

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Louisiana House of Representatives, )  
By Speaker Jim Tucker )  
Box 94062 (900 North Third Street) )  
Baton Rouge, Louisiana 70804 )

Plaintiff )

Civil Action No. 1:11-cv-00770-ABJ

v. )

United States and Eric Holder )  
As Attorney General of the United States )  
United States Department of Justice )  
Washington, DC 20530 )

Federal Defendants )

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**REPLY OF PLAINTIFF**  
**TO DEFENDANT’S OPPOSITION TO PLAINTIFF’S MOTION TO EXPEDITE**

Plaintiff Louisiana House of Representatives submits the following response to Defendant’s opposition to Plaintiff’s Motion to Expedite.

In its Opposition, Defendant writes: “If, by June 20, 2011, the Attorney General has not completed his review of House Bill 1 under Section 5, the Court would still have ample opportunity to schedule a Rule 16 conference to expedite these proceedings and bring any disputed issues to trial in time for a resolution in advance of Louisiana’s fall election schedule.”

Plaintiff wishes to emphasize the difficulty of completing the judicial process described above within the period between June 20, 2011, and the beginning of

Louisiana's Secretary of State deadline of August 28, 2010. For this reason, Plaintiff submitted a Motion to Expedite in the hopes that proceedings commence prior to the June 20, 2011, administrative review deadline.

In addition, the court should be aware that Louisiana Legislature's regular session is scheduled to end on June 23, 2011. If the Legislature is required to convene in Special Session to address concerns from either the administrative preclearance process or the judicial process, the cost to taxpayers is approximately \$58,000 per day for each day of special session.

During the last four rounds of redistricting (1971, 1982, 1991, and 2002), the Department of Justice initially objected to the Louisiana House of Representatives' redistricting plans. Although Plaintiff believes the current plan will yield different results, prudence and past precedent dictates that Plaintiff adequately prepare for the possibility that the Department of Justice may again lodge objections. It is clearly in the best interests of the State of Louisiana and its voters, therefore, to simultaneously pursue judicial preclearance without waiting on the results of administrative proceedings. Contrary to Defendant's assertions, doing so would not "unnecessarily divert judicial and party resources," nor would commencing judicial proceedings place an "unrealistic" burden on Defendant.

Judicial proceedings should begin as soon as possible, pursuant to Plaintiff's proposed schedule. As the United States Supreme Court has explained, "Court orders affecting elections

. . . can themselves result in voter confusion and consequent incentive to remain away from the polls. As an election draws closer, that risk will increase.” *Purcell v. Gonzalez*, 549 U.S. 1, 4-5 (2006) (*per curiam*). Unlike perhaps any other state in the United States over the last decade, Louisiana has experienced significant population shifts within the state as a result of Hurricane Katrina. The Greater New Orleans area experienced such significant population loss that approximately five entire House of Representatives districts were required to be moved to other regions of the state.

In order to help educate the people of Louisiana about the significant shifts required in district lines and because Louisiana law requires that legislators reside in the districts they represent, finalizing the new district lines as early as possible is important both to candidates and voters as this fall’s election cycle rapidly approaches.

For the foregoing reasons, Plaintiff respectfully requests that this Court grant its Motion for a Rule 16 Conference to Expedite Disposition of the Action.

Date: April 28, 2011

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**Certificate of Service**

I hereby certify that, on April 28, 2011, I served a copy of the foregoing Reply through the Court's ECF system on the following counsel of record for Defendant:

Brian F. Heffernan  
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