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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT, DISTRICT OF MONTANA
HELENA DIVISION**

BOB BROWN; HAILEY SINOFF;
and DONALD SEIFERT,

Plaintiffs,

vs.

CHRISTI JACOBSEN, in her
official capacity as Montana
Secretary of State,

Defendant.

Cause No.

6:21-cv-92-PJW-DWM-BMM

**Plaintiffs' Statement of
Undisputed Facts**

1. According to official 2020 Census data published by the United States Census Bureau, the population of Montana as of 2020 was 1,084,225. 6.7% of Montanans are classified as American Indian or Alaska Native (Doc. 1, ¶ 27; Doc. 12, ¶ 27); Ex. 5, Second Aff. of Constance Van Kley, ¶ 3 (Feb. 7, 2022); United States Census Bureau, QuickFacts: Montana, available at <https://www.census.gov/quickfacts/MT>.
2. The map attached as Exhibit 1-A shows the population of each Montana county as of the 2020 Census. Ex. 1, Aff. of Constance Van Kley ¶ 3 (Jan. 26, 2022); Ex. 1-A, Map Showing County Population Totals as of the 2020 Census; (Doc. 6-1; Doc. 12, ¶ 2 n.1).
3. The map attached as Exhibit 1-B shows the current Public Service Commission (“Commission”) boundaries and population deviations from the ideal population of 216,845 as of the 2020 Census. Ex. 1, Aff. of Constance Van Kley ¶ 4; Ex. 1-B, Current Commission Map; (Doc. 6-1; Doc. 12, ¶ 2 n.1).
4. Each decennial census cycle, Montana’s Districting and Apportionment Committee sets criteria for redistricting following a period of public comment. Ex. 4, Expert Report of the Honorable

Jim Regnier, 3 (Jan. 26, 2022); Ex. 2, Mont. Districting & Apportionment Comm’n, Final Legislative Redistricting Plan Based on the 2010 Census 13-14 (Feb. 12, 2013), available at <http://perma.cc/2H5X-PLGK>; Ex. 3, Mont. Districting & Apportionment Comm’n, Criteria & Goals for State Leg. Districts (July 2021), available at <https://leg.mt.gov/content/Districting/2020/Topics/Criteria/adopted-criteria-state-legislative-dac-july-2021.pdf>.

5. The map attached as Exhibit 1-C shows Plaintiffs’ Proposed Map 1, which incorporates official 2020 Census data. Ex. 1, Aff. of Constance Van Kley, ¶ 5; Ex. 1-C, Pls.’ Proposed Map 1. This map does not redistrict current and incumbent commissioners. Ex. 1, Aff. of Constance Van Kley, ¶ 7.
6. The map attached as Exhibit 1-D shows Plaintiffs’ Proposed Map 2, which incorporates official 2020 Census data. Ex. 1, Aff. of Constance Van Kley, ¶ 5; Ex. 1-D, Pls.’ Proposed Map 2. This map does not redistrict current and incumbent commissioners. Ex. 1, Aff. of Constance Van Kley, ¶ 7.

7. The map attached as Exhibit 1-E shows Plaintiffs' Proposed Map 3, which incorporates official 2020 Census data. Ex. 1, Aff. of Constance Van Kley, ¶ 5; Ex. 1-E, Pls.' Proposed Map 3. This map does not redistrict current and incumbent commissioners. Ex. 1, Aff. of Constance Van Kley, ¶ 7.
8. The Little Shell Tribe of Chippewa Indians is a band of the Chippewa Indians headquartered in Great Falls, Montana, with 4,500 members. Ex. 5, Second Aff. of Constance Van Kley, ¶ 4.
9. Northcentral and northeastern Montana is peppered with land held in trust for the Turtle Mountain Band of Chippewa Indians. Ex. 5, Second Aff. of Constance Van Kley, ¶ 5.

Respectfully submitted this 7th day of February, 2021.

/s/ Constance Van Kley
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/s/ Joel G. Krautter
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CERTIFICATE OF SERVICE

I hereby certify that this document was filed in CM/ECF on February 7, 2022, and served upon all registered users.

/s/ Constance Van Kley
Attorney for Plaintiffs