

**UNITED STATES DISTRICT COURT  
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

EDWARD GALMON, SR., CIARA HART,  
NORRIS HENDERSON, TRAMELLE  
HOWARD,

*Plaintiffs,*

v.

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

*Defendant.*

Civil Action No. 3:22-cv-00214-SDD-RLB

**PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

Plaintiffs Press Robinson, Edgar Cage, Dorothy Nairne, Edwin René Soulé, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, NAACP Louisiana State Conference, and Power Coalition for Equity and Justice, by and through their counsel, respectfully move this Court to: (i) enjoin Defendant from administering the upcoming election in November 2022 under the recently enacted congressional district map; (ii) order that the election be administered under the Robinson Plaintiffs’ illustrative map, as described in the expert report of Anthony Fairfax; (iii) stay the execution of its order implementing the illustrative map until the adjournment of the current legislative session, June 6, 2022, in order to provide the Louisiana Legislature an opportunity to enact a compliant map. A preliminary injunction is justified for the reasons set out in the memorandum of law filed concurrently with this motion, and the declarations, expert reports, and other materials attached thereto.

Plaintiffs readily satisfy the traditional elements for a preliminary injunction—a likelihood of success on the merits, irreparable injury if the injunction is not granted, and the balance of equities and the public interest all favor an injunction.

Plaintiffs are likely to succeed on the merits of their claim that the 2022 congressional map violates Section 2 of the Voting Rights Act because it fails to include two districts in which Black voters have an equal opportunity to elect their candidate of choice. Louisiana’s population is nearly one-third Black, and the Black population is sufficiently geographically compact to create an additional majority-Black district. The threshold factors identified by the Supreme Court in *Thornburg v. Gingles*, 478 U.S. 30 (1986) for establishing a violation of Section 2 in the redistricting context are satisfied, as is the further requirement that, considering the totality of circumstances, “the political processes leading to nomination or election in the State or political subdivision are not equally open to participation” by Black Louisianans. 52 U.S.C. § 10301(b).

Rather than select one of the numerous maps that complied with the Voting Rights Act and were presented to the Legislature during the redistricting process, the Legislature chose a map that dilutes Black voting power.

Plaintiffs will also suffer irreparable injury if forced to vote pursuant to maps that unlawfully dilute their vote. *See Patino v. City of Pasadena*, 229 F. Supp. 3d 582, 590 (S.D. Tex. 2017); *see also League of Women Voters of N.C. v. North Carolina*, 769 F.3d 224, 247 (4th Cir. 2014). As the Fourth Circuit noted in that case, “Courts routinely deem restrictions on fundamental voting rights irreparable injury.” *Id.*

Finally, the balance of equities and the public interest support an injunction. The harm to Plaintiffs’ right to vote is egregious, and the Defendant has no legitimate countervailing interest in conducting an election in violation of the Voting Rights Act. Nor would the State’s ability to administer the 2022 congressional election be impeded by an injunction, when that election is nearly seven months away.

Plaintiffs also request that the Court waive the posting of security as otherwise required by Federal Rule of Civil Procedure 65(c), a matter left to the discretion of the trial court, which “may elect to require no security at all.” *Kaepa, Inc. v. Achilles Corp.*, 76 F.3d 624, 628 (5th Cir. 1996). In exercising this discretion, courts in the Fifth Circuit have waived the security requirement where a motion for preliminary injunction seeks to enjoin the enforcement of a state law that, in part, is claimed to violate Section 2 of the Voting Rights Act. *See, e.g., City of El Cenizo v. Texas*, 264 F. Supp. 3d 744, 813 (W.D. Tex. 2017) (no security for preliminary injunction in challenge to immigration enforcement law challenged, in part, under the Voting Rights Act).

By: /s/John Adcock  
John Adcock

Adcock Law LLC  
L.A. Bar No. 30372  
3110 Canal Street  
New Orleans, LA 70119  
Tel: (504) 233-3125  
Fax: (504) 308-1266  
jnadcock@gmail.com

Leah Aden (admitted *pro hac vice*)  
Stuart Naifeh (admitted *pro hac vice*)  
Kathryn Sadasivan (admitted *pro hac vice*)  
Victoria Wenger (admitted *pro hac vice*)  
NAACP Legal Defense and Educational Fund,  
Inc.  
40 Rector Street, 5th Floor  
New York, NY 10006  
Tel: (212) 965-2200  
laden@naacplef.org  
snaifeh@naacpldf.org  
ksadasivan@naacpldf.org  
vwenger@naacpldf.org

R. Jared Evans\*  
Sara Rohani†\*  
NAACP Legal Defense and Educational Fund,  
Inc.  
700 14th Street N.W. Ste. 600  
Washington, DC 20005  
Tel: (202) 682-1300  
jevans@naacpldf.org  
srohani@naacpldf.org

Robert A. Atkins (admitted *pro hac vice*)  
Yahonnes Cleary (admitted *pro hac vice*)  
Jonathan H. Hurwitz (admitted *pro hac vice*)  
Daniel S. Sinnreich (admitted *pro hac vice*)  
Amitav Chakraborty (admitted *pro hac vice*)  
Adam P. Savitt (admitted *pro hac vice*)  
PAUL, WEISS, RIFKIND, WHARTON &  
GARRISON LLP  
1285 Avenue Of The Americas, New York,  
NY 10019  
Tel.: (212) 373-3000  
Fax: (212) 757-3990  
ratkins@paulweiss.com  
ycleary@paulweiss.com  
jhurwitz@paulweiss.com  
dsinnreich@paulweiss.com  
achakraborty@paulweiss.com  
asavitt@paulweiss.com

Nora Ahmed (admitted *pro hac vice*)  
Megan E. Snider  
LA. Bar No. 33382  
ACLU Foundation of Louisiana  
1340 Poydras St, Ste. 2160  
New Orleans, LA 70112  
Tel: (504) 522-0628  
nahmed@laaclu.org  
msnider@laaclu.org

Tracie Washington  
LA. Bar No. 25925  
Louisiana Justice Institute  
Suite 132  
3157 Gentilly Blvd  
New Orleans LA, 70122  
Tel: (504) 872-9134  
tracie.washington.esq@gmail.com

T. Alora Thomas\*  
Sophia Lin Lakin\*  
Samantha Osaki\*  
American Civil Liberties Union Foundation  
125 Broad Street, 18th Floor  
New York, NY 10004  
athomas@aclu.org  
slakin@aclu.org  
sosaki@aclu.org

Sarah Brannon\*  
American Civil Liberties Union Foundation  
915 15th St., NW  
Washington, DC 20005  
sbrannon@aclu.org

\* *Pro hac vice* applications forthcoming

† Admitted in California only. Practice limited to matters in United States federal courts.

*Counsel for Plaintiffs*

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system which provides electronic notice of filing to all counsel of record, on this 15th Day of April, 2022.

By: /s/John Adcock  
John Adcock  
Adcock Law LLC  
L.A. Bar No. 30372

3110 Canal Street  
New Orleans, LA 70119  
Tel: (504) 233-3125  
Fax: (504) 308-1266  
jnadcock@gmail.com