

FILED

May 20, 2021

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

A21-0546

Frank Sachs, Dagny Heimisdottir, Michael Arulfo,
Tanwi Prigge, Jennifer Guertin, Garrison O'Keith
McMurtrey, Mara Lee Glubka, Jeffrey Strand,
Danielle Main, and Wayne Grimmer,

Petitioners,

vs.

Steve Simon, Secretary of State of Minnesota,

Respondent.

ORDER

An action was filed on April 26, 2021, in Ramsey County District Court, alleging that Minnesota's current legislative and congressional districts are unconstitutional based on the 2020 Census, thus requiring declaratory and injunctive relief. *Sachs v. Simon*, No. 62-CV-21-2213 (Ramsey Cnty. Dist. Ct.). The plaintiffs in that case then filed a petition with this court, asking us to assume jurisdiction over the Ramsey County action and consolidate the case with *Watson v. Simon*, No. A21-0243 (filed Feb. 22, 2021), for adjudication by a special redistricting panel.

Respondent Steve Simon supports this request, and also asks the court to stay proceedings in the consolidated cases until further order of the court.

The Chief Justice has the authority to appoint a special redistricting panel under Minn. Stat. §§ 2.724, 480.16 (2020), and did so in 1991, 2001, and 2011. For reasons of

judicial economy, as well as fairness and balance in the resolution of the particularly important and sensitive issues inherent in redistricting, this case should be consolidated with *Watson*, to allow a special redistricting panel to hear and decide the issues presented by both cases in one proceeding. Accordingly, the request for consolidation is granted.

For the reasons explained in the order granting the petition to appoint a panel in *Watson*, the appointment of the panel, and further proceedings here and in *Sachs v. Simon*, No. 62-CV-21-2213 (Ramsey Cnty. Dist. Ct.), are stayed. When it is determined that panel action must commence in order to permit the judicial branch to fulfill its proper role in assuring that valid redistricting plans are in place for the 2022 state legislative and congressional elections, the stay of the consolidated cases will be lifted and a panel will be appointed.


Based on all the files, records and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. The petition to consolidate *Sachs v. Simon*, No. A21-0546, with *Watson v. Simon*, No. A21-0243 be, and the same is, granted. The stay in effect in *Watson*, No. A21-0243, extends to *Sachs*, No. A21-0546, until further order of this court.

2. Proceedings in *Sachs v. Simon*, No. 62-CV-21-2213 (Ramsey Cnty. Dist. Ct.), are stayed until further order of the Chief Justice.

Dated: May 20, 2021


Lorie S. Gildea
Chief Justice