

officials and candidates to prepare for the Primary Elections on May 19, 2026. Plaintiffs dispute whether election officials and prospective candidates need six months for this process, given the shorter timelines in which election officials have previously put in place new maps in Alabama. Plaintiffs therefore reserve their rights to contest this assertion.

Nonetheless, for purposes of avoiding additional argument on that date at this time, Plaintiffs propose the following remedial deadlines and steps timed off of the Secretary's November 17 date. The dates are dependent on whether the Legislature wishes to draw a new map and the Governor chooses to call a Special Session for the Legislature to draw a new map, and whether any such new map complies with the Court's order.

Plaintiffs do not object to the appointment of a Special Master should the Court wish to appoint one as a contingency for the Legislature's failure to adopt a new plan or the Court sustaining Plaintiffs' objection to a new plan.

1. **September 15, 2025:** Selection of a contingent special master and/or demographer after input from the Parties.
2. **September 22, 2025** (31 days from entry of Court's injunction): Latest date by which the Legislature enacts new plan for November 2026 elections.
3. **September 30, 2025:**

- a. If the Legislature passes a Plan and Plaintiffs object: deadline for objections, including alternative plans and supplemental expert reports;
- b. If the Legislature does not pass a Plan: deadline for filing of alternative plans and supplemental expert reports.

4. October 7, 2025:

- a. If the Legislature passes a Plan and Plaintiffs object: response deadline to Plan objections;
- b. If the Legislature does not pass a Plan: deadline for filing of briefs responding to proposed plans.

5. October 11, 2025:

- a. If the Legislature passes a Plan and Plaintiffs object: reply deadline on Plan objections;
- b. If the Legislature does not pass a Plan: deadline for filing reply briefs responding to proposed plans.

6. October 17, 2025 (or as soon as the Court may Order):

- a. If the Legislature passes a Plan and Plaintiffs object: Hearing on objections to Plan (if necessary).
- b. If the Legislature does not pass a Plan: Hearing on proposed plans with Special Master (if necessary)

II. Defendants' Position

Secretary Allen's staff have reviewed the election calendar and considered which counties will likely be impacted by a remedial map. As the Secretary has said before, it is not possible to provide a date and say with confidence that Alabama can implement a remedial map entered by that date without disruption and confusion. *See Milligan v. Allen* doc. 162. While the parties do not now know how extensive the changes will be or how many voters will have to be assigned in which counties, we do know that the Thanksgiving and Christmas holidays will fall during the time that Registrars are re-assigning voters, and it is likely that one or more of the counties impacted by a remedial plan will be required to reassign manually. All this considered, the Secretary believes that a remedial map for the 2026 election would need to be in place on or before **November 17, 2025** to mitigate these concerns.

Secretary Allen does not know at this time if the Alabama Legislature will avail itself of the opportunity to draw a remedial map. Counsel have communicated with Legislative leadership and with the Governor's office and understand that Legislators are actively discussing the matter and considering their options. Pending the determination of any motion to stay that may be filed with the Court, Legislative leadership is expected to inform counsel for the Secretary and the Governor's office of their desires as soon as possible. Secretary Allen will inform the Court and Plaintiffs' counsel when he knows the Legislature's decision.

If the Legislature decides to enact a new Senate map, there will need to be sufficient time for the Court to review it, with the parties' input. Secretary Allen expects that the Legislature would take any action in either late September or early October, so that there is a map for this Court's review by October 10. Given the logistics involved in calling a special session, and certain timing demands and waiting periods required by the legislative process, it is not known at this time if the Plaintiffs' proposed deadline of September 22, 2025 would provide a realistic opportunity for the Legislature to act if it chooses to do so. The Secretary objects to incurring expense for a special master before it is evident that a special master is necessary.

Secretary Allen intends to appeal this Court's judgment. Secretary Allen also will ask this Court to stay its judgment as other redistricting courts have done while we all await the Supreme Court's decision in *Louisiana v. Callais*, scheduled for argument on October 15, 2025. The Secretary expects to be able to file his motion to stay with this Court this week.

DATED this 28th day of August 2025.

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