

**IN THE CIRCUIT COURT
OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA**

JAYNE KING, as Co-Chair of Green)
Party of Florida,)
)
Plaintiff,)
)
v.)
)
SARAH ROMAN,)
)
Defendant.)
_____)

Case No. _____

PETITION FOR PURE BILL OF DISCOVERY

The Plaintiff, Jayne King, Co-Chair of the Green Party of Florida, files this Petition for Pure Bill of Discovery, suing the Defendant, Sarah Roman, and in support hereof states as follows:

1. Plaintiff is a resident of Palm Beach County, Florida. At all times material to this petition, she has served as the Co-Chair of the Green Party of Florida (“Green Party”) in accordance with Section 103.091(3), Florida Statutes and brings this action in her official capacity.

2. Defendant is a resident of Pasco County who has filed to seek election as a candidate for the Florida House of Representatives District 44 Seat in the November 4, 2008 general election. The Defendant asserts that she is running as a candidate of the Green Party.

3. Section 99.061(7)(a), Florida Statutes requires a person running for office to file specific forms with the appropriate filing officer during the qualifying period. The qualifying period for legislative office began at noon on June 16, 2008, and ended at noon on June 20, 2008.

4. On June 20, 2008, the Defendant filed qualifying paperwork with the Division of Elections along with a check for the filing fee in the amount of \$1,915.92. True and exact copies of the documents filed with the Florida Division of Elections are attached hereto as Exhibit A and incorporated herein by reference.

5. On the Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates, the Defendant declared that she was seeking nomination for election as a Green Party candidate for Florida House District 44.

6. Prior to the Defendant qualifying to run for office, the Green Party of Florida had no knowledge of the Defendant. The Green Party of Florida did not recruit or sanction the Defendant's candidacy.

7. On information and belief, the Defendant had no party affiliation until registering as a member of the Green Party on June 20, 2008, the date she qualified to run for office.

8. On the Defendant's financial disclosure form filed with the Division of Elections, she declares that her net worth is \$5,219.00.

9. The Defendant filed a campaign finance report on August 9, 2008. On the report, the Defendant listed a loan from herself to her campaign in the amount of \$2,000 as the only contribution made to her campaign. The Defendant has not reported any other financial activity in her campaign account.

10. On the same date that the Defendant qualified, four other persons qualified in other legislative races asserting that they were Green Party candidates. Like the Defendant, none of these candidates had any connection with the Green Party until at or near qualifying when they declared themselves to be Green Party candidates. Also like the Defendant, none of the other candidates were sanctioned or recruited by the Green Party of Florida.

11. Only one of the candidates has reported the collection of any contributions other than the reported personal loans. Only one of the candidates has engaged in any campaign activities in furtherance of election to office.

12. Although the Green Party of Florida has attempted to contact the Defendant, the Defendant has not responded to these attempts and, indeed, has avoided contact with representatives of the Party.

13. On information and belief, each of the candidates who, as alleged above, filed as Green Party of Florida candidates, including the Defendant, has been recruited to file as a Green Party candidate for the purpose of diverting votes to themselves which votes would otherwise be cast for a major political party candidate in each of the races, solely as a means of manipulating the election process without a legitimate affiliation with or a sincere desire to represent the Green Party.

14. On information and belief, each of the candidates who were recruited, as alleged above, including the Defendant, was provided money to use for payment of the qualifying fee required as a condition of qualifying for office, although the fact of such contribution of money has not be reported to the Division of Elections as required by law.

15. Plaintiff alleges and seeks to obtain further evidence to establish:

a. That the Defendant is not a bona fide Green Party candidate and that the funds used to pay her filing fee are from unreported contributions and not from a personal loan by the Defendant in violation of section 106.07, Florida Statutes;

b. Under section 106.25(2), Florida Statutes, an election complaint must be based upon personal knowledge attested to by the complainant. Hearsay is insufficient.

c. The Plaintiff is unable to depose the Defendant or procure bank records in order to obtain the personal knowledge required by Florida law without the discovery from the Defendant requested in this Petition.

d. The Plaintiff intends to file an election complaint if the facts as alleged are supported by the evidence.

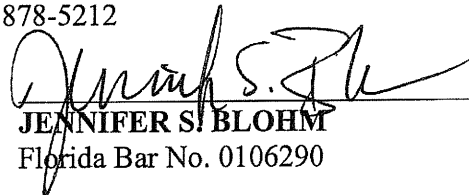
e. The Plaintiff has no adequate remedy at law.

WHEREFORE, the Plaintiff respectfully requests that the Court enter an Order on this application for a Pure Bill of Discovery allowing the Plaintiff to discover any and all documents relevant to the Defendant's campaign and personal bank accounts and allow the Plaintiff full use of all discovery methods provided by the Florida Rules of Civil Procedure, in an effort to determine the evidence supporting election law violations.

Respectfully submitted,

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