

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT
CIVIL APPEAL STATEMENT**

Please TYPE. Attach additional pages if necessary.

11th Circuit Docket Number: 19-14387-G

Caption: Robert L. Vazzo, LMFT, Etc., et al. v. City of Tampa, Florida	District and Division: <u>Middle District of Florida</u> Name of Judge: <u>William F. Jung</u> Nature of Suit: <u>440 Civil Rights</u> Date Complaint Filed: <u>12-4-2017</u> District Court Docket Number: <u>8:17-cv-02898</u> Date Notice of Appeal Filed: <u>10/31/2019</u> <input type="checkbox"/> Cross Appeal <input type="checkbox"/> Class Action Has this matter previously been before this court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide (a) Caption: _____ (b) Citation: _____ (c) Docket Number: _____
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	Attorney Name	Mailing Address	Telephone, Fax, Email
For Appellant: <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify)	David E. Harvey	315 E. Kennedy Blvd 5th Floor Tampa, FL 33602	(813)274-7599 (813)274-8809 F david.harvey@tampagov.net
For Appellee: <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify)	Roger K. Gannam	PO Box 540774 Orlando, FL 32854	407-875-1776 407-875-0770 rgannam@LC.org

Please CIRCLE/CHECK/COMPLETE the items below and on page 2 that apply.

Jurisdiction	Nature of Judgment	Type of Order	Relief
<input checked="" type="checkbox"/> Federal Question <input type="checkbox"/> Diversity <input type="checkbox"/> US Plaintiff <input type="checkbox"/> US Defendant	<input checked="" type="checkbox"/> Final Judgment, 28 USC 1291 <input type="checkbox"/> Interlocutory Order, 28 USC 1292(a)(1) <input type="checkbox"/> Interlocutory Order Certified, 28 USC 1292(b) <input type="checkbox"/> Interlocutory Order, Qualified Immunity <input type="checkbox"/> Final Agency Action (Review) <input type="checkbox"/> 54(b)	<input type="checkbox"/> Dismissal/Jurisdiction <input type="checkbox"/> Default Judgment <input checked="" type="checkbox"/> Summary Judgment <input type="checkbox"/> Judgment/Bench Trial <input type="checkbox"/> Judgment/Jury Verdict <input type="checkbox"/> Judgment/Directed Verdict/NOV <input type="checkbox"/> Injunction <input type="checkbox"/> Other _____	Amount Sought by Plaintiff: \$ _____ Amount Sought by Defendant: \$ _____ Awarded: \$ _____ to _____ Injunctions: <input type="checkbox"/> TRO <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Granted <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Denied

Based on your present knowledge:

(1) Does this appeal involve a question of First Impression? Yes No
What is the issue you claim is one of First Impression? Whether Florida law impliedly preempts state municipalities from enacting legislation prohibiting conversion therapy

(2) Will the determination of this appeal turn on the interpretation or application of a particular case or statute? Yes No
If Yes, provide
(a) Case Name/Statute _____
(b) Citation _____
(c) Docket Number if unreported _____

(3) Is there any case now pending or about to be brought before this court or any other court or administrative agency that
(a) Arises from substantially the same case or controversy as this appeal? Yes No
(b) Involves an issue that is substantially the same, similar, or related to an issue in this appeal? Yes No
If Yes, provide
(a) Case Name Roger Otto PhD LMFT vs City of Boca Raton, Florida and County of Palm Beach, Florida
(b) Citation _____
(c) Docket Number if unreported 19-10604
(d) Court or Agency 11th Circuit Court of Appeals

(4) Will this appeal involve a conflict of law
(a) Within the Eleventh Circuit? Yes No
(b) Among circuits? Yes No
If Yes, explain briefly:

(5) Issues proposed to be raised on appeal, including jurisdictional challenges:
1. Whether the District Court erred when it granted summary judgment in favor of Plaintiffs finding that Florida law impliedly preempts local governments from enacting legislation that prohibits conversion therapy.
2. Whether the District Court erred by granting a permanent injunction prohibiting the City of Tampa from enforcing the Ordinance.

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS 19th DAY OF November, 2019.

David E. Harvey, Esq.
NAME OF COUNSEL (Print)


SIGNATURE OF COUNSEL

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