

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

JOINT AMENDED MOTION TO APPEAR PRO HAC VICE

Comes now, D. Stephen Kahn, a member in good standing of the Bar of the State of Florida, pursuant to Fla. R. App. P. 9.440 and Fla. R. Jud. Admin 2.060(b), and moves this Court for an Order permitting Roger J. Magnuson, James K. Langdon, Einer Elhauge, and Charles Fried to appear pro hac vice on behalf of the Florida Legislature, as co-counsel with the undersigned and Thomas R. Tedcastle, and in support thereof, states:

1. Roger J. Magnuson is a Member in good standing of the Bar of the State of Minnesota and is also admitted to practice before the United States Supreme

Court. The number of cases in which Mr. Magnuson has filed a Motion for Permission to Appear in Florida within the preceding 3 years is zero.

2. James K. Langdon is a Member in good standing of the bar of the State of Minnesota and is also admitted to practice before The United States Court of Appeals for the Eighth Circuit. The number of cases in which Mr. Langdon has filed a Motion for Permission to Appear in Florida within the preceding 3 years is zero.

3. Einer Elhauge is a Member in good standing of the Bars of the States of Massachusetts and Pennsylvania, and is also admitted to practice before the Supreme Court of the United States, and the U.S. Courts of Appeals for the Fourth and Ninth Circuits. The number of cases in which Mr. Elhauge has filed a Motion for Permission to Appear in Florida within the preceding three years is zero.

4. Charles Fried is a member in good standing of the bar of the State of Massachusetts and is also admitted to practice before the Supreme Court of the United States. The number of cases in which Mr. Fried has filed a Motion for Permission to Appear in Florida within the preceding 3 years is zero.

5. Roger J. Magnuson, James K. Langdon, Einer Elhauge, and Charles Fried represented the Florida Legislature in its participation as amicus curiae before the United States Supreme Court in the case of *Bush v. Palm Beach County Canvassing*

Board, No. 00-836, 531 U.S. ____ (Dec. 4, 2000), and are intimately familiar with the issues and law presented to this Court in this matter.

WHEREFORE, the undersigned counsel respectfully requests that an Order be entered permitting Roger J. Magnuson, James K. Langdon, Einer Elhauge, and Charles Fried to appear before this Court pro hac vice.

Respectfully submitted:

D. STEPHEN KAHN
General Counsel
The Florida Senate
Florida Bar No. 99740
408 The Capitol
404 South Monroe Street
Tallahassee, Florida 32399-1100
Phone: (850) 487-5237
Fax: (850) 487-5800

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been furnished by U.S. Mail this 8th day of December, 2000, to:

W. DEXTER DOUGLASS
Douglas Law Firm
211 East Call Street
Tallahassee, FL 32302

BARRY RICHARD, ESQ.
Greenberg, Traurig, P.A.
101 East College Avenue
Tallahassee, FL 32302
Fax (850) 581-0207

MITCHELL W. BERGER
Berger, Davis & Singerman
350 East Las Olas Blvd., STE 100
Ft. Lauderdale, FL 33301
Fax (954) 523-2872

MIGUEL DeGRANDY, ESQ.
Greenberg, Traurig, P.A.
1221 Brickell Avenue
Miami, FL 33131
Fax (305) 579-0717

BRUCE ROGOW,
DENISE D. DYTRYCH
BEVERLY A. POHL
Bruce A. Rogow, P.A.
Broward Financial Centre
500 East Broward Blvd., STE 1930
Ft. Lauderdale, FL 33394

MARLENE K. SILVERMAN, ESQ.
Greenberg, Traurig, P.A.
1221 Brickell Avenue
Miami, FL 33131
Fax (305) 579-0717

KAREN GIEVERS
Karen A. Gievers Prof. Ass'n
524 East College Avenue
Tallahassee, Florida

RAQUEL A. RODRIGUEZ, ESQ.
Greenberg, Traurig, P.A.
1221 Brickell Avenue
Miami, FL 33131
Fax (305) 579-0717

DAVID BOIES
Boies, Schiller & Flexner, LLP
80 Business Park Drive, STE 110
Armonk, New York 10504
Fax (914) 273-9810

BENJAMIN L. GINSBERG
Patton Boggs, LLP
2550 M Street, NW
Washington, D.C. 20037
Fax (202) 457-6315

JOHN D. C. NEWTON, II
Berger, Davis & Singerman
215 South Monroe Street, STE 705
Tallahassee, FL 32301
Fax (850) 561-3013

BOBBY R. BURCHFIELD
Covington & Burling
1201 Pennsylvania Ave., NW
Washington, D.C. 20004
Fax (202) 778-5350

Palm Beach County Attorneys
JAMES C. MIZE, JR.
ANDREW J. McMAHON
GORDON SELFRIDGE
301 North Olive Avenue, STE 601
West Palm Beach, FL 33401

LYN UTRECHT
ERIC KLEINFELD
Ryan, Phillips, et al.
1133 Connecticut Ave, NW, STE 300
Washington, D.C. 20036
Fax (202) 778-4007

DEBORAH K. KEARNEY
General Counsel
Florida Department of State
PL-02 The Capitol
Tallahassee, FL 32399-0250
Fax (850) 487-2214

VICTORIA L. WEBER
Steel Hector & Davis, LLP
215 South Monroe Street
Tallahassee, FL 32301-1804
Fax (850) 222-8410

THOMAS R. TEDCASTLE
General Counsel
Florida House of Representatives
Florida Bar No. 0245291
826 The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300
Phone: (850) 488-5644
Fax: (850) 487-1336

D. STEPHEN KAHN
General Counsel
The Florida Senate
Florida Bar No. 99740
408 The Capitol
404 South Monroe Street
Tallahassee, Florida 32399-1100
Phone: (850) 487-5237
Fax: (850) 487-5800