

STATE OF MINNESOTA  
IN SUPREME COURT

A21-0243  
A21-0546

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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,

Petitioners,

and

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

**INTERVENTION PETITION**

Intervention Petitioners,

vs.

Steve Simon, in his official capacity as  
Minnesota Secretary of State,

Respondents,

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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,

and

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

Intervention Petitioners,

vs.

Steve Simon, Secretary of State of  
Minnesota,

Respondent.

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## INTRODUCTION

1. On May 20, 2021, the Minnesota Supreme Court entered an order consolidating two actions – *Sachs v. Simon* and *Wattson v. Simon* – in which various groups of petitioners (collectively, the “Existing Petitioners”) have asked the Special Redistricting Panel appointed by this Court to adopt new state legislative and congressional districts that adhere to constitutional requirements. The

Existing Petitioners identify as “redistricting aficionados” (Wattson Compl. ¶ 4) or supporters of the Democratic-Farm-Labor (“DFL”) or Republican parties (Sachs Compl. ¶6; Anderson Compl. in Intervention ¶ 10.)

2. The individual Intervention Petitioners—Dr. Bruce Corrie, Shelly Diaz, Alberder Gillespie, Xiongpaoo Lee, Abdirizak Mahboub, Aida Simon, and Beatriz Winters—are citizens and qualified voters of the United States of America and the State of Minnesota who proudly identify as Black, Indigenous, or Persons of Color (“BIPOC”). The organizational Intervention Petitioners—Common Cause, OneMinnesota.org (“OneMN.org”), and Voices for Racial Justice—are nonprofit advocacy organizations committed to ensuring the rights and interests of Black, Indigenous, and all Minnesotans of Color are adequately represented in the redistricting process.

3. At this moment in history, it is critical that Black, Indigenous, and all Minnesotans of Color be separately represented in any process by which Minnesota’s legislative and congressional districts are redrawn. Much like the trend nationally, BIPOC communities represent the fastest growing population in Minnesota. BIPOC communities currently represent 21.4% of Minnesota’s population (compared to 16.8% in 2010 and 11.8% in 2000), an increase of more than 4% since the 2010 Census and nearly double what was recorded in 2000. During the last decade, approximately 85% of Minnesota’s population growth was

driven by BIPOC communities. While BIPOC communities are growing rapidly in Minnesota and are projected to represent almost 27% of the state's population by 2030, the same cannot be said of the state's White population. In 2017, Minnesota's White population stood at 4,455,605 (a 1% increase from 2010). Meanwhile, its Black population was 352,721 (a 31% increase from 2010), its Hispanic population was 301,407 (a 20% increase), and its Asian population was 280,841 (a 30% increase). The data clearly demonstrates that Minnesota's recent population growth has been driven by its BIPOC communities. This trend is expected to continue and is largely responsible for Minnesota recently retaining its eight seats in the United States House of Representatives.

4. Unfortunately, population growth among Minnesota's BIPOC communities does not guarantee a seat at the table in the redistricting process, when districts are drawn and representation is determined for the ensuing decade. In fact, in connection with the 2010 redistricting cycle, courts struck down districts in several states for illegal discrimination based on race. More recently, after BIPOC voters turned out for the 2020 election in record numbers, the Brennan Center for Justice found that legislators in 48 states introduced at least 389 bills that would restrict access to voting. Many of these bills seek to impose strict voter identification requirements or limit voter registration and early voting options that

would disproportionately impact BIPOC communities. Fifteen of these bills have been introduced in Minnesota alone.

5. Black, Indigenous, and all Minnesotans of Color deserve their own seat at the table in the redistricting process. For that reason, the Intervention Petitioners seek to intervene on behalf of themselves and Black, Indigenous, and all Minnesotans of Color who are similarly situated.

### **THE PARTIES**

6. As noted above, the Intervention Petitioners include Black, Indigenous, and Minnesotans of Color who are also citizens and qualified voters of the United States of America and the State of Minnesota, and who reside in various counties, legislative districts, and congressional districts throughout the state, as follows:

<b>Name</b>	<b>County</b>	<b>Legislative District</b>	<b>Congressional District</b>	<b>BIPOC Affiliation</b>
<b>Aida Simon</b>	<b>Nobles</b>	22B	<b>1</b>	<b>Black</b>
<b>Beatriz Winters</b>	<b>Dakota</b>	51A	<b>2</b>	<b>Hispanic</b>
<b>Xiongpao Lee</b>	<b>Hennepin</b>	36B	<b>3</b>	<b>Asian</b>
<b>Shelly Diaz</b>	<b>Ramsey</b>	43A	<b>4</b>	<b>Indigenous</b>
<b>Alberder Gillespie</b>	<b>Washington</b>	53B	<b>4</b>	<b>Black</b>
<b>Dr. Bruce Corrie</b>	<b>Ramsey</b>	66B	<b>4</b>	<b>Asian</b>
<b>Abdirizak Mahboub</b>	<b>Kandiyohi</b>	17B	<b>7</b>	<b>Black</b>

7. Intervention Petitioner Aida Simon is a mother, activist of color, resident, and active member of her community in Worthington, Minnesota. For the past nineteen years, Ms. Simon has not observed progressive change that welcomed Black, Indigenous, and Minnesotans of Color into the decision-making processes in Nobles County. Nobles County is racially and ethnically diverse, but its public decision-making entities fail to reflect that diversity. Worthington's city council, school board, and state representatives are predominately White and do not reflect or represent the diversity apparent in this community, which is a disservice to Black, Indigenous, and all Minnesotans of Color who are largely responsible for its flourishing economy. Ms. Simon believes that including the voices of Minnesota's diverse communities in the redistricting process is one of many necessary steps toward positive change.

8. Intervention Petitioner Beatriz Winters is a United States citizen and a resident of Burnsville, Minnesota. Ms. Winters is of Hispanic ethnicity and Honduran heritage. Her farming background in Honduras has allowed her to connect with local rural farmers and advocate for the interests of Central American farmers in Minnesota. Ms. Winters is sixty-one years old and a registered voter who regularly exercises her right to vote and intends to continue to do so into the future. She has observed how redistricting has been used as a tool to separate and suppress Minnesota's BIPOC communities and is committed to ensuring the

interests of Black, Indigenous, and all Minnesotans of Color, particularly the Latino community, are reflected in the redistricting process.

9. Intervention Petitioner Xiongpaoo Lee is a naturalized United States citizen and a resident of Brooklyn Park, Minnesota. His racial identity is Asian and he is of Hmong ethnicity. He is forty-two years old and a registered voter. He cares about the redistricting process in his community because he wants to make sure that minority voices are being heard by their representatives.

10. Intervention Petitioner Shelly Diaz is a United States citizen and resident of Maplewood, Minnesota. She identifies as an enrolled member of the Mille Lacs Band of Ojibwe. Ms. Diaz is fifty-eight years old and a registered voter. She has served as a Minnesota representative in the National Congress of American Indians for the Get Out the Native Vote campaign, where she worked to increase voter registration in tribal communities. She also served as a Tribal Hub Coordinator for the Minnesota Tribal Coalition for the 2020 Census, which worked to encourage tribal community members to complete their Census forms and be counted as part of the redistricting process. Ms. Diaz has observed how redistricting has diluted the voice of a Northern Minnesota reservation community, which is divided into two separate districts and hinders the ability to make cohesive policy decisions. Ms. Diaz considers fair redistricting essential for

equal representation and equal opportunity in the areas of voting, housing, and economic development.

11. Intervention Petitioner Alberder Gillespie is a United States citizen and resident of Woodbury, Minnesota. Her racial identity is African American. Ms. Gillespie is fifty-one years old and a registered voter who regularly exercises her right to vote. She has served in elected office and worked to educate people on voting rights, redistricting, and the Census. She has spoken to her community on the importance of voting and has led community presentations regarding redistricting and the Census, particularly how an accurate population count is fundamental to redistricting. Ms. Gillespie cares about the redistricting process because she cares about democracy and understands that redistricting is vital to democracy in the way it determines how power is distributed. She maintains that if district lines are not drawn fairly, then nothing else will be fair. Lines that are drawn to keep incumbents in power while disempowering others will make it impossible to represent the interests of Minnesota's BIPOC communities and lead to unfair policies that do not represent the diverse perspectives of the state. Ms. Gillespie believes that when district lines are drawn unfairly, it diminishes power, communities' voices, and the ability to hold elected officials accountable.

12. Intervention Petitioner Dr. Bruce Corrie is an economist with a PhD from the University of Notre Dame. Dr. Corrie is a United States Citizen and



resident of Saint Paul, Minnesota. His racial identity is Asian and he is of Indian heritage. Dr. Corrie is leading economist who focuses on minority businesses and the growing impact minority communities are having on the broader economy, both in Minnesota and beyond. Dr. Corrie has served on the advisory boards of the Federal Reserve Bank of Minneapolis, the United States Small Business Administration, and various BIPOC economic development organizations. Recently, he served as Director of Planning and Economic Development for the City of Saint Paul. During the past two redistricting cycles in Minnesota, Dr. Corrie testified before the Special Redistricting Panel on the economic interests of BIPOC communities.

13. Intervention Petitioner Abdirizak Mahboub is a United States citizen and a resident of Willmar, Minnesota. His racial identity is Black. He is sixty years old and a registered voter who regularly exercises his right to vote and intends to continue to do so into the future. Mr. Mahboub is also the owner of the Midtown Plaza in Willmar, a diverse business center that houses more than 50 businesses that were formed by and/or cater to members of the BIPOC community. He believes the interests of BIPOC community members and taxpayers must be heard and separately represented in the redistricting process so that government officials become more representative of and responsive to the concerns of these diverse communities.

14. Intervention Petitioner Common Cause is a nonpartisan, grassroots organization dedicated to upholding the core values of American democracy. Common Cause Minnesota, its state affiliate, works to create open, honest, and accountable government that serves the public interest; promotes equal rights, opportunity, and representation for all; and empowers all people to make their voices heard in the political process. Common Cause Minnesota actively supports redistricting reform legislation that centers the needs of communities of color by mandating transparency and the inclusion of public input in the drawing of voting districts. It also actively supports voting reforms that would benefit communities of color, such as automatic voter registration and restoring the voting rights to Minnesotans with felony convictions who have served their sentences. During the 2020 legislative session, Common Cause Minnesota helped organize and lobby in support of the Minnesota Redistricting Reform Act, which was designed to maximize direct public participation and transparency in the redistricting process, elevating the interests of communities over those of political parties.

15. Intervention Petitioner OneMN.org is a nonprofit organization and multiethnic coalition whose mission is to civically engage and empower Minnesotans to welcome a unified vision of racial equity, with social and economic inclusion for all. OneMN.org has actively participated in the last two judicial redistricting processes in Minnesota. During the 2000 redistricting process,

OneMN.org representatives testified about the number of opportunity districts the Special Redistricting Panel could draw if it effectively protected BIPOC communities of interest. Similarly, in 2010, OneMN.org representatives testified before the Panel and produced a map developed with input from BIPOC community members. OneMN.org has also worked to increase civic engagement and democracy building within the BIPOC communities through its Color the Vote campaigns and online exit polls after major elections.

16. Intervention Petitioner Voices for Racial Justice (“VRJ”) is a Minnesota-based nonprofit organization consisting of leaders, organizers, and culture workers who envision a world without racism and that honors the culture, knowledge, power, and healing of BIPOC communities. VRJ is committed to building power through collective cultural and healing strategies for racial justice, relying on organizing, leadership training, community policy, and research. VRJ’s redistricting work includes the creation of a redistricting toolkit and plans to facilitate at least five community mapping events across the state. The organization co-created a table designed to ensure Black, Indigenous, and all Minnesotans of Color were fully and properly counted during the 2020 Census – which is the foundation for redistricting. VRJ also featured voting rights and democracy issues prominently in scorecards it developed to inform Minnesotans about their legislators’ voting records.

17. As noted above, the Existing Petitioners in this consolidated action identify as “redistricting aficionados” or supporters of the DFL or Republican parties. The Existing Petitioners assert claims on behalf of themselves and other citizens and voters who are similarly situated to them, but they do not allege an interest in ensuring that Black, Indigenous, and all Minnesotans of Color are adequately represented in the redistricting process.

18. Respondents are each citizens of the United States who reside in the State of Minnesota.

19. Respondent Steve Simon is the duly elected and qualified Secretary of State of the State of Minnesota. Under the provisions of Minnesota Statutes Chapters 200 through 212, he is charged in his official capacity with the duty of keeping records of state elections, giving notice of state elections, preparing ballots and instructions for voters, receiving the filings of candidates for state elective offices, distributing copies of the election laws of the State of Minnesota, receiving election returns, furnishing blank election ballots and forms to the several county auditors, furnishing certificates of election to successful legislative candidates in multi-county districts and to successful candidates for election to the United States Congress, serving on the State Canvassing Board, conducting recounts, and various other election duties.

20. Respondent Kendra Olson is the duly qualified Elections and Licensing Manager of Carver County, State of Minnesota, and, as such, she is the chief election officer for Carver County, charged with the duties of keeping records of state elections, giving notice of such elections, receiving filings for office, preparing ballots and instructions to voters, distributing election laws, receiving election returns, furnishing blank election ballots and forms, and furnishing certificates of elections in Carver County legislative districts and congressional districts.

21. Existing Petitioners brought this action against Kendra Olson individually and as representative of all other county auditors and/or chief election officers similarly situated in the State of Minnesota. To the extent the Court certifies a class of defendants or respondents, Intervention Petitioners assert their rights against the entire class.

### **JURISDICTION**

22. This Court has authority as a court of general jurisdiction to redress the claims of Intervention Petitioners of violations of the Minnesota State Constitution and authority to grant declaratory relief under Minn. Stat. §§ 555.01 *et seq.*

23. This Court has jurisdiction under 42 U.S.C. §§ 1983, 1988 to redress the claims of Intervention Petitioners of violations of the United States Constitution.

#### **CLAIM OF ENTITLEMENT TO INTERVENE**

24. Intervention Petitioners have an interest in the legislative and congressional redistricting process that is the subject of this action and are so situated that the disposition of this action may as a practical matter impair or impede their ability to protect that interest.

25. Existing Petitioners do not adequately represent the interests of the Intervention Petitioners. Unlike the Existing Petitioners, each Intervention Petitioner identifies as a proud Black, Indigenous, or Minnesotan of Color or a nonprofit advocacy organization with a demonstrated commitment to amplifying and advocating for the interests of Minnesota's BIPOC communities. Existing Petitioners do not allege or express an interest in advancing the interests of BIPOC communities in this action.

26. The claims of the Intervention Petitioners share common questions of law and fact with those of the Existing Petitioners – namely, the constitutionality of the current plan of congressional and legislative districts.

27. The Intervention Petitioners sought intervention early and promptly upon the appointment of the Special Redistricting Panel. This Intervention Petition is therefore timely.

28. Intervention Petitioners claim an entitlement to intervention in each claim asserted by the Existing Petitioners of the same nature and to the same extent asserted by the Existing Petitioners.

### **COUNT I CONGRESSIONAL REDISTRICTING**

29. This claim arises under the United States Constitution, of which Article I, § 2 provides:

The House of Representatives shall be composed of members chosen every second Year by the People of the several States ... Representatives ... shall be apportioned among the several States ... according to their respective Numbers.

30. The Fourteenth Amendment to the United States Constitution further provides in Section 1:

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction of the equal protection of the laws.

31. The Fifth Amendment to the United States Constitution further provides:

No person shall be ... deprived of life, liberty or property without due process of law.

32. This claim also arises under the Minnesota Constitution, of which Article IV, § 3 provides:

At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, the legislature shall have the power to prescribe the bounds of congressional ... districts.

33. These provisions guarantee to citizens of the United States the right to vote in state and federal elections and guarantee that the vote of each shall be equally effective as any other vote cast in such elections. These provisions further guarantee that congressional representation shall be equally apportioned throughout a state in districts of equal population.

34. Minnesota's current eight congressional districts were established by a Special Redistricting Panel following the 2010 Census. Based on the 2010 Census, Minnesota's population was 5,303,925. Because that number was not equally divisible among Minnesota's eight congressional districts, the Special Redistricting Panel ordered five congressional districts with a population of 662,991 and three districts with a population of 662,990.

35. Due to changes in the number and distribution of the population in the State of Minnesota, the congressional districts ordered following the 2010 Census are no longer equally populated. As of 2018, according to an estimate of the Minnesota State Demographic Center, the state population had increased to



5,629,416. Thus, each of Minnesota's eight congressional districts should have populations of 703,677.

36. Upon information and belief, the populations of districts 2, 3, 4, 5 and 6 are higher than 703,677, while the populations of districts 1, 7, and 8 are lower. Accordingly, residents of districts 2, 3, 4, 5 and 6 have diminished electoral power relative to residents of districts 1, 7, and 8.

37. Approximately 85 percent of Minnesota's population growth between 2010 and 2019 can be attributed to Black, Indigenous, and all Minnesotans of Color. As a result, new voting districts will disproportionately impact BIPOC communities. A redistricting process that does not include robust participation from these communities will not properly reflect the state's demographic changes.

38. The individual Intervention Petitioners are registered voters, intend to vote in the 2022 Minnesota primary and general elections, and intend to vote thereafter for candidates for the United States House of Representatives from Minnesota. Elections conducted in accordance with current legislative and congressional boundaries will continue to deprive Intervention Petitioners of their rights guaranteed under the United States Constitution and the Minnesota Constitution.

39. Minn. Stat. § 204B.14 establishes a February 15, 2022 deadline for redrawing legislative and congressional boundaries.

40. The Minnesota Legislature has failed to draw new legislative and congressional boundaries in a timely manner that equalize the populations of Minnesota's congressional districts in conformity with Article I, § 2 of the United States Constitution and Article IV, § 3 of the Minnesota Constitution and based on the 2020 Census.

41. The relief sought against Respondents in their official capacities relates to their respective authority to carry out all matters related to the election of Representatives to Congress.

42. In the absence of any reapportionment of the congressional districts of the State of Minnesota in conformity with the United States Constitution and the Minnesota Constitution, any action of Respondents in conducting an election for Representatives in Congress in accordance with the districts drawn based on the 2010 Census has deprived and will continue to deprive Intervention Petitioners of their constitutional rights under: (1) the Fifth and Fourteenth Amendments to the United States Constitution; (2) Article I, § 2 of the United States Constitution; (3) Article I, § 2 of the Minnesota Constitution; (4) Article IV, § 3 of the Minnesota Constitution; and (5) Article VII, § 1 of the Minnesota Constitution.

43. The Intervention Petitioners are entitled to an equal and timely apportionment among congressional districts by the Legislature pursuant to the Minnesota Constitution, Art. IV, § 3. Because the Legislature has failed to equally

and timely apportion congressional districts pursuant to the Minnesota Constitution, then Intervention Petitioners are entitled to a judicial remedy equally apportioning those districts.

## COUNT II LEGISLATIVE APPORTIONMENT

44. This claim arises under the Minnesota Constitution, Article IV, § 2 of which provides:

The number of members who compose the senate and house of representatives shall be prescribed by law. The representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof.

45. Article IV, Section 3 of the Minnesota Constitution further provides:

At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, the legislature shall have the power to prescribe the bounds of ... legislative districts.

46. These provisions guarantee to the residents of Minnesota that each person's vote will be equally effective as any other person's vote in an election for members of the Minnesota Legislature. These provisions further require that members of the Minnesota Legislature be elected by the people of the State of Minnesota on a basis of equal representation.

47. This claim also arises under the United States Constitution, the Fourteenth Amendment to which provides in Section 1:

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall

any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

48. The Fifth Amendment to the United States Constitution further provides that:

No person shall be ... deprived of life, liberty or property without due process of law.

49. The Fourteenth and Fifth Amendments guarantee to the citizens of the United States in each state the right to vote in state and federal elections and that the vote of each shall be equally effective as any other vote cast in such elections. These provisions further guarantee that state legislative representation shall be equally apportioned throughout a state in districts of equal population.

50. Minnesota's current legislative districts were established by the Special Redistricting Panel following the 2010 Census, which ordered senate districts with an ideal population of 79,163, and house districts with an ideal population of 39,582.

51. On information and belief, based on the most recent population estimates of the Minnesota State Demographic Center, the legislative districts established based on the 2010 Census are no longer equal in population, as most of the house and senate districts are now either overpopulated or underpopulated as compared with their ideal numbers.

52. Recent population estimates show legislative districts established following the 2010 Census now discriminate against citizens in the most highly populous legislative districts and prefer other citizens in the least populous legislative districts, in violation of Article IV of the Minnesota Constitution and the Fourteenth and Fifth Amendments to the United States Constitution.

53. Upon information and belief, the individual Intervention Petitioners primarily reside and vote in disproportionately highly populated legislative districts. These Intervention Petitioners thus have diminished electoral power relative to voters in less populated legislative districts, in violation of Article IV of the Minnesota Constitution and the Fourteenth and Fifth Amendments to the United States Constitution.

54. As citizens of the United States and the State of Minnesota, Intervention Petitioners have the right under the United States Constitution and the Minnesota Constitution to have the entire membership of the Minnesota Legislature apportioned and elected on the basis of equally-apportioned districts.

55. Since 1881, the Minnesota Legislature has only once enacted a legislative redistricting plan at its first session following a United States Census in accordance with the Minnesota Constitution, Article IV, § 3.

56. The 2021 Minnesota Legislature has thus far failed to apportion legislative representation pursuant to the United States Constitution and the Minnesota Constitution, Article IV, § 3.

57. Unless and until the Minnesota Legislature constitutionally apportions legislative representation, Respondents will hold elections for the Legislature according to the legislative districts ordered following the 2010 Census, in violation of Article IV of the Minnesota Constitution and the Fourteenth and Fifth Amendments to the United States Constitution.

58. Intervention Petitioners intend to vote in the 2022 Minnesota primary and general elections and thereafter for candidates for the Minnesota Legislature. Any elections conducted in accordance with current legislative districts will continue to deprive Intervention Petitioners of their rights under Article IV of the Minnesota Constitution and the Fourteenth and Fifth Amendments to the United States Constitution.

59. The relief sought against Respondents in their official capacities relates to their respective authority to carry out all matters related to the election of members of the Minnesota Legislature.

60. In the absence of any reapportionment of the legislative districts of the State of Minnesota in conformity with the United States Constitution and the Minnesota Constitution, any action of Respondents in conducting an election for

members of the Minnesota Legislature in accordance with the districts established following the 2010 Census has deprived and will continue to deprive Intervention Petitioners of their constitutional rights under: (1) the Fifth and Fourteenth Amendments to the United States Constitution; (2) Article I, § 2 of the Minnesota Constitution; (3) Article IV, § 3 of the Minnesota Constitution; and (4) Article VII, § 1 of the Minnesota Constitution.

61. The Intervention Petitioners are entitled to an equal and timely apportionment among the legislative districts by the Legislature pursuant to the Minnesota Constitution, Article IV § 3 and the Fourteenth and Fifth Amendments to the United States Constitution.

62. If the Legislature does not equally or timely apportion the legislative districts, then Intervention Petitioners are entitled to a judicial remedy equally apportioning those districts.

**WHEREFORE**, Intervention Petitioners pray for the following relief:

1. That this Court declare pursuant to Minn. Stat. § 555.01 et seq.:
  - a. That the present congressional apportionment of the State of Minnesota violates the rights of Black, Indigenous, and all Minnesotans of Color, including the Intervention Petitioners, to Due Process and Equal Protection of the Law in violation of the Fifth and Fourteenth Amendments to the United States Constitution and of the right to equal representation under Article I, § 2 of the United States Constitution.

- b. That the present congressional district boundaries do not conform to the apportionment of congressional seats pursuant to the 2020 Census;
- c. That the present legislative apportionment of the State of Minnesota violates the rights of Black, Indigenous, and all Minnesotans of Color, including the Intervention Petitioners, to equal representation and equal apportionment of legislative districts mandated by the Minnesota Constitution;
- d. That the present legislative apportionment of the State of Minnesota violates the rights of Intervention Petitioners to Due Process and Equal Protection of the Law in violation of the Fourteenth and Fifth Amendments to the United States Constitution;

2. That the Court permanently restrain Respondents and the class of persons they represent from taking any actions necessary to the holding of primary or general elections for members of the Minnesota Legislature and members of the United States House of Representatives in the legislative and congressional districts established based on the 2010 Census.

3. That this Court retain jurisdiction of this action, consider evidence, and determine and order a proper plan for congressional redistricting and legislative reapportionment.

4. That this Court grant Intervention Petitioners their attorneys' fees and costs, pursuant to 42 U.S.C. § 1988 and Minn. Stat. § 555.08; and

5. For such other and further relief as is just and equitable.



Respectfully submitted,

Dated: July 15, 2021

By /s/Brian A. Dillon  
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## ACKNOWLEDGMENT

The parties through their undersigned counsel, hereby acknowledges that sanctions may be imposed for a violation of Minn. Stat. § 549.211, subd. 2 pursuant to Minn. Stat. § 549.211, subd. 3.

Respectfully submitted,

Dated: July 15, 2021

By     /s/Brian A. Dillon    

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