

EXHIBIT E

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
THE STATE OF NEW YORK,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Civil Action No. 1:12-cv-413
)	Three-Judge Court (RBW, JWR, RJL)
UNITED STATES OF AMERICA and ERIC H.)	
HOLDER, JR., in his official capacity as Attorney)	
General of the United States,)	
)	
<i>Defendants.</i>)	
_____)	

UNITED STATES’ STATUS REPORT

Defendants United States of America and the Attorney General of the United States (collectively “the Defendants”) hereby file the following status report to update this Court on the status of this matter.

The New York Senate made an administrative submission to the Attorney General under Section 5 of the Voting Rights Act of the 2011 Senate redistricting plan. The Attorney General received the submission on March 16, 2012. Under Section 5, the Attorney General must make a determination on the submission within 60 days, by May 15, 2012. The Attorney General has undertaken an expedited review of this submission and has worked cooperatively with counsel for the New York Senate in obtaining necessary information and arranging necessary interviews. Barring any unforeseen circumstance, the Attorney General anticipates making a determination on the New York Senate plan by April 27, 2012. This is the same schedule that the Attorney General proposed, and that was accepted by the court, in the pending Florida redistricting case in this Court, *Florida v. United States*, No. 12-380 (D.D.C.). Florida has a similar schedule for candidate qualifying as New York and earlier primary elections. As in the Florida case, in the

event that the Attorney General determines that his position is that the Senate plan does not comply with Section 5 or if he is unable to determine his position by that date, he will be prepared to begin immediate discovery. If the Attorney General administratively preclears the New York Senate redistricting plan under Section 5, this case is moot. *Georgia v. Holder*, 748 F. Supp. 2d 16 (D.D.C. 2010).

Likewise, the Attorney General notes that a three-judge federal district court has been convened in New York, *Favors v. Cuomo*, No. 11-5632 (E.D.N.Y.), that is making preparations to craft interim redistricting plans for this year's elections for the New York Senate and Assembly, should these plans fail to receive timely preclearance under Section 5.

Date: April 13, 2012

Respectfully submitted,

RONALD C. MACHEN, JR.
United States Attorney
District of Columbia

THOMAS E. PEREZ
Assistant Attorney General
Civil Rights Division

/s/ Justin Weinstein-Tull
T. CHRISTIAN HERREN, JR.
BRYAN SELLS
STEVEN WRIGHT
JUSTIN WEINSTEIN-TULL
Voting Section
Civil Rights Division
U.S. Department of Justice
Room 7254-NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
Telephone: (202) 353-0319
Facsimile: (202) 307-3961

*Attorneys for Defendants
United States of America and
Attorney General Eric H. Holder, Jr.*

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2012, I served a true and correct copy of the foregoing via the Court's ECF system, to the following counsel of record:

Michael A. Carvin
Louis K. Fisher
Jones Day
51 Louisiana Avenue, NW
Washington, DC 20001-2113
(202) 879-3939

/s/ Justin Weinstein-Tull
Justin Weinstein-Tull
Voting Section
Civil Rights Division
U.S. Department of Justice
Room 7254-NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 353-0319