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*Counsel for Legislative Defendants*

**IN THE THIRD JUDICIAL DISTRICT COURT  
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH**

LEAGUE OF WOMEN VOTERS OF UTAH,  
MORMON WOMEN FOR ETHICAL  
GOVERNMENT, STEFANIE CONDIE, MALCOLM  
REID, VICTORIA REID, WENDY MARTIN,  
ELEANOR SUNDWALL, and JACK MARKMAN,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH LEGISLATIVE  
REDISTRICTING COMMITTEE; SENATOR SCOTT  
SANDALL, in his official capacity; REPRESENTATIVE  
MIKE SCHULTZ, in his official capacity; SENATOR J.  
STUART ADAMS, in his official capacity; and  
LIEUTENANT GOVERNOR DEIDRE HENDERSON,  
in her official capacity,

Defendants.

**LEGISLATIVE DEFENDANTS'  
COMBINED RESPONSE TO  
PLAINTIFFS' MOTION FOR  
LEAVE (DOC. 848), MOTIONS  
FOR PRELIMINARY INJUNC-  
TION, RULE 65A CONSOLIDA-  
TION, AND RULE 54(b) CERTI-  
FICATION (DOC. 850), AND  
EMERGENCY MOTION FOR  
TEMPORARY RESTRAINING  
ORDER (DOC. 858)**

Case No.: 220901712

District Court Panel  
Hon. Catherin Conklin  
Hon. Derek Williams

## INTRODUCTION

The Utah Constitution vests in the Legislature power to create courts; amend procedural rules; and otherwise determine the courts' structure, number of judges, jurisdiction, and geographical divisions. Exercising its broad constitutional authority, on February 13, 2026, the Legislature enacted amendments to Rule 1 and Rule 42 (S.J.R. 5) and legislation concerning the convening of a district court panel to adjudicate certain types of cases (H.B. 392).

On February 21, 2026, Plaintiffs filed a motion for leave to file a fifth supplemental complaint. That proposed complaint alleged Counts XXIII-XXVII challenging the district court panel mechanism as it existed under H.B. 392 and S.J.R. 5. On the same day, Plaintiffs filed an overlength, combined motion for a preliminary injunction, seeking (1) to prevent Defendants from filing a notice to convene a district court panel, (2) consolidation with trial on the merits under Rule 65A, and (3) certification under Rule 54(b). *See* PI-Mot. on 5th Suppl. Compl. (Doc. 850). Although Plaintiffs never said that they wanted to file a notice to convene a district court panel, Plaintiffs claimed that the district court panel was unconstitutional because H.B. 392 didn't allow them to do so and because the notice to convene the district court panel was not subject to judicial review. *See id.* at 23-36; *see also* Proposed Compl. (Doc. 849) ¶¶23, 30, 34, 38, 41. Plaintiffs also pressed a novel theory, never accepted by any court, that a trial court must always have one judge presiding over it. *See* PI-Mot. at 6-23; Proposed 5th Suppl. Compl. ¶18. Plaintiffs wanted Judge Gibson, who was then presiding over this case, to prevent Defendants from filing the notice. *See* PI-Mot. at 2; *but see Johnson v. Smith*, 857 S.W.2d 612, 618 (Tex. Ct. App. 1993) (trial court could not enjoin party from filing pleadings without violating party's "open courts" rights).

Invoking their right under Rule 42 and H.B. 392, the Attorney General and Legislative Defendants filed a notice to convene the district court panel on February 22. The next day, Plaintiffs sought an emergency temporary restraining order to unwind the operation of the

notice, claiming an emergency based on the unsubstantiated allegation that that the Legislature would pass more redistricting legislation imminently. TRO-Mot. (Doc. 858). As required by H.B. 392 and S.J.R. 5, Judge Gibson notified the Judicial Council to convene the district court panel without taking further action. This case was then reassigned to this panel in accordance with the process specified by the Judicial Council.

The Court should deny Plaintiffs' pending motions for leave to file the fifth supplemental complaint, for a temporary restraining order, for a preliminary injunction, for Rule 65A consolidation, and for Rule 54(b) certification.

Plaintiffs' proposed claims and arguments about H.B. 392 and S.J.R. 5 have become moot by later amendments in H.B. 366 and S.J.R. 6. *See Natalie R. v. State*, 2025 UT 5, ¶¶25, 27 (dismissing as moot a challenge to energy policy statute in light of legislative amendments). Under those later amendments, any party can file a notice to convene a district court panel if the case involves, among other things, a constitutional challenge to a statute. And H.B. 366 allows a district court panel to review a notice to convene for compliance with statutory requirements. H.B. 366 also contains a contingent provision under which a separate Constitutional Court, with separately appointed judges, will be established if H.B. 392's district court panel mechanism is invalidated. And that contingent Constitutional Court will have exclusive jurisdiction over cases like this one. All this means that Plaintiffs' challenges to H.B. 392 and S.J.R. 5 have become moot.

Each motion has additional defects. Plaintiffs' motions for temporary injunctive relief are moot for a separate reason: The notice to convene has been filed, and the district court panel has been convened. Temporary restraining orders and preliminary injunctions are preventative remedies; they cannot undo events that have already occurred. Separately, Plaintiffs' motion for leave to file a fifth supplemental complaint will only prolong this case. This case

was originally filed in March 2022 because Plaintiffs wanted to challenge the constitutionality of the 2021 Congressional Map and the validity of S.B. 200, which amended Proposition 4. Along the way, Plaintiffs have already filed four supplemental complaints. At this point, the parties should be working toward finally resolving Plaintiffs’ original claims, not further complicating the case with new claims lacking a connection to them. The Court should deny Plaintiffs’ pending motions.

## **BACKGROUND**

**Procedural Background.** Plaintiffs filed this case on March 17, 2022. They alleged four state constitutional challenges to the 2021 Congressional Map (Counts I-IV) and another claim regarding the validity of S.B. 200, a law that amended Proposition 4 (Count V). *See* Compl. (Doc. 1) ¶¶257-319. Judge Gibson granted Legislative Defendants’ motion to dismiss Count V but declined to dismiss Counts I-IV. MTD-Order (Doc. 95). The Utah Supreme Court granted the parties’ cross-petitions for interlocutory appellate review. *LWV v. Utah State Legislature*, 2024 UT 21, ¶57 (“*LWV P*”). In July 2024, the Utah Supreme Court remanded Count V for further proceedings, while “retain[ing] jurisdiction” over Counts I-IV. *Id.* ¶¶220, 227. In August 2024, the parties began briefing motions for summary judgment for Plaintiffs’ Count V under a heretofore unknown test first announced in *LWV I*. *See* Pls.’ MSJ-Mot. (Doc. 293). After filing their summary-judgment motion on Count V, Plaintiffs filed an amended complaint on August 30, 2024. They added Counts VI-VII challenging the validity of the 2021 Congressional Map under Proposition 4, and Count VIII challenging the validity of the 2011 Congressional Map. FAC (Doc. 297) ¶¶320-362.

While the parties were briefing summary judgment on Count V and a motion to dismiss Counts VI-VIII, Plaintiffs filed two motions seeking leave to file their first and second supplemental complaints. *See* Pls.’ 1st Mot. to Suppl. (Doc. 332); Pls.’ 2d Mot. to Suppl. (Doc.

341). These supplemental complaints added Counts IX-XV seeking to invalidate a proposed state constitutional amendment (Amendment D) before the 2024 election and an expedited preliminary-injunction hearing on those supplemental claims. *See LWW v. Utah State Legislature*, 2024 WL 4294102 (Utah Sept. 24, 2024).

After resolving Plaintiffs’ claims on Amendment D, Judge Gibson held oral argument on the parties’ Count V summary judgment motions in January 2025. Eight months later—on August 25, 2025—Judge Gibson granted Plaintiffs’ motion for summary judgment on Count V. *See* MSJ-Order (Doc. 470). In that order, Judge Gibson not only declared S.B. 200 invalid but permanently enjoined the 2021 Congressional Map. Judge Gibson then set a remedial timeline to put in place a new congressional map by November 2025—the Lieutenant Governor’s deadline for installing a map to govern the 2026 election. Legislative Defendants never consented to that remedial process. Instead, to preserve its constitutional prerogative, the Legislature participated in that process under protest on a stipulated schedule—even though Proposition 4 did not contemplate such proceedings, and even though the remedial process did not implement Proposition 4. *See* Amended Scheduling Order (Doc. 506). The Legislature did so by passing two bills. First, on October 6, 2026, the Legislature passed S.B. 1011, which defined and required three statistical methods for determining whether a map constituted an impermissible partisan gerrymander: the ensemble analysis, the partisan-bias test, and the mean-median test. *See* MSJ-Order at 29-30 (observing that “the legislature retains discretion in determining what judicial standards are applicable and . . . discretion to determine the ‘best available data and scientific and statistical methods’ to use in evaluating redistricting plan for compliance with . . . Proposition 4 redistricting standards”). Second, that same day, the Legislature passed a bill adopting “Map C” to govern the 2026 election. Shortly after that, the Plaintiffs submitted to Judge Gibson two alternate proposed maps.

Amid those ongoing remedial proceedings requiring significant legal and expert briefing about Map C and Plaintiffs' alternate proposals, on October 6, 2025, Plaintiffs filed a motion for leave to file a third supplemental complaint, adding six additional counts aimed at S.B. 1011. *See* Pls.' 3d Suppl. Compl. (Doc. 549), ¶¶146-198. The next day, Plaintiffs filed a motion for a preliminary injunction on those counts. *See* Pls.' PI-Mot on 3d Suppl. Compl. (Doc. 555).

On October 15, 2025, Plaintiffs filed a motion for leave to file a fourth supplemental complaint, adding another count, and another motion for preliminary injunction. *See* Pls.' 4th Mot. to Suppl. (Doc. 577); Pls.' PI-Mot. on 4th Suppl. Compl. (Doc. 579). This time, Plaintiffs sought an order enjoining the Lieutenant Governor from accepting an indirect initiative application from a group of citizens. Plaintiffs withdrew their motion for leave to file the fourth complaint only when the citizens withdrew their application to the Lieutenant Governor. *See* Withdrawal of Mot. (Doc. 699).

Meanwhile, Judge Gibson held a two-day evidentiary hearing on Map C and Plaintiffs' alternate maps on October 23 and 24. The Lieutenant Governor had informed Judge Gibson that the election officials needed a ruling by November 10, 2025, to ensure an orderly administration of the 2026 election under then-existing laws. Notice of Deadline (Doc. 494). On November 10, 2025, at 11:42 p.m., Judge Gibson issued an order enjoining Defendants from implementing S.B. 1011 and Map C and adopting Plaintiffs' proposed map. *See* November 10 Order (Doc. 735).

On December 9, 2025, Legislative Defendants moved for the entry of final judgment (Doc. 790). Two days later, they moved alternatively for Rule 54(b) certification on Count V (Doc. 796) so that they could seek appellate review. Judge Gibson certified several of her orders under Rule 54(b) and entered a partial final judgment. *See* Certification Order (Doc.

839). When Legislative Defendants appealed and sought a stay of permanent injunction against the 2021 Congressional Plan, the Utah Supreme Court concluded that no final judgment yet exists here. *LWV v. Utah State Legislature*, No. 20260019 (Utah Feb. 20, 2026).

**H.B. 392 and S.J.R. 5.** On February 13, 2026, the Legislature enacted H.B. 392. That law created a process by which a three-judge district court panel would preside over certain types of cases: “If a civil action is brought in the district court and a state entity, or a state official in the state official’s capacity, is a party to the civil action, the attorney general, the governor, or the Legislature may file a notice in the district court that a panel of three district court judges must be convened to hear and decide the civil action.” Utah Code §78A-5-102.7(2)(a) (previous version). H.B. 392 also set March 7, 2026, as the deadline by which the Judicial Council “shall: by rule, create a process by which a district court judge is assigned to a panel by random selection” and “establish and maintain a list of judges who the Judicial Council determines are qualified to serve on a panel.” *Id.* §78A-5-102.7(6)(a).

That same day, the Legislature enacted S.J.R. 5, which amended various provisions of the Utah Rules of Civil Procedure. *See* Utah Const. art. VIII, §4 (“The Legislature may amend the Rules of Procedure and Evidence....”). S.J.R. 5 amended Rule 1 by providing that “district court panel” means “a panel of three district court judges that is convened to hear and decide an action.” Utah R. Civ. P. 1(b). S.J.R. 5 also amended Rule 42 to provide that an action pending in district court on February 13, 2026, was eligible to be transferred to the district court panel by a notice from “[t]he Attorney General, the Governor, or the Legislature.” Utah R. Civ. P. 42(e)(1)(C) (previous version). It also provided that “[u]pon the filing of a notice to convene a district court panel, the district court judge assigned to the action at the time the notice is filed may not sever any matter from the action or take any further action.” Utah R. Civ. P. 42(e)(3).

On February 21, 2026, Plaintiffs filed a motion for leave to file a fifth supplemental complaint. They sought to add five other counts, and to “[p]reliminarily and permanently enjoin Defendants from filing a notice seeking to convene a three-judge panel under H.B. 392 and S.J.R. 5 in this action.” Proposed 5th Supp. Compl., Prayer for Relief (b). Plaintiffs never said that they wanted to convene a district court panel, but still alleged that allowing only state entities and officials to convene a district court panel violated various provisions of the Utah Constitution. *Id.* ¶¶23, 30, 38. Plaintiffs challenged H.B. 392 and S.J.R. 5 to the extent they barred judicial review of the notice to convene the district court panel. *Id.* ¶¶34, 41. And they asserted a novel theory that district courts can proceed only with a single judge presiding. *Id.* ¶18. On the same day, Plaintiffs filed an overlength motion for a preliminary injunction, seeking to enjoin Defendants from filing a notice to convene the district court panel and to convert the preliminary-injunction proceedings into trial on the merits.

On February 22, 2026, Legislative Defendants and the Attorney General filed a notice to convene the district court panel under H.B. 392 and Rule 42. *See* Notice (Doc. 855). The next day, Plaintiffs filed an emergency motion for a temporary restraining order, stating (without any supporting citation) that they feared that the Legislature might enact yet another re-districting legislation imminently and asking Judge Gibson to issue a temporary restraining order “against operation of the Notice.” TRO-Mot. at 2-3.

Three days later, consistent with H.B. 392 and Rule 42, Judge Gibson entered a minute entry notifying the Judicial Council that a district court panel must be convened. *See* Minute Entry (Doc. 864). Judge Gibson did not act on Plaintiffs’ pending motions for leave to file a fifth supplemental complaint, a preliminary injunction, or a temporary restraining order. On February 27, 2026, the Judicial Council convened the district court panel. *See* Panel Assignment (Doc. 865).

Besides those motions, Plaintiffs have filed in the Utah Supreme Court both a petition for permission to appeal under Utah Rule of Appellate Procedure 5 and a petition for extraordinary writ under Appellate Rule 19. Plaintiffs also filed separate motions for a stay and injunction under Appellate Rule 8. Through these filings, Plaintiffs ask the Utah Supreme Court to stay the transfer of the case to the district court panel, preliminarily enjoin H.B. 392 and S.J.R. 5, and return the case to Judge Gibson. The Utah Supreme Court has requested a response to Plaintiffs' Appellate Rule 5 petition by March 18 and a response to Plaintiffs' Appellate Rule 19 petition by March 19.

**H.B. 366 and S.J.R. 6.** On March 6, 2026, the Legislature amended H.B. 392 and S.J.R. 5 by passing H.B. 366 and S.J.R. 6.<sup>1</sup> As relevant here, now any party may file a notice to convene a district court panel if the action challenges the constitutionality of a state statute, an action of the Legislature, an executive order, an administrative rule, or inaction by the Executive Branch. *See* Utah Code §78A-5-102.7(2)(a). S.J.R. 6 amends Rule 42 to state that “a party”—not just the Attorney General, the Governor, or the Legislature—may file a notice to convene a district court panel. Utah R. Civ. P. 42(f)(1), (2). And it provides that the district court panel may transfer an action back to the district court judge originally assigned to the action if “the panel determines that the notice did not comply with ... Utah Code Section 78A-5-102.7.” Rule 42(f)(4)(B).

H.B. 366 also contains a contingent provision. It provides that, if the district court panel mechanism in Section 78A-5-102.7 gets invalidated or enjoined, there will be a “Constitutional Court,” which will be a court of record, have representation in the Judicial Council, have separately appointed judges, and have exclusive jurisdiction over actions that challenge

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<sup>1</sup> As of March 9, 2026, H.B. 366 has been signed by the Senate President and Speaker of the House. The enrolled bill has not yet been sent to the Governor for his signature. Also, S.J.R. 6 has been signed by the Speaker of the House and returned to the Senate for signature by the Senate President.

the constitutionality of a state statute. Utah Code §78A-5b-102; *id.* §78A-2-104, *id.* §78A-5b-103; *id.* §78A-5b-104(1); *id.* §78A-5b-201.

## ARGUMENT

### I. Plaintiffs' proposed claims and pending motions are moot.

Plaintiffs' proposed claims and pending motions challenging the validity of H.B. 392 and S.J.R. 5 have become moot by H.B. 366 and S.J.R. 6.

“If an issue is moot,” Utah courts “lack judicial power to address’ the merits of the argument.” *Nielsen v. Cronquist*, 2025 UT App. 199, ¶17; *see also Transp. All. Bank v. Int’l Confections Co.*, 2017 UT 55, ¶14; *Utah Transit Auth. v. Local 382 of Amalgamated Transit Union*, 2012 UT 75, ¶12. “Legislation can often moot a civil case, even where the legislation passes after the events have transpired in the case.” *Salt Lake City v. Tax Comm’n of State of Utah*, 813 P.2d 1174, 1177 (Utah 1991); *see also Salt Lake Cnty. v. Holliday Water Co.*, 2010 UT 45, ¶¶21-22 (same); *Salt Lake City Corp. v. Utah Inland Port Auth.*, 2022 UT 27, ¶¶20-22 (mootness can “occur ... by repeal or amendment of the law under review.”); *Concerned Parents of Stepchildren v. Mitchell*, 645 P.2d 629, 633 (Utah 1982); *Mikkelsen v. Utah State Tax Comm’n*, 455 P.2d 27, 27-28 (Utah 1969); *Dep’t of Treasury v. Galioto*, 477 U.S. 556, 559-60 (1986); *Am. Charities for Reasonable Fundraising Reg. v. O’Bannon*, 909 F.3d 329, 332-34 (10th Cir. 2018) (“fundamental changes in the law moot the appeal even though [plaintiff] views the new version as unconstitutional”); *ABA v. FTC*, 636 F.3d 641, 645-46 (D.C. Cir. 2011) (“new legislation” “clearly aimed at the precise matter in dispute” mooted the controversy).

*Natalie R.* confirms that conclusion. There, the Utah Supreme Court dismissed as moot a challenge to a statute in light of legislative amendments. The Court explained that “[g]iven the discrepancy between the challenge as it was pleaded and the law as it stands,” the court could not “order a remedy that will have a meaningful impact on the practical positions of the parties.” *Natalie R.*, 2025 UT 5, ¶27.

Plaintiffs' pending motions suffer the same mootness problem. Plaintiffs' proposed Counts XXIII-XXVII aim at H.B. 392 and S.J.R. 5. Proposed 5th Supp. Compl. ¶¶16-41; *see also* PI-Mot. at 1; TRO-Mot. at 2. But those laws have now been amended by H.B. 366 and S.J.R. 6. That alone moots Plaintiffs' proposed claims and pending motions. *See Natalie R.*, 2025 UT 5, ¶27. More specifically, Plaintiffs' proposed claims focus largely on the fact that H.B. 392 and S.J.R. 5 allowed only state entities or officials to file a notice to convene a district court panel and didn't allow judicial review of the notice. Proposed Compl. ¶¶23, 30, 38; PI-Mot. at 23. H.B. 366 and S.J.R. 6 moot those claims; the law now permits any party to file a notice to convene a district court panel in an action challenging the constitutionality of a state statute. Utah Code §78A-5-102.7(2)(a); Utah R. Civ. P. 42(f)(1), (2).

H.B. 366 also moots any claim that a district court means just one district judge sitting alone. That theory has never been adopted by any court. But under H.B. 366's contingent provision, if a court enjoins state actors from executing the three-judge panel now operative under H.B. 392, this case will get assigned to a new Constitutional Court, which will have exclusive jurisdiction over cases like this one. All of this confirms that Plaintiffs' proposed claims challenging H.B. 392 and S.J.R. 5 are moot. And because those proposed claims have been mooted by intervening amendments, this Court should deny leave to file those claims and the pending motions for a temporary restraining order and a preliminary injunction.

## **II. The Court should deny Plaintiffs' pending motions for other reasons.**

In addition to mootness caused by later statutory amendments, the Court should deny Plaintiffs' pending motions for other reasons.

*First*, Plaintiffs' requests for a temporary restraining order and a preliminary injunction to prevent a district court panel from convening suffer another mootness problem: the notice to convene the panel was already filed and a panel has already been convened.

“An injunction is a preventive remedy only, and cannot be invoked to restrain a party from doing an act which he has already done.” *Kahn v. Old Tel. Mining Co.*, 2 Utah 13, 18 (1877); *see also Chesapeake & Ohio Canal Co. v. Young*, 3 Md. 480, 487 (Md. Ct. App. 1853) (“An injunction cannot undo what has been done.”); *Lower Brule Sioux Tribe v. Deer*, 911 F. Supp. 395, 397 (D.S.D. 1995) (motion to restrain a tribe from issuing reduction-in-force notices rendered moot once notices were delivered); *Brant Constr. Co. v. Lumen Constr. Co.*, 515 N.E.2d 868, 876 (Ind. Ct. App. 1987) (“By its very nature, a temporary restraining order is not capable of enjoining an event which has already taken place.”); *Campesinos Unidos v. U.S. Dep’t of Lab.*, 803 F.2d 1063, 1068 (9th Cir. 1986) (“We cannot undo what has already been done.”); *Corpus Christi Devs. v. Chiles*, 275 S.W.2d 700, 701 (Tex. Ct. Civ. App. 1955) (“This Court cannot now, by the granting of a temporary injunction, prevent the doing of that which has already been done.”); *Succession of Tritt v. S. Johnson St. Holdings*, 335 So.3d 277, 279 (La. Ct. App. 2022) (injunctive relief “cannot be employed to redress an alleged consummated wrong or undo what has already been done”); *McLane v. Mercedes-Benz of N. Am.*, 3 F.3d 522, 524 (1st Cir. 1993) (collecting cases). Legislative Defendants and the Attorney General have already filed the notice, and the district court panel has already been convened. Legislative Defendants and the Attorney General cannot be restrained or enjoined from an act that has already been done.

Plaintiffs cannot skirt this problem by styling their request as “rewind[ing]” the notice to convene, PI-Mot. at 2, or being “against operation of the Notice,” TRO-Mot. at 3. An injunctive order is issued against a person to prohibit him from “doing some specified act.” *Nken v. Holder*, 556 U.S. 418, 428 (2009). It cannot be used to settle abstract legal questions without operating on “parties” or “persons” by prohibiting or commanding specific acts. Utah R. Civ. P. 65A(e).

*Second*, Plaintiffs’ motion for leave to file a fifth supplemental complaint is untimely and prejudicial. Rule 15 states that “[o]n motion and reasonable notice, the court may, on just terms, permit a party to file a supplemental pleading setting out the transaction, occurrence, or event that happened after the date of the pleading to be supplemented.” Utah R. Civ. P. 15(d). This Court has “discretion to grant or deny” a motion for leave to file a supplemental complaint. *Harvey v. Ute Indian Tribe of Uintah & Ouray Rsrv.*, 2017 UT 75, ¶55. This Court considers factors such as “untimeliness,” “prejudice,” “bad faith,” or “futility” that “would make ... a grant unjust.” *Id.* ¶56. As explained above, Plaintiffs’ proposed claims regarding H.B. 392 and S.J.R. 5 have been mooted. *See supra* at 9-10. Supplemental claims in these circumstances would be futile. The motion should be denied for that reason alone.

Plaintiffs face other hurdles to adding claims challenging the validity of H.B. 392 and S.J.R. 5. For one, the motion is untimely. *See id.* The case cited by Plaintiffs confirms it: “regardless of the procedural posture of the case, motions to amend have typically been deemed untimely when they were filed several years into the litigation.” *Kelly v. Hard Money Funding*, 2004 UT App. 44, ¶30.

For another, granting the motion will be highly prejudicial to Legislative Defendants. This litigation has been ongoing for four years now, and it has spawned multiple supplemental claims, often in expedited postures and amid other intensive litigation (including summary-judgment briefing and evidentiary hearing). Granting leave for Plaintiffs to file a fifth supplemental complaint now would mean prolonging the litigation over their claims that have been mooted by subsequent legislative actions. Legislative Defendants shouldn’t be forced to move to dismiss or otherwise litigate over claims that are moot.

Compounding those problems, Plaintiffs’ proposed claims have nothing to do with the original claims—challenging the 2021 Congressional Map and S.B. 200—that were filed in

March 2022. Courts routinely reject supplemental complaints when they lack a connection to the original complaint. *See, e.g.,* Wright & Miller, Fed. Prac. & Proc. §1510 (“a motion under Rule 15(d) has been denied because the claim or defense asserted in the supplemental pleading bore little or no relationship to the original pleading”); *Clean Water Action v. Pruitt*, 315 F. Supp. 3d 72, 85 (D.D.C. 2018) (rejecting “proposed claims” that are “factually and legally distinct from the current claims”); *Sai v. TSA*, 155 F. Supp. 3d 1, 7 (D.D.C. 2016) (rejecting supplemental complaint when the issues were not “same or similar” to the ones “raised in the complaint” and the addition of the complaint would not “enhance the ‘economic and speedy disposition’ of the case”). That reasoning applies here and warrants denying the motion.

### CONCLUSION

The Court should deny Plaintiffs’ pending motions.

Dated: March 9, 2026

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I filed this brief on the Court's electronic filing system, which will email everyone requiring notice.

Dated: March 9, 2026

/s/ Tyler R. Green