

STATE OF MINNESOTA  
SPECIAL REDISTRICTING PANEL

A11-152

OFFICE OF  
APPELLATE COURTS

APR 24 2012

FILED

Sara Hippert, Dave Greer, Linda Markowitz,  
Dee Dee Larson, Ben Maas, Gregg Peppin,  
Randy Penrod and Charles Roulet,  
individually and on behalf of all citizens and  
voting residents of Minnesota similarly  
situated,

SCHEDULING ORDER NO. 3

Plaintiffs,

and

Kenneth Martin, Lynn Wilson, Timothy  
O'Brien, Irene Peralez, Josie Johnson, Jane  
Krentz, Mark Altenburg, and Debra Hasskamp,  
individually and on behalf of all citizens of  
Minnesota similarly situated,

Plaintiffs-Intervenors,

and

Audrey Britton, David Bly, Cary Coop,  
and John McIntosh, individually and on behalf  
of all citizens of Minnesota similarly situated,

Plaintiffs-Intervenors,

vs.

Mark Ritchie, Secretary of State of Minnesota;  
and Robert Hiiivala, Wright County Auditor,  
individually and on behalf of all Minnesota  
county chief election officers,

Defendants.

## ORDER

Plaintiffs Sara Hippert et al. (the Hippert plaintiffs) brought this action under Section 1983 of the Civil Rights Act of 1964, 42 U.S.C. § 1983 (2006), challenging the constitutionality of the state's election districts established in 2002 and requesting attorney fees and costs under 42 U.S.C. § 1988(b) (2006) (Section 1988). In addition, plaintiffs-intervenors Kenneth Martin et al. and plaintiffs-intervenors Audrey Britton et al. (the Britton plaintiffs-intervenors) filed complaints in intervention, challenging the constitutionality of the election districts and requesting attorney fees and costs under Section 1988.

On February 21, 2012, this Special Redistricting Panel issued final orders declaring the challenged congressional and legislative districts unconstitutional, enjoining their use in the 2012 primary and general elections, and establishing new district boundaries.

The Britton plaintiffs-intervenors have submitted an application for attorney fees and costs under Section 1988, and the Hippert plaintiffs have expressed their intent to submit such an application.

NOW, THEREFORE, IT IS HEREBY ORDERED:

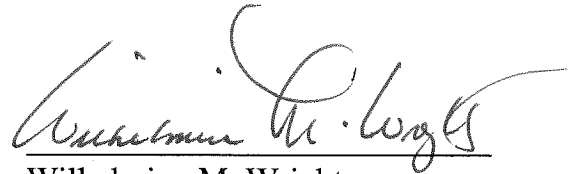
1. Applications for attorney fees and costs shall be served and filed by 4:30 p.m. on Monday, May 14, 2012. One original document and nine copies shall be filed with the Clerk of Appellate Courts. One electronic copy shall be submitted by e-mail to the following address: [mjcappellateclerkofcourt@courts.state.mn.us](mailto:mjcappellateclerkofcourt@courts.state.mn.us).

2. The April 13, 2012 application of the Britton plaintiffs-intervenors is a timely submission under this Order.

3. All parties wishing to respond to the applications for attorney fees and costs shall serve and file a written response by 4:30 p.m. on Friday, June 1, 2012. One original document and nine copies shall be filed with the Clerk of Appellate Courts. One electronic copy shall be submitted by e-mail to the following address: [mjcappellateclerkofcourt@courts.state.mn.us](mailto:mjcappellateclerkofcourt@courts.state.mn.us).

Dated: April 24, 2012

BY THE PANEL:

A handwritten signature in cursive script, appearing to read "Wilhelmina M. Wright", written over a horizontal line.

Wilhelmina M. Wright  
Presiding Judge