

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

CITY OF WESTON, FLORIDA;
VILLAGE OF KEY BISCAYNE,
FLORIDA; TOWN OF CUTLER BAY,
FLORIDA; LEE COUNTY, FLORIDA;
CITY OF DEERFIELD BEACH,
FLORIDA; CITY OF MIAMI
GARDENS, FLORIDA; CITY OF
FRUITLAND PARK, FLORIDA; and
CITY OF PARKLAND, FLORIDA,

Plaintiffs,

v.

Case No. 09-CA-2639

THE HONORABLE CHARLIE CRIST,
Governor of the State of Florida;
HONORABLE KURT S. BROWNING,
Secretary of State, State of Florida; THE
HONORABLE JEFF ATWATER,
President of the Senate, State of Florida;
and THE HONORABLE LARRY
CRETUL, Speaker of the House, State of
Florida,

Defendants.

ANSWER

Defendants, Crist, Atwater and Cretul answer Plaintiffs' Complaint as
follows:

1. Admit the characterization of this case as a challenge to the constitutionality of SB 360. Deny all other allegations.

2. Admit.

3. Admit that venue is proper in Leon County because the principle offices of each Defendant are in Leon County.

4. Admit.

5. Admit.

6. Admit.

7. Admit.

8. Admit the first sentence; deny the second sentence.

9. Admit the first sentence; deny the second sentence.

10. Deny the first sentence; admit the second sentence; as to the third sentence, admit that the bill that eventually became SB 360 traveled between the House and Senate in messages between 4/14/09 and 5/1/09; deny all other allegations.

11. Admit that the Senate passed SB 360 on May 1, 2009, with amendments; all other allegations denied.

12. Without knowledge.

13. Admit that Gov. Crist signed SB 360 into law and that it became

effective immediately; deny all other allegations.

14. Admit that SB 360 makes changes to Florida's Growth Management laws; deny all other allegations.

15. Admit.

16. The statute speaks for itself; deny all other allegations.

17. Without knowledge.

18. The statute speaks for itself; deny all other allegations.

19. The statute speaks for itself; deny all other allegations.

20. The statute speaks for itself; deny all other allegations.

21. Deny.

22. Admit the effective date; deny all other allegations.

23. Deny.

24. Without knowledge.

25. The statute speaks for itself.

26. Defendants adopt the answers to paragraphs 1-25.

27. The Constitution speaks for itself; deny all other allegations.

28. This paragraph consists of legal argument not requiring an answer, otherwise denied.

29. This paragraph consists of legal argument not requiring an answer,

otherwise denied.

30. Deny.

31. The statute speaks for itself; deny all other allegations.

32. Deny.

33. Deny.

34. Deny.

35. Deny.

36. Defendants adopt the answers to paragraphs 1-25.

37. Admit the creation of the FACIR (now LACIR); deny all other allegations.

38. The statute speaks for itself; deny all other allegations.

39. The Constitution speaks for itself; deny all other allegations.

40. Deny.

41. Deny.

42. The statute speaks for itself; deny all other allegations.

43. Admit that a statement was produced on March 19 which speaks for itself; deny all other allegations.

44. Admit that DCA produced an analysis which speaks for itself; deny all other allegations.

45. Admit that DCA produced an analysis which speaks for itself; deny all other allegations.

46. Deny.

47. Deny.

48. Deny.

49. All allegations not specifically admitted are hereby denied.

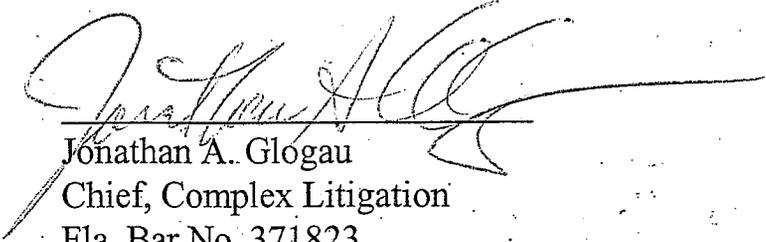
AFFIRMATIVE DEFENSES

1. Defendants, Crist, Atwater and Cretul are immune from suit due to their absolute legislative immunity.

2. Plaintiffs fail to state a cause of action against Defendants, Crist, Atwater and Cretul.

Respectfully submitted this 14th Day of December, 2009.

BILL McCOLLUM
ATTORNEY GENERAL



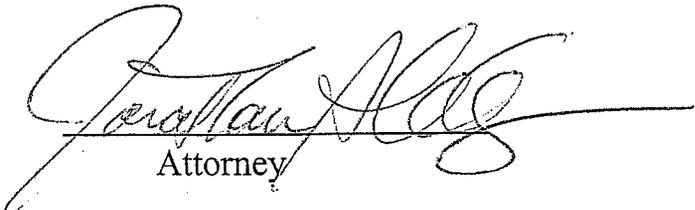
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing document was served by U.S. mail or e-mail this 14th Day of December, 2009, on:

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