

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

MICHAEL GONIDAKIS, MARY PARKER,  
MARGARET CONDITT, BETH  
VANDERKOOI, LINDA SMITH,  
DELBERT DUDUIT, THOMAS W. KIDD  
JR., DUCIA HAMM,

Plaintiffs,

BRIA BENNETT, REGINA C. ADAMS,  
KATHLEEN M. BRINKMAN, MARTHA  
CLARK, SUSANNE L. DYKE, MERYL  
NEIMAN, HOLLY OYSTER, CONSTANCE  
RUBIN, EVERETT TOTTY,

Intervenor-Plaintiffs,

v.

FRANK LAROSE, in his capacity as Ohio  
Secretary of State,

Defendant.

Case No. 2:22-cv-00773

Judge Amul R. Thapar  
Judge Algenon L. Marbley  
Judge Benjamin J. Beaton

**BENNETT PETITIONERS' MOTION FOR DISCLOSURE OF WITNESSES IN  
ADVANCE OF PRELIMINARY INJUNCTION HEARING**

In the interest of promoting an efficient and orderly presentation of evidence, Intervenor-Plaintiffs Bria Bennett, Regina C. Adams, Kathleen M. Brinkman, Martha Clark, Susanne L. Dyke, Meryl Neiman, Holly Oyster, Constance Rubin, and Everett Totty (the "Bennett Petitioners") hereby move for an order requiring parties to disclose, in advance, the witnesses they anticipate calling at the preliminary injunction hearing beginning on March 30, and providing leave for testimony by remote videoconference for any witnesses who are located out of state.

In particular, the Bennett Petitioners respectfully request that the Court order the following schedule of disclosures:

1. By 12:00 pm on Monday, March 28: Movants shall disclose the names of witnesses they may call at the hearing and the general subjects of testimony from each.

2. By 5:00 pm on Monday, March 28: Parties opposing the Motion shall disclose the names of witnesses they may call at the hearing and the general subjects of testimony from each.

3. By 12:00 pm on Tuesday, March 29: All parties shall disclose the names of any rebuttal witnesses they may call at the hearing to rebut testimony from witnesses disclosed by parties opposing the Motion.

In addition, the Bennett Petitioners may, depending on the witnesses disclosed by Plaintiffs, wish to call an expert witness who resides outside of Ohio. Due to conflicting academic obligations, it would be difficult or impossible for that witness to travel to Ohio to appear for the hearing in person. The Bennett Petitioners therefore request leave for witnesses who reside out-of-state to testify remotely via videoconference.

### **CONCLUSION**

For the foregoing reasons, the Bennett Petitioners respectfully request that the Court (1) order the disclosure of witnesses who may testify at the Preliminary Injunction hearing beginning on March 30, and (2) authorize witnesses who reside out-of-state to present testimony remotely via videoconference.

### **LOCAL RULE 7.3(b) STATEMENT**

Pursuant to Rule 7.3(b), the Bennett Petitioners attempted to confer with all other parties to obtain consent to this Motion. The League of Women Voters Intervenors, the Ohio Organizing Collaborative Intervenors, Senator Sykes, and Minority Leader Russo do not object to the relief sought herein. The Bennett Petitioners were not able to determine the position of the remaining parties before filing this Motion.

Respectfully submitted,

/s/ Donald J. McTigue

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\*\*\* Motion for admission pro hac vice

pending

*Counsel for Bennett Petitioners*

**CERTIFICATE OF SERVICE**

This is to certify a copy of the foregoing was served upon all counsel of record by means of the Court's electronic filing system on this 25th Day of March, 2022.

/s/ Donald J. McTigue  
Donald J. McTigue (OH 0022849)