

UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH  
351 South West Temple  
Salt Lake City, Utah 84101

Robert J. Shelby  
District Judge



(801) 524-6790  
utdecf\_shelby@utd.uscourts.gov

February 9, 2026

Governor Spencer J. Cox  
d.obannon@utah.gov  
350 N. State St., Suite 200  
P.O. Box 142220  
Salt Lake City, UT 84114-2220

Utah Attorney General Derek Brown  
uag@agutah.gov  
350 N. State St., Suite 230  
Salt Lake City, UT 84114

*Via Email and Certified Mail*

*Re: Utah Congressional District Litigation*

Dear Governor Cox and Attorney General Brown:


On behalf of a three-judge panel designated by Tenth Circuit Chief Judge Jerome Holmes, I write to provide notice pursuant to 28 U.S.C. § 2284(b)(2) that a preliminary injunction hearing in the matter of *Powers Gardner v. Henderson* (Case No. 2:26-cv-84) is scheduled to commence next Wednesday, February 18, 2026, beginning at 9:00 a.m. in Courtroom 3.100 in the Orrin G. Hatch United States Courthouse in Salt Lake City. Among other things, Plaintiffs seek a declaration that Third District Judge Diana Gibson and Lieutenant Governor Henderson have unconstitutionally imposed a congressional redistricting map for use in Utah's upcoming 2026 general election. Plaintiffs ask the court to remand the task of selecting a new map for the 2026 general election to the Utah Legislature, or alternatively, order the 2021 legislative map be used by default. Plaintiffs further ask the court to permanently enjoin Lieutenant Governor Henderson from using the map adopted by Judge Gibson.

A copy of the Complaint is attached for your convenience.

Sincerely,

Timothy M. Tymkovich, Judge, U.S. Court of Appeals for the Tenth Circuit  
Robert J. Shelby, Judge, U.S. District Court for the District of Utah  
Holly L. Teeter, Judge, U.S. District Court for the District of Kansas

By:

A handwritten signature in black ink, appearing to read 'RJS', written over a horizontal line.

Robert J. Shelby  
United States District Judge  
District of Utah