



STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL

OFFICE OF APPELLATE COURTS

OCT 31 2011

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October 31, 2011

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Via E-mail and Hand Delivered

Minnesota Special Redistricting Panel
The Honorable Wilhelmina M. Wright, Presiding Judge
c/o Clerk of Appellate Courts
305 Minnesota Judicial Center
25 Rev. Dr. Martin Luther King, Jr. Boulevard
St. Paul, MN 55155

Re: *Sara Hippert, et al. v. Mark Ritchie, et al.*
Case Number A11-152

Dear Special Redistricting Panel:

I write in response to Mr. Weinblatt's letter of October 28, 2011.

Mr. Weinblatt appears to suggest that at Wednesday's hearing, I misrepresented prior Minnesota redistricting orders. To the contrary, I acknowledged the stipulations and orders in *Zachman* and *Cotlow*, and made no representations as to the *Beens* or *LaComb* decisions. (See Transcript of October 26, 2011 Oral Arguments pp. 44-45.)

I note that *Beens* and *LaComb* were decisions by federal courts, which predated *Grove v. Emison*. 507 U.S. 25, 33 (1993) (requiring federal courts to defer consideration of redistricting disputes where state has begun redistricting through its legislative or judicial branch). *Beens* and *LaComb*, as well as *Cotlow* and *Zachman*, were all decided prior to the *Kahn v. Griffin* cases.

Mr. Weinblatt also states that his request at oral argument pertained to obtaining access to Geographic Information Services databases. The Secretary of State's Office is not the repository of these databases. According to the Minnesota Legislature's website, the Legislative Coordinating Commission's Geographic Information Services ("GIS") is the repository of the data sets for use by the Legislature. It appears that the data can be downloaded by the public from the GIS website, at <http://www.gis.leg.mn/html/download.html>. I believe other data is available directly from the U.S. Census Bureau at <http://www.census.gov/cgi-bin/geo/shapefiles2010/main>.

Sincerely,

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Marc Elias/William Stafford/Kevin J. Hamilton (via e-mail and U.S. Mail)
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