



(1) The instant action is a civil action based upon provisions of 28 U.S.C.A. 1343(3), and is not founded on diversity of citizenship.

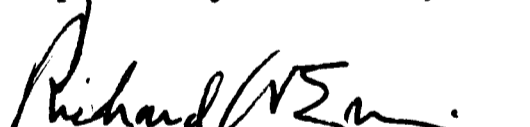
(2) According to the provisions of 28 U.S.C.A. 1391(b), a civil action wherein jurisdiction is not founded solely on diversity of citizenship may be brought only in the judicial district where all defendants reside.

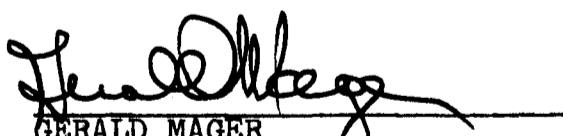
(3) The defendant, Board of Commissioners of State Institutions, is a board created by Article IV, Section 17, of the Florida constitution; the instant suit is being maintained against the said Board and persons named herein as members of said Board are being sued in their official capacity and as members of said Board.

(4) The official residence of the Board and of the persons/named herein is at the seat of government in the State Capitol at Tallahassee, Florida, being situated within the jurisdiction of the United States District Court, Northern District of Florida.

WHEREFORE, the movants pray that this court transfer this cause to the appropriate district court.

Respectfully submitted,

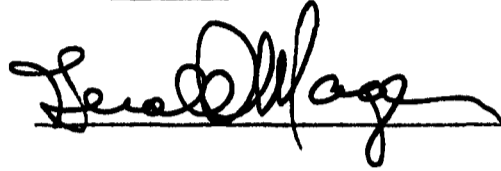
  
RICHARD W. ERVIN  
Attorney General

  
GERALD MAGER  
Assistant Attorney General

Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above Motion to Transfer Venue has been mailed to the Honorable Earl M. Johnson, 625 West Union Street, Jacksonville Florida, and the Honorable Constance Baker Motley and Honorable Jack Greenberg, 10 Columbus Circle, New York 19, New York, Attorneys for Plaintiffs, this 27<sup>th</sup> day of November, 1963.

  
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