

**IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY, PART IV**

GARY WYGANT and FRANCIE HUNT,)

Plaintiffs,

v.

**BILL LEE, Governor, TRE HARGETT,
Secretary of State, MARK GOINS,
Tennessee Coordinator of Elections; All
in their Official Capacity Only,**

Defendants.

CASE NO. 22-287-IV

**Russell T. Perkins, Chief Judge
J. Michael Sharp, Judge
Steven W. Maroney, Chancellor**

CLERK OF COURT
DAVIDSON COUNTY, TENNESSEE
2023 NOV 22 AM 11:11
FILED

SEPARATE NOTICE OF CHANCELLOR RUSSELL T. PERKINS

The undersigned hereby gives notice that he DISSENTS in part and CONCURS in part with the majority decisions of the Panel. The undersigned concurs in the result that Plaintiff Hunt has standing to challenge the Senate plan and that the Senate plan should be struck down as unconstitutional. The undersigned respectfully disagrees with the Panel’s decision holding that the House plan is constitutional. The undersigned would hold that the House plan is unconstitutional for the reasons set out in the Separate Opinion of Chancellor Russell T. Perkins. Additionally, the undersigned disagrees with other aspects with the Panel’s decision, including but not limited to the Findings of Fact. The Separate Opinion of Chancellor Russell T. Perkins is attached to the Memorandum and Final Order of the Panel as Exhibit “B.”

Despite the disagreements between members of the Panel, the undersigned believes that his learned colleagues on this Panel, Judge J. Michael Sharp and Chancellor Steven

W. Maroney, have conducted themselves admirably and that all their work in this case has been balanced and well-reasoned.

IT IS SO ORDERED.

s/Russell T. Perkins
RUSSELL T. PERKINS,
Chief Judge

cc: David W. Garrison, Esq.
Scott P. Tift, Esq.
John Spragens, Esq.
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