

IN THE  
*Supreme Court of the United States*

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LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.*,  
*Appellants,*

v.

RICK PERRY, *et al.*,

*Appellees.*

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**On Appeal from the United States District Court  
for the Eastern District of Texas**

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**Appellant LULAC'S Motion for Divided Argument**

Pursuant to Supreme Court Rule 28.4, appellant LULAC in these consolidated cases hereby move for a divided argument. LULAC agrees with the other appellants that it makes sense to establish a plan for how the various issues in the cases should be addressed in the hour of oral argument provided to appellants collectively.<sup>1</sup> They also agree on certain aspects of how the issues should be divided in the argument. They do not, however, agree on other aspects. Given their inability to reach complete consensus and the short time involved before the March 1 argument, LULAC respectfully seeks the Court's assistance to establish procedures that will best aid the Court in the resolution of these cases.

**I. Areas of Agreement and Disagreement**

All appellants agree that there are three main issues: partisan gerrymandering, one person one vote rule, and minority vote dilution. LULAC is of the view that the argument should be made by two (2) presenters with 30 minutes each presented as follows: **First**, the partisan gerrymandering claim along with their argument on Congressional District 24 that has been developed by the Jackson appellants; **second**, the one person one vote rule and minority dilution

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<sup>1</sup> In this Court's order noting probable jurisdiction, dated December 12, 2005, the Court provided that the cases would be set for argument for two hours on the afternoon of March 1.

claim on behalf of Latinos and African Americans. LULAC has raised in their briefing and at trial, all three of the issues currently before the Court, *See LULAC Brief on the Merits* (No. 05-204) however, they have focused on the one person one vote rule and the Latino vote dilution claim. GI Forum has raised only issues related to minority vote dilution (No. 05-439) and Travis County/City of Austin has raised only the one person, one vote issue (No. 05-439). LULAC believes, therefore, that the Jackson plaintiffs and LULAC are in the best position to present the issues before the Court.

Finally, LULAC feels that the presentation makes more sense with two presenters rather than three because the parsimonious divisions of time will provide unnecessary interruptions and distract from a cogent and coherent presentation.

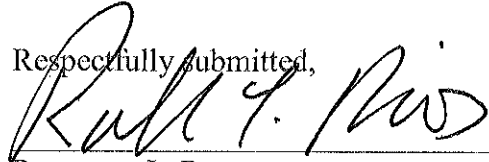
It is LULAC's understanding that the other appellants, GI Forum and Travis, prefer a three-way division of the argument as follows: **First**, the partisan gerrymandering issue, **second**, the one person one vote rule argument and **third**, the vote dilution claim as it relates to South Texas. GI Forum wishes to argue the vote dilution claim since it raised this issue at trial and Travis County wishes to argue the one person, one vote rule claim because it raised this issue at trial.

## **II. What Appellant LULAC Ask the Court to Do at this Point.**

LULAC respectfully request the Court order no more than two presenters – Jackson and LULAC to make the argument to the Court. However, should the Court wish to hear from three

presenters, then LULAC would respectfully request that the Jackson and LULAC plaintiffs be two of the three presenters.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I, Rolando L. Rios, hereby certify that on January 17, 2006 I delivered a true and correct copy of Appellant LULAC's Motion for Divided Argument by both U.S. mail and electronic transmission, respectively, using the addresses listed below:



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