IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

Florida Action Committee, Inc., *Plaintiff*, vs. Larry Keefe, *et al.*, *Defendants*.	Case No. 4:26-cv-388 (MW-MJF)

PLAINTIFF'S MOTION FOR EXTENSION, WORD LIMIT ENLARGMENT, AND CONSOLIDATION OF DEADLINES

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rules 6.1 and 7.1(F), Plaintiff Florida Action Committee (FAC) respectfully moves for an order extending the time, to and including December 18, 2026, within which to file a consolidated opposition of 20,000 words to the defendants' 48 motions to dismiss (Dkts. 161-227). Counsel for FAC has conferred with opposing counsel. Miami-Dade, Palm Beach, Hendry, Holmes, Levy, and Okeechobee Counties expressed opposition only with respect to the extension of time. No other defendant expressed opposition to any aspect of this motion.

In support, Plaintiff states as follows:

1. On October 9, Defendant Miami-Dade County served a motion to dismiss the first amended complaint. *See* Dkt. 161. Pursuant to Rule 6(b) and

Local Rule 7.1(E), the opposition to Miami-Dade's motion is due, without extension, on or before October 23.

2. On October 13, defendants Larry Keefe; the Counties of Volusia, Palm Beach County, Polk, Broward, Suwanee, Martin, St. Lucie, Brevard, Citrus, Clay, Flagler, Hernando, Indian River, Lake, Marion, Osceola, Pasco, Seminole, Sumter, City of Orlando, Union, Lee, Columbia, Hendry, Holmes, Levy, and Okeechobee; and the Cities of Sunrise, Coral Springs, Pines, Coral, Pompano Beach, Lauderdale, Fort Myers, Boca Raton, Hollywood, Jacksonville, Davie, Gainesville, and West Palm Beach filed separate motions to dismiss the first amended complaint. *See* Dkts. 164-201. Pursuant to Rule 6(b) and Local Rule 7.1(E), the opposition to those motions is due, without extension, on or before October 27.

3. On October 16, Defendants Washington and Calhoun Counties filed separate motions to dismiss the first amended complaint. *See* Dkts. 211 and 212. Pursuant to Rule 6(b) and Local Rule 7.1(E), the opposition to those motions is due, without extension, on or before October 30.

4. On October 19, Defendants Jackson County, Putnam County, St. John's County, and the City of Miramar, filed separate motions to dismiss the first amended complaint. *See* Dkts. 223, 225, 226, and 227. Pursuant to Rule 6(b) and Local Rule 7.1(E), the opposition to those motions is due, without extension, on or before November 2.

5. Good cause exists for Plaintiff's requested relief. Each of the 48 defendants filed separate motions to dismiss over a period of 10 days. While the bulk of the motions raise overlapping arguments, some also advance distinct, party-specific defenses.

6. FAC proposes to file a single, consolidated opposition brief of 20,000 words in response to all 48 motions. A 20,000-word brief—which is 2.5 times the standard length limit—is considerably shorter than the 384,000 words FAC would be entitled to use if it filed separate opposition briefs. Granting leave to file a single 20,000-word opposition will thus preserve party and judicial resources.

7. FAC also proposes to set a due date for the consolidated opposition of December 18, which is 60 days from the last-filed motion. The extension is necessary to ensure that counsel for FAC have adequate time to review and respond fully to each of the motions.

8. In addition, lead counsel for FAC, Michael Kimberly, is responsible for a number of other matters with approaching deadlines or hearings. He must file a reply in the Fourth Circuit on October 22 (*United States v. Ratnakar*, No. 26-4173), a reply in the U.S. District Court for the District of Utah on October 22 (*Alpha Thirteen v. GEICO*, No. 2:25-cv-488), and a reply in the U.S. District Court for the District of Maryland on October 27 (*MSP Recovery v. GEICO* (D. Md.), No. 8:17-cv-964). He also is scheduled to present oral

argument in the Kansas Supreme Court on November 2 (*Troilo v. Yager*, No. 26-128771-S), and he must file an opening brief in the Third Circuit on November 10 (*Ocwen USVI Services v. U.S. Virgin Islands*, No. 26-3065), a reply in the Ninth Circuit on November 11 (*Winston Taylor LLP v. Apple*, No. 26-02892), and a reply in the U.S. District Court for the District of Hawaii on November 25 (*Alpha Thirteen v. GEICO*, No. 1:25-cv-478).

9. Mr. Kimberly has preexisting and prepaid travel plans to visit family over the Thanksgiving holiday from November 25-29.

10. Following the holiday, Mr. Kimberly is scheduled to present oral argument in the D.C. Circuit on December 8 (*Radtke v. U.S. Bureau of Customs and Border Protection*, No. 25-5403) and in the U.S. District Court for the District of Hawaii on December 10 (*Alpha Thirteen v. GEICO*, No. 1:25-cv-478). Finally, he must file a motion for summary judgment in the U.S. District Court for the Middle District of Tennessee on December 15 (*In re: Tennessee Senate Bill 2040*, No. 3:26-cv-685).

11. Against this background, an extended deadline for a consolidated opposition brief, to and including December 18, will ensure that counsel for FAC have adequate time to thoroughly and thoughtfully respond to the defendants' motions.

12. On October 20, the undersigned counsel conferred by email with all parties who may be affected by the relief sought in this motion. The email

requested that opposing counsel respond only if they objected to the relief requested. Undersigned counsel received responses from counsel for Larry Keefe, Columbia County, Volusia County, Martin County, St. Lucie County, Boca Raton, and Hollywood each stating that their clients do not object to the motion.

13. Counsel for Polk County responded, stating no opposition to the length limit. Counsel expressed general "concern[] about timing in the case" but did not state a formal objection.

14. Counsel for Miami-Dade County responded, stating that "Miami-Dade County does not oppose an enlargement of the word limit but does oppose the extension of time because it delays the Court's ability to adjudicate threshold and substantive issues that bear on the scope of the County's expert disclosures and other discovery obligations."

15. Counsel for Palm Beach, Hendry, Holmes, Levy, and Okeechobee Counties responded, stating they "object[] to the 60-day extension of time request" which "would be unreasonable and unnecessarily prolong the Court from addressing vital issues of standing and whether to sever the action."

16. No other opposing counsel responded to the October 20 email.

WHEREFORE, FAC respectfully requests that the Court enter an order granting leave to file a single, consolidated opposition of up to 20,000 words by or before December 18, 2026.

Dated: October 21, 2026

Respectfully submitted,

/s/ Michael B. Kimberly
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Attorneys for Florida Action Committee

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(B)

I certify that, on October 20, the undersigned counsel conferred by email with all parties who may be affected by the relief sought in this motion. Their positions are reflected in the motion.

/s/ Michael B. Kimberly

CERTIFICATE OF WORD COUNT

I certify pursuant to Local Rule 7.1(F) that the total word count in this motion is 872 words, excluding the case style and certifications, and that it complies with this Court's spacing and formatting requirements.

/s/ Michael B. Kimberly

CERTIFICATE OF SERVICE

I certify that on October 21, 2026, I electronically filed the foregoing with the Clerk of Court by using CM/ECF, which automatically serves all counsel of record for the parties who have appeared.

/s/ Michael B. Kimberly