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** Admitted Pro Hac Vice*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

AMELIA POWERS GARDNER, *et al.*,

Plaintiffs,

v.

LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity,

Defendant.

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

Intervenors.

**LWV INTERVENORS' RESPONSE TO
PLAINTIFFS' "NOTICE OF
CORRECTION OF STATEMENT MADE
DURING FEBRUARY 18, 2026
HEARING"**

Case No. 2:26-cv-84-RJS-JCB

Judge Timothy M. Tymkovich
Judge Robert J. Shelby
Judge Holly L. Teeter
Magistrate Judge Jared C. Bennett

Plaintiffs’ days-late reimagining of their Complaint and oral argument—euphemistically titled “Notice of Correction of Statement Made During February 18, 2026 Hearing,” Dkt. 97—accuses LWV Intervenors of representing “at best, a half-truth” to the Court in explaining under what conditions the 2021 Map is repealed by the Utah Code. This is puzzling, because LWV Intervenors said *exactly* what Plaintiffs admit (at 2) is accurate: the Utah Legislature repealed and replaced the 2021 Map with Map C when two conditions are present: (1) the 2021 Map is enjoined, and (2) Proposition 4 is in effect. *See* Hrg. Tr., Dkt. 97-1 at 62-63 (“MR. GABER: If you look at the Utah Code, it has been repealed. So if we’re talking about, Well, what is the Legislature’s preference? We look at the code. The code repealed it whenever there was an injunction against it and whenever Proposition 4 was in effect and replaced it with Map C.”); *accord* Plaintiffs’ “Notice,” Dkt. 97 at 2 (“The 2021 map was conditionally replaced by an amendment to the Utah Code ... declar[ing] that the 2021 map is the operative map in the state, unless two conditions are met: the map is enjoined and Proposition 4 is given legal effect. *See* Utah Code § 20A-13-101.1(2)(b)(ii)(A), (B),” in which case “Map C kick[s] in.”).

If that is a “half-truth,” one wonders what the other half might be.

Plaintiffs’ post-mortem ruminations also perpetuate the myth that their claim in this case challenges the state district court’s state-law injunction of the 2021 Map, implying that if this panel grants Plaintiffs the relief they seek—enjoining the Lieutenant Governor (the sole defendant) from implementing Map 1—somehow the enjoined, unlawful 2021 Map will spring, Lazarus-like, back to life. Plaintiffs have no such claim in this case. And that was likely intentional to avoid fatal abstention problems.

Simply put, it remains the case that the 2021 Map is enjoined and Proposition 4 is in effect. As a result, Map C continues to supplant the 2021 Map. And because Plaintiffs likewise do not challenge the state district court's injunction against Map C, that leaves only Map 1 available as a lawful map.

RESPECTFULLY SUBMITTED this 21st day of February 2026.

/s/ David C. Reymann

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