

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

PRESS ROBINSON, EDGAR CAGE,
DOROTHY NAIRNE, EDWIN RENE
SOULE, ALICE WASHINGTON, CLEE
EARNEST LOWE, DAVANTE LEWIS,
MARTHA DAVIS, AMBROSE SIMS,
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE
("NAACP") LOUISIANA STATE
CONFERENCE, AND POWER
COALITION FOR EQUITY AND JUSTICE,

Plaintiffs,

v.

KYLE ARDOIN, in his official capacity as
Secretary of State for Louisiana,

Defendant.

CIVIL ACTION NO. 3:22-CV-00211-SDD-
RLB

ANSWER TO COMPLAINT

Defendant Kyle Ardoin in his official capacity as Secretary of State for Louisiana ("Defendant") answers plaintiffs' complaint as follows.

INTRODUCTION

1. Defendant admits that the Louisiana legislature passed the 2022 congressional map and overrode the Governors' veto. Defendant further admits that the Voting Rights Act and the cited statistics speak for themselves. In all other respects, the allegations of paragraph 1 are denied.

2. Defendant admits that Plaintiffs seek declaratory and injunctive relief under the Voting Rights Act. Defendant specifically denies that Plaintiff is entitled to any relief. In all other respects, the allegations of paragraph 2 are denied.

3. Defendant admits that the history of Louisiana and the cited case speak for themselves. In all other respects, the allegations of paragraph 3 are denied.

4. Paragraph 4 contains a legal conclusion to which no response is required. To the extent a response is deemed to be required, Defendant lacks knowledge or information sufficient to determine the truth of the allegations of paragraph 4.

5. Defendant admits that the cited case speaks for itself. In all other respects, the allegations of paragraph 5 are denied.

6. Defendant admits that Louisiana's history and election results speak for themselves. In all other respects, the allegations of paragraph 6 are denied.

7. Defendant admits that Louisiana's history speaks for itself. In all other respects, the allegations of paragraph 7 are denied.

8. Defendant admits that the Voting Rights Act, the cited case, and the history of DOJ actions in the state speak for themselves. In all other respects, the allegations of paragraph 8 are denied.

9. Defendant admits that comments at public redistricting hearings and the maps proposed by various legislators speak for themselves. In all other respects, the allegations of paragraph 9 are denied.

10. Defendant admits that the Governor's veto statement speaks for itself. Defendant further admits that the Louisiana Legislature overrode the Governor's veto on March 29, 2022. In all other respects, the allegations of paragraph 10 are denied.

11. Defendant admits that the VRA speaks for itself and that the Plaintiffs seek declaratory and injunctive relief. In all other respects, the allegations of paragraph 11 are denied.

“JURISDICTION AND VENUE”

12. Defendant admits the allegations of paragraph 12.

13. Defendant admits that Plaintiffs seek declaratory and injunctive relief, but Defendant denies that Plaintiffs are entitled to any relief. In all other respects, the allegations of paragraph 13 are denied.

14. Defendant admits the allegations of paragraph 14.

“PARTIES”

15. Defendant admits the allegations of paragraph 15.

16. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 16.

17. Defendant denies that any voter is “harm[ed]” by Louisiana’s congressional districting plan. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 17.

18. Defendant denies the allegations of paragraph 18.

19. Defendant admits the allegations of paragraph 19.

20. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 20.

21. Defendant denies that Louisiana’s congressional districting plan violates the VRA or that any voter is harmed by the congressional districting plan. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 21.

22. Defendant denies that Louisiana’s congressional districting plan violates the VRA or that any voter is harmed by the congressional districting plan. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 22.

23. Defendant denies that Louisiana's congressional districting plan violates the VRA or that any voter is harmed by the congressional districting plan. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 23.

24. Defendant denies that Louisiana's congressional districting plan violates the VRA or that any voter is harmed by the congressional districting plan. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 24.

25. Defendant denies that Louisiana's congressional districting plan violates the VRA or that any voter is harmed by the congressional districting plan. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 25.

26. Defendant denies that Louisiana's congressional districting plan violates the VRA or that any voter is harmed by the congressional districting plan. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 26.

27. Defendant denies that Louisiana's congressional districting plan violates the VRA or that any voter is harmed by the congressional districting plan. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 27.

28. Defendant denies that Louisiana's congressional districting plan violates the VRA or that any voter is harmed by the congressional districting plan. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 28.

29. Defendant denies that Louisiana's congressional districting plan violates the VRA or that any voter is harmed by the congressional districting plan. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 29.

30. Defendant admits the allegations of paragraph 30.

“LEGAL BACKGROUND”

31. Defendant admits that Section 2 speaks for itself. In all other respects, the allegations of paragraph 31 are denied.

32. Defendant admits that Section 2 and the cited case speak for themselves. In all other respects, the allegations of paragraph 32 are denied.

33. Defendant admits that Section 2 and the cited case speak for themselves. In all other respects, the allegations of paragraph 33 are denied.

34. Defendant admits that the cited statute and senate report speak for themselves. In all other respects the allegations of paragraph 34 are denied.

35. Defendant admits that the cited senate report and cases speak for themselves. In all other respects, the allegations of paragraph 35 are denied.

36. Defendant admits that the cited case speaks for itself. In all other respects, the allegations of paragraph 36 are denied.

37. Defendant admits that the cited cases and the senate report speak for themselves. In all other respects, the allegations of paragraph 37 are denied.

38. Defendant admits that the cited case speaks for itself. In all other respects, the allegations of paragraph 38 are denied.

“FACTUAL BACKGROUND”

39. Defendant admits that the results of the 2020 census speak for themselves. In all other respects, the allegations of paragraph 39 are denied.

40. Defendant admits that the cited statute, constitutional provisions, and case speak for themselves. In all other respects, the allegations of paragraph 40 are denied.

41. Defendant admits the allegations of paragraph 41.

42. Defendant admits that the results of the 2020 census speaks for themselves. In all other respects, the allegations of paragraph 42 are denied.

43. Defendant admits that the laws governing Louisiana's districting process speak for themselves. In all other respects, the allegations of paragraph 43 are denied.

44. Defendant admits that Joint Rule 21 speaks for itself. In all other respects, the allegations of paragraph 44 are denied.

45. Defendant admits that the uncited October 18, 2021 letter speaks for itself. In all other respects, the allegations of paragraph 45 are denied.

46. Defendant admits that the uncited presentation speaks for itself. In all other respects, the allegations of paragraph 46 are denied.

47. Defendant admits that the schedule and stated purpose for the "roadshows" speak for themselves. In all other respects, the allegations of paragraph 47 are denied.

48. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 48 are denied.

49. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 49 are denied.

50. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 50 are denied.

51. Defendant admits that the public comments speak for themselves. In all other respects, the allegations of paragraph 51 are denied.

52. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 52 are denied.

53. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 53 are denied.

54. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 54 are denied.

55. Defendant admits that the cited testimony and proposed maps speak for themselves. In all other respects, the allegations of paragraph 55 are denied.

56. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 56 are denied.

57. Defendant admits that the December 14, 2021 letter speaks for itself. In all other respects, the allegations of paragraph 57 are denied.

58. Defendant admits that the schedule of the roadshows and the testimony at these roadshows speak for themselves. In all other respects, the allegations of paragraph 58 are denied.

59. Defendant admits the allegations of paragraph 59.

60. Defendant admits that the bills and amendments submitted during the Special Session speak for themselves. In all other respects, the allegations of paragraph 60 are denied.

61. Defendant admits that the Senate Governmental Affairs Committee convened on February 2, 2022, and that any testimony in that Committee meeting speaks for itself. In all other respects, the allegations of paragraph 61 are denied.

62. Defendant admits that the Senate Governmental Affairs Committee convened on February 3, 2022, and that any testimony or bills introduced in that Committee meeting speak for themselves. In all other respects, the allegations of paragraph 62 are denied.

63. Defendant admits that the referenced Senator's testimony speaks for itself. In all other respects, the allegations of paragraph 63 are denied.

64. Defendant admits that Senator Hewitt's testimony speaks for itself. In all other respects, the allegations of paragraph 64 are denied.

65. Defendant admits that Senator Hewitt's testimony speaks for itself. In all other respects, the allegations of paragraph 65 are denied.

66. Defendant admits that the referenced "Coalition maps" speak for themselves. In all other respects, the allegations of paragraph 66 are denied.

67. Defendant admits that the Senate Governmental Affairs Committee met on February 4, 2022 and that the committee votes speaks for itself. In all other respects, the allegations of paragraph 67 are denied.

68. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 68.

69. Defendant admits that Senator Hewitt's statements speak for themselves. In all other respects, the allegations of paragraph 69 are denied.

70. Defendant admits that the Senate passed S.B. 5 on February 8, 2022, and that the vote speaks for itself. Defendant further admits that the Senate voted to reject an amendment offered by Senator Fields, and that the vote speaks for itself. In all other respects, the allegations of paragraph 70 are denied.

71. Defendant admits that the House and Governmental Affairs Committee met on February 4, 2022 and that the actions of the Committee speak for themselves. In all other respects, the allegations of paragraph 71 are denied.

72. Defendant admits that H.B.1 and the referenced testimony speak for themselves. In all other respects, the allegations of paragraph 72 are denied.

73. Defendant admits that H.B.1 and the referenced testimony speak for themselves. In all other respects, the allegations of paragraph 73 are denied.

74. Defendant admits that the referenced testimony speaks for itself. In all other respects, the allegations of paragraph 74 are denied.

75. Defendant admits that the House and Governmental Affairs Committee voted to send H.B. 1 to the House of Representatives for a floor vote, and that the Committee debate and vote speaks for itself. In all other respects, the allegations of paragraph 75 are denied.

76. Defendant admits that the actions of the House and Governmental Affairs Committee and the referenced bills speak for themselves. In all other respects, the allegations of paragraph 76 are denied.

77. Defendant admits that the referenced testimony speaks for itself. In all other respects, the allegations of paragraph 77 are denied.

78. Defendant admits that the House passed H.B 1 on February 10, 2022, and that the vote speaks for itself. Defendant further admits that amendments were offered by Representatives Marcelle and Gaines and that these amendments and the votes on these amendments speak for themselves. In all other respects, the allegations of paragraph 78 are denied.

79. Defendant admits that on February 14, 2022 the House and Governmental affairs committee passed a bill introduced by Representative Ivey, and that this bill and the vote on this bill speak for themselves. Defendant further admits that this bill was not passed by the House of Representatives on February 16, 2022. In all other respects, the allegations of paragraph 79 are denied.

80. Defendant admits that on February 15, 2022 the House and Governmental Affairs Committee voted in favor of S.B. 5. Defendant also admits that Representative Duplessis

introduced an amendment, which speaks for itself. Defendant further admits that the House and Governmental Affairs Committee did not pass this amendment. In all other respects, the allegations of paragraph 80 are denied.

81. Defendant admits that on February 15, 2022 the Senate Governmental Affairs Committee voted in favor of H.B. 1, and that the referenced testimony speaks for itself. Defendant further admits that Senator Price introduced an amendment, which speaks for itself, and was rejected.

82. Defendant admits that the legislative record regarding the passage of H.B.1 and S.B. 5, including the referenced graphic, speak for themselves. In all other respects, the allegations of paragraph 82 are denied.

83. Defendant admits that the legislative record regarding the passage of H.B.1 and S.B. 5, including the referenced graphic, speak for themselves. In all other respects, the allegations of paragraph 83 are denied.

84. Defendant admits that the Governor vetoed H.B.1 and S.B. 5 and that his veto statement speaks for itself. In all other respects, the allegations of paragraph 84 are denied.

85. Defendant admits the allegations of paragraph 85.

86. Defendant admits that the Legislature overrode the Governor's veto, and that the vote on that speaks for itself. Defendant further admits that the racial and political makeup of members of the Louisiana Legislature speak for themselves. In all other respects, the allegations of paragraph 86 are denied.

“The *Thornburg v. Gingles* Preconditions Are Satisfied Here”

87. Paragraph 87 contains a legal conclusion to which no response is required. To the extent a response is deemed required, Defendant admits that the cited case speaks for itself, in all other respects the allegations of paragraph 87 are denied.

“*Gingles* Precondition One: Size and Compactness of Black Voting Age Population”

88. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 88.

89. Defendant admits that on February 8, 2022 Senator Fields introduced an amendment to S.B. 5 which speaks for itself. Defendant denies that any map is “reproduced below” paragraph 89. In all other respects, the allegations of paragraph 89 are denied.

90. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 90.

91. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 91.

92. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 92.

93. Defendant admits that the maps proposed to the Legislature speak for themselves. In all other respects, the allegations of paragraph 93 are denied.

“*Gingles* Precondition Two: Political Cohesiveness of Black Voters”

94. Defendant admits that the referenced case speaks for itself. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 94.

95. Defendant admits that the referenced election results speak for themselves. In all other respects, the allegations of paragraph 95 are denied.

96. Defendant admits that the referenced election results speak for themselves. In all other respects, the allegations of paragraph 96 are denied.

97. Defendant admits that the referenced election results speak for themselves. In all other respects, the allegations of paragraph 97 are denied.

“Gingles Precondition Three: Bloc Voting by White Voters”

98. Defendant admits that the referenced election results speak for themselves. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 98.

99. Defendant admits that the referenced cases speak for themselves. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 99.

100. Defendant admits that the referenced cases and DOJ action speak for themselves. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 100.

“Under the Totality of the Circumstances, H.B. 1/S.B. 5 Violate Section 2 of the VRA”

101. Defendant admits that Louisiana’s history and the Senate Judiciary Committee report to the 1982 amendments to the VRA speak for themselves. In all other respects, the allegations of paragraph 101 are denied.

“Factor 1: History of Official Voting-Related Discrimination”

“a. Suppression Targeting Black Voters Before the Voting Rights Act”

102. Defendant admits that the cited case and Louisiana's history speak for themselves. In all other respects, the allegations of paragraph 102 are denied.

103. Defendant admits that Louisiana's history speaks for itself. In all other respects, the allegations of paragraph 103 are denied.

104. Defendant admits that Louisiana's history speaks for itself. In all other respects, the allegations of paragraph 104 are denied.

105. Defendant admits that Louisiana's history speaks for itself. In all other respects, the allegations of paragraph 105 are denied.

106. Defendant admits that Louisiana's history and the cited cases speak for themselves. In all other respects, the allegations of paragraph 106 are denied.

107. Defendant admits that Louisiana's history and the cited cases speak for themselves. In all other respects, the allegations of paragraph 107 are denied.

“b. Continued Efforts After the Voting Rights Act to Minimize Black Voting Power”

108. Defendant admits that the history of the VRA and the referenced case speak for themselves. In all other respects, the allegations of paragraph 108 are denied.

109. Defendant admits that Louisiana's history and the referenced DOJ actions speak for themselves. In all other respects, the allegations of paragraph 109 are denied.

110. Defendant admits that Louisiana's history and the referenced DOJ actions speak for themselves. In all other respects, the allegations of paragraph 110 are denied.

111. Defendant admits that Louisiana's history and the referenced cases speak for themselves. In all other respects, the allegations of paragraph 111 are denied.

112. Defendant admits that Louisiana's history and the referenced cases speak for themselves. In all other respects, the allegations of paragraph 111 are denied.

113. Defendant admits that Louisiana’s history and the referenced DOJ actions speak for themselves. In all other respects, the allegations of paragraph 113 are denied.

114. Defendant admits that Louisiana’s history and the referenced DOJ actions speak for themselves. In all other respects, the allegations of paragraph 114 are denied.

115. Defendant admits that Louisiana’s history and the referenced case speak for themselves. In all other respects, the allegations of paragraph 115 are denied.

116. Defendant admits that Louisiana’s history and the referenced cases speak for themselves. In all other respects, the allegations of paragraph 116 are denied.

117. Defendant admits that Louisiana’s history and the referenced cases speak for themselves. In all other respects, the allegations of paragraph 117 are denied.

118. Defendant admits that Louisiana’s history and the referenced cases speak for themselves. In all other respects, the allegations of paragraph 118 are denied.

119. Defendant admits that Louisiana’s history and the referenced cases speak for themselves. In all other respects, the allegations of paragraph 119 are denied.

120. Defendant admits that Louisiana’s history and the referenced cases speak for themselves. In all other respects, the allegations of paragraph 120 are denied.

“Factor 2: The Extent of Racial Polarization”

121. Defendant lacks knowledge or information sufficient to admit or deny the allegations of Paragraph 121.

“Factor 5: Effects of Louisiana’s History of Discrimination”

122. Defendant admits that the history of Louisiana speaks for itself. In all other respects, the allegations of paragraph 122 are denied.

123. Defendant admits that Louisiana’s history and the referenced cases speak for themselves. In all other respects, the allegations of paragraph 123 are denied.

124. Defendant admits that the cited statistics speak for themselves. In all other respects, the allegations of paragraph 124 are denied.

125. Defendant admits that the cited statistics speak for themselves. In all other respects, the allegations of paragraph 125 are denied.

126. Defendant admits that the cited statistics speak for themselves. In all other respects, the allegations of paragraph 126 are denied.

127. Defendant admits that the cited statistics speak for themselves. In all other respects, the allegations of paragraph 127 are denied.

128. Defendant admits that the cited statistics speak for themselves. In all other respects, the allegations of paragraph 128 are denied.

“Factor 6: Presence of Racial Campaign Appeals”

129. Defendant admits that the election history of David Duke speaks for itself. In all other respects, the allegations of paragraph 129 are denied.

130. Defendant admits that the election history of David Duke and the cited quotation speak for themselves. In all other respects, the allegations of paragraph 130 are denied.

131. Defendant admits that the cited election results speak for themselves. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 131.

132. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 132.

133. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 133.

134. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 134.

135. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 135.

“Factor 7: Extent to Which Black Louisianans Have Been Elected to Public Office”

136. Defendant denies the allegations of paragraph 136.

137. Defendant admits that the identity of Louisiana’s elected U.S. Senators speak for themselves. In all other respects, the allegations of paragraph 137 are denied.

138. Defendant admits that the identities of Louisiana’s elected officials speak for themselves. In all other respects, Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 138.

139. Defendant admits that the identities of Louisiana’s elected officials speak for themselves. In all other respects, the allegations of paragraph 139 are denied.

140. Defendant admits that the identities of Louisiana’s elected officials speak for themselves. In all other respects, the allegations of paragraph 140 are denied.

141. Defendant admits that the identities of Louisiana’s elected officials speak for themselves as does the case cited in Paragraph 141. In all other respects, the allegations of paragraph 141 are denied.

142. Defendant admits that the identities of Louisiana’s elected officials speak for themselves. In all other respects, the allegations of paragraph 140 are denied.

“Factor 8: Lack of Responsiveness to the Particularized Needs of Black Voters”

143. Defendant denies the allegations of paragraph 143.

144. Defendant denies the allegations of paragraph 144.

145. Defendant admits that the referenced 2009 study speaks for itself. In all other respects, the allegations of paragraph 145 are denied.

146. Defendant denies the allegations of paragraph 146.

147. Defendant denies the allegations of paragraph 147.

148. Defendant denies the allegations of paragraph 148.

149. Defendant states that H.R. 5376 and the voting record regarding its passage speak for themselves. In all other respects, the allegations of paragraph 149 are denied.

“Factor 9: Tenuousness of Justifications for Redistricting Black Voters to One Majority Black District”

150. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 150.

151. Defendant admits that the cited letter, testimony, and case all speak for themselves. In all other respects, the allegations of paragraph 151 are denied.

152. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 152 are denied.

153. Defendant admits that the un-cited testimony of Representative Stefanski speaks for itself. In all other respects, the allegations of paragraph 153 are denied.

154. Defendant admits that the un-cited comments of Representative Stefanski and the un-cited “Coalition” response speak for themselves. In all other respects, the allegations of paragraph 154 are denied.

155. Defendant lacks knowledge or information sufficient to admit or deny the allegations of paragraph 155.

156. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 156 are denied.

157. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 157 are denied.

158. Defendant admits that the referenced amendments and testimony speak for themselves. In all other respects, the allegations of paragraph 158 are denied.

159. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 159 are denied.

160. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 160 are denied.

161. Defendant admits that the cited testimony speaks for itself. In all other respects, the allegations of paragraph 161 are denied.

162. Defendant admits that the actions of the House and Governmental Affairs Committee regarding Representative Ivey's bill, and the House actions regarding the same speak for themselves. In all other respects, the allegations of paragraph 162 are denied.

163. Defendant admits that the referenced testimony and cases speak for themselves. In all other respects, the allegations of paragraph 164 are denied.

“CLAIM FOR RELIEF”

“Count One”

**“H.B. 1/S.B. 5 violate Section 2 of the Voting Rights Act of 1965
52 U.S.C. § 10301; 42 U.S.C. § 1983
(Vote Dilution)”**

164. Defendant adopts and incorporates the foregoing responses as if fully set forth herein.

165. Defendant admits that Section 2 speaks for itself. In all other respects, the allegations of paragraph 165 are denied.

166. The allegations of paragraph 166 contain a legal conclusion to which no response is required. To the extent a response is required, Defendant states that he lacks knowledge or information sufficient to form a belief about the truth of the allegations of paragraph 166.

167. Defendant is without knowledge or information sufficient to form a belief about the truth of the allegations of paragraph 167.

168. The allegations of paragraph 168 are denied.

169. The allegations of paragraph 169 are denied.

170. The allegations of paragraph 171 are denied.

“PRAYER FOR RELIEF”

Defendant denies that Plaintiffs are entitled to any relief.

AFFIRMATIVE DEFENSES

1. Plaintiffs fail to state a claim upon which relief can be granted.
2. The illustrative maps proposed by Plaintiffs are inconsistent with traditional districting criteria and fail to properly defer to the Louisiana Legislature’s primary role in the redistricting process.
3. The relief sought by plaintiffs would involve an unconstitutional racial gerrymander because they request a map in which racial considerations predominate over traditional districting criteria.
4. It would be inequitable to afford Plaintiffs relief so soon before the 2022 elections.

5. Plaintiffs seek inappropriate relief, including relief that is not within the Secretary of State's authority to accomplish.
6. Plaintiffs have failed to join all necessary parties.
7. Section 2, properly construed, does not support a claim for vote dilution based on a challenge to a districting plan.
8. To the extent that Section 2 requires Louisiana to draw districts with predominate considerations of race, Section 2 is unconstitutional.
9. Louisiana neither "cracked" nor "packed" minority voters in its Congressional districting plan.
10. Plaintiffs fail to satisfy the three *Gingles* criteria.
11. Race did not predominate in the drawing of any district.

Respectfully submitted this the 25th day of April, 2022.

By: /s/ John C. Walsh
John C. Walsh (Louisiana Bar Roll No. 24903)
john@scwllp.com
SHOWS, CALI & WALSH, L.L.P.
P.O. Box 4046
Baton Rouge, LA 70821
Telephone: (225) 346-1461
Facsimile: (225) 346-5561

Phillip J. Strach* (Lead Counsel)
phillip.strach@nelsonmullins.com
Thomas A. Farr*
tom.farr@nelsonmullins.com
John E. Branch, III*
john.branch@nelsonmullins.com
Alyssa M. Riggins*
alyssa.riggins@nelsonmullins.com
Cassie A. Holt*
cassie.holt@nelsonmullins.com
**NELSON MULLINS RILEY &
SCARBOROUGH LLP**
4140 Parklake Avenue, Suite 200

Raleigh, NC 27612
Telephone: (919) 329-3800
Facsimile: (919) 329-3799

*Counsel for Defendant R. KYLE ARDOIN, in his
official capacity as Secretary of State of Louisiana
Pro Hac Vice Motions Granted

CERTIFICATE OF SERVICE

I hereby certify that on this the 25th of April, 2022 the foregoing document was filed via the Court's CM/ECF system which sent notice of the same to all counsel of record in this matter.

/s/ John C. Walsh
John C. Walsh (Louisiana Bar Roll No. 24903)
john@scwllp.com
SHOWS, CALI & WALSH, L.L.P.
P.O. Box 4046
Baton Rouge, LA 70821
Telephone: (225) 346-1461
Facsimile: (225) 346-5561

Phillip J. Strach* (Lead Counsel)
phillip.strach@nelsonmullins.com
Thomas A. Farr*
tom.farr@nelsonmullins.com
John E. Branch, III*
john.branch@nelsonmullins.com
Alyssa M. Riggins*
alyssa.riggins@nelsonmullins.com
Cassie A. Holt*
cassie.holt@nelsonmullins.com
**NELSON MULLINS RILEY &
SCARBOROUGH LLP**
4140 Parklake Avenue, Suite 200
Raleigh, NC 27612
Telephone: (919) 329-3800
Facsimile: (919) 329-3799

*Counsel for Defendant R. KYLE ARDOIN, in his
official capacity as Secretary of State of Louisiana
Pro Hac Vice Motions Granted