

graduate and professional students to vote on an amendment to the Student Constitution which would only affect undergraduate students would be a violation of Student Const. ch. 1 art. VIII §1. However, this claim presents a novel question of law. There has been no prior litigation on the meaning of “joint”¹ or “affecting only their constituency”² and other similar language throughout the Student Constitution³. The law provides no further clarification or test to determine how to evaluate when an amendment to the Student Constitution or legislative act affects only one constituency. While it is not the duty of this Court to correct errors or oversights by the legislature, it is likely that the construction of legislative powers under this Constitution does not grant the Constituency Senate’s the ability to enact legislation that could clarify this issue.

10. DEFENDANT does not contest paragraph 10 of PLANITIFF’s complaint.
11. DEFENDANT does not contest paragraph 11 of PLANITIFF’s complaint.
12. DEFENDANT does not contest paragraph 12 of PLANITIFF’s complaint.
13. DEFENDANT does not contest paragraph 13 of PLANITIFF’s complaint.

RELIEF

14. DEFENDANT does not contest PLAINTIFF’s request for declaratory judgement.
15. DEFENDANT requests that this Court issue precedent which provides clarification on the definition of “joint”.
16. DEFENDANT requests that this Court issue precedent which provides clarification on to how evaluate the extent to which a proposed amendment to this Constitution affects only one Constituency.
17. DEFENDANT agrees to disqualify any and all graduate and professional votes on the referendum.
18. DEFENDANT contests the PLINTIFF’s request for TRO and emphasizes there is no reason for the election to be delayed.

¹ Student Constitution ch. 1 art. III §4

² Student Constitution ch. 1 art. VIII §1

³ e.g. Student Constitution ch. 1 art. IX §4, Student Constitution ch. 1 art. VIII §2, Student Constitution ch. 1 art. VI §8

I do affirm that I have read in full the foregoing complaint and that the allegations contained therein are true to the best of my knowledge and belief.

Filed this the 3rd day of November, 2023, at 1:12 AM