

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION**

PHILIP CALLAIS, LLOYD PRICE,)
BRUCE ODELL, ELIZABETH ERSOFF,)
ALBERT CAISSIE, DANIEL WEIR,)
JOYCE LACOUR, CANDY CARROLL)
PEAVY, TANYA WHITNEY, MIKE)
JOHNSON, GROVER JOSEPH REES,)
ROLFE MCCOLLISTER,)

Plaintiffs,)

v.)

NANCY LANDRY, IN HER OFFICIAL)
CAPACITY AS LOUISIANA)
SECRETARY OF STATE,)

Defendant.)

Case No. 3:24-cv-00122-DCJ-CES-RRS

District Judge David C. Joseph
Circuit Judge Carl E. Stewart
District Judge Robert R. Summerhays
Magistrate Judge Kayla D. McClusky

**MEMORANDUM IN SUPPORT OF UNOPPOSED MOTION FOR
CASE MANAGEMENT CONFERENCE AND EXPEDITED SCHEDULE**

Plaintiffs respectfully request that the Court (i) set a case management conference as soon as practicable to take up the Parties’ proposed expedited schedule for resolving this case; and (ii) institute that schedule. The Parties met and conferred on February 16, 2024. Given the urgency of this case, Plaintiffs propose—and Defendant does not object to—the following schedule:

- All Answers to Plaintiffs’ Complaint due Friday, February 23, 2024.
- All Responses to Plaintiffs’ Preliminary Injunction Motion due Tuesday, February 27, 2024.
- Reply in Support of Preliminary Injunction Motion due Friday, March 8, 2024.
- Exhibit and witness lists for trial due Friday, March 8, 2024.
- All trial exhibits or expert reports to be produced by Friday, March 15, 2024.

- Preliminary injunction hearing set for Monday, March 25, 2024, at 9:00 a.m., expected to be completed by Tuesday, March 26, 2024.
- Trial on the merits to be advanced to the setting for the preliminary injunction hearing, and to be consolidated with the hearing, pursuant to Fed. R. Civ. P. 65(a)(2).
- Bifurcation of the trial to incorporate a remedial phase, if necessary, which shall be held on Monday, April 22, 2024.

Expedited briefing and disposition is warranted. The Court “shall expedite the consideration of . . . any action for temporary or preliminary injunctive relief, or any other action if good cause therefor is shown.” 28 U.S.C. § 1657(a). “[G]ood cause’ is shown if a right under the Constitution of the United States . . . would be maintained in a factual context that indicates that a request for expedited consideration has merit.” *Id.*

This action qualifies as an action for a preliminary injunction to trigger expedited briefing under 28 U.S.C. § 1657(a). **Doc. 17.**

Moreover, Plaintiffs have shown good cause by demonstrating that this congressional map implicates their right to equal protection under the Fourteenth Amendment and their right to vote under the Fifteenth Amendment. Plaintiffs allege in their Complaint (**Doc. 1**) and Motion for Preliminary Injunction (**Doc. 17**) that Louisiana’s current congressional redistricting map, SB8, enacted in January 2024, violates their constitutional rights under the Fourteenth and Fifteenth Amendments. That map is set to be used in the November 2024 congressional election.

Plaintiffs have met and conferred with Defendant Secretary of State through counsel.¹ The Defendant Secretary represents that her office must have a valid map by May 15, 2024, in order to run the congressional elections under that map. Given this, time is of the essence. Thus, good cause, coupled with the impending election and deadlines for Defendant, demonstrate that the request for expedited consideration has merit. 28 U.S.C. § 1657(a); *see also Kirksey v. City of Jackson, Miss.*, 625 F.2d 21, 22 (5th Cir. 1980) (per curiam) (ordering expedited schedule in suit challenging election system under Fourteenth and Fifteenth Amendments of the U.S. Constitution).

Plaintiffs note that two Motions to Intervene (**Doc. 10, 18**) and one Motion to Transfer (**Doc. 18**) are pending. Plaintiffs' response has been filed in opposition to each (**Doc. 33 and 33-1**). Since the Local Rules do not expressly confer a right to reply, each Motion is ripe for decision.

Dated this 19th day of February, 2024

Respectfully submitted,

PAUL LOY HURD, APLC

/s/ Paul Loy Hurd

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¹ Defendant does not join Plaintiffs' discussion of the merits of their Complaint and waives no defense or position by consenting to this request for a case management conference and expedited schedule.

CERTIFICATE OF SERVICE

I do hereby certify that, on this 19th day of February 2024, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which gives notice of filing to all counsel of record.

/s/ Edward D. Greim
Edward D. Greim