

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DONALD AGEE, JR., an individual, *et al.*,

Plaintiffs,

v.

JOCELYN BENSON, in her official capacity as the Secretary of State of Michigan, *et al.*;

Defendants.

Case No. 1:22-cv-00272

**Three-Judge Panel Appointed
Pursuant to 28 U.S.C. § 2284(a)**

**STIPULATION OF VOLUNTARY DISMISSAL
OF APPEAL TO THE U.S. SUPREME COURT**

On January 4, 2024, the Michigan Independent Citizens Redistricting Commission and its members in their official capacities (collectively, the “Commission”) filed a notice of appeal to the U.S. Supreme Court from this Court’s December 21, 2023 Opinion and Order. ECF No. 144; ECF No. 131; *see* 28 U.S.C. § 1253. On the Commission’s application, Justice Kavanaugh extended the deadline for the Commission to docket the appeal in the Supreme Court to May 3, 2024. ECF No. 166; *see* Sup. Ct. R. 18.3. No such appeal has been docketed. On or about April 25, 2024, the Commission and the plaintiffs in this matter (“Plaintiffs”) reached an agreement settling certain aspects of this case, including issues related to Plaintiffs’ claim for attorneys and expert fees and costs under 42 U.S.C. § 1988. In that settlement, the Commission agreed to dismiss the pending appeal commenced on January 4.

Accordingly, pursuant to U.S. Supreme Court Rule 18.5, the Commission and Plaintiffs, by counsel, hereby stipulate to the voluntary dismissal of the Commission's pending appeal to the Supreme Court of the United States.

Respectfully submitted this 3rd day of May, 2024.

/s/ John J. Bursch (with permission)

John J. Bursch (P57679)
BURSCH LAW PLLC
Attorney for Plaintiffs
9339 Cherry Valley Ave SE, #78
Caledonia, Michigan 49316
(616) 450-4235
jbursch@burschlaw.com

Michael J. Pattwell (P72419)
Jennifer K. Green (P69019)
James J. Fleming (P84490)
Amia A. Banks (P84182)
CLARK HILL PLC
215 South Washington Square, Suite 200
Lansing, MI 48933
(517) 318-3100
mpattwell@clarkhill.com
jgreen@clarkhill.com
jfleming@clarkhill.com
abanks@clarkhill.com

Counsel for Plaintiffs

/s/ Heather S. Meingast (with permission)

Heather S. Meingast (P55439)
Erik A. Grill (P64713)
Assistant Attorneys General
P.O. Box 30736
Lansing, Michigan 48909
(517) 335-7659
meingasth@michigan.gov
grille@michigan.gov

Counsel for Defendant Benson

/s/ David H. Fink

FINK BRESSACK
David H. Fink (P28235)
Nathan J. Fink (P75185)
38500 Woodward Ave., Suite 350
Bloomfield Hills, Michigan 48304
(248) 971-2500
dfink@finkbressack.com
nfink@finkbressack.com

BAKER & HOSTETLER LLP
Katherine L. McKnight
Richard B. Raile
Dima J. Atiya
1050 Connecticut Ave., NW,
Suite 1100
Washington, D.C. 20036
(202) 861-1500
kmcknight@bakerlaw.com
rraile@bakerlaw.com
datiya@bakerlaw.com

BAKER & HOSTETLER LLP
Patrick T. Lewis
Key Tower, 127 Public Square,
Suite 2000
Cleveland, Ohio 44114
(216) 621-0200
plewis@bakerlaw.com

BAKER & HOSTETLER LLP
Erika Dackin Prouty
200 Civic Center Drive, Suite 1200
Columbus, Ohio 43215
(614) 228-1541
eprouty@bakerlaw.com

Counsel for Defendants, Michigan Independent Citizens Redistricting Commission, and Elaine Andrade, Donna Callaghan, Juanita Curry, Anthony Eid, Rhonda Lange, Steven Terry Lett, Brittini Kellom, Marcus Muldoon, Cynthia Orton, Rebecca Szetela, Janice Vallette, Erin Wagner, and Richard Weiss, each in his or her official capacity as a Commissioner of the Michigan Independent Citizens Redistricting Commission