
IN THE
Supreme Court of the United States

IN RE MICHAEL C. TURZAI, IN HIS OFFICIAL CAPACITY
AS SPEAKER OF THE PENNSYLVANIA HOUSE OF
REPRESENTATIVES & JOSEPH B. SCARNATI, III,
IN HIS OFFICIAL CAPACITY AS PENNSYLVANIA
SENATE PRESIDENT PRO TEMPORE

**On Petition for a Writ of Mandamus to the
United States District Court for the
Eastern District of Pennsylvania**

**RESPONSE TO EMERGENCY PETITION
FOR WRIT OF MANDAMUS**

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RESPONSE TO EMERGENCY PETITION FOR WRIT OF MANDAMUS

The original Defendants in the underlying action, Thomas W. Wolf, Governor of Pennsylvania; Robert Torres, Acting Secretary of the Commonwealth of Pennsylvania;¹ and Jonathan Marks, Commissioner of the Bureau of Elections, in their official capacities (together, “Defendants”), file this Response for the sole purpose of responding to Applicants’ argument that Plaintiffs’ lawsuit was “filed too late to affect the 2018 elections.” Emergency Pet. at 25.

Applicants contend that it is “hard to imagine” that the District Court below will be able to grant relief in time for the 2018 congressional elections. Emergency Pet. at 28; *see id.* at 23-29. Defendants disagree. The case remains on an expedited track, and trial is scheduled to begin on Monday, December 4, 2017. Defendants believe that the District Court and the parties are capable of resolving the issues, determining whether a new congressional map is required, and, if so, putting a map in place, by January 23, 2018 (which is three weeks before the first day to file nomination petitions under the current schedule for Pennsylvania’s primary elections). If it turns out to be impossible to meet this particular deadline, the District Court can consider other relief.

Accordingly, Defendants believe that it is possible for the District Court to grant relief in time for the 2018 elections, if it determines that relief is warranted.

¹ Robert Torres was designated to serve as Acting Secretary of the Commonwealth on October 11, 2017. As Former Secretary Pedro Cortés’s successor, Acting Secretary Torres is automatically substituted as a party pursuant to Sup. Ct. R. 35.3.

Respectfully submitted,

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