

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

JOHN HOOKER, et al.,

Plaintiffs,

vs.

ILLINOIS STATE BOARD OF ELECTIONS,
et al.

Defendants,

and

SUPPORT INDEPENDENT MAPS,

Intervenor-Defendant.

Case No. 16 CH 06539

Hon. Diane J. Larsen,
Judge Presiding.

ANSWER OF INTERVENOR-DEFENDANT SUPPORT INDEPENDENT MAPS

Intervenor-Defendant Support Independent Maps (“Independent Maps”), by its attorneys, answers Plaintiffs’ Complaint as follows:

Paragraph 1 of the Complaint asserts:

On May 6, 2016, a petition was filed with Defendant Illinois State Board of Elections to propose an Amendment to Article IV, Section 3 of the Illinois Constitution (“the Redistricting Initiative”). The Redistricting Initiative seeks to substantially amend the legislative redistricting process set forth in Article IV, Section 3 (Copy of the Redistricting Initiative attached as Ex. A).

Answer: Independent Maps admits that on May 6, 2016, it filed petitions with more than 560,000 signatures with the Illinois State Board of Elections to propose an amendment to Article IV, Section 3 of the Illinois Constitution (“the Redistricting Initiative”). Independent Maps further admits that the Redistricting Initiative would amend the legislative redistricting process set forth in Article IV, Section 3 and that a copy of the Redistricting Initiative is attached to Plaintiffs’ Complaint as Exhibit A. Independent Maps denies any remaining allegations in Paragraph 1.

Paragraph 2 of the Complaint asserts:

Article XIV, Section 3 of the Illinois Constitution provides for Amendments by initiative to be proposed by petition, but such Amendments “shall be limited to structural and procedural subjects contained in Article IV.” Ill. Const. 1970, art. XIV § 3.

Answer: Independent Maps admits that Article XIV, Section 3 of the Illinois Constitution provides for Amendments by initiative to be proposed by petition and that Plaintiffs’ Complaint accurately quotes a portion of Article XIV, Section 3 of the Illinois Constitution.

Paragraph 3 of the Complaint asserts:

The “structural and procedural” clause limits Amendments by initiative to changes to the structure and procedure of the legislative article of the Constitution (Article IV), such as converting the General Assembly from a bicameral to unicameral body, or to convert legislative districts from single to multiple member districts. An initiative does not meet the structural and procedural requirement if it includes a substantive issue not found in Article IV.

Answer: Paragraph 3 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs’ legal conclusion.

Paragraph 4 of the Complaint asserts:

The Redistricting Initiative proposes to amend the Illinois Constitution as it relates to the reallocation of population among Legislative and Representative Districts following each decennial census. The Initiative would remove the authority of the democratically elected General Assembly and the Governor to enact redistricting legislation by law and replace it with a system involving the Auditor General, two members of the Supreme Court, and two new unelected government bodies: an Applicant Review Panel and an Independent Redistricting Commission.

Answer: Independent Maps states that the Redistricting Initiative speaks for itself. Accordingly, Independent Maps denies any characterizations or allegations of the same that are contrary thereto.

Paragraph 5 of the Complaint asserts:

The Redistricting Initiative violates Article XIV, Section 3 because it:
a. Imposes new duties on the Auditor General;

- b. Repeals the Supreme Court's original and exclusive jurisdiction over actions concerning redistricting the House and Senate, and grants the Circuit Court jurisdiction over actions concerning redistricting the House and Senate;
- c. Imposes new duties on two members of the Supreme Court;
- d. Requires political party affiliations by members of the Supreme Court;
- e. Does not alter the structure and procedures of the General Assembly; and
- f. Removes the power and duty of the Attorney General to bring actions in the name of the People of the State of Illinois concerning redistricting the House and Senate.

Answer: Paragraph 5 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 6 of the Complaint asserts:

The Redistricting Initiative also violates Article III, Section 3's requirement that all elections be free and equal because it presents separate and unrelated questions in a single ballot proposition. Ill. Const. 1970, art. III § 3.

Answer: Paragraph 6 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 7 of the Complaint asserts:

As a result of these violations, Plaintiffs pray for this Court to issue a permanent injunction to enjoin public funds from being spent to certify and submit this unconstitutional Redistricting Initiative to the voters of Illinois.

Answer: Independent Maps admits that Plaintiffs seek a permanent injunction to enjoin public funds from being spent in certifying and submitting the Redistricting Initiative to Illinois voters. Independent Maps denies that Plaintiffs are entitled to any relief and denies any remaining allegations in this paragraph.

Paragraph 8 of the Complaint asserts:

Plaintiff, the PEOPLE'S MAP, a political committee organized pursuant to the Illinois Election Code to support and/or oppose referenda related to legislative redistricting, is vitally interested in the laws of the State of Illinois and has an interest in ensuring that amendments to the Illinois Constitution are made in a constitutional manner as provided under the Constitution. JOHN HOOKER, Chairman of the PEOPLE'S MAP, is now and has been at all times pertinent

to the allegations contained in this Complaint, a citizen, resident, and taxpayer of the State of Illinois.

Answer: Independent Maps is without knowledge or information sufficient to form a belief about the truth of the allegations contained in this paragraph and accordingly denies them. Nevertheless, Independent Maps admits that at least some plaintiffs have standing to bring this Complaint.

Paragraph 9 of the Complaint asserts:

Plaintiff FRANK CLARK is the President and Chairman of the Board of the Business Leadership Council, a not-for-profit organization composed of African-American business people with the goal of improving the quality of life in the African-American community, is vitally interested in the laws of the State of Illinois and has an interest in ensuring that amendments to the Illinois Constitution are made in a constitutional manner as provided under the Constitution. Plaintiffs DR. LEON FINNEY, ELZIE HIGGINBOTTOM, and JOHN HOOKER, members of the Business Leadership Council, are now and have been at all times pertinent to the allegations contained in this Complaint, citizens, residents, and taxpayers of the State of Illinois.

Answer: Independent Maps is without knowledge or information sufficient to form a belief about the truth of the allegations contained in this paragraph and accordingly denies them. Nevertheless, Independent Maps admits that at least some plaintiffs have standing to bring this Complaint.

Paragraph 10 of the Complaint asserts:

Plaintiff RAYMOND CHIN is the President of the Chinatown Chamber of Commerce, a not-for-profit organization with the goal of improving and expanding business opportunities to educate the public on the history, culture, and customs of the Chinese American community, is vitally interested in the laws of the State of Illinois and has an interest in ensuring that amendments to the Illinois Constitution are made in a constitutional manner as provided under the Constitution. Plaintiff RAYMOND CHIN is now and has been at all times pertinent to the allegations contained in this Complaint, a citizen, resident, and taxpayer of the State of Illinois.

Answer: Independent Maps is without knowledge or information sufficient to form a belief about the truth of the allegations contained in this paragraph and accordingly denies them.

Nevertheless, Independent Maps admits that at least some plaintiffs have standing to bring this Complaint.

Paragraph 11 of the Complaint asserts:

Plaintiff FERNANDO GRILLO is the Chairman of ASPIRA Illinois, a Puerto Rican not-for-profit organization committed to the self-determination of Latinos and other underserved youth through education, leadership development, and cultural awareness. Plaintiff FERNANDO GRILLO is now and has been at all times pertinent to the allegations contained in this Complaint, a citizen, resident, and taxpayer of the State of Illinois.

Answer: Independent Maps is without knowledge or information sufficient to form a belief about the truth of the allegations contained in this paragraph and accordingly denies them. Nevertheless, Independent Maps admits that at least some plaintiffs have standing to bring this Complaint.

Paragraph 12 of the Complaint asserts:

Plaintiff JORGE PEREZ is the Executive Director of the Hispanic American Construction Industry Association (“HACIA”), a not-for-profit organization that works to ensure the equitable participation of its constituents in the construction industry. Plaintiff JORGE PEREZ is now and has been at all times pertinent to the allegations contained in this Complaint, a citizen, resident, and taxpayer of the State of Illinois.

Answer: Independent Maps is without knowledge or information sufficient to form a belief about the truth of the allegations contained in this paragraph and accordingly denies them. Nevertheless, Independent Maps admits that at least some plaintiffs have standing to bring this Complaint.

Paragraph 13 of the Complaint asserts:

Plaintiff CRAIG CHICO is the Executive Director of the Back of the Yards Neighborhood Association, a community organization whose mission is to enhance the general welfare of all residents, organizations, and businesses in its area. Plaintiff CRAIG CHICO is now and has been at all times pertinent to the allegations contained in this Complaint, a citizen, resident, and taxpayer of the State of Illinois.

Answer: Independent Maps is without knowledge or information sufficient to form a belief about the truth of the allegations contained in this paragraph and accordingly denies them. Nevertheless, Independent Maps admits that at least some plaintiffs have standing to bring this Complaint.

Paragraph 14 of the Complaint asserts:

Defendant, ILLINOIS STATE BOARD OF ELECTIONS, is responsible, pursuant to Section 10 ILCS 5/1A-8 (10), for determining the sufficiency of the petitions and signatures attached to the Redistricting Initiative petitions. Plaintiffs are informed and believe that in order to determine the validity and sufficiency of the Redistricting Initiative petitions, the ILLINOIS STATE BOARD OF ELECTIONS has already expended tens of thousands of taxpayer dollars and will continue to expend tens of thousands of additional taxpayer dollars over the next several months to evaluate: (a) the authenticity of signatures on the petition; (b) whether there is any duplication of signatures; (c) whether the signatories to the petition are validly registered voters; and (d) whether the signatures were secured in the manner required by law.

Answer: The first sentence of Paragraph 14 states a legal conclusion, to which no response is required. Independent Maps is without knowledge or information sufficient to form a belief about the truth of the remainder of the allegations in this paragraph and accordingly denies them.

Paragraph 15 of the Complaint asserts:

The ILLINOIS STATE BOARD OF ELECTIONS also has the duty of preparing and certifying the form of ballot for any proposed amendment to the Constitution of the State of Illinois, and such certification must occur no later than 74 days prior to the November 8, 2016 election. 10 ILCS 5/1a-8 (5); 10 ILCS 5/28-5.

Answer: Paragraph 15 states a legal conclusion, to which no response is required.

Paragraph 16 of the Complaint asserts:

LESLIE MUNGER, the State Comptroller, pursuant to 15 ILCS 405/10.01, upon ascertaining the amount due any person from the Treasury of the State, has the duty to draw her warrant on the Treasury and to direct MICHAEL FRERICHs, the State Treasurer, to pay the sum due.

Answer: Paragraph 16 states a legal conclusion, to which no response is required.

Paragraph 17 of the Complaint asserts:

JESSE WHITE, Secretary of State, pursuant to 5 ILCS 20/2, is responsible for publishing a notice of the proposed amendments in various newspapers throughout the State, and for preparing and sending to all mailing addresses in the State a pamphlet containing both the current and proposed constitutional provisions, an explanation of the proposal, and arguments for and against each initiative.

Answer: Paragraph 17 states a legal conclusion, to which no response is required.

Paragraph 18 of the Complaint asserts:

Further, upon certification by the ILLINOIS STATE BOARD OF ELECTIONS, DAVID D. ORR, the County Clerk of Cook County, and the BOARD OF ELECTION COMMISSIONERS FOR THE CITY OF CHICAGO, will be under a duty to print ballots containing the proposed amendments and furnish them to election judges, to cause ballot boxes to be located in each precinct within their respective jurisdictions, to hire personnel to aid in the performance of their statutory duty of conducting an election concerning the referendum, and to canvass the results of such referenda. In accordance with 10 ILCS 5/16-6 and as requested on the signed petitions, each proposal to amend the Constitution must be printed or submitted on a separate ballot of a “distinctly blue color.”

Answer: Paragraph 18 states a legal conclusion, to which no response is required.

Paragraph 19 of the Complaint asserts:

Plaintiffs are informed and believe that the cost of performing these duties will be at least tens of thousands of dollars within the election jurisdiction of the STATE BOARD OF ELECTIONS, BOARD OF ELECTION COMMISSIONERS FOR THE CITY OF CHICAGO, and within the part of Cook County outside the City of Chicago that is within the election jurisdiction of DAVID D. ORR, the County Clerk of Cook County.

Answer: Independent Maps is without knowledge or information sufficient to form a belief about the truth of the allegations contained in this paragraph and accordingly denies them.

Paragraph 20 of the Complaint asserts:

The Court has jurisdiction pursuant to 735 ILCS 5/2-701. An actual, immediate and justiciable controversy exists between the parties named herein with respect to whether the Redistricting Initiative violates the Illinois Constitution.

Answer: Paragraph 20 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps admits that the Court has jurisdiction to decide this matter.

Paragraph 21 of the Complaint asserts:

The Court has jurisdiction pursuant to 735 ILCS 5/11-301 and 735 ILCS 5/11-303 to enjoin the disbursement of public funds from being spent to certify and submit an unconstitutional Redistricting Initiative to the voters of Illinois.

Answer: Paragraph 21 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps admits that the Court has jurisdiction to decide this matter.

Paragraph 22 of the Complaint asserts:

Venue is proper pursuant to 735 ILCS 5/2-101 because some or all of the transactions giving rise to this Complaint took place in Cook County and each Defendant maintains an office in Cook County.

Answer: Paragraph 22 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps admits that venue is proper in Cook County, Illinois.

Count I
(Declaratory Judgment against all Defendants—the Redistricting Initiative Violates Article XIV, Section 3 Because It Imposes Duties on the Auditor General)

Paragraph 23 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 22 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 22 above, as though fully restated herein.

Paragraph 24 of the Complaint asserts:

Article VIII, Section 3 creates the Office of the Auditor General and provides for the Auditor General's duties. Ill. Const. 1970, art. VIII § 3.

Answer: Paragraph 24 states a legal conclusion, to which no response is required.

Paragraph 25 of the Complaint asserts:

Article IV contains no reference to the Auditor General. Ill. Const. 1970, art. IV.

Answer: Independent Maps admits that Article IV contains no reference to the Auditor General.

Paragraph 26 of the Complaint asserts:

The Redistricting Initiative would impose the following duties on the Auditor General:

- a. Request and accept applications from people to serve as Reviewers;
- b. Review the applications and select a pool of 30 potential Reviewers; and
- c. Publicly select by random draw the Panel of three Reviewers from the pool of potential Reviewers. (Ex. A, ¶(b).)

Answer: Independent Maps states that the Redistricting Initiative speaks for itself. Accordingly, Independent Maps denies any characterizations or allegations of the same that are contrary thereto.

Paragraph 27 of the Complaint asserts:

Imposing duties on the Auditor General is not a structural and procedural subject of Article IV.

Answer: Paragraph 27 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 28 of the Complaint asserts:

Because Article XIV, Section 3 limits Amendment by initiative to structural and procedural subjects contained in Article IV, the Redistricting Initiative is unconstitutional. A judicial declaration is necessary and appropriate at this time.

Answer: Paragraph 28 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs are entitled to relief.

Count II
(Declaratory Judgment against all Defendants—the Redistricting Initiative Violates Article XIV, Section 3 Because It Changes the Jurisdiction of the Supreme and Circuit Courts)

Paragraph 29 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 22 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 28 above, as though fully restated herein.

Paragraph 30 of the Complaint asserts:

Article IV, Section 3 states the Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate. Ill. Const. 1970, art. III § 3.

Answer: Independent Maps admits that Article IV, Section 3 states the Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate.

Paragraph 31 of the Complaint asserts:

Article VI, Section 9 (Circuit Courts Jurisdiction) states “Circuit Courts shall have original jurisdiction of all justiciable matters except when the Supreme Court has original and exclusive jurisdiction relating to redistricting of the General Assembly and to the ability of the Governor to serve or resume office.” Ill. Const. 1970, art. VI § 9.

Answer: Independent Maps admits that Paragraph 31 accurately quotes a portion of Article VI, Section 9 of the Illinois Constitution of 1970.

Paragraph 32 of the Complaint asserts:

If a matter is justiciable and does not fall within the original and exclusive jurisdiction of the Supreme Court, the Circuit Court has subject matter jurisdiction to consider the matter. *McCormick v. Robertson*, 2015 IL 118230, ¶ 20.

Answer: Paragraph 32 states a legal conclusion, to which no response is required.

Paragraph 33 of the Complaint asserts:

The Redistricting Initiative states that “The Supreme Court shall have original jurisdiction in cases relating to matters under this Section.” (Ex. A, ¶(h).)

Answer: Independent Maps admits that Paragraph 33 accurately quotes a portion of the Redistricting Initiative.

Paragraph 34 of the Complaint asserts:

By omitting “and exclusive” from the grant of jurisdiction, the Redistricting Initiative would alter the jurisdiction of the Illinois Courts by:

- a. Depriving the Supreme Court of the original and exclusive jurisdiction to hear redistricting cases; and
- b. Granting the Circuit Court subject matter jurisdiction to hear redistricting cases.

Answer: Paragraph 34 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs’ legal conclusion.

Paragraph 35 of the Complaint asserts:

The jurisdiction of the Illinois Courts to determine whether a redistricting plan is legally sufficient is not a structural and procedural subject of Article IV.

Answer: Paragraph 35 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs’ legal conclusion.

Paragraph 36 of the Complaint asserts:

Because Article XIV, Section 3 limits Amendments by initiative to structural and procedural subjects contained in Article IV, the Redistricting Initiative is unconstitutional. A judicial declaration is necessary and appropriate at this time.

Answer: Paragraph 36 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs’ legal conclusion and denies that Plaintiffs are entitled to relief.

Count III
(Declaratory Judgment against all Defendants—the Redistricting Initiative Violates Article XIV, Section 3 Because It Imposes New Duties on Two Members of the Supreme Court)

Paragraph 37 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 22 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 36 above, as though fully restated herein.

Paragraph 38 of the Complaint asserts:

Article IV, Section 3 states that “[i]f the Commission fails to file an approved redistricting plan, the Supreme Court shall submit the names of two persons, not of the same political party, to the Secretary of State not later than September 1.” Ill. Const. 1970, art. IV § 3.

Answer: Independent Maps admits that Paragraph 38 accurately quotes a portion of Article VI, Section 3 of the Illinois Constitution of 1970.

Paragraph 39 of the Complaint asserts:

The Redistricting Initiative, however, states that “[i]f the Commission fails to adopt and file with the Secretary of State a redistricting plan by June 30 of the year following a Federal decennial census, the Chief Justice of the Supreme Court and the most senior Judge of the Supreme Court who is not affiliated with the same political party as the Chief Justice shall appoint jointly by July 31 a Special Commissioner for Redistricting.” (Ex. A, ¶(f).)

Answer: Independent Maps admits that Paragraph 39 accurately quotes a portion of the Redistricting Initiative.

Paragraph 40 of the Complaint asserts:

The Constitution provides for the Supreme Court to establish the duties of the Chief Justice outside of Article IV.

Answer: Paragraph 40 states a legal conclusion, to which no response is required.

Paragraph 41 of the Complaint asserts:

Article VI, Section 16 provides that “[g]eneral administrative and supervisory authority over all courts is vested in the Supreme Court and shall be exercised by the Chief Justice in accordance with its rules. The Supreme Court shall appoint an administrative director and staff, who shall serve at its pleasure, to assist the Chief Justice in his duties.” Ill. Const. 1970, art. VI § 16.

Answer: Independent Maps admits that Paragraph 41 accurately quotes a portion of Article VI, Section 16 of the Illinois Constitution of 1970.

Paragraph 42 of the Complaint asserts:

Pursuant to Article VI, Section 16, the Supreme Court has established the Duties of the Chief Justice by rule. Ill. S. Ct. R. 30 (eff. Jan. 1, 1989).

Answer: Paragraph 42 states a legal conclusion, to which no response is required.

Paragraph 43 of the Complaint asserts:

The Redistricting Initiative would impose a new duty on the Chief Justice and the most senior Judge of the Supreme Court who is not affiliated with the same political party as the Chief Justice.

Answer: Paragraph 43 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs’ legal conclusion.

Paragraph 44 of the Complaint asserts:

Imposing new duties on the Chief Justice and most senior Judge of the Supreme Court who is not affiliated with the same political party as the Chief Justice is not a structural and procedural subject of Article IV.

Answer: Paragraph 44 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs’ legal conclusion.

Paragraph 45 of the Complaint asserts:

Because Article XIV, Section 3 limits Amendment by initiative to structural and procedural subjects contained in Article IV, the Redistricting Initiative is unconstitutional. A judicial declaration is necessary and appropriate at this time.

Answer: Paragraph 45 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs are entitled to relief.

Count IV

(Declaratory Judgment against all Defendants—the Redistricting Initiative Violates Article XIV, Section 3 Because It Requires Political Party Affiliation by Supreme Court Judges)

Paragraph 46 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 22 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 45 above, as though fully restated herein.

Paragraph 47 of the Complaint asserts:

Article VI, Section 12, paragraph (a) provides that "Supreme, Appellate and Circuit Judges shall be nominated at primary elections or by petition." Ill. Const. 1970, art. VI § 12(a). "[B]y petition" provides for a judge to be elected without political party affiliation.

Answer: Independent Maps admits that the first sentence in Paragraph 47 accurately quotes a portion of Article VI, Section 12(a) of the Illinois Constitution of 1970. The second sentence states a legal conclusion, to which no response is required.

Paragraph 48 of the Complaint asserts:

Article VI, Section 12, paragraph (d) provides that judges elected to the Supreme Court may succeed themselves through non-partisan retention elections. Ill. Const. 1970, art. VI § 12(d).

Answer: Paragraph 48 states a legal conclusion, to which no response is required.

Paragraph 49 of the Complaint asserts:

Additionally, Article VI, Section 13, paragraph (a) states that "[t]he Supreme Court shall adopt rules of conduct for Judges and Associate Judges." Ill. Const. 1970, art. VI § 13.

Answer: Independent Maps admits that Paragraph 49 accurately quotes a portion of Article VI, Section 13 of the Illinois Constitution of 1970.

Paragraph 50 of the Complaint asserts:

Pursuant to Article VI, Section 13, the Supreme Court regulates the political party activity of sitting judges. Ill. S. Ct. R. 67 (eff. Mar. 24, 1994).

Answer: Paragraph 50 states a legal conclusion, to which no response is required.

Paragraph 51 of the Complaint asserts:

Accordingly, the Constitution does not require a Judge of the Supreme Court to have a political affiliation and the Supreme Court by rule has exercised its power to regulate the political party affiliation of judges.

Answer: Paragraph 51 states a legal conclusion, to which no response is required.

Paragraph 52 of the Complaint asserts:

The Redistricting Initiative, however, imposes a new duty upon “the most senior Judge of the Supreme Court who is not affiliated with the same political party as the Chief Justice.”

Answer: Paragraph 52 states a legal conclusion, to which no response is required.

Paragraph 53 of the Complaint asserts:

This would require both the Chief Justice and at least one judge of the Supreme Court to affiliate with a political party at the time an appointment of Special Commissioner is necessary under the Redistricting Initiative.

Answer: Paragraph 53 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs’ legal conclusion.

Paragraph 54 of the Complaint asserts:

The political party affiliation of Judges of the Supreme Court is not a structural and procedural subject of Article IV.

Answer: Paragraph 54 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 55 of the Complaint asserts:

Because Article XIV, Section 3 limits Amendment by initiative to structural and procedural subjects contained in Article IV, the Redistricting Initiative is unconstitutional. A judicial declaration is necessary and appropriate at this time.

Answer: Paragraph 55 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs are entitled to relief.

Count V
(Declaratory Judgment against all Defendants—the Redistricting Initiative
Violates Article XIV, Section 3 Because It Does Not Change the Structure and
Procedure of the General Assembly)

Paragraph 56 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 22 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 55 above, as though fully restated herein.

Paragraph 57 of the Complaint asserts:

Article IV, Section 3 provides that the General Assembly shall redistrict the Legislative and Representative Districts in the year following the Federal decennial census. Ill. Const. 1970, art. IV § 3.

Answer: Independent Maps admits the allegations in Paragraph 57.

Paragraph 58 of the Complaint asserts:

If a redistricting plan does not become law by June 30, Article IV, Section 3 provides for a Legislative Redistricting Commission process to prepare a redistricting plan. Ill. Const. 1970, art. IV § 3.

Answer: Independent Maps admits the allegations in Paragraph 58.

Paragraph 59 of the Complaint asserts:

The Redistricting Initiative proposes to divest the General Assembly of its legislative authority to enact laws redrawing the State's Legislative and Representative Districts and to eliminate the alternative Legislative Redistricting Commission. (Ex. A.)

Answer: Independent Maps states that the Redistricting Initiative speaks for itself. Accordingly, Independent Maps denies any characterizations or allegations of the same that are contrary thereto.

Paragraph 60 of the Complaint asserts:

The Redistricting Initiative creates an Independent Redistricting Commission which is charged with making a redistricting plan. (Ex. A, ¶(a).)

Answer: Independent Maps states that the Redistricting Initiative speaks for itself. Accordingly, Independent Maps denies any characterizations or allegations of the same that are contrary thereto.

Paragraph 61 of the Complaint asserts:

Article IV, Section 1 ("Legislature—Power and Structure") states "[t]he legislative power is vested in a General Assembly consisting of a Senate and a House of Representatives, elected by the electors from 59 Legislative Districts and 188 Representative Districts." Ill. Const. 1970, art. IV § 1.

Answer: Independent Maps denies that Paragraph 61 accurately quotes the current provisions in Article IV, Section 1 of the Illinois Constitution of 1970.

Paragraph 62 of the Complaint asserts:

Article IV, Section 1 thus establishes the structure of the General Assembly, and is therefore the structural subject of Article IV.

Answer: Paragraph 62 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 63 of the Complaint asserts:

The Redistricting Initiative does not change Article IV, Section 1. If the Redistricting Initiative was enacted, the General Assembly would still consist of a Senate and a House of Representatives, elected by the electors from 59 Legislative Districts and 188 Representative Districts. The structure of the General Assembly as an institution would remain unchanged.

Answer: Paragraph 63 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs have accurately cited the number of current Representative Districts.

Paragraph 64 of the Complaint asserts:

The Redistricting Initiative only attempts to change the procedure for how Legislative and Representative District maps are drawn.

Answer: Independent Maps states that the Redistricting Initiative speaks for itself. Accordingly, Independent Maps denies any characterizations or allegations of the same that are contrary thereto.

Paragraph 65 of the Complaint asserts:

The procedure for how Legislative District and Representative District maps are drawn, however, does not involve any of the General Assembly's procedures. If the Redistricting Initiative was adopted, the process by which the General Assembly adopts a law would remain unchanged.

Answer: Paragraph 65 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 66 of the Complaint asserts:

Thus, the Redistricting Initiative is not limited to a structural and procedural subject contained in Article IV.

Answer: Paragraph 66 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 67 of the Complaint asserts:

Because Article XIV, Section 3 limits Amendment by initiative to structural and procedural subjects contained in Article IV, the Redistricting Initiative is unconstitutional. A judicial declaration is necessary and appropriate at this time.

Answer: Paragraph 67 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs are entitled to relief.

Count VI

(Declaratory Judgment against all Defendants—the Redistricting Initiative Violates Article XIV, Section 3 Because It Removes the Attorney General's Power to Initiate Actions Concerning Redistricting in the Name of the People of the State)

Paragraph 68 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 22 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 67 above, as though fully restated herein.

Paragraph 69 of the Complaint asserts:

Article IV, Section 3 states that “[t]he Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.” Ill. Const. 1970, art. IV § 3.

Answer: Independent Maps admits that Paragraph 69 accurately quotes a portion of Article IV, Section 3 of the Illinois Constitution of 1970.

Paragraph 70 of the Complaint asserts:

Article V, Section 15, provides that “[t]he Attorney General shall be the legal officer of the State, and shall have the duties and powers that may be prescribed by law.” Ill. Const. 1970, art. V § 15.

Answer: Independent Maps admits that Paragraph 70 accurately quotes a portion of Article V, Section 15 of the Illinois Constitution of 1970.

Paragraph 71 of the Complaint asserts:

The Redistricting Initiative does not provide for the Attorney General to initiate action concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State.

Answer: Independent Maps states that the Redistricting Initiative speaks for itself. Accordingly, Independent Maps denies any characterizations or allegations of the same that are contrary thereto.

Paragraph 72 of the Complaint asserts:

The Redistricting Initiative thus removes a duty and power of the Attorney General prescribed by law.

Answer: Paragraph 72 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 73 of the Complaint asserts:

The duties and powers of the Attorney General are not a structural and procedural subject of Article IV.

Answer: Paragraph 73 states a legal conclusion, to which no response is required.

Paragraph 74 of the Complaint asserts:

How a redistricting plan's legality may be challenged is neither a structural nor procedural subject of Article IV.

Answer: Paragraph 74 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 75 of the Complaint asserts:

Because Article XIV, Section 3 limits Amendment by initiative to structural and procedural subjects contained in Article IV, the Redistricting Initiative is unconstitutional. A judicial declaration is necessary and appropriate at this time.

Answer: Paragraph 75 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs are entitled to relief.

Count VII
(Declaratory judgment against all Defendants—the Redistricting Initiative Violates the Free and Equal Clause of the Illinois Constitution)

Paragraph 76 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 22 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 75 above, as though fully restated herein.

Paragraph 77 of the Complaint asserts:

Article III, Section 3 states that “[a]ll elections shall be free and equal.”

Answer: Independent Maps admits that Paragraph 77 accurately quotes Article III, Section 3 of the Illinois Constitution of 1970.

Paragraph 78 of the Complaint asserts:

The free and equal clause is violated when separate and unrelated questions are combined in a single proposition on a ballot.

Answer: Paragraph 78 states a legal conclusion, to which no response is required.

Paragraph 79 of the Complaint asserts:

The Redistricting Initiative raises separate and unrelated questions pertaining to the General Assembly's power to draft a redistricting map; the jurisdiction of the Illinois Courts; the duties and political affiliations of Judges of the Supreme Court; the duties of the Auditor General; the powers and duties of the Attorney General; and the duties of the Secretary of State.

Answer: Paragraph 79 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 80 of the Complaint asserts:

The Redistricting Initiative would deprive voters of the opportunity to answer each of these questions separately and independently.

Answer: Paragraph 80 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 81 of the Complaint asserts:

Because Article III, Section 3 prohibits separate and unrelated questions from being combined into a single ballot proposition, the Redistricting Initiative is unconstitutional. A judicial declaration is necessary and appropriate at this time.

Answer: Paragraph 81 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs are entitled to relief.

Count VIII

(Permanent Injunction to Enjoin Defendant Illinois State Board of Elections and any of its officers or members from expending public funds related to the Redistricting Initiative)

Paragraph 82 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 81 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 81 above, as though fully restated herein.

Paragraph 83 of the Complaint asserts:

735 ILCS 5/11-301 provides for citizens and taxpayers of Illinois to bring an action to enjoin the disbursement of public funds by any officer or officers of the State government.

Answer: Paragraph 83 states a legal conclusion, to which no response is required.

Paragraph 84 of the Complaint asserts:

Plaintiffs are taxpayers of the State of Illinois.

Answer: Independent Maps is without knowledge or information sufficient to form a belief about the truth of the allegations contained in this paragraph and accordingly denies them. Nevertheless, Independent Maps admits that at least some Plaintiffs have standing to bring this Complaint.

Paragraph 85 of the Complaint asserts:

Plaintiffs will be irreparably harmed if public funds are unnecessarily expended by Defendant Illinois State Board of Elections and any of its officers or members to determine the validity and sufficiency of the petition containing the unconstitutional Redistricting Initiative because taxpayers will be required to pay for the expenditure through their taxes paid to the State.

Answer: Paragraph 85 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 86 of the Complaint asserts:

There is no appropriation authority for the Defendant Illinois State Board of Elections and any of its officers or members to expend public funds to determine the sufficiency of the petition containing the unconstitutional Redistricting Initiative.

Answer: Paragraph 86 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' conclusion.

Paragraph 87 of the Complaint asserts:

Plaintiffs pray that this Court enter a permanent injunction enjoining Defendant Illinois State Board of Elections and any of its officers or members from certifying ballots containing the Redistricting Initiative, from hiring personnel to aid in conducting a referendum on the Redistricting Initiative or in any other way acting to place a ballot containing the Redistricting Initiative before the voters at the General Election to be held on November 8, 2016, or at any other time, and from otherwise wrongfully expending any public funds in connection therewith.

Answer: Paragraph 87 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs are entitled to relief.

Paragraph 88 of the Complaint asserts:

Plaintiffs have no adequate remedy at law.

Answer: Paragraph 88 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Count IX

(Permanent Injunction to Enjoin Defendant Board of Election Commissioners for the City of Chicago and any of its officers or members and Cook County Clerk David D. Orr from expending public funds related to the Redistricting Initiative)

Paragraph 89 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 84 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 88 above, as though fully restated herein.

Paragraph 90 of the Complaint asserts:

Plaintiffs will be irreparably harmed if public funds are unnecessarily expended by Defendant Board of Election Commissioners for the City of Chicago and any of its officers or members and Defendant Cook County Clerk David D. Orr for any action related to the unconstitutional Redistricting Initiative because Plaintiffs will be required to pay for the expenditure through their taxes.

Answer: Paragraph 90 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 91 of the Complaint asserts:

Plaintiffs pray that this Court enter a permanent injunction enjoining Defendant Board of Election Commissioners for the City of Chicago and any of its officers or members from printing ballots containing the Redistricting Initiative, from furnishing such ballots to judges of election, from causing ballot boxes needed solely for the receipt of such ballots to be located within each precinct within their election jurisdictions, from hiring personnel to aid in conducting a referendum on the Redistricting Initiative or in any other way acting to place a ballot containing the Redistricting Initiative before the voters at the General Election to be held on November 8, 2016, or at any other time, and from otherwise wrongfully expending any public funds in connection therewith.

Answer: Paragraph 91 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs are entitled to relief.

Paragraph 92 of the Complaint asserts:

Plaintiffs have no adequate remedy at law.

Answer: Paragraph 92 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Count X
(Permanent Injunction to Enjoin Defendant Leslie Munger, Comptroller, in her official capacity, and Michael Frerichs, Treasurer, in his official capacity, from expending public funds related to the Redistricting Initiative)

Paragraph 93 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 84 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 92 above, as though fully restated herein.

Paragraph 94 of the Complaint asserts:

Plaintiffs will be irreparably harmed if Defendant Comptroller Leslie Munger draws her warrant on the Treasury to expend public funds on the unconstitutional Redistricting Initiative.

Answer: Paragraph 94 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 95 of the Complaint asserts:

Plaintiffs have no adequate remedy at law.

Answer: Paragraph 95 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 96 of the Complaint asserts:

There is no appropriation authority for the Defendant Comptroller Leslie Munger to expend public funds to determine the sufficiency of the petition containing the unconstitutional Redistricting Initiative, or for Defendant Treasurer Michael Frerichs to process vouchers and pay any public funds for such purposes.

Answer: Paragraph 96 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 97 of the Complaint asserts:

Plaintiffs pray that this Court enter a permanent injunction enjoining LESLIE MUNGER, the State Comptroller, from approving any vouchers submitted for such purposes described above and MICHAEL FRERICHS, the State Treasurer, from processing vouchers and from paying any public funds for such purposes.

Answer: Paragraph 97 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs are entitled to relief.

Count XI

(Permanent Injunction to Enjoin Defendant Jesse White, Secretary of State, in his official capacity from expending public funds related to the Redistricting Initiative)

Paragraph 98 of the Complaint asserts:

Plaintiffs incorporate by reference paragraphs 1 through 84 above, as though fully restated herein.

Answer: Independent Maps incorporates by reference its answers to paragraphs 1 through 97 above, as though fully restated herein.

Paragraph 99 of the Complaint asserts:

Defendant Jesse White, Secretary of State, through 5 ILCS 20/2, is responsible for publishing a notice of the proposed amendments in various newspapers throughout the State, and for preparing and sending to all mailing addresses in the State a pamphlet containing both the current and proposed constitutional provisions, an explanation of the proposal, and arguments for and against each initiative.

Answer: Paragraph 99 states a legal conclusion, to which no response is required.

Paragraph 100 of the Complaint asserts:

Plaintiffs are informed and believe that Defendant Jesse White, Secretary of State, will expend millions of taxpayer dollars in furtherance of these duties and obligations.

Answer: Independent Maps is without knowledge or information sufficient to form a belief about the truth of the allegations contained in this paragraph and accordingly denies them.

Paragraph 101 of the Complaint asserts:

Plaintiffs will be irreparably harmed if Defendant Secretary of State Jesse White expends public funds complying with 5 ILCS 20/2 on the unconstitutional Redistricting Initiative.

Answer: Paragraph 101 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

Paragraph 102 of the Complaint asserts:

There is no appropriation authority for the Defendant Jesse White to expend public funds to fulfill his obligations in 5 ILCS 20/2 concerning the unconstitutional Redistricting Initiative.

Answer: Paragraph 102 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion.

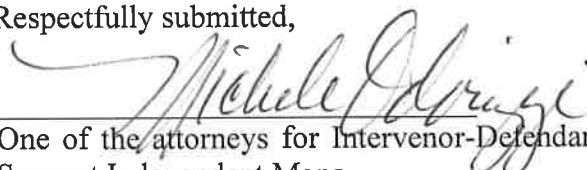
Paragraph 103 of the Complaint asserts:

Plaintiffs pray that this Court enter a permanent injunction enjoining Defendant Secretary of State Jesse White from expending any public fund complying with 5 ILCS 20/2 related to the unconstitutional Redistricting Initiative.

Answer: Paragraph 103 states a legal conclusion, to which no response is required. Nevertheless, Independent Maps denies the validity of Plaintiffs' legal conclusion and denies that Plaintiffs are entitled to relief.

Dated: June 3, 2016

Respectfully submitted,


One of the attorneys for Intervenor-Defendant
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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

JOHN HOOKER, et al.,

Plaintiffs,

vs.

ILLINOIS STATE BOARD OF ELECTIONS,
et al.

Defendants,

and

SUPPORT INDEPENDENT MAPS,

Intervenor-Defendant.

Case No. 16 CH 06539

Hon. Diane J. Larsen,
Judge Presiding.

CERTIFICATE OF SERVICE

I, Alexander Kritikos, an attorney, hereby certify that on June 3, 2016, I caused a copy of **Answer of Support Independent Maps'** dated June 3, 2016 to be served by e-mail or first class mail, postage prepaid upon:

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