

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**DYLAN BRANDT, by and through his mother,  
Joanna Brandt, et al.,**

**PLAINTIFFS,**

**v.**

**No. 4:21-CV-00450-JM**

**LESLIE RUTLEDGE, in her official capacity as  
the Arkansas Attorney General, et al.,**

**DEFENDANTS.**

**DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL  
ADDITIONAL LEGISLATORS' DOCUMENTS**

Defendants, Arkansas Attorney General Leslie Rutledge in her official capacity, and the Director and Members of the Arkansas State Medical Board in their official capacities, concur with the Legislators' opposition to Plaintiffs' motion to compel the Legislators to produce documents in addition to those already produced. Defendants submit this brief in response to the Court's Order directing the filing of a response. DE 147.

The Legislators have already collected and produced thousands of pages of their documents to Plaintiffs. Further, Plaintiffs have themselves collected and produced over a thousand pages of legislative history for the SAFE Act, which sets forth the statements made for and against the Act during the course of the General Assembly's deliberations. Moreover, the intent of the SAFE Act is plainly set forth in its detailed legislative findings.

In addition, Plaintiffs' admission that they "have conducted extensive discovery," DE 123 at 10, is certainly no understatement: Plaintiffs have exhaustively deposed Defendants' lay and expert witnesses concerning the bases for the State's interests, resulting in thousands of pages of relevant testimony. And this is on top of the many hundreds of pages of expert reports produced by Defendants. Plaintiffs have collected a wealth of evidence already. Requiring the

Legislators to produce still more documents would constitute an unwarranted intrusion into the legislative process that chills both free collection of information and candid exchange of views concerning legislative actions.

For these reasons, Defendants respectfully request that the Court deny Plaintiffs' motion.

Dated: June 17, 2022

Respectfully submitted,

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