

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

PRESS ROBINSON, EDGAR CAGE,
DOROTHY NAIRNE, EDWIN RENE
SOULE, ALICE WASHINGTON, CLEE
EARNEST LOWE, DAVANTE LEWIS,
MARTHA DAVIS, AMBROSE SIMS,
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE
("NAACP") LOUISIANA STATE
CONFERENCE, AND POWER COALITION
FOR EQUITY AND JUSTICE,

Plaintiffs,

v.

KYLE ARDOIN, in his official capacity as
Secretary of State for Louisiana.

Defendant.

Civil Action No. 3:22-cv-00211-SDD-RLB

EDWARD GALMON, SR., CIARA HART,
NORRIS HENDERSON, TRAMELLE
HOWARD,

Plaintiffs,

v.

KYLE ARDOIN, in his official capacity as
Secretary of State for Louisiana.

Defendant.

Civil Action No. 3:22-cv-00214-SDD-RLB

JOINT MOTION FOR STATUS CONFERENCE

NOW INTO COURT, come Plaintiffs Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, NAACP Louisiana State Conference, and Power Coalition for Equity and Justice (the “Robinson Plaintiffs”), and Edward Galmon, Sr., Ciara Hart, Norris Henderson, and Tramelle Howard (the “Galmon Plaintiffs”) to request that this Court set a status conference as soon as is practicable to discuss the resumption of this action following the June 26, 2023 Order of the Supreme Court. *See* Summary Dispositions, *Ardoin v. Robinson*, No. 21-1596 (June 26, 2023). Under FRCP Rule 16(a), a court may order attorneys to appear for a conference for the purpose of, among other things, “expediting disposition of the action” and “establishing early and continuing control so that the case will not be protracted.”

On June 6, 2022, and following a five-day hearing in early May 2022, this Court granted the Plaintiffs’ Motion for Preliminary Injunction. *Robinson v. Ardoin*, 605 F. Supp. 3d 759 (M.D. La.). The Court determined that Louisiana’s congressional redistricting map diluted the votes of Black voters in violation of Section 2 of the Voting Rights Act of 1965, and it preliminarily enjoined Defendants from conducting any congressional elections using that map. *Id.* at 766-67. The Court established a deadline of June 20, 2022 for the Louisiana Legislature to enact a map compliant with the Court’s decision and stated that it would enact a remedial plan if the Legislature failed to do so. *Id.*

Defendants moved in the Fifth Circuit on June 9, 2022 for a stay pending appeal. The Fifth Circuit initially entered an administrative stay of this Court’s injunction and, on June 12, 2022, issued a 33-page opinion denying Defendants’ motion for a stay and

vacating the administrative stay, while also ordering expedited briefing for a merits panel. *See Robinson v. Ardoin*, 37 F.4th 208 (5th Cir. 2022).

Although the Governor proclaimed an Extraordinary Legislative Session on June 7, 2022 to allow for the passage of a new congressional map, the Louisiana Legislature failed to timely enact a redistricting plan compliant with this Court's directive. On June 17, 2022, the Court required that the parties submit briefing and proposed remedial maps and scheduled an evidentiary hearing to be held on June 29, 2022 in order to evaluate the proposed maps and facilitate the adoption of a remedial map. ECF No. 206. The same day, Defendants filed an emergency application for a stay and petition for writ pending certiorari with the United States Supreme Court, which was granted on June 28 pending decision by the Supreme Court in *Allen v. Milligan*, 599 U.S. __ (2023). The grant of certiorari by the Supreme Court paused proceedings in the Fifth Circuit and in this Court. ECF No. 227.

On June 8, 2023, the Supreme Court issued its decision in *Allen v. Milligan*. 599 U.S. __ (2023). The Supreme Court upheld the judgment of the three-judge panel in that case that the Alabama congressional redistricting plan at issue likely violated Section 2 of the Voting Rights Act and reaffirmed the standards that it first adopted in *Thornburg v. Gingles* and that this Court applied to the present case. *Id.*

The Supreme Court subsequently issued an Order on June 26, 2023 dismissing the writ of certiorari before judgment as improvidently granted, vacating the stay, and allowing the matter to proceed “in the ordinary course and in advance of the 2024 congressional elections in Louisiana.” Summary Dispositions, *Ardoin v. Robinson*, No. 21-1596 (June

26, 2023). The dismissal of certiorari and lifting of the Supreme Court's stay allows this Court to resume its proceedings regarding the remedial maps.

Accordingly, the Robinson and Galmon Plaintiffs respectfully request that the Court schedule a status conference at its earliest convenience in order to establish a timeline for resuming the process for establishing the remedial maps, including but not limited to (i) entering a schedule for supplemental briefing and remedial maps; and (ii) setting forth a date for an evidentiary hearing to resume consideration of the maps.

Date: June 27, 2023

Respectfully submitted,

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ORDER

Considering the *Motion for Status Conference* filed by Plaintiffs in the above-captioned case;

IT IS HEREBY ORDERED that the motion is GRANTED and a telephonic status conference be set for _____, 2023, at _____.

Signed in Baton Rouge, Louisiana, this ____ day of _____, 2023.

Chief Judge Shelly D. Dick