

IN THE SUPREME COURT OF FLORIDA

Case No. SC09-1817/1818
Lower Case No.: 50-2008-CA-031975XXXXMB

MICCOSUKEE TRIBE OF INDIANS OF
FLORIDA, and
NEW HOPE SUGAR COMPANY and
OKEELANTA CORPORATION, et. al.,

Defendants/Appellants,

vs.

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT,

Plaintiffs/Appellee.

**MICCOSUKEE TRIBE OF INDIANS OF FLORIDA's and
NEW HOPE SUGAR COMPANY's, and
OKEELANTA CORPORATION's
JOINT MOTION TO FILE JOINT APPENDIX**

Appellants Miccosukee Tribe of Indians of Florida, New Hope Sugar Company, and Okeelanta Corporation hereby file this Motion requesting leave of the Court to file a Joint Appendix, as follows:

1. The Movants, all Defendants in a bond validation proceeding in Palm Beach County, Florida, separately appealed the trial court's *Final Judgment Validating Certificates of Participation Lease Purchase Financing, Not to Exceed \$650 Million*, dated August 26, 2009.

2. Appellant Miccosukee Tribe of Indians of Florida filed its Notice of Appeal on or about September 23, 2009, and was assigned case No. SC09-1817.

3. Appellants New Hope Sugar Company and Okeelanta Corporation filed their Notice of Appeal on or about September 25, 2009, and were assigned case No. SC09-1818.

4. The two cases have to date not been consolidated.

5. Both appeals are from the same proceeding and court order, and the appendices are derived from the identical record below.

6. Both the record below and the appendices are substantial, spanning some 30 volumes. Accordingly, the Movants coordinated amongst themselves the filing of a Joint Appendix for all three Appellants, so as to reduce duplication and potential confusion arising from partially overlapping appendices.

7. The Movants hereby request that this Court accept their Joint Appendix as filed for both cases SC09-1817 and SC09-1818.

8. Pursuant to Section VI of this Court's Internal Operating Procedures, this Court has the authority to dispose of routine procedural motions, such as the instant one.

9. The interests of justice and judicial economy will be advanced if Appellants are permitted to file their Joint Appendix.

WHEREFORE, for the foregoing reasons, Appellants Miccosukee Tribe of Indians of Florida, New Hope Sugar Company, and Okeelanta Corporation hereby request that this Honorable Court grant them leave to file the Joint Appendix, and accept the previously submitted Joint Appendix as filed in both cases, SC 09-1817 and SC09-1818, and grant such other and further relief as the Court deems necessary and proper.

By: /s/ Dexter Lehtinen
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Miccosukee Tribe of Indians of Florida's, New Hope Sugar Company's, and Okeelanta Corporation's Joint Motion to File Joint Appendix has been furnished via U.S. Mail this 15th day of October, 2009, to the attached service list:

By: /s/ Dexter Lehtinen
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