

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

PHILLIP CALLAIS, et al.,

Plaintiffs,

v.

**NANCY LANDRY, in her official
capacity as Louisiana Secretary of
State,**

Defendant,

v.

**EDWARD GALMON, SR., CIARA
HART, NORRIS HENDERSON,
TRAMELLE HOWARD, and DR.
ROSS WILLIAMS,**

Intervenor-Defendants.

Case No. 3:24-cv-00122-DCJ-CES-RRS

[PROPOSED] INTERVENOR-DEFENDANTS' ANSWER

Introduction

1. Admit.
2. Paragraph 2 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.
3. Admit that the map depicted in Paragraph 3 is the official map enacted by SB8. The remainder of the allegations in Paragraph 3 contain mischaracterizations to which no response is required; to the extent a response is required, Proposed Intervenor deny the allegations.

4. Admit that the map depicted and the quoted excerpts in Paragraph 4 appear in *Hays v. Louisiana*, 936 F. Supp. 360 (W.D. La. 1996). The remainder of the allegations in Paragraph 4 contain mischaracterizations and legal conclusions to which no response is required; to the extent a response is required, Proposed Intervenor deny the allegations.

5. Paragraph 5 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

Jurisdiction

1. Paragraph 1 contains a legal conclusion to which no response is required.
2. Paragraph 2 contains a legal conclusion to which no response is required.
3. Paragraph 3 contains a legal conclusion to which no response is required.
4. Paragraph 4 contains a legal conclusion to which no response is required.

Parties

1. Proposed Intervenor lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 1 and therefore deny them.
2. Proposed Intervenor lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 2 and therefore deny them.
3. Proposed Intervenor lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 3 and therefore deny them.
4. Proposed Intervenor lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 4 and therefore deny them.
5. Proposed Intervenor lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 5 and therefore deny them.
6. Proposed Intervenor lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 6 and therefore deny them.

7. Proposed Intervenors lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 7 and therefore deny them.

8. Proposed Intervenors lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 8 and therefore deny them.

9. Proposed Intervenors lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 9 and therefore deny them.

10. Proposed Intervenors lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 10 and therefore deny them.

11. Proposed Intervenors lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 11 and therefore deny them.

12. Proposed Intervenors lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 12 and therefore deny them.

13. Admit.

14. Proposed Intervenors lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 14 and therefore deny them.

15. Paragraph 15 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

16. Paragraph 16 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

17. Paragraph 17 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

18. Paragraph 18 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

19. Paragraph 19 contains legal conclusions and requests for relief to which no response is required. To the extent a response is required, Proposed Intervenors deny that Plaintiffs are entitled to any relief.

Statement of Facts

1. Admit.
2. Admit.
3. Admit that the Louisiana legislature held public meetings to solicit comments on redistricting maps, but Proposed Intervenors deny that such process was “extensive.” Proposed Intervenors admit the remaining allegations in Paragraph 3.
4. Admit that some voters filed a lawsuit against the Secretary of State seeking a preliminary injunction against the enacted map. Proposed Intervenors deny that such lawsuit was filed on March 9, 2022; Proposed Intervenors filed their Complaint in the district court on March 30, 2022.
5. Admit that the quoted excerpts appear in the State’s Motion in *Robinson v. Ardoin*, No. 3:22-cv-00211-SDD-SDJ (M.D. La. Apr. 29, 2022), ECF 108. Proposed Intervenors deny that the State made any legal admission regarding future, nonexistent congressional maps in its April 29, 2022, response brief in opposition to a preliminary injunction.
6. Admit that SB8 contains two majority-African American districts. Paragraph 6 otherwise contains a legal conclusion to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegation.
7. Admit that the quoted excerpts appear in the State’s Motion in *Robinson*, No. 3:22-cv-00211-SDD-SDJ, ECF 108. Paragraph 7 otherwise contains a legal conclusion to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegation.
8. Admit that the State made the arguments alleged in Paragraph 8. Proposed Intervenors deny that the districts proposed by the plaintiffs were not compact.
9. Admit.
10. Admit that the district court granted an injunction against the previously enacted congressional map in 2022. The remainder of Paragraph 10 contains legal

conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

11. Admit.

12. Admit.

13. Admit.

14. Admit that the quoted excerpts appear on the referenced website. Proposed Intervenor deny that the Governor “gathered the Legislature to ‘seek to amplify the voice of the few’” in the context of redistricting; the Governor stated that in the context of eliminating Louisiana’s “jungle of election system” and also stated: “We seek to broaden the opportunity for participation in the governance of our people.”

15. Admit that one of the stated goals of Senator Glen Womack was to create two majority-African American districts.

16. Admit.

17. Admit.

18. Deny.

19. Admit.

20. Proposed Intervenor lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 20 and therefore deny them.

21. Paragraph 21 contains a mischaracterization to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegation.

22. Paragraph 22 contains mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

23. Proposed Intervenor lack sufficient knowledge or information to form a belief as to the truth or falsity of the map depicted in Paragraph 23 and therefore deny. Paragraph 23 otherwise contains mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

24. Proposed Intervenors admit that Baton Rouge and Shreveport are roughly 250 miles apart. The remainder of Paragraph 24 contains mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

25. Proposed Intervenors admit that District 6 has a narrow width of about 2.5 miles in Rapides Parish. The remainder of Paragraph 25 contains mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

26. Admit that District 6 is less than a mile wide at its narrowest point, is about two miles wide between Burbank Drive and the Iberville Parish line, is about three miles wide between St. Landry Parish and Lafayette Parish, and is about two miles wide between Wallace Lake and Linwood Avenue. The remainder of Paragraph 26 contains mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

27. Proposed Intervenors admit that District 6 in SB8 divides six out of ten parishes included therein. Paragraph 27 otherwise contains mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

28. Proposed Intervenors admit that District 2 in SB8 divides Ascension, St. Charles, Jefferson, St. Bernard, and Orleans parishes. Proposed Intervenors deny the remaining allegations in Paragraph 28.

29. Paragraph 29 contains mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

30. Paragraph 30 states a legal conclusion to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegation.

31. Deny.

32. Paragraph 32 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

33. Paragraph 33 contains a mischaracterization to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegation.

34. Admit that the Polsby-Popper scores as listed are generally correct. The remainder of Paragraph 34 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

35. Admit that the Polsby-Popper scores for Districts 3, 4, 5, and 6 are lower than the Polsby-Popper scores for those districts in the State's 2022 enacted map. Proposed Intervenor deny that the Polsby-Popper scores for Districts 1 and 2 are lower than the Polsby-Popper scores for those districts in the State's 2022 enacted map.

36. Paragraph 36 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

37. Paragraph 37 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

38. Proposed Intervenor admit that SB8 altered the percentages of voting age populations in each district. Paragraph 38 otherwise contains mischaracterizations and a legal conclusion to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

39. Admit.

40. Admit.

41. Proposed Intervenor admit that the African American VAP of District 6 increased from 23.861% to 53.990%. Paragraph 41 otherwise contains

mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

42. Admit.

43. Admit that SB8 increased the non-African American VAP percentage in every district except District 6. The remainder of the allegations in Paragraph 43 contains mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

44. Admit.

45. Admit.

46. Admit that Senator Womack stated the quoted excerpts on January 17, 2024. Proposed Intervenor deny that Senator Womack stated that SB8 “intentionally created” two congressional districts with a majority of Black voters.

47. Proposed Intervenor deny that Senator Womack stated that his primary goal in drafting SB8 was to create two majority-African American districts. Senator Womack stated that the goals were “maintaining a strong district for Speaker Johnson, as well as majority leader Steve Scalise, ensuring four Republican districts and adhering to the command of the federal court in the Middle District of Louisiana.” *Id.* at 10:24–48.

48. Deny.

49. Admit that Senators Morris and Womack stated the quoted excerpts on January 17, 2024. Proposed Intervenor deny that Senator Womack “denied that he considered agriculture as a community of interest in District 6.”

50. Deny; Senator Womack stated that District 6 “travels up the I-49 corridor[.]” *Id.* at 9:55–10:00.

51. Admit in part that Senators Morris and Womack stated the quoted excerpts on January 17, 2024. The remainder of Paragraph 51 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

52. Deny.

53. Admit that Senator Carter stated the quoted excerpts on January 17, 2024. Proposed Intervenors deny that Senator Carter stated that he had “serious concerns” specifically regarding whether “District 2 continues to perform as an African American district.”

54. Admit that Senator Jackson stated the quoted excerpts on January 17, 2024.

55. Admit that Senator Jackson stated the quoted excerpts on January 17, 2024..

56. Admit that Senator Duplessis stated the quoted excerpts on January 17, 2024.. Senator Duplessis also stated that SB8 was about “a federal law called the Voting Rights Act that has not been interpreted just by one judge in the Middle District of Louisiana but also by U.S. Fifth Circuit Court of Appeals made up of judges appointed by predominately Republican Presidents, a United States Supreme Court . . . made up of justices that were appointed by a majority of Republican Presidents.” *Id.* at 33:00–34:15.

57. Admit that Senator Pressly stated the quoted excerpts on January 17, 2024. The remainder of the allegations in Paragraph 57 contain mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

58. Admit.

59. Admit.

60. Admit that Representative Beaulieu stated the quoted excerpts on January 19, 2024. Proposed Intervenors deny that Rep. Beaulieu stated that SB8 created “two congressional districts with a majority of Black voters”; Rep Beaulieu stated that the federal district court had adhered to its view that the federal law requires that the State have two congressional districts with a majority of Black voters.” Louisiana State House of Representatives, *House Chamber Day 5, IES – SINE DIE* (Jan. 19, 2024), https://house.louisiana.gov/H_Video/VideoArchivePlayer?v=house/2024/jan/0119_24_1ES_Day5 [hereinafter House Archive] at 2:48:10–27.

61. Admit that Representative Marcelle stated the quoted excerpt on January 19, 2024. The remainder of Paragraph 61 contains a mischaracterization to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegation.

62. Admit that Representatives Amedee and Beaulieu stated the quoted excerpts on January 19, 2024. Representative Beaulieu added, “and to comply with the judge’s order.” House Archive at 2:51:00–13.

63. Admit that Representative Bayham stated the quoted excerpt on January 19, 2024.

64. Admit.

65. Admit.

66. Admit.

67. Admit that the quoted language appears on the website referenced in Paragraph 67.

68. Proposed Intervenor lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations in Paragraph 68 and therefore deny them.

69. Admit that Congressman Troy Carter held a press conference on January 15, 2024, and that the quoted language appears on the website referenced in Paragraph 69.

70. Admit that Congressman Carter’s statements were read on the Senate floor before the vote for SB8’s final passage. Paragraph 70 otherwise contains mischaracterizations and a legal conclusion to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

71. Admit that the quoted language appears in an article on the Louisiana Illuminator’s website. Piper Hutchinson, *‘I’m livid’: High-profile Democrats clash over Louisiana congressional map* (Jan. 19, 2024), LA. ILLUMINATOR, <https://lailluminator.com/2024/01/19/im-livid-high-profile-democrats-clash-over-louisiana-congressional-map/>.

72. Admit.

73. Admit.

74. Proposed Intervenor-Defendants admit that SB8 was introduced on January 15, 2024, and signed into law on January 22, 2024. Proposed Intervenor-Defendants deny that “[t]he entire process” of enacting a new congressional map “took only eight days”; litigation regarding Louisiana’s congressional map has been ongoing since 2022.

Count I

75. Proposed Intervenor-Defendants incorporate by reference each of their preceding admissions, denials, and statements as if fully set forth herein.

76. Deny. The Equal Protection Clause of the Fourteenth Amendment states: “No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.” U.S. Const. amend. XIV, § 1.

77. Proposed Intervenor-Defendants admit that the quoted language appears in *Miller v. Johnson*, 515 U.S. 900, 911 (1995). The remainder of Paragraph 77 contains legal conclusions and characterizations to which no response is required.

78. Paragraph 78 states a legal conclusion to which no response is required.

79. Paragraph 79 contains legal conclusions to which no response is required.

80. Paragraph 80 contains legal conclusions and mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the allegations.

81. Paragraph 81 states a legal conclusion to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the allegation.

82. Paragraph 82 contains legal conclusions and mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the allegations.

83. Paragraph 83 contains legal conclusions and mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the allegations.

84. Admit that Representatives Amedee and Beaulieu stated the quoted excerpts on January 19, 2024. Representative Beaulieu added, “and to comply with the judge’s order.” House Archive at 2:51:00–13.

85. Paragraph 85 contains legal conclusions and mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

86. Admit that Senator Womack stated the quoted excerpts on January 17, 2024. The remainder of Paragraph 86 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

87. Admit in part that the quoted excerpts were stated. The remainder of Paragraph 87 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

88. Paragraph 88 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

89. Admit in part that the quoted excerpts were stated. The remainder of Paragraph 89 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

90. Admit in part that the quoted excerpts appear in the State’s Motion in *Robinson*, No. 3:22-cv-00211-SDD-SDJ, ECF 108. The remainder of Paragraph 90 contains mischaracterizations legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

91. Paragraph 91 contains a legal conclusion to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegation.

92. Paragraph 92 states a legal conclusion to which no response is required.

93. Proposed Intervenor admits that District 6 has about 250 miles between Shreveport and Baton Rouge and a narrow width of about 2.5 miles in Rapides Parish, and that the Polsby-Popper scores as listed are generally correct. The remainder of Paragraph 93 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor denies the allegations.

94. Deny.

95. Deny.

96. Admit that District 6 divides six parishes. Proposed Intervenor denies that District 2 divides seven parishes. The remainder of Paragraph 96 contains mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenor denies the allegations.

97. Paragraph 97 contains a legal conclusion to which no response is required. Proposed Intervenor denies the allegations in Paragraph 97.

98. Paragraph 98 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor denies the allegations.

99. Paragraph 99 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor denies the allegations.

100. Paragraph 100 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor denies the allegations.

101. Paragraph 101 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor denies the allegations.

102. Admit that the quoted excerpts appear in the State's Motion in *Robinson*, No. 3:22-cv-00211-SDD-SDJ, ECF 108. Proposed Intervenor denies that the State made any legal admission regarding future, nonexistent congressional maps in its April 29, 2022, response brief in opposition to a preliminary injunction. The remainder of Paragraph 102 contains a legal conclusion to which no response is required. To the extent a response is required, Proposed Intervenor denies the allegation.

103. Paragraph 103 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

104. Paragraph 104 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

105. Paragraph 105 contains legal conclusions to which no response is required.

106. Paragraph 106 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

107. Paragraph 107 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

108. Paragraph 108 contains a request for relief to which no response is required. To the extent a response is required, Proposed Intervenor deny that Plaintiffs are entitled to any relief.

Count II

109. Proposed Intervenor incorporate by reference each of their preceding admissions, denials, and statements as if fully set forth herein.

110. Admit that the quoted excerpt appears in the Fifteenth Amendment. The remainder of Paragraph 110 contains legal conclusions to which no response is required.

111. Paragraph 111 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

112. Paragraph 112 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

113. Admit that the quoted excerpt appears in the Fourteenth Amendment. The remainder of Paragraph 113 contains legal conclusions to which no response is required.

114. Paragraph 114 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

115. Paragraph 115 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

116. Admit in part that SB8 created two majority-minority districts. The remainder of Paragraph 116 contains mischaracterizations to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

117. Paragraph 117 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

118. Paragraph 118 contains mischaracterizations and legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

119. Paragraph 119 contains a legal conclusion to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegation.

120. Paragraph 120 contains a request for relief to which no response is required. To the extent a response is required, Proposed Intervenor deny that Plaintiffs are entitled to any relief.

Prayer for Relief

Proposed Intervenor deny that Plaintiffs are entitled to any relief.

General Denial

Proposed Intervenor deny every allegation in the Complaint that is not expressly admitted herein.

Affirmative Defenses

1. Plaintiffs' claims are barred in whole or in part for failure to state a claim upon which relief can be granted.
2. Plaintiffs' claims are barred because Plaintiffs lack standing.
3. Plaintiffs' claims are barred because they seek relief inconsistent with federal law and the United States Constitution.

4. Proposed Intervenors reserve the right to assert additional affirmative defenses—including, but not limited to, those set forth in Federal Rule of Civil Procedure 8(c)—as additional facts are discovered.

Having fully answered Plaintiffs' Complaint, Proposed Intervenors pray for judgment as follows:

- A. That the Court dismiss Plaintiffs' Complaint;
- B. That judgment be entered in favor of Proposed Intervenors and against Plaintiffs on Plaintiffs' Complaint and that Plaintiffs take nothing thereby;
- C. That Proposed Intervenors be awarded reasonable attorneys' fees and costs under any applicable statute or equitable doctrine; and
- D. For such other and further relief as the Court deems appropriate.

Respectfully submitted this February 6, 2024.

By: /s/Abha Khanna

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