

IN THE SUPREME COURT OF OHIO

Bria Bennett, et al.,

Petitioners,

v.

Ohio Redistricting Commission, et al.,

Respondents.

Case No. 2021-1198

Original Action Filed Pursuant to Ohio
Constitution, Article XI, Section 9(A)

*[Apportionment Case Pursuant to S. Ct.
Prac. R. 14.03]*

**PETITIONERS' RESPONSE TO RESPONDENT SECRETARY OF STATE'S
MOTION TO DISMISS AND TO VACATE**

Abha Khanna (PHV 2189-2023)
Ben Stafford (PHV 25433-2023)
ELIAS LAW GROUP LLP
1700 Seventh Avenue, Suite 2100
Seattle, WA 98101
T: (206) 656-0176
F: (206) 656-0180
bstafford@elias.law

Jyoti Jasrasaria (PHV 25401-2023)
ELIAS LAW GROUP LLP
250 Massachusetts Avenue, Suite 400
Washington, DC 20001
T: (202) 968-4490
F: (202) 968-4498
jjasrasaria@elias.law

Donald J. McTigue* (0022849)
**Counsel of Record*
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, OH 43215
T: (614) 263-7000
F: (614) 368-6961
dmctigue@electionlawgroup.com

Counsel for Petitioners

Dave Yost
OHIO ATTORNEY GENERAL

Julie M. Pfeiffer (0069762)
Jonathan D. Blanton (0070035)
Deputy Attorney General
Michael A. Walton (0092201)
Michael J. Hendershot (0081842)
Deputy Solicitor
OFFICE OF THE OHIO ATTORNEY
GENERAL
30 E. Broad Street, 16th Floor
Columbus, Ohio 43215
T: (614) 466-2872
F: (614) 782-7592
Julie.Pfeiffer@OhioAGO.gov
Michael.Walton@OhioAGO.gov
Michael.Hendershot@OhioAGO.gov
Jonathan.Blanton@ohioAGO.gov

*Counsel for Respondents Ohio Redistricting
Commission, Governor Mike DeWine, Secretary
of State Frank LaRose, and Auditor of State
Keith Faber*

W. Stuart Dornette (0002955)
Beth A. Bryan (0082076)
Philip D. Williamson (0097174)
TAFT STETTINIUS & HOLLISTER LLP

425 Walnut St., Suite 1800
Cincinnati, OH 45202-3957
T: (513) 381-2838
dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

Phillip J. Strach
Thomas A. Farr
John E. Branch, III
Alyssa M. Riggins
NELSON MULLINS RILEY &
SCARBOROUGH LLP
4140 Parklake Ave., Suite 200
Raleigh, NC 27612
T: (919) 329-3812
phil.strach@nelsonmullins.com
tom.farr@nelsonmullins.com
john.branch@nelsonmullins.com
alyssa.riggins@nelsonmullins.com

*Counsel for Respondents Senate President Matt
Huffman, House Speaker Jason Stephens,
Senator Robert McColley, and Representative
Jeffrey LaRe*

C. Benjamin Cooper (0093103)
Charles H. Cooper, Jr. (0037295)
Chelsea C. Weaver (0096850)
COOPER & ELLIOTT, LLC
305 West Nationwide Boulevard
Columbus, Ohio 43215
T: (614) 481-6000
benc@cooperelliott.com
chipc@cooperelliott.com
chelseaw@cooperelliott.com

*Counsel for Respondents Senate Minority
Leader Nickie Antonio and House Minority
Leader Allison Russo*

Petitioners oppose Respondent Secretary of State’s Motion to Dismiss and to Vacate for all the reasons set forth in their response to Respondents McColley and LaRe’s similarly styled motion. *See* Pet’rs’ Resp. to Resp’ts McColley & LaRe’s Mot. to Dismiss & Vacate (Oct. 30, 2023). Petitioners respectfully request that this Court deny the motion and instead take all action necessary to ensure that Ohioans are able to vote under a constitutional General Assembly plan in 2024.

Dated: November 2, 2023

Respectfully submitted,

/s/ Donald J. McTigue
Donald J. McTigue* (0022849)
**Counsel of Record*
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, OH 43215
T: (614) 263-7000
F: (614) 368-6961
dmctigue@electionlawgroup.com

Abha Khanna (PHV 2189-2023)
Ben Stafford (PHV 25433-2023)
ELIAS LAW GROUP LLP
1700 Seventh Ave, Suite 2100
Seattle, WA 98101
T: (206) 656-0176
F: (206) 656-0180
bstafford@elias.law

Jyoti Jasrasaria (PHV 25401-2023)
ELIAS LAW GROUP LLP
250 Massachusetts Avenue, Suite 400
Washington, DC 20001
T: (202) 968-4490
F: (202) 968-4498
jjasrasaria@elias.law

Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent via email this 2nd day of November, 2023 to the following:

Dave Yost
OHIO ATTORNEY GENERAL

Julie M. Pfeiffer (0069762)
Michael J. Hendershot (0081842)
Jonathan D. Blanton (0070035)
Michael A. Walton (0092201)
OFFICE OF THE OHIO ATTORNEY GENERAL
30 E. Broad Street, 16th Floor
Columbus, Ohio 43215
T: (614) 466-2872
F: (614) 782-7592
Julie.Pfeiffer@OhioAGO.gov
Michael.Hendershot@OhioAGO.gov
Jonathan.Blanton@ohioAGO.gov
Michael.Walton@OhioAGO.gov

*Counsel for Respondents Ohio Redistricting Commission, Governor Mike DeWine,
Secretary of State Frank LaRose, and Auditor of State Keith Faber*

W. Stuart Dornette (0002955)
Beth A. Bryan (0082076)
Philip D. Williamson (0097174)
TAFT STETTINIUS & HOLLISTER LLP
425 Walnut St., Suite 1800
Cincinnati, OH 45202-3957
T: (513) 381-2838
dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

Phillip J. Strach
Thomas A. Farr
John E. Branch, III
Alyssa M. Riggins
NELSON MULLINS RILEY & SCARBOROUGH LLP
4140 Parklake Ave., Suite 200
Raleigh, NC 27612
T: (919) 329-3812
phil.strach@nelsonmullins.com
tom.farr@nelsonmullins.com

john.branch@nelsonmullins.com
alyssa.riggins@nelsonmullins.com

Counsel for Respondents Senate President Matt Huffman, House Speaker Jason Stephens, Senator Robert McColley, and Representative Jeffrey LaRe

C. Benjamin Cooper (0093103)
Charles H. Cooper, Jr. (0037295)
Chelsea C. Weaver (0096850)
COOPER & ELLIOTT, LLC
305 West Nationwide Boulevard
Columbus, Ohio 43215
T: (614) 481-6000
benc@cooperelliott.com
chipc@cooperelliott.com
chelseaw@cooperelliott.com

Counsel for Respondents Senate Minority Leader Nickie Antonio and House Minority Leader Allison Russo

/s/ Donald J. McTigue
Donald J. McTigue* (0022849)