

IN THE SUPREME COURT OF FLORIDA

WEST FLAGLER ASSOCIATES, LTD.,
et al.,

Petitioners,

v.

SC2023-1333

RON D. DESANTIS, etc., et al.,

Respondents.

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NOTICE OF CONSTITUTIONAL QUESTION

Pursuant to Florida Rule of Appellate Procedure 9.425, Petitioners hereby give notice of the following constitutional question raised in their Petition for Writ of Quo Warranto filed in this Court and served on the Attorney General on September 26, 2023:

Whether the off-reservation sports betting provisions of the 2021 gaming compact with the Seminole Tribe of Florida and laws authorizing sports betting by persons not physically present on tribal lands (specifically, sections 285.710(13)(b)7, 285.710(14) and 849.142(1), Florida Statutes) exceed the Governor and Legislature's authority because they do not meet the exception to article X, section 30 of the Florida Constitution with respect to gaming "on tribal lands" pursuant to a compact under the Indian Gaming Regulatory Act and, thus, violate the prohibition against expanding casino gambling without voter approval?

Respectfully submitted,

Buchanan Ingersoll & Rooney PC

2 S. Biscayne Blvd., Ste 1500
Miami, FL 33131
(305) 347-4080

-and-

401 E. Jackson St., Ste 2400
Tampa, FL 33602
(813) 222-8180

By: /s/ Raquel A. Rodriguez
Raquel A. Rodriguez, FBN 511439
raquel.rodriguez@bipc.com
Sammy Epelbaum, FBN 31524
sammy.epelbaum@bipc.com
Hala Sandridge, FBN 454362
hala.sandridge@bipc.com
Chance Lyman, FBN 107526
chance.lyman@bipc.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 29, 2023, a true and accurate copy of the foregoing has been furnished via the E-Portal to: Ryan Newman, General Counsel, Executive Office of the Governor, 400 S. Monroe St., Tallahassee, FL 32399, ryan.newman@eog.myflorida.com, *counsel for Respondent Ron DeSantis, in his capacity as Governor of Florida*; David Axelman, General Counsel, Office of the General Counsel, Florida House of Representatives, 317 The Capitol, #402, Tallahassee, FL 32399, david.axelman@myfloridahouse.gov, *counsel for the Respondent Paul Renner, in his capacity as Speaker of the Florida House of Representatives*; Carols Rey, General Counsel, Florida Senate, 302 The Capitol, 404 S. Monroe St., Tallahassee, FL 32399, rey.carlos@flsenate.gov, *counsel for Kathleen Passimodo, in her capacity as President of the Senate*; and Ashley Moody, Attorney General, Office of the Attorney General, PL-01 The Capitol, Tallahassee, FL 32399, oag.civil.eserve@myfloridalegal.com.

By: /s/ Raquel A. Rodriguez
Raquel A. Rodriguez, FBN 511439
raquel.rodriguez@bipc.com