

No. 22-124378-S

**IN THE SUPREME COURT OF THE
STATE OF KANSAS**

**LEAGUE OF WOMEN VOTERS OF KANSAS, LOUD LIGHT, KANSAS
APPLESEED CENTER FOR LAW AND JUSTICE, INC., TOPEKA
INDEPENDENT LIVING RESOURCE CENTER,**
Plaintiffs-Appellants,

vs.

**SCOTT SCHWAB, in his official capacity as Kansas Secretary of
State, and DEREK SCHMIDT, in his official capacity as Kansas
Attorney General,**
Defendants-Appellees.

**PLAINTIFFS' RESPONSE TO SUPREME COURT'S SHOW CAUSE
ORDER OF JAN. 2, 2024**

Appeal from the Kansas Court of Appeals
Case No. 22-124378-A

Appeal from the District Court of Shawnee County
Honorable Teresa Watson, District Judge,
District Court Case No. 2021-CV-000299

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**PLAINTIFFS' RESPONSE TO SUPREME COURT'S SHOW CAUSE
ORDER OF JAN. 2, 2024**

On January 2, 2024, this Court issued an Order directing the “parties to show cause why the court should not consolidate this case with Case No. 125,084” and to file any responses no later than January 16, 2024. Counsel for Plaintiffs only became aware of the January 2 Order when Defendants served Plaintiffs’ counsel with Defendants’ Response, which was filed yesterday, January 16, 2024, and which referenced the Order. Plaintiffs promptly contacted the Clerk’s Office to obtain a copy of the Order and were provided a copy this morning. Having now reviewed the January 2 Order to Show Cause, Plaintiffs do not object to consolidation. It was not clear from the face of the Order whether the Court anticipated a response from the parties if they do not object; however, Plaintiffs file this response in an abundance of caution to provide the Court with their position.

In the same January 2 Order to Show Cause, this Court notified the parties that it intended to schedule oral arguments on February 20, 2024, if consolidation occurs. In light of the lengthy history of this case and the variety of issues involved, many of which this Court heard argument on in prior stages of the dual appeals that are now poised to be consolidated, Plaintiffs respectfully request clarification from the Court as to the issues that it would like to hear argument on should it be set for February 20. That clarification

will help ensure that the parties are best prepared to address the specific issues that the Court intends to address at that argument.

Respectfully submitted, this 17th day of January 2024.

/s/ Jason Zavadil

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was emailed on January 17, 2024, to the following:

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