

IN THE SUPREME COURT OF OHIO

**LEAGUE OF WOMEN VOTERS OF
OHIO, et al.,**

Petitioners,

v.

**OHIO REDISTRICTING COMMISSION,
et al.,**

Respondents.

Case No. 2022-0303

**Original Action Filed Pursuant to
Ohio Const., Art. XIX**

PETITIONERS' MOTION TO VACATE BRIEFING SCHEDULE

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Petitioners hereby move to vacate the briefing schedule set by this Court in its August 2, 2023 Order (“the Scheduling Order”).

On September 5, 2023, Petitioners in this action, as well as in *Meryl Neiman, et al. v. Secretary of State Frank LaRose, et al.*, Case No. 2022-0298, filed applications, pursuant to Ohio Supreme Court Rule 4.01, to dismiss their respective actions without prejudice.

Pursuant to the Scheduling Order, the parties are to file concurrent briefs on September 12, 2023, addressing the impact of *Huffman v. Neiman*, U.S. Supreme Court Case No. 22-362 (June 30, 2023), and what further proceedings this Court should hold. Should this Court, however, grant the pending dismissal applications, then no purpose would be served by the submission of briefs on September 12, 2023.

To conserve litigation and judicial resources, Petitioners therefore request that the Scheduling Order be vacated pending this Court’s ruling on Petitioners’ dismissal application. Should the application be granted, no briefing will be required. Alternatively, if the application is denied, then this Court can set a new briefing schedule.

Petitioners asked Respondents if they would not oppose this motion and as of this writing at least some Respondents have indicated that they do not consent.

September 6, 2023

Respectfully submitted,

s/ Freda Levenson

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CERTIFICATE OF SERVICE

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