

**IN THE SUPREME COURT OF FLORIDA**

CASE NOS. SC13-949, SC13-951

THE LEAGUE OF WOMEN VOTERS  
OF FLORIDA, *et al.*,

Petitioners,

vs.

THE FLORIDA HOUSE OF  
REPRESENTATIVES, *et al.*,

Respondents.

L.T. Case Nos.: 1D12-5280,  
37 2012 CA 00412, 37 2012 CA 00490

RENE ROMO, *et al.*,

Petitioners,

vs.

THE FLORIDA HOUSE OF  
REPRESENTATIVES, *et al.*,

Respondents.

\_\_\_\_\_ /

**MOTION TO TAKE JUDICIAL NOTICE OF COURT ORDERS**

Pursuant to Sections 90.202 and 90.203, Florida Statutes, Respondents request that this Court take judicial notice of the following unpublished orders of this Court and other Florida state courts, copies of which are attached:

1. Writ of Prohibition Absolute, *The Florida Legislature v. N. Sanders Sauls*, No. 80,834 (Fla. Feb. 2, 1993) (commanding the circuit judge to desist from compelling testimony from a legislative assistant of the Florida Legislature).

2. Order Granting Motion to Quash, *Billie v. State of Florida*, No. 02-499-CA (Fla. 17th Jud. Cir. Feb. 7, 2003) (quashing a subpoena for the deposition of a state senator because “[t]he testimony of legislators or their aides is not admissible regarding their motives, intent, or statements made pertaining to their intent or purpose for a particular enactment . . . [i]t has been held time and again that the opinions of individual legislators, as to what legislative intent was, are inadmissible”).

3. Order Granting the Florida House of Representative’s Motion to Quash and For a Protective Order, *Leon County Research and Development Authority v. State of Florida Department of Professional Regulation*, No. 88-3273 (Fla. 2d Jud. Cir. Feb. 20th, 1989) (prohibiting the parties “from deposing any member, former member or employee of the Florida House of Representatives, or requiring any of said individuals to testify at deposition or at trial, or to produce any documents or items by subpoena, relating to their official duties as members or staff employees of the Florida House of Representatives” because “[t]o coerce testimony here sought would be an overly intrusive encroachment by the judicial branch”).

4. Order Granting Motion to Quash, *Sea Club Associates, IV, Ltd. v. Interval Marketing Associates, Inc.*, No. 84-1747-CA-01 (Fla. 12th Jud. Cir. July 31, 1987) (quashing a subpoena duces tecum of an employee of the Florida House

of Representatives because “[t]he testimony of legislators or their aides is not admissible regarding the intent, purpose or effect of particular enactment”).

5. Order Granting Motion to Quash, *Mengedoht v. Burch*, No. 85-5671 CA-T (Fla. 18th Jud. Cir. Sept. 12, 1986) (agreeing that the subpoenas requesting the depositions of two state senators must be quashed because of, *inter alia*, separation of powers and legislative privilege).

6. Order Granting Motion to Quash, *State of Florida v. Billie*, No. 83-202 (Fla. 20th Jud. Cir. Nov. 8, 1984) (quashing two subpoenas of a legislative employee).

7. Order Quashing Subpoena for Deposition, *Sanphil Corp. v. City of Pompano Beach*, No. 83-18017 (Fla. 17th Jud. Cir. Oct. 24, 1983) (quashing subpoenas for deposition of a state senator and a state representative).

8. Order Quashing Subpoenas Duces Tecum for Deposition, *Delta Air Lines, Inc. v. State of Florida, Department of Revenue*, No. 83-761 (Fla. 2d Jud. Cir. May, 5, 1983) (quashing the subpoena duces tecums of legislative employees because “it has been held time and again that the opinion of individual legislators as to what legislative intent was, is inadmissible”).

These orders were all issued by courts of this state, including this Court.

A court shall take judicial notice of “[r]ecords of any court of this state . . . ,” § 90.202(6), Fla. Stat., when the opposing party is provided with “timely written

notice” of the seeking party’s request for judicial notice and sufficient information is provided to the Court to “enable it to take judicial notice of the matter,” § 90.203 Fla. Stat. (2010). Both of these requirements are met here. In addition, judicial notice is appropriate because these records are highly relevant to several arguments advanced in Petitioners’ Initial Brief on the Merits. Accordingly, this Court should take judicial notice of these orders. *See Hunt v. State*, 613 So. 2d 893, 898 n.5 (Fla. 1992) (granting motion to take judicial notice of the record in another Florida case).

**WHEREFORE**, for the reasons stated, Respondents respectfully request that this Court take judicial notice of the attached court orders.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on July 26, 2013, a copy of this motion was served by e-mail to all counsel on the attached service list.

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