

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE**

WILLIAM DESENA and	)	
SANDRA W. DUNHAM,	)	
	)	
Plaintiffs	)	
	)	
v.	)	Civil No. 1:11-cv-00117-
	)	GZS-DBH-BMS
PAUL LEPAGE, KEVIN RAYE,	)	
ROBERT NUTTING, and CHARLES	)	
E. SUMMERS, JR.,	)	
	)	
Defendants.	)	

**JUDGMENT**

The instant case was initiated by Plaintiffs’ Complaint dated March 28, 2011, alleging that Maine’s districts for the United States House of Representatives were not apportioned in compliance with the United States Constitution and federal law, that districts were not to be apportioned as required before the 2012 election, and seeking declaratory, injunctive, and other relief from this Court.

In the Memorandum and Order dated June 21, 2011 (Docket No. 33), the Court held that Maine’s congressional districts, as then configured, were malapportioned based on the 2010 federal decennial census and thus violated Article I, Section 2 of the Constitution. By Order dated June 22, 2011 (Docket

No. 34), the Court ordered Defendants to “proceed forthwith with the process of redistricting in accordance with the June 21, 2011 Memorandum and Order.”

On September 27, 2011, at a special session called for this specific purpose, both houses of the Maine Legislature approved legislation adopting new Congressional districts based on the 2010 federal decennial census. It was approved by overwhelming majorities in both chambers of the Legislature, with a final vote of 140-3 in the House and 35-0 in the Senate. The Governor signed the bill on September 28, 2011, and as emergency legislation it took effect immediately. P.L. 2011, c. 466 (eff. Sept. 28, 2011). The population variance between the reconfigured districts is one vote, with the First District having a population of 664,180 and the Second District 664,181. These Districts comply with the “one-person, one-vote” mandate of Article I, Section 2 of the Constitution.

On October 4, 2011, the Maine Law Court ordered that any challenges to the enacted redistricting plan be filed on or before October 12, 2011, and if no challenge is filed the plan shall be considered final on that date. No challenges were filed on or before October 12, 2011. The enacted redistricting plan is final and, therefore, elections for candidates to the United States House of Representatives from Maine in the year 2012 will be held in accordance with said redistricting plan.

Accordingly, final judgment is hereby entered for the plaintiffs on the Constitutional claim set forth in plaintiffs' complaint, in accordance with this Court's Memorandum and Order of June 21, 2011, and no further relief regarding that claim is required.

So Ordered.

/s/ Bruce M. Selya  
Bruce M. Selya  
United States Circuit Judge

/s/ George Z. Singal  
George Z. Singal  
United States District Judge

/s/ D. Brock Hornby  
D. Brock Hornby  
United States District Judge

Dated this 1<sup>st</sup> day of November, 2011