

No. M2023-01686-SC-R3-CV

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

GARY WYGANT and FRANCIE HUNT,
Plaintiffs,

v.

BILL LEE, et al.,
Defendants.

DEFENDANTS' MOTION TO STAY PENDING APPEAL

Defendants, Bill Lee, Governor of the State of Tennessee, Tre Hargett, Secretary of State, and Mark Goins, Tennessee Coordinator of Elections, hereby move this Court under Tenn. R. App. P. 7 to stay pending appeal that part of the Final Order of the chancery court granting judgment in favor of Plaintiff Francie Hunt on her claim that the Senate redistricting plan is unconstitutional and ordering the General Assembly to implement a remedial plan by January 31, 2024.

As set forth in the accompanying memorandum of law, which is incorporated herein, a stay pending appeal is warranted. The chancery court's decision is likely to be reversed on appeal because Plaintiff Francie Hunt lacked standing to bring her constitutional claim. Absent a stay, the State will be irreparably harmed because it cannot enforce a duly enacted law and because the General Assembly must either

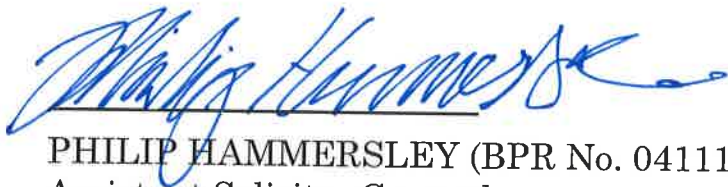
abandon the Senate Map that it drew or cede its sovereign map-drawing authority to the judiciary. The remaining equitable factors likewise favor granting a stay because Ms. Hunt will not be harmed by a temporary stay pending appeal and the public has an interest in the State's laws—especially its redistricting maps—being enforced.

Ms. Hunt has notified the State that she intends to oppose this motion.

Respectfully submitted,

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Attorney General & Reporter

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Solicitor General



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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion to Stay Pending Appeal has been served by email and U.S. mail on this the 5th day of December, 2023, on the following:

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