

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL GONIDAKIS, et al.,

Plaintiffs,

v.

FRANK LAROSE,

Defendant, and

**LEAGUE OF WOMEN VOTERS OF OHIO
and A. PHILIP RANDOLPH INSTITUTE
OF OHIO,**

Intervenor-Defendants.

Chief Judge Algenon L. Marbley

Case No. 2:22-cv-773

INTERVENOR-DEFENDANTS' MOTION TO CONTINUE RULE 65.1 CONFERENCE¹

On Friday, February 25, 2022, this Court held a status conference in the above-captioned matter. During that Friday afternoon conference, the Court set a Rule 65.1 Conference for a future date—Monday March 7, 2022—in order to allow sufficient time for proceedings that were expected to unfold before the Ohio Supreme Court, which might affect the matters before this Court.² At that time, the Ohio Redistricting Commission had just adopted a General Assembly plan, and the Ohio Supreme Court had not yet set any schedule for objections or responses to it.

¹ Intervenor-Defendants submit this motion understanding that the Court has not yet granted their motion to intervene. Given that time is of the essence in this matter, however, this motion is respectfully submitted so that the Court can rule on it promptly should intervention be granted.

² On February 28, 2022, the Court entered an order for a Local Rule 65.1 Conference set for March 7, 2022. *See* ECF No. 45.

On Friday evening, a few hours after the conference before this Court, the Ohio Supreme Court ordered the following schedule: “[P]etitioners shall file objections, if any, to the General Assembly plan filed on February 25, 2022, no later than 9:00 a.m. on Monday, February 28, 2022. Respondents shall file responses, if any, to the objections by 9:00 a.m., three days after the objections are filed.” *02/25/2022 Case Announcements #4, League of Women Voters of Ohio v. Ohio Redistricting Comm’n*, 2022-Ohio-559 (Ohio Feb. 25, 2022). All three petitioners in the pending state-court proceedings filed objections on February 28, 2022.

In light of the Ohio Supreme Court’s order and subsequent state-court filings, the objections and responses to the newly passed General Assembly plan will not be fully briefed before the Ohio Supreme Court until Thursday, March 3, 2022. Accordingly, Intervenor-Defendants in the above-captioned matter respectfully request that this Court postpone its Monday, March 7, 2022 Rule 65.1 Conference by one week to March 14, 2022, to permit some time for the Ohio Supreme Court to consider the pending objections and forthcoming responses and issue its ruling prior to this Court’s conference.

Counsel for the above-captioned Intervenor-Defendants has conferred with counsel of record for all parties. The following parties do not oppose this request: the Bennett plaintiffs, the Ohio Organizing Collaborative plaintiffs, Secretary LaRose, and Senator Sykes and Leader Russo. The Gonidakis plaintiffs oppose this request.

Respectfully submitted,

/s/ Freda J. Levenson
Freda J. Levenson (0045916)
Counsel of Record
ACLU OF OHIO FOUNDATION, INC.
4506 Chester Avenue
Cleveland, OH 44103
(614) 586-1972 x125
flevenson@acluohio.org

Robert D. Fram
COVINGTON & BURLING, LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
(415) 591-6000
rfram@cov.com

Sarah Suwanda
COVINGTON & BURLING, LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
(202) 662-6000
ssuwanda@cov.com

* *Pro hac vice* application forthcoming

David J. Carey (0088787)
ACLU OF OHIO FOUNDATION, INC.
1108 City Park Avenue, Suite 203
Columbus, OH 43206
(614) 586-1972 x2004
dcarey@acluohio.org

Alora Thomas
Julie A. Ebenstein*
AMERICAN CIVIL LIBERTIES UNION
125 Broad Street
New York, NY 10004
(212) 519-7866
athomas@aclu.org
jebenstein@aclu.org

Counsel for Intervenor-Defendants

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CERTIFICATE OF SERVICE

I, Freda J. Levenson, hereby certify that on this 1st day of March, 2022, I electronically filed the foregoing with the Clerk of Court for the United States District Court for the Southern District of Ohio, Eastern Division via the ECF system, which will send notification of such filing to all counsel of record.

/s/ Freda J. Levenson
Freda J. Levenson (0045916)
Counsel for Intervenor-Defendants

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