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May 20, 2008

**BY FACSIMILE AND U.S. MAIL**

Office of the Clerk  
United States Court of Appeals for the Sixth Circuit  
540 Potter Stewart U.S. Courthouse  
100 E. Fifth Street  
Cincinnati, Ohio 45202-3988


Re: League of Women Voters of Ohio, et al. v. J. Kenneth Blackwell, et al., 06-3335, 06-3483, 06-3621: Termination of Stay of Appeals

Dear Sir/Madam:

We are in receipt of Defendants'-Appellants' letter dated May 16, 2008, and wish to submit this brief response on behalf of Plaintiffs-Appellees. We are indeed pleased to be engaging in further discussions with Defendants'-Appellants' toward the possibility of settlement, and we intend to continue to press for an expeditious conclusion of those discussions. Nevertheless, given the amount of time that has elapsed since those discussions began in March 2007, and the approach of the upcoming election, the protection of our clients' rights requires that we request an expedited date on which oral argument will proceed in the event we are not successful in reaching an agreement to resolve the matter, so that this matter may be returned to the district court well in advance of the November 2008 election to allow relief ensuring the fair and orderly administration of that election.

We are disappointed that Defendants'-Appellants' letter inaccurately describes the background of our settlement discussions and mischaracterizes the content of the proposals, in breach of the parties' agreement concerning the confidentiality of the discussions. Correcting these inaccuracies would result only in further breach of that agreement and would not be appropriate or useful in this forum. We will continue to work diligently toward a resolution of this matter as the appeal goes forward.

Respectfully,



John A. Freedman  
Co-Counsel for Plaintiffs-Appellees

cc: Richard Coglianese, Counsel for Defendants-Appellants  
Richard Kerger, Counsel for Intervenor-Appellees