IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Carol Ann Carter, et al., : CASES CONSOLIDATED

Petitioners

v. : No. 464 M.D. 2021

Leigh Chapman, *et al.*, Respondents

:

Philip T. Gressman, et al.,

Petitioners

v. · · No. 465 M.D. 2021

Leigh Chapman, *et al.*, Respondents

CARTER PETITIONERS' AND GRESSMAN PETITIONERS' AMENDED¹ APPLICATION TO SUPPLEMENT THE JANUARY 14, 2022 ORDER

The Carter Petitioners and the Gressman Petitioners, by and through their respective undersigned attorneys of record, respectfully request that the Court supplement the January 14, 2022 Order (the "Order") in the above-captioned case. Respondents, Governor Wolf, Senate Democratic Caucus Intervenors, House Democratic Caucus Intervenor, and Republican Legislative Intervenors consent to

¹ This Amended Application includes the position of the Republican Legislative Intervenors and recognizes that there are more than two available redistricting data sets. A redline reflecting the minor changes from the Application filed on Saturday, January 22, 2022 is attached as Exhibit A.

this Amended Application. Congressional Intervenors do not consent to the deadlines listed below.

Counsel for all parties² have conferred and agreed to exchange 2020 Census block equivalency and shape files expressing their plan(s) and disclose which redistricting data set(s) their plan(s) uses. These are necessary data for the parties to be able to assess the plans and respond to them by 5:00 p.m. on January 26, 2022. Counsel have also conferred about when to disclose the witness each party plans to present at the hearing on January 27 and 28, 2022. The Carter Petitioners and the Gressman Petitioners, with the consent of Respondents, Governor Wolf, Senate Democratic Caucus Intervenors, House Democratic Caucus Intervenor, and Republican Legislative Intervenors, request that the Court supplement the Order to instruct all parties and Amici Curiae to abide by the following guidelines:

- 1. For every proposed congressional redistricting plan it submits to the Court for consideration, each party or Amicus Curiae shall (a) include a 2020 Census block equivalency and shape file expressing the plan and (b) disclose which redistricting data set(s) the plan uses.
- 2. Each party or Amicus Curiae that submits a map(s) for the Court's consideration shall electronically transmit its 2020 Census block

² Consistent with the Court's January 14, 2022 Order, "parties" refers to Petitioners, Respondents, and Intervenors.

equivalency and shape files, as well as disclose the data set used for each map, to all other parties and amici by no later than 5:00 p.m. on January 24, 2022.

3. To facilitate discussion and allow the parties to prepare for the pre-trial conference set for January 25, 2022, each party must disclose whether it is presenting a witness at the January 27 and 28, 2022 hearing and, if so, the name of its witness to all counsel of record for the other parties by 5:00 p.m. on January 24, 2022.

Dated: January 23, 2022

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Respectfully submitted,

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Counsel for Gressman Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I caused the foregoing Amended Application to Supplement the January 14, 2022 Order to be served upon the following parties and in the manner indicated below, which service satisfies the requirements of Pa. R.A.P. 121:

By PACFile eService:

All counsel of record as set forth in the PACFile proof of service filed herewith

Dated: January 23, 2022

/s/ Edward D. Rogers

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Counsel for Petitioners Carter, et. al. in Case No. 464 MD 2021



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¹ This Amended Application includes the position of the Republican Legislative Intervenors and recognizes that there are more than two available redistricting data sets. A redline reflecting the minor changes from the Application filed on Saturday, January 22, 2022 is attached as Exhibit A. deadlines listed below. Republican Legislative Intervenors did not respond to a request for their position on this Application.

Counsel for all parties² have conferred and agreed to exchange 2020 Census block equivalency and shape files expressing their plan(s) and disclose which of the Legislative Redistricting Commission's two redistricting data set(s) their plan(s) uses. These are necessary data for the parties to be able to assess the plans and respond to them by 5:00 p.m. on January 26, 2022. Counsel have also conferred about when to disclose the witness each party plans to present at the hearing on January 27 and 28, 2022. The Carter Petitioners and the Gressman Petitioners, with the consent of Respondents, Governor Wolf, Senate Democratic Caucus Intervenors, and House Democratic Caucus Intervenor, and Republican Legislative Intervenors, request that the Court supplement the Order to instruct all parties and Amici Curiae to abide by the following guidelines:

For every proposed congressional redistricting plan it submits to the 1. Court for consideration, each party or Amicus Curiae shall (a) include a 2020 Census block equivalency and shape file expressing the plan and (b) disclose which of the Legislative Redistricting Commission's two redistricting data set(s) the plan uses.

² Consistent with the Court's January 14, 2022 Order, "parties" refers to Petitioners, Respondents, and Intervenors

- 2. Each party or Amicus Curiae -that submits a map(s) for the Court's consideration shall electronically transmit its 2020 Census block equivalency and shape files, as well as disclose the data set used for each map, to all other parties and amici by no later than 5:00 p.m. on January 24, 2022.
- 3. To facilitate discussion and allow the parties to prepare for the pre-trial conference set for January 25, 2022, each party must disclose whether it is presenting a witness at the January 27 and 28, 2022 hearing and, if so, the name of its witness to all counsel of record for the other parties by 5:00 p.m. on January 24, 2022.

Dated: January 2223, 2022

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Counsel for Gressman Petitioners

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Amended Application to Supplement the January 14, 2022 Order to be served upon the following parties and in the manner indicated below, which service satisfies the requirements of Pa. R.A.P. 121:

By PACFile eService:

All counsel of record as set forth in the PACFile proof of service filed herewith

Dated: January <u>2223</u>, 2022

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