

STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

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October 17, 2001

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OFFICE OF
APPELLATE COURTS

OCT 17 2001

FILED

Frederick K. Grittner
Clerk of Appellate Courts
305 Minnesota Judicial Center
25 Constitution Avenue
St. Paul, MN 55155-6102

Re: *Susan M. Zachman, et al. v. Mary Kiffmeyer, Secretary of State, et al.*
No. C0-01-160

Dear Mr. Grittner:

Pursuant to the Special Redistricting Panel's Order of October 9, 2001, enclosed please find an original and nine copies of the parties' Stipulation.

Very truly yours,

ALAN I. GILBERT

Chief Deputy and Solicitor General

(651) 296-7519

Enc.

cc: All counsel of record

AG: 518686.v. 01

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL
C0-01-160

OFFICE OF
APPELLATE COURTS
OCT 17 2001

Susan M. Zachman, et al., individually
and on Behalf of all citizens and voting
residents of Minnesota similarly situated,

FILED

Plaintiffs,

and

Patricia Cotlow, et al., individually and
on behalf of all citizens and voting residents
of Minnesota similarly situated,

STIPULATION

Plaintiffs-Intervenors,

and

Jesse Ventura,

Plaintiff-Intervenor,

and

Roger D. Moe, et al.,

Plaintiffs-Intervenors,

vs.

Mary Kiffmeyer, Secretary of State of
Minnesota, and Doug Gruber, Wright
County Auditor, individually and on behalf
of all Minnesota county chief election
officers,

Defendants.

The parties hereto, by and through their respective undersigned attorneys of record,
hereby stipulate and agree as follows:

1. Jurisdiction and Authority. The Special Redistricting Panel has subject matter
jurisdiction over redistricting as a court of general jurisdiction to redress the

claims of the parties regarding alleged violations of the Minnesota State Constitution and has authority to grant declaratory relief under the provisions of Minnesota Statutes §555.01 *et seq.* The Panel also has jurisdiction under 42 U.S.C. §1983, to redress the claims of the parties of violations of the Constitution of the United States. The Panel has been properly appointed by the Chief Justice of the Minnesota Supreme Court under the Chief Justice's "discretionary authority" "to direct any judge "to hold court in any county or district where need therefore exists." Minn. Stat. §§2.724; 480.16.

2. Current Districts.

(a) Legislative Districts: Minnesota's legislative plan ordered in *Cotlow v. Grove* and set forth in Minnesota Statutes §§2.043 through 2.703 is unequally apportioned based on the 2000 Census. Therefore, the current plan needs to be changed to reflect the 2000 Census for purposes of the 2002 legislative elections.

(b) Congressional Districts: The congressional plan ordered in *Cotlow v. Grove* and set forth in Minnesota Statutes §§2.742 through 2.812 is unequally apportioned based on the 2000 Census. Therefore, the current plan needs to be changed to reflect the 2000 Census for purposes of the 2002 congressional elections.

3. Data and Maps. In preparing plans, the Federal 2000 Census as of April, 2000 as defined by Public Law 94-171(1975) provided by the United States Census Bureau down to the block level shall be used by the parties. The plans submitted shall be on maps provided by the Geographic Information Systems Office of the

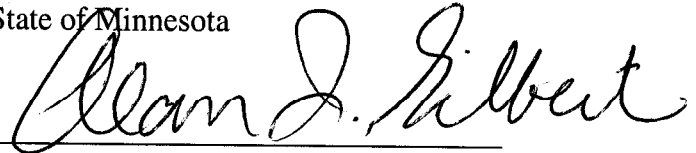
Legislative Coordinating Commission and/or Mapitude for Redistricting software.

4. Ideal Populations. The ideal population for a Congressional District in any plan adopted by the Panel is 614,935. The ideal population for a Minnesota State Senate District in any plan adopted by the Panel is 73,425. The ideal population for a Minnesota House of Representatives District in any plan adopted by the Panel is 36,713.
5. Tolerable percentage deviation. The only acceptable deviation from the ideal population for a Congressional District in any plan adopted by the Panel is plus or minus one (1) person. The determination of the maximum tolerable percentage deviation from the ideal Minnesota State Senate District and House of Representative District adopted by the Panel shall be deferred until adoption by the Panel of criteria for plans.
6. Timetable. The parties stipulate to the proposed timetable set forth by the Panel in its Order dated October 9, 2001, except that the closing date for parties' responses to each other's plan shall be January 11, 2002 and except that the parties are not able to agree upon an appropriate date for release of the court's plan and, therefore each party shall submit their own proposal.
7. Oral Argument. The parties jointly request oral argument on all unagreed items as urged in their separate responses.

Dated: _____

10/17/01

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State of Minnesota



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Dated: Oct 17, 2001

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Dated: _____

10/17/01

WRIGHT COUNTY ATTORNEY

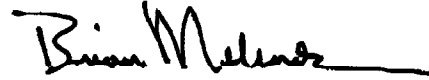


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Dated: 10/17/01

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**AFFIDAVIT OF SERVICE BY
FACSIMILE TRANSMISSION AND U.S. MAIL**

**Re: Susan M. Zachman, et al. v. Mary Kiffmeyer, Secretary of State, et al.
No. C0-01-160**

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

BARBARA J. FEHRMAN, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on October 17, 2001, she caused to be served a **STIPULATION**. All documents were served via facsimile transmission on the following parties and also by depositing true and correct copies in the United States mail at said City of St. Paul, properly enveloped, with postage prepaid:

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BARBARA J. FEHRMAN

Subscribed and sworn to before me on
October 17, 2001


NOTARY PUBLIC

AG: 518761, v. 01

