

**In the
Supreme Court of Ohio**

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| LEAGUE OF WOMEN VOTERS OF OHIO, et al., | : | |
| | : | |
| <i>Petitioners,</i> | : | Case No. 2022-0303 |
| | : | |
| v. | : | Original Action Pursuant to |
| | : | Ohio Const., Art. XIX |
| SECRETARY OF STATE FRANK LaROSE, et al., | : | |
| | : | Apportionment Case |
| <i>Respondents.</i> | : | |

**RESPONDENT SECRETARY OF STATE FRANK LaROSE'S RESPONSE TO
PETITIONERS' MOTION FOR SCHEDULING ORDER**

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Secretary LaRose objects to the Petitioners’ proposed expedited schedule. As the Petitioners are not contesting the implementation of the March 2, 2022 congressional district plan for the 2022 election, and thus, wish to litigate the plan for the 2024 congressional election cycle, there is simply no reason to expedite this case while Secretary LaRose is administering an already complicated May 3, 2022, primary election. Neither Petitioners nor Ohio’s voters would be prejudiced by proceeding pursuant to this Court’s regular calendar schedule. As such, the Petitioners’ Motion should be denied.

Notably, this is *not* an expedited elections matter under S.Ct.Prac.R. 12.08. S.Ct.Prac.R. 12.08(A)(1) provides that “an original action relating to a pending election” qualifies for expedited adjudication if the case is “filed within ninety days prior to the election.” Petitioners do not seek relief related to the 2022 election, but rather the 2024 election cycle. Since Petitioners did not file

this case within ninety days of an election in the 2024 election cycle, it is not an expedited elections case under S.Ct.Prac.R. 12.08.

Yet, the Petitioners still request expedited treatment by requesting briefing to be completed by May 4, 2022, which is approximately 6 weeks away. *See* Mot. for Scheduling Order at p. 4. As this Court is aware, the currently scheduled May 3 primary election is looming. Petitioners' proposed schedule would have the Secretary and other members of his Office to divert their attention from administering the primary election to defend this case. Secretary LaRose is already participating in numerous state and federal lawsuits over the General Assembly Plan and the Congressional Plan while he simultaneously administers the May 3 election. Any further distractions will make administering the May 3 primary even more difficult to the detriment of all Ohioans.

Petitioners seem to doubt whether this Court can efficiently adjudicate their claims under a normal schedule. *See generally id.* Secretary LaRose does not. We are only in March. The deadlines associated with the 2024 election cycle are currently nowhere near in-sight. Given Petitioners' position that they are not challenging the March 2 congressional district plan's use for the 2022 congressional elections, we have the remainder of 2022 and even into early 2023 for proceedings in this case. By their own admission, Petitioners' claims are relatively simple as they only challenge two specific congressional districts. *See id.* at p. 3; Compl. at ¶ 4. Nothing in the record suggests that their claims cannot be decided efficiently *after* the 2022 primary has been conducted. There is simply no good reason to rush this case while Secretary LaRose is administering an election that is less than six weeks away.

CONCLUSION

For the foregoing reasons, Secretary LaRose respectfully requests this Court to deny Petitioners' Motion for a Scheduling Order. Secretary LaRose additionally requests that this case proceed under the Court's normal calendar for original actions.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Ohio Secretary of State Frank LaRose's Response To Petitioner's Motion For Scheduling Order was sent via email this the 23rd day of March, 2022 to the following:

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