

IN THE SUPREME COURT OF OHIO

**Meryl Neiman, et al.,**

**League of Women Voters of Ohio, et al.,**

**Petitioners,**

**v.**

**Secretary of State Frank LaRose, et al.,**

**Respondents.**

**Case No. 2022-298**

**Case No. 2022-303**

*Consolidated*

Original Action Filed Pursuant to Ohio  
Constitution, Article XIX, Section 3(A)

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**NEIMAN PETITIONERS' MOTION TO VACATE BRIEFING SCHEDULE**

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Petitioners respectfully move the Court to vacate the briefing schedule set by order dated August 23, 2023 (“the Scheduling Order”). On September 5, 2023, Petitioners in this action, as well as in the consolidated matter of *League of Women Voters et al. v. Ohio Redistricting Commission, et al.*, Case No. 2022-0303, filed applications to dismiss, pursuant to Ohio Supreme Court Rule 4.01.

Under the Scheduling Order, all parties are to file briefs on September 12, 2023, addressing *Huffman v. Neiman*, U.S. Supreme Court Case No. 22-362 (June 30, 2023), and any further proceedings the Court should hold. Should the Court dismiss the cases per the pending applications, it would render this further briefing moot.

Accordingly, Petitioners ask the Court to vacate the scheduling order pending its disposition of the dismissal application.

In response to Plaintiffs’ inquiry, counsel for the Senate President and House Speaker indicated that they oppose the motion.

Dated: September 5, 2023

Respectfully submitted,

/s/ Donald J. McTigue

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## CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent via email this 6th day of September, 2023 to the following:

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