

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA**

DR. DOROTHY NAIRNE, REV. CLEE
EARNEST LOWE, DR. ALICE WASHINGTON,
STEVEN HARRIS, BLACK VOTERS MATTER
CAPACITY BUILDING INSTITUTE, and THE
LOUISIANA STATE CONFERENCE OF THE
NAACP,

Plaintiffs,

v.

NANCY LANDRY, in her official capacity as
Secretary of State of Louisiana,

Defendant.

Civil Action No. 3:22-cv-00178
SDD-SDJ

[PROPOSED] SCHEDULING ORDER

Having sought submissions from the parties for scheduling proposals in its February 8, 2024 Order, ECF No. 233, the Court **HEREBY ORDERS** as follows:

In *In re Landry*, 83 F.4th 300 (5th Cir. 2023), the Fifth Circuit mandamus panel pointed to Alabama’s process following the Supreme Court’s issuance of *Merrill v. Milligan* as an example of “an adequate opportunity to accomplish a redistricting compliant with final judgment,” highlighting that the court afforded the legislature six weeks from the Supreme Court’s remand. *Id.* at 306 (“the Alabama court on remand from the Supreme Court afforded the state an adequate opportunity to accomplish a redistricting compliant with final judgment”). That six-week period was measured from the date of the Supreme Court’s order remanding the case, not the date of the three-judge panel’s scheduling order. And the six-week period was not measured by number of *legislative session* weeks—the *total* number of weeks from the date the decision was issued was six, whereas the Legislature had only one week of session time. *See Singleton v. Allen*, No. 2:21-

CV-1291-AMM, 2023 WL 5691156, at *2 (N.D. Ala. Sept. 5, 2023); Governor of Alabama, *Proclamation* (June 27, 2023), <https://perma.cc/D4F9-78VJ>.

The Court hereby enters the following schedule, which provides the Legislature with more than ten weeks from the date of this Court's merits decision (issued on February 8, 2024) to pass new state legislative maps, and provides Defendants with more than seven weeks from the receipt of Plaintiffs' proposed remedial maps and supporting expert reports (all of which were served as of March 19, 2024) to mount their defense to those maps:

- a. April 24, 2024: Deadline for Legislature to enact state House and Senate maps that are compliant with the Court's February 8, 2024 Order
- b. April 26, 2024: Deadline for Plaintiffs to notify Court whether they oppose the new enacted maps, if any
- c. May 8, 2024: Deadline for Defendants' opposition to Plaintiffs' maps (including rebuttal reports), and Defendants' submission on proposed remedial maps (including any supporting expert reports)
- d. May 15, 2024: Deadline for Plaintiffs' opposition to Defendants' maps (including rebuttal reports)
- e. May 22, 2024: Remedial hearing

Signed in Baton Rouge, Louisiana, this ____ day of _____, 2024.

Chief Judge Shelly D. Dick