No. 24-109

In the Supreme Court of the United States

STATE OF LOUISIANA,
Appellant,
v.

PHILLIP CALLAIS, ET AL.,
Appellees.

APPELLANT'S OPPOSITION TO MOTION OF *GALMON* MOVANTS TO INTERVENE

ELIZABETH B. MURRILL
Attorney General
J. BENJAMIN AGUIÑAGA
Solicitor General
Counsel of Record
LOUISIANA DEPARTMENT OF JUSTICE
1885 N. Third St.
Baton Rouge, LA 70802
(225) 506-3746
AguinagaB@ag.louisiana.gov

The State respectfully opposes—and the Court should deny—the Motion of *Galmon* Movants to Intervene (Mot.) for three reasons.

First, the Motion is an improper collateral attack on numerous decisions from the district court and this Court barring the *Galmon* Movants' intervention in this matter. As the *Galmon* Movants acknowledge (Mot. 4–9), they repeatedly tried—and failed—to intervene in the district court. They also invoked this Court's jurisdiction to resolve that issue—and this Court rejected that attempt for lack of jurisdiction. *See* Judgment, *Galmon v. Callais*, No. 24-111 (U.S. Nov. 18, 2024). They can (and will) make their intervention argument to the Fifth Circuit in due course. *See Callais v. Landry*, No. 24-30177 (5th Cir.). But it would make no sense to effectively reverse the prior decisions in this litigation (including this Court's own decision) by granting them intervention now.

Second, the Motion identifies no interests or arguments that are not already sufficiently represented and advanced by Appellants in Nos. 24-109 and 24-110. Indeed, it is difficult to escape the sense that the rub here is not that the *Galmon* Movants worry about a sufficient merits defense of S.B. 8—it is instead that the *Robinson* Intervenors (Appellants in No. 24-110) will enjoy a slice of the limelight in this case, while the *Galmon* Movants are left in the shadows. The State has no dog in that fight, but that also is hardly a fight worthy of the extraordinary relief of intervention in a Supreme Court case. *See* Opinion at 1, *Murthy v. Missouri*, No. 23-411 (U.S. Dec. 11, 2023) (Alito, J., dissenting from the denial of the motion to intervene) ("intervention in this Court is reserved for unusual circumstances").

Third, and finally, granting the Motion would exacerbate the already-complicated nature of this case. As things stand, in defending its own congressional map, the State may well be forced to cede some of its argument time to private counsel representing the *Robinson* Intervenors. In addition, the United States may choose to participate in the merits briefing and at argument. As of now, therefore, the Court will receive two sets of opening and reply briefs from Appellants in Nos. 24-109 and 24-110, two response briefs (or a consolidated response brief) from Appellees, and potentially a United States brief—with possibly three or four advocates at the podium. The *Galmon* Movants' claim (Mot. 14–15) that it "would serve the interests of judicial efficiency" to layer on another set of merits briefs—plus allow them "to negotiate shared oral argument time"—is thus plainly meritless.

In short, the *Galmon* Movants are perfectly free to file an *amicus* brief, as they have already done on this docket. *See* Br. for *Galmon Amici*, *Louisiana v. Callais*, No. 24-109 (U.S. Sept. 3, 2024). But there is no good reason to grant them party status. The Court should deny the Motion.

Respectfully submitted,

ELIZABETH B. MURRILL
Attorney General
J. BENJAMIN AGUIÑAGA
Solicitor General
Counsel of Record
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Baton Rouge, LA 70802
(225) 506-3746
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