

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA**

DR. DOROTHY NAIRNE, JARRETT
LOFTON, REV. CLEE EARNEST LOWE, DR.
ALICE WASHINGTON, STEVEN HARRIS,
ALEXIS CALHOUN, BLACK VOTERS
MATTER CAPACITY BUILDING
INSTITUTE, and THE LOUISIANA STATE
CONFERENCE OF THE NAACP,

Plaintiffs,

v.

R. KYLE ARDOIN, in his capacity as Secretary of
State of Louisiana,

Defendant.

Case No. 3:22-cv-00178-SDD-SDJ

JOINT MOTION TO STAY PROCEEDINGS

Pursuant to the Court’s inherent power “to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for the litigants,” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936), Defendant the State of Louisiana, by and through its Attorney General, Jeff Landry, the Secretary of State of Louisiana, and the Legislative Intervenors respectfully moves the Court to stay all proceedings pending resolution of *Merrill v. Milligan*, No. 21-1086, 2022 U.S. LEXIS 1626 (U.S., March 21, 2022) in the Supreme Court of the United States.

1.

Plaintiffs brought this action seeking declaratory and injunctive relief under Section 2 of the Voting Rights Act. Compl., *Nairne, et al. v. Ardoin*, No. 3:22-cv-178-SDD-SDJ (M.D. La.) (filed Mar. 14, 2022) (ECF No. 1). In their Complaint, they allege that Louisiana’s 2022 state

legislative map “unlawfully deprive[s] Louisiana’s Black voters of a meaningful opportunity to elect candidates of their choice to the State Senate and House of Representatives.” *Id.* at 1.

2.

On June 28, 2022, the United States Supreme Court granted the State’s emergency application for a stay in separate litigation concerning a related legal challenge to Louisiana’s 2022 congressional district map. *See Ardoyn, et al. v. Robinson, et al.*, No. 21-1596 (U.S., June 28, 2022). The Supreme Court also treated the application as a petition for certiorari before judgment, granted that petition, and then ordered the case held in abeyance until the Court’s upcoming decision in *Merrill v. Milligan*, Nos. 21-1086 and 21-1087.

3.

This case involves similar issues as the congressional challenge that was recently stayed by the Supreme Court concerning the proper interpretation of Section 2 of the Voting Rights Act. As there is a case pending before the Supreme Court that will inevitably impact this proceeding (and could very well be determinative of the ultimate issue), the Attorney General now moves to stay these proceedings pending resolution of *Merrill v. Milligan* at the Supreme Court of the United States.

4.

The reasons why the State’s interests and the interest of judicial economy counsel in favor of granting a stay are fully outlined in the accompanying memorandum in support.

5.

The State contacted all parties and the remaining Defendants consent to the relief sought herein. Plaintiffs oppose the relief requested herein.

6.

Therefore, for the reasons detailed in the attached Memorandum of Law, the State respectfully requests that the Court grant this Motion to Stay this case pending the timely resolution of *Merrill v. Milligan*, Nos. 21-1086 and 21-1087 (U.S., Feb. 7, 2022).

Dated: July 18, 2022

Respectfully submitted,

JEFF LANDRY
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CERTIFICATE OF SERVICE

I certify that on July 18, 2022, the foregoing was filed using the Court's CM/ECF system,
which constitutes service on all counsel having appeared of record in this proceeding.

/s/ Jason Torchinsky
Jason Torchinsky