

IN THE SUPREME COURT OF VIRGINIA

DON SCOTT, in his official capacity as)
Speaker of the Virginia House of Delegates, et)
al.)

Appellants,)

v.)

RYAN T. MCDUGLE, Virginia State)
Sentator and Legislative Commissioner for)
the Virginia Redistricting Commission, et al.)

Appellees.)

Record No.: 260127

Joint Motion to Delay Issuing Mandate

The Commonwealth of Virginia and Appellants Don Scott, Scott Surovell, and L. Louise Lucas, by counsel, move this Honorable Court pursuant to Rule 5:39 to delay issuing its mandate in the above-captioned matter. The Commonwealth has informed counsel for all parties of its intent to file this motion. Rule 5:4(a)(1).

Rule 5:39 provides that this Court may defer the issuance of its mandate if a party intends to file an appeal with the Supreme Court of the United States. On May 8, 2026, this Court issued its decision in this case. Appellants and the Commonwealth intend to file an Emergency

Petition to the Supreme Court of the United States. This motion is timely because it is filed within 15 days of this Court's order. Rule 5:39.

Respectfully submitted,

COMMONWEALTH OF VIRGINIA

By: /s/ Tillman J. Breckenridge

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DON SCOTT, SCOTT SUROVELL, AND
L. LOUISE LUCAS

By: /s/ Richard F. Hawkins III

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CERTIFICATE OF TRANSMISSION AND SERVICE

I certify that on May 8, 2026, this document was electronically filed with the Court via VACES. A copy was transmitted by email to:

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Motion eCertificate

Document Type: Miscellaneous/Other

Case Information:

Case Style: Scott et al., v. Mcdougle et al.

Record #: 260127

Submitted By: MIKAELA A PHILLIPS

Certification For Motions:

Check box to certify that a copy of this motion has been provided to all counsel or parties.

Opposing Counsel - Consent/Objection: Objects - response expected