UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JULIE CONTRERAS, IRVIN FUENTES, ABRAHAM MARTINEZ, IRENE PADILLA, and ROSE TORRES,

Plaintiffs,

v.

LLINOIS STATE BOARD OF ELECTIONS, CHARLES W. SCHOLZ, IAN K. LINNABARY, WILLIAM M. MCGUFFAGE, WILLIAM J. CADIGAN, KATHERINE S. O'BRIEN, LAURA K. DONAHUE, CASANDRA B. WATSON, and WILLIAM R. HAINE, in their official capacities as members of the Illinois State Board of Elections, EMANUEL CHRISTOPHER WELCH, in his official capacity as Speaker of the Illinois House of Representatives, the OFFICE OF SPEAKER OF THE ILLINOIS HOUSE OF REPRESENTATIVES, DON HARMON, in his official capacity as President of the Illinois Senate, and the OFFICE OF THE PRESIDENT OF THE ILLINOIS SENATE,

Defendants.

Case No. 1:21-cv-03139

CIRCUIT JUDGE MICHAEL B. BRENNAN; CHIEF JUDGE JON E. DEGUILIO; JUDGE ROBERT M. DOW, JR.

Three-Judge Panel
Pursuant to 28 U.S.C. § 2284(a)

PLAINTIFFS' STATUS REPORT

Plaintiffs Julie Contreras, Irvin Fuentes, Abraham Martinez, Irene Padilla, and Rose Torres respectfully submit this status report pursuant to the Court's September 2, 2021 Minute Order (ECF 72).

On September 24, 2021, Governor Jay Robert Pritzker signed Senate Bill 927.[1] Senate Bill 927 amends the General Assembly Redistricting Act of 2021 (as passed by House Bill 2777) to define a new set of 118 districts (the "S.B. 927 Plans").

Plaintiffs' malapportionment claims are not moot. As the Supreme Court noted in *Gray v. Sanders*, the mere fact that Defendants have abandoned an unconstitutional practice does not relieve the court of adjudicating its legality "[f]or if the case were dismissed as moot appellants would be 'free to return to … [their] old ways.'" 372 U.S. 368, 376 (1963) (quoting *U.S. v. W. T. Grant Co.*, 345 U.S. 629, 632 (1953)). Plaintiffs therefore respectfully request that the Court issue an order granting their motion for summary judgment (ECF 63) and declare the plans enacted using American Community Survey data under House Bill 2777 unconstitutional.

Plaintiffs also respectfully request that the Court commence the remedial phase, supervise Defendants' remedial plans, and make any necessary modifications, including modifications to the S.B. 927 plans, to ensure that Defendants comply with all relevant laws, including the Constitution and the federal Voting Rights Act.

If the Court does not grant Plaintiffs' motion for summary judgment, Plaintiffs reserve the right to file an amended complaint by October 1, 2021.

[1] S.B. 927, 102nd Ill. Gen'l Assem., available at https://www.ilga.gov/legislation/BillStatus.asp?DocNum=0927&GAID=16&DocTypeID=SB&LegID=13 3554&SessionID=111&SpecSess=1&Session=0&GA=102, at p. 5, line 9.

Dated September 24, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2021, a copy of the foregoing was filed electronically in compliance with Local Rule 5.9.

/s/ Francisco Fernandez del Castillo

Attorney for Plaintiffs