

IN THE SUPREME COURT OF FLORIDA

Case No. SC16-616

SILVIO MEMBRENO AND FLORIDA
ASSOCIATION OF VENDORS, INC,

Petitioners,

v.

CITY OF HIALEAH, Florida,

Respondent.

On Appeal from the District Court of Appeal of the State of Florida,
Third District, Case No. 3D14-2603

NOTICE OF INTENT TO SEEK LEAVE TO FILE AMICUS CURIAE BRIEF
OF PACIFIC LEGAL FOUNDATION, JAMES MADISON INSTITUTE,
AND THE LIBRE INITIATIVE INSTITUTE IN SUPPORT OF PETITIONERS

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Pursuant to Fla. R. App. P. 9.370(d), Pacific Legal Foundation, James Madison Institute, and The LIBRE Initiative Institute provide notice of their intent to seek leave to file a brief amicus curiae in support of Petitioners, Silvio Membreno and the Florida Association of Vendors, Inc., should this Court accept jurisdiction in this case. The interest of the amici is to ensure that laws that restrict the ability to enter a profession or open a business are held constitutional only if they protect the public health and safety in accord with the due process clause of Florida's Constitution. Amici will assist the Court by explaining that Florida's "rational and reasonable relationship" test governing challenges to economic regulations under article I, section 9, of the Florida Constitution offers greater protection than the federal "rational basis" test applied by the District Court.

DATED: May 16, 2016.

Respectfully submitted,

By: /s/ Christina M. Martin

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CERTIFICATE OF COMPLIANCE

I certify that the font used in this notice is Times New Roman 14 point and in compliance with Fla. R. App. P. 9.210(a)(2).

DATED: May 16, 2016.

/s/ Christina M. Martin

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice to File Brief Amicus Curiae was electronically served through the Florida Court's E-Filing Portal and furnished to the following via email, the 16th day of May, 2016:

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