

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

LOUISIANA STATE CONFERENCE  
OF THE NATIONAL ASSOCIATION  
FOR THE ADVANCEMENT OF  
COLORED PEOPLE, *et. al.*,

Plaintiffs,

v.

Case No. 3:19-cv-00479-JWD-SDJ

STATE OF LOUISIANA, *et al.*,

Defendants.

**INTERVENORS' MOTION FOR EXPEDITED HEARING ON MOTION TO  
INTERVENE AND MOTION TO PARTIALLY LIFT CONSENT STAY ORDER**

John L. Weimer, Greg Champagne, Mike Tregre, and Craig Webre (“Intervenors”), through undersigned counsel, respectfully move the Court for an expedited hearing on their (1) motion to intervene and (2) motion to partially lift consent stay order.<sup>1</sup>

As detailed in the motion to intervene, the Intervenors are voters within Louisiana Supreme Court District Six (“District Six”) and are entitled to vote in the election currently set for November 8, 2022. The present lawsuit seeks to redraw District Five, generally in Baton Rouge. *See Allen v. Louisiana*, 14 F.4th 366, 369 (5th Cir. 2021) (“Plaintiffs thus seek to create a second majority-black district, alleging it could be drawn in District 5, which includes East Baton Rouge Parish and surrounding parishes.”).<sup>2</sup> The Court, with the consent of the parties, has ordered that *all*

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<sup>1</sup> The Motion to Partially Lift Consent Stay Order and Memorandum in Support are filed as Exhibit A to the Motion to Intervene. *See* Rec. Doc. 109.

<sup>2</sup> The Intervenors takes no position on the parties’ arguments relative to District Five, or on the merits of the claims and defenses of any party in this litigation.

Louisiana Supreme Court elections be stayed indefinitely, regardless of whether they are at issue in the present litigation. Rec. Doc. 101 (the “Consent Stay Order”). Without modification, the Consent Stay Order will therefore result in the indefinite postponement of the November 2022 election in District Six and improperly restrict, without any scrutiny, the Intervenors’ right and ability to vote freely for the candidate of their choice. Moreover, although the Consent Stay merely addresses staying elections, qualifying for the November 2022 election is nonetheless set to occur between July 20–22, 2022, which further warrants expedited consideration of these issues.

Accordingly, for the reasons more fully detailed in the accompanying memorandum in support, the Intervenors seek the Court’s expedited consideration of their (1) motion to intervene and (2) motion to partially lift consent stay order.

Dated: June 29, 2022.

Respectfully submitted,

/s/ Eva J. Dossier

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capacities*

**CERTIFICATE OF SERVICE**

I certify that on June 29, 2022, the foregoing was filed using the Court's ECF System, which constitutes services on all counsel having appeared of record in this proceeding.

/s/ Eva J. Dossier  
Eva J. Dossier

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**MEMORANDUM IN SUPPORT OF INTERVENORS’  
MOTION FOR EXPEDITED HEARING ON MOTION  
TO INTERVENE AND MOTION TO PARTIALLY LIFT CONSENT STAY ORDER**

John L. Weimer, Greg Champagne, Mike Tregre, and Craig Webre (“Intervenors”), through undersigned counsel, respectfully submit this memorandum in support of their motion for an expedited hearing on their (1) motion to intervene and (2) motion to partially lift consent stay order.<sup>1</sup>

As detailed in the motion to intervene, the Intervenors are voters within Louisiana Supreme Court District Six (“District Six”) and are entitled to vote in the election currently set for November 8, 2022. The present lawsuit seeks to redraw District Five, generally in Baton Rouge. *See Allen v. Louisiana*, 14 F.4th 366, 369 (5th Cir. 2021) (“Plaintiffs thus seek to create a second majority-black district, alleging it could be drawn in District 5, which includes East Baton Rouge Parish

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and surrounding parishes.”).<sup>2</sup> The Court, with the consent of the parties, has ordered that *all* Louisiana Supreme Court elections be stayed indefinitely, regardless of whether they are at issue in the present litigation. Rec. Doc. 101 (the “Consent Stay Order”). Without modification, the Consent Stay Order will therefore result in the indefinite postponement of the November 2022 election in District Six and improperly restrict, without any scrutiny, the Intervenors’ right and ability to vote freely for the candidate of their choice. *See, e.g., Reynolds v. Sims*, 377 U.S. 533, 555 (1964) (“The right to vote freely for the candidate of one’s choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government.”); *Dunn v. Blumstein*, 405 U.S. 330, 336 (1972) (“[A]s a general matter, before that right (to vote) can be restricted, the purpose of the restriction and the assertedly overriding interests served by it must meet close constitutional scrutiny.”) (internal quotations omitted).

The Consent Stay merely addresses staying elections, however, qualifying for the November 2022 election is still set to occur between July 20–22, 2022.<sup>3</sup> If the stay as presently applied remains in place, candidates must qualify, but will have no idea whether the election will proceed or not. Hypothetically, if the jury trial that is presently set for September results in no relief, then presumably the election would proceed. If relief is granted, the election may not proceed. But it will be uncertain either way until a judgment is entered. Further, if qualifications occur and the election is delayed, it is uncertain whether the qualifying period will be re-opened. Regardless of any future outcome of the underlying litigation, if the present stay continues in place

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<sup>2</sup> The Intervenors takes no position on the parties’ arguments relative to District Five, or on the merits of the claims and defenses of any party in this litigation.

<sup>3</sup> *Get Election Information*, Louisiana Secretary of State, <https://www.sos.la.gov/ElectionsAndVoting/GetElectionInformation/Pages/default.aspx> (last visited June 27, 2022).

the avenues for seeking relief in a short time frame will likewise be unclear and will likely subject qualifying candidates and voters to further uncertainty and the threat of ongoing litigation.

The Consent Stay should therefore be modified before qualifying, so that potential candidates can know whether the election will or will not take place. Expedited consideration of these motions is therefore necessary to ensure that the fundamental right to vote of voters in District Six remain free from infringement.

For these reasons, the Intervenors request that the Court grant its motion for expedited consideration of their (1) motion to intervene and (2) motion to partially lift consent stay order and set these motions for hearing on an expedited basis.

Dated: June 29, 2022.

Respectfully submitted,

/s/ Eva J. Dossier

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I certify that on June 29, 2022, the foregoing was filed using the Court's ECF System, which constitutes services on all counsel having appeared of record in this proceeding.

/s/ Eva J. Dossier  
Eva J. Dossier

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**ORDER GRANTING INTERVENORS'  
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Considering the Motion for Expedited Hearing filed in this matter,

**IT IS ORDERED** that the Motion to For Expedited Hearing filed by Intervenors John L. Weimer, Greg Champagne, Mike Tregre, and Craig Webre, is **GRANTED**.

**IT IS FURTHER ORDERED** that the Motion to Intervene (Rec. Doc. \_\_\_\_), is set for hearing on July \_\_\_\_, 2022. Any opposition memorandum is to be filed on or before July \_\_\_\_, 2022, and any reply memorandum on or before July \_\_\_\_, 2022. The Court will hear the motion on July \_\_\_\_, 2022 [on the briefs] [with oral argument on that date at \_\_\_\_ AM / PM].

**IT IS FURTHER ORDERED** that the Motion to Partially Lift Consent Stay Order (Rec. Doc. \_\_\_\_), is set for hearing on July \_\_\_\_, 2022. Any opposition memorandum is to be filed on or before July \_\_\_\_, 2022, and any reply memorandum on or before July \_\_\_\_, 2022. The Court will hear the motion on July \_\_\_\_, 2022 [on the briefs] [with oral argument on that date at \_\_\_\_ AM / PM].

Signed in Baton Rouge, Louisiana, on \_\_\_\_\_.

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**JUDGE JOHN W. deGRAVELLES**  
**UNITED STATES DISTRICT COURT**  
**MIDDLE DISTRICT OF LOUISIANA**