

IN THE SUPREME COURT OF OHIO

CHARLES E. WILSON, et al.,

Relators,

v.

GOVERNOR JOHN KASICH, et al.,

Respondents.

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Case No. 2012-0019
:
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Original Action
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**ANSWER OF RESPONDENT
OHIO SECRETARY OF JON HUSTED**

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**ANSWER OF RESPONDENT
OHIO SECRETARY OF STATE JON HUSTED**

Now comes Secretary of State Jon Husted, by and through counsel, and for his answer to the Relators' Complaint, states the following:

1. Denies for lack of knowledge the allegations stated in Paragraph 1 of the Complaint.
2. With respect to the allegations contained in Paragraph 2 of the Complaint, state that the cases and constitutional provisions cited therein speak for themselves and no further response is required. To the extent a further response is required, it is denied.
3. With respect to the allegations contained in Paragraph 3 of the Complaint, denies that the Apportionment Plan violates constitutional or legal requirements and further denies for lack of knowledge the reasons that the Relators brought this Complaint. To the extent a further response is required, it is denied.
4. States that the cases quoted in Paragraph 4 of the Complaint speak for themselves and that no further response is required. The Secretary further states that this Court is without jurisdiction to hear any claim brought under the Open Meetings Act as Article XI of the Ohio Constitution does not give this Court jurisdiction to hear that claim. To the extent a further response is required, it is denied.

5. Denies the first sentence contained in Paragraph 5 of the Complaint. Further answering, the Secretary states that the only deliberations and decisions made by the Secretary about the Apportionment Plan adopted by the Apportionment Board occurred in meetings open to the public. The Secretary denies for lack of knowledge the allegations the remaining allegations contained in Paragraph 5 of the Complaint.
6. States that the allegations contained in Paragraph 6 of the Complaint state a legal conclusion and no further response is required.
7. With respect to the allegations contained in Paragraph 7 of the Complaint, admits that the Respondents are four of the five members of the State Apportionment Board and further admits that all four of these respondents voted to approve the Apportionment Board's 2011 reapportionment plan. To the extent a further response is required, it is denied.
8. Denies for lack of knowledge the allegations contained in Paragraph 8 of the Complaint.
9. Denies for lack of knowledge the allegations contained in Paragraph 9 of the Complaint.
10. Denies for lack of knowledge the allegations contained in Paragraph 10 of the Complaint.
11. Denies for lack of knowledge the allegations contained in Paragraph 11 of the Complaint.
12. Denies for lack of knowledge the allegations contained in Paragraph 12 of the Complaint.
13. Denies for lack of knowledge the allegations contained in Paragraph 13 of the Complaint.
14. Denies for lack of knowledge the allegations contained in Paragraph 14 of the Complaint.
15. Denies for lack of knowledge the allegations contained in Paragraph 15 of the Complaint.
16. Denies for lack of knowledge the allegations contained in Paragraph 16 of the Complaint.
17. Denies for lack of knowledge the allegations contained in Paragraph 17 of the Complaint.
18. Denies for lack of knowledge the allegations contained in Paragraph 18 of the Complaint.
19. Denies for lack of knowledge the allegations contained in Paragraph 19 of the Complaint.

20. Denies for lack of knowledge the allegations contained in Paragraph 20 of the Complaint.
21. Denies for lack of knowledge the allegations contained in Paragraph 21 of the Complaint.
22. Denies for lack of knowledge the allegations contained in Paragraph 22 of the Complaint.
23. Denies for lack of knowledge the allegations contained in Paragraph 23 of the Complaint.
24. Denies for lack of knowledge the allegations contained in Paragraph 24 of the Complaint.
25. Denies for lack of knowledge the allegations contained in Paragraph 25 of the Complaint.
26. Denies for lack of knowledge the allegations contained in Paragraph 26 of the Complaint.
27. Denies for lack of knowledge the allegations contained in Paragraph 27 of the Complaint.
28. Denies for lack of knowledge the allegations contained in Paragraph 28 of the Complaint.
29. Denies for lack of knowledge the allegations contained in Paragraph 29 of the Complaint.
30. Denies for lack of knowledge the allegations contained in Paragraph 30 of the Complaint.
31. Denies for lack of knowledge the allegations contained in Paragraph 31 of the Complaint.
32. Denies for lack of knowledge the allegations contained in Paragraph 32 of the Complaint.
33. Denies for lack of knowledge the allegations contained in Paragraph 33 of the Complaint.
34. Denies for lack of knowledge the allegations contained in Paragraph 34 of the Complaint.
35. Denies for lack of knowledge the allegations contained in Paragraph 35 of the Complaint.
36. Denies for lack of knowledge the allegations contained in Paragraph 36 of the Complaint.
37. Denies for lack of knowledge the allegations contained in Paragraph 37 of the Complaint.
38. Denies for lack of knowledge the allegations contained in Paragraph 38 of the Complaint.
39. Denies for lack of knowledge the allegations contained in Paragraph 39 of the Complaint.
40. Denies for lack of knowledge the allegations contained in Paragraph 40 of the Complaint.
41. Denies for lack of knowledge the allegations contained in Paragraph 41 of the Complaint.
42. Denies for lack of knowledge the allegations contained in Paragraph 42 of the Complaint.

43. Denies for lack of knowledge the allegations contained in Paragraph 43 of the Complaint.
44. Denies for lack of knowledge the allegations contained in Paragraph 44 of the Complaint.
45. Denies the allegations contained in Paragraph 45 of the Complaint. Further answering, the Secretary states that the Ohio Apportionment Board is not responsible for redistricting; pursuant to Article XI of the Ohio Constitution, the Ohio Apportionment Board is responsible for the apportionment of this state for members of the General Assembly.
46. With respect to the allegations contained in Paragraph 46 of the Complaint, states that Article XI speaks for itself and that no further response is required. To the extent a further response is required, it is denied.
47. With respect to the allegations contained in Paragraph 47 of the Complaint, states that Article XI of the Ohio Constitution speaks for itself and no further response is required. To the extent a further response is required, it is denied.
48. With respect to the allegations contained in Paragraph 48 of the Complaint, states that States Article XI speaks for itself and that no further response is required. To the extent a further response is required, it is denied.
49. With respect to the allegations contained in Paragraph 49 of the Complaint, states that Article XI of the Ohio Constitution speaks for itself and no further response is required. The Secretary further states that the remaining allegations contained in Paragraph 49 state a legal conclusion to which no response is required. To the extent a further response is required, it is denied.
50. With respect to the allegations contained in Paragraph 50 of the Complaint, states that Article XI of the Ohio Constitution speaks for itself and no further response is required.

The Secretary further states that the remaining allegations contained in Paragraph 50 state a legal conclusion to which no response is required. To the extent a further response is required, it is denied.

51. With respect to the allegations contained in Paragraph 51 of the Complaint, states that Article XI of the Ohio Constitution speaks for itself and no further response is required. The Secretary further states that the remaining allegations contained in Paragraph 51 state a legal conclusion to which no response is required. To the extent a further response is required, it is denied.
52. With respect to the allegations contained in Paragraph 52 of the Complaint, states that Article XI of the Ohio Constitution speaks for itself and no further response is required. The Secretary further states that the remaining allegations contained in Paragraph 52 state a legal conclusion to which no response is required. To the extent a further response is required, it is denied.
53. With respect to the allegations contained in Paragraph 53 of the Complaint, states that The Open Meetings Act (O.R.C. § 121.22) speaks for itself and no further response is required. To the extent a further response is required, it is denied.
54. With respect to the allegations contained in Paragraph 54 of the Complaint, states that the case cited therein speaks for itself and no further response is required. The Secretary further states that the allegations contained in Paragraph 54 state a legal conclusion to which no further response is required. To the extent a further response is required, it is denied.
55. The Sunshine Law speaks for itself and no further response is required. To the extent a response is required, it is denied.

56. Admits the allegations contained in Paragraph 56 of the Complaint.
57. Denies the allegations contained in Paragraph 57 of the Complaint.
58. With respect to the allegations contained in Paragraph 58 of the Complaint, denies that the plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and therefore, denies the remaining allegations in Paragraph 58 of the Complaint.
59. Denies the allegations contained in Paragraph 59 of the Complaint.
60. Denies for lack of knowledge the allegations contained in Paragraph 60 of the Complaint.
61. Denies for lack of knowledge the allegations contained in Paragraph 61 of the Complaint.
62. Denies the allegations contained in Paragraph 62 of the Complaint.
63. With respect to the allegations contained in Paragraph 63 of the Complaint, states that the plan adopted by the Ohio Apportionment Board was drafted by the Board's Joint Secretaries, that the plan was initially adopted on a 4-1 party line vote on September 28, 2011, but was adopted with final amendments on September 30, 2011 on a 4-0 vote. The Secretary denies the remaining allegations contained in Paragraph 63 of the Complaint
64. With respect to the allegations contained in Paragraph 64 of the Complaint, admits that at the August 4, 2011 public Ohio Apportionment Board meeting, the Ohio Apportionment Board's Republican members proposed and seconded motions regarding the scheduling for the next meeting of the Ohio Apportionment Board to be held on September 26, 2011 and for regional public hearings to be held throughout the state of Ohio from August 22, 2011 through August 26, 2011. The Secretary further admits that he was provided a script in advance of the August 4, 2011 Ohio Apportionment Board meeting and that the script, a copy of which is attached to the Affidavit of Michael P. McDonald submitted by

Relators, speaks for itself. The Secretary further admits that similar scripts were provided for each public meeting of the Ohio Apportionment Board. Further answering, the Secretary states that members of the Ohio Apportionment Board were not required to follow and often deviated from the scripts during the Ohio Apportionment Board meetings. The Secretary denies the remaining allegations contained in Paragraph 64 of the Complaint.

65. Denies the allegations contained in Paragraph 65 of the Complaint.

66. With respect to the allegations contained in Paragraph 66 of the Complaint, admits that the reapportionment plan adopted by the Ohio Apportionment Board was drafted by the Joint Secretaries. The Secretary denies the remaining allegations contained in Paragraph 66 of the Complaint.

67. Denies the allegations contained in Paragraph 67 of the Complaint.

68. Denies for lack of knowledge the allegations contained in Paragraph 68 of the Complaint.

69. Denies for lack of knowledge the allegations contained in Paragraph 69 of the Complaint.

70. Denies for lack of knowledge the allegations contained in Paragraph 70 of the Complaint.

71. Denies for lack of knowledge the first two sentences contained in Paragraph 71 of the Complaint. The Secretary denies the remaining allegations contained in Paragraph 71 of the Complaint.

72. Admits that the Joint Secretaries presented the Apportionment Plan to the Apportionment Board on September 23, 2011, but denies the remaining allegations contained in Paragraph 72.

73. Denies the allegations contained in Paragraph 73 of the Complaint. Further answering, the Secretary states that the transcript from the Ohio Apportionment Board meeting on September 26, 2011, speaks for itself.
74. With respect to the allegations contained in Paragraph 74 of the Complaint, admits that the reapportionment plan was initially approved by the Ohio Apportionment Board on September 28, 2011 by a 4-1 vote, but the final plan with all amendments was adopted on September 30, 2011 with a 4-0 vote. To the extent a further response is required, it is denied.
75. Admits the allegations contained in Paragraph 75 of the Complaint.
76. Denies the allegations contained in Paragraph 76 of the Complaint.

FIRST CAUSE OF ACTION – Article XI

77. With respect to the allegations contained in Paragraph 77 of the Complaint, the Secretary re-states his responses to Paragraphs 1-76 of the Complaint as if fully restated herein.
78. With respect to the allegations contained in Paragraph 78 of the Complaint, the Secretary states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 78 of the Complaint are denied for lack of knowledge.
79. Denies the allegations contained in Paragraph 79 of the Complaint.

80. Denies the allegations contained in Paragraph 80 of the Complaint.
81. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 81 of the Complaint.

SECOND CAUSE OF ACTION – Article XI

82. With respect to the allegations contained in Paragraph 82 of the Complaint, the Secretary re-states his responses to Paragraphs 1-81 of the Complaint as if fully restated herein.
83. With respect to the allegations contained in Paragraph 83 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 83 of the Complaint are denied for lack of knowledge.
84. Denies the allegations contained in Paragraph 84 of the Complaint.
85. Denies the allegations contained in Paragraph 85 of the Complaint.
86. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 86 of the Complaint.

THIRD CAUSE OF ACTION – Article XI

87. With respect to the allegations contained in Paragraph 87 of the Complaint, the Secretary re-states his responses to Paragraphs 1-86 of the Complaint as if fully restated herein.
88. With respect to the allegations contained in Paragraph 88 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 88 of the Complaint are denied for lack of knowledge.
89. Denies the allegations contained in Paragraph 89 of the Complaint.
90. Denies the allegations contained in Paragraph 90 of the Complaint.
91. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 91 of the Complaint.

FOURTH CAUSE OF ACTION – Article XI

92. With respect to the allegations contained in Paragraph 92 of the Complaint, the Secretary re-states his responses to Paragraphs 1-91 of the Complaint as if fully restated herein.
93. With respect to the allegations contained in Paragraph 93 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further

answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 93 of the Complaint are denied for lack of knowledge.

94. Denies the allegations contained in Paragraph 94 of the Complaint.

95. Denies the allegations contained in Paragraph 95 of the Complaint.

96. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 96 of the Complaint.

FIFTH CAUSE OF ACTION – Article XI

97. With respect to the allegations contained in Paragraph 97 of the Complaint, the Secretary re-states his responses to Paragraphs 1-96 of the Complaint as if fully restated herein.

98. With respect to the allegations contained in Paragraph 98 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 98 of the Complaint are denied for lack of knowledge.

99. Denies the allegations contained in Paragraph 99 of the Complaint.

100. Denies the allegations contained in Paragraph 100 of the Complaint.
101. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 101 of the Complaint.

SIXTH CAUSE OF ACTION – Article XI

102. With respect to the allegations contained in Paragraph 102 of the Complaint, the Secretary re-states his responses to Paragraphs 1-101 of the Complaint as if fully restated herein.
103. With respect to the allegations contained in Paragraph 103 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 103 of the Complaint are denied for lack of knowledge.
104. Denies the allegations contained in Paragraph 104 of the Complaint.
105. Denies the allegations contained in Paragraph 105 of the Complaint.
106. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 106 of the Complaint.

SEVENTH CAUSE OF ACTION – Article XI

107. With respect to the allegations contained in Paragraph 107 of the Complaint, the Secretary re-states his responses to Paragraphs 1-106 of the Complaint as if fully restated herein.
108. With respect to the allegations contained in Paragraph 108 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 108 of the Complaint are denied for lack of knowledge.
109. Denies the allegations contained in Paragraph 109 of the Complaint.
110. Denies the allegations contained in Paragraph 110 of the Complaint.
111. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 111 of the Complaint.

EIGHTH CAUSE OF ACTION – Article XI

112. With respect to the allegations contained in Paragraph 112 of the Complaint, the Secretary re-states his responses to Paragraphs 1-111 of the Complaint as if fully restated herein.
113. With respect to the allegations contained in Paragraph 113 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that

the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 113 of the Complaint are denied for lack of knowledge.

114. Denies the allegations contained in Paragraph 114 of the Complaint.
115. Denies the allegations contained in Paragraph 115 of the Complaint.
116. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 116 of the Complaint.

NINTH CAUSE OF ACTION – Article XI

117. With respect to the allegations contained in Paragraph 117 of the Complaint, the Secretary re-states his responses to Paragraphs 1-116 of the Complaint as if fully restated herein.
118. With respect to the allegations contained in Paragraph 118 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and

Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 118 of the Complaint are denied for lack of knowledge.

119. Denies the allegations contained in Paragraph 119 of the Complaint.

120. Denies the allegations contained in Paragraph 120 of the Complaint.

121. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 121 of the Complaint.

TENTH CAUSE OF ACTION – Article XI

122. With respect to the allegations contained in Paragraph 122 of the Complaint, the Secretary re-states his responses to Paragraphs 1-121 of the Complaint as if fully restated herein.

123. With respect to the allegations contained in Paragraph 123 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 123 of the Complaint are denied for lack of knowledge.

124. Denies the allegations contained in Paragraph 124 of the Complaint.

125. Denies the allegations contained in Paragraph 125 of the Complaint.

126. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 126 of the Complaint.

ELEVENTH CAUSE OF ACTION – Article XI

127. With respect to the allegations contained in Paragraph 127 of the Complaint, the Secretary re-states his responses to Paragraphs 1-126 of the Complaint as if fully restated herein.

128. With respect to the allegations contained in Paragraph 128 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 128 of the Complaint are denied for lack of knowledge.

129. Denies the allegations contained in Paragraph 129 of the Complaint.

130. Denies the allegations contained in Paragraph 130 of the Complaint.

131. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 131 of the Complaint.

TWELFTH CAUSE OF ACTION – Article XI

132. With respect to the allegations contained in Paragraph 132 of the Complaint, the Secretary re-states his responses to Paragraphs 1-131 of the Complaint as if fully restated herein.
133. With respect to the allegations contained in Paragraph 133 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 133 of the Complaint are denied for lack of knowledge.
134. Denies the allegations contained in Paragraph 134 of the Complaint.
135. Denies the allegations contained in Paragraph 135 of the Complaint.
136. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 136 of the Complaint.

THIRTEENTH CAUSE OF ACTION – Article XI

137. With respect to the allegations contained in Paragraph 137 of the Complaint, the Secretary re-states his responses to Paragraphs 1-136 of the Complaint as if fully restated herein.
138. With respect to the allegations contained in Paragraph 138 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that

the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 138 of the Complaint are denied for lack of knowledge.

139. Denies the allegations contained in Paragraph 139 of the Complaint.
140. Denies the allegations contained in Paragraph 140 of the Complaint.
141. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 141 of the Complaint.

FOURTEENTH CAUSE OF ACTION – Article XI

142. With respect to the allegations contained in Paragraph 142 of the Complaint, the Secretary re-states his responses to Paragraphs 1-141 of the Complaint as if fully restated herein.
143. With respect to the allegations contained in Paragraph 143 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and

Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 143 of the Complaint are denied for lack of knowledge.

144. Denies the allegations contained in Paragraph 144 of the Complaint.

145. Denies the allegations contained in Paragraph 145 of the Complaint.

146. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 146 of the Complaint.

FIFTEENTH CAUSE OF ACTION – Article XI

147. With respect to the allegations contained in Paragraph 147 of the Complaint, the Secretary re-states his responses to Paragraphs 1-146 of the Complaint as if fully restated herein.

148. Denies the allegations contained in Paragraph 148 of the Complaint.

149. Denies the allegations contained in Paragraph 149 of the Complaint.

150. With respect to the allegations contained in Paragraph 150 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 150 of the Complaint are denied for lack of knowledge.

151. Denies the allegations contained in Paragraph 151 of the Complaint.

152. Denies the allegations contained in Paragraph 152 of the Complaint.

153. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 153 of the Complaint.

SIXTEENTH CAUSE OF ACTION – Article XI

154. With respect to the allegations contained in Paragraph 154 of the Complaint, the Secretary re-states his responses to Paragraphs 1-153 of the Complaint as if fully restated herein.

155. With respect to the allegations contained in Paragraph 155 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 155 of the Complaint are denied for lack of knowledge.

156. Denies the allegations contained in Paragraph 156 of the Complaint.

157. Denies the allegations contained in Paragraph 157 of the Complaint.

158. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 158 of the Complaint.

SEVENTEENTH CAUSE OF ACTION – Article XI

159. With respect to the allegations contained in Paragraph 159 of the Complaint, the Secretary re-states his responses to Paragraphs 1-158 of the Complaint as if fully restated herein.

160. With respect to the allegations contained in Paragraph 160 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 160 of the Complaint are denied for lack of knowledge.

161. Denies the allegations contained in Paragraph 161 of the Complaint.

162. Denies the allegations contained in Paragraph 162 of the Complaint.

163. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 163 of the Complaint.

EIGHTEENTH CAUSE OF ACTION – Article XI

164. With respect to the allegations contained in Paragraph 164 of the Complaint, the Secretary re-states his responses to Paragraphs 1-163 of the Complaint as if fully restated herein.

165. With respect to the allegations contained in Paragraph 165 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that

the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 165 of the Complaint are denied for lack of knowledge.

166. Denies the allegations contained in Paragraph 166 of the Complaint.

167. Denies the allegations contained in Paragraph 167 of the Complaint.

168. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 168 of the Complaint.

NINETEENTH CAUSE OF ACTION – Article XI

169. With respect to the allegations contained in Paragraph 169 of the Complaint, the Secretary re-states his responses to Paragraphs 1-168 of the Complaint as if fully restated herein.

170. With respect to the allegations contained in Paragraph 170 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and

Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 170 of the Complaint are denied for lack of knowledge.

171. Denies the allegations contained in Paragraph 171 of the Complaint.

172. Denies the allegations contained in Paragraph 172 of the Complaint.

173. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 173 of the Complaint.

TWENTIETH CAUSE OF ACTION – Article XI

174. With respect to the allegations contained in Paragraph 174 of the Complaint, the Secretary re-states his responses to Paragraphs 1-173 of the Complaint as if fully restated herein.

175. With respect to the allegations contained in Paragraph 175 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 175 of the Complaint are denied for lack of knowledge.

176. Denies the allegations contained in Paragraph 176 of the Complaint.

177. Denies the allegations contained in Paragraph 177 of the Complaint.

178. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 178 of the Complaint.

TWENTY-FIRST CAUSE OF ACTION – Article XI

179. With respect to the allegations contained in Paragraph 179 of the Complaint, the Secretary re-states his responses to Paragraphs 1-178 of the Complaint as if fully restated herein.

180. With respect to the allegations contained in Paragraph 180 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 180 of the Complaint are denied for lack of knowledge.

181. Denies the allegations contained in Paragraph 181 of the Complaint.

182. Denies the allegations contained in Paragraph 182 of the Complaint.

183. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 183 of the Complaint.

TWENTY-SECOND CAUSE OF ACTION – Article XI

184. With respect to the allegations contained in Paragraph 184 of the Complaint, the Secretary re-states his responses to Paragraphs 1-183 of the Complaint as if fully restated herein.
185. With respect to the allegations contained in Paragraph 185 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 185 of the Complaint are denied for lack of knowledge.
186. Denies the allegations contained in Paragraph 186 of the Complaint.
187. Denies the allegations contained in Paragraph 187 of the Complaint.
188. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 188 of the Complaint.

TWENTY-THIRD CAUSE OF ACTION – Article XI

189. With respect to the allegations contained in Paragraph 189 of the Complaint, the Secretary re-states his responses to Paragraphs 1-188 of the Complaint as if fully restated herein.
190. With respect to the allegations contained in Paragraph 190 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that

the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 190 of the Complaint are denied for lack of knowledge.

191. Denies the allegations contained in Paragraph 191 of the Complaint.
192. Denies the allegations contained in Paragraph 192 of the Complaint.
193. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 193 of the Complaint.

TWENTY-FOURTH CAUSE OF ACTION – Article XI

194. With respect to the allegations contained in Paragraph 194 of the Complaint, the Secretary re-states his responses to Paragraphs 1-193 of the Complaint as if fully restated herein.
195. Denies the allegations contained in Paragraph 195 of the Complaint.
196. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in paragraph 196 of the Complaint.

TWENTY-FIFTH CAUSE OF ACTION – Article XI

197. With respect to the allegations contained in Paragraph 197 of the Complaint, the Secretary re-states his responses to Paragraphs 1-196 of the Complaint as if fully restated herein.

198. Denies the allegations contained in Paragraph 198 of the Complaint.

199. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 199 of the Complaint.

TWENTY-SIXTH CAUSE OF ACTION – Article XI

200. With respect to the allegations contained in Paragraph 200 of the Complaint, the Secretary re-states his responses to Paragraphs 1-199 of the Complaint as if fully restated herein.

201. Denies the allegations contained in Paragraph 201 of the Complaint.

202. Denies the allegations contained in Paragraph 202 of the Complaint.

203. With respect to the allegations contained in Paragraph 203 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 203 of the Complaint are denied for lack of knowledge.

204. Denies the allegations contained in Paragraph 204 of the Complaint.

205. Denies the allegations contained in Paragraph 205 of the Complaint.
206. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 206 of the Complaint.

TWENTY-SEVENTH CAUSE OF ACTION – Article XI

207. With respect to the allegations contained in Paragraph 207 of the Complaint, the Secretary re-states his responses to Paragraphs 1-206 of the Complaint as if fully restated herein.
208. Denies the allegations contained in Paragraph 208 of the Complaint.
209. Denies the allegations contained in Paragraph 209 of the Complaint.
210. With respect to the allegations contained in Paragraph 210 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 210 of the Complaint are denied for lack of knowledge.
211. Denies the allegations contained in Paragraph 211 of the Complaint.
212. Denies the allegations contained in Paragraph 212 of the Complaint.

213. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 213 of the Complaint.

TWENTY-EIGHTH CAUSE OF ACTION – Article XI

214. With respect to the allegations contained in Paragraph 214 of the Complaint, the Secretary re-states his responses to Paragraphs 1-213 of the Complaint as if fully restated herein.

215. With respect to the allegations contained in Paragraph 215 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 215 of the Complaint are denied for lack of knowledge.

216. Denies the allegations contained in Paragraph 216 of the Complaint.

217. Denies the allegations contained in Paragraph 217 of the Complaint.

218. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 218 of the Complaint.

TWENTY-NINTH CAUSE OF ACTION – Article XI

219. With respect to the allegations contained in Paragraph 219 of the Complaint, the Secretary re-states his responses to Paragraphs 1-218 of the Complaint as if fully restated herein.
220. Denies the allegations contained in Paragraph 220 of the Complaint.
221. With respect to the allegations contained in Paragraph 221 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 221 of the Complaint are denied for lack of knowledge.
222. Denies the allegations contained in Paragraph 222 of the Complaint.
223. Denies the allegations contained in Paragraph 223 of the Complaint.
224. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 224 of the Complaint.

THIRTIETH CAUSE OF ACTION – Article XI

225. With respect to the allegations contained in Paragraph 225 of the Complaint, the Secretary re-states his responses to Paragraphs 1-224 of the Complaint as if fully restated herein.

226. With respect to the allegations contained in Paragraph 226 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 226 of the Complaint are denied for lack of knowledge.
227. Denies the allegations contained in Paragraph 227 of the Complaint.
228. Denies the allegations contained in Paragraph 228 of the Complaint.
229. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 229 of the Complaint.

THIRTY-FIRST CAUSE OF ACTION – Article XI

230. With respect to the allegations contained in Paragraph 230 of the Complaint, the Secretary re-states his responses to Paragraphs 1-229 of the Complaint as if fully restated herein.
231. Denies the allegations contained in Paragraph 231 of the Complaint.
232. Denies the allegations contained in Paragraph 232 of the Complaint.
233. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 233 of the Complaint.

THIRTY-SECOND CAUSE OF ACTION – Article XI

234. With respect to the allegations contained in Paragraph 234 of the Complaint, the Secretary re-states his responses to Paragraphs 1-233 of the Complaint as if fully restated herein.
235. Denies the allegations contained in Paragraph 235 of the Complaint.
236. With respect to the allegations contained in Paragraph 236 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 236 of the Complaint are denied for lack of knowledge.
237. Denies the allegations contained in Paragraph 237 of the Complaint.
238. Denies the allegations contained in Paragraph 238 of the Complaint.
239. Denies the allegations contained in Paragraph 239 of the Complaint.
240. Denies the allegations contained in Paragraph 240 of the Complaint.
241. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 241 of the Complaint.

THIRTY-THIRD CAUSE OF ACTION – Article XI

242. With respect to the allegations contained in Paragraph 242 of the Complaint, the Secretary re-states his responses to Paragraphs 1-241 of the Complaint as if fully restated herein
243. Denies the allegations contained in Paragraph 243 of the Complaint.
244. Denies the allegations contained in Paragraph 244 of the Complaint.
245. Denies the allegations contained in Paragraph 245 of the Complaint.
246. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 246 of the Complaint.

THIRTY-FOURTH CAUSE OF ACTION – Article XI

247. With respect to the allegations contained in Paragraph 247 of the Complaint, the Secretary re-states his responses to Paragraphs 1-246 of the Complaint as if fully restated herein
248. Denies the allegations contained in Paragraph 244 of the Complaint.
249. With respect to the allegations contained in Paragraph 249 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 249 of the Complaint are denied for lack of knowledge.

250. Denies the allegations contained in Paragraph 250 of the Complaint.
251. Denies the allegations contained in Paragraph 251 of the Complaint.
252. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 252 of the Complaint.

THIRTY-FIFTH CAUSE OF ACTION – Article XI

253. With respect to the allegations contained in Paragraph 253 of the Complaint, the Secretary re-states his responses to Paragraphs 1-252 of the Complaint as if fully restated herein
254. Denies the allegations contained in Paragraph 254 of the Complaint.
255. With respect to the allegations contained in Paragraph 255 of the Complaint, states that the Ohio Apportionment Board plan speaks for itself. The Secretary further states that the Ohio Apportionment Board instructed the Joint Secretaries to draft a plan consistent with the Ohio Constitution, to the extent possible, and the Voting Rights Act. Further answering, the Secretary states that despite his belief that the Ohio Constitution's apportionment process should be revised, the plan drafted by the Joint Secretaries and adopted by the Ohio Apportionment Board complies with the Ohio Constitution and Voting Rights Act. To the extent a further response is required, the allegations contained in Paragraph 255 of the Complaint are denied for lack of knowledge.
256. Denies the allegations contained in Paragraph 256 of the Complaint.
257. Denies the allegations contained in Paragraph 257 of the Complaint.

258. Denies that the reapportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 violates Article XI of the Ohio Constitution, and, therefore, deny the remaining allegations in Paragraph 258 of the Complaint.

THIRTY-SIXTH CAUSE OF ACTION – Article XI

259. With respect to the allegations contained in Paragraph 259 of the Complaint, the Secretary re-states his responses to Paragraphs 1-258 of the Complaint as if fully restated herein

260. Denies the allegations contained in Paragraph 256 of the Complaint.

THIRTY-SEVENTH CAUSE OF ACTION – Article XI

261. With respect to the allegations contained in Paragraph 261 of the Complaint, the Secretary re-states his responses to Paragraphs 1-260 of the Complaint as if fully restated herein

262. States that the allegations contained in Paragraph 262 of the Complaint state a legal conclusion and no further response is required. The Secretary further states that Ohio Admin. Code § 011-1-03 speaks for itself. To the extent a further response is required, it is denied.

263. Denies the allegations contained in Paragraph 263 of the Complaint.

264. Denies the allegations contained in Paragraph 264 of the Complaint.

265. Denies the allegations contained in Paragraph 265 of the Complaint.

266. Denies each and every allegation in the Complaint not expressly admitted herein as true.

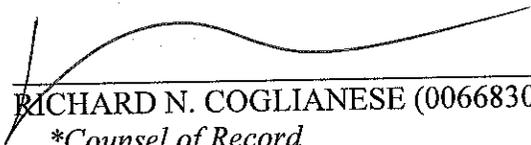
AFFIRMATIVE DEFENSES

1. This Court lacks subject matter jurisdiction for one or more of Relators' claims.
2. Relators fail to state a claim upon which relief can be granted.

3. Relators fail to name a necessary and indispensable party.
4. One or more of Relators' claims are barred by the doctrine of laches, waiver, and estoppel.
5. The apportionment plan adopted by the Ohio Apportionment Board on September 30, 2011 complies with Article XI of the Ohio Constitution.
6. Article XI of the Ohio Constitution does not require the Ohio Apportionment Board to connect non-contiguous governmental units for purposes of reapportionment.

Respectfully Submitted,

MICHAEL DeWINE
Ohio Attorney General


~~RICHARD N. COGLIANESE (0066830)~~

**Counsel of Record*

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*Attorneys for Respondent Ohio Secretary of
State Jon Husted*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Motion to Dismiss of Respondent Ohio Secretary of State Jon Husted* was served on this 17th day of January 2012, by electronic mail and U.S. mail, postage prepaid, to:

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Wesp/Barwell/Pierre-Louis Co., LLC
6400 Riverside Drive, Suite D
Columbus, Ohio 43017
lpl@wesplaw.com

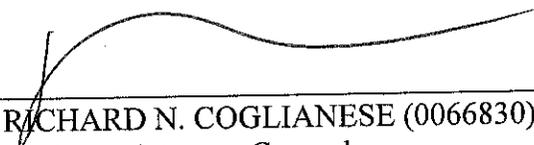
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