

IN THE SUPREME COURT OF FLORIDA
CASE NO. SC09-1817 and SC09-1818 (Consolidated)

MICCOSUKEE TRIBE OF INDIANS
OF FLORIDA, NEW HOPE SUGAR
COMPANY and OKEELANTA
CORPORATION,
Appellants,

L. T. Case No.: 50-2008-CA-
031975XXXXMB

vs.

BOND VALIDATION PROCEEDING

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT,
Appellee.

**STATE ATTORNEY'S UNOPPOSED MOTION FOR LEAVE
TO FILE SECOND AMENDED ANSWER BRIEF**

Pursuant to Florida Rule of Appellate Procedure 9.300, the STATE OF FLORIDA, by and through the undersigned Assistant State Attorney (the "State"), respectfully requests leave to file a Second Amended Answer Brief and in support thereof states:

1. The State filed its Amended Answer Brief on November 4, 2009.
2. It has only now come to our attention that the template used on the cover and signature page inadvertently deleted the proper and appropriate named State Attorney, Michael F. McAuliffe.
3. The Second Amended Answer Brief correcting the omission described above is being simultaneously filed with this motion. The Second Amended

Answer Brief makes no substantive changes and only corrects this scrivener's error.

4. Assistant State Attorney has conferred with counsel for the Miccosukee Tribe of Indians of Florida, counsel for New Hope Sugar Company and Okeelanta Corporation, counsel for South Florida Water Management District, and General Counsel for the South Florida Water Management District, they indicated that they have no objections to the State filing an Amended Answer Brief.

Respectfully submitted this 9 day of November 2009.

MICHAEL F. MCAULIFFE
STATE ATTORNEY

BY: /s/Maureen Ann Hackett
Maureen Ann Hackett
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(for all of the served State Attorneys)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail and US Mail to; **Joseph P. Klock, Jr., Esq.**, 283 Catalonia Avenue, 2nd Floor, Coral Gables, FL 33134; **Dexter W. Lehtinen, Esq.**, 7700 N. Kendall Drive, Suite 303, Miami, FL 33156; **Randall W. Hanna, Esq.**, 101 North Monroe Street, Suite 900, Tallahassee, Florida 32301; **Sheryl G. Wood, General Counsel**, 3301 Gun Club Road, MSC-1410, West Palm Beach, Florida, this _____ day of November, 2009.

/s/ Maureen Ann Hackett
Maureen Ann Hackett
Assistant State Attorney