

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

JOHN TYLER CLEMONS, <i>et al.</i>	)	
	)	
Plaintiffs,	)	
-v-	)	Case No.
	)	3:09-CV-00104-WAP-SAA
	)	
UNITED STATES DEPARTMENT OF	)	
COMMERCE; <i>et al.</i> ,	)	
	)	
Defendants.)	)	

SUPPLEMENTAL AFFIDAVIT OF JEFFREY LADEWIG,

Jeffery Ladewig, being first duly sworn on oath, deposes, and says:

1. My background and credentials have been fully detailed in my prior affidavit. I do not repeat them here.
2. I have analyzed the apportionment data for the 1790 census at the request of counsel for the plaintiffs.
3. After the 1790 census, Congress initially apportioned the House using 120 seats. This approach had an ideal district size of 30,133 persons per seat. The maximum deviation for this apportionment was 7,652 individuals, or 25.39% of the ideal district size.
4. George Washington vetoed this apportionment bill because several states had average district sizes that were smaller than 30,000.
5. After the veto, Congress ultimately passed an apportionment bill with 105 seats in the House. This produces an ideal district size of 34,437 individuals. The

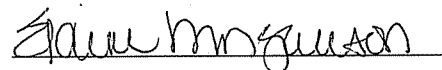
maximum deviation for this apportionment was 22,380 individuals, or 64.99% of the ideal district size.

6. It was mathematically impossible to improve this deviation by increasing the size of the House of Representatives without violating the 30,000 rule. At the point at which any improvement would occur, there would be one or more states with districts smaller than 30,000.
7. I have also analyzed the 2010 projections using the median projections previously supplied to this Court by Kimball Brace.
8. I have used these numbers to determine the size of the House of Representatives that would be required to give each of the states involved in this litigation an additional seat in the House. I have employed all current practices including the Hill method in making these calculations.
9. Utah will receive an additional seat in the House based on the current size of 435 seats.
10. Each of the other states would receive an additional seat at the following sizes of the House: Montana (446 seats); Mississippi (468 seats); Delaware (493 seats); and South Dakota (534 seats).
11. If the House was apportioned at 446 seats, the maximum deviation as a percent of the ideal district size would decrease from 64.46% to 58.18%.
12. If the House was apportioned at 534 seats, the maximum deviation as a percent of the ideal district size would decrease to 51.0%--a difference of 14.46%. It would also decrease the maximum deviation from 457,336 to 294,798 individuals. Both of these improvements are truly significant.



Jeffery Ladewig

Subscribed and sworn to before me this 13 day of May, 2010.



Notary Public, State of Connecticut

ELAINE MORGANSON
NOTARY PUBLIC
MY COMMISSION EXPIRES 6/30/12

