

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

EVAN MILLIGAN, *et al.*,

Plaintiffs,

v.

WES ALLEN, *et al.*,

Defendants.

Case No. 2:21-cv-01530-AMM

THREE-JUDGE COURT

MARCUS CASTER, *et al.*,

Plaintiffs,

v.

WES ALLEN, in his official  
capacity as Alabama Secretary of  
State,

Defendant.

Case No.: 2:21-cv-1536-AMM

**PLAINTIFFS’ MOTION FOR EMERGENCY STATUS CONFERENCE  
REGARDING THE LEGISLATURE’S MAY 4, 2026 SPECIAL SESSION**

On August 7, 2025, this Court “order[ed] Secretary Allen, and his successors in office, to administer Alabama’s congressional elections using Special Master Remedial Plan 3 . . . until Alabama enacts a new congressional districting plan based on 2030 census data.” Injunction and Order, Doc. 510 at 1. The Court’s “mandatory

injunction” expires only upon the enactment of a 2030 plan. *Id.* The Court “retain[ed] jurisdiction over this case until the expiration of the mandatory injunction for the purpose of enforcing this judgment and ruling on appropriate post-trial applications.” *Id.* at 2. And, in trying to evade Section 3(c) relief, Defendants Senator Steve Livingston and Representative Chris Pringle repeatedly “represent[ed] in good faith that neither they nor leadership for either chamber of the Alabama Legislature have any intention of passing any additional congressional district maps before receiving 2030 census data.” Doc. 493 ¶¶ 3, 5-6; *see also* Order, Doc. 509 at 3 (Aug. 7, 2025) (accepting these representations as a basis for denying relief to Plaintiffs).

Despite this Court’s order and Defendants’ representations to this Court—upon which this Court relied—on Friday May 1, 2026, Defendant Allen attested to a proclamation by the Governor calling for a special session starting at 4:00pm central *today*, Monday May 4th, 2026. Ex. A. The Legislature intends to “consider legislation to provide for a special primary election for electing members of the United States House of Representatives . . . whose boundary lines are altered by a court issuing a judgment, vacating an injunction, or otherwise ordering or permitting an alteration in the boundaries of such districts.” *Id.*

The *Milligan*, *Caster*, and *Singleton* Plaintiffs respectfully request that this Court hold an emergency status conference as soon as possible today to discuss whether Defendants’ actions in participating in the scheduled Special Session violate

the injunction or whether their actions otherwise show any bad faith by Defendants.

Counsel for Plaintiffs are available at any time today.

For the forgoing reasons, Plaintiffs respectfully request a status conference to discuss the Special Session and any other related matters in this case.

Respectfully submitted this 4th day of May 2026.

Richard P. Rouco  
(AL Bar. No. 6182-R76R)  
**Quinn, Connor, Weaver, Davies  
& Rouco LLP**  
Two North Twentieth  
2-20<sup>th</sup> Street North, Suite 930  
Birmingham, AL 35203  
Phone: (205) 870-9989  
Fax: (205) 803-4143  
Email: rrouco@qcwdr.com

By: /s/ Abha Khanna  
Abha Khanna\*  
ELIAS LAW GROUP LLP  
1700 Seventh Ave., Suite 2100  
Seattle, WA 98101  
(206) 656-0177  
AKhanna@elias.law

Lalitha D. Madduri\*  
Richard A. Medina \*  
ELIAS LAW GROUP LLP  
250 Massachusetts Ave, NW Suite 400  
Washington, DC 20001  
(202) 968-4490  
LMadduri@elias.law  
RMedina@elias.law

*\*Admitted Pro Hac Vice*

***Counsel for Caster Plaintiffs***

/s/ Deuel Ross (with permission)  
Deuel Ross\*  
Victor Olofin\*  
NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.  
700 14th Street N.W. Ste. 600  
Washington, DC 20005  
(202) 682-1300

/s/ Sidney Jackson (with permission)  
Sidney M. Jackson (ASB-1462-K40W)  
Nicki Lawsen (ASB-2602-C00K)  
WIGGINS CHILDS PANTAZIS  
FISHER & GOLDFARB, LLC  
301 19th Street North  
Birmingham, AL 35203  
Phone: (205) 341-0498

dross@naacpldf.org

Stuart Naifeh\*

Kathryn Sadasivan (ASB-517-E48T)

Brittany Carter\*

NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.

40 Rector Street, 5th Floor

New York, NY 10006

(212) 965-2200

Jessica L. Ellsworth\*

HOGAN LOVELLS US LLP

555 Thirteenth Street, NW

Washington, D.C. 20004

(202) 637-5600

David Dunn\*

HOGAN LOVELLS US LLP

390 Madison Avenue

New York, NY 10017

(212) 918-3000

david.dunn@hoganlovells.com

Michael Turrill\*

Harmony A. Gbe\*

HOGAN LOVELLS US LLP

1999 Avenue of the Stars

Suite 1400

Los Angeles, CA 90067

(310) 785-4600

michael.turrill@hoganlovells.com

harmony.gbe@hoganlovells.com

sjackson@wigginschilds.com

nlawson@wigginschilds.com

Davin M. Rosborough\*

Theresa Lee\*

Dayton Campbell-Harris\*

AMERICAN CIVIL LIBERTIES

UNION FOUNDATION

125 Broad St.

New York, NY 10004

(212) 549-2500

drosborough@aclu.org

dcampbell-harris@aclu.org

Alison Mollman (ASB-8397-A33C)

AMERICAN CIVIL LIBERTIES UNION  
OF ALABAMA

P.O. Box 6179

Montgomery, AL 36106-0179

(334) 265-2754

Blayne R. Thompson\*

HOGAN LOVELLS US LLP

609 Main St., Suite 4200

Houston, TX 77002

(713) 632-1400

blayne.thompson@hoganlovells.com

***Counsel for Milligan Plaintiffs***

Janette Louard\*

Anthony Ashton\*

Anna Kathryn Barnes\*

NATIONAL ASSOCIATION FOR THE

ADVANCEMENT OF COLORED PEOPLE (NAACP)  
4805 Mount Hope Drive  
Baltimore, MD 21215  
(410) 580-5777  
jlouard@naacpnet.org

***Counsel for Plaintiff Alabama State Conference of the NAACP***

*\* Admitted Pro Hac Vice*

James Uriah Blacksher  
825 Linwood Road  
Birmingham, AL 35222  
Tel: (205) 612-3752  
Fax: (866) 845-4395  
Email: [jublacksher@gmail.com](mailto:jublacksher@gmail.com)

U.W. Clemon  
U.W. Clemon, LLC  
Renasant Bank Building  
2001 Park Place North, Tenth Floor  
Birmingham, AL 35203  
Tel.: (205) 506-4524  
Fax: (205) 538-5500  
Email: [uwclemon1@gmail.com](mailto:uwclemon1@gmail.com)

Henry C. Quillen (admitted pro hac vice)  
WHATLEY KALLAS, LLP  
159 Middle Street, Suite 2C  
Portsmouth, NH 03801 Tel: (603) 294-1591 Fax: (800) 922-4851 Email:  
[hquillen@whatleykallas.com](mailto:hquillen@whatleykallas.com)

Myron Cordell Penn  
PENN & SEABORN, LLC  
1971 Berry Chase Place  
Montgomery, AL 36117  
Tel: (334) 219-9771  
Email: [myronpenn28@hotmail.com](mailto:myronpenn28@hotmail.com)

/s/ J.S. "Chris" Christie (with permission)

J.S. "Chris" Christie (ASB-3162-H07J)  
Dentons Sirote PC

2311 Highland Avenue South  
Birmingham, AL 35205  
Tel: (205) 930-5100  
Fax: (205) 930-5101  
chris.christie@dentons.com

**Counsel for Singleton Plaintiffs**

**CERTIFICATE OF SERVICE**

I hereby certify that on May 4, 2026, a copy of the foregoing has been served on all counsel of record through the Court's CM/ECF system.

/s/ Abha Khanna

Abha Khanna

Counsel for Caster Plaintiffs