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June 17, 2025

VIA E-Filing

The Honorable Scott S. Harris
Clerk of Court
Supreme Court of the United States
One First Street, NE
Washington, DC 20543

Re: *Gregory Lala v. Tesla, Inc.*, No. 24-925

Dear Mr. Harris:

The Court will consider the petition for writ of certiorari in this case at its June 18 conference. I write to notify the Court that Louisiana law governing the due process issue presented will change on June 20, when Louisiana Governor Jeff Landry is expected to sign into law Senate Bill 37 (available at tinyurl.com/ats5h2x8)—which the Louisiana Legislature passed on June 12.

Upon its enactment, Senate Bill 37 will establish a new dispute resolution panel composed of three *non*-industry participants that addresses the due process concerns raised by Respondents. La. R.S. § 32:1253(A)(3)(a) (enrolled text). No member of that panel may be licensed—or have ever been licensed—by the Louisiana Motor Vehicle Commission. *Id.* And the panel will “exclusively exercise the adjudicatory authority of the commission,” including the power to issue subpoenas and the power to resolve “all disputes, protests, complaints, or other contested matters involving licensees of the commission and also matters involving any person or entity operating without a required license.” *Id.* § 32:1253(A)(4)(b), (c).



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This change in law bears directly on the due process issue presented and considered by the Fifth Circuit below. In particular, Tesla's challenge—and Judge Smith's due process determination—turns on the premise that industry-participant commissioners who compete with Tesla will adjudicate ongoing proceedings below involving Tesla. Senate Bill 37 will change that by requiring *non*-industry participants to handle “all disputes, protests, complaints, or other contested matters involving licensees of the commission and also matters involving any person or entity operating without a required license.”

In light of this imminent change in law, Petitioners respectfully request that the Court reschedule this petition for the June 26 conference. Upon the Governor's signing of Senate Bill 37 on June 20, Petitioners will notify the Court that the change in law is effective. (Section 2 of Senate Bill 37 provides that the law will become effective upon the Governor's signature.) At that time, Petitioners also will request that the Court vacate the part of the Fifth Circuit's opinion that decided the due process issue. *See New York State Rifle & Pistol Ass'n v. New York*, 590 U.S. 336, 339 (2020) (citing *Lewis v. Continental Bank Corp.*, 494 U.S. 472 (1990)); *Camreta v. Greene*, 563 U.S. 692, 698 (2011) (“[W]e vacate the part of the Ninth Circuit's opinion that decided the Fourth Amendment issue.”); *cf.* BIO.12 (arguing that vacatur is appropriate in light of some “intervening or recent development”). Petitioners understand that Tesla, like the petitioners in *New York State Rifle*, opposes vacatur on the ground that the new law “may not” fully address Tesla's concerns. *See* 590 U.S. at 339. As in that case, vacatur remains the appropriate route here, and the Court should “remand[] for such proceedings as are appropriate.” *Id.*

I would be grateful if you would immediately circulate this letter to the Court.



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Respectfully submitted,

/s/ J. Benjamin Aguiñaga

J. Benjamin Aguiñaga

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