

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

WAYNE ADAMS and DAN HERZ,

Plaintiffs,

v.

CASE NO.: _____

CITY OF DEERFIELD BEACH, FLORIDA;
HEATHER MONTEMAYOR, in her official
capacity as CITY CLERK OF THE CITY OF
DEERFIELD BEACH; and JOE SCOTT, in
his official capacity as BROWARD COUNTY
SUPERVISOR OF ELECTIONS,

Defendants.

_____/

VERIFIED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

COME NOW, Plaintiffs, Wayne Adams and Dan Herz, by and through undersigned counsel, sue Defendants City of Deerfield Beach, Florida (“City”), Heather Montemayor, in her official capacity as City Clerk of the City of Deerfield Beach (“City Clerk”), and Joe Scott, in his official capacity as Broward County Supervisor of Elections (“Supervisor of Elections”), and allege as follows:

PRELIMINARY STATEMENT

This case is about a City Commission that voted to extend its own members' time in office, built into that extension a mechanism that preserves at least one sitting Commissioner's eligibility for re-election despite the Charter's eight-year term limit, and then asked voters to approve the entire package without ever telling them that a term-limit consequence was part of the deal. The Commission did so notwithstanding that its own Charter Review Board had recommended a shorter, term-limit-neutral alternative, and notwithstanding that this City's own electorate had rejected, by a margin of nearly three to one, a separate proposal to extend commission and mayoral

term limits less than two years earlier. Section 101.161(1), Florida Statutes, exists precisely to prevent voters from ratifying a measure whose chief purpose and material effects are not disclosed to them in clear and unambiguous language. Ballot Question D does not meet that standard, and absent relief from this Court, it will be certified for the November 3, 2026 general election in its current, legally deficient form.

NATURE OF THE ACTION

1. This is an action for declaratory judgment pursuant to Chapter 86, Florida Statutes, and for temporary and permanent injunctive relief pursuant to Florida Rule of Civil Procedure 1.610, challenging the legal sufficiency of the ballot title and summary for proposed Ballot Question D of Ordinance No. 2026/008 (the “Ordinance”), adopted by the City Commission of the City of Deerfield Beach, Florida, on second reading on August 4, 2026.

2. Ballot Question D fails to satisfy the “clear and unambiguous language” and “chief purpose” disclosure requirements of section 101.161(1), Florida Statutes, because it omits a material and substantive effect of the proposed Charter amendment: that the approximately 20-month extension of current officeholders' terms, including the officeholders currently serving in City Commission Districts 1 and 2, is expressly exempted from counting toward the eight-year term-limit provision set forth in Section 3.04(3) of the City Charter.

3. Plaintiff Wayne Adams is a declared candidate for City Commissioner, District 2, and Plaintiff Dan Herz intended to declare his candidacy for City Commissioner, District 1, in the regular election for those seats that, absent the Ordinance, would be held in March 2027. Both Plaintiffs have a direct, personal, and particularized interest in the legal sufficiency of Ballot Question D that is distinct from the interest of the electorate generally, because the Ordinance

directly determines the timing of the election for the offices they seek, and the continued eligibility of the current officeholders in those offices.

4. Unless enjoined, Defendants will certify, print, and place Ballot Question D before the qualified electors of the City of Deerfield Beach on the November 3, 2026 general election ballot in its current, legally deficient form.

PARTIES, JURISDICTION, AND VENUE

5. Plaintiff, Wayne Adams (“Mr. Adams”), is a resident of, and a registered, qualified elector of, the City of Deerfield Beach, Broward County, Florida, residing at 1431 SW 5th Terrace, Deerfield Beach, Florida 33441. Mr. Adams has resided in the City for approximately fifty-nine (59) years and is a declared candidate for the office of City Commissioner, District 2.

6. Plaintiff, Dan Herz (“Mr. Herz”), is a resident of, and a registered, qualified elector of, the City of Deerfield Beach, Broward County, Florida, residing at 330 SE 19th Avenue, Apt. J, Deerfield Beach, Florida 33441. Mr. Herz has resided in the City since 2018 and intended to declare his candidacy for the office of City Commissioner, District 1, but has refrained from doing so because of the uncertainty created by the City Commission's adoption of the Ordinance, as set forth more fully below.

7. Both Plaintiffs are entitled to vote in the November 3, 2026 general election, including on Ballot Question D.

8. Defendant City of Deerfield Beach is a municipal corporation duly organized and existing under the laws of the State of Florida, located in Broward County, Florida.

9. Defendant Heather Montemayor is sued in her official capacity as City Clerk of the City of Deerfield Beach. The City Clerk is responsible, among other duties, for certifying the form

of ballot and ballot language adopted by the City Commission to the Broward County Supervisor of Elections.

10. Defendant Joe Scott is sued in his official capacity as Broward County Supervisor of Elections. The Supervisor of Elections is responsible for printing, administering, and canvassing the ballot for the November 3, 2026 general election within Broward County, including the ballot language for municipal referendum questions such as Ballot Question D.

11. This Court has subject-matter jurisdiction pursuant to Article V, Section 5(b) of the Florida Constitution, section 26.012, Florida Statutes, and Chapter 86, Florida Statutes.

12. Venue is proper in Broward County, Florida, pursuant to section 47.011, Florida Statutes, because Defendant City of Deerfield Beach is located in Broward County and the acts and omissions giving rise to this action occurred, and the ballot at issue will be printed and administered, in Broward County.

GENERAL ALLEGATIONS

13. On July 21, 2026, the Deerfield Beach City Commission held a first reading of the Ordinance, proposing amendments to the City Charter for submission to the electors of the City at the November 3, 2026 general election.

14. On August 4, 2026, the City Commission held a public hearing and second reading on the Ordinance and adopted the Ordinance, including the ballot language for Ballot Question D described below.

15. Among the Charter amendments proposed by the Ordinance is a change to Section 3.04 of the City Charter moving municipal elections for Mayor and City Commission from March of odd-numbered years to November of even-numbered years, beginning in November 2028.

16. As amended by the Ordinance, Section 3.04 divides City Commission seats into “Group A” seats (Districts 1 and 2) and “Group B” seats (Districts 3 and 4, and the Mayor), and extends the terms of all persons currently serving in those seats by approximately 20 months, such that Group A terms expire upon the qualification of successors elected in November 2028, and Group B terms expire upon the qualification of successors elected in November 2030, rather than at the conclusion of the terms for which those officeholders were elected.

17. Absent the Ordinance, the regular election for the City Commission District 1 and District 2 seats would be held in March 2027. Under the Ordinance, no election for Group A seats, including Districts 1 and 2, will be held in March 2027. Instead, the terms of the current officeholders in Districts 1 and 2 are extended by approximately 20 months, and the next election for those seats will not occur until November 2028.

18. Section 3.04(3) of the City Charter, both before and after the amendments proposed by the Ordinance, provides that no person may appear on the ballot for re-election to the City Commission if, by the end of the person's current term of office, the person will have served, or but for resignation would have served, as a member of the City Commission for eight (8) consecutive years, subject to certain exceptions not relevant here.

19. The Ordinance adds a new subsection, Section 3.04(3)(iii), which provides that “[a]ny period of extended service resulting from the transition adjustments provided in (i) and (ii) above shall not be counted toward the term limits established in Section 3.04(3) of this Charter.”

20. The effect of Section 3.04(3)(iii) is that any current Commissioner or the Mayor who would otherwise reach the eight-year limit set forth in Section 3.04(3) during the approximately 20-month extension period is not barred from appearing on the ballot for re-election on account of that extended service, notwithstanding that such officeholder will, in actual fact, have served in

office longer than eight consecutive years. This provision applies to the current officeholders in Districts 1 and 2 to the same extent as it applies to all other Commission seats and the Mayor.

21. Michael Hudak is the current District 1 Commissioner. Mr. Hudak was first elected in March 2019 and was re-elected to his second consecutive four-year term in March 2023. Absent Section 3.04(3)(iii), Mr. Hudak would be barred by Section 3.04(3)'s eight-year term-limit provision from appearing on the ballot for re-election at the March 2027 election, having served eight (8) consecutive years in that office by the conclusion of his current term. Absent the Ordinance, the District 1 seat would therefore be an open seat — not subject to challenge by an eligible incumbent — at the March 2027 election.

22. Ben Preston is the current District 2 Commissioner. Mr. Preston was first elected to the District 2 seat in July 2011. He was elected to his current, continuous term of service in March 2019 and was re-elected to a second consecutive term in March 2023; his current term expires in March 2027. Absent Section 3.04(3)(iii), Mr. Preston, like Mr. Hudak, would be barred by Section 3.04(3)'s eight-year term-limit provision from appearing on the ballot for re-election at the March 2027 election, having served eight (8) consecutive years in that office, without interruption, since March 2019. Absent the Ordinance, the District 2 seat, like the District 1 seat, would therefore be an open seat — not subject to challenge by an eligible incumbent — at the March 2027 election.

23. The Ordinance itself creates, and then immediately excuses, this term-limit problem for Mr. Hudak. Because the March 2027 election is eliminated and his term is extended straight through to November 2028, his actual continuous service by that date will be approximately nine years and eight months — well past the eight-year limit — and November 2028, not March 2027, becomes the first election at which he is actually tested against Section 3.04(3). Section 3.04(3)(iii) is what prevents that test from barring him: by excluding the 20-month extension period from the

term-limit count, it treats Mr. Hudak as though he has served only eight years as of November 2028, preserving his eligibility to run again at the very election his extended term would otherwise have disqualified him from. The practical effect of the Ordinance, if adopted by voters in its current form, is to convert what would otherwise have been a guaranteed open-seat election for District 1 into an election in which the sitting, term-limited incumbent remains eligible to run.

24. At the November 8, 2022 general election, City voters were asked whether to amend Section 3.04(3) of the Charter to extend commission and mayoral term limits from two consecutive four-year terms to three consecutive four-year terms. Voters rejected that measure, with 15,247 votes (72.78%) against and 5,703 votes (27.22%) in favor, with all 16 precincts reporting. See *Deerfield Beach Votes No On Extending Term Limits For Mayor And Commissioners*, *Deerfield News* (Nov. 9, 2022); *Term Limits Win Overwhelmingly in Two Broward County Cities*, *Florida Politics* (2022).

25. At the July 21, 2026 first reading of the Ordinance, Commissioner Daniel Shanetzky stated on the record: “You, the people, voted for us to have a four-year term. To extend it for an additional 20 months is extremely egregious.” Former City Commissioner Bernie Parness also addressed the Commission at that meeting and reminded it that voters had previously rejected a proposal to extend commission terms. See *Deerfield Beach Advances Nine Charter Amendments Toward November Ballot on 3-2 Vote*, *Boca Post* (July 22, 2026); “Don’t Mess With the Elections”: At Meeting, Public Opposes Most of Deerfield’s Charter Amendments, *New Pelican* (July 24, 2026).

26. Plaintiff Wayne Adams is a declared candidate for the office of City Commissioner, District 2, currently held by Mr. Preston, for the same March 2027 election — likewise an open

seat absent Section 3.04(3)(iii), given that Mr. Preston would otherwise be barred from re-election by the Charter's eight-year term-limit provision.

27. Plaintiff Dan Herz intended to declare his candidacy for the office of City Commissioner, District 1, currently held by Mr. Hudak, for the same March 2027 election — an open seat absent Section 3.04(3)(iii), given that Mr. Hudak would otherwise be barred from re-election by the Charter's eight-year term-limit provision — but has refrained from doing so because of the uncertainty created by the City Commission's adoption of the Ordinance and its proposed elimination of the March 2027 election for that seat.

28. The extension of the current officeholders' terms in Districts 1 and 2, and the accompanying exemption of that extension from the Charter's eight-year term-limit provision, directly and particularly affect Plaintiffs Adams and Herz, distinct from their interest as members of the general electorate, because those provisions determine both when the District 1 and District 2 seats will next be subject to election and, as to both the District 1 and District 2 seats, whether the current, term-limited officeholders remain eligible to seek re-election notwithstanding the extension of their terms and notwithstanding that each will have served eight consecutive years in office.

29. The Ordinance calls a referendum election for November 3, 2026, and submits the proposed Charter amendments to voters as nine lettered ballot questions, Questions A through I.

30. Ballot Question D, as adopted by the City Commission and as it will be certified for the November 3, 2026 ballot absent relief from this Court, reads in its entirety:

*“D. Change Municipal Election Dates to November of Even-Numbered Years and Transition of Commission Terms.
Shall the Charter be amended to change Commission elections from March of odd-numbered years to November of even-numbered years beginning November 2028 to increase voter participation and decrease election costs, resulting in term extensions of approximately 20 months for all current*

Commissioners and the Mayor to maintain staggered terms, with no elections held in March 2027 or March 2029 and all future terms remaining four years?”

31. Ballot Question D discloses that current Commissioners and the Mayor will receive a term extension of approximately 20 months, and that no elections will be held in March 2027 or March 2029. It does not disclose, in any form or by any reference, that this extension is exempted from Section 3.04(3)'s eight-year term-limit provision, or that the practical effect of the amendment is to permit certain current officeholders — including Michael Hudak, the current District 1 Commissioner, who would otherwise be barred from re-election by the eight-year limit — to serve longer than eight consecutive years in office and remain eligible for re-election, converting what would otherwise be an open-seat election into an election in which that term-limited incumbent may run again, and, in any event, to eliminate the scheduled March 2027 election for both the District 1 and District 2 seats sought by Plaintiffs Herz and Adams, respectively.

32. Prior to and during the August 4, 2026 public hearing on second reading of the Ordinance, Plaintiffs and numerous other residents of the City appeared before the City Commission during the public comment portion of the meeting and specifically raised the omission described in the preceding paragraph, and requested that the City Commission revise the language of Ballot Question D to disclose that effect before adopting the Ordinance on second reading.

33. At that same hearing, residents also requested that the City Commission split Ballot Question D into separate ballot questions — one addressing the change in the timing of municipal elections, and a separate question addressing the extension of current officeholders' terms and the accompanying term-limit exemption — so that voters could express their views on each change independently rather than being required to approve or reject both in a single vote.

34. As drafted, Ballot Question D requires voters to approve or reject, in a single vote, at least three analytically distinct and severable changes to the City Charter: (1) changing the date of municipal elections from March of odd-numbered years to November of even-numbered years; (2) extending the current terms of sitting Commissioners and the Mayor by approximately 20 months; and (3) exempting that extension from counting toward the Charter's existing eight-year term-limit provision. A voter who supports the first of these changes but opposes the second, the third, or both has no mechanism by which to express that preference; Ballot Question D affords only a single “yes” or “no” vote covering all three changes together.

35. Notwithstanding those objections and requests, the City Commission voted 3-2 to adopt the Ordinance on second reading on August 4, 2026, with the language of Ballot Question D unchanged in the respects described above and without splitting Ballot Question D into separate questions. Vice Mayor Hudak — the current District 1 Commissioner, whose own eligibility for re-election is directly and personally determined by the term-limit exemption in Section 3.04(3)(iii) — voted in favor of adoption, along with Commissioner Plaut (the current District 4 Commissioner) and Mayor Drosky. Commissioner Preston, the current District 2 Commissioner, and Commissioner Shanetzky voted against adoption.

36. Pursuant to the Ordinance and the election timeline established by the Broward County Supervisor of Elections, the ballot language for Question D, along with all other required election materials, must be submitted to the Supervisor of Elections no later than 5:00 p.m. on August 18, 2026, for inclusion on the November 3, 2026 general election ballot.

37. Unless enjoined by this Court, Defendants will certify, print, and place Ballot Question D on the November 3, 2026 general election ballot in its current form.

COUNT I
DECLARATORY JUDGMENT — VIOLATION OF
SECTION 101.161(1), FLORIDA STATUTES

38. Plaintiffs reallege and incorporate paragraphs 1 through 37 as if fully set forth herein.

39. Section 101.161(1), Florida Statutes, requires that the ballot summary of an amendment or other public measure submitted to the vote of the people “be printed in clear and unambiguous language” and constitute “an explanatory statement... of the chief purpose of the measure.”

40. Florida courts have long construed this standard to require that a ballot title and summary fairly inform the voter of the true meaning and ramifications of a proposed measure, and have held that a ballot summary that omits or obscures a material effect of the proposed amendment fails the statute even where every word contained in the summary is, in isolation, accurate. See *Askew v. Firestone*, 421 So. 2d 151 (Fla. 1982).

41. The exemption of the approximately 20-month term extension from Section 3.04(3)'s eight-year term-limit provision, codified at proposed Section 3.04(3)(iii), is a material and substantive effect of the Charter amendment presented in Ballot Question D. It directly and specifically determines the eligibility of identifiable current officeholders — including Michael Hudak, the current District 1 Commissioner whose seat Plaintiff Herz sought to contest, and who would otherwise be barred from re-election by the Charter's existing eight-year limit — to appear on the ballot for re-election.

42. Ballot Question D discloses only that current officeholders' terms are being extended by approximately 20 months “to maintain staggered terms” and that no elections will be held in March 2027 or March 2029. It does not disclose, anywhere in its title or summary, that this extension is also exempted from the Charter's existing term-limit provision. A reasonable voter —

including Plaintiffs, as both voters and as declared or intending candidates for the affected seats — would have no basis to understand that a term-limit consequence is also being altered by a “yes” vote.

43. Ballot Question D's combination of three severable changes — the election-date change, the term extension, and the term-limit exemption — into a single question independently undermines the “clear and unambiguous language” and “chief purpose” requirements of section 101.161(1), Florida Statutes. Where a ballot question bundles multiple, analytically distinct policy changes, no single “chief purpose” can be fairly identified or conveyed to voters, and voters are denied the ability to cast a vote that accurately reflects their views on each component.

44. Plaintiffs do not contend that this bundling violates Florida's single-subject rule, standing alone, as an independent basis for relief. That rule, as codified for constitutional amendments at Article XI, Section 3 of the Florida Constitution, applies only to amendments proposed by citizen initiative petition. Ballot Question D was initiated by the City Commission by ordinance under Section 9.01(1) of the City Charter, not by citizen petition under Section 9.01(2), and Florida courts have declined to extend the single-subject rule to charter revisions proposed through that process. See *Charter Review Comm'n of Orange Cnty. v. Scott*, 647 So. 2d 835, 837–38 (Fla. 1994) (single-subject rule does not apply to charter revisions proposed by a charter review commission, as distinct from citizen-initiated amendments under Article XI).

45. The bundling of three severable changes into a single ballot question is relevant here only because it independently defeats Section 101.161(1)'s separate requirement that a ballot summary be written in “clear and unambiguous language” and identify the “chief purpose” of the measure — a requirement that applies to every public measure submitted to the vote of the people regardless of how the measure was initiated. Where, as here, a single question compels one yes-

or-no vote on three analytically distinct changes, no single chief purpose can be fairly identified or conveyed to voters, and that defect exists independent of, and without regard to, whether the single-subject rule also applies to charter amendments of this kind.

46. The materiality of this omission is confirmed by the circumstances of the Ordinance's adoption. The Ordinance was adopted by a vote of only 3-2, with one of the deciding votes cast by Vice Mayor Hudak — the Commissioner whose own eligibility for re-election was directly and personally determined by the undisclosed term-limit exemption in Section 3.04(3)(iii). A provision material enough to be decisive to the vote of the very official whose own re-election eligibility it determines is, a fortiori, material enough to require disclosure to the voters being asked to ratify it.

47. The materiality of the term-limit exemption is confirmed further by contrast. Commissioner Preston, the current District 2 Commissioner, occupies the identical position as Vice Mayor Hudak under Section 3.04(3)(iii): his own re-election eligibility at the November 2028 election is equally preserved by that provision, regardless of how he voted on the Ordinance. Commissioner Preston nonetheless voted against adoption. The benefit Section 3.04(3)(iii) confers on sitting officeholders is accordingly not a benefit that every affected officeholder treated as an unavoidable byproduct of the transition to November elections; it is a benefit that at least one similarly situated Commissioner voted against, while Vice Mayor Hudak, whose own eligibility is likewise at stake, voted in favor.

48. Voters' view on extending officeholders' time in office beyond the Charter's existing limits is not speculative. At the November 8, 2022 general election, City voters rejected, by a margin of approximately 73% to 27%, a separate proposal to extend commission and mayoral term limits from two consecutive terms to three. Ballot Question D does not raise the numerical cap

Section 3.04(3) imposes, but Section 3.04(3)(iii) achieves a materially similar result for at least one sitting Commissioner by excluding a period of his service from the count used to enforce that cap. Voters evaluating Ballot Question D are not told that the measure produces this effect, or that the electorate has already decisively expressed its view on proposals extending officeholders' tenure beyond the Charter's existing limits.

49. The Commission's failure to disclose the term-limit consequence of Ballot Question D was not the product of the Commission's own unfamiliarity with this history. At the July 21, 2026 first reading, both a sitting Commissioner who ultimately voted against the Ordinance and a former City Commissioner reminded the Commission, on the record, that this City's electorate had already rejected a proposal to extend officeholders' terms. The Commission adopted the Ordinance two weeks later, at the August 4, 2026 second reading, with Ballot Question D's disclosure unchanged in this respect.

50. Taken together, these facts remove any doubt about materiality. Ballot Question D's term-limit exemption determines whether an identified, sitting Commissioner remains eligible for re-election; the Commission's own advisory board recommended an alternative that would have avoided the question entirely; and this City's electorate has already told the Commission, by a margin of nearly three to one, what it thinks of extending officeholders' time in office when the question is put to them plainly — a fact the Commission was reminded of, on the record, before it voted to proceed anyway. The one time voters were asked directly, they said no. Ballot Question D does not ask them directly — it asks them to approve an election-date change while it separately, and without disclosure, accomplishes a similar result through the operation of Section 3.04(3)(iii).

51. Because Ballot Question D omits a material effect of the proposed Charter amendment, it fails to satisfy the “clear and unambiguous language” and “chief purpose”

requirements of section 101.161(1), Florida Statutes, and is invalid and legally insufficient to be placed before voters in its current form.

52. An actual, present, and practical controversy exists between Plaintiffs and Defendants regarding the legal sufficiency of Ballot Question D, and Plaintiffs have no adequate remedy other than the relief sought in this action.

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment declaring that Ballot Question D, in its current form, fails to comply with section 101.161(1), Florida Statutes, and further declaring that Defendants may cure the deficiency either by revising Ballot Question D's title and summary to disclose the term-limit effect described herein, or by restructuring Ballot Question D into separate ballot questions addressing, respectively, the change in election dates and the extension of current officeholders' terms together with the accompanying term-limit exemption, and grant such other and further relief as the Court deems just and proper.

COUNT II **INJUNCTIVE RELIEF**

53. Plaintiffs reallege and incorporate paragraphs 1 through 37 as if fully set forth herein.

54. Plaintiffs will suffer irreparable harm if Ballot Question D is certified, printed, and placed before voters on the November 3, 2026 ballot in its current, legally deficient form, because a vote cast — or withheld — in reliance on materially incomplete ballot language cannot be undone once the election has occurred, and because Plaintiffs, as a declared candidate and an intending candidate for the directly affected seats, cannot meaningfully plan their candidacies, campaign timelines, or filing decisions while the legality of the underlying Charter amendment remains unresolved and undisclosed to voters.

55. Plaintiffs have no adequate remedy at law.

56. Plaintiffs are substantially likely to prevail on the merits of Count I for the reasons set forth above.

57. The public interest favors an injunction requiring that ballot language accurately and completely disclose the chief purpose and material effects of a proposed Charter amendment before it is submitted to voters, particularly where, as here, the amendment directly affects the eligibility of the officeholders who adopted it and the electoral opportunities of declared and prospective candidates for the seats those officeholders occupy, and where one of the deciding votes to adopt the Ordinance was cast by the Commissioner whose own re-election eligibility was directly and personally affected by the undisclosed provision.

58. The threatened injury to Plaintiffs and to the voting public of the City of Deerfield Beach outweighs any harm an injunction would cause to Defendants, who retain the ability to revise the language of Ballot Question D and timely certify a corrected version in advance of the November 3, 2026 election.

WHEREFORE, Plaintiffs respectfully request that this Court enter a temporary and, ultimately, permanent injunction enjoining Defendants, and each of them, from certifying, printing, or placing Ballot Question D on the November 3, 2026 general election ballot unless and until either (a) its title and summary are revised to disclose that the proposed term extension is exempted from the City Charter's eight-year term-limit provision, or (b) Ballot Question D is restructured into separate ballot questions addressing, respectively, the change in election dates and the extension of current officeholders' terms together with the accompanying term-limit exemption, and grant such other and further relief as the Court deems just and proper.

VERIFICATION

Under penalties of perjury, I declare that I have read the foregoing Verified Complaint for Declaratory and Injunctive Relief and that the factual allegations contained therein are true and correct to the best of my knowledge and belief.

Wayne Adams, Plaintiff

Sworn to and subscribed before me this ____ day of _____, 2026, by Wayne Adams, who is personally known to me or who produced _____ as identification.

Notary Public, State of Florida
My Commission Expires: _____

Dan Herz, Plaintiff

Sworn to and subscribed before me this ____ day of _____, 2026, by Dan Herz, who is personally known to me or who produced _____ as identification.

Notary Public, State of Florida
My Commission Expires: _____

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Respectfully submitted,

/s/ LOUIS J. BAPTISTE

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DAN HERZ

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via the Florida Courts E-Filing Portal and/or by email this 7th day of August, 2026, upon:

ANTHONY C. SOROKA, ESQ.

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MONTEMAYOR, IN HER OFFICIAL CAPACITY AS CITY CLERK OF THE CITY OF
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/s/ LOUIS J. BAPTISTE

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