

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

CAROL ANN CARTER; MONICA PARRILLA;  
REBECCA POYOUROW; WILLIAM TUNG;  
ROSEANNE MILAZZO; BURT SIEGEL; SUSAN  
CASSANELLI; LEE CASSANELLI; LYNN WACHMAN;  
MICHAEL GUTTMAN; MAYA FONKEU; BRADY  
HILL; MARY ELLEN BALCHUNIS; TOM DEWALL;  
STEPHANIE MCNULTY; and JANET TEMIN,

Petitioners

v.

VERONICA DEGRAFFENREID, in her official capacity as  
the Acting Secretary of the Commonwealth of  
Pennsylvania; and JESSICA MATHIS, in her official  
capacity as Director for the Pennsylvania Bureau of Election  
Services and Notaries,

Respondents

No. 464 MD 2021

*CONSOLIDATED WITH*

PHILIP T. GRESSMAN; RON Y. DONAGI;  
KRISTOPHER R. TAPP; PAMELA GORKIN; DAVID P.  
MARSH; JAMES L. ROSENBERGER; AMY MYERS;  
EUGENE BOMAN; GARY GORDON; LIZ MCMAHON,  
TIMOTHY G. FEEMAN; and GARTH ISAAK,

Petitioners

v.

VERONICA DEGRAFFENREID, in her capacity as Acting  
Secretary of the Commonwealth of Pennsylvania; and  
JESSICA MATHIS, in her capacity as Director for the  
Pennsylvania Bureau of Election Services and Notaries,

Respondents

No. 465 MD 2021

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COMMONWEALTH COURT  
OF PENNSYLVANIA  
2022 JAN 12 AM 11:11

**PROPOSED ALI INTERVENORS' ANSWER TO  
GRESSMAN PETITIONERS' APPLICATION FOR EXPEDITED REVIEW**

Pursuant to the Court's Order of January 11, 2022, Proposed Intervenor-Petitioners Khalif Ali, Maryn Formley, Richard Rafferty, Patrick Beaty, Susan Gobreski, Barbara Hill, Judy Hines, Jodi Greene, John Thompson, Cynthia Alvarado, and Timothy L. Kauffman (together, "Proposed Ali Intervenor") submit this Answer to the Gressman Petitioners' Application for Expedited Review.

The Proposed Ali Intervenor agree with both sets of petitioners and numerous other proposed intervenors that discovery and an evidentiary hearing are not necessary for this case, and that the Court can instead render its judgment based on papers: specifically, proposed congressional districting plans, briefing about relevant legal standards, expert reports, and responses to all of the above. A reasonable opportunity for parties and amici curiae to file responses to plans, briefs, and expert reports is necessary if there will not be a live hearing in this matter.

The Proposed Ali Intervenor suggest a schedule in the accompanying Proposed Scheduling Order that would afford the parties, as well as amici curiae, time to submit all of the above without undue haste. The Proposed Scheduling Order would also allow this Court sufficient time to render a judgment, with enough time remaining for complete appellate practice before the Supreme Court, so that the primary election can proceed as scheduled on May 17, 2022.

**ANSWERS TO GRESSMAN PETITIONERS' NUMBERED PARAGRAPHS**

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. All but the first and last sentences are admitted. The first and last sentences state predictions about the future and are on that basis denied.
6. The first two sentences are admitted. Proposed Ali Intervenors do not agree with the Gressman Petitioners' proposed schedule. The accompanying Proposed Scheduling Order represents the Proposed Ali Intervenors' counterproposal, and it differs in both timing and substance from the Gressman Petitioners' proposal.
7. Admitted.

Respectfully submitted,

*/s/ Benjamin D. Geffen*

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*Counsel for Proposed Ali Intervenors*

Dated: January 12, 2022

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CAROL ANN CARTER et al.,

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v.

VERONICA DEGRAFFENREID et al.,

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No. 464 MD 2021

*CONSOLIDATED WITH*

PHILIP T. GRESSMAN et al.,

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v.

VERONICA DEGRAFFENREID et al.,

Respondents

No. 465 MD 2021

**[PROPOSED] SCHEDULING ORDER**

1. Parties to this proceeding or amici curiae who wish to submit for the Court's consideration proposed 17-district congressional redistricting plans shall file proposed plans by 3:00 p.m. on Friday, January 21, 2022.
2. Instead of or in addition to filing proposed congressional redistricting plans, parties to this proceeding or amici curiae may submit for the Court's consideration briefs and/or expert reports by 3:00 p.m. on Friday, January 21, 2022.
3. Any party to this proceeding or amicus curiae that made a timely filing under #1 and/or #2 above may file a responsive brief and/or a responsive expert report

addressing the other January 21 submissions, by 3:00 p.m. on Wednesday, January 26, 2022.

4. The Court shall hold oral argument to consider all timely filings under #1–#3 above on Friday, January 28, 2022.
5. By Tuesday, February 1, the Court shall issue its final judgment in this matter, including adopting a final plan from among those submitted by parties and amici curiae or adopting a final plan drawn by a special master appointed by the Court.

Dated: \_\_\_\_\_

SO ORDERED:

\_\_\_\_\_

**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

*/s/ Benjamin D. Geffen*  
Benjamin D. Geffen

Dated: January 12, 2022

**PROOF OF SERVICE**

On this date I caused a copy of the foregoing to be served on all counsel of record, pursuant to the Court's instructions, by sending it to the email address CommCourtFiling@pacourts.us.

/s/ Benjamin D. Geffen  
Benjamin D. Geffen

Dated: January 12, 2022