

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

MICHAEL GONIDAKIS, ET AL.	:	
	:	
PLAINTIFFS,	:	
	:	
AND	:	CASE NO. 2:22-CV-773
	:	
THE HONORABLE REVEREND	:	CHIEF JUDGE ALGENON L.
KENNETH L. SIMON	:	MARBLEY
	:	
AND	:	MAGISTRATE JUDGE ELIZABETH
	:	DEAVER PRESTON
THE HONORABLE REVEREND	:	
LEWIS MACKLIN	:	
	:	
AND	:	
HELEN YOUNGBLOOD, IN THEIR	:	
CAPACITY AS REPRESENTATIVES	:	
OF THE PUTATIVE CLASS IN	:	
<u>ARMOUR V. OHIO</u> AND PROPOSED	:	“THREE-JUDGE PANEL
INTERVENOR	:	REQUESTED”
	:	
PROPOSED	:	“CLASS-ACTION ALLEGATIONS”
INTERVENORS- PLAINTIFFS,	:	
	:	“CLAIM OF
VS.	:	UNCONSTITUTIONALITY”
	:	
	:	
OHIO REDISTRICTING	:	
COMMISSION, ET AL.	:	
	:	
DEFENDANTS,	:	
	:	
AND	:	
	:	
SENATOR VERNON SYKES AND	:	
HOUSE MINORITY LEADER	:	
ALLISON RUSSO, IN THEIR	:	
CAPACITIES AS MEMBERS OF THE	:	
OHIO REDISTRICTING	:	
COMMISSION,	:	
	:	
PROPOSED	:	
INTERVENORS-DEFENDANTS.	:	

RETRIEVED FROM DEMOCRACYDOCS.COM

**MOTION OF PROPOSED INTERVENOR PLAINTIFFS, THE HONORABLE  
KENNETH L. SIMON, ET AL., FOR LEAVE TO OBJECT INSTANTER TO  
PLAINTIFFS' RESPONSE IN OPPOSITION TO MOTION TO INTERVENE,  
ECF DOCKET #50**

Proposed Intervenor Plaintiffs, the Honorable Kenneth L. Simon, the Honorable Lewis Macklin and Helen Youngblood, class representatives and Plaintiffs in N.D. Ohio Case No. 21-cv-2267, (hereinafter “the Simon Parties”), respectfully request leave to object instanter to the Response of Plaintiffs, ECF Docket #50, (“the Response”). Leave is requested for the reason the arguments raised in the Response concerning the duty to immediately convene a three-judge district court directly impact the Simon Parties’ interest in assuring that if this Honorable Court determines this action is justiciable, this action should either be stayed for the separate reason an action involving nearly identical parties and issues has been filed in the Northern District of Ohio, Simon v. DeWine, 21-cv-2267. See, Batz, et al. v. Columbia Gas Transmissions, 814 F. 3d 785 (6<sup>th</sup> Cir. 2016) or the Simon parties should be permitted to intervene as Plaintiffs, unless the stay imposed in Simon v. DeWine, 21-cv-2267, an action filed prior to this action is vacated. The Federal Rules of Civil Procedure and 28 U.S.C. §2284 should not be permitted to operate inconsistently in relation to various Plaintiffs seeking relief in United States District Court in connection with Ohio’s current redistricting. Accordingly, the Simon Parties respectfully request that the Court take their concerns into consideration in connection with its decision related to justiciability and which parties are permitted to intervene.

s/Percy Squire, Esq.

Percy Squire (0022010)  
341 S. Third St., Suite 10  
Columbus, Ohio 43215  
(614) 224-6528 T  
(614) 224 -6529 F

[psquire@sp-lawfirm.com](mailto:psquire@sp-lawfirm.com)

Attorney for Proposed Intervenors-Plaintiffs

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was served by operation of the United States District Court, Southern District of Ohio electronic filing system, on March 3, 2022.

s/Percy Squire, Esq.

Percy Squire (0022010)

Attorney for Proposed Intervenors-Plaintiffs

RETRIEVED FROM DEMOCRACYDOCKET.COM