UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

---------- x

MARK A. FAVORS, HOWARD LEIB, LILLIE H. GALAN, EDWARD A. MULRAINE, WARREN SCHREIBER, and WEYMAN A. CAREY,

Plaintiffs,

and

DONNA KAY DRAYTON, EDWIN ELLIS, AIDA FORREST, GENE A. JOHNSON, JOY WOOLLEY, and SHELIA WRIGHT,

Plaintiff-Intervenors,

and

LINDA LEE, SHING CHOR CHUNG, JULIA YANG, JUNG HO HONG,

Plaintiff-Intervenors,

and

JUAN RAMOS, NICK CHAVARRIA, GRACIELA HEYMANN, SANDRA MARTINEZ, EDWIN ROLDAN, MANOLIN TIRADO,

Plaintiff-Intervenors,

and

LINDA ROSE, EVERET MILLS, ANTHONY HOFFMANN, KIM THOMPSON-WEREKOH, CARLOTTA BISHOP, CAROL RINZLER, GEORGE STAMATIADES, JOSEPHINE RODRIGUEZ, and SCOTT AUSTER,

Plaintiff-Intervenors,

v.

ANDREW M. CUOMO, as Governor of the State of New York, ROBERT J. DUFFY, as President of the Senate of the State of New York, DEAN G. SKELOS, as Majority Leader and President Pro Tempore of the Senate of the State of New York, SHELDON SILVER, as

Case No. 1:11-cv-05632 (DLI)(RR)(GEL)

NOTICE OF PLANNED ABSENCE FROM STATUS CONFERENCE

Speaker of the Assembly of the State of New York, JOHN L. SAMPSON, as Minority Leader of the Senate of the State of New York, BRIAN M. KOLB, as Minority Leader of the Assembly of the State of New York, the NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT ("LATFOR"), JOHN J. McENENY, as Member of LATFOR, ROBERT OAKS, as Member of LATFOR, ROMAN HEDGES, as Member of LATFOR, MICHAEL F. NOZZOLIO, as Member of LATFOR, MARTIN MALAVE DILAN, as Member of LATFOR, and WELQUIS R. LOPEZ, as Member of LATFOR,

Defendants.

Plaintiff-Intervenors Linda Rose, Everet Mills, Anthony Hoffmann, Kim Thompson-Werekoh, Carlotta Bishop, Carol Rinzler, George Stamatiades, Josephine Rodriguez, and Scott Auster (the "Rose Intervenors") submit this notice respectfully to inform the Court that they do not plan to appear at the status conference to be held on March 21, 2012. The Rose Intervenors have not challenged New York's Senate or Assembly districts and take no position with respect to the existing or recently enacted state legislative districts. The absence of the Rose Intervenors therefore helps to preserve the resources of the Court, the Rose Intervenors, and the other parties.

If the Court indicates its preference that the Rose Intervenors appear at the conference, however, they will so appear.

Dated: March 19, 2012

By: */s/ Marc Erik Elias*

Marc Erik Elias (appearing *pro hac vice*)
John Devaney (appearing *pro hac vice*)
Perkins Coie, LLP
700 13th St., N.W., Suite 600
Washington, D.C. 20005-3960
Phone: (202) 654-6200
Fax: (202) 654-6211
MElias@perkinscoie.com
JDevaney@perkinscoie.com

Kevin J. Hamilton (appearing *pro hac vice*)
Perkins Coie, LLP
1201 Third Ave, Suite 4800
Seattle, WA 98101-3099
Phone: (206) 359-8000
Fax: (206) 359-9000
KHamilton@perkinscoie.com

Jeffrey D. Vanacore
Perkins Coie LLP
30 Rockefeller Center, 25th Floor
New York, NY 10112-0085
Phone: (212) 262-6900
Fax: (212) 977-1635
JVanacore@perkinscoie.com

Attorneys for Plaintiff-Intervenors