

IN THE SUPREME COURT OF OHIO

Regina C. Adams, et al.,

Relators,

v.

Governor Mike DeWine, et al.,

Respondents.

Case No. 2021-1428

**Original Action Filed Pursuant to
Ohio Const., Art. XIX, Sec. 3(A)**

RELATORS' MOTION FOR ORAL ARGUMENT

Abha Khanna (PHV 2189-2021)
Ben Stafford (PHV 25433-2021)
ELIAS LAW GROUP, LLP
1700 Seventh Ave., Suite 2100
Seattle, WA 98101
(206) 656-0176
akhanna@elias.law

Aria C. Branch (PHV 25435-2021)
Jyoti Jasrasaria (PHV 25401-2021)
Spencer W. Klein (PHV 25432-2021)
Harleen K. Gambhir (PHV 25587-2021)
ELIAS LAW GROUP, LLP
10 G St. NE, Suite 600
Washington, DC 20002
(202) 968-4490
abbranch@elias.law

Donald J. McTigue (0022849)
Counsel of Record
Derek S. Clinger (0092075)
McTIGUE & COLOMBO, LLC
545 East Town Street
Columbus, OH 43215
(614) 263-7000
dmctigue@electionlawgroup.com

Counsel for Adams Relators

Dave Yost
OHIO ATTORNEY GENERAL

Bridget C. Coontz (0072919)
Julie M. Pfeiffer (0069762)
Michael A. Walton (0092201)
Assistant Attorneys General
Constitutional Offices Section
30 E. Broad Street, 16th Floor
Columbus, OH 43215
(614) 466-2872
bridget.coontz@ohioago.gov

*Counsel for Respondent Ohio Secretary of State
Frank LaRose*

Phillip J. Strach (PHV 25444-2021)
Thomas A. Farr (PHV 25461-2021)
John E. Branch, III (PHV 25460-2021)
Alyssa M. Riggins (PHV 25441-2021)
NELSON MULLINS RILEY & SCARBOROUGH, LLP
4140 Parklake Ave., Suite 200
Raleigh, NC 27612
(919) 329-3812
phil.strach@nelsonmullins.com

*Counsel for Respondents House Speaker Bob
Cupp and Senate President Matt Huffman*

Pursuant to S.Ct.Prac.R. 17.02(B), Relators Regina Adams, *et al.* respectfully move this Court for oral argument on the merits of their challenge to the congressional redistricting plan approved by the General Assembly on November 18, 2021 and signed into law by Governor DeWine the next day. A memorandum in support is attached.

Dated: December 14, 2021

Respectfully submitted,

/s/ Donald J. McTigue

Donald J. McTigue* (0022849)

**Counsel of Record*

Derek S. Clinger (0092075)

MCTIGUE & COLOMBO LLC

545 East Town Street

Columbus, OH 43215

T: (614) 263-7000

F: (614) 368-6961

dmctigue@electionlawgroup.com

dclinger@electionlawgroup.com

Abha Khanna (PHV 2189-2021)

Ben Stafford (PHV 25433-2021)

ELIAS LAW GROUP LLP

1700 Seventh Ave, Suite 2100

Seattle, WA 98101

T: (206) 656-0176

F: (206) 656-0180

akhanna@elias.law

bstafford@elias.law

Jyoti Jasrasaria (PHV 25401-2021)

Spencer W. Klein (PHV 25432-2021)

Harleen K. Gambhir (PHV 25587-2021)

ELIAS LAW GROUP LLP

10 G St NE, Suite 600

Washington, DC 20002

T: (202) 968-4490

F: (202) 968-4498

jjasrasaria@elias.law

sklein@elias.law

hgambhir@elias.law

Counsel for Relators

MEMORANDUM IN SUPPORT

Oral argument should be held in Relators’ challenge to the congressional redistricting plan enacted by the General Assembly and signed into law by the Governor in November 2021 (the “2021 Plan”) because the question presented—whether the 2021 Plan complies with the brand new constitutional process for drawing congressional districts—is a matter of great public importance, involves a substantial constitutional issue, and involves complex issues of law and fact.

In any year, congressional redistricting litigation would be of great public importance as such challenges concern the eminently consequential process of determining the districts for the state’s delegation to Congress. But Relators’ challenge and another congressional redistricting challenge filed around the same time (*League of Women Voters of Ohio v. Ohio Redistricting Commission*, Ohio Supreme Court Case No. 2021-1449) are of particular importance because they also present the Court with a substantial constitutional issue of first impression—how to interpret the congressional redistricting process set forth in Article XIX of the Ohio Constitution that Ohioans adopted in 2018. The Court’s ruling in these cases will no doubt greatly influence the congressional redistricting process for decades to come.

Further, congressional redistricting cases by their nature involve complex questions of law and fact. This is demonstrated by the large amount of evidence submitted by the Relators in the two congressional redistricting cases, as well as by the substantive arguments related to the proper interpretation and application of the newly mandated constitutional requirements, which are significantly different than Article XI’s requirements for state legislative redistricting.

Given these factors, the Court would benefit from the fullest opportunity to ask questions of the parties’ legal counsel. Accordingly, Relators Regina Adams, *et al.* respectfully request the Court to schedule oral argument in this action.

Dated: December 14, 2021

Respectfully submitted,

/s/ Donald J. McTigue

Donald J. McTigue* (0022849)

**Counsel of Record*

Derek S. Clinger (0092075)

MCTIGUE & COLOMBO LLC

545 East Town Street

Columbus, OH 43215

T: (614) 263-7000

F: (614) 368-6961

dmctigue@electionlawgroup.com

dclinger@electionlawgroup.com

Abha Khanna (PHV 2189-2021)

Ben Stafford (PHV 25433-2021)

ELIAS LAW GROUP LLP

1700 Seventh Ave, Suite 2100

Seattle, WA 98101

T: (206) 656-0176

F: (206) 656-0180

akhanna@elias.law

bstafford@elias.law

Jyoti Jasrasaria (PHV 25401-2021)

Spencer W. Klein (PHV 25432-2021)

Harleen K. Gambhir (PHV 25587-2021)

ELIAS LAW GROUP LLP

10 G St NE, Suite 600

Washington, DC 20002

T: (202) 968-4490

F: (202) 968-4498

jjasrasaria@elias.law

sklein@elias.law

hgambhir@elias.law

Counsel for Relators

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion was sent via email this 14th day of December, 2021 to the following:

Bridget C. Coontz, bridget.coontz@ohioago.gov
Julie M. Pfeiffer, julie.pfeiffer@ohioago.gov
Michael Walton, michael.walton@ohioago.gov

Counsel for Respondents Ohio Governor DeWine, Ohio Secretary of State LaRose, Ohio Auditor Faber, House Speaker Robert R. Cupp, Senate President Matt Huffman, Senator Vernon Sykes, House Minority Leader Emilia Sykes, and Ohio Redistricting Commission

W. Stuart Dornette, dornette@taftlaw.com
Beth A. Bryan, bryan@taftlaw.com
Philip D. Williamson, pwilliamson@taftlaw.com
Phillip J. Strach, phil.strach@nelsonmullins.com
Thomas A. Farr, tom.farr@nelsonmullins.com
John E. Branch, III, john.branch@nelsonmullins.com
Alyssa M. Riggins, alyssa.riggins@nelsonmullins.com

Counsel for Respondents House Speaker Robert R. Cupp and Senate President Matt Huffman

/s/ Derek S. Clinger
Derek S. Clinger (0092075)