

**IN THE SUPREME COURT OF OHIO**

**Bria Bennett, et al.,**

**Relators,**

**v.**

**Ohio Redistricting Commission, et al.,**

**Respondents.**

**Case No. 2021-1198**

Original Action Filed Pursuant to Ohio  
Constitution, Article XI, Section 9(A)

*[Apportionment Case Pursuant to S. Ct.  
Prac. R. 14.03]*

---

**MOTION OF RELATORS FOR DISCOVERY AND SCHEDULING ORDER**

---

Abha Khanna (Pro Hac Vice Pending)  
Ben Stafford (Pro Hac Vice Pending)  
ELIAS LAW GROUP  
1700 Seventh Ave, Suite 2100  
Seattle, WA 98101  
akhanna@elias.law  
bstafford@elias.law  
T: (206) 656-0176  
F: (206) 656-0180

Dave Yost (0056290)  
OHIO ATTORNEY GENERAL  
30 E. Broad Street  
Columbus, Ohio 43215  
T: (614) 466-2872  
F: (614) 728-7592

*Counsel for Respondents*

Aria C. Branch (Pro Hac Vice Pending)  
Jyoti Jasrasaria (Pro Hac Vice Pending)  
Spencer W. Klein (Pro Hac Vice Pending)  
ELIAS LAW GROUP  
10 G St NE, Suite 600  
Washington, DC 20002  
abbranch@elias.law  
jjasrasaria@elias.law  
sklein@elias.law  
T: (202) 968-4490  
F: (202) 968-4498

Donald J. McTigue\* (0022849)  
*\*Counsel of Record*  
Derek S. Clinger (0092075)  
MCTIGUE & COLOMBO LLC  
545 East Town Street  
Columbus, OH 43215  
dmctigue@electionlawgroup.com  
dclinger@electionlawgroup.com  
T: (614) 263-7000  
F: (614) 368-6961

*Counsel for Relators*

Relators hereby move this Court to adopt their proposed schedule for the Scheduling Order to be issued pursuant to Ohio Supreme Court Rule of Practice 14.03(B). Relators have reviewed a similar motion filed on Friday, September 24, 2021, by the *League of Women Voters* Relators in Case No. 2021-1193 and, in filing this motion, ask the Court to consider and adopt the same procedures and schedule here, attached as Exhibit A. Relators' proposed schedule assumes that filing and service shall be electronic and that all dates are calculated through 11:59 p.m. ET.

As the *League of Women Voters* Relators explain in their motion and supporting memorandum, time is of the essence given the impending filing deadlines for state legislative candidates and the procedural reapportionment requirements set forth in Article XI.

This motion thus seeks an expedited schedule for discovery, expert reports, and briefing on the merits, while also requesting oral argument. Relators respectfully submit that this expedited schedule is necessary to ensure that a remedy for the violation of their constitutional rights is available in time for the 2022 elections to proceed as planned.

Respectfully submitted,

/s Donald J. McTigue

Donald J. McTigue (0022849)

Derek S. Clinger (0092075)

MCTIGUE & COLOMBO LLC

545 East Town Street

Columbus, OH 43215

dmctigue@electionlawgroup.com

dclinger@electionlawgroup.com

T: (614) 263-7000

F: (614) 368-6961

Abha Khanna (Pro Hac Vice Pending)

Ben Stafford (Pro Hac Vice Pending)

ELIAS LAW GROUP

1700 Seventh Ave, Suite 2100

Seattle, WA 98101

akhanna@elias.law

bstafford@elias.law

T: (206) 656-0176  
F: (206) 656-0180

Aria C. Branch (Pro Hac Vice Pending)  
Jyoti Jasrasaria (Pro Hac Vice Pending)  
Spencer W. Klein (Pro Hac Vice Pending)  
ELIAS LAW GROUP  
10 G St NE, Suite 600  
Washington, DC 20002  
abranh@elias.law  
jjasrasaria@elias.law  
sklein@elias.law  
T: (202) 968-4490  
F: (202) 968-4498

*Counsel for Relators*

### **CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing was served via email on September 27, 2021 upon the following:

Office of the Ohio Attorney General  
Bridget Coontz  
Section Chief, Constitutional Offices Section  
Bridget.Coontz@OhioAttorneyGeneral.gov

/s/ Derek S. Clinger  
Derek S. Clinger

**EXHIBIT A**

<b>DEADLINE</b>	<b>DESCRIPTION</b>
October 1	Relators' expert disclosures
October 8	Respondents' deadline to respond to Relators' requests for production and interrogatories
October 15	Respondents' expert disclosures
October 22	Relators' Rebuttal expert disclosures
October 29	Discovery Cutoff (including completion of all depositions)
November 5	Concurrent submission of evidence by all parties
November 10	Relators' merits brief
November 17	Respondents' merits brief, evidentiary objections, including <i>in limine</i> and/or Daubert motions
November 17	Relators' evidentiary objections, including <i>in limine</i> and/or Daubert motions
November 24	Relators' reply brief
November 24	Relators' responses to Respondents' evidentiary objections, including <i>in limine</i> and/or Daubert motions
November 24	Respondents' responses to Relators' evidentiary objections (including <i>in limine</i> motions and/or Daubert motions)