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4/12/02  
v9

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**RICHARD VIETH, NORMA JEAN  
VIETH, and SUSAN FUREY,**

**Plaintiffs**

v.

**COMMONWEALTH OF  
PENNSYLVANIA, et al.,**

**Defendants**

**CIVIL NO. 1:CV-01-2439**


**FILED**  
HARRISBURG, PA

APR 12 2002

MARY E. D'ANDREA, CLERK  
Per  Deputy Clerk

**ORDER**

The following is the background of this order: On April 8, 2002, the court issued an order enjoining the implementation of Act 1. On April 11, 2002, Defendants filed a motion to stay the court's order pending appeal. On April 12, 2002, the three-judge panel met via teleconference to discuss disposition of the pending motion.<sup>1</sup> As a result of this meeting, the panel unanimously agreed that both parties demonstrated, at the hearing in this matter, that they could produce a new map within a short period of time. Once such a map is enacted, the court will immediately hold a hearing to decide whether it complies with the applicable constitutional standard. In light of this, **IT IS HEREBY ORDERED THAT** Defendants' motion for stay of the court's April 8, 2002 order is **DENIED**.

  
SYLVIA H. RAMBO  
United States District Judge  
on behalf of the panel

Dated: April 12, 2002.

<sup>1</sup>During the telephone conference, the judges agreed to allow Judge Rambo to sign this order on behalf of the panel.

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

April 12, 2002

Re: 1:01-cv-02439 Vieth v. Commonwealth of PA

True and correct copies of the attached were mailed by the clerk  
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- Judge (  ) ( ) Pro Se Law Clerk
- Magistrate Judge ( ) ( ) INS
- U.S. Marshal ( ) ( ) Jury Clerk
- Probation ( )
- U.S. Attorney ( )
- Atty. for Deft. ( )
- Defendant ( )
- Warden ( )
- Bureau of Prisons ( )
- Ct Reporter ( )
- Ctroom Deputy ( )
- Orig-Security ( )
- Federal Public Defender ( )
- Summons Issued ( ) with N/C attached to complt. and served by:  
U.S. Marshal ( ) Pltf's Attorney ( )
- Standard Order 93-5 ( )
- Order to Show Cause ( ) with Petition attached & mailed certified mail  
to: US Atty Gen ( ) PA Atty Gen ( )  
DA of County ( ) Respondents ( )
- Bankruptcy Court ( )
- Other Judge Yohn (  )  
Judge Nygaard (  )

MARY E. D'ANDREA, Clerk

DATE: 4/12/02

BY: [Signature]  
Deputy Clerk