

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

MICHAEL GONIDAKIS, ET AL. :
PLAINTIFFS :
AND :
THE HONORABLE REVEREND :
KENNETH L. SIMON : CHIEF JUDGE ALGENON L.
INTERVENOR- PLAINTIFF : MARBLEY
AND : JUDGE AMUL R. THAPAR
THE HONORABLE REVEREND : JUDGE BENJAMIN J. BEATON
LEWIS W. MACKLIN, II :
INTERVENOR- PLAINTIFF :
AND :
HELEN YOUNGBLOOD, IN THEIR :
CAPACITY AS REPRESENTATIVES : “CLASS-ACTION ALLEGATIONS”
OF THE PUTATIVE CLASS IN :
ARMOUR V. OHIO, : “CLAIM OF
INTERVENORS- PLAINTIFFS : UNCONSTITUTIONALITY”
VS. :
GOVERNOR MIKE DEWINE, :
GOVERNOR AND MEMBER OF THE :
OHIO REDISTRICTING :
COMMISSION, ET AL. :
DEFENDANTS. :

**RESPONSE OF SIMON PARTIES TO PLAINTIFFS’ MOTION FOR A
TEMPORARY RESTRAINING ORDER**

In accordance with this Honorable Court’s March 21, 2022 Order, ECF Docket #85,
Intervenor Plaintiffs, the Honorable Kenneth L. Simon, the Honorable Lewis Macklin and

Helen Youngblood, (hereinafter “the Simon Parties”), respectfully oppose Plaintiffs’ motion for a temporary restraining order to maintain the Third Plan invalidated by the Ohio Supreme Court on March 17, 2022 (hereinafter “the Third Plan”).

The Simon Parties oppose Plaintiffs’ request for the following reasons:

1. Plaintiffs are unlikely to succeed on the merits as the Third Plan has already been determined by the Ohio Supreme Court to be unlawful and thus, unfit for use in an election;
2. Granting a TRO would cause substantial harm to the Simon Parties because the Third Plan was developed in a manner that violated the Voting Rights Act of 1965 as amended, due to Defendants’ intentional disregard of the totality of the circumstances test, racial demographics and the duty to engage in an intensely local appraisal of indigenous political reality in Mahoning County ,Ohio
3. A TRO is not in the public interest because implementing a plan that has already been invalidated by the Ohio Supreme Court will confuse the public and undermine principles of comity.

Accordingly, the Simon Parties respectfully oppose Plaintiffs’ motion for a temporary restraining order.

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

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 23, 2022.

s/Percy Squire, Esq.
Percy Squire (0022010)
Attorney for Proposed Intervenors-Plaintiffs