

CIPRIANI & WERNER

A PROFESSIONAL CORPORATION

Filed 2/13/2018 3:52:00 PM Supreme Court Middle District
159 MM 2017

ATTORNEYS AT LAW

Suite 700
650 Washington Road
Pittsburgh, Pennsylvania 15228

Telephone (412) 563-2500
Fax: (412) 563-2080

A Mid-Atlantic Litigation Firm

Visit us online at
www.C-WLAW.com

KATHLEEN A. GALLAGHER
kgallagher@c-wlaw.com

February 13, 2018

Via PACFile

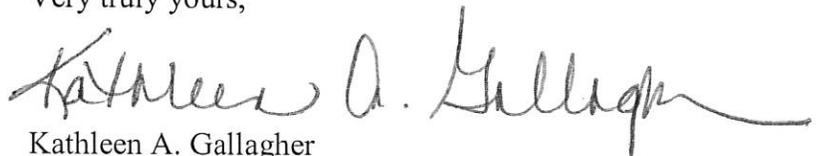
Amy Dreibelbis, Esq.
Deputy Prothonotary
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 4500
P.O. Box 62575
Harrisburg, PA 17106

**RE: *League of Women Voters of Pennsylvania, et al. v.
The Commonwealth of Pennsylvania, et al.***
Docket No. 159 MM 2017

Dear Ms. Dreibelbis:

On behalf of the Legislative Respondents, Michael C. Turzai, in his official capacity as Speaker of the Pennsylvania House of Representatives and Joseph B. Scarnati, III, in his official capacity as Pennsylvania Senate President Pro Tempore, I enclose a letter which was submitted to the Governor earlier today.

Very truly yours,



Kathleen A. Gallagher

KAG:rdg

cc: All Counsel of Record, via PACFile



MAIN CAPITOL BUILDING
HARRISBURG, PENNSYLVANIA 17120

February 13, 2018

Governor Tom Wolf
Room 225, Main Capitol Building
Harrisburg, PA 17120

Dear Governor Wolf:

We are in receipt of your letter of February 13, 2018 regarding the map we provided to you and the public on February 9, 2018.

As you know, we received the order from the Pennsylvania Supreme Court on January 22, 2018. As you recall, we met on February 6, 2018 at our request. In that meeting, you told us that you did not have a map and requested that we provide one for your review in accordance with your understanding of the order.

The Court issued its opinion on February 7, 2018. This opinion was delivered on day 16 of an 18 day deadline. Working together in a short time period, we produced a map that meets the Court's order and opinion. It is constitutional and meets the criteria set out by the Court of compactness, contiguity, and respecting political subdivisions.

With all due respect, your pronouncements are absurd:

- **Packing:** You state that the map squeezes densely populated areas into small districts. Each district should have 705,688 persons. Of course densely populated areas are going to be located in smaller and more compact geographic districts. This goes without saying.
- **Cracking:** You state that cities like Reading and Erie are improperly connected to rural areas. Where are you going to connect Erie city but to rural areas? There are no voters living in Lake Erie and we are not able to go into Ohio, New York or Toronto with this exercise. The Pennsylvania counties surrounding Erie and Reading are rural.
- **Splitting:** This map only splits 15 counties and 17 municipalities. The map produced by your own Lt. Governor splits 50 municipalities.
- **Continuity:** As explained in United States Supreme Court opinions in 1983 and 2012, valid, neutral state redistricting policies include preserving the cores of current districts and avoiding contests between incumbent Representatives.

Governor Tom Wolf
February 13, 2018
Page 2

Your letter sets forth a nonsensical approach to governance. Quit being coy. You have had an expert engaged for over a month. You did a listening tour. It's time that you produced a map for the public to review in a transparent fashion. Produce your map and we will put it up for a vote. We will assess how logical it is, how compact it is, and whether it unduly splits counties, municipalities and communities of interest.

Furthermore, we do not concede that the Pennsylvania Supreme Court has the power to invalidate a congressional map (or draw new ones) that has been in place for the past 3 election cycles, that was upheld by a three-judge federal panel in the *Agre* case on January 10, 2018, and that was passed by a bipartisan vote of 136-61 in the House.

This entire exercise, while cloaked in "litigation," is and has been nothing more than the ultimate partisan gerrymander – one brought about by the Democrat Chief Executive of the Commonwealth acting in concert with politically-connected litigants in order to divest the General Assembly of its Constitutional authority to enact Congressional districts.

We look forward to reviewing your "fair" map and are ready and willing to meet at your earliest convenience to see if, together, we can reach consensus on a "fair" map that can garner majorities in the House and Senate and that you will sign.

Sincerely,



Honorable Mike Turzai
Speaker of the House



Honorable Joseph Scarnati
President Pro Tempore