

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

League of Women Voters of Pennsylvania,	:	
Carmen Febo San Miguel, James Solomon,	:	
John Greiner, John Capowski, Gretchen	:	
Brandt, Thomas Rentschler, Mary Elizabeth	:	
Lawn, Lisa Isaacs, Don Lancaster, Jordi	:	
Comas, Robert Smith, William Marx,	:	
Richard Mantell, Priscilla McNulty,	:	
Thomas Ulrich, Robert McKinstry,	:	
Mark Lichty, Lorraine Petrosky,	:	
Petitioners	:	
	:	
v.	:	No. 261 M.D. 2017
	:	
The Commonwealth of Pennsylvania;	:	
The Pennsylvania General Assembly;	:	
Thomas W. Wolf, In His Capacity	:	
As Governor of Pennsylvania;	:	
Michael J. Stack III, In His Capacity As	:	
Lieutenant Governor of Pennsylvania And	:	
President of the Pennsylvania Senate;	:	
Michael C. Turzai, In His Capacity As	:	
Speaker of the Pennsylvania House of	:	
Representatives; Joseph B. Scarnati III,	:	
In His Capacity As Pennsylvania Senate	:	
President Pro Tempore; Robert Torres,	:	
In His Capacity As Acting Secretary of	:	
the Commonwealth of Pennsylvania;	:	
Jonathan M. Marks, In His Capacity	:	
As Commissioner of the Bureau of	:	
Commissions, Elections, and Legislation	:	
of the Pennsylvania Department of State,	:	
Respondents	:	

**ORDER**

AND NOW, this 28th day of November, 2017, upon consideration of  
Petitioners' Application to Compel Production of Non-Privileged Documents from

Respondents Turzai and Scarnati and the response filed in opposition thereto, it is hereby ORDERED that the application is GRANTED as follows:

1. With respect to Respondents Michael C. Turzai's and Joseph B. Scarnati III's (collectively, Legislative Respondents) objection to request #1 of Petitioners' Second Set of Document Requests (Second Set), Legislative Respondents shall interpret the phrase "partisan intent" to mean "intentional discrimination against an identifiable political group." *Erfer v. Commonwealth*, 794 A.2d 325, 332 (Pa. 2002); *see also* Legislative Respondents' New Matter ¶ 132 ("The 2011 Plan was not based on any unconstitutional partisan gerrymandering.").

2. With respect to Legislative Respondents' response to request #2 of Petitioners' Second Set of Document Requests, the Court's November 17, 2017 Supplemental Scheduling Order requires discovery to be completed by December 7, 2017. Pretrial memoranda are not due until the following day. Given the time sensitivity of this matter, to the extent Legislative Respondents have identified some or all of their trial exhibits, they should produce them without delay. The other parties should follow this directive as well.

3. Legislative Respondents shall supplement their responses to the Second Set and produce any responsive, non-privileged documents by 5:00 pm Wednesday, November 29, 2017.

  
P. KEVIN BROBSON, Judge