

**IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA**

THE FLORIDA OFFICE OF INSURANCE
REGULATION, and DAVID ALTMAIER,
as Commissioner of the Florida Office of
Insurance Regulation,

CASE NO. 1D16-5416

Appellants,

LT Case No. 2016-CA-02159

vs.

JAMES F. FEE, JR.,

Appellee.

**APPELLANTS OFFICE OF INSURANCE REGULATION AND
COMMISSIONER DAVID ALTMAIER'S REQUEST FOR
CONSOLIDATED ORAL ARGUMENT**

Appellants Office of Insurance Regulation and Commissioner David Altmaier (collectively "Office"), by and through undersigned counsel and pursuant to Rule 9.320, Fla. R. App. P., respectfully file this Request for Consolidated Oral Argument. In support of this Motion, the Office states as follows:

1. The Office is the Appellant in Case Number 1D16-5416, which has been consolidated with Case Number 1D16-5408 for record purposes only. Both appeals are of the same Order on Non-Jury Trial and Final Judgement Providing Declaratory and Injunctive Relief entered by the Lower Tribunal.
2. The principle issue in both appeals is the legal determination of how

far the Legislature extended the Government in the Sunshine Law to meetings of a private company when it passed section 627.091(6), Florida Statutes. This is a matter of first impression and is of great public importance.

3. The Office respectfully requests oral argument and submits that such argument would assist this Court in considering the issues in this appeal.

4. Because Case Numbers 1D16-5416 and 1D16-5408 involve the same Order and Record, the Office submits that consolidated oral argument will conserve judicial resources and most efficiently provide for the disposition of this appeal.

WHEREFORE, the Office respectfully requests this Court enter an Order granting and scheduling consolidated oral argument.

Respectfully submitted this 2nd day of February 2017.

/s/ Shaw Stiller

SHAW STILLER (FBN 936110)

Chief Assistant General Counsel

C. TIMOTHY GRAY (FBN 0602345)

LACY END-OF-HORN (FBN 104735)

Assistant General Counsels

Office of Insurance Regulation

Larson Building, Room 645.2

200 East Gaines Street

Tallahassee, FL 32399-4206

(850) 413-3110 – Telephone

(850) 922-2543 – Facsimile

shaw.stiller@flor.com – E-mail

tim.gray@flor.com – E-mail

lacy.end-of-horn@flor.com – E-mail

ATTORNEY FOR DEFENDANTS,
Florida Office of Insurance Regulation,
and David Altmaier, solely in his
capacity as Commissioner of the Office.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing
APPELLANTS OFFICE OF INSURANCE REGULATION AND
COMMISSIONER DAVID ALTMAIER'S REQUEST FOR CONSOLIDATED
ORAL ARGUMENT has been furnished by e-mail on February 2, 2017, to:

John Shubin, Attorney
Lauren Brunswick, Attorney
Mark Grafton, Attorney
Salvatore H. Fasulo, Attorney
SHUBIN & BASS, P.A.
46 S.W. First Street Third Floor
Miami, Florida 33130
Tel.: (305) 381-6060
Fax: (305) 381-9457
jshubin@shubinbass.com
lbrunswick@shubinbass.com
mgrafton@shubinbass.com
sfasulo@shubinbass.com

Thomas J. Maida, Attorney
James A. McKee, Attorney
Nicholas R. Paquette, Attorney
Foley & Lardner LLP
106 E. College Avenue, Suite 900
Tallahassee, Florida 32301
(850) 222-6100 (Telephone)
(850) 561-6475 (Fax)
tmaida@foley.com
jmckee@foley.com
npaquet@foley.com

/s/ Shaw Stiller
Shaw Stiller
Chief Assistant General Counsel