

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

TOM FAASSE, et al.,

CASE NO. 2014 CA 1859

Plaintiffs,

vs.

RICK SCOTT, Governor of Florida,
in his official capacity as the head of
the Florida Department of Revenue, et al.,

Defendants.

ORDER GRANTING MOTIONS TO DISMISS WITH PREJUDICE

THIS CAUSE was considered by the Court upon Defendants' Motion to Dismiss Plaintiffs' Amended Complaint and upon Intervenor's/Defendants' Motion to Dismiss Amended Complaint. Having considered the motions, the memoranda in support and in opposition, the pleadings, and being otherwise fully advised in the premises, the Court finds and rules as follows:

1. Plaintiff initiated this action on July 16, 2014, challenging the constitutionality of Chapter 2014-184, Laws of Florida, as an alleged violation of the single subject requirement of Article III, section 6 of the Florida Constitution.
2. The initial complaint was dismissed after motion and hearing by Order Granting Motion to Dismiss entered on October 7, 2014. The Court ruled that Plaintiff failed to meet the special injury allegations necessary to confer standing to challenge the law in question.
3. The initial Plaintiff, joined by additional Plaintiffs, filed an Amended Complaint for Declaratory Judgment on October 21, 2014.

4. Defendants and Intervenor both filed their respective motions to dismiss on November 5, 2014.
5. The Court issued an Order to Show Cause to Defendants and to Intervenor on November 20, 2014.
6. Plaintiff filed its Opposition to Defendants' Motion to Dismiss Amended Complaint on December 22, 2014.
7. In order to sustain standing, the Plaintiffs are required to allege sufficient facts to support a finding of special injury. As currently pled, the Amended Complaint for Declaratory Judgment also fails to allege a legally sufficient basis to sustain a finding of special injury and the Court is of the opinion that further amendments to the complaint will not result in a legally sufficient complaint.

It is therefore **ORDERED and ADJUDGED** that the respective motions to dismiss the Amended Complaint for Declaratory Judgment are granted with prejudice, and the Amended Complaint for Declaratory Judgment is **DISMISSED** with prejudice.

DONE AND ORDERED in Tallahassee, Leon County, Florida, on December 30, 2014.



CHARLES A. FRANCIS
Chief Judge

Copies furnished to parties on attached service list

Signed DEC 30 2014
Original to Clerk DEC 30 2014
Copies sent DEC 30 2014

Copies furnished to:

Ronald G. Meyer
Jennifer S. Blohm
Lynn C. Hearn
rmeyer@meyerbrookslaw.com
jblohm@meyerbrookslaw.com
lhearn@meyerbrookslaw.com

John M. West
Ramya Ravindran
jwest@bredhoff.com
rravindran@bredhoff.com

Alice O'Brien
aobrien@nea.org

Pamela L. Cooper
William A. Spillias
pam.cooper@floridaea.org
will.spillias@floridaea.org

Allen Winsor
Rachel E. Nordby
Jonathan A. Glogau
allen.winsor@myfloridalegal.com
rachel.nordby@myfloridalegal.com
phyllis.thomas@myfloridalegal.com
jon.glogau@myfloridalegal.com

Jared Blanchard
Clint Bolick
jblanchard@goldwaterinstitute.org
cbolick@goldwaterinstitute.org
litigation@goldwaterinstitute.org

Gregory Munson
gmunson@gunster.com