

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JACOB CORMAN, et al.,	:	
	:	
Plaintiffs,	:	CIVIL ACTION
	:	
v.	:	No. 2:18-cv-00443
	:	
ROBERT TORRES, et al.,	:	The Honorable Kent A. Jordan
	:	The Honorable Christopher C. Conner
Defendants.	:	The Honorable Jerome B. Simandle
	:	

**BRIEF OF DEFENDANTS ROBERT TORRES AND JONATHAN M.
MARKS IN SUPPORT OF MOTIONS TO INTERVENE AS DEFENDANTS**

Defendants Robert Torres and Jonathan M. Marks file this brief in support of the Motions to Intervene as Defendants filed by the 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, and Lorraine Petrosky (“LOWV Intervenors”), and the National Democratic Redistricting Committee (“NDRC” and, together with LOWV Intervenors, “Proposed Intervenors”).¹ Because Proposed Intervenors are individuals and groups that have an interest in the Pennsylvania Supreme Court’s adoption of a

¹ The LOWV Intervenors’ Motion is Docket No. 5. NDRC’s Motion is Docket No. 12.

revised redistricting plan that is distinct from that of Defendants, Defendants respectfully request that the Motions be granted.

Defendants are the officials tasked with administering the 2018 election in accordance with the laws of the United States and the Commonwealth of Pennsylvania. At the trial held before the Commonwealth Court, Defendants understood that their proper roles were to provide the Court with information where necessary, including information about parallel proceedings; to allow the Legislative Respondents, who created the congressional districting map then in place (the “2011 Plan”), to defend it as they saw fit; and to prevent disruption of the 2018 elections by keeping the Court and the other parties apprised of election schedules and potential alterations to those schedules.

In contrast, Proposed Intervenors are organizations and individuals who, each in their own way, are committed to ensuring fair redistricting and voting processes in Pennsylvania and throughout the country.² Defendants, as the administrators of elections laws in Pennsylvania, have a more particularized

² Indeed, LOWV Intervenors, not Defendants, presented the evidence and expert testimony successfully challenging the constitutionality of the 2011 Plan. For this reason, LOWV Intervenors had a unique role in the underlying action and have a clear interest in defending their successful challenge to the 2011 Plan against Plaintiffs’ collateral attack in this Court.

interest in this matter and do not necessarily represent the broader interests that Proposed Intervenors assert.³

Accordingly, Defendants respectfully request that this Court grant Proposed Intervenors' Motions and permit them to participate in the litigation of this action.

HANGLEY ARONCHICK SEGAL
PUDLIN & SCHILLER

Dated: February 28, 2018

/s/ Mark A. Aronchick

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Commissioner Marks*

³ NDRC, as a national advocacy group, has an interest in the result in this particular case because this Court's decision on this matter of Federal Constitutional concern will undoubtedly impact redistricting considerations on a national level.

CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2018, I caused the foregoing Brief of Defendants Robert Torres and Jonathan M. Marks in Support of Motions to Intervene as Defendants to be filed with the United States District Court for the Middle District of Pennsylvania via the Court's CM/ECF system, which will provide electronic notice to all counsel and parties of record.

/s/ Mark A. Aronchick

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