



ORIGINAL

**FILED
SUPREME COURT
STATE OF OKLAHOMA**

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

SEP 1 2020

**JOHN D. HADDEN
CLERK**

(1) ROGER GADDIS, AND
(2) ELDON MERKLIN,

PROTESTANTS/PETITIONERS,

v.

(1) ANDREW MOORE,
(2) JANET ANN LARGENT, AND
(3) LYNDA JOHNSON,

RESPONDENTS/PROPONENTS.

#119029

Case No. _____

-----ORIGINAL-----
Received _____
Marshall _____
Reynolds _____
Cert mailed _____
Updated _____

MOTION FOR ORAL ARGUMENT

Protestants/Petitioners, pursuant to Oklahoma Supreme Court Rules 1.9 and 1.191(g), move for oral argument before the Supreme Court *en banc* to consider the constitutionality of Initiative Petition No. 430 ("IP 430"). This case is appropriate for oral argument before the full Court for the following reasons:

1. This case is *publici juris*. IP 430 would not only significantly change the apportionment system for the entire Legislature and all the U.S. Representatives from our State, but would also require Oklahoma to undergo redistricting mid-decade, in 2023.

2. Oral argument will assist the Court because of the unusual complexity of the Initiative Petition at issue. IP 430 would (a) create a redistricting commission, (b) create new criteria for drawing legislative districts, and (c) require mid-decade redistricting in 2023.

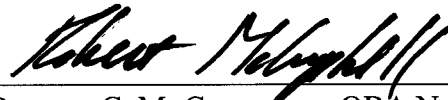
3. Oral argument will assist the Court because of the different issues to arise including (a) how having more than 48 senators, not evenly spread across the state, will violate the one person one vote principle of *Reynolds v. Sims*, 377 U.S. 533 (1964), (b) the complexities of the mid-decade redistricting which would be required by IP 430, (c) the

significance of the proponents' new language requiring the redistricting commission to determine whether each party has a "disproportionate advantage."

4. The same motion for oral argument is filed in the companion case of *McCormick v. Largent* filed today.

WHEREFORE, Protestants/Petitioners respectfully request oral argument before the Supreme Court of the State of Oklahoma *en banc*.

Respectfully submitted,



ROBERT G. MCCAMPBELL, OBA No. 10390
GABLEGOTWALS
One Leadership Square, 15th Floor
211 North Robinson Avenue
Oklahoma City, OK 73102
Telephone: (405) 235-5500
RMcCampbell@Gablelaw.com

*Attorney for Protestants/Petitioners
Roger Gaddis and Eldon Merklin*

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of September, 2020, a true and correct copy of the above and forgoing was served by hand delivery and email as follows:

D. Kent Meyers
Roger A. Stong
Melanie Wilson Rughani
CROWE & DUNLEVY, P.C.
324 N. Robinson Ave., Suite 100
Oklahoma City, OK 73102

Secretary of State's Office
State of Oklahoma
2300 N. Lincoln Blvd.
Suite 101
Oklahoma City, OK 73105-4897

Attorney General's Office
313 NE 21st Street
Oklahoma City, OK 73105-4897



Robert G. McCampbell

S550221