

No. 22-30320

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

**Ronald Chisom, Marie Bookman, Urban League of Louisiana
Plaintiffs – Appellees**

**United States of America, Bernette J. Johnson
Intervenor Plaintiffs – Appellees**

v.

**State of Louisiana, ex rel, Jeff Landry, Attorney General
Defendant – Appellant**

On Appeal from the United States District
Eastern District of Louisiana
Case No. 2:86-CV-4075
Presiding Judge Susie Morgan

**OPPOSITION TO EN BANC REHEARING BY
PLAINTIFF-APPELLEE BERNETTE J. JOHNSON**

Nora Ahmed
AMERICAN CIVIL LIBERTIES UNION
OF LOUISIANA
1340 Poydras Street, Suite 2160
New Orleans, LA 70112
(504) 522-0628
nahmed@laaclu.org
*Attorney for Bernette J. Johnson,
Intervenor Plaintiff-Appellee*

CERTIFICATE OF INTERESTED PERSONS

The undersigned counsel of record certified that the following listed persons and entities as described in the fourth sentence of 5th Circuit Rule 28.2.1 have an interest in the outcome of this case. These representations are made in order that the Judges of this Court may evaluate possible disqualification or recusal.

Plaintiff-Appellee:

Ronald Chisom
Marie Bookman
Urban League of Louisiana

Counsel for Plaintiff-Appellee:

Leah Camille Aden and Alaizah Koorji
of NAACP Legal Defense &
Educational Fund, Incorporated
New York, NY

William P. Quigley of
Loyola University of New Orleans
New Orleans, LA

Ronald Lawrence Wilson of Blake
Jones Law Firm, LLC
New Orleans, LA

Michael B. de Leeuw and Amanda
Giglio of Cozen O'Connor, PC
New York, NY

Andrew D. Linz and Joan Taylor
of Cozen O'Connor, PC
Philadelphia, PA

Intervenor Plaintiff-Appellee:

Counsel for Intervenor Plaintiff-Appellee:

United States of America

Yael Bortnick and Erin Helen Flynn of
U.S. Department of Justice Civil Rights
Division, Appellate Section
Washington, DC

Emily Brailey of U.S. Department of
Justice Civil Rights/Criminal Division
Washington, DC

Peter M. Mansfield of U.S. Attorney's
Office, Eastern District of Louisiana
New Orleans, LA

Bernette J. Johnson

Kelly E. Brilleaux and Connor W. Peth
of Irwin Fritchie Urquhart & Moore,
LLC
New Orleans, LA

Nora Ahmed of American Civil
Liberties Union of Louisiana
New Orleans, LA

Jon Marshall Greenbaum of Lawyers'
Committee for Civil Rights Under Law
Washington, DC

James M. Williams of Chehardy
Sherman Williams Recile & Hayes,
LLP
Metairie, LA

Defendant-Appellant:

State of Louisiana, ex rel, Jeff Landry
Attorney General

Counsel for Defendant-Appellant:

Shae Gary McPhee, Jr. of Louisiana
Department of Justice, Office of the
Solicitor General
New Orleans, LA

Elizabeth Baker Murrill of Office of
the Attorney General for the State of
Louisiana
Baton Rouge, LA

Angelique Duhon Freel, Carey T.
Jones, Lauryn Sudduth, and Jeffrey
Michael Wale, of Louisiana
Department of Justice
Baton Rouge, LA

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ARGUMENT

Intervenor Plaintiff-Appellee Bernette J. Johnson respectfully requests that the Court deny the petition for en banc review submitted by the State of Louisiana, through Jeff Landry, in his official capacity as the Attorney General of the State of Louisiana (“State”). ECF 106.

In support of her Opposition, Intervenor Plaintiff-Appellee Johnson adopts in their entirety and joins in the arguments of the Opposition filed by Plaintiffs Ronald Chisolm, Marie Bookman, and the Urban League, as well as in the arguments of the Opposition filed by Intervenor Plaintiff-Appellee the United States of America. ECF 155, 156. En banc review is neither necessary to secure or maintain the uniformity of this Court’s decisions, nor necessary due to a question of exceptional importance that this Court must answer via rehearing en banc. *Id.* As such, in accordance with Rule 35 of the Federal Rules of Appellate Procedure, en banc review is not appropriate in this instance.

CONCLUSION

Intervenor Plaintiff-Appellee Johnson respectfully requests that this Court deny the State’s petition for rehearing en banc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading was filed electronically with the Clerk of Court using the CM/ECF system and notice of this filing will be sent via e-mail to all CM/ECF participants. I further certify that, on the aforementioned date, a copy of the foregoing pleading was served upon all counsel of record who are non-CM/ECF participants via facsimile transmission and/or via hand delivery and/or via the United States mail, postage prepaid and properly addressed.

/s/ Nora S. Ahmed

Nora Ahmed

AMERICAN CIVIL LIBERTIES UNION OF
LOUISIANA

1349 Poydras Street, Suite 2160

New Orleans, LA 70112

(504) 522-0628

nahmed@laaclu.org

**CERTIFICATE OF COMPLIANCE UNDER FED. R. APP. P. 32(G) AND 5TH
CIR. R. 32.3**

Certificate of Compliance with Type-Volume Limitation, Typeface Requirements
and Type Style Requirements

1. This brief complies with the type-volume limitation of Fed. R. App. P. 29(a)(5) and 32(a)(7)(B) because this brief contains 170 words excluding parts of the brief exempted by Fed. R. App. P. 32(f).
2. This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word in 14 Times New Roman.

/s/ Nora S. Ahmed

Nora Ahmed

AMERICAN CIVIL LIBERTIES UNION OF
LOUISIANA

1340 Poydras Street, Suite 2160

New Orleans, LA 70112

(504) 522-0628

nahmed@laaclu.org

Dated: November 30, 2023