

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

Scott A. Ingersoll

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Plaintiff,

v.

State of Connecticut and Connecticut

Reapportionment Commission,

Defendants.

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Civil No. 3:25-cv-01273-SVN

COMES NOW, Scott A. Ingersoll, Plaintiff, pro se, and hereby objects to the Report and Recommendation on Initial Review (Doc #16) issued by Magistrate Judge Maria E. Garcia on October 10, 2025, pursuant to Fed. R. Civ. P. 72(b)(2) and D. Conn. L. Civ. R. 72.2(a). Plaintiff respectfully requests that this Court reject the recommendation to dismiss his federal and state claims with prejudice, grant leave to amend the Complaint, and reconsider jurisdiction and damages in light of new evidence and legal distinctions.

1. ****Distinction from Rucho v. Common Cause****

The Magistrate's reliance on **Rucho v. Common Cause**, 588 U.S. 684 (2019), to deem Plaintiff's federal claims non-justiciable is misplaced. **Rucho** held that partisan gerrymandering claims are political questions beyond federal courts' reach absent racial predominance. However, Plaintiff's case transcends pure partisanship. The 2020 Connecticut congressional maps, producing a 5-0 Democratic delegation despite 41% Republican support (ECF No. 3 at 3-4), enabled passage of the Clean Energy Future Act (CEFA, H.R. 4447, July 18, 2023, 220-215 vote). This Act triggered utility rate hikes, directly harming Plaintiff with a \$22,000 payment plan debt and monthly bills rising from

approximately \$300 to over \$700 (see attached bills). This economic impact implicates federal interests—interstate commerce and energy policy—distinguishing this case from *Rucho*'s political boundary. The Elections Clause (Art. I, § 4), unaddressed in the Report, supports federal oversight when state actions distort national representation, as here.

2. **Evidence of Direct Damages**

The Report failed to consider Plaintiff's concrete damages, rendering the dismissal premature. Plaintiff's utility bills, regulated by the Public Utilities Regulatory Authority (PURA) under CEFA's influence, show a significant rise: \$821.64 (Jan 2023) to \$1,006.52 (Jan 2025), with peaks near \$700 and a \$22,000 debt accrued over 3+ years. Marissa Gillett's resignation as PURA chair on October 10, 2025, prompted by alleged perjury (Rep. Vincent J. Candelora letter, September 18, 2025), underscores PURA's mismanagement. Lawsuits from Eversource and Avangrid (ctmirror.org, October 28, 2025) allege her tenure exacerbated rate issues. Had three Republican representatives opposed CEFA, the 220-215 vote could have failed (217-218), mitigating Plaintiff's burden. This harm, unrepresented by the 41% electorate, warrants amendment to plead economic injury.

3. **Eleventh Amendment Reconsideration**

While the State of Connecticut enjoys Eleventh Amendment immunity, Plaintiff seeks injunctive relief to invalidate the maps, potentially actionable under *Ex parte Young*, 209 U.S. 123 (1908), against state officials (e.g., Secretary of State). The Report's blanket dismissal ignores this exception, and amendment could name proper defendants.

4. **State Claim Viability**

The recommended dismissal of the Connecticut Constitution claim (Art. VI, § 4) without prejudice should be paired with leave to amend federally viable claims. If federal jurisdiction holds, supplemental jurisdiction (28 U.S.C. § 1367) could reinstate this count.

5. **Request for Amendment**

Plaintiff requests leave to amend the Complaint to: (a) detail CEFA's economic impact with attached utility bills, (b) allege Gillett's resignation as evidence of systemic overreach tied to the maps, and (c) explore racial gerrymandering if data supports it. Such amendments

address the Report's concerns without futility, per *Gomez v. USAA Fed. Sav. Bank*, 171 F.3d 794 (2d Cir. 1999).

WHEREFORE, Plaintiff respectfully objects to the Report's recommendations, urges the Court to deny dismissal with prejudice, grant leave to amend, and schedule a hearing to consider this evidence. Plaintiff is prepared to submit the Candelora letter if requested.

Dated: October 29, 2025

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott A. Ingersoll", written over the typed name.

Scott A. Ingersoll, Pro Se