VARVEL, IRVING W WHEELER, JR

		(EDINGER, GARY) (Entered: 10/02/2023)
10/03/2023	35	RESPONSE in Opposition re 28 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>AND FOR LACK OF STANDING</i> filed by SUSAN BOTTCHEER, EVELYN FOXX, GAINESVILLE RESIDENTS UNITED, INC., ROBERT HUTCHINSON, JOSEPH W LITTLE, MICHAEL VARVEL, IRVING W WHEELER, JR. (EDINGER, GARY) (Entered: 10/03/2023)
10/04/2023	36	ORDER ACKNOWLEDGING DISMISSAL OF ACTION AGAINST SOME DEFENDANTS re 34 Notice of Voluntary Dismissal. This order confirms that the case has been dismissed against Attorney General Ashley Moody and Secretary of State Cord Byrd. Future filings should omit them from the case style. The now-dismissed Defendants' motions to dismiss (ECF Nos. 25 and 26) are DENIED as moot. Signed by JUDGE ALLEN C WINSOR on 10/4/2023. (atm) (Entered: 10/04/2023)

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