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**OFFICE OF  
APPELLATE COURTS**

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November 10, 2011

Special Redistricting Panel  
Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

VIA E-MAIL AND U.S. MAIL

**Re: *Hippert et al. v. Ritchie et al.*  
Court File No. A11-152**

Dear Panel:

This letter is written in response to the memorandum of law submitted by the Hippert plaintiffs in opposition to Common Cause's request to participate as amicus curiae in the above-referenced matter. While resisting the urge to engage in a point-by-point rebuttal, Common Cause does feel compelled to note that the arguments in opposition fail to fully appreciate both the special nature of this proceeding and the proposed role of Common Cause.

This entire proceeding has come into existence because of a reasonably-expected default on the part of the Governor and the Legislature in performing their constitutionally-mandated redistricting duties. If Minnesota's major political parties wish to exert total control over the redistricting process, as the Hippert plaintiffs apparently seek to do, all they need to do is meet and re-draw the district boundaries. Because they are apparently unable or unwilling to do so, this Panel has sprung into existence and is charged with the awkward task of performing their job for them. To aid in that task, this Panel has very appropriately called for input from the general public, and Common Cause has worked hard to amplify that call. Put differently, Common Cause has sought to be a friend of the court by actively soliciting and presenting public commentary, which is something the parties to this case have not done. By seeking leave to participate as amicus curiae at this stage in the proceeding, Common Cause is merely seeking the opportunity to present this Panel with additional public comment at a point when (1) the Panel's redistricting principles have been announced, and (2) the parties have publicly filed their proposed redistricting plans. These are important developments, worthy of public comment, and Common Cause seeks to aid the Panel by presenting a non-partisan, public voice.

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Thank you for your attention to this matter, and please feel free to contact me with any questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read 'M.A. Carlson', with a long horizontal flourish extending to the right.

Martin A. Carlson

cc: Eric J. Magnuson  
Elizabeth Brama  
Michael C. Wilhelm  
Tony Trimble  
Matthew W. Haapoja  
Mark W. Fosterling  
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