

IN THE SUPREME COURT OF FLORIDA
CASE NOS.: SC00-2346, SC00-2348 & SC00-2349

**PALM BEACH COUNTY
CANVASSING BOARD**

vs. KATHERINE HARRIS, ET AL.

**VOLUSIA COUNTY
CANVASSING BOARD**

vs. MICHAEL MCDERMOTT, ET AL.

FLORIDA DEMOCRATIC PARTY

**vs. MICHAEL MCDERMOTT, ET
AL.**

ON REMAND FROM THE SUPREME COURT
OF THE UNITED STATES

**MOTION OF LOIS FRANKEL, MINORITY LEADER OF THE FLORIDA HOUSE
OF REPRESENTATIVES
TO PARTICIPATE AS AMICUS CURIAE AND TO FILE A BRIEF**

REPRESENTATIVE LOIS FRANKEL, pursuant to Rule 9.370, Florida Rules of Appellate Procedure, hereby requests that this Court enter an Order permitting her to participate as *amicus curiae* in the above-captioned matter and to file the attached brief as *amicus curiae*. In support thereof, Representative Frankel would show the following reasons:

1. The “Motion of the Florida Legislature to Participate as *amicus curiae* and to File a Brief” filed by the presiding officers of the Florida Legislature, and the anticipated *amicus curiae* brief of the presiding officers authorized by this Court to be filed by the presiding officers, were not filed as a result of any authorizing vote of any committee of the Florida Legislature or of any vote of the Florida Legislature.

2. The *amicus curiae* petition filed in the United States Supreme Court by the presiding officers of the Florida Legislature was not a result of any vote of any committee of the Florida Legislature or of any vote of the Florida Legislature.

3. Petitioner Senator Thomas E. Rossin moved to strike the *amicus curiae* brief filed by the presiding officers of the Florida Legislature in the United States Supreme Court within 36 hours of receipt of the *amicus curiae* brief filed in that forum.

4. The Florida Legislature as a body has not voted upon or considered the matters referred to in the anticipated *amicus curiae* brief filed by the presiding officers of the Florida Legislature in this matter.

5. Unless the petitioner is allowed to participate, this court may be left with the erroneous perception that the *amicus curiae* brief filed by the presiding officers represents the position of the body of the Florida Legislature.

Wherefore, Lois Frankel, as a member of the Florida Legislature and as minority leader of the Florida House of Representatives, respectively, respectfully move this Court to allow participation as *amicus curiae*.

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