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IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

FLORIDA EDUCATION ASSOCIATION;
STEFANIE BETH MILLER; LADARA ROYAL;
MINDY FESTGE; VICTORIA DUBLINO-
HENJES; ANDRES HENJES; NATIONAL
ASSOCIATION FOR THE ADVANCEMENT OF
COLORED PEOPLE, INC.; NAACP FLORIDA
STATE CONFERENCE,¹

Plaintiffs,

v.

Case No.: 2020-CA-001450

RON DESANTIS, in his official capacity as
Governor of the State of Florida; RICHARD
CORCORAN, in his official capacity as Florida
Commissioner of Education; FLORIDA
DEPARTMENT OF EDUCATION; FLORIDA
BOARD OF EDUCATION; CARLOS GIMENEZ,
in his official capacity as Mayor of Miami-Dade
County,

Defendants.

_____ /

NOTICE OF APPEAL OF NON-FINAL ORDER

PLEASE TAKE NOTICE that, pursuant to Florida Rules of Appellate Procedure 9.030(b), 9.130(a)(3)(B), and 9.310(b)(2), Defendants Ron DeSantis, in his official capacity as Governor of the State of Florida; Richard Corcoran, in his official capacity as Commissioner of Education; Florida Department of Education; and the Florida Board of Education (collectively, the “Defendants”), hereby appeal to Florida’s First District Court of Appeal this Court’s Order,

¹ Carlos Gimenez, in his official capacity as Mayor of Miami-Dade County, was voluntarily dismissed from the lawsuit on August 7, 2020.

rendered August 24, 2020, granting Plaintiff's Expedited Motion for Temporary Injunction. A copy of the Order is attached as Exhibit A.

This order is appealable as a non-final order granting an injunction under Florida Rule of Appellate Procedure 9.130(a)(3)(B). Further, the filing of this Notice triggers an automatic stay pending review. Fla. R. App. P. 9.310(b)(2); *see also Reform Party of Florida v. Black*, 885 So.2d 303 (Fla. 2004) (automatically operate as a stay pending review, except in criminal cases, when . . . any public officer in an official capacity . . . seeks review . . .") (quoting Fla. R. App. P. 9.310(b)(2)); *Citizens Property Ins. Corp. v. Admiralty House, Inc.*, 66 So.3d 342, 345 (Fla. 2d DCA 2011) ("The timely filing of a notice shall automatically operate as a stay pending review . . . when the state, any public officer in an official capacity, board, commission, or other public body seeks review").

Respectfully submitted,

GUNSTER, YOAKLEY & STEWART, P.A.

/s/ David M. Wells

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CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2020, the foregoing was electronically filed using the E-filing Portal System, and a copy was furnished by email on the following Service List:

By: /s/ David M. Wells

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