STATE OF MINNESOTA

SPECIAL REDISTRICTING PANEL

A21-0243
A21-0546

Peter S. Wattson, Joseph Mansky, Nancy B. Greenwood, Mary E. Kupper, Douglas W. Backstrom and James E. Hougas III, individually and on behalf of all citizens and voting residents of Minnesota similarly situated, and League of Women Voters Minnesota,

Plaintiffs,

and

Paul Anderson, Ida Lano, Chuck Brusven, Karen Lane, Joel Hineman, Carol Wegner, and Daniel Schonhardt,

Plaintiff-Intervenors,

vs.

Steve Simon, Secretary of State of Minnesota; and Kendra Olson, Carver County Elections and Licensing Manager, individually and on behalf of all Minnesota county chief election officers,

Defendants,

and

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

Plaintiffs,

WATTSON PLAINTIFFS' RESPONSE TO CONGRESSIONAL AND LEGISLATIVE DISTRICTING PRINCIPLES PROPOSED BY OTHER PARTIES

and

Dr. Bruce Corrie, Shelly Diaz, Alberder Gillespie, Xiongpao Lee, Abdirazak Mahboub, Aida Simon, Beatriz Winters, Common Cause, OneMinnesota.org, and Voices for Racial Justice,

Plaintiff-Intervenors,

vs.

Steve Simon, Secretary of State of Minnesota,

Defendant.

INTRODUCTION

Plaintiffs Peter S. Wattson, Joseph Mansky, Nancy B. Greenwood, Mary E. Kupper, Douglas W. Backstrom and James E. Hougas III, individually and on behalf of all citizens and voting residents of Minnesota similarly situated, and League of Women Voters Minnesota ("Wattson Plaintiffs") submit this response to the districting principles proposed by the other parties to this matter.

In reviewing the submissions by the other parties, it is important to note that many of the parties are in general agreement on many of the principles, with differences often being in form, not substance. For example, four parties agree that the Minnesota Special Redistricting Panel ("Panel") should, in some form, address the issue of partisanship in its plans. Further, all parties proposing principles agree that, in addition to the constitutional principles, the Panel should make districts compact, not divide political subdivisions, and respect the boundaries of American Indian reservations.

The districting principles proposed by the Wattson Plaintiffs, and most other parties, seek to increase confidence and transparency in our elections by asking the Panel to consider additional principles in creating redistricting plans. By considering additional principles and relying on additional reports and data with respect to partisanship, the Panel will send a clear message to the public that its plans are free from undue partisan bias. Engagement in our elections will also be increased by considering competitiveness in the Panel's plans. Constitutional and statutory principles are not sacrificed in the Wattson Plaintiffs' proposed districting principles because of the prioritization principle proposed by the Wattson Plaintiffs.

The Wattson Plaintiffs are asking this Panel to do what other federal and Minnesota districting panels have done before, which is to supplement and modify the districting principles adopted by previous redistricting panels to bring Minnesota more in line with the current landscape around the country. The Wattson Plaintiffs respectfully request that the Panel adopt their districting principles and plan submission requirements.

1. The 'least change' approach does not limit this Panel's ability to modify the districting principles adopted in *Hippert*.

The Paul Anderson *et al.* Plaintiff-Intervenors ("Anderson Plaintiffs") ask this Panel to refrain from modifying or supplementing the districting principles adopted by the prior Minnesota redistricting panel based on an expanded interpretation and application of the 'least change' approach. Anderson Plaintiffs' Memorandum of Law in Support of Motion to Adopt Proposed Redistricting Criteria ("Anderson Memo"), p. 3. However, the *Hippert v. Ritchie* panel did not even mention, much less utilize, the 'least change' approach in its order adopting districting principles. *See Hippert v. Ritchie*, No. A11-152, Order Stating Redistricting Principles and Requirements for Plan Submissions (Minn. Spec. Redist. Panel Nov. 4, 2011) (hereinafter "*Hippert Principles Order*"). Rather, the 'least change' approach was discussed and applied in the *Hippert* panel's Final Order[s] Adopting a [Legislative and Congressional] Redistricting Plan. *Hippert v. Ritchie*, No. A11-152, 813 N.W.2d 374, 380, 813 N.W.2d 391, 397 (Minn. Spec. Redist. Panel 2012). But, as the Anderson Plaintiffs acknowledge, this approach was cited with respect to "drawing district boundaries" (Anderson Memo, p. 3) and not with respect to districting principles. This Panel can still utilize the 'least change' approach in drawing district boundaries while

adopting the principles proposed by the Wattson Plaintiffs.

Districting principles have steadily evolved since court intervention began in 1971 in Minnesota. In *Beens v. Erdahl*, a three-judge federal panel required only that districts be single member, not overlap, and consist of a compact and contiguous area of equal population with a maximum deviation of 2%. The panel expressly stated that "no consideration will be given to the residence of incumbent legislators or the voting pattern of electors." *Beens v. Erdahl*, No. 4-71-Civil-151, Order, p. 1 (D. Minn. Nov. 26, 1971), Affidavit of Jody E. Nahlovsky, Exhibit A.

Ten years later, the three-judge panel in *LaComb v. Growe* added two new principles: (1) "Districts shall preserve the voting strength of minority populations and will, wherever possible, increase the probability of minority representation from areas of sizable concentrations of minority populations" and (2) "apportionment plans may recognize the preservation of communities of interest in the formation of districts." *LaComb v. Growe*, No. 4-81-Civ. 152, Order, p. 2, No. 4-81-Civ. 414, Order, p. 2 (D. Minn. Dec. 29, 1981), Affidavit of Jody E. Nahlovsky, Exhibit B. The panel in *LaComb* also added language to the principle regarding political subdivisions and adopted a maximum population deviation for congressional districts of 0.25%. *Id.*

In 1991, a state of Minnesota three-judge special redistricting panel further supplemented the districting principles adopted by the panel in *LaComb* by making the following changes: (1) adding that districts must be "convenient" and "contiguity by water is sufficient if the water is not a serious obstacle to travel within the district", (2) stating that "past voting behavior and residence of incumbents shall not be used as criteria;

however, they may be used to evaluate the fairness of plans submitted to the court", (3) providing that districts must comply with the Voting Rights Act, and (4) ordering that communities of interest are subordinated to the rest of the principles and are defined as urban, suburban or rural. *Cotlow v. Growe*, No. C8-91-985, Findings of Fact, Conclusions of Law, and Order for Judgment on Legislative Redistricting, pp. 3-4 (Minn. Spec. Redist. Panel Dec. 9, 1991) ("*Cotlow Principles Order*"), *available at https://www.lrl.mn.gov/webcontent/lrl/guides/Redistricting/Cotlow_1991-12-09_C8-91-985.pdf*.

In 2001, the Minnesota special redistricting panel made the following changes to the *Cotlow* principles: the panel (1) prohibited point contiguity, (2) expanded the definition of communities of interest, which *Cotlow* defined as urban, suburban or rural, (3) included criteria related to incumbents, but removed the language in *Cotlow* related to "past voting behavior", (4) removed the requirement that districts must increase the probability that members of the minority will be elected where concentrations of a racial or language minority makes it possible, and (4) prohibited violations of the 14th and 15th Amendments. *Zachman v. Kiffmeyer*, No. C0-01-160, Order Stating Redistricting Principles and Requirements for Plan Submissions, pp. 2-5 (Minn. Spec. Redist. Panel Dec. 11, 2001).

The *Hippert* panel modified the *Zachman* principles as follows: (1) it changed the language regarding minority representation by changing the language from (a) districts shall not be drawn with the "purpose or effect of diluting racial or ethnic minority voting strength" to (b) districts shall not be drawn with the "purpose or effect of denying or abridging the voting rights of an United States citizen on account of race, ethnicity, or

membership in a language minority", (2) the panel greatly reduced the language with respect to political subdivisions, removing the language defining political subdivision as a county, city and township and removing language related to more than one division and division into as few districts as possible, and (3) the panel changed the numbering scheme for legislative districts by skipping over the 11-county metropolitan area as opposed to the seven-county area previously used.

The Wattson Plaintiffs use these changes to show that redistricting panels in Minnesota have consistently made changes to redistricting principles over time, continually adding to, and modifying the limited list of principles originally set forth in *Beens*. Without restating the arguments in the Wattson Plaintiffs' Proposed Congressional and Legislative Districting Principles Brief, numerous compelling reasons exist to adopt the principles proposed by the Wattson Plaintiffs, including advances in technology, vast increases in adoption of districting principles related to partisanship around the country, assuring the public that the maps adopted by the Panel do not result in undue bias to any political party, increasing civic engagement by creating competitive districts, ensuring representation for American Indian reservations, and many others.

2. Measuring partisan bias can be done with today's technology. There is a movement across the country, including in Minnesota, to remove undue partisan bias from redistricting plans.

Four parties propose that the Panel adopt a principle that districts not display a partisan bias. This will help the Panel avoid drawing districts that inadvertently work as partisan gerrymanders. The Frank Sachs *et al.* Plaintiffs ("Sachs Plaintiffs") and Dr. Bruce Corrie *et al.* Plaintiff-Intervenors ("Corrie Plaintiffs") propose that "districts shall not be

drawn for the purpose or effect of promoting, protecting, or defeating any . . . party." Sachs Plaintiffs' Proposed Redistricting Principles ("Sachs Memo"), p. 5; Corrie Plaintiffs' Proposed Redistricting Principles and Plan Submission Requirements ("Corrie Memo"), p. 3. Defendant Simon proposes that a "district must not be drawn in a manner that unduly favors or disfavors any political party." Secretary's Proposed Redistricting Principles ("Secretary's Memo"), pp. 4, 7.

The Wattson Plaintiffs propose that "A district or plan must not be drawn with the intent or effect to unduly favor or disfavor a political party." Wattson Plaintiffs' Proposed Congressional and Legislative Redistricting Principles, Exhibit A ("Wattson Principles"), ¶ 12. This language is based on the Fair Districts Amendment to the Florida Constitution, which has been cited by the Supreme Court as a model for others to follow. *Rucho v. Common Cause*, 139 S. Ct. 2484, 2507-08 (2019). While the Court held in *Rucho* that a claim of excessive partisan gerrymandering is not justiciable as a violation of the federal constitution, the holding does not prevent this Panel from considering partisanship in its plans. This ability to address partisanship in plans was acknowledged by the *Rucho* Court when it said that it "does not condone excessive partisan gerrymandering" and asserted that the "states are actively addressing the issue on a number of fronts." Minnesota redistricting panels have previously considered partisanship in terms of incumbents (*Hippert Principles Order*, pp. 7 ¶ 7, 9 ¶ 9) and past voting behavior (*Cotlow Principles Order*, p. 4).

Unique among the parties, the Wattson Plaintiffs propose a test for its partisanship principle: "A plan should make it more likely than not that the political party whose candidates receive a plurality of the statewide votes for seats in a legislative body will win

a plurality of seats in the body." Wattson Principles, ¶ 12. Further, they suggest a partisan index to measure the partisan impact of a plan and require a partisanship report that includes, not only the number of seats likely to be won by each party as compared to the party's statewide vote, but also four measures of partisan bias accepted in the political science and statistics literature. *Id.* A test is important because a standard is of little value unless the Panel, and the voters, can use a test or tests to compare the plans and detect any partisan influences that are present in them.

Momentum for eliminating undue partisan bias has been on full display in the Minnesota legislature, with bills introduced by both Republicans and Democrats including principles with respect to partisanship. On March 4, 2021, Rep. Paul Torkelson (R) introduced H.R. 1884, which included the following principle:

> **Political parties**. A district must not be drawn purposely to favor or disfavor any political party or political group.
>
> 2021 H.F. No. 1884 § 1, subd. 7.

On April 15, 2021, Rep. Emma Greenman (D) introduced H.F. 2520, which included the following principles:

> **Prohibition.** Districts must not be drawn purposely to favor or disfavor a political party, candidate, or incumbent.
>
> **Partisan effect**. Applicable judicial standards and the best available scientific and statistical methods must be used to assess whether a plan unduly favors or disfavors a political party, candidate, or incumbent.
>
> 2021 H.F. No. 2520, § 2, subds. 2, 10.

On May 6, 2021, Rep. Ginny Klevhorn (D) introduced H.F. 2594, which included the following principle:

> **Partisan effect.** Districts must not be drawn with the effect of unduly favoring or disfavoring any political party. Districts must be drawn using judicial standards and the best available scientific and statistical methods to assess whether a plan complies with this subdivision. More than one measure of partisan effect must be used. A districting plan violates this principle if it produces likely partisan effects that represent a significant outlier compared to computer-simulated districts using nonpartisan criteria.

2021 H.F. No. 2594, § 2, subd. 11.

Most recently, the House of Representatives Redistricting Committee, at its meeting on October 14, 2021, voted to recommend MG052-2 be introduced by the chair on behalf of the committee when the house reconvenes on January 31, 2022. October 14, 2021 House Redistricting Hearing, Audio/Video Archives, 2021-2022 Regular Session, https://www.house.leg.state.mn.us/hjvid/92/895173; *see* Combined Legislative Meeting Calendar – 10/14/2021, https://www.leg.mn.gov/cal?d1=10/14/2021; House Rule 1.13, *available at* https://www.house.leg.state.mn.us/cco/rules/permrule/113.htm.

MG052-2 includes the following principle:

> **Impact on political parties, candidates, and incumbents.** Districts must not be drawn to purposely favor or disfavor a political party, candidate, or incumbent.

A Bill for an Act, MG052-2, § 2, subd. 2 (Oct. 14, 2021), *available at* https://www.house.leg.state.mn.us/comm/docs/PEEbNWqjAESgeVOEzAJ0qg.pdf.

If the Panel adopts the Wattson Plaintiffs' principles, this would not be the first time a panel has considered partisanship in Minnesota. As noted above, the Minnesota special redistricting panel in *Cotlow* considered "past voting behavior" and "residence of incumbents" "to evaluate the fairness of plans submitted to the court." *Cotlow Principles Order*, p. 4. While residence of incumbents has since been added as a principle, "past

voting behavior" has not. The Wattson Plaintiffs believe, as a factor subordinate to constitutional and statutory principles, partisanship, or "past voting behavior" as termed in *Cotlow*, should be included as a principle.

The Wattson Plaintiffs are not asking this Panel to create plans that are "fair" from a partisanship perspective, they are only asking the Panel to identify and prevent undue partisan bias. Most parties to this litigation, as well as members of the Minnesota House of Representatives Redistricting Committee, agree that partisanship should be measured in redistricting plans. With the available technology and growing consensus on this issue, now is the time for the Panel to include this extremely important measure in its analysis. With this data being available, the Panel should have access to and use of it before the plans are finalized and released to the public.

3. The Minnesota Constitution requires that legislative districts be numbered in a regular series. The numbering system used by prior panels has no useful purpose and violates this constitutional requirement.

Numbering legislative districts in a way that skips the metropolitan area is not the way it's always been done. Our State Constitution requires senate districts to be "numbered in a regular series." Minn. Const. Art. IV, § 3. There is nothing regular about skipping over a large portion of the state, only to return and continue numbering outside the cities of Minneapolis and Saint Paul, then in Minneapolis and Saint Paul. The system used in *Hippert* does not comply with the constitution's regular series mandate. The Anderson Plaintiffs express concern that a new numbering system may confuse voters (Anderson Memo, p. 5). But in the last redistricting cycle, the *Hippert* panel created a new numbering scheme by skipping over four additional counties in the Twin Cities metropolitan area

which changed the district numbers for a large portion of the state. *Hippert Principles Order*, pp. 7, 17-18.

From 1858 to 1972, senate districts were numbered in a constitutionally required regular series, as the Wattson Plaintiffs propose. Affidavit of Peter S. Wattson dated October 12, 2021, ¶ 11. The reason for this constitutional mandate is obvious. It is easier to draw plans and understand where districts are. The Wattson Plaintiffs' numbering scheme is the same as the one adopted by the Minnesota House Redistricting Committee at its meeting on Thursday, October 14, 2021 (MG052-2, § 1, subd. 3), except that the Wattson Plaintiffs would also require that cities with more than one whole senate district be numbered consecutively.

Exhibits B-3a and B-3b to the Complaint filed by the Wattson Plaintiffs in Carver County District Court on February 19, 2021, based on 2018 population estimates from the State Demographer, use the simple, regular series numbering proposed by the Wattson Plaintiffs. In the plan the Wattson Plaintiffs are currently drawing for the Panel based on the 2020 Census, senate districts 1 to 20 are north and west of the seven-county metropolitan area, districts 21 to 25 are all or mostly within Anoka County, districts 26 to 40 are all or mostly within Hennepin County (Minneapolis has all of districts 36 to 40), districts 41 to 46 are all within Ramsey County (Saint Paul has most of district 43 and all of districts 44 to 46), districts 47 to 50 are all or mostly within Washington County, districts 51 to 53 are all or mostly within Carver and Scott counties, districts 54 to 58 are all within Dakota County, and districts 59 to 67 are south of the seven-county metropolitan area.

The *Hippert* panel relied on "convention" and Minn. Stat. § 200.02, subd. 24 as

justification skipping over the 11-county metropolitan area. *Hippert Principles Order*, pp. 17-18. But the term "metropolitan area" in Minn. Stat. § 200.02, subd. 24 does not appear in any redistricting statute.[1] The *Hippert* panel did not cite or discuss the constitutional provision requiring regular series numbering in its analysis.

When results come in by district number on election night in 2022, the numbering scheme proposed by the Wattson Plaintiffs will enable voters to get a good idea of where the results are coming from. That is not true of the present numbering scheme.[2]

4. The Wattson Plaintiffs' principles seek to streamline and improve districting principles through a new, simplified, single listing of principles and inclusion of the most apt citations.

The *Hippert* panel, as have other panels before it, set forth its principles for congressional and legislative districts in separate lists. The two lists differed as to the number of districts, how they should be numbered, their equal-population requirements, and that house districts must be nested within senate districts. The remaining principles were the same for both congressional and legislative districts. That meant that the language for minority representation, convenient and contiguous territory, compactness, not dividing political subdivisions or communities of interest, and incumbents needed to be stated twice,

[1] The election statutes that use the term "metropolitan area" are as follows: Minn. Stat. §§ 204B.14, subd. (b)(3) (combined polling places in presidential election years), 204B.16, subd. 1(3) (location of polling places), 204B.27, subd. 8 (voter information telephone line), 204B.45, subd. 1 (authorization for mail ballots), 204C.05, subd. 1a (voting hours), 205.16, subd. 1, 2 (publication of notice), 205.175 (voting hours), 205A.09, subd. 1 (metropolitan area school district voting hours).

[2] The parties can still submit maps of the seven or 11 county metropolitan area to aid the Panel in reviewing the densely population Twin Cities metro area even if the numbering system reverts back to a regular series as proposed by the Wattson Plaintiffs.

once for congressional districts and once for legislative districts. In an effort to simplify the Panel's analysis and order on these principles, the Wattson Plaintiffs stated each principle only once.

The Wattson Plaintiffs have also included updated and more apposite citations in their principles. For example, the Wattson Plaintiffs cite to U.S. Const. art. I, § 2 for the equal population principle for congressional districts which is consistent with the *Hippert* panel's Final Order Adopting a Congressional Redistricting Plan of February 21, 2012, p. 3. Wattson Principles, ¶ 4(a). For the equal population principle for legislative districts, the Wattson Plaintiffs cite to *Reynolds v. Sims*, 377 U.S. 533 (1964) because it is the leading case on the issue and the case upon which *Roman v. Sincock,* 377 U.S. 695 (1964) relies. Wattson Principles, ¶ 4(b). The Wattson Plaintiffs also cite to U.S. Const. amend. XIV, § 1 and Minn. Const. art. IV, § 2 just like the *Hippert* panel did in its Final Order Adopting a Legislative Redistricting Plan of February 21, 2012, p. 3. *Id.*

With respect to minority representation, the Wattson Plaintiffs cite to the Voting Rights Act, § 2, at 52 U.S. Code § 10301, which is the heart of the Act, and not the broad citations included by the other parties. Wattson Principles, ¶ 5. The Wattson Plaintiffs do not cite to Section 5 of the Voting Rights Act, which used to prohibit redistricting plans from making racial and language minorities worse off than they were under the "benchmark" plan (the 2012 plan as measured by 2020 Census minority voting-age populations), until it was made inoperable by *Shelby County v. Holder*, 570 U.S. 529 (2013). Section 5 applied to certain "covered jurisdictions" with a history of discrimination against racial and language minorities. It has never applied to Minnesota. A principle that

merely requires compliance with the Voting Rights Act does not protect minority voters in Minnesota from retrogression. To correct that, the Wattson Plaintiffs impose a "no retrogression" principle on Minnesota redistricting plans by saying, for minorities, that districts must not "diminish their ability to elect representatives of their choice." Wattson Principles, ¶ 5. The other parties do not offer that protection.

5. The Wattson Plaintiffs' principles provide additional detail and clarity that will help guide the parties in drafting their plans.

a. Compactness

Compactness is an important tool to detect gerrymandering by providing an empirical test to detect unusual or irregular district boundaries. The *Hippert* panel, in its requirements for plan submissions, mandated that each plan be accompanied by a report stating the results of eight different measures of compactness. *Hippert Principles Order*, p. 12 ¶ 4. The Anderson Plaintiffs do not propose any requirements for compactness measures. The Sachs Plaintiffs, Corrie Plaintiffs and Defendant Simon require only "one or more statistical tests." Sachs Memo, pp. 5, 8; Corrie Memo, pp. 3, 6; Secretary's Memo, pp. 4, 7. The Corrie Plaintiffs require that each plan submitted to the Panel be accompanied by a report stating the results of the same eight compactness measures that the *Hippert* panel required. Corrie Memo, p. 8.

In contrast, the Wattson Plaintiffs would require that compactness be determined by "more than one measure of compactness that is accepted in political science and statistics literature," and that each plan submitted to the Panel be accompanied by a report showing the results of all 11 compactness measures currently included in Maptitude for

Redistricting 2021. Wattson Principles, ¶ 10; Wattson Plaintiffs' Proposed Congressional and Legislative Redistricting Principles, Exhibit B, ¶ 7.

b. Political Subdivision Splits

The parties all agree that political subdivisions should not be divided more than necessary. Other than the Wattson Plaintiffs, the parties do not explain what they mean by "political subdivisions," and they disagree significantly on what may justify a division. The Wattson Plaintiffs explicitly prohibit dividing a "county, city, town, or precinct." Wattson Principles, ¶ 7. While some of the other parties reference cities, towns or counties in their memoranda, they do not include this in their principles.

The Anderson Plaintiffs and Defendant Simon would permit a political subdivision to be divided "to meet constitutional requirements." Anderson Memo, Exhibit A, pp. 2, 4; Secretary's Memo, pp. 3, 6. They do not explain in their memoranda what those requirements might be. The Sachs Plaintiffs allow splits to meet "minority representation requirements; form districts that are composed of convenient, contiguous territory; or preserve communities of interest." Sachs Memo, p. 5. The Corrie plaintiffs have essentially the same list as the Sachs Plaintiffs. Corrie Memo, p. 3.

The Wattson Plaintiffs omit the vague "constitutional requirements" and substitute the explicit list of "equal population or minority representation requirements or to form districts of convenient, contiguous territory." Wattson Principles, ¶ 7. The equal population requirements flow, not from the constitutional limit for legislative districts of an overall range of 10% (*see Brown v. Thomson*, 462 U.S. 835, 842 (1983)), but from the limit imposed by previous panels of a deviation of 2%. The minority representation requirements

flow, not only from the Fourteenth and Fifteenth Amendments to the Constitution, but also from the Voting Rights Act of 1965. The Wattson Plaintiffs do not permit a county, city, town, or precinct to be divided to preserve a community of interest.

The Wattson Plaintiffs also require that, "When a county, city, town, or precinct must be divided into more than one district, it must be divided into as few districts as possible." Wattson Principles, ¶ 7. Omission of the prohibition means that, as soon as a subdivision is split once, it is more likely to be split again.

c. American Indian Reservations

All parties agree that American Indian reservations should not be divided. Four parties included a separate principle, which is appropriate if American Indian reservations are to be considered in drawing plans.

d. Competition

The Wattson Plaintiffs and Defendant Simon include a provision encouraging electoral competition. Secretary's Memo, pp. 4, 7; Wattson Principles, ¶ 13. The Wattson Plaintiffs believe that the best way to promote voter participation is to promote competition between the political parties. Competition in the private sector benefits consumers by improving the quality, availability, and cost of the goods and services they desire. Competition in the political world is just as important. Lacking competition, the voters are left with a political monopoly. Redistricting, properly administered, can limit partisan political monopolies.

CONCLUSION

The principles proposed by the Wattson Plaintiffs are an effort to stay current with developments in redistricting law in other states since 2012 and keep up with developments in redistricting technology for measuring compliance of a redistricting plan with the principles that govern it. The Wattson Plaintiffs seek to provide the public with more information about the plans submitted by the parties and adopted by the Panel by requiring additional principles and accompanying reports. The Wattson Plaintiffs respectfully request that the Panel adopt the principles proposed by the Wattson Plaintiffs in their entirety.

Dated October 20, 2021

Respectfully Submitted,

JAMES H. GILBERT LAW GROUP, P.L.L.C.

By: */s/ Adam L. Sienkowski*
James H. Gilbert (0034708)
Adam L. Sienkowski (0395659)
Jody E. Nahlovsky (0330139)
12700 Anderson Lakes Parkway
Eden Prairie, MN 55344
952/767-0167
asienkowski@lawgilbert.com
Attorneys for Plaintiffs Peter S. Wattson, Joseph Mansky, Nancy B. Greenwood, Mary E. Kupper, Douglas W. Backstrom, James E. Hougas, III and League of Women Voters Minnesota