

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

GLORIA PERSONHUBALLAH, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:13-cv-678
)	
JAMES B. ALCORN, et al.,)	
)	
Defendants.)	

**DEFENDANTS’ STATEMENT OF POSITION
REGARDING SPECIAL MASTER’S FINAL REPORT**

Defendants have no objection to the Report of the Special Master (ECF No. 272) or to the two alternative remedial plans he has proposed. Both plans avoid the constitutional deficiencies previously recognized by this Court, while also maintaining contiguity, increasing compactness, and reducing the number of locality splits in CD3 and the surrounding congressional districts.

As set forth in his Report, the Special Master’s conclusions are supported by rigorous empirical analysis and comply with applicable law. Consistent with the functional analysis independently conducted by Dr. Lisa Handley, *see* ECF No. 231-3, the Special Master’s analyses of the relevant demographic and electoral data “demonstrate that the claim that a 55% minority voting age population is needed in a district to assure African-American voters a realistic opportunity to elect candidates of choice in CD3 is, factually, flat wrong.” ECF No. 272 at 62-63. Both his proposed plans appropriately reflect that finding. The Special Master took incumbency into account but was correct to reject “the notion that it was obligatory . . . to propose to the Court plans that were intended to freeze into place partisan political outcomes such as an 8-3 Republican to Democratic ratio in Virginia’s congressional delegation.” *Id.* at 25.

