

**CASES FOR ORAL ARGUMENT**  
**MONDAY, NOVEMBER 3, 2008 – 9:00 A.M.**  
**EN BANC**

----- Case #1 -----

<b>ALEX PAGAN v. STATE OF FLORIDA</b> <b>CASE NO. SC06-378</b> and <b>ALEX PAGAN v. WALTER A. MCNEIL, ETC.</b> <b>CASE NO. SC07-1327</b> <b>BROWARD COUNTY</b>
<u>Appearance for Appellant/Petitioner:</u>  Robert T. Strain, Asst. CCRC, Tampa, 813-740-3544  <u>Appearance for Appellee/Respondent:</u> Leslie T. Campbell, Asst. Atty. General, West Palm Beach, 561-837-5000  (3.851 APPEAL AND A PETITION FOR WRIT OF HABEAS CORPUS – MAXIMUM OF TWENTY MINUTES TO THE SIDE)

----- Case #2 -----

<b>LLOYD DUEST v. STATE OF FLORIDA</b> <b>CASE NO. SC07-162</b> <b>BROWARD COUNTY</b>
<u>Appearance for Appellant:</u> Todd G. Scher, Miami Beach, 305-861-9252  <u>Appearance for Appellee:</u> Celia Terenzio, Asst. Atty. General, West Palm Beach, 561-837-5000  (3.851 APPEAL - MAXIMUM OF TWENTY MINUTES TO THE SIDE)

**\*PLEASE NOTE THAT ONLY THE NAMES OF THE ATTORNEYS WHO HAVE INDICATED THEY WILL PARTICIPATE IN ORAL ARGUMENT APPEAR ON THE ORAL ARGUMENT CALENDAR.**

**CASES FOR ORAL ARGUMENT**  
**MONDAY, NOVEMBER 3, 2008 – 9:00 A.M.**  
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----- **Case #3** -----

**PHANTOM OF BREVARD, INC. v. BREVARD COUNTY, FLORIDA**  
**CASE NO. SC07-2200**  
**and**  
**BREVARD COUNTY, FLORIDA v. PHANTOM OF BREVARD, INC.**  
**CASE NO. SC07-2201**  
**BREVARD COUNTY**

Appearance for Petitioner:

Mark D. Shuman of GrayRobinson, P.A., Melbourne, 321-727-8100

Appearance for Respondent:

Scott L. Knox, County Attorney, Viera, 321-633-2090

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

----- **Case #4** -----

**LARSON & LARSON, P.A., ET AL. v. TSE INDUSTRIES, INC.**  
**CASE NO. SC08-428**  
**PINELLAS COUNTY**

Appearance for Petitioner:

Brandon S. Vesely of Keane, Vesely & Gerdes, P.A., St. Petersburg, 727-823-5000

Appearance for Respondent:

Marie Tomassi of Trenam, Kemker, Scharf, Barkin, Frye, O'Neill & Mullis, P.A.,  
St. Petersburg, 727-820-3952

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**TUESDAY, NOVEMBER 4, 2008 – 9:00 A.M.**  
**EN BANC**

----- Case #1 -----

**KAYLE BARRINGTON BATES v. STATE OF FLORIDA**  
**CASE NO. SC07-611**  
**and**  
**KAYLE BARRINGTON BATES v. WALTER A. MCNEIL, ETC.**  
**CASE NO. SC08-66**  
**BAY COUNTY**

Appearance for Appellant:

Terri L. Backus, Asst. CCRC, Fort Lauderdale, 954-713-1284

Appearance for Appellee:

Meredith Charbula, Asst. Atty. General, Tallahassee, 850-414-3300

(3.851 APPEAL AND PETITION FOR WRIT OF HABEAS CORPUS - MAXIMUM OF  
TWENTY MINUTES TO THE SIDE)

----- Case #2 -----

**GERALD DELANE MURRAY v. STATE OF FLORIDA**  
**CASE NO. SC03-1241**  
**DUVAL COUNTY**

Appearance for Appellant:

Richard R. Kuritz of the Law Offices of Richard R. Kuritz, Jacksonville, 904-355-1999

Appearance for Appellee:

Stephen R. White, Asst. Atty. General, Tallahassee, 850-414-3300

(RETRIAL APPEAL - MAXIMUM OF THIRTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**TUESDAY, NOVEMBER 4, 2008 – 9:00 A.M.**  
**EN BANC**

----- **Case #3** -----

<b>DAVID ERIC HOBBS v. STATE OF FLORIDA</b> <b>CASE NO. SC08-615</b> <b>ORANGE COUNTY</b>
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Appearance for Petitioner:

Dale C. Carson of the Law Offices of Dale C. Carson, Jacksonville, 904-355-6777

Appearance for Respondent:

Pamela J. Koller, Asst. Atty. General, Daytona Beach, 386-238-4990

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

----- **Case #4** -----

<b>STATE OF FLORIDA v. JOSHUA MESHELL</b> <b>CASE NO. SC08-903</b> <b>ORANGE COUNTY</b>
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Appearance for Petitioner:

Kristen L. Davenport, Asst. Atty. General, Daytona Beach, 386-238-4990

Appearance for Respondent:

Nancy Ryan, Asst. Public Defender, Daytona Beach, 386-252-3367

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**WEDNESDAY, NOVEMBER 5, 2008 – 9:00 A.M.**  
**EN BANC**

----- Case #1 -----

**ADVISORY OPINION TO THE ATTORNEY GENERAL RE: 1.35% PROPERTY TAX  
CAP, UNLESS VOTER APPROVED  
CASE NO. SC08-1153  
and  
ADVISORY OPINION TO THE ATTORNEY GENERAL RE: 1.35% PROPERTY TAX  
CAP, UNLESS VOTER APPROVED (FIS)  
CASE NO. SC08-1239**

Appearance for the Attorney General:

Louis F. Hubener, Solicitor General's Office, Tallahassee, 414-3300

Appearance for Sponsor, Cut Property Taxes Now, Inc.:

Robert H. Fernandez of Robert H. Fernandez, P.A., Coral Gables, 305-444-0922; and  
Daniel J. Woodring of Woodring Law Firm, Tallahassee, 850-567-8445

Appearance for Opponents Florida League of Cities, Florida School Board Association, and  
Florida Association of Counties:

Stephen H. Grimes of Holland & Knight, LLP, Tallahassee, 850-224-7000

(TWO CONSOLIDATED CASES - MAXIMUM OF TWENTY MINUTES TO THE SIDE AS  
CONSOLIDATED)

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**CASES FOR ORAL ARGUMENT**  
**WEDNESDAY, NOVEMBER 5, 2008 – 9:00 A.M.**  
**EN BANC**

----- **Case #2** -----

**ROBERT J. BAILEY v. STATE OF FLORIDA**  
**CASE NO. SC07-748**  
**BAY COUNTY**

Appearance for Appellant:

W.C. McLain, Asst. Public Defender, Tallahassee, 850-606-1000

Appearance for Appellee:

Charmaine Millsaps, Asst. Atty. General, Tallahassee, 850-414-3300

(INITIAL APPEAL - MAXIMUM OF THIRTY MINUTES TO THE SIDE)

----- **Case #3** -----

**THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA v.**  
**SURVIVORS CHARTER SCHOOLS, INC.**  
**CASE NO. SC07-2402**  
**PALM BEACH COUNTY**

Appearance for Petitioner:

Dr. Randall Dale Burks, West Palm Beach, 561-434-7377

Appearance for Respondent:

Bryan James Yarnell of Watterson & Zappolo, P.A., Palm Beach Gardens, 561-627-5000

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**THURSDAY, NOVEMBER 6, 2008 – 9:00 A.M.**  
**EN BANC**

----- Case #1 -----

**ADVISORY OPINION TO THE ATTORNEY GENERAL RE: STANDARDS FOR  
ESTABLISHING LEGISLATIVE DISTRICT BOUNDARIES & (FIS)**

**CASE NOS. SC08-986; SC08-1163**

and

**ADVISORY OPINION TO THE ATTORNEY GENERAL RE: STANDARDS  
LEGISLATURE TO FOLLOW IN CONGRESSIONAL REDISTRICTING & (FIS)**

**CASE NOS. SC08-1149; SC08-1165**

Appearance for the Attorney General:

Louis F. Hubener, Solicitor General's Office, Tallahassee, 414-3300

Appearance for Sponsor, Fair Districts Florida.org:

Barry Richard of Greenberg Traurig, Tallahassee, 850-222-6891; and

Jon L. Mills, Gainesville, 352-378-4154

Appearance for Opponent The Florida Legislature:

Jason Vail, Tallahassee, 850-487-5173

(FOUR CONSOLIDATED CASES - MAXIMUM OF THIRTY MINUTES TO THE SIDE AS  
CONSOLIDATED)

----- Case #2 -----

**LIGGETT GROUP, INC. v. SCOTT DAVIS, ETC.**

**CASE NO. SC08-541**

**BROWARD COUNTY**

Appearance for Petitioner:

Alvin B. Davis of Squire, Sanders, Dempsey, LLP, Miami, 305-577-2835

Appearance for Respondent:

John Venable of Venable & Venable, P.A., Tampa, 813-281-1200

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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----- Case #3 -----

**MAURICE LAMAR FLOYD v. STATE OF FLORIDA**  
**CASE NO. SC07-330**  
and  
**MAURICE LAMAR FLOYD v. WALTER A. MCNEIL, ETC.**  
**CASE NO. SC07-1894**  
**PUTNAM COUNTY**

Appearance for Appellant:

David Gemmer, Asst. CCRC, Tampa, 813-740-3544

Appearance for Appellee:

Barbara C. Davis, Asst. Atty. General, Daytona Beach, 386-238-4990

(3.851 APPEAL AND PETITION FOR WRIT OF HABEAS CORPUS - MAXIMUM OF  
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**CASES FOR ORAL ARGUMENT**  
**FRIDAY, NOVEMBER 7, 2008 – 8:30 A.M**  
**EN BANC**

**NO CASES SCHEDULED**