

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF LOUISIANA

JAMILA JOHNSON, *et al.*

Plaintiffs,

v.

KYLE ARDOIN, IN HIS OFFICIAL
CAPACITY AS LOUISIANA SECRETARY
OF STATE,

Defendant.

Case No.: 3:18-cv-00625-SDD-EWD

DEFENDANT SECRETARY OF STATE'S MOTION TO STAY

Pursuant to the Court's inherent power to manage the cases on its docket, *see Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936), Defendant Secretary of State of Louisiana respectfully moves the Court to stay all proceedings pending the resolution of the United States Court of Appeals for the Fifth Circuit's review in *Thomas v. Bryant*.

On September 23, 2019, the United States Court of Appeals for the Fifth Circuit ordered, on its own motion, vacating and rehearing *en banc* its decision in *Thomas v. Bryant*, No. 19-60133 (5th Cir. Sept. 3, 2019); *see also* (ECF No. 107-1). This decision directly calls into question this Court's denial of the Motion to Dismiss, (ECF No. 68), and the Motion for Certification, (ECF No. 100)—both of which are the subject of an outstanding Motion to Reconsider, (ECF No. 101). Defendant contacted Plaintiffs seeking their position on this motion. Defendant did not receive a response from Plaintiffs within the time requested.

For the reasons detailed in the attached Memorandum of Law, the Secretary respectfully requests that the Court grant this Motion to Stay this case pending the timely resolution of *Thomas*.

Dated: September 25, 2019

Respectfully Submitted,

/s/Celia R. Cangelosi

Jeff Landry

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the Secretary of State of Louisiana*

CERTIFICATE OF SERVICE

I do hereby certify that, on this 25th day of September 2019, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which gives notice of filing to all counsel of record.

/s/ Jason B. Torchinsky
Jason Torchinsky

Counsel for the Defendant