

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL

OFFICE OF
APPELLATE COURTS

OCT -6 2011

FILED

A11-152

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. 2

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 Hiivala, Wright County Auditor,
individually and on behalf of all Minnesota
county chief election officers,

Defendants.

O R D E R

By its order of July 18, 2011, the Special Redistricting Panel (the panel) requested that the parties work toward a stipulation on certain issues and submit the stipulation by September 28, 2011. The panel also ordered each party to submit by September 28, 2011, a concise statement of any issues not resolved by stipulation.

Plaintiffs Sara Hippert et al., plaintiffs-intervenors Kenneth Martin et al., plaintiffs-intervenors Audrey Britton et al., and defendant Mark Ritchie timely submitted a stipulation and joint statement of unresolved issues to the panel. Each of these parties also timely submitted separate statements of unresolved issues.

After the court-ordered deadline, defendant Robert Hiivala, Wright County Auditor, submitted a statement of unresolved issues indicating that he “agree[d] with the Statement of Secretary of State Mark Ritchie dated September 28, 2011 in its entirety.” However, he did not sign the stipulation submitted by the other parties. Rather, he advised the panel that “[o]ur office was not a party to these stipulations as we were not involved in the underlying discussions, however, we agree with the statements and deadlines presented by the parties.” The panel construes this statement as defendant Hiivala’s acquiescence to the issues to which the other parties have stipulated.

NOW, THEREFORE, IT IS HEREBY ORDERED that if it is not the intent of defendant Hiivala to acquiesce to the issues to which the other parties have stipulated, he shall submit a concise statement of unresolved issues by the procedure described in the panel’s July 18, 2011 order. If defendant Hiivala fails to do so by 4:30 p.m. on Wednesday, October 12, 2011, he will be deemed to have acquiesced to the issues to which the other

parties have stipulated and will be precluded from raising any issue that he has failed to identify as unresolved.

IT IS FURTHER ORDERED:

1. Oral argument on the unresolved issues raised in the parties' joint and separate statements will be heard on October 26, 2011, in conjunction with the previously scheduled oral argument on redistricting criteria.

2. The following schedule shall govern these proceedings:

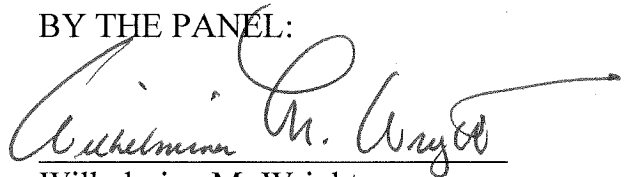
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| Oct. 19, 2011 | Responses to motions to adopt proposed redistricting criteria |
| Oct. 26, 2011 | Oral argument on redistricting criteria and unresolved issues |
| Nov. 18, 2011 | Motions to adopt proposed redistricting plans and supporting memoranda |
| Dec. 9, 2011 | Responses to motions to adopt redistricting plans and supporting memoranda |
| Jan. 4, 2012 | Oral argument on redistricting plans |

Oral arguments shall take place at 9:30 a.m. in Courtroom 300 of the Minnesota Judicial Center on the above-indicated dates.

There shall be no exceptions to the November 18 deadline for the submission of redistricting plans. Oral argument on January 4, 2012, may include reference to minor adjustments to previously submitted plans, but the panel will consider all proposals final at the conclusion of oral argument on January 4, 2012.

Dated: October 6, 2011

BY THE PANEL:



Wilhelmina M. Wright
Presiding Judge