

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

IN RE 2011 REDISTRICTING CASES

4FA-11-2209 CI

**ADP OPPOSITION TO ARB'S MOTION FOR SUMMARY
JUDGMENT RE GEOGRAPHIC PROPORTIONALITY CLAIMS**

Plaintiffs Alaska Democratic Party, Katie Hurley and Warren Keogh (collectively ADP) hereby enter their Opposition to the Alaska Redistricting Board's motion for summary judgment on plaintiffs' geographic proportionality claims regarding residents of the Matanuska-Susitna Borough (Mat_Su Borough) and the Kenai Peninsula Borough (KPB).¹

In its memorandum in support of its motion, the Board acknowledges that it has the burden of rebutting the inference of intentional discrimination raised by its splitting of the Mat-Su and Kenai boroughs.² It contends that it has done so. An examination of the Board record, however, demonstrates that the Board had no legitimate reason for splitting either borough and that doing so was completely unnecessary.

Mat-Su Borough: The Board contends that the splitting of the Mat-Su Borough was required to accommodate the excess population of the Municipality of Anchorage. The Board considered four options to deal with that excess population: (1) spread the excess population over the other 16 Anchorage districts; (2) move the excess population south and join

¹ In its complaint ADP asserted geographic proportionality claims for residents both inside and outside the Mat-Su and Kenai boroughs. ADP hereby waives its claims of geographic proportionality for residents outside the two boroughs at issue.

² *ARB's Memorandum in Support of MSJ re Geographic Proportionality Claims*, p. 15.

