

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

JANE DOE et al.,

Plaintiffs,

v.

JOSEPH A. LADAPO et al.,

Defendants.

Civil No. 4:23-cv-00114-RH-MAF

**PLAINTIFFS’ MOTION FOR LEAVE TO FILE A REPLY TO
DEFENDANTS’ OPPOSITION TO PLAINTIFFS’
MOTION FOR CLASS CERTIFICATION**

Pursuant to Federal Rule of Civil Procedure 27(a)(4) and Local Rule 7.1(I), Plaintiffs Jane Doe, individually and on behalf of her minor daughter Susan Doe, Brenda Boe, individually and on behalf of her minor son Bennett Boe, Carla Coe, individually and on behalf of her minor daughter Christina Coe, Fiona Foe, individually and on behalf of her minor daughter Freya Foe, Gloria Goe, individually and on behalf of her minor son Gavin Goe, Linda Loe, individually and on behalf of her minor daughter Lisa Loe, Patricia Poe, individually and on behalf of her minor son Paul Poe, and Adult Plaintiffs Lucien Hamel, Olivia Noel, Rebecca Cruz Evia, and Kai Pope (collectively, “Plaintiffs”) hereby move for leave to file a short Reply, in conformity with Local Rule 7.1, to Defendants’ Opposition to Plaintiffs’ Motion

for Class Certification (Dkt. 135). Plaintiffs are prepared to file their reply as early as the end of the day on August 21, 2023.

Given the complexity of some of the issues underlying whether the proposed Plaintiff Classes should be certified in this case, Plaintiffs believe the Court will be aided by a Reply that enables Plaintiffs, in advance of the hearing on the class certification motion scheduled for August 29, 2023, to correct Defendants' mischaracterizations of Plaintiffs' claims, the class-wide issues at stake, the cohesiveness of the proposed Plaintiff Classes and the applicable law. On the last point, the role and appropriate scope of the ascertainability requirement in the context of a Rule 23(b)(2) class is an important legal issue that warrants further discussion in a Reply.

Plaintiffs conferred with counsel for Defendants regarding their position on this matter on August 17, 2023. Defendants do not oppose the relief sought.

Wherefore, Plaintiffs respectfully request that the Court grant their motion for leave to file a Reply Memorandum to Defendants' Opposition to Plaintiffs' Motion for Class Certification.

Respectfully submitted this 18th day of August, 2023.

LOWENSTEIN SANDLER LLP

By: /s/ Thomas Redburn, Jr.

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CERTIFICATE OF WORD COUNT

Pursuant to Local Rule 7.1(F), the undersigned counsel certified that, according to Microsoft Word, the word-processing system used to prepare this Motion, there are 318 total words contained within the Motion.

**CERTIFICATE OF SATISFACTION OF
ATTORNEY CONFERENCE REQUIREMENT**

Pursuant to Local Rule 7.1(B), counsel for the Plaintiffs conferred with counsel for the Defendants on August 17, 2023. Counsel for Defendants indicated that Defendants do not oppose the relief sought.

/s/ Thomas Redburn, Jr.
Thomas E. Redburn, Jr.

CERTIFICATE OF SERVICE

I hereby certify that, on August 18, 2023, I electronically filed the foregoing with the Clerk of the Court by using CM/ECF system.

/s/ Thomas Redburn, Jr.
Thomas E. Redburn, Jr.