

THIRD AFFIRMATIVE DEFENSE

(Lack Of Justiciable Controversy)

Intervenors fail to raise a justiciable controversy between Intervenors and Defendants because Intervenors' claims are not ripe and/or are moot.

FOURTH AFFIRMATIVE DEFENSE

(Abstention)

The Court must abstain from resolving any justiciable controversy because Intervenors' claims are premature as the Legislature has sufficient time to enact redistricting legislation.

WHEREFORE, Defendants respectfully request that the Court:

1. Dismiss Intervenors' claims with prejudice and enter judgment for Defendants;
- and
2. Grant such other relief to Defendants as the Court may deem just and proper.

Dated: March 7, 2012

Respectfully submitted,

/s/Michael A. Carvin

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CERTIFICATE OF SERVICE

I hereby certify that, on this 7th day of March, 2012, a true and correct copy of the foregoing was served on the following counsel of record through the Court's CM/ECF system:

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