

In the Supreme Court of the United States

STATE OF LOUISIANA,

Appellant,

v.

PHILLIP CALLAIS, ET AL.,

Appellees.

PRESS ROBINSON, ET AL.,

Appellants,

v.

PHILLIP CALLAIS, ET AL.,

Appellees.

RESPONSE TO MOTION OF UNITED STATES FOR DIVIDED ARGUMENT

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The Callais Appellees partially consent to the United States’ Motion to Participate in Oral Argument as Amicus Curiae and for Divided Argument: Appellees consent to the United States receiving 10 minutes of their oral argument time and to Appellees retaining at least 10 minutes of their time. However, the United States’ request also discussed other matters, including the unresolved dispute between the State of Louisiana and the Secretary of State (the “Louisiana Defendants”). Given the conflict between the Louisiana Defendants over oral argument time, Appellees cannot fully support the United States’ views regarding other parties and cannot consent to the United States’ proposed allocation of the remaining 10 minutes of Appellees’ time to the State of Louisiana.

Instead, Appellees propose three paths to resolve the conflict between the Louisiana Defendants. First, Appellees consent to any agreement the Louisiana Defendants reach that leaves Appellees with at least 10 minutes of oral argument time. Second, if the Louisiana Defendants cannot resolve their conflict, then neither should argue their changed positions using Appellees’ time. Third, if this Court is inclined to allow one Louisiana Defendant to use Appellees’ time, Appellees respectfully suggest that the Secretary of State is most aligned with the position of an appellee. Unlike the Secretary, whose perspective fully supports Appellees, the State only seeks affirmance on narrow grounds, and it continues to oppose Appellees and seek reversal on the issues originally briefed. In short, the State’s original position impacts how the State argues the supplemental issue. If the State argues during Appellees’ time, Appellees respectfully ask to argue after the State so

Appellees can respond to the State's arguments that would continue to align with the other Appellants.

The State of Louisiana has authorized Appellees to say: The State of Louisiana's position on divided argument is fully set forth in the U.S. Solicitor General's own motion for divided argument, and the State takes no position on the order in which the parties should present argument.

Respectfully submitted,

/s/ Edward D. Greim

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