

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE
CONFERENCE OF THE NAACP, and

TAIWAN SCOTT, on behalf of himself and all
other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official
capacity as President of the Senate; LUKE A.
RANKIN, in his official capacity as Chairman of
the Senate Judiciary Committee; JAMES H.
LUCAS, in his official capacity as Speaker of the
House of Representatives; CHRIS MURPHY, in
his official capacity as Chairman of the House of
Representatives Judiciary Committee;
WALLACE H. JORDAN, in his official capacity
as Chairman of the House of Representatives
Elections Law Subcommittee; HOWARD
KNAPP, in his official capacity as interim
Executive Director of the South Carolina State
Election Commission; JOHN WELLS, Chair,
JOANNE DAY, CLIFFORD J. EDLER, LINDA
MCCALL, and SCOTT MOSELEY, in their
official capacities as members of the South
Carolina Election Commission,

Defendants.

**Case No. 3-21-cv-03302-MGL-
TJH-RMG**

THREE-JUDGE PANEL

NOTICE OF INTENT TO FILE OPPOSITION

On January 6, 2023, the Court entered Findings of Fact and Conclusions of Law, ruling that Congressional District (“CD”) 1 was a racial gerrymander under the Fourteenth Amendment to the U.S. Constitution and enacted with a discriminatory purpose to diminish Black voters’ power under the Fourteenth and Fifteenth Amendments to the U.S. Constitution. ECF No. 493 at 27–28. The Court permanently enjoined elections from taking place in CD 1 until it approved a “constitutionally valid

apportionment plan.” *Id.* at 31. And the Court provided the South Carolina General Assembly with an opportunity to submit a remedial plan to it by March 21, 2023. *Id.* at 30.

Three weeks later, House and Senate Defendants moved to stay the Court’s January 6 Order, as well as advised it of their intent to file an appeal to the U.S. Supreme Court. In denying Defendants’ stay motion, the Court altered the remedial schedule to allow the General Assembly to submit a remedial plan from March 31, 2023 until 30 days after a final decision of the Supreme Court. ECF No. 501 at 2–3. The Supreme Court heard oral argument on Defendants’ appeal on October 11, 2023, and a decision remains pending.

Yesterday, on March 7, 2024, Defendants filed a Motion for a Partial Stay of the Court’s January 6, 2023 Order for the 2024 Election Cycle. Though Defendants did not move for expedited consideration of their motion under Local Civ. R. 6.01, they ask the Court to make a “ruling on this motion by March 14, 2024.” ECF No. 519 at 3.

In normal course and absent any further direction from this Court, Plaintiffs’ response would be due by Thursday, March 21, 2024. Out of an abundance of caution, Plaintiffs respectfully inform the Court that they intend to file an opposition to Defendants’ Motion by no later than Tuesday, March 12. Plaintiffs also respectfully that the Court set a status conference for Wednesday, March 13 or as soon thereafter as possible to discuss the remedial process.

Dated: March 8, 2024

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Respectfully Submitted,

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* Motion for admission *Pro Hac Vice*
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CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2024, a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ Santino Coleman
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