

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

**FLORIDA ACTION COMMITTEE,
INC.,**

Plaintiff,

Case No. 4:26cv388-MW/MJF

v.

MARK GLASS, et al.,

Defendants.

**MIAMI-DADE COUNTY’S MOTION
FOR ENLARGEMENT OF WORD LIMIT**

Defendant Miami-Dade County (“County”), pursuant to N.D. Fla. L.R. 7.1(F), respectfully moves for an enlargement of the 8,000-word limit applicable to its forthcoming motion to dismiss and supporting memorandum, to a limit of 16,000 words. Plaintiff Florida Action Committee, Inc. (“FAC”) opposes this motion.

On August 11, 2026, FAC filed a 61-page Complaint [ECF No. 1], seeking declaratory and injunctive relief against 51 defendants, including a Florida state office and 50 local governments (33 counties and 17 cities), including the County. The Complaint alleges that the State of Florida and each municipality have enacted sex-offender registration and notification schemes, including residency and presence

restrictions, that are unconstitutional under the Eighth Amendment, the Ex Post Facto Clause, due process, and the First Amendment. *See id.* at 53–59.

In the two-and-a-half weeks since it was served, the County has been working diligently to parse through the voluminous Complaint, and has been researching the legal issues it raises and drafting a comprehensive motion to dismiss, all with the goal of responding by its September 11, 2026, response deadline. This has been a significant undertaking given the magnitude of the 61-page Complaint, which also contains nine exhibits, spanning well over 200 pages, and includes more than two dozen declarations. *See* [ECF Nos. 1-1 through 1-9]. As a result, and despite its best efforts, the County is unable to comply with this District’s 8,000-word limit for several reasons.

First, the sheer breadth of the allegations requires the County to address complex civil rights issues in forming the arguments for dismissal of each count. Compl. at 53–59. Second, and further complicating that task, throughout the Complaint, FAC frequently groups Miami-Dade County together with other counties and municipalities, and attributes language from their varying laws to the County. Correcting that and explaining what the County’s Ordinance actually says—as opposed to what FAC alleges it says—consumes considerably more words than would be required in a case against a single defendant under a single, accurately-cited ordinance.

Third, unlike any other defendant named in this case, the County has already successfully defended the same ordinance at issue here against a constitutional challenge brought by FAC in 2014. *See Doe v. Miami-Dade County*, No. 14-23933, ECF No. 1 (S.D. Fla. Oct. 23, 2014). The outcome of that prior case now precludes FAC's claims against the County under the doctrine of res judicata. Establishing preclusion, however, requires more than an ordinary Rule 12(b)(6) analysis of the Complaint's allegations. The County must also set out the procedural history and disposition of the prior action and explain why FAC's claims are now barred.

Further justifying the need for additional words here is the threshold issue of standing. Indeed, the County's forthcoming motion to dismiss devotes considerable words to this jurisdictional prerequisite, which the Complaint does not set forth. Adding this topic to the res judicata argument, together with all of the independent, substantive bases for dismissal of five separate constitutional claims, presents "extraordinary circumstances" requiring an enlargement of the word limit. N.D. Fla. Loc. R. 7.1(F). An additional **8,000** words will allow the County to present the Court with a complete, well-organized motion, which will ultimately conserve the parties' and the Court's resources.

Notwithstanding these issues, FAC opposes the relief requested in this motion and has asked that the County include its position as follows:

Plaintiff FAC respectfully opposes the motion. If each of the 51 defendants in this case were afforded 16,000 words, as Miami-Dade

County requests for itself, FAC and the Court would confront 816,000 words of opening dismissal briefing. Yet FAC anticipates that many of the defenses that the defendants ultimately will raise are purely legal and held in common. In these circumstances, the better course would be for Miami-Dade County to seek an extension of time and to coordinate its motions and briefs with the other defendants, allowing the parties to reduce rather than lengthen the total briefing. FAC intends to file an opposition.

For whatever reason, FAC assumed that the County has not been preparing its own response to the Complaint all this time and, instead, expected it would move for an extension of time in order to collaborate with the other 50 defendants on a joint response. In other words, despite employing a litigation strategy of suing 51 defendants together in a single case, FAC would now use the convoluted nature of the Complaint as a sword to strip the County of its individual right to defend itself.

The County has *five claims* to address, and *four ordinances* to defend. And, importantly, FAC does not actually cite the text of a single County ordinance in its Complaint. Therefore, to defend the constitutionality of its laws, the County needs to expend a significant number of words excerpting those ordinances as part of its constitutional analysis. Multiplied across five counts and four separate ordinance provisions, that threshold task alone consumes a substantial share of the standard word-limit, and that's before the County has said a single word in its own defense.

FAC's proposed fix for that burden—joint briefing by 51 defendants who need to address *over 100 ordinances*—would not work. FAC sued 51 defendants, each with its own ordinances, definitions, and structures. A jointly drafted motion in

a single filing would not shorten the briefing FAC claims to want—it would multiply it by requiring defendants to explain which arguments pertain to each of their own ordinances, layering individualized caveats and cross-references throughout the entire motion.¹ This is especially concerning here where the County expects there will be conflicts between Defendants’ positions that make it difficult, if not impossible, to coordinate a substantive motion to dismiss at this stage of the litigation. And even if there were no conflicts between Defendants’ positions, practically speaking, negotiating a single, cohesive motion among 51 separately represented Defendants, raising entirely different defenses pertaining to more than 100 different ordinance texts, would itself consume far more time than the word enlargement the County requests here.

Extraordinary circumstances thus exist as to the County warranting the 8,000 additional words. As the County made clear to FAC during its conferral, where Defendants’ interests align and where it is practical to do so, the County will collaborate with the other defendants and file motions jointly. But that is not the case at this juncture in the litigation.

¹ For example, the City of Boca Raton has already filed its own motion to dismiss. *See* [ECF No. 80]. With only one section of its ordinance to defend, its motion reaches 5,806 words, and that is without several of the County’s core arguments, including *res judicata*.

Ultimately, the County cannot raise all of its dispositive arguments within the allotted 8,000-word limit. Miami-Dade County respectfully requests that the Court enter an order enlarging the word limit applicable to the County's motion to dismiss and supporting memorandum up to **16,000** words.

CERTIFICATE OF CONFERRAL

Pursuant to N.D. Fla. Loc. R. 7.1(B)–(C), undersigned counsel certifies that she conferred with counsel for FAC, Michael Kimberly, on September 8, 2026, by telephone, regarding the relief requested in this motion. FAC's counsel informed the undersigned later that day that FAC opposes the relief requested.

Dated: September 9, 2026

Respectfully submitted,

GERALDINE BONZON-KEENAN
Miami-Dade County Attorney

By: /s/ Erica Zaron
Erica S. Zaron
Florida Bar No. 514489
Jennifer L. Hochstadt
Florida Bar No. 56035
Assistant County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, FL 33128
Telephone: (305) 375-5151
Facsimile: (305) 375-5611
E-mail: Erica.Zaron@miamidade.gov
Jennifer.Azar@miamidade.gov
Counsel for Miami-Dade County