EXHIBIT
GX-28

NINETEENTH JUDICIAL DISTRICT

PARISH OF EAST BATON ROUGE, STATE OF LOUISIANA

NUMBER C-716690 SECTION 24

JAMES BULLMAN, KIRK GREEN, STEPHEN HANDWERK, DARRYL MALEK-WILEY, AMBER ROBINSON, and POOJA PRAZID

VERSUS

R. KYLE ARDOIN, IN HIS OFFICIAL CAPACITY AS LOUISIANA SECRETARY OF STATE

**********CONSOLIDATED WITH**********

NUMBER C-716837 SECTION 25

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ("NAACP") LOUISIANA STATE CONFERENCE, POWER COALITION FOR EQUITY AND JUSTICE, DOROTHY NAIRNE, EDWIN RENÉ SOULÉ, ALICE WASHINGTON, AND CLEE EARNEST LOWE

VERSUS

R. KYLE ARDOIN, IN HIS OFFICIAL CAPACITY AS LOUISIANA SECRETARY OF STATE

MOTION FOR STAY OF PROCEEDINGS TO BE TAKEN UP AFTER EXCEPTION HEARING, IF EXCEPTIONS ARE DENIED BY THE DISTRICT COURT

NOW INTO COURT, through undersigned counsel, comes Defendant, R. Kyle Ardoin, in his official capacity as the Secretary of State for the State of Louisiana, who respectfully requests a stay of all proceedings until such time as exceptions are reviewed by the appellate court(s), and the Regular Session is concluded. Plaintiffs in this case continue to ask this Honorable Court for an expedited scheduling order. At the status conference held on Monday, March 21, 2022, counsel for the Secretary of State objected to a scheduling order. Undersigned counsel indicated that if the exceptions were denied, she intended to seek review by the appellate court and request a stay. The Court requested that a motion be made in writing, if the stay is requested.

The Secretary of State represents as follows:

1.

The petitions in *Bullman, et al. v. Ardoin*, Docket No. C-716690, and *NAACP Louisiana State Conference, et al. v. Ardoin*, Docket No. C-716837, were filed on March 10, 2022, and March 15, 2022, respectively.

2.

These petitions each allege that the current configuration of the Louisiana congressional districts violate the Louisiana and United States Constitutions and ask this Court to implement a new congressional district plan that complies with the United States and Louisiana Constitutions, among other requests for relief.

3.

Plaintiffs are requesting that this Court establish a scheduling order in this matter. However, a scheduling order is not appropriate, as this is not a matter in which this District Court has jurisdiction.

4.

Defendant has filed declinatory, dilatory, and peremptory exceptions, which are pending before this Court. In the unlikely event that the exceptions are dismissed, Defendant will seek appellate review.

5.

The Legislature passed congressional redistricting bills, HB 1 and SB 5, during the 2022 First Extraordinary Session.

6.

The Legislature adjourned the 2022 First Extraordinary Session on February 18, 2022.

7.

On March 9, 2022, Governor John Bel Edwards vetoed HB1 and SB5.

8.

The 40th day following final adjournment of the 2022 First Extraordinary Session is March 30, 2022, and a veto session can commence on or before that date. La. Const. art. III, § 18.

9.

Moreover, the Legislature commenced its 2022 Regular Legislative Session on March 14, 2022. Multiple bills were pre-filed and are pending on the issue of congressional redistricting. *See* SB 306, HB 712, HB 823, and HB 608 of the 2022 Regular Session.[1]

10.

Even if the Governor vetoes a congressional redistricting bill from the 2022 Regular Session, the Legislature has an opportunity to override the veto in a veto session, before the fall elections.

11.

The legislative process pertaining to the congressional redistricting is ongoing. There is no indication that the Legislature is done with the congressional redistricting process following its receipt of the 2020 census data.

12.

Redistricting congressional districts is a unique political process specifically reserved to the Legislature pursuant to the United States and Louisiana Constitutions. The redistricting process precludes this Court's usurpation of the redistricting process, and this Court cannot preempt the Legislature.

13.

A stay is warranted here until the Legislature indicates it will not reapportion or redistrict Louisiana's Congressional Districts.

14.

Further, a stay is warranted by considerations of judicial economy and unnecessary expenditure of judicial resources and time in conducting exception hearings, motion practice, discovery, and a trial when the redistricting process is ongoing and the outcome of the redistricting process may materially affect the facts and legal principles relevant to this matter.

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[1] This Honorable Court may take judicial notice of the bills pending for the 2022 Regular Legislative Session related to Congressional Reapportionment and Redistricting:
https://legis.la.gov/legis/ViewDocument.aspx?d=1257664
https://legis.la.gov/legis/ViewDocument.aspx?d=1256768
https://legis.la.gov/legis/ViewDocument.aspx?d=1256978
https://legis.la.gov/legis/ViewDocument.aspx?d=1259460

15.

Additionally, should this Court deny Defendants' exceptions and decline to issue a dismissal in this matter, Defendant will seek appellate review. Defendant moves this Court exercise its discretion and issue a stay on the proceedings until a final disposition is made in the appellate courts.

WHEREFORE, the Secretary of State respectfully prays this Court to stay all proceedings until the exceptions are reviewed by the appellate courts and until the conclusion of the legislative process for adopting new congressional maps.

Respectfully submitted,

JEFF LANDRY
ATTORNEY GENERAL

BY: _____

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Counsel for the Secretary of State

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing Motion for Stay has on this date been served upon all known counsel of record by electronic mail at the email address provided.

Baton Rouge, Louisiana, this 24th day of March, 2022.

Angelique Duhon Freel

NINETEENTH JUDICIAL DISTRICT

PARISH OF EAST BATON ROUGE, STATE OF LOUISIANA

NUMBER C-716690 **SECTION 24**

JAMES BULLMAN, KIRK GREEN, STEPHEN HANDWERK, DARRYL MALEK-WILEY, AMBER ROBINSON, and POOJA PRAZID

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VERSUS

R. KYLE ARDOIN, IN HIS OFFICIAL CAPACITY AS LOUISIANA SECRETARY OF STATE

ORDER

Considering the foregoing *Motion to Stay of Proceedings, to be taken up after exception hearing, if exceptions are denied by the District Court,* filed by R. Kyle Ardoin, in his official capacity as the Secretary of State for the State of Louisiana:

IT IS HEREBY ORDERED that the Plaintiff is to appear on the 25th day of March, 2022, at 1:30 o'clock, a.m./p.m., and show cause why the *Motion for Stay* should not be granted.

Baton Rouge, Louisiana this 25th day of March, 2022.

_____

JUDGE DONALD R. JOHNSON
SECTION 24
NINETEENTH JUDICIAL DISTRICT COURT

NINETEENTH JUDICIAL DISTRICT

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VERSUS

R. KYLE ARDOIN, IN HIS OFFICIAL CAPACITY AS LOUISIANA SECRETARY OF STATE

ORDER

Considering the foregoing *Motion to Stay of Proceedings, to be taken up after exception hearing, if exceptions are denied by the District Court,* filed by R. Kyle Ardoin, in his official capacity as the Secretary of State for the State of Louisiana:

IT IS HEREBY ORDERED that the Motion for Stay is _____.

Baton Rouge, Louisiana this 25th day of March, 2022.

_____
JUDGE DONALD R. JOHNSON
SECTION 24
NINETEENTH JUDICIAL DISTRICT COURT

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