

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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MARK A. FAVORS, et al.,

Plaintiffs,

ORDER

-against-

11-CV-5632 (DLI)(RR)(GEL)

ANDREW M. CUOMO,
as Governor of the State of New York,
et al.,

Defendants.

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ROANNE L. MANN, UNITED STATES MAGISTRATE JUDGE:

The Court is in receipt of the responses to the Court's Order to Show Cause dated March 5, 2012. See Order to Show Cause (Mar. 5, 2012), Electronic Case Filing Docket Entry ("DE") #184. Of all the various parties in the case, only the Rose Intervenors and the Senate Majority Defendants complain that they had insufficient time to analyze the Court's Proposed Plan. See Rose Intervenors' Response to the Proposed Plan ("Rose Response") (Mar. 7, 2012), DE #191 at 2-3; Senate Majority Defendants' Response to the Proposed Plan ("Senate Majority Response") (Mar. 7, 2012), DE #192 at 1.

The Rose Intervenors argue that the time-frame for objections set by this Court "conflicts with the three-judge panel's order." See Rose Response at 1. This assertion ignores the fact that the Panel directed the undersigned magistrate judge to "submit her Report and Recommendation and proposed plan to this Court by March 12, 2012," and directed that all objections thereto be filed "no later than noon on March 14, 2012." See Order of Referral to Magistrate Judge (Feb. 28, 2012), DE #133 at 6. Consistent with that Order, had this Court issued its Proposed Plan for the first time at the end of the day on March 12, 2012, the parties and other objectors would have

been confronted with a similarly compressed time period in which to “review 27 proposed districts for compliance with state and federal law, consult with their clients, consult with experts, and prepare responses.” See Rose Response at 2.

This Court’s purpose in releasing its Proposed Plan one week earlier than required by the Three-Judge Panel was -- in the interest of fairness and transparency -- to solicit meaningful objections to that proposal and, to the extent warranted, to modify the district lines before issuing its Report and Recommendation and final proposal; it was not the Court’s purpose to expand the day-and-a-half deadline set by the Three-Judge Panel so as to give objectors a week-and-a-half to examine the Proposed Plan and present the Panel with new arguments and evidentiary material that this Court did not have an opportunity to review and consider.

Therefore, in order to afford this Court that opportunity and to afford the Rose Intervenors and Senate Majority Defendants additional time to make their presentations to this Court, the Court will construe their filings as requests for additional time and will give them until 8:00 p.m. today to particularize and provide support for their objections to the Proposed Plan.¹

SO ORDERED.

**Dated: Brooklyn, New York
March 7, 2012**

**ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE**

¹ For example, an objection that the Proposed Plan “divide[s] communities of interest,” see Rose Response at 3, without identifying those communities of interest, does not provide the Court with meaningful input in re-evaluating its proposal. Compare id., with Drayton Intervenors’ Response to the Proposed Plan (Mar. 6, 2012), DE #189; Ramos Intervenors’ Response to the Proposed Plan (Mar. 6, 2012), DE #190 at 2-3; Senate Majority Response at 1-2.