

**IN THE
SUPREME COURT OF OHIO**

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

Relators,

v.

OHIO REDISTRICTING COMMISSION, *et al.*,

Respondents.

Case No. 2021-1193

Original Action Pursuant to Ohio Const.,
Art. XI

Apportionment Case

BRIA BENNETT, *et al.*,

Relators,

v.

OHIO REDISTRICTING COMMISSION, *et al.*,

Respondents.

Case No. 2021-1198

Original Action Pursuant to Ohio Const.,
Art. XI

Apportionment Case

THE OHIO ORGANIZING COLLABORATIVE, *et al.*,

Relators,

v.

OHIO REDISTRICTING COMMISSION, *et al.*,

Respondents.

Case No. 2021-1210

Original Action Pursuant to Ohio Const.,
Art. XI

Apportionment Case

**RESPONDENT THE OHIO REDISTRICTING COMMISSION'S RESPONSE TO
PETITIONERS' SHOW-CAUSE MOTIONS**

Freda J. Levenson (0045916)
Counsel of Record
ACLU OF OHIO FOUNDATION, INC.
4506 Chester Avenue
Cleveland, Ohio 44103
614.586.1972. x125
flevenson@acluohio.org

Dave Yost
Ohio Attorney General

Erik J. Clark (0078732)
Counsel of Record
Ashley T. Merino (0096853)
ORGAN LAW LLP
1330 Dublin Road
Columbus, Ohio 43215

David J. Carey (0088787)
ACLU OF OHIO FOUNDATION, INC.
1108 City Park Avenue, Suite 203
Columbus, Ohio 43206
614.586.1972. x2004
dcarey@aclu.org

Alora Thomas (PHV 22010)
Julie A. Ebenstein (PHV 25423)
AMERICAN CIVIL LIBERTIES UNION
125 Broad Street
New York, New York 10004
212.519.7866.
athomas@aclu.org
jebenstein@aclu.org

Robert D. Fram (PHV 25414-2021)
Donald Brown (PHV 25480-2021)
Joshua Gonzalez (PHV 25424-2021)
David Denuyl (PHV 25452-2021)
COVINGTON & BURLING LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, California 94105-2533
415.591.6000
rfram@cov.com
dwbrown@cov.com
jgonzalez@cov.com
ddenuyll@cov.com

Alexander Thomson (PHV 25462-2021)
COVINGTON & BURLING LLP
850 Tenth Street, NW
Washington, DC 20001-4956
202.662.6000
ajthomson@cov.com

Anupam Sharma (PHV 25418-2021)
James Hovard (PHV 25420-2021)
Yale Fu (PHV 25419-2021)
COVINGTON & BURLING LLP
3000 El Camino Real
5 Palo Alto, Square, 10th Floor
Palo Alto, California 94306-2112
650.632.4700
650.632.4800 (facsimile)

614.481.0900
614.481.0904 (facsimile)
ejclark@organlegal.com
amerino@organlegal.com

Special Counsel to Attorney General
Dave Yost

*Counsel for Respondent The Ohio
Redistricting Commission*

Dave Yost
Ohio Attorney General

Julie M. Pfeiffer (0069762)
Counsel of Record

Jonathan D. Blanton (0070035)
Deputy Attorney General
Michael A. Walton (0092201)
Michael J. Hendershot (0081842)
Deputy Solicitor
OFFICE OF THE OHIO ATTORNEY
GENERAL
30 E. Broad Street, 16th Floor
Columbus, Ohio 43215
614.466.2872
614.782.7592 (facsimile)
Julie.Pfeiffer@OhioAGO.gov
Michael.Walton@OhioAGO.gov
Michael.Hendershot@OhioAGO.gov
Jonathan.Blanton@ohioAGO.gov

David A. Lockshaw, Jr. (0082403)
Counsel of Record

Terrence O'Donnell (0074213)
Manuel D. Cardona (0098079)
DICKINSON WRIGHT, PLLC
180 East Broad Street, Suite 3400
Columbus, Ohio 43215
614.744.2570
844.670.6009 (facsimile)
dlockshaw@dickinson-wright.com
todonnell@dickinson-wright.com
mcardona@dickinson-wright.com

Special Counsel to Attorney General

asharma@cov.com
jhovard@cov.com
yfu@cov.com

*Counsel for Relators League of Women Voters
of Ohio, et al., in Case No. 2021-1193*

Donald J. McTigue (0022849)
Counsel of Record
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, Ohio 43215
614.263.7000
614.368.6961 (facsimile)
dmctigue@electionlawgroup.com
dclinger@electionlawgroup.com

Abha Khanna (PHV 2189-2021)
Ben Stafford (PHV 25433-2021)
ELIAS LAW GROUP
1700 Seventh Ave, Suite 2100
Seattle, Washington 98101
206.656.0176
206.656.0180 (facsimile)
akhanna@elias.law
bstafford@elias.law

Aria C. Branch (PHV 25435-2021)
Jyoti Jasrasaria (PHV 25401-2021)
Spencer W. Klein (PHV 25432-2021)
Harleen Gambhir (PHV 25587-2022)
Raisa Cramer (PHV 25880-2022)
ELIAS LAW GROUP
10 G St NE, Suite 600
Washington, DC 20002
202.968.4490
202.968.4498 (facsimile)
abranche@elias.law
jjasrasaria@elias.law
sklein@elias.law
hgambhir@elias.law
rcramer@elias.law

*Counsel for Relators Bria Bennett, et al., in
Case No. 2021-1198*

Dave Yost

*Counsel for Respondent Secretary of State
Frank LaRose*

John W. Zeiger (0010707)
Marion H. Little, Jr. (0042679)
Christopher J. Hogan (0079829)
ZEIGER, TIGGES & LITTLE LLP
3500 Huntington Center
41 South High Street
Columbus, Ohio 43215
614.365.9900
zeiger@litoio.com
little@litoio.com

*Counsel for Respondent Governor Mike
DeWine*

Brodi J. Conover (0092082)
Counsel of Record
BRICKER & ECKLER LLP
2 East Mulberry Street
Lebanon, Ohio 45036
513.670.6693
513.670.0999 (facsimile)
bconover@bricker.com

Anne Marie Sferra (0030855)
BRICKER & ECKLER LLP
100 South Third Street
Columbus, Ohio 43215
614.227.2300
614.227.2390 (facsimile)
asferra@bricker.com

*Counsel for Respondent Auditor of State
Keith Faber*

Phillip J. Strach (PHV 2544-2021)
Thomas A. Farr (PHV 25461)
John E. Branch, III (PHV 25460)
Alyssa M. Riggins (PHV 25441-2021)
Greg McGuire (PHV 25483-2021)
NELSON MULLINS RILEY &
SCARBOROUGH LLP

Peter M. Ellis (0070264)
Counsel of Record
M. Patrick Yingling (PHV 10145-2021)
REED SMITH LLP
10 South Wacker Drive, 40th Floor
Chicago, Illinois 60606
312.207.1000
312.207.6400 (facsimile)
pellis@reedsmith.com
mpyingling@reedsmith.com

Alicia L. Bannon (PHV 25409-2021)
Yurij Rudensky (PHV 25422-2021)
Michael Li (PHV 25430-2021)
Ethan Herenstein (PHV 25429-2021)
Harry Isaiah Black (PHV 2544-2021)
BRENNAN CENTER FOR JUSTICE
AT NYU SCHOOL OF LAW
120 Broadway, Suite 1750
New York, New York 10271
646.292.8310
212.463.7308 (facsimile)
alicia.bannon@nyu.edu
rudenskyy@brennan.law.nyu.edu
lim@brennan.law.nyu.edu
herensteine@brennan.law.nyu.edu
blackh@brennan.law.nyu.edu

Ben R. Fliegel (PHV 25411-2021)
REED SMITH LLP
355 South Grand Avenue, Suite 2900
Los Angeles, California 90071
213.457.8000
213.457.8080 (facsimile)
bfliegel@reedsmith.com

Brad A. Funari (PHV 3139-2021)
Danielle L. Stewart (0084086)
REED SMITH LLP
225 Fifth Avenue
Pittsburgh, Pennsylvania 15222
412.288.4583
412.288.3063 (facsimile)
bfunari@reedsmith.com
dstewart@reedsmith.com

4140 Parklake Avenue, Suite 200
Raleigh, North Carolina 27612
919.329.3800
919.329.3799 (facsimile)
phil.strach@nelsonmullins.com
tom.farr@nelsonmullins.com
john.branch@nelsonmullins.com
alyssa.riggins@nelsonmullins.com
greg.mcguire@nelsonmullins.com

W. Stuart Dornette (0002955)
Beth A. Bryan (0082076)
Philip D. Williamson (0097174)
TAFT STETTINIUS & HOLLISTER LLP
425 Walnut St., Suite 1800
Cincinnati, Ohio 45202-3957
513.381.2838
513.381.0205 (facsimile)
dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

*Counsel for Respondents Senator Robert
McColley and Representative Jeffrey LaRe*

C. Benjamin Cooper (0093103)
Charles H. Cooper, Jr. (0037295)
Chelsea C. Weaver (0096850)
COOPER & ELLIOT, LLC
305 West Nationwide Boulevard
Columbus, Ohio 43215
614.481.6000
benc@cooperelliott.com
chipc@cooperelliott.com
chelseaw@cooperelliott.com

*Counsel for Respondents Senator Vernon
Sykes and House Minority Leader Allison
Russo*

Brian A. Sutherland (PHV 25406-2021)
REED SMITH LLP
101 Second Street, Suite 1800
San Francisco, California 94105
415.543.8700
415.391.8269 (facsimile)
bsutherland@reedsmith.com

*Counsel for Relators Ohio Organizing
Collaborative, et al., in Case No. 2021-1210*

Regarding the allegations in Petitioners' motions of specific conduct or inaction during this latest redistricting process, the Commission's seven individual members have sometimes different opinions and understandings. In this response, the Commission itself defers to each of the individual Commission members' responses regarding these issues. But the Commission itself, as a body, joins the responses of Governor DeWine, Secretary of State LaRose, Auditor Faber, Senator McColley, and Representative LaRe on the threshold issues of whether it is proper for this Court to hold the Commission or its members in contempt in the context of redistricting *generally*, regardless of the decade in which it takes place. (See Respondent Auditor of State Keith Faber's Response filed June 17, 2022, at pages 3-5; Respondents Senator McColley and Representative LaRe's Joint Response filed June 17, 2022, at pages 4-8; Respondent Ohio Secretary of State Frank LaRose's Combined Response filed June 17, 2022, at pages 3-6; and Respondent Governor Mike DeWine's Combined Response filed June 17, 2022, at pages 12-14).

CONCLUSION

For these reasons, the Ohio Redistricting Commission respectfully requests that the Court deny Petitioners' show-cause motions.

Dated: June 17, 2022

Respectfully submitted,

Dave Yost
Ohio Attorney General

/s Erik J. Clark

Erik J. Clark (0078732)

Counsel of Record

Ashley Merino (0096853)

ORGAN LAW LLP

1330 Dublin Road

Columbus, Ohio 43215

614.481.0900

614.481.0904 (facsimile)
ejclark@organlegal.com
amerino@organlegal.com

Special Counsel to Attorney General Dave
Yost

*Counsel for Respondent The Ohio
Redistricting Commission*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 17, 2022, a copy of the foregoing was served by electronic mail upon the following:

Freda J. Levenson, Esq.
Counsel of Record
ACLU OF OHIO FOUNDATION, INC.
4506 Chester Avenue
Cleveland, Ohio 44103
614.586.1972. x125
flevenson@acluohio.org

David J. Carey, Esq.
ACLU OF OHIO FOUNDATION, INC.
1108 City Park Avenue, Suite 203
Columbus, Ohio 43206
614.586.1972. x2004
dcarey@aclu.org

Alora Thomas, Esq.
Julie A. Ebenstein, Esq.
AMERICAN CIVIL LIBERTIES UNION
125 Broad Street
New York, New York 10004
212.519.7866.
athomas@aclu.org
jebenstein@aclu.org

Robert D. Fram, Esq.
Joshua Gonzalez, Esq.
David Denuyl, Esq.
Donald Brown, Esq.
COVINGTON & BURLING LLP
415 Mission Street, Suite 5400
San Francisco, California 94105-2533
415.591.6000
rfram@cov.com
jgonzalez@cov.com
ddenuyl@cov.com
dwbrown@cov.com

Megan C. Keenan, Esq.
L. Brady Bender, Esq.
Alexander Thomson, Esq.

Julie M. Pfeiffer, Esq.
Counsel of Record
Jonathan D. Blanton, Esq.
Michael A. Walton, Esq.
Michael J. Hendershot, Esq.
OFFICE OF THE OHIO ATTORNEY
GENERAL
30 E. Broad Street, 16th Floor
Columbus, Ohio 43215
614.466.2872
614.782.7592 (facsimile)
Julie.Pfeiffer@OhioAGO.gov
Michael.Walton@OhioAGO.gov
Michael.Hendershot@OhioAGO.gov
Jonathan.Blanton@ohioAGO.gov

David A. Lockshaw, Jr., Esq.
Counsel of Record
Terrence O'Donnell, Esq.
Manuel D. Cardona, Esq.
DICKINSON WRIGHT, PLLC
180 East Broad Street, Suite 3400
Columbus, Ohio 43215
614.744.2570
844.670.6009 (facsimile)
dlockshaw@dickinson-wright.com
todonnell@dickinson-wright.com
mcardona@dickinson-wright.com

Special Counsel to Attorney General
Dave Yost

Counsel for Respondent Secretary of State
Frank LaRose

John W. Zeiger, Esq.
Marion H. Little, Jr., Esq.
Christopher J. Hogan, Esq.
ZEIGER, TIGGES & LITTLE LLP
3500 Huntington Center

COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
202.662.6000
mkeenan@cov.com
bbender@cov.com
ajthomson@cov.com

Anupam Sharma, Esq.
James Hovard, Esq.
Yiye Fu, Esq.
COVINGTON & BURLING LLP
3000 El Camino Real
5 Palo Alto, Square, 10th Floor
Palo Alto, California 94306-2112
650.632.4700
asharma@cov.com
jhovard@cov.com
yfu@cov.com

Counsel for Relators League of Women Voters of Ohio, et al., in Case No. 2021-1193

Donald J. McTigue, Esq.
Counsel of Record
Derek S. Clinger, Esq.
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, Ohio 43215
614.263.7000
614.368.6961 (facsimile)
dmctigue@electionlawgroup.com
dclinger@electionlawgroup.com

Aria C. Branch, Esq.
Jyoti Jasrasaria, Esq.
Spencer W. Klein, Esq.
Harleen Gambhir, Esq.
Raisa Cramer, Esq.
ELIAS LAW GROUP
10 G St NE, Suite 600
Washington, DC 20002
202.968.4490
202.968.4498 (facsimile)
abranche@elias.law

41 South High Street
Columbus, Ohio 43215
614.365.9900
zeiger@litohio.com
little@litohio.com

Counsel for Respondent Governor Mike DeWine

Brodi J. Conover, Esq.
Counsel of Record
BRICKER & ECKLER LLP
2 East Mulberry Street
Lebanon, Ohio 45036
513.670.6693
513.670.0999 (facsimile)
bconover@bricker.com

Anne Marie Sferra, Esq.
BRICKER & ECKLER LLP
100 South Third Street
Columbus, Ohio 43215
614.227.2300
614.227.2390 (facsimile)
asferra@bricker.com

Counsel for Respondent Auditor of State Keith Faber

Phillip J. Strach, Esq.
Thomas A. Farr, Esq.
John E. Branch, III, Esq.
Alyssa M. Riggins, Esq.
Greg McGuire, Esq.
NELSON MULLINS RILEY &
SCARBOROUGH LLP
4140 Parklake Avenue, Suite 200
Raleigh, North Carolina 27612
919.329.3800
919.329.3799 (facsimile)
phil.strach@nelsonmullins.com
tom.farr@nelsonmullins.com
john.branch@nelsonmullins.com
alyssa.riggins@nelsonmullins.com
greg.mcguire@nelsonmullins.com

jjasrasaria@elias.law
sklein@elias.law
hgambhir@elias.law
rcramer@elias.law

Abha Khanna, Esq.
William B. Stafford, Esq.
ELIAS LAW GROUP
1700 Seventh Ave, Suite 2100
Seattle, Washington 98101
206.656.0176
206.656.0180 (facsimile)
akhanna@elias.law
bstafford@elias.law

Counsel for Relators Bria Bennett, et al., in Case No. 2021-1198

Peter M. Ellis, Esq.
Counsel of Record
M. Patrick Yingling, Esq.
Natalie R. Salazar, Esq.
REED SMITH LLP
10 South Wacker Drive, 40th Floor
Chicago, Illinois 60606
312.207.1000
312.207.6400 (facsimile)
pellis@reedsmith.com
mpyingling@reedsmith.com
nsalazar@reedsmith.com

Alicia L. Bannon, Esq.
Yurij Rudensky, Esq.
Michael Li, Esq.
Ethan Herenstein, Esq.
BRENNAN CENTER FOR JUSTICE
AT NYU SCHOOL OF LAW
120 Broadway, Suite 1750
New York, New York 10271
646.292.8310
212.463.7308 (facsimile)
alicia.bannon@nyu.edu
rudenskyy@brennan.law.nyu.edu
herensteine@brennan.law.nyu.edu

Ben R. Fliegel, Esq.

W. Stuart Dornette, Esq.
Beth A. Bryan, Esq.
Philip D. Williamson, Esq.
TAFT STETTINIUS & HOLLISTER LLP
425 Walnut St., Suite 1800
Cincinnati, Ohio 45202-3957
513.381.2838
513.381.0205 (facsimile)
dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

Counsel for Respondents Senator Rob McColley and Representative Jeff LaRe

C. Benjamin Cooper, Esq.
Charles H. Cooper, Esq.
Chelsea C. Weaver, Esq.
COOPER & ELLIOT, LLC
305 West Nationwide Boulevard
Columbus, Ohio 43215
614.481.6000
benc@cooperelliott.com
chipc@cooperelliott.com
chelseaw@cooperelliott.com

Counsel for Respondents Senator Vernon Sykes and House Minority Leader Allison Russo

REED SMITH LLP
355 South Grand Avenue, Suite 2900
Los Angeles, California 90071
213.457.8000
213.457.8080 (facsimile)
bfliegel@reedsmith.com

Brad A. Funari, Esq.
Danielle L. Stewart, Esq.
REED SMITH LLP
225 Fifth Avenue
Pittsburgh, Pennsylvania 15222
412.288.4583
412.288.3063 (facsimile)
bfunari@reedsmith.com
dstewart@reedsmith.com

Brian A. Sutherland, Esq.
REED SMITH LLP
101 Second Street, Suite 1800
San Francisco, California 94105
415.543.8700
415.391.8269 (facsimile)
bsutherland@reedsmith.com

*Counsel for Relators Ohio Organizing
Collaborative, et al., in Case No. 2021-1210*

/s Erik J. Clark
*One of the Attorneys for Respondent The
Ohio Redistricting Commission*