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6 UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 SUSAN SOTO PALMER, *et al.*,

9 Plaintiffs,

10 v.

11 STEVEN HOBBS, *et al.*,

12 Defendants,

13 and

14 JOSE TREVINO, *et al.*,

15 Intervenor-Defendants.

CASE NO. 3:22-cv-05035-RSL

ORDER REGARDING
EVIDENTIARY HEARING
PROCEDURES

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17 On February 9, 2024, the Court heard oral argument regarding the ten remedial
18 maps proposed by plaintiffs. The Court informed the parties that it is leaning towards
19 adopting Remedial Map 3A and scheduled an evidentiary hearing for Friday, March 8,
20 2024, at 1:30 p.m. to hear from the parties' experts regarding any problems or issues with
21 that map. The parties were invited to submit supplemental expert reports, which they have
22 now done.
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24 More than three weeks later, Intervenor-Defendants requested that the half-day
25 hearing be extended to a full day and that the Court clarify the procedures to be used at the
26

1 hearing. Dkt. # 279. The request to extend the hearing is DENIED for three primary
2 reasons. First, the request is untimely. Intervenor-Defendants have known for weeks that
3 the evidentiary hearing was scheduled for 1:30 pm. They raised no objection when the
4 issue was discussed at oral argument, and the scope of the hearing has not materially
5 changed. Second, the Court's schedule will not allow the requested extension. The Court
6 has other matters to attend to on Friday morning, as does the Deputy Clerk and the court
7 reporter. Finally, the issues that the Court must decide and on which the testimony will
8 focus are fairly limited, *i.e.*, does Remedial Map 3A remedy the Voting Rights Act
9 violation, comply with state law, and satisfy the traditional redistricting principles?
10 Intervenor-Defendants' insistence on presenting largely irrelevant data regarding political
11 considerations, consistency of legislative districts over time, and incumbency protection
12 does not warrant an expansion of the scheduled hearing.
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16 With regards to the hearing procedures, the allotted court time totals 3 hours and 15
17 minutes. In order to allow for the efficient presentation of expert testimony, the remedial
18 reports from Drs. Oskooii, Trende, and Collingwood will be admitted as evidence, and the
19 experts' qualifications will be established by stipulation of the parties.¹ Plaintiffs and the
20 State on one side and the Intervenor-Defendants on the other will have equal time to
21 examine/cross-examine the expert witnesses. The precise amount of time available to each
22 side is not yet known because the Confederated Tribes and Bands of the Yakama Nation
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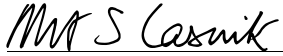
26 ¹ Although untimely submitted, the Intervenor-Defendants' proposed remedial map, Dkt. # 273 at 8, will be admitted into evidence.

1 will also be given an opportunity to address the Court and/or testify at the hearing.

2 Secretary Hobbs has indicated that he does not intend to address the Court unless the Court
3 has specific questions.
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6 IT IS SO ORDERED.

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8 Dated this 5th day of March, 2024.

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11 Robert S. Lasnik
United States District Judge
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