

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL
C0-01-160

Susan M. Zachman, Maryland Lucky R.
Rosenbloom, Victor L.M. Gomez,
Gregory G. Edeen, Jeffrey E. Karlson,
Diane V. Bratlie, Brian J. LeClair and
Gregory Ravenhorst, individually and on
Behalf of all citizens and voting residents of
Minnesota similarly situated,

Plaintiffs,

**MOTION TO
INTERVENE AS
PLAINTIFFS**

Plaintiff-Intervenors,

vs.

Mary Kiffmeyer, Secretary of State of
Minnesota; and Doug Gruber, Wright
County Auditor, individually and on behalf
of all Minnesota county chief election
officers,

Defendants,

To: The Honorable Edward Toussaint, Jr., Honorable Thomas J. Kalitowski,
Honorable Gary J. Pagliaccetti, Honorable Heidi S. Schellhas, Honorable Renee L.
Worke; to Plaintiffs and their attorneys, Thomas B. Heffelfinger, Best & Flanagan
LLP and Charles R. Shreffler, Shreffler Law Firm, P.A.; to Defendant, Mary
Kiffmeyer, Secretary of State and to her Attorneys The Honorable Mike Hatch,
Attorney General of Minnesota, Allan Gilbert, Deputy Attorney General and Mark
B. Levinger, Deputy Attorney General; to Defendant, Doug Gruber, Wright Country
Auditor and to his Attorney Brian J. Asleson, Chief Deputy Wright County
Attorney;

PLEASE TAKE NOTICE THAT Patricia Cotlow, Thomas L. Weisbecker, Theresa Silka, Geri Boice, William English, Benjamin Gross, Thomas R. Dietz, John Raplinger individually and on behalf of all citizens and voting residents of Minnesota similarly situated (Applicants), hereby move the Court for an Order granting them leave to intervene as additional Plaintiffs pursuant to Rule 24.01, or in the alternative, pursuant to Rule 24.02, Minnesota Rules of Civil Procedure.

Applicant's claims for which intervention is sought are as follows:

- a. Applicants are citizens and registered voters of the State of Minnesota and the United States of America.
- b. Applicants are active members or supporters of the Minnesota Democratic-Farmer-Labor Party and its candidates.
- c. Applicants reside in the following county, legislative, and congressional districts listed below, respectively:

| APPLICANT | COUNTY | LEGISLATIVE DISTRICT | CONGRESSIONAL DISTRICT |
|---------------------|------------|----------------------|------------------------|
| Patricia Cotlow | Hennepin | 33B | 03 |
| Thomas L Weisbecker | Dakota | 38A | 04 |
| Theresa Silka | Washington | 56B | 06 |
| Geri Boice | Dakota | 36A | 06 |
| William English | Hennepin | 34B | 03 |

| | | | |
|-----------------|------------|-----|----|
| Benjamin Gross | Dakota | 38B | 06 |
| Thomas R. Dietz | Washington | 56B | 06 |
| John Raplinger | Dakota | 37B | 06 |

d. As members and supporters of the Minnesota Democratic-Farmer-Labor Party, registered voters of the State of Minnesota and the United States, and members of their respective county, legislative, and congressional districts, Applicants have substantial and profound interests in the above captioned action. Their interests are as follows:

- I. To ensure that any legislative or congressional reapportionment plan adopted meets the strict standards of the Constitution of the State of Minnesota and the Constitution of the United States.
- II. That the Minnesota Legislature, Governor, and Court be provided the most comprehensive plan for re-apportionment available.
- III. To ensure that all citizens of the state of Minnesota be provided the fairest and most accurate re-apportionment plan available.
- IV. Applicants have an interest in this action that is not adequately represented by the existing parties because the existing Plaintiffs represent only the very partisan interests of the Independent Republican Party and not the best interests of all of the citizens of Minnesota as a whole.

- V. Applicants are not adequately represented in the Minnesota Legislature and in the United States Congress due to increases in population based on the 2000 census which render the current districts unconstitutional.
- VI. The Minnesota Legislature has had the United States Department of Commerce, Bureau of the Census data for many months, but has failed to enact any re-districting plan that will protect Applicants' right to fair and equal representation in the Minnesota legislature and the United States Congress as required by law.
- VII. The Minnesota Special Redistricting Panel must have before it adequate representation and expertise to properly consider all redistricting plans. Applicants will consider all plans, give advice regarding those plans and submit plans of their own for the Court's consideration. Applicants' own plan cannot be adequately considered and represented unless Applicants are allowed to intervene in this action.
- VIII. Applicants:
- (a) Have a profound and substantial interest in the subject matter of this action;
 - (b) Are not adequately represented by existing parties; and;

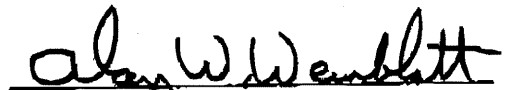
(c) Are so situated that they cannot be adequately represented without their intervention.

IX. Applicants' claims contain common questions of law and fact identical to the main action in this case.

X. Applicants' intervention will not delay, prejudice, or burden the claims and rights of the existing parties to the original action.

Dated: August 14, 2001

Weinblatt & Gaylord PLC



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