

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF FLORIDA

ROBERT W. OTTO, PH.D. LMFT,)	
individually and on behalf of his patients,)	
JULIE H. HAMILTON, PH.D., LMFT,)	
individually and on behalf of her patients,)	Civil Action No.: <u>9:18-cv-80771-RLR</u>
)	
Plaintiffs,)	INJUNCTIVE RELIEF SOUGHT
v.)	
)	
CITY OF BOCA RATON, FLORIDA,)	
and COUNTY OF PALM BEACH,)	
FLORIDA,)	
)	
Defendants.)	

**PLAINTIFFS’ MOTION FOR LEAVE TO EXCEED THE
PAGE LIMITATION ON PROPOSED FINDINGS OF FACT AND
CONCLUSIONS OF LAW FOR PRELIMINARY INJUNCTION HEARING**

Plaintiffs, Robert W. Otto, Ph.D., LMFT, and Julie H. Hamilton, Ph.D., LMFT, individually and on behalf of their patients (“Plaintiffs”), respectfully move this Court for leave to exceed the page limit on their Preliminary Injunction Proposed Findings of Fact and Conclusions of Law. In support, Plaintiffs show the Court as follows:

1) The Court has required the parties to file proposed Findings of Fact and Conclusions of Law for the Preliminary Injunction Hearing, and has imposed a twenty-page limit on each party’s submission. (Dkt. 50).

2) Plaintiffs have endeavored diligently to distill the voluminous record amassed in this case, and the relevant conclusions of law on the numerous constitutional issues involved, into a filing that complies with the page limit, but have been unable to do so. Plaintiffs’ submission is 32 pages (excluding tables and certificates), and Plaintiffs respectfully request the Court’s leave to file.

3) Granting Plaintiffs leave to exceed the page limit is commensurate with the nature of this case, which involves multiple parties and numerous and weighty constitutional and statutory issues. Plaintiffs previously advised the Court of the extensive record amassed by the parties in the preliminary injunction discovery, consisting of over 16,000 pages of documents and 1,000 pages of deposition transcripts. (Dkt. 94). The Court has in turn granted leave to exceed page limits in

the preliminary injunction briefing. (Dkt. 98). Enlarging the page limit for the proposed Findings of Fact and Conclusions of Law is therefore in line with the voluminous record and pleadings involved in this case.

4) Moreover, granting Plaintiffs leave to exceed the page limit is commensurate with the page limit available to the two defendants. Even with the enlarged limit, Plaintiffs' single filing is expected to be substantially shorter than Defendants' separate submissions.

5) Lastly, granting Plaintiffs leave to exceed the page limit will assist the Court in reviewing, distilling and adjudicating the important issues and voluminous record presented in this case. Plaintiffs' submission contains proposed Findings of Fact and Conclusions of Law appropriately divided into separate subjects, from which the Court is able to employ whatever the Court deems appropriate for inclusion into an eventual order. Plaintiffs are mindful of the Court's time and do not submit this motion for purposes of undue delay.

WHEREFORE, for good cause shown, Plaintiffs respectfully request that this Motion be granted, and that the Court permit them to exceed the page limit on their Preliminary Injunction Proposed Findings of Fact and Conclusions of Law. Plaintiffs conditionally file their submission herewith while awaiting the Court's decision on this motion.

Respectfully submitted,

/s/ Roger K. Gannam

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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of October 2018, I caused a true and correct copy of the foregoing to be filed electronically with the Court's CM/ECF system. Service upon all counsel of record will be effectuated by the Court's electronic notification system.

/s/ Roger K. Gannam

Roger K. Gannam

Attorney for Plaintiffs