

IN THE SUPREME COURT OF OHIO

Bria Bennett, et al., :
 :
 Relators, : **Case No. 2021-1198**
 :
 v. : **Original Action Filed Pursuant to Ohio**
 : **Constitution, Article XI, Section 9(A)**
 :
 Ohio Redistricting :
 Commission, et al., : **[Apportionment Case Pursuant to S. Ct.**
 : **Prac. R. 14.03]**
 :
 Respondents. :
 :
 :

RESPONDENTS SENATOR VERNON SYKES' AND HOUSE MINORITY LEADER EMILIA SYKES' RESPONSE TO RELATORS' MOTION TO COMPEL EXPEDITED DISCOVERY

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

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
T: (202) 968-4490
F: (202) 968-4498
abbranch@elias.law
jjasrasaria@elias.law
sklein@elias.law

Donald J. McTigue* (0022849)
*Counsel of Record
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO LLC 545
East Town Street

Erik J. Clark (0078732)
Ashley Merino (0096853)
ORGAN LAW LLP
1330 Dublin Road
Columbus, Ohio 43215
T: (614) 481-0900
F: (614) 481-0904
ejclark@organlegal.com
amerino@organlegal.com

*Counsel for Respondent Ohio
Redistricting Commission*

Dave Yost
OHIO ATTORNEY GENERAL
Bridget C. Coontz (0072919)
Julie M. Pfeiffer (0069762)
Michael Walton (0092201)
OFFICE OF THE OHIO ATTORNEY
GENERAL
30 E. Broad Street, 16th Floor
Columbus, Ohio 43215
T: (614) 466-2872
F: (614) 728-7592
Bridget.Coontz@OhioAGO.gov
Julie.Pfeiffer@OhioAGO.gov

Columbus, Ohio 43215
T: (614) 263-7000
F: (614) 368-6961
dmctigue@electionlawgroup.com
dclinger@electionlawgroup.com

Counsel for Relators

Michael.Walton@OhioAGO.gov

Counsel for Respondents Ohio Governor Mike DeWine, Ohio Secretary of State Frank LaRose, and Ohio Auditor Keith Faber

W. Stuart Dornette (0002955)
Beth A. Bryan (0082076)
Philip D. Williamson (0097174)
TAFT STETTINIUS & HOLLISTER LLP
425 Walnut St., Suite 1800
Cincinnati, Ohio 45202-3957
T: (513) 381-2838
dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

Phillip J. Strach
Thomas A. Farr
John E. Branch, III
Alyssa M. Riggins
NELSON MULLINS RILEY &
SCARBOROUGH
LLP
4140 Parklake Ave., Suite 200
Raleigh, North Carolina 27612
T: (919) 329-3812
phil.strach@nelsonmullins.com
tom.farr@nelsonmullins.com
john.branch@nelsonmullins.com
alyssa.riggins@nelsonmullins.com

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

Diane Menashe (0070305)*
*Counsel of Record
John Gilligan (0024542)
ICE MILLER LLP
250 West Street, Suite 700
Columbus, Ohio 43215
T: (614) 462-6500
F: (614) 222-3468
Diane.Menashe@icemiller.com
John.Gilligan@icemiller.com

Counsel for Respondents Senator Vernon Sykes and House Minority Leader Emilia Sykes

Respondents Senator Vernon Sykes and House Minority Leader Emilia Sykes (collectively, “Democratic Respondents”) do not oppose Relators’ motion for an order compelling expedited discovery for the reasons set forth below.

Respectfully submitted,

ICE MILLER LLP

/s/ Diane Menashe

Diane Menashe (0070305)

John Gilligan (0024542)

ICE MILLER LLP

250 West Street, Suite 700

Columbus, Ohio 43215

Diane.Menashe@icemiller.com

John.Gilligan@icemiller.com

T: (614) 462-6500

F: (614) 222-3468

Counsel for Respondents Senator Vernon Sykes and House Minority Leader Emilia Sykes

MEMORANDUM IN SUPPORT

Democratic Respondents do not oppose Relators' motion to compel expedited discovery because the information sought is essential for a fair adjudication of this case. The issues in this litigation concern the amended redistricting provision of Article XI of the Ohio Constitution. The Court should have the benefit of as much relevant information as reasonably possible, and gathered in a timely fashion, to help it reach the best decision on these issues. Moreover, although Democratic Respondents are purportedly members of the Ohio Redistricting Commission, they have been systematically shut out of the decision-making process. The only way they too might learn what has been done in the name of the Commission on which they serve as members will be the discovery procedures that the Court can make available in this litigation.

Respectfully submitted,

ICE MILLER LLP

/s/ Diane Menashe

Diane Menashe (0070305)

John Gilligan (0024542)

ICE MILLER LLP

250 West Street, Suite 700

Columbus, Ohio 43215

Diane.Menashe@icemiller.com

John.Gilligan@icemiller.com

T: (614) 462-6500

F: (614) 222-3468

*Counsel for Respondents Senator
Vernon Sykes and House Minority
Leader Emilia Sykes*

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2021, a copy of the foregoing Respondents Senator Vernon Sykes' and House Minority Leader Emilia Sykes' Response to Relators' Motion to Compel Expedited Discovery was filed electronically and sent via email to the following:

Donald J. McTigue, dmctigue@electionlawgroup.com
Derek S. Clinger, dclinger@electionlawgroup.com
Abha Khanna, akhanna@elias.law
Ben Stafford, bstafford@elias.law
Aria C. Branch, abbranch@elias.law
Jyoti Jasrasaria, jjasrasaria@elias.law
Spencer W. Klein, sklein@elias.law

Counsel for Relators

Erik Clark, ejclark@organlegal.com
Ashley Merino, amerino@organlegal.com

Counsel for Respondent Ohio Redistricting Commission

Bridget Coontz, Bridget.Coontz@OhioAGO.gov
Julie Pfeiffer, Julie.Pfeiffer@OhioAGO.gov
Michael Walton, Michael.Walton@OhioAGO.gov

Counsel for Respondents Ohio Governor Mike DeWine, Ohio Secretary of State Frank LaRose, and Ohio Auditor Keith Faber

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 Senate President Matt Huffman and House Speaker Robert Cupp

/s/ Diane Menashe
Diane Menashe (0070305)