

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD AGEE, JR. et al.,

Plaintiffs,

v.

JOCELYN BENSON, et al.,

Defendants.

Case No. 1:22-CV-00272-PLM-RMK-JTN

**[PROPOSED] FINAL PRETRIAL
ORDER**

Pursuant to the Court’s Case Management Order of August 31, 2023 (ECF No. 82,PageID.2045), counsel for Plaintiffs and counsel for Defendants, Michigan Independent Citizens Redistricting Commission, Douglas Clark, Juanita Curry, Anthony Eid, Rhonda Lange, Steven Terry Lett, Brittini Kellom, Cynthia Orton, M.C. Rothhorn, Rebecca Szetela, Janice Vallette, Erin Wagner, Richard Weiss, and Dustin Witjes, each in his or her official capacity as a Commissioner of the Commission (collectively, the “Commission”), met and conferred to prepare the foregoing pretrial order.

A final pretrial conference was held on October 5, 2023. Appearing for the parties as counsel were:

[TK]

1. Exhibits. The following Exhibits will be offered by the Plaintiffs and Defendants.

(List separately for each party all exhibits, including demonstrative evidence and summaries of other evidence, by name and number. Plaintiffs shall use numbers; defendants shall use letters. Indicate with respect to each exhibit whether and for what reason its admissibility is challenged. Exhibits expected to be used solely for impeachment purposes need not be numbered or listed until identified at trial. Failure to list an exhibit required to be listed

by this order will result, except upon a showing of good cause, in a determination of non-admissibility at trial. Objections not contained in the Pretrial Order, other than objections under Evidence Rule 402 or 403, shall be deemed waived except for good cause shown. See Fed. R. Civ. P. 26(a)(3)(B).)

Plaintiffs' Exhibit List is attached as Exhibit 1A, is incorporated herein by reference, and reports Plaintiffs' exhibits along with the Commission's objections thereto.

The Commission's Exhibit List is attached as Exhibit 1B, is incorporated herein by reference, and reports the Commission's exhibits. Plaintiffs do not object to any of the Commission's exhibits.

2. Uncontroverted Facts. The parties have agreed that the following may be accepted as established facts:

(State in detail all uncontroverted facts.)

The parties are continuing to confer about the uncontroverted facts. They intend to submit stipulated facts by September 29, 2023.

3. Controverted Facts and Unresolved Issues. The factual issues remaining to be determined and issues of law for the Court's determination are:

(Set out each issue which is genuinely controverted, including issues on the merits and other matters which should be drawn to the Court's attention.)

The parties set out the following controverted facts and unresolved issues:

- a. As to each Count of the First Amended Complaint (ECF No. 8) and as to all remaining Plaintiffs:

- i. Whether the Plaintiff has shown an injury-in-fact;
- ii. Whether the Plaintiff has shown that such injury-in-fact can be redressed by the creation of a Section 2 remedial district.

- b. As to Count I of the First Amended Complaint (ECF No. 8) (Violation of Section 2 of the Voting Rights Act, House VRA Plaintiffs), to the extent summary judgment

was not granted to the Commission on the Count in the Court's order of August 29, 2023 (ECF No. 81):

For each of Michigan House Districts 1, 7, 10, 12, and 14:

- iii. Whether each of the *Gingles* preconditions are satisfied;
- iv. Whether, under the totality of the circumstances, members of the identified racial group have less opportunity than do other members of the electorate to elect a candidate of their choice.

c. As to Count II of the First Amended Complaint (Violation of Section 2 of the Voting Rights Act, Senate VRA Plaintiffs), to the extent summary judgment was not granted to the Commission on the Count in the Court's order of August 29, 2023 (ECF No. 81):

For each of Michigan Senate Districts 1, 3, 6, and 8:

- i. Whether each of the *Gingles* preconditions are satisfied;
- ii. Whether, under the totality of the circumstances, members of the identified racial group have less opportunity than do other members of the electorate to elect a candidate of their choice.

d. As to Count III of the First Amended Complaint (Violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution – Racial Gerrymandering, House Equal Protection Plaintiffs), to the extent summary judgment was not granted to the Commission on the Count in the Court's order of August 29, 2023 (ECF No. 81):

For each of Michigan House Districts 1, 7, 8, 10, 11, 12, and 14:

- i. Whether the Commission used race as the predominant criterion to configure the district; and
- ii. If so, whether the Commission's use of race satisfies strict scrutiny, i.e., was narrowly tailored for compliance with the Voting Rights Act.

e. With respect to Count IV of the First Amended Complaint (Violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution –

Racial Gerrymandering, Senate Equal Protection Plaintiffs), to the extent summary judgment was not granted to the Commission on the Count in the Court’s order of August 29, 2023 (ECF No. 81):

For each of Michigan Senate Districts 1, 3, 6, 8, 10, and 11:

- i. Whether the Commission used race as the predominant criterion to configure the district; and
- ii. If so, whether the Commission’s use of race satisfies strict scrutiny, i.e., was narrowly tailored for compliance with the Voting Rights Act.

4. Witnesses:

A. Non-expert witnesses to be called by the plaintiffs and defendants, except those who may be called for impeachment purposes only, are:

(List names, addresses, and telephone numbers of all non-experts who will testify. Indicate whether they are expected to testify in person, by deposition videotape, or by reading of their deposition transcript. Indicate all objections to the anticipated testimony of each non-expert witness. For each witness listed, indicate whether the witness **will be** called or merely **may be** called to testify.)

Plaintiffs

Will Call

Witness Name	Address/Phone	In-Person or Deposition
Rhonda Lange	c/o Commission counsel	In-Person
Rebecca A. Szetela	P.O. Box 31318, Lansing, MI 48909, (517) 335-3333	In-Person
LaMar Lemmons III	c/o Plaintiffs’ counsel	In-Person
Virgil K. Smith	c/o Plaintiffs’ counsel	In-Person

May Call

Witness Name	Address/Phone	In-Person or Deposition
Jocelyn Benson	c/o counsel for Benson	In-Person
M.C. Rothhorn	c/o Commission counsel	In-Person
Erin Wagner	c/o Commission counsel	In-Person
Dustin Witjes	c/o Commission counsel	In-Person
Each of the remaining named Plaintiffs	c/o Plaintiffs' counsel	In-Person
Bruce L. Adelson	11808 Becket St., Potomac, MD 20854; (301) 762-5272	In-Person
Julianne V. Pastula, Esq.	2 Woodward Ave., Ste. 500, Detroit, MI 48226-5431, (313) 237-3137	In-Person
Suann Hammersmith	13052 Crockett Hwy., Blissfield, MI 49228, (517) 403-1346	In-Person
Brittini Kellom	c/o Commission counsel	In-Person
Anthony Eid	c/o Commission counsel	In-Person
Juanita Curry	c/o Commission counsel	In-Person
Steven Terry Lett	c/o Commission counsel	In-Person
Kim Brace	c/o Commission counsel	In-Person
The Hon. Stephen Markman	c/o Hillsdale College 33 E College St. Hillsdale, MI 49242	In-Person

CommissionWill Call

Witness Name	Address/Phone	In-Person or Deposition
Dr. Lisa Handley	c/o Commission counsel	In-Person

Witness Name	Address/Phone	In-Person or Deposition
Bruce Adelson	c/o Commission counsel	In-Person
Commissioner Anthony Eid	c/o Commission counsel	In-Person

May Call

Witness Name	Address/Phone	In-Person or Deposition
Commissioner Steve Lett	c/o Commission counsel	In-Person
Kent Stigall	c/o Commission counsel	In-Person
Any other witness identified by other party	c/o Commission counsel	In-Person
Any other party to this action		In-Person

- B. Expert witnesses to be called by the plaintiffs and defendants, except those who may be called for impeachment purposes only, are:

(List names, addresses, and telephone numbers of all experts who will testify, providing a brief summary of their qualifications and a statement of the scientific or medical field(s) in which they are offered as experts. Indicate whether they will testify in person, by deposition videotape, or by reading of their deposition transcript. Indicate all objections to the qualifications or anticipated testimony of each expert witness.)

It is understood that, except upon a showing of good cause, no witness whose name and address does not appear in the lists required by subsections (a) and (b) will be permitted to testify for any purpose, except impeachment, if the opposing party objects. Any objection to the use of a deposition under Fed. R. Civ. P. 32(a) not reflected in the Pretrial Order shall be deemed waived, except for good cause shown.

Plaintiffs

Will Call

Expert Witness Name	Address/Phone Number	In-Person or Deposition	Summary of Qualifications	Field of Expertise
Sean P. Trende	c/o Plaintiffs' counsel	In-Person	<ul style="list-style-type: none"> - Senior Elections Analyst – Real Clear Politics. - Authored voluminous scholarship on elections/voting patterns. - Provided expert reports and expert testimony on numerous occasions over the previous 4 years on elections/gerrymandering. - Appointed Voting Rights Act expert by Arizona Independent Redistricting Commission (2020). - Appointed Special Master by the Supreme Court of Virginia to redraw district maps for Virginia House of Delegates, Senate of Virginia, and 	<ul style="list-style-type: none"> - Racial Gerrymandering - Voting Rights Act Compliance - Redistricting

Expert Witness Name	Address/Phone Number	In-Person or Deposition	Summary of Qualifications	Field of Expertise
			Congressional delegation. - Appointed redistricting expert by the Supreme Court of Belize. - B.A., History and Political Science, <i>with distinction</i> , Yale University. - M.A., Duke University, Political Science, <i>cum laude</i> . - J.D., Duke University School of Law, <i>cum laude</i> . - M.A.S. (Master of Applied Statistics), The Ohio State University. - Current Ph.D. candidate, Political Science, The Ohio State University.	
Dr. Brad Lockerbie	c/o Plaintiffs' counsel	In-Person	- Professor of Political Science – East Carolina University. - Authored over 30 peer-reviewed articles on elections and public opinion. - Authored several book chapters examining race	- Racial discrimination and its current effect on voting patterns/the political process. - Racial polarization voting and patterns. - Analyzation of the factors discussed in the

Expert Witness Name	Address/Phone Number	In-Person or Deposition	Summary of Qualifications	Field of Expertise
			relating to voting behavior. - Provided expert testimony at trial and/or deposition on multiple occasions over the past 4 years. - B.A., Political Science, University of Georgia. - Ph.D., Political Science (specializing in American electoral behavior), University of Iowa.	Senate Report that accompanied the 1982 Voting Rights Act Amendments, S.Rep. No. 97-417, at 28-29 (1982)
Dr. Lisa Handley	c/o Commission counsel	In-Person	- Retained by the Michigan Independent Citizens Redistricting Commission to analyze racial voting patterns, minority opportunity districts, and partisan fairness.	- Voting Rights Act compliance - Redistricting

Plaintiffs submits this list based on information reasonably known to or obtained by Plaintiffs as of the date below. Plaintiffs’ investigation and discovery is ongoing, and Plaintiffs reserve the right to modify, amend, add to, or otherwise supplement this list as permitted by the Federal Rules of Civil Procedure, the Local Rules, or any orders of this

Court, either through express supplements to this list or through responses to formal discovery, as additional information becomes available during the course of this lawsuit or in the event that one or more witnesses becomes unavailable and others must be substituted.

Commission

Will Call

1. Dr. Lisa Handley – c/o Commission counsel – for in-person testimony.

Summary of Qualifications: Dr. Handley is the President of Frontier International Consulting. Dr. Handley holds a Ph.D. in Political Science from the George Washington University. She has over thirty years of experience in the areas of redistricting and voting rights, both as a practitioner and an academician, and is recognized nationally and internationally as an expert on these subjects. Dr. Handley has advised numerous clients on redistricting and has served as an expert in dozens of redistricting and voting rights court cases. Her clients have included the U.S. Department of Justice, civil rights organizations, independent redistricting commissions and scores of state and local jurisdictions.

Statement of Scientific Fields In Which Witness Is Offered As Expert: Political science; racially polarized voting; racial voting patterns; compliance with the Voting Rights Act.

2. Dr. Maxwell Palmer – c/o Commission counsel – for in-person testimony.

Summary of Qualifications: Dr. Maxwell Palmer is Associate Professor of Political Science at Boston University in Boston, Massachusetts, and Director of Advanced Programs in the Department of Political Science. Dr. Palmer has studied, published, and testified as an expert witness in redistricting matters. He holds an A.M. and Ph.D. in Political Science from Harvard University and a B.A. from Bowdoin College. His work includes, among other things, the use of statistical tools to study voting patterns and the use of computer simulation algorithms to study problems in redistricting.

Statement of Scientific Fields In Which Witness Is Offered As Expert: Political science; redistricting; racially polarized voting; racial voting patterns; compliance with the Voting Rights Act.

3. Dr. Jonathan Rodden – c/o Commission counsel – for in-person testimony.

Summary of Qualifications: Dr. Jonathan Rodden is Professor of Political Science at Stanford University in Palo Alto, California, and Director of the Spatial Social Science Lab at that university. Dr. Rodden has studied, published, and has testified as an expert witness in redistricting matters. He holds a Ph.D. in Political Science from Yale University and a B.A. from the University of Michigan. His work includes, among other things, analysis of the geographic distribution of political preferences and the use of tools from mathematics and computer science to study problems in redistricting.

Statement of Scientific Fields in Which Witness Is Offered As Expert: Political science; geospatial analysis; redistricting; racially polarized voting; racial voting patterns; compliance with the Voting Rights Act.

The Commission submits this list based upon information reasonably known to or obtained by the Commission as of the date below. The Commission's investigation and discovery is ongoing and, accordingly, the Commission reserves the right to modify, amend, add to, or otherwise supplement this list as permitted by the Federal Rules of Civil Procedure, the Local Rules, or any orders of this Court, either through express supplements to this list or through responses to formal discovery, as additional information becomes available during the course of this lawsuit or in the event that one or more witnesses becomes unavailable and others must be substituted.

5. Depositions and Other Discovery Documents:

All depositions, answers to written interrogatories, and requests for admissions, or portions thereof, that are expected to be offered in evidence by the plaintiffs and the defendants are:

(Designate portions of depositions by page and line number. Designate answers to interrogatories and requests for admissions by answer or request number. Designation need not be made of portions that may be used, if at all, as impeachment of an adverse party. Indicate any objections to proposed deposition testimony, answers to interrogatories, and admissions.)

The Commission designates the following discovery responses that it expects to offer into evidence:

Each Plaintiff's answer to the Commission's Interrogatory No. 1 (as to address)

Each Plaintiff's answer to the Commission's Request for Admission No. 6

Each Plaintiff's answer to the Commission's Request for Admission No. 8

6. Length of Trial: Counsel estimate the trial will last approximately 6 full days, allocated as follows: 3 days for Plaintiffs' case; 3 days for Defendants' case.

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Respectfully submitted,

/s/ John J. Bursch

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Commission, and Douglas Clark,*

Juanita Curry, Anthony Eid, Rhonda Lange, Steven Terry Litt, Brittni Kellom, Cynthia Orton, M.C. Rothhorn, Rebecca Szetela, Janice Vallette, Erin Wagner, Richard Weiss, and Dustin Witjes, each in his or her official capacity as a Commissioner of the Michigan Independent Citizens Redistricting Commission

CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2023, a true and correct copy of the foregoing was filed via the Court's CM/ECF system and served via electronic filing upon all counsel of record in this case.

/s/ John J. Bursch

EX #	Description	Objection(s)	Stipulation for admission?	Additional Notes
1	Lessons Learned & Recommendations from the Inaugural Commission – October 2022, and all attachments, exhibits, appendices, <i>etc.</i>		Commission will stipulate to admission of entire Commission record of proceedings.	
2	Michigan Independent Citizens Redistricting Commission Report on 2021 Redistricting – adopted on August 18, 2022, and all attachments, exhibits, appendices, <i>etc.</i>		Commission will stipulate to admission of entire Commission record of proceedings.	
3	Dissenting Report by Commissioner Erin Wagner, and all attachments, exhibits, appendices, <i>etc.</i>		Commission will stipulate to admission of entire Commission record of proceedings.	
4	Dissenting Report by Commissioner Rhonda Lange, and all attachments, exhibits, appendices, <i>etc.</i>		Commission will stipulate to admission of entire Commission record of proceedings.	
5	Dissenting Report by Commissioner Rebecca Szetela, and all attachments, exhibits, appendices, <i>etc.</i>		Commission will stipulate to admission of entire Commission record of proceedings.	
6	Memorandum to MICRC Stephen Markman, MSC Justice and Professor of Constitutional Law, Hillsdale College	Commission Objections: Relevance; Hearsay; Foundation; Improper Expert Testimony.		
7	Mallory McMorrow For Michigan – Post-Primary Statement	Commission Objections: Relevance; Hearsay; Authenticity		
8	Mallory McMorrow For Michigan – 2021 Annual Finance Statement	Commission Objections: Relevance; Hearsay; Authenticity		
9	Mallory McMorrow For Michigan – Itemized Contributions	Commission Objections: Relevance; Hearsay; Authenticity		
10	Affidavit of Virgil K. Smith, Dated March 8, 2023	Commission Objections: Relevance; Hearsay; Improper Lay Opinion Testimony		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
11	Affidavit of LaMar L. Lemmons III, Dated March 28, 2023	Commission Objections: Relevance; Hearsay; Improper Lay Opinion Testimony		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
12	Affidavit of LaMar L. Lemmons III, Dated June 16, 2023	Commission Objections: Relevance; Hearsay; Improper Lay Opinion Testimony		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
13	Declaration of Commissioner Anthony Eid, Dated June 6, 2023		Yes.	
14	Declaration of Kimball Brace [President, Election Data Services, Inc.], Dated June 1, 2023.		Yes.	
15	September 2, 2021 Presentation to the MICRC - "Determining if a Redistricting Plan Complies with the Voting Rights Act," by Dr. Lisa Handley		Yes.	
16	MICRC's Expert Report of Dr. Lisa Handley, including CV and Appendices		Yes.	
17	MICRC's Expert Report of Maxwell Palmer, Ph.D.		Yes.	

EX #	Description	Objection(s)	Stipulation for admission?	Additional Notes
18	MICRC's Expert Report of Jonathan Rodden, Ph.D.		Yes.	
19	Plaintiffs' Expert Report of Dr. Brad Lockerbie, including all Attachments and Appendices	Commission Objections: Relevance; Hearsay (willing to withdraw hearsay objections to report if witness testifies)	Yes, subject to witness testifying at trial. The Commission reserves all objections to the substance of the witness's opinions and testimony.	
20	Plaintiffs' Expert Report of Sean P. Trende, including all Calculations, Supplemental Report(s), Curriculum Vitae, Attachments, and Appendices	Commission Objections: Relevance; Hearsay (willing to withdraw hearsay objections to expert report if witness testifies); Improper Supplementation (as to any	Yes, subject to witness testifying at trial. The Commission reserves all objections to the substance of the witness's opinions and testimony.	
21	"The History of Discrimination in the State of Michigan and its Influence on Voting," by Bruce L. Adelson		Commission will stipulate to admission of entire Commission record of proceedings.	
22	"For the Michigan Independent Citizens Redistricting Commission (MICRC) Voting Rights Act," by Bruce L. Adelson (October 14, 2021)		Commission will stipulate to admission of entire Commission record of proceedings.	
23	April 10, 2023 Deposition Transcript of Dr. Brad Lockerbie, Ph.D.	Commission Objections: Relevance; Hearsay		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
24	April 20, 2023 Deposition Transcript of Sean P. Trende	Commission Objections: Relevance; Hearsay		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
25	April 20, 2023 Deposition Transcript of Lamar Lemmons	Commission Objections: Relevance; Hearsay; Improper Lay Opinion Testimony		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
26	Transcript of Hearing on Summary Judgment Motions, held July 13, 2023 [ECF 80]	Commission Objections: a motion hearing transcript is not evidence.		
27	Objections & Responses of each individual Plaintiff to the Commission's First Set of Interrogatories			
28	Plaintiffs' Objections and Responses to the Commission's First Set of Requests for Admission			
29	<i>Michigan Redistricting Map Analysis</i> , Institute for Public Policy and Social Research (December 2021)	Commission Objections: Relevance; Hearsay; Foundation; Improper Expert Testimony.		Objections may be modified or withdrawn after demonstrative provided & reviewed.
30	Plaintiffs' Districts Demonstrative	Commission Objections: Relevance; Hearsay; Authenticity; Rule of Completeness		Objections may be modified or withdrawn after demonstrative provided & reviewed.
31	Handley Table 4 Reconfiguration Demonstrative	Commission Objections: Relevance; Hearsay; Authenticity; Rule of Completeness		Objections may be modified or withdrawn after demonstrative provided & reviewed.

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
32	Summary Chart [ECF 69-1, PageID.674] (VRA Claims)	Commission Objections: Relevance; Hearsay; Authenticity; Rule of Completeness		Objections may be modified or withdrawn after demonstrative provided & reviewed.
33	VEST MI 2020 Validation Report	Commission Objections: Relevance; Hearsay; Authenticity; Improper Expert Testimony.		
34	Excerpts from September 17, 2020 MICRC Meeting Transcript (Morning)	Commission Objections: Rule of Completeness	Commission will stipulate to admission of entire Commission record of proceedings.	
35	Excerpts from September 18, 2020 MICRC Meeting Transcript (Morning)	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
36	Excerpts from September 25, 2020 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
37	MICRC Proposed General Counsel Scoring Sheet - November 20, 2020 Committee Meeting	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
38	MICRC Resolution for Approval for Request for Proposal of Line Drawing and Redistricting Technical Services - January 20, 2021 MICRC Meeting	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
39	Excerpts from January 28, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
40	Written Public Comment - January 28, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
41	MICRC Resolution for Approval for Request for Proposal of VRA Legal Counsel - January 28, 2021 MICRC Meeting	Commission Objections: Relevance	Commission will stipulate to admission of entire Commission record of proceedings.	
42	Election Data Services, Inc. Proposal to MICRC for Line Drawing and Redistricting Technical Services - February 10, 2021	Commission Objections: Relevance	Commission will stipulate to admission of entire Commission record of proceedings.	
43	Excerpts from March 4, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
44	Excerpts from March 18, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
45	April 8, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
46	Written Public Comment - April 8, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
47	All Meeting Materials from April 8, 2021 MICRC Meeting		Commission will stipulate to admission of entire Commission record of proceedings.	
48	April 15, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
49	Written Public Comment - April 15, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
50	All Meeting Materials from April 15, 2021 MICRC Meeting		Commission will stipulate to admission of entire Commission record of proceedings.	
51	MICRC Resolution for Issuance of a Request for Proposals for Litigation Counsel - May 6, 2021	Commission Objections: Relevance.	Commission will stipulate to admission of entire Commission record of proceedings.	
52	Excerpts from August 8, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
53	Excerpts from August 20, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
54	Excerpts from September 1, 2021 - Detroit, MI - MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
55	Excerpts from September 2, 2021 MICRC Meeting Transcript (both Morning & Afternoon Meetings)	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
56	Excerpts from September 9, 2021 MICRC Meeting Transcript (both Morning & Afternoon Meetings)	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
57	Excerpts from September 13, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
58	Written Public Comment - September 27, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
59	Excerpts from September 27, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
60	Excerpts from September 28, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
61	Written Public Comment - September 29, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
62	Excerpts from September 29, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
63	September 30, 2021 MICRC Meeting Transcript (both Morning & Afternoon Meetings)	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
64	October 4, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
65	Excerpts from October 6, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
66	October 20, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
67	Written Public Comment - October 20, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
68	Excerpts from October 21, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
69	Excerpts from October 22, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
70	Excerpts from October 25, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
71	Audio/Transcript from October 27, 2021 MICRC Closed Session Meeting	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
72	Excerpts from October 29, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
73	Excerpts from November 2, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
74	Excerpts from November 3, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
75	Excerpts from December 2, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
76	Written Public Comment - December 2, 2021	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
77	Excerpts from December 16, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
78	Excerpts from December 28, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
79	Draft State House Map 149 9-20-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
80	Draft State House Map 150 9-21-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
81	Draft State House Map 153 9-22-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
82	Draft State House Map 157 9-20-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
83	Draft State House Map 158 8-24-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
84	Draft State House Map 159 8-24-21-v2 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
85	Draft State House Map 160 8-26-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
86	Draft State House Map 171 9-23-21 v1 HD	Commission Objections:Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
87	Draft State House Map 176 8-31-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
88	Draft State House Map 177 9-24-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
89	Draft State House Map 182 9-27-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
90	Draft State House Map 183 9-28-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
91	Draft State House Map 190 9-29-21 RAS V2 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
92	Draft State House Map 192 9-30-21 RAS VRA revisions HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
93	Draft State House Map 193 9-30-21 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
94	Draft State House Map 194 10-1-21 HD RAS VRA V2	Commission Objections:Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
95	Draft State House Map 204 10-05-21 v1 HD	Commission Objections:Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
96	Final State House Map Hickory 280 2021-12-29	Commission Objections:Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
97	Draft State Senate Map 161 9-13-21 v1 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
98	Draft State Senate Map 162 9-13-21 v2 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
99	Draft State Senate Map 163 9-15-21 v16 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
100	Draft State Senate Map 164 9-15-21 v16B SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
101	Draft State Senate Map 165 9-15-21 v16A SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
102	Draft State Senate Map 168 9-13-21 v1 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
103	Draft State Senate Map 169 9-14-21 v1 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
104	Draft State Senate Map 170 9-14-21 v14 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
105	Draft State Senate Map 199, 10-4-21 V2 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
106	Draft State Senate Map 270 Kellom Senate	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
107	Jocelyn Benson, <i>Turning Lemons into Lemonade: Making Georgia v Ashcroft the Mobile v Bolden of 2007</i> , 39 Harv CR-CLL Rev 485, 495 (2004).	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		

EX #	Description	Objection(s)	Stipulation for admission?	Additional Notes
108	Alvaro Bedoya, <i>The Unforeseen Effects of Georgia v Ashcroft on the Latino Community</i> , 115 Yale LJ 2112, 2141-42 (2006).	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
109	Promote the Vote 2021 District Narrative Report	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
110	Marcus D. Casey and Bradley L. Hardy, <i>The Evolution of Black Neighborhoods Since Kerner</i> , The Russell Sage Foundation Journal of the Social Sciences, September 4, 2018	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
111	Senate Districts (Apportionment Plan - 1992)			
112	House Districts (Apportionment Plan - 1992)			
113	Majority-Minority House and Senate Districts with BVAPs (1992)	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
114	Hendrickson, Clara, <i>Voters generally satisfied with change to redistricting process, poll shows</i> , Detroit Free Press, (Feb. 24, 2022, 4:42 PM), https://www.freep.com/story/news/politics/2022/02/24/michigan-redistricting-poll/6925021001/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
115	Black Party Affiliation, <i>Black Demographics: The African American Population</i> , https://blackdemographics.com/culture/black-politics/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
116	Warikoo, Niraj, <i>Black Voters in Detroit key for Joe Biden and Gary Peters' Victories, Advocates Say</i> , Detroit Free Press, (Pub. Nov. 6, 2020) https://www.freep.com/story/news/politics/elections/2020/11/06/joe-biden-detroit-michigan-vote-election-2020/6168971002/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
117	Ray, Rashawn, <i>How Black Americans saved Biden and American Democracy</i> , Brookings, (November 24, 2020) https://www.brookings.edu/blog/how-we-rise/2020/11/24/how-black-americans-saved-biden-and-american-democracy/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
118	Banerjee, Mandira, <i>Detroit's Dark Secret: Slavery, Michigan Today</i> , (Feb. 19, 2018), https://michigantoday.umich.edu/2018/02/19/detroits-dark-secret-slavery/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
119	Jaehnig, Chris, <i>African American Michigan: The Reconstruction Era</i> , <i>The Daily Mining Gazette</i> , (May 9, 2020), https://www.mininggazette.com/news/features/2020/05/african-american-michigan-the-reconstruction-era/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
120	Bak, Richard, <i>The Dark Days of the Black Legion</i> , HOUR DETROIT, (February 23, 2009), https://www.hourdetroit.com/community/the-dark-days-of-the-black-legion/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		

EX #	Description	Objection(s)	Stipulation for admission?	Additional Notes
121	Michigan Legal Milestones 22. <i>Ending Jim Crow</i> , State Bar of Michigan, https://www.michbar.org/programs/milestone/milestones/endingjimcrow (last accessed Feb. 16, 2022)	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
122	Stocking, Shannon, <i>U-M Research Raises Awareness of Racially Restrictive Covenants in Ann Arbor Housing</i> , The Michigan Daily (2021), https://www.michigandaily.com/ann-arbor/u-m-professors-reveal-racially-restrictivecovenants-ann-arbor-housing/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
123	<i>History of Housing Discrimination Against African Americans in Detroit</i> (last visited Feb.1, 2022), https://www.naacpldf.org/files/our-work/Detroit%20Housing%20Discrimination.pdf	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
124	Smith, et. al., <i>Data Analysis: "Modern-Day Redlining" Happening in Detroit and Lansing</i> , NPR (Feb. 15, 2018), https://www.michiganradio.org/news/2018-02-15/data-analysis-modern-day-redlining-happening-indetroit-and-lansing	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
125	Stevens, Matt, <i>Poorer Americans Have Much Lower Voting Rates in National Elections than the Nonpoor, A Study Finds</i> , New York Times (Aug. 11, 2020), https://www.nytimes.com/2020/08/11/us/politics/poorer-americans-havemuch-lower-voting-rates-in-national-elections-than-the-nonpoor-a-study-finds.html	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
126	Lanes, Caroline, <i>Detroit Ranked as One of the Most Segregated Cities in the Country</i> , MICHIGAN RADIO NPR (June 21, 2021), https://www.michiganradio.org/post/detroit-ranked-one-most-segregated-cities-country	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
127	Rossmann, Alex, <i>Michigan Has Stark Racial Disparities in Educational Attainment, Ranks Third Worst in Nation for Number of Bachelor Degrees Earned By Black Students</i> , MICHIGAN LEAGUE FOR PUBLIC POLICY (May, 29, 2020), https://mlpp.org/michigan-has-stark-racial-disparities-in-educational-attainment-ranks-third-worst-in-nation-for-number-of-bachelor-degrees-earned-by-black-students/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
128	Orner, Ben, <i>Black Michiganders voted heavily for Dems but were 'sacrificed' in representation</i> , Mlive (Nov. 28, 2022), https://www.mlive.com/politics/2022/11/black-michiganders-voted-heavily-for-dems-but-were-sacrificed-in-representation.html	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
129	Barrett, Malachi, <i>What a Democratic majority in Lansing could mean for Detroit</i> , Bridge (Dec. 20, 2022) https://www.bridgemi.com/michigan-government/what-democratic-majority-lansing-could-mean-detroit	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
130	Gibbons, Lauren, <i>Detroit lawmakers call redistricting commission's draft political maps 'unacceptable'</i> , MLive (Oct. 12, 2021), https://www.mlive.com/public-interest/2021/10/detroit-lawmakers-call-redistricting-commissions-draft-political-maps-unacceptable.html	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		

EX #	Description	Objection(s)	Stipulation for admission?	Additional Notes
131	<i>The public speaks at Michigan Independent Citizens Redistricting Commission hearing</i> , The Detroit News (Oct. 20, 2021), https://www.detroitnews.com/picture-gallery/news/local/detroit-city/2021/10/20/michigan-independent-citizens-redistricting-commission-hearing/6108993001/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
132	Hendrickson, Clara, <i>Redistricting commission told its draft maps violate federal Voting Rights Act</i> , Detroit Free Press, (Oct. 20, 2021), https://www.freep.com/story/news/local/michigan/detroit/2021/10/20/redistricting-commission-told-draft-maps-violate-federal-law/8510845002/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
133	Thompson, Bankhole, <i>Democrats in Lansing have misplaced priorities</i> , The Detroit News (May 10, 2023) https://www.detroitnews.com/story/opinion/columnists/bankole-thompson/2023/05/10/democrats-in-lansing-have-misplaced-priorities/70202769007/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
134	Thompson, Bankhole, <i>Democrats cater to unions at expense of Black issues</i> , The Detroit News (Mar. 19, 2023), https://www.detroitnews.com/story/opinion/columnists/bankole-thompson/2023/03/19/bankole-democrats-cater-to-unions-at-expense-of-black-issues/70018877007/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
135	Thompson, Bankole, <i>Whitmer, Dems ignore Highland Park water crisis</i> , The Detroit News (Apr. 12, 2023), https://www.detroitnews.com/story/opinion/columnists/bankole-thompson/2023/04/12/bankole-whitmer-dems-ignore-highland-park-water-crisis/70106099007/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
136	Demonstrative Exhibits That Will Reflect Portions of Previously Designated Trial Exhibits	Commission Objections: Relevance; Hearsay; Authenticity; Rule of Completeness		For discussion. Objections may be modified or withdrawn after demonstrative provided & reviewed.
137	All Exhibits Designated in Vol. I - V of the Joint Appendix, and all Documents Referenced/Attached Therein	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness; all Objections asserted to individual documents referenced in this Exhibit List that appear in summary-judgment briefing; it is not appropriate to list as an "exhibit" an unknown quantum of documents "referenced" in other materials		On an initial review, nearly all of the Joint Exhibit materials are individually listed above as exhibits.

Plaintiffs' Trial Exhibit List (w/ Commission Defendants' Objections)
Case No. 1:22-cv-00272

EX #	Description	Objection(s)	Stipulation for admission?	Additional Notes
138	All Exhibits/Documents Attached or Referenced in All Summary Judgment Briefing	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness; all Objections asserted to individual documents referenced in this Exhibit List that appear in summary-judgment briefing; it is not appropriate to list as an "exhibit" an unknown quantum of documents "referenced" in these materials.		On an initial review, most, if not nearly all, of the documents referenced in the summary judgment briefing are individually listed as exhibits on either plaintiffs' list, or the Commission's.
139	All Election Results and Affiliated Campaign Finance Reports Pertinent to the Geographical Areas Comprised by the Challenged Districts	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness; It is not appropriate to list as an "exhibit" an unknown quantum of documents.		Objections may be modified or withdrawn if more detail specified and copies of proposed exhibit provided.
140	All MICRC Meeting Transcripts Referenced in Plaintiffs' Proposed Stipulated Facts	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness; No stipulated facts have been agreed to as of the date of these objections.	Commission will stipulate to admission of entire Commission record of proceedings.	Objections may be modified or withdrawn if more detail specified and copies of proposed exhibit provided.
141	All Written Public Comment, Meeting Materials, and Affiliated Documents in All Referenced MICRC Meetings	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
142	All Documents Referenced in Plaintiffs' Proposed Stipulated Facts	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness; It is not appropriate to list as an "exhibit" an unknown quantum of documents.		

Exhibit Number	Exhibit Description	Bates Number	Objections
DTX1	Michigan Constitution, Art. IV, § 6		
DTX2	"MICRC_Hickory_Criteria" data, including Hickory Compactness, Hickory matrix, and Partisan Fairness_Hickory		
DTX3	Statewide Hickory Map		
DTX4	Detroit-area Hickory District Maps		
DTX5	"MICRC_Linden_Criteria" data, including Linden Compactness, Linden matrix, and Partisan Fairness_Linden		
DTX6	Statewide Linden Map		
DTX7	Detroit-area Linden District Maps		
DTX8	Wayne County Map with all districts		
DTX9	Macomb County Map with all districts		
DTX10	Oakland County Map with all districts		
DTX11	September 2, 2021 Meeting Transcript	MICRC_005360	
DTX12	October 1, 2021 Meeting Transcript	MICRC_007351	
DTX13	"MICRC_Measuring_Partisan_Fairness" presentation by Dr. Lisa Handley dated October 1, 2021		
DTX14	MCRC_Handley_memo_on_three_partisan_fairness" by Dr. Lisa Handley dated October 1, 2021		
DTX15	"The History of Discrimination in the State of Michigan and its Influence on Voting," by Bruce Adelson dated October 26, 2021		
DTX16	Minutes of the December 28, 2021 Meeting of the Michigan Independent Citizens Redistricting Commission		
DTX17	Report to the Michigan Independent Citizens Redistricting Commission by Dr. Lisa Handley dated December 28, 2021		
DTX18	Report on 2021 Redistricting, Commission Report adopted on August 18, 2022		

Commission Defendants' Trial Exhibit List

Case No. 1:22-cv-272 (W.D. Mich.)

Exhibit Number	Exhibit Description	Bates Number	Objections
DTX19	Michigan – MICRC State House Hickory Plan – with City of Detroit Neighborhoods, Ex. A to Eid Declaration		
DTX20	Michigan – Trende State House Plan – with City of Detroit Neighborhoods, Ex. B to Eid Declaration		
DTX21	Michigan – MICRC State Senate Linden Plan – with City of Detroit Neighborhoods, Ex. C to Eid Declaration		
DTX22	Michigan – Trende State Senate # 1 Plan – with City of Detroit Neighborhoods, Ex. D to Eid Declaration		
DTX23	Michigan – Trende State Senate # 2 Plan – with City of Detroit Neighborhoods, Ex. E to Eid Declaration		
DTX24	March 8, 2023 Expert Report of Dr. Maxwell Palmer		
DTX25	March 8, 2023 Expert Report of Dr. Jonathan Rodden		
DTX26	March 8, 2023 Expert Report of Dr. Lisa Handley, CV, and Appendices		
DTX27	Plaintiffs' March 6, 2023 Objections and Responses to Requests for Admission		
DTX28	Plaintiff Donald Agee, Jr.'s Objections and Responses to the Commission's Interrogatories		
DTX29	Plaintiff Jerome Bennett Objections and Responses to the Commission's Interrogatories		
DTX30	Plaintiff Dennis Leroy Black, Jr.'s Objections and Responses to the Commission's Interrogatories		
DTX31	Plaintiff Jamee Burbridge's Objections and Responses to the Commission's Interrogatories		
DTX32	Plaintiff Beverly Ann Burrell's Objections and Responses to the Commission's Interrogatories		
DTX33	Plaintiff Jemell Cotton's Objections and Responses to the Commission's Interrogatories		
DTX34	Plaintiff Teresa Dubose's Objections and Responses to the Commission's Interrogatories		

Commission Defendants' Trial Exhibit List

Case No. 1:22-cv-272 (W.D. Mich.)

Exhibit Number	Exhibit Description	Bates Number	Objections
DTX35	Plaintiff Karen Ferguson's Objections and Responses to the Commission's Interrogatories		
DTX36	Plaintiff Michelle Keeble's Objections and Responses to the Commission's Interrogatories		
DTX37	Plaintiff Kimberly Hill Knott's Objections and Responses to the Commission's Interrogatories		
DTX38	Plaintiff Barabra Gail London's Objections and Responses to the Commission's Interrogatories		
DTX39	Plaintiff Glenda McDonald's Objections and Responses to the Commission's Interrogatories		
DTX40	Plaintiff Janet Marie Overall's Objections and Responses to the Commission's Interrogatories		
DTX41	Plaintiff Shirley L. Radden's Objections and Responses to the Commission's Interrogatories		
DTX42	Plaintiff Davonte Sherard's Objections and Responses to the Commission's Interrogatories		
DTX43	Plaintiff Michele T. Smith's Objections and Responses to the Commission's Interrogatories		
DTX44	Plaintiff Kenyetta Snapp's Objections and Responses to the Commission's Interrogatories		
DTX45	Plaintiff Donyale Stephen-Atara's Objections and Responses to the Commission's Interrogatories		
DTX46	Plaintiff Tanesa Wilson's Objections and Responses to the Commission's Interrogatories		
DTX47	Plaintiff Normal McDaniel's Objections and Responses to the Commission's Interrogatories		
DTX48	Dr. Lisa Handley Presentation to MICRC, September 2, 2021		
DTX49	Composite Exhibit Consisting of Transcripts of All MICRC Commission Meetings On Or Before January 4, 2022		
DDX01-TK	Demonstrative Exhibits Based On Trial Exhibits		

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
1	Lessons Learned & Recommendations from the Inaugural Commission – October 2022, and all attachments, exhibits, appendices, <i>etc.</i>		Commission will stipulate to admission of entire Commission record of proceedings.	
2	Michigan Independent Citizens Redistricting Commission Report on 2021 Redistricting – adopted on August 18, 2022, and all attachments, exhibits, appendices, <i>etc.</i>		Commission will stipulate to admission of entire Commission record of proceedings.	
3	Dissenting Report by Commissioner Erin Wagner, and all attachments, exhibits, appendices, <i>etc.</i>		Commission will stipulate to admission of entire Commission record of proceedings.	
4	Dissenting Report by Commissioner Rhonda Lange, and all attachments, exhibits, appendices, <i>etc.</i>		Commission will stipulate to admission of entire Commission record of proceedings.	
5	Dissenting Report by Commissioner Rebecca Szetela, and all attachments, exhibits, appendices, <i>etc.</i>		Commission will stipulate to admission of entire Commission record of proceedings.	
6	Memorandum to MICRC Stephen Markman, MSC Justice and Professor of Constitutional Law, Hillsdale College	Commission Objections: Relevance; Hearsay; Foundation; Improper Expert Testimony.		
7	Mallory McMorrow For Michigan – Post-Primary Statement	Commission Objections: Relevance; Hearsay; Authenticity		
8	Mallory McMorrow For Michigan – 2021 Annual Finance Statement	Commission Objections: Relevance; Hearsay; Authenticity		
9	Mallory McMorrow For Michigan – Itemized Contributions	Commission Objections: Relevance; Hearsay; Authenticity		
10	Affidavit of Virgil K. Smith, Dated March 8, 2023	Commission Objections: Relevance; Hearsay; Improper Lay Opinion Testimony		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
11	Affidavit of LaMar L. Lemmons III, Dated March 28, 2023	Commission Objections: Relevance; Hearsay; Improper Lay Opinion Testimony		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
12	Affidavit of LaMar L. Lemmons III, Dated June 16, 2023	Commission Objections: Relevance; Hearsay; Improper Lay Opinion Testimony		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
13	Declaration of Commissioner Anthony Eid, Dated June 6, 2023		Yes.	
14	Declaration of Kimball Brace [President, Election Data Services, Inc.], Dated June 1, 2023.		Yes.	
15	September 2, 2021 Presentation to the MICRC - "Determining if a Redistricting Plan Complies with the Voting Rights Act," by Dr. Lisa Handley		Yes.	
16	MICRC's Expert Report of Dr. Lisa Handley, including CV and Appendices		Yes.	
17	MICRC's Expert Report of Maxwell Palmer, Ph.D.		Yes.	

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
18	MICRC's Expert Report of Jonathan Rodden, Ph.D.		Yes.	
19	Plaintiffs' Expert Report of Dr. Brad Lockerbie, including all Attachments and Appendices	Commission Objections: Relevance; Hearsay (willing to withdraw hearsay objections to report if witness testifies)	Yes, subject to witness testifying at trial. The Commission reserves all objections to the substance of the witness's opinions and testimony.	
20	Plaintiffs' Expert Report of Sean P. Trende, including all Calculations, Supplemental Report(s), Curriculum Vitae, Attachments, and Appendices	Commission Objections: Relevance; Hearsay (willing to withdraw hearsay objections to expert report if witness testifies); Improper Supplementation (as to any	Yes, subject to witness testifying at trial. The Commission reserves all objections to the substance of the witness's opinions and testimony.	
21	"The History of Discrimination in the State of Michigan and its Influence on Voting," by Bruce L. Adelson		Commission will stipulate to admission of entire Commission record of proceedings.	
22	"For the Michigan Independent Citizens Redistricting Commission (MICRC) Voting Rights Act," by Bruce L. Adelson (October 14, 2021)		Commission will stipulate to admission of entire Commission record of proceedings.	
23	April 10, 2023 Deposition Transcript of Dr. Brad Lockerbie, Ph.D.	Commission Objections: Relevance; Hearsay		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
24	April 20, 2023 Deposition Transcript of Sean P. Trende	Commission Objections: Relevance; Hearsay		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
25	April 20, 2023 Deposition Transcript of Lamar Lemmons	Commission Objections: Relevance; Hearsay; Improper Lay Opinion Testimony		This witness appears on Plaintiffs' will-call witness list for in-person testimony.
26	Transcript of Hearing on Summary Judgment Motions, held July 13, 2023 [ECF 80]	Commission Objections: a motion hearing transcript is not evidence.		
27	Objections & Responses of each individual Plaintiff to the Commission's First Set of Interrogatories			
28	Plaintiffs' Objections and Responses to the Commission's First Set of Requests for Admission			
29	<i>Michigan Redistricting Map Analysis</i> , Institute for Public Policy and Social Research (December 2021)	Commission Objections: Relevance; Hearsay; Foundation; Improper Expert Testimony.		Objections may be modified or withdrawn after demonstrative provided & reviewed.
30	Plaintiffs' Districts Demonstrative	Commission Objections: Relevance; Hearsay; Authenticity; Rule of Completeness		Objections may be modified or withdrawn after demonstrative provided & reviewed.
31	Handley Table 4 Reconfiguration Demonstrative	Commission Objections: Relevance; Hearsay; Authenticity; Rule of Completeness		Objections may be modified or withdrawn after demonstrative provided & reviewed.

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
32	Summary Chart [ECF 69-1, PageID.674] (VRA Claims)	Commission Objections: Relevance; Hearsay; Authenticity; Rule of Completeness		Objections may be modified or withdrawn after demonstrative provided & reviewed.
33	VEST MI 2020 Validation Report	Commission Objections: Relevance; Hearsay; Authenticity; Improper Expert Testimony.		
34	Excerpts from September 17, 2020 MICRC Meeting Transcript (Morning)	Commission Objections: Rule of Completeness	Commission will stipulate to admission of entire Commission record of proceedings.	
35	Excerpts from September 18, 2020 MICRC Meeting Transcript (Morning)	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
36	Excerpts from September 25, 2020 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
37	MICRC Proposed General Counsel Scoring Sheet - November 20, 2020 Committee Meeting	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
38	MICRC Resolution for Approval for Request for Proposal of Line Drawing and Redistricting Technical Services - January 20, 2021 MICRC Meeting	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
39	Excerpts from January 28, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
40	Written Public Comment - January 28, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
41	MICRC Resolution for Approval for Request for Proposal of VRA Legal Counsel - January 28, 2021 MICRC Meeting	Commission Objections: Relevance	Commission will stipulate to admission of entire Commission record of proceedings.	
42	Election Data Services, Inc. Proposal to MICRC for Line Drawing and Redistricting Technical Services - February 10, 2021	Commission Objections: Relevance	Commission will stipulate to admission of entire Commission record of proceedings.	
43	Excerpts from March 4, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
44	Excerpts from March 18, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
45	April 8, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
46	Written Public Comment - April 8, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
47	All Meeting Materials from April 8, 2021 MICRC Meeting		Commission will stipulate to admission of entire Commission record of proceedings.	
48	April 15, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
49	Written Public Comment - April 15, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
50	All Meeting Materials from April 15, 2021 MICRC Meeting		Commission will stipulate to admission of entire Commission record of proceedings.	
51	MICRC Resolution for Issuance of a Request for Proposals for Litigation Counsel - May 6, 2021	Commission Objections: Relevance.	Commission will stipulate to admission of entire Commission record of proceedings.	
52	Excerpts from August 8, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
53	Excerpts from August 20, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
54	Excerpts from September 1, 2021 - Detroit, MI - MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
55	Excerpts from September 2, 2021 MICRC Meeting Transcript (both Morning & Afternoon Meetings)	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
56	Excerpts from September 9, 2021 MICRC Meeting Transcript (both Morning & Afternoon Meetings)	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
57	Excerpts from September 13, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
58	Written Public Comment - September 27, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
59	Excerpts from September 27, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
60	Excerpts from September 28, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
61	Written Public Comment - September 29, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
62	Excerpts from September 29, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
63	September 30, 2021 MICRC Meeting Transcript (both Morning & Afternoon Meetings)	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
64	October 4, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
65	Excerpts from October 6, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
66	October 20, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
67	Written Public Comment - October 20, 2021	Commission Objections: Unclear what this is. Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
68	Excerpts from October 21, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
69	Excerpts from October 22, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
70	Excerpts from October 25, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
71	Audio/Transcript from October 27, 2021 MICRC Closed Session Meeting	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
72	Excerpts from October 29, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
73	Excerpts from November 2, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
74	Excerpts from November 3, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
75	Excerpts from December 2, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
76	Written Public Comment - December 2, 2021	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
77	Excerpts from December 16, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
78	Excerpts from December 28, 2021 MICRC Meeting Transcript	Commission Objections: Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
79	Draft State House Map 149 9-20-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
80	Draft State House Map 150 9-21-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
81	Draft State House Map 153 9-22-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
82	Draft State House Map 157 9-20-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
83	Draft State House Map 158 8-24-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
84	Draft State House Map 159 8-24-21-v2 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
85	Draft State House Map 160 8-26-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
86	Draft State House Map 171 9-23-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
87	Draft State House Map 176 8-31-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
88	Draft State House Map 177 9-24-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
89	Draft State House Map 182 9-27-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
90	Draft State House Map 183 9-28-21 v1 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
91	Draft State House Map 190 9-29-21 RAS V2 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
92	Draft State House Map 192 9-30-21 RAS VRA revisions HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
93	Draft State House Map 193 9-30-21 HD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
94	Draft State House Map 194 10-1-21 HD RAS VRA V2	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	

<u>EX #</u>	<u>Description</u>	<u>Objection(s)</u>	<u>Stipulation for admission?</u>	<u>Additional Notes</u>
95	Draft State House Map 204 10-05-21 v1 HD	Commission Objections:Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
96	Final State House Map Hickory 280 2021-12-29	Commission Objections:Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
97	Draft State Senate Map 161 9-13-21 v1 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
98	Draft State Senate Map 162 9-13-21 v2 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
99	Draft State Senate Map 163 9-15-21 v16 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
100	Draft State Senate Map 164 9-15-21 v16B SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
101	Draft State Senate Map 165 9-15-21 v16A SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
102	Draft State Senate Map 168 9-13-21 v1 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
103	Draft State Senate Map 169 9-14-21 v1 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
104	Draft State Senate Map 170 9-14-21 v14 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
105	Draft State Senate Map 199, 10-4-21 V2 SD	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
106	Draft State Senate Map 270 Kellom Senate	Commission Objections: Relevance; Hearsay; Lack of Foundation; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
107	Jocelyn Benson, <i>Turning Lemons into Lemonade: Making Georgia v Ashcroft the Mobile v Bolden of 2007</i> , 39 Harv CR-CLL Rev 485, 495 (2004).	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		

EX #	Description	Objection(s)	Stipulation for admission?	Additional Notes
108	Alvaro Bedoya, <i>The Unforeseen Effects of Georgia v Ashcroft on the Latino Community</i> , 115 Yale LJ 2112, 2141-42 (2006).	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
109	Promote the Vote 2021 District Narrative Report	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
110	Marcus D. Casey and Bradley L. Hardy, <i>The Evolution of Black Neighborhoods Since Kerner</i> , The Russell Sage Foundation Journal of the Social Sciences, September 4, 2018	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
111	Senate Districts (Apportionment Plan - 1992)			
112	House Districts (Apportionment Plan - 1992)			
113	Majority-Minority House and Senate Districts with BVAPs (1992)	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
114	Hendrickson, Clara, <i>Voters generally satisfied with change to redistricting process, poll shows</i> , Detroit Free Press, (Feb. 24, 2022, 4:42 PM), https://www.freep.com/story/news/politics/2022/02/24/michigan-redistricting-poll/6925021001/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
115	Black Party Affiliation, <i>Black Demographics: The African American Population</i> , https://blackdemographics.com/culture/black-politics/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
116	Warikoo, Niraj, <i>Black Voters in Detroit key for Joe Biden and Gary Peters' Victories, Advocates Say</i> , Detroit Free Press, (Pub. Nov. 6, 2020) https://www.freep.com/story/news/politics/elections/2020/11/06/joe-biden-detroit-michigan-vote-election-2020/6168971002/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
117	Ray, Rashawn, <i>How Black Americans saved Biden and American Democracy</i> , Brookings, (November 24, 2020) https://www.brookings.edu/blog/how-we-rise/2020/11/24/how-black-americans-saved-biden-and-american-democracy/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
118	Banerjee, Mandira, <i>Detroit's Dark Secret: Slavery, Michigan Today</i> , (Feb. 19, 2018), https://michigantoday.umich.edu/2018/02/19/detroits-dark-secret-slavery/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
119	Jaehnig, Chris, <i>African American Michigan: The Reconstruction Era</i> , <i>The Daily Mining Gazette</i> , (May 9, 2020), https://www.mininggazette.com/news/features/2020/05/african-american-michigan-the-reconstruction-era/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
120	Bak, Richard, <i>The Dark Days of the Black Legion</i> , HOUR DETROIT, (February 23, 2009), https://www.hourdetroit.com/community/the-dark-days-of-the-black-legion/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		

EX #	Description	Objection(s)	Stipulation for admission?	Additional Notes
121	Michigan Legal Milestones 22. <i>Ending Jim Crow</i> , State Bar of Michigan, https://www.michbar.org/programs/milestone/milestones/endingjimcrow (last accessed Feb. 16, 2022)	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
122	Stocking, Shannon, <i>U-M Research Raises Awareness of Racially Restrictive Covenants in Ann Arbor Housing</i> , The Michigan Daily (2021), https://www.michigandaily.com/ann-arbor/u-m-professors-reveal-racially-restrictivecovenants-ann-arbor-housing/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
123	<i>History of Housing Discrimination Against African Americans in Detroit</i> (last visited Feb.1, 2022), https://www.naacpldf.org/files/our-work/Detroit%20Housing%20Discrimination.pdf	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
124	Smith, et. al., <i>Data Analysis: "Modern-Day Redlining" Happening in Detroit and Lansing</i> , NPR (Feb. 15, 2018), https://www.michiganradio.org/news/2018-02-15/data-analysis-modern-day-redlining-happening-indetroit-and-lansing	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
125	Stevens, Matt, <i>Poorer Americans Have Much Lower Voting Rates in National Elections than the Nonpoor, A Study Finds</i> , New York Times (Aug. 11, 2020), https://www.nytimes.com/2020/08/11/us/politics/poorer-americans-havemuch-lower-voting-rates-in-national-elections-than-the-nonpoor-a-study-finds.html	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
126	Lanes, Caroline, <i>Detroit Ranked as One of the Most Segregated Cities in the Country</i> , MICHIGAN RADIO NPR (June 21, 2021), https://www.michiganradio.org/post/detroit-ranked-one-most-segregated-cities-country	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
127	Rossmann, Alex, <i>Michigan Has Stark Racial Disparities in Educational Attainment, Ranks Third Worst in Nation for Number of Bachelor Degrees Earned By Black Students</i> , MICHIGAN LEAGUE FOR PUBLIC POLICY (May, 29, 2020), https://mlpp.org/michigan-has-stark-racial-disparities-in-educational-attainment-ranks-third-worst-in-nation-for-number-of-bachelor-degrees-earned-by-black-students/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
128	Orner, Ben, <i>Black Michiganders voted heavily for Dems but were 'sacrificed' in representation</i> , Mlive (Nov. 28, 2022), https://www.mlive.com/politics/2022/11/black-michiganders-voted-heavily-for-dems-but-were-sacrificed-in-representation.html	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
129	Barrett, Malachi, <i>What a Democratic majority in Lansing could mean for Detroit</i> , Bridge (Dec. 20, 2022) https://www.bridgemi.com/michigan-government/what-democratic-majority-lansing-could-mean-detroit	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
130	Gibbons, Lauren, <i>Detroit lawmakers call redistricting commission's draft political maps 'unacceptable'</i> , MLive (Oct. 12, 2021), https://www.mlive.com/public-interest/2021/10/detroit-lawmakers-call-redistricting-commissions-draft-political-maps-unacceptable.html	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		

EX #	Description	Objection(s)	Stipulation for admission?	Additional Notes
131	<i>The public speaks at Michigan Independent Citizens Redistricting Commission hearing</i> , The Detroit News (Oct. 20, 2021), https://www.detroitnews.com/picture-gallery/news/local/detroit-city/2021/10/20/michigan-independent-citizens-redistricting-commission-hearing/6108993001/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
132	Hendrickson, Clara, <i>Redistricting commission told its draft maps violate federal Voting Rights Act</i> , Detroit Free Press, (Oct. 20, 2021), https://www.freep.com/story/news/local/michigan/detroit/2021/10/20/redistricting-commission-told-draft-maps-violate-federal-law/8510845002/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
133	Thompson, Bankhole, <i>Democrats in Lansing have misplaced priorities</i> , The Detroit News (May 10, 2023) https://www.detroitnews.com/story/opinion/columnists/bankole-thompson/2023/05/10/democrats-in-lansing-have-misplaced-priorities/70202769007/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
134	Thompson, Bankhole, <i>Democrats cater to unions at expense of Black issues</i> , The Detroit News (Mar. 19, 2023), https://www.detroitnews.com/story/opinion/columnists/bankole-thompson/2023/03/19/bankole-democrats-cater-to-unions-at-expense-of-black-issues/70018877007/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
135	Thompson, Bankole, <i>Whitmer, Dems ignore Highland Park water crisis</i> , The Detroit News (Apr. 12, 2023), https://www.detroitnews.com/story/opinion/columnists/bankole-thompson/2023/04/12/bankole-whitmer-dems-ignore-highland-park-water-crisis/70106099007/	Commission Objections: Authenticity; Relevance; Lack of Foundation; Hearsay		
136	Demonstrative Exhibits That Will Reflect Portions of Previously Designated Trial Exhibits	Commission Objections: Relevance; Hearsay; Authenticity; Rule of Completeness		For discussion. Objections may be modified or withdrawn after demonstrative provided & reviewed.
137	All Exhibits Designated in Vol. I - V of the Joint Appendix, and all Documents Referenced/Attached Therein	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness; all Objections asserted to individual documents referenced in this Exhibit List that appear in summary-judgment briefing; it is not appropriate to list as an "exhibit" an unknown quantum of documents "referenced" in other materials		On an initial review, nearly all of the Joint Exhibit materials are individually listed above as exhibits.

Plaintiffs' Trial Exhibit List (w/ Commission Defendants' Objections)
Case No. 1:22-cv-00272

EX #	Description	Objection(s)	Stipulation for admission?	Additional Notes
138	All Exhibits/Documents Attached or Referenced in All Summary Judgment Briefing	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness; all Objections asserted to individual documents referenced in this Exhibit List that appear in summary-judgment briefing; it is not appropriate to list as an "exhibit" an unknown quantum of documents "referenced" in these materials.		On an initial review, most, if not nearly all, of the documents referenced in the summary judgment briefing are individually listed as exhibits on either plaintiffs' list, or the Commission's.
139	All Election Results and Affiliated Campaign Finance Reports Pertinent to the Geographical Areas Comprised by the Challenged Districts	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness; It is not appropriate to list as an "exhibit" an unknown quantum of documents.		Objections may be modified or withdrawn if more detail specified and copies of proposed exhibit provided.
140	All MICRC Meeting Transcripts Referenced in Plaintiffs' Proposed Stipulated Facts	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness; No stipulated facts have been agreed to as of the date of these objections.	Commission will stipulate to admission of entire Commission record of proceedings.	Objections may be modified or withdrawn if more detail specified and copies of proposed exhibit provided.
141	All Written Public Comment, Meeting Materials, and Affiliated Documents in All Referenced MICRC Meetings	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness.	Commission will stipulate to admission of entire Commission record of proceedings.	
142	All Documents Referenced in Plaintiffs' Proposed Stipulated Facts	Commission Objections: Unclear what this exhibit is; Authenticity; Relevance; Lack of Foundation; Hearsay; Rule of Completeness; It is not appropriate to list as an "exhibit" an unknown quantum of documents.		

Exhibit Number	Exhibit Description	Bates Number	Objections
DTX1	Michigan Constitution, Art. IV, § 6		
DTX2	"MICRC_Hickory_Criteria" data, including Hickory Compactness, Hickory matrix, and Partisan Fairness_Hickory		
DTX3	Statewide Hickory Map		
DTX4	Detroit-area Hickory District Maps		
DTX5	"MICRC_Linden_Criteria" data, including Linden Compactness, Linden matrix, and Partisan Fairness_Linden		
DTX6	Statewide Linden Map		
DTX7	Detroit-area Linden District Maps		
DTX8	Wayne County Map with all districts		
DTX9	Macomb County Map with all districts		
DTX10	Oakland County Map with all districts		
DTX11	September 2, 2021 Meeting Transcript	MICRC_005360	
DTX12	October 1, 2021 Meeting Transcript	MICRC_007351	
DTX13	"MICRC_Measuring_Partisan_Fairness" presentation by Dr. Lisa Handley dated October 1, 2021		
DTX14	MCRC_Handley_memo_on_three_partisan_fairness" by Dr. Lisa Handley dated October 1, 2021		
DTX15	"The History of Discrimination in the State of Michigan and its Influence on Voting," by Bruce Adelson dated October 26, 2021		
DTX16	Minutes of the December 28, 2021 Meeting of the Michigan Independent Citizens Redistricting Commission		
DTX17	Report to the Michigan Independent Citizens Redistricting Commission by Dr. Lisa Handley dated December 28, 2021		
DTX18	Report on 2021 Redistricting, Commission Report adopted on August 18, 2022		

Commission Defendants' Trial Exhibit List

Case No. 1:22-cv-272 (W.D. Mich.)

Exhibit Number	Exhibit Description	Bates Number	Objections
DTX19	Michigan – MICRC State House Hickory Plan – with City of Detroit Neighborhoods, Ex. A to Eid Declaration		
DTX20	Michigan – Trende State House Plan – with City of Detroit Neighborhoods, Ex. B to Eid Declaration		
DTX21	Michigan – MICRC State Senate Linden Plan – with City of Detroit Neighborhoods, Ex. C to Eid Declaration		
DTX22	Michigan – Trende State Senate # 1 Plan – with City of Detroit Neighborhoods, Ex. D to Eid Declaration		
DTX23	Michigan – Trende State Senate # 2 Plan – with City of Detroit Neighborhoods, Ex. E to Eid Declaration		
DTX24	March 8, 2023 Expert Report of Dr. Maxwell Palmer		
DTX25	March 8, 2023 Expert Report of Dr. Jonathan Rodden		
DTX26	March 8, 2023 Expert Report of Dr. Lisa Handley, CV, and Appendices		
DTX27	Plaintiffs' March 6, 2023 Objections and Responses to Requests for Admission		
DTX28	Plaintiff Donald Agee, Jr.'s Objections and Responses to the Commission's Interrogatories		
DTX29	Plaintiff Jerome Bennett Objections and Responses to the Commission's Interrogatories		
DTX30	Plaintiff Dennis Leroy Black, Jr.'s Objections and Responses to the Commission's Interrogatories		
DTX31	Plaintiff Jamee Burbridge's Objections and Responses to the Commission's Interrogatories		
DTX32	Plaintiff Beverly Ann Burrell's Objections and Responses to the Commission's Interrogatories		
DTX33	Plaintiff Jemell Cotton's Objections and Responses to the Commission's Interrogatories		
DTX34	Plaintiff Teresa Dubose's Objections and Responses to the Commission's Interrogatories		

Exhibit Number	Exhibit Description	Bates Number	Objections
DTX35	Plaintiff Karen Ferguson's Objections and Responses to the Commission's Interrogatories		
DTX36	Plaintiff Michelle Keeble's Objections and Responses to the Commission's Interrogatories		
DTX37	Plaintiff Kimberly Hill Knott's Objections and Responses to the Commission's Interrogatories		
DTX38	Plaintiff Barabra Gail London's Objections and Responses to the Commission's Interrogatories		
DTX39	Plaintiff Glenda McDonald's Objections and Responses to the Commission's Interrogatories		
DTX40	Plaintiff Janet Marie Overall's Objections and Responses to the Commission's Interrogatories		
DTX41	Plaintiff Shirley L. Radden's Objections and Responses to the Commission's Interrogatories		
DTX42	Plaintiff Davonte Sherard's Objections and Responses to the Commission's Interrogatories		
DTX43	Plaintiff Michele T. Smith's Objections and Responses to the Commission's Interrogatories		
DTX44	Plaintiff Kenyetta Snapp's Objections and Responses to the Commission's Interrogatories		
DTX45	Plaintiff Donyale Stephen-Atara's Objections and Responses to the Commission's Interrogatories		
DTX46	Plaintiff Tanesa Wilson's Objections and Responses to the Commission's Interrogatories		
DTX47	Plaintiff Normal McDaniel's Objections and Responses to the Commission's Interrogatories		
DTX48	Dr. Lisa Handley Presentation to MICRC, September 2, 2021		
DTX49	Composite Exhibit Consisting of Transcripts of All MICRC Commission Meetings On Or Before January 4, 2022		
DDX01-TK	Demonstrative Exhibits Based On Trial Exhibits		