

Roger Anclam

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN  
\* \* \* \* \*  
WILLIAM WHITFORD, et al.,  
Plaintiffs,  
vs. Case No. 15-CV-421-JDP  
BEVERLY R. GILL, et al.,  
Defendants.  
\* \* \* \* \*  
THE WISCONSIN ASSEMBLY DEMOCRATIC CAMPAIGN  
COMMITTEE,

Plaintiff,  
vs. Case No. 18-cv-763-JDP  
BEVERLY R. GILL, et al.,  
Defendants,

\* \* \* \* \*

VIDEOTAPED DEPOSITION OF ROGER ANCLAM  
TAKEN AT: Capitol Executive Suites  
LOCATED AT: 10 East Doty Street  
Madison, WI  
February 8, 2019  
9:01 a.m. to 12:44 p.m.

REPORTED BY ANITA KORNBURGER  
REGISTERED PROFESSIONAL REPORTER

\* \* \* \* \*

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1                   A P P E A R A N C E S  
2 RATHJE WOODWARD, LLC, by  
3 Douglas M. Poland, Esquire  
4 10 East Doty Street, Suite 507  
5 Madison, WI 53703  
6 608-960-7430  
7 dpoland@rathjewoodward.com  
8 Appearing on behalf of the Plaintiffs.  
9 BELL, GIFTOS, ST. JOHN, LLC, by  
10 Kevin St. John, Esquire  
11 5325 Wall Street, Suite 2200  
12 Madison, WI 53718  
13 608-216-7990  
14 kstjohn@bellgiftos.com  
15 Appearing on behalf of the Defendants.  
16 ALSO PRESENT: Cecilia Aguilera

I N D E X

	Examination by	Page
	Mr. St. John. . . . .	4

E X H I B I T S

		Page	
Exhibit No.	Description		Identified
109	Response to interrogatories. . . .	78	
110	Response to production request. . .	128	
111	Bates stamped Anclam 0001 to Anclam 0004. . . . .	137	
112	Facebook post. . . . .	140	
	(Original exhibits attached to original transcript. Copies provided to all counsel.)		

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1 examined and testified as follows:  
2                   E X A M I N A T I O N  
3 BY MR. ST. JOHN:  
4     Q. Good morning, Mr. Anclam.  
5     A. Good morning.  
6     Q. You just took an oath today, which means  
7 that you're to tell the truth to all the questions  
8 that I have today. And I just want to ask you  
9 preliminarily whether there's anything, any  
10 conditions, any medication, anything at all that  
11 would prevent you from giving your full, honest  
12 answers today.  
13     A. No.  
14     Q. Have you given a deposition before?  
15     A. I have.  
16     Q. Okay. Let's just go over some of those  
17 ground rules. You probably heard them before.  
18     A. Sure.  
19     Q. But one is that I'll be asking the  
20 questions, you'll be answering the questions, and  
21 the court reporter will be taking down our  
22 conversation. I would appreciate it if you would  
23 allow me to finish my question before you respond,  
24 and I will try to do my best to allow you to finish  
25 your answer before I ask the next question. That

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1                   T R A N S C R I P T O F P R O C E E D I N G S  
2                   THE VIDEOGRAPHER: Good morning. We are  
3 now on the record. My name is Connie Hansen,  
4 certified legal video specialist with Golkow  
5 Litigation Services. Today is February 8, 2019,  
6 and the time is 9:01 a.m. This video deposition is  
7 being held in Madison, Wisconsin, in the matter of  
8 William Whitford, et al., versus Beverly R. Gill,  
9 et al., case number 315-CV-00421 JDP for the United  
10 States District Court for the Western District of  
11 Wisconsin.  
12                   The deponent is Roger Anclam. Will  
13 counsel please identify themselves, and then the  
14 court reporter, Anita Kornburger, will swear in the  
15 witness.  
16                   MR. ST. JOHN: Good morning. Kevin  
17 St. John, Bell, Giftos, St. John, in Madison,  
18 Wisconsin, and I represent the Wisconsin State  
19 Assembly.  
20                   MR. POLAND: Doug Poland appearing on  
21 behalf of the plaintiffs and on behalf of today's  
22 witness. Also present is Cecilia Aguilera of the  
23 Campaign Legal Center.  
24                   ROGER ANCLAM, called as a witness  
25 herein, having been first duly sworn on oath, was

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1 way we'll have a clean transcript. Do you  
2 understand that?  
3     A. Yes.  
4     Q. The other fundamental rule, I suppose, is  
5 that there'll be yes or no questions, and if you  
6 choose to answer them with a yes or no, I would ask  
7 that you say audibly yes or no as opposed to uh-huh  
8 or something that is more difficult to understand  
9 what you mean on the transcript, and opposed to  
10 nodding your head or shaking your head. Do you  
11 understand that?  
12     A. Yes.  
13     Q. If you wish for a break at any time  
14 during this deposition, please just let me know.  
15 I'll ask you to finish answering the question  
16 that's pending, but otherwise we'll just go ahead  
17 and take a break whenever you need it, okay?  
18     A. Very good. Thank you.  
19     Q. I asked whether you'd given a deposition  
20 before. Can you tell me what cases you gave  
21 depositions in?  
22     A. I was involved with different  
23 arbitrations as a result of my employment over the  
24 years.  
25     Q. Any other types of cases?

Page 6

1 A. On cases with the National Labor  
 2 Relations Board.  
 3 Q. And were you a party to any of those  
 4 cases?  
 5 A. As a representative of the union, yes.  
 6 Q. But as an individual were you a party?  
 7 A. No.  
 8 Q. Did any of those litigations or  
 9 arbitrations involve anything relating to voting  
 10 rights?  
 11 A. No.  
 12 Q. Did any of those litigations or  
 13 arbitrations involve anything relating to politics?  
 14 A. No.  
 15 Q. Did any of those litigations or  
 16 arbitrations involve anything relating to  
 17 fundraising?  
 18 A. No.  
 19 Q. Where do you currently reside?  
 20 A. 7928 South Butterfly Road, Beloit,  
 21 Wisconsin.  
 22 Q. Beloit, Wisconsin. That's the postal  
 23 code; right?  
 24 A. Correct.  
 25 Q. What municipality or township do you live

Page 7

1 in?  
 2 A. Town of Turtle.  
 3 Q. Would you describe the area you live in  
 4 to be rural?  
 5 A. Yes.  
 6 Q. Do you live on a farm?  
 7 A. I do.  
 8 Q. How long have you resided at that  
 9 residence?  
 10 A. Since, I believe, September of 1995.  
 11 Q. And prior to moving to the residence in  
 12 the town of Turtle, where did you reside?  
 13 A. Davisburg, Michigan.  
 14 Q. Have you lived in Wisconsin any period of  
 15 time other than the period of time that you were  
 16 living in Turtle?  
 17 A. Yes.  
 18 Q. When was that?  
 19 A. From birth until July of 1985.  
 20 Q. Do you spend all year at your current  
 21 residence?  
 22 A. Yes.  
 23 Q. And what do you do for a living?  
 24 A. I'm retired.  
 25 Q. Congratulations. When did you retire?

Page 8

1 A. July of 2008.  
 2 Q. Have you worked any part-time jobs since  
 3 retiring?  
 4 A. Yes.  
 5 Q. What types of jobs?  
 6 A. I work part-time with Workforce  
 7 Development Group Wisconsin Regional Training  
 8 Partnership in Milwaukee.  
 9 Q. And what do you do for them?  
 10 A. We do recruitments for employers,  
 11 pre-employment trainings, apprenticeship programs.  
 12 Q. Any other part-time jobs since 2008?  
 13 A. No.  
 14 Q. And what did you do before retiring?  
 15 A. I worked for General Motors and the UAW.  
 16 Q. Let's talk about the General Motors  
 17 employment first. During what time period did you  
 18 work for GM?  
 19 A. From February of 1976 until my retirement  
 20 in July of 2008.  
 21 Q. And what was your job?  
 22 A. Oh, I had a great number of different  
 23 jobs, but I was mostly in assembly and materials.  
 24 And for a large measure of the time I was assigned  
 25 to a department, but I was a full-time union

Page 9

1 representative.  
 2 Q. And during what period of time were you a  
 3 full-time union representative?  
 4 A. We're going back a long time, so it's --  
 5 I want to say the fall of 1978 until I retired.  
 6 Q. So is it fair to say that most of the  
 7 time that you were employed by GM your main work  
 8 was as a union representative?  
 9 A. Correct.  
 10 Q. And before you had mentioned that you had  
 11 given deposition testimony before in arbitrations  
 12 and NLRB cases. Were those testimonies in your  
 13 capacity as the union representative?  
 14 A. Yes.  
 15 Q. How did you come to be the union  
 16 representative?  
 17 A. I was asked if I was interested in being  
 18 a representative, and said I would give it a try,  
 19 and got hooked.  
 20 Q. Is it an appointment or is it an  
 21 election?  
 22 A. Initially it was elected. I was elected  
 23 continuously from sometime late in 1978 until 1989.  
 24 And then I was appointed as an international union  
 25 representative in 1989.

<p style="text-align: right;">Page 10</p> <p>1 Q. When you moved to Wisconsin, was it with 2 the understanding that you would be -- continue to 3 be a union representative? 4 A. Yes. 5 Q. Were you responsible for employees beyond 6 the plant in which you were working? 7 A. I actually -- not initially. 8 Q. So can you describe for me what your 9 responsibilities were generally as the union 10 representative over the time period from 1978 until 11 2008? 12 A. From 1978 until 1985 I worked in the 13 general motor assembly plant in Janesville, and I 14 represented a designated group of employees under 15 the terms of the collective bargaining agreement. 16 In 1985 I transferred with our truck product from 17 the Janesville plant to a brand new assembly plant 18 forming in Indiana, where I was the president of 19 the local union from July of 1985 until November of 20 1989. And I represented, you know, any type of 21 member concerns during that period of time. 1989, 22 I went to Detroit as an international union 23 representative. 24 Q. And did you remain an international union 25 representative then until July 2008?</p>	<p style="text-align: right;">Page 12</p> <p>1 activities? 2 A. Could you repeat that? 3 Q. Let me -- let me actually just try to 4 more generally. 5 A. Okay. 6 Q. Did you have any responsibilities in your 7 capacity as a union rep -- during any time that you 8 were a union rep from 1978 until 2008, did you have 9 any responsibilities relating to the union's 10 political activities? 11 A. Yes. 12 Q. We'll probably talk about those more in 13 detail. 14 A. Okay. 15 Q. But for now can you generally describe 16 what those responsibilities were? 17 A. Well, we were all encouraged to be active 18 in the areas within the region in the political 19 environment, encouraged folks to get involved in 20 campaigns, to participate in raising funds, trying 21 to -- registering voters. I mean, we did a lot of 22 different things. 23 Q. And when you say that "we were all 24 encouraged," who encouraged you? 25 A. When -- when I was a youngster and</p>
<p style="text-align: right;">Page 11</p> <p>1 A. Yes. 2 Q. And what are the responsibilities of an 3 international union representatives? 4 A. My representatives in Detroit -- or my 5 responsibilities in Detroit were I worked on 6 programs, benefits, plans, employee assistance 7 plans, child care and family planning development. 8 When I left there in 1995, I transferred into the 9 regional office and became a servicing 10 representative. And during -- from 1995 until my 11 retirement, I negotiated collective bargaining 12 agreements for upwards of 35 different employee 13 groups with different employers. 14 Q. Throughout the country, these 15 negotiations? 16 A. Strictly within -- within the region. 17 Within Wisconsin and in Illinois. 18 Q. These employee groups were all employed 19 by GM; is that correct? 20 A. No. They -- there were probably, over 21 the course of my time as a service rep, I probably 22 had 35 different companies. 23 Q. Did your role with the union involve any 24 decision-making authority or executive-type 25 authority with respect to the union's political</p>	<p style="text-align: right;">Page 13</p> <p>1 started in the business, the upper leadership in 2 the local union, as -- I knew that was part of my 3 responsibility as an up-and-coming officer on the 4 bargaining team and as an executive officer of the 5 local union. Our constitution within the UAW 6 encourages all of the representatives to be 7 politically active and involved. 8 Q. And so when you moved to Wisconsin, was 9 it your job to encourage others in the union to get 10 involved in this way? 11 A. Yes. 12 Q. Was it your job to either decide or 13 collaborate with others to decide if there should 14 be any specific encouragement given to union 15 members to, say, participate in different regions 16 or different elections? 17 A. Yes. 18 Q. And did you have those responsibilities 19 between 19 -- strike that. And did you have those 20 responsibilities between 2002 through your 21 retirement in July 2008? 22 A. No. Well -- 23 Q. What were your responsibilities during 24 that time? 25 A. After I retired, I was still active with</p>

<p style="text-align: right;">Page 14</p> <p>1 the then-local union legislative committee that I'm 2 still involved with. I'm the vice chairman. So 3 yes, still working with leadership in the different 4 units within the local union and within the area. 5 Q. And are you paid for that activity today? 6 A. No. 7 Q. So you do that as a volunteer? 8 A. Yes. 9 Q. Do you remain a member of the union 10 post-retirement? 11 A. Yes. 12 Q. You pay union dues still? 13 A. Yes. 14 Q. In your capacity as a union 15 representative, did you have any say in where union 16 political contributions would go? 17 A. As a union representative? 18 Q. Yes. 19 A. No. 20 Q. Did the union have a conduit, or a PAC? 21 A. We have a PAC. 22 Q. And did you have any decision-making 23 responsibility with respect to the PAC's 24 expenditures? 25 A. Post-retirement.</p>	<p style="text-align: right;">Page 16</p> <p>1 A. I don't know the exact number. I want to 2 say around 14. 3 Q. And are decisions made as a collective 4 group? 5 A. Yes. 6 Q. Through a vote? 7 A. Yes. 8 Q. Does your group discuss targeting certain 9 assembly races? 10 A. Yes. 11 Q. In the years that you were working on 12 this group, did the union endorse any Republican 13 candidates for state assembly, to your knowledge? 14 A. No. 15 Q. In the years that you were involved on 16 this legislative committee, what assembly districts 17 were targeted by the union for expenditures? 18 A. Oh, I'm not sure all the district 19 numbers. And I don't recall what we -- what we 20 determined as contributions. But generally 21 speaking, it's the districts within our scope. It 22 would be district 31, 45, 44, 43. I think that's 23 pretty much our scope. We don't have -- after the 24 General Motors plant closed, we don't have much for 25 income, so we don't get real involved anymore.</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. Between what years did you have this 2 responsibility? 3 A. I don't remember which year I actually 4 became vice chairman. I would be -- I'd be 5 guessing. I want to say it's been within the last 6 five years. 7 Q. Do these expenditures -- let me start 8 again. Do these political expenditures from the 9 PAC, are any directed at state legislative races? 10 A. Yes. 11 Q. Would you have been involved in this work 12 during the 2018 election cycle? 13 A. Yes. 14 Q. Would you have been involved in this work 15 in the 2016 election cycle? 16 A. Yes. 17 Q. Would you have been involved in this work 18 in the 2014 election cycle? 19 A. That I don't recall. 20 Q. And would you have been involved in this 21 work in the 2012 election cycle? 22 A. No. 23 Q. How many individuals are part of the 24 committee that makes decisions with respect to the 25 PAC expenditures that we've been discussing?</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. When you say within your scope, what do 2 you mean by that? Are you referring to geographic 3 scope, or something else? 4 A. Geographic scope. 5 Q. And is that where the union members 6 reside, largely? 7 A. That -- that's where the bulk of the 8 employers are and the bulk of our members, yes. 9 Q. Can you recall any other districts or, if 10 you can't recall district numbers, candidate names 11 or campaigns that this committee targeted to 12 support? 13 A. I know that we typically -- I believe we 14 supported the first congressional race, and we may 15 have supported the governor's race. 16 Q. Of the districts that you named, the 17 state assembly districts, 31, 45, 44 and 43, were 18 any of these districts, did any of them receive 19 special emphasis by your committee? 20 A. No. 21 Q. During your time as a union 22 representative and your time as a participant on 23 the legislative committee, did you have 24 responsibilities with respect to the union's 25 efforts to register voters?</p>

Page 18

1 A. Yes.

2 Q. What were those responsibilities?

3 A. We tried to register voters obviously

4 with each of our different employer groups and, you

5 know, within our membership where, you know,

6 whichever employer they were with.

7 Q. And what did you personally do over this

8 time period with respect to registering voters?

9 A. It's been a long time since I registered

10 voters, but ask voters if they want to become

11 registered to vote, walk through the paperwork with

12 them, help them sign up to be registered. And then

13 when we did all the paperwork, we'd take that back

14 to the local union hall, and then they would submit

15 it.

16 Q. Did you have any roles or

17 responsibilities with respect to teaching or

18 instructing other members as to how to sign up

19 other members to register to vote?

20 A. No.

21 Q. Did you have any roles and

22 responsibilities with respect to communicating to

23 the membership the union's positions on candidates?

24 A. Yes.

25 Q. In general terms -- strike that. How did

Page 19

1 you communicate to membership the union's position

2 on candidates?

3 A. Generally face-to-face.

4 Q. Union meetings?

5 A. Union meetings, on the shop floor,

6 different gatherings.

7 Q. Did you communicate to members which

8 candidates -- would you communicate to members

9 which candidates the union was endorsing?

10 A. Yes.

11 Q. Would you communicate to members when the

12 election was?

13 A. Yes.

14 Q. Would you encourage union members to

15 vote?

16 A. Absolutely.

17 Q. Would you encourage members to vote for

18 the candidates that the union had endorsed?

19 A. Yes.

20 Q. If the union did not make an endorsement

21 in the race, would you encourage members to vote

22 for one candidate over another?

23 A. Could you repeat that?

24 Q. If there was a race in which the union

25 did not make an endorsement, would you, in these

Page 20

1 conversations with members, encourage the union

2 member to vote for one candidate or another?

3 A. Yes.

4 Q. Was that something that you did in your

5 capacity as a union rep, or did you do that more in

6 your individual capacity, sharing your own views?

7 A. Both, actually.

8 Q. So is it -- is it accurate to say that

9 while the union did not endorse candidates in every

10 election -- let me start that again. Did the union

11 endorse candidates in every election?

12 A. No.

13 Q. Of those elections in which the union did

14 not endorse a candidate, did the union have a

15 corporate position, for lack of a better word, to

16 encourage members to vote for one of the candidates

17 in that election?

18 A. No. If there -- if there wasn't an

19 endorsement, then we wouldn't -- the international

20 union wouldn't say go vote for a candidate

21 that -- we have an entire endorsement process

22 that's all voted on, and that's where our

23 endorsements come from. If we don't make an

24 endorsement, you know, through that process, then

25 individually we may say we prefer this candidate

Page 21

1 over that candidate, but it wouldn't be, you know,

2 communicated as an endorsement by the international

3 union or the local union if they didn't have the

4 endorsement.

5 Q. Okay. Did the local union ever endorse

6 candidates where the international union endorsed a

7 candidate that was opposing that candidate?

8 A. Not that I can recall.

9 Q. But were there some instances where the

10 local union might endorse a candidate and the

11 international union would not have any endorsement

12 in the race?

13 A. Yes.

14 Q. Was that typically in a local race?

15 A. Yes.

16 Q. Such as a state assembly race?

17 A. Yes, that's entirely possible.

18 Q. Does the international union also make

19 endorsements in state assembly races?

20 A. Through the process, I don't -- I

21 wouldn't say they make the endorsement. An

22 endorsement would be created by the -- by the

23 process. So if the -- if the local and area caps

24 got together and wanted to get behind a candidate

25 and they endorsed the candidate, the international

<p style="text-align: right;">Page 22</p> <p>1 union may well embrace that and they may just stay 2 out of the race altogether and -- 3 Q. I think I understand. What public 4 offices have you held? 5 A. Public office? 6 Q. Yes, sir. 7 A. Chairman of the board at town of Turtle. 8 Q. What years did you serve as chairman of 9 the town board? 10 A. I believe that this term will be my sixth 11 term. I believe I was elected in 2009. And I've 12 been elected continuously since then. 13 Q. Are there any other public offices that 14 you've been elected to? 15 A. No. 16 Q. I'll ask about that too. I'm not trying 17 to hide the ball on that, I just wanted to try to 18 get the other ones out of the way first. Let me 19 ask about your participation on the town board. 20 A. Uh-huh. 21 Q. That's an elected position; correct? 22 A. Correct. 23 Q. Why did you decide to run for town board? 24 A. I ran for the town board because the 25 then-chairman was dying of ALS and I was afraid</p>	<p style="text-align: right;">Page 24</p> <p>1 gobbled up. And we only have so much, and we'd 2 like to protect what we have. 3 Q. Is it fair to say that the residents of 4 the town of Turtle have unique and different 5 interests than the residents of the city of Beloit? 6 A. In some aspects, yes. 7 Q. Would one of those aspects be the issue 8 that you were just talking about relating to growth 9 and development? 10 A. There is a concern by our constituents 11 about the growth, development, and annexation. 12 Moreover, because the taxes in the town of Turtle 13 are about seven times less than in the city of 14 Beloit, the rules are less restrictive, but we 15 share so many -- I mean, the infrastructure is such 16 that, and the composition of the town, is such that 17 we're woven right into the city. 18 There are, I want to say, four islands 19 of the town that are totally surrounded by the 20 city. We share elementary schools, high schools; 21 we have to have a working agreement. I mean, 22 there -- I don't know exactly how many streets we 23 have, but there are so many streets and areas where 24 the town is on one side of the street and the 25 city's on the other side of the street. So we have</p>
<p style="text-align: right;">Page 23</p> <p>1 that someone else would get elected that wouldn't 2 have the same kind of values regarding the town. 3 Q. And what were those values that -- that 4 you wanted to preserve? 5 A. Our town is largely rural, and most of 6 our constituents like to keep it that way, versus 7 development. It's a largely agrarian community. 8 We do have some populated areas, but generally the 9 rules are not as complex and stiff, if you will, 10 as, you know, in a village or in a city. 11 Q. And you wanted to preserve that? 12 A. Wanted to preserve that, yes. 13 Q. Were there also positions with respect to 14 annexation that you had? 15 A. Oh, absolutely. 16 Q. Are you opposed to annexation? 17 A. Absolutely. 18 Q. Why are you opposed to annexation? 19 A. We're -- I'm opposed to it because where 20 our town is situated, we're a target of the city of 21 Beloit. And to lose some of our populated areas 22 would be to lose income. And, no offense intended, 23 but cities oftentimes want to annex to have the 24 ability to develop and spread out even when they 25 don't, and a lot of good, productive farmland gets</p>	<p style="text-align: right;">Page 25</p> <p>1 to share services. 2 And we're -- in some measure, we're 3 dependent on one another. We -- our town has our 4 own fire department. So when we go into some of 5 the areas where we have -- we're completely 6 surrounded by the city -- where, if possible, we, 7 of course, want to tap into the hydrants. The city 8 is dependent upon us because they have parts of the 9 city that are not served by utilities, and if they 10 have a fire, they don't have tanker trucks because 11 they're dependent on hydrants. 12 So there's a number of things where 13 we're just -- we're inextricably wed. There's -- 14 there's no way to divide it. Large -- probably 15 the -- I say the largest number of our town -- I 16 would say the -- the largest number of my folks, 17 the folks within the town, work within the city, at 18 businesses within the city. 19 Q. So you ran for the office of state -- or 20 the office of representative of state assembly in 21 2010; is that correct? 22 A. Yes. 23 Q. Why did you run? 24 A. I ran for office because I wanted to 25 obviously be able to take forward, you know, my</p>

Page 26	Page 28
<p>1 thoughts, my ideas, things that are important to me 2 and, I believe, with folks with -- within the 3 district. One of my slogans was I wasn't -- excuse 4 me, I wasn't running for a job, I was running to go 5 do a job.</p> <p>6 Q. Had you ever considered running for state 7 assembly prior to 2010?</p> <p>8 A. Yes.</p> <p>9 Q. And did you?</p> <p>10 A. No.</p> <p>11 Q. Why did you not run for state assembly 12 prior to 2010?</p> <p>13 A. I didn't because I felt it would be 14 foolish to run against the incumbent.</p> <p>15 Q. And that was Mr. Benedict?</p> <p>16 A. Yes.</p> <p>17 Q. Did you have any different ideas about 18 how to be a state legislator or what a state 19 legislator should do than Mr. Benedict?</p> <p>20 A. Yes.</p> <p>21 Q. What were some of the differences between 22 you and Mr. Benedict?</p> <p>23 A. Mr. Benedict was within the city of 24 Beloit, and so we had some differences in terms of 25 that age-old fence annexation. That was -- that</p>	<p>1 Q. Did you and Mr. Benedict have a 2 discussion about you running for the seat?</p> <p>3 A. I don't remember if Chuck and I talked 4 about it directly, but we -- we both had 5 conversations at the time with Mike Sheridan.</p> <p>6 Q. Mike Sheridan. He was the speaker of the 7 assembly; is that correct?</p> <p>8 A. I don't remember if he was then. I 9 believe he was. But he was the 44th assembly 10 representative, I believe. And I'm pretty sure he 11 was speaker.</p> <p>12 Q. Did Mr. Sheridan then approach you about 13 running for Mr. Benedict's seat?</p> <p>14 A. Actually, I had intended to run for the 15 senate seat because Judy Robson had already 16 indicated that she wasn't going to run.</p> <p>17 Q. Did any member of the assembly talk to 18 you about announcing for -- announcing for -- 19 strike that.</p> <p>20 Did any member of the assembly discuss with 21 you running for the assembly prior to your 22 announcement?</p> <p>23 A. Yes.</p> <p>24 Q. Who was that?</p> <p>25 A. Mike Sheridan.</p>
<p>Page 27</p> <p>1 was probably -- I would say would probably be the 2 biggest difference we had. Other than that, we -- 3 we're very like-minded.</p> <p>4 Q. Did you think that if you were in the 5 state assembly instead of Mr. Benedict, that you 6 would have been able to protect the interests of 7 the town of Turtle better?</p> <p>8 A. With what I know now, I know I wouldn't 9 have been able to. But that was one of my 10 thoughts, yes.</p> <p>11 Q. So 2010 comes around and you decide that 12 you're going to run; correct?</p> <p>13 A. Yes.</p> <p>14 Q. Mr. Benedict, did he announce that he was 15 no longer going to serve?</p> <p>16 A. Yes.</p> <p>17 Q. And approximately when did he do that?</p> <p>18 A. I don't even remember when I announced. 19 Because I believe I announced right on the heels of 20 his announcing his -- that he wasn't going to seek 21 reelection.</p> <p>22 Q. Did you know that Mr. Benedict was not 23 going to seek reelection before he announced it 24 publicly?</p> <p>25 A. Yes.</p>	<p>Page 29</p> <p>1 Q. Did Mike -- did Mr. Sheridan encourage 2 you to run?</p> <p>3 A. Yes, he did.</p> <p>4 Q. Have you known Mr. Sheridan for a long 5 time?</p> <p>6 A. A lot of years, yes.</p> <p>7 Q. He was also involved in your union; is 8 that correct?</p> <p>9 A. Yes.</p> <p>10 Q. Did you think that you would be the best 11 candidate for your district?</p> <p>12 A. In the -- in the election of 2010?</p> <p>13 Q. Yes.</p> <p>14 A. Yes.</p> <p>15 Q. Did you know others who were considering 16 running for assembly?</p> <p>17 A. No.</p> <p>18 Q. What made you believe that you would be 19 the best candidate?</p> <p>20 A. Once they were -- once they were 21 announced, I had worked with the Republican 22 candidate on -- I can't remember what they -- it's 23 a meeting of the folks of the greater Beloit area 24 at the chamber meeting. So I worked with her 25 there, and I knew that her -- she had different</p>



<p style="text-align: right;">Page 30</p> <p>1 values in terms of where to take the district.  2 Q. And how about among other Democrats that  3 might run, did you think that you were superior to  4 other Democrats that could run for the office?  5 A. I felt I was better suited for the job  6 than the -- I was in a -- I was in a primary -- I  7 can't remember who -- the other candidate's name,  8 but because of the background that I had, because,  9 before running for the board, I spent ten years on  10 the planning commission with the town, so I was  11 aware of the workings of government from a  12 standpoint other than just that as chairman. And I  13 felt that I was better suited than the other  14 candidate, yes.  15 Q. You had better experience?  16 A. Yes.  17 Q. More experience with government?  18 A. Yes.  19 Q. Those are things that make for a good  20 candidate?  21 A. I believe so.  22 Q. So did you campaign hard?  23 A. I did. I lost 26 pounds during that  24 election.  25 Q. Knock on doors?</p>	<p style="text-align: right;">Page 32</p> <p>1 forget. But no, I don't -- I didn't have any paid  2 staff, so to say.  3 Q. Were you satisfied with the support you  4 received from ADCC?  5 A. I would have preferred to see more  6 support.  7 Q. Sure. Do you think you did the best job  8 that you could do under the circumstances in terms  9 of fundraising, etcetera?  10 A. Yes.  11 Q. Do you believe that any candidates who  12 have run for the state assembly district that you  13 currently reside, do you believe any of those  14 Democratic candidates possess superior qualities to  15 you as a candidate?  16 A. Yes.  17 Q. Which one, or ones?  18 A. I would say Ryan Schroeder does,  19 certainly, and I believe Brittany Keyes. Those are  20 two candidates I would not have gone into a primary  21 with.  22 Q. Have you ever considered running again  23 for state assembly?  24 A. Only for a brief, insane, fleeting  25 moment.</p>
<p style="text-align: right;">Page 31</p> <p>1 A. Every day.  2 Q. Speak at town halls?  3 A. Every day.  4 Q. Speak at union halls?  5 A. Yes.  6 Q. Did you leave anything on the table in  7 that election?  8 A. No.  9 Q. Did you get financial -- how did you feel  10 about your ability to raise funds? Were you  11 satisfied with that?  12 A. No, it was very difficult.  13 Q. Did you get support from ADCC?  14 A. We did. And I don't remember if that was  15 in the form of money to the campaign or, you know,  16 payments in-kind.  17 Q. Staff?  18 A. No, I didn't have any staff from them.  19 Q. They didn't give you any staff for your  20 race?  21 A. No.  22 Q. Did you pay any staff on your race?  23 A. I don't remember that I ever paid any  24 staff out of -- out of my -- I don't -- it's been  25 long enough ago that I've been lucky enough to</p>	<p style="text-align: right;">Page 33</p> <p>1 Q. And what year was that?  2 A. I actually had considered it in 2014.  3 Q. And why did you decide that that was an  4 insane idea?  5 A. It's -- it's a tremendous amount of work.  6 There -- it's a terrific commitment. And I just  7 felt that it would be crazy to do that. Being  8 retired, I should start living a retired life.  9 Q. Any other reasons come to mind?  10 A. No.  11 Q. Have you ever been involved in any other  12 litigation as a party that involves the  13 constitutionality of a statute -- let me rephrase  14 that.  15 Have you ever been involved as a party  16 in litigation that involves the constitutionality  17 of a statute, other than the present litigation?  18 A. No.  19 Q. Have you ever had a decision-making role  20 with the union involving the union's decision to  21 file a lawsuit in any matter involving the  22 constitutionality of a state law?  23 A. No.  24 Q. Why did you -- or when did you first  25 decide to join this lawsuit?</p>

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<p>1 A. It was very early on. I can't remember 2 the year, but I was -- I was contacted if I would 3 be interested in becoming involved. And I 4 absolutely was interested in that, yes.</p> <p>5 Q. And about how long ago was that?</p> <p>6 A. I don't remember the year. This has been 7 going on for several years. So I don't know if it 8 was 2016, 2015. I know it was before 2000 -- or I 9 believe it was before 2016 that I had neck surgery, 10 because I knew it was going on before that. Funny 11 how we remember things, right?</p> <p>12 Q. Do you remember who contacted you?</p> <p>13 A. Yes, Professor Whitford.</p> <p>14 Q. Had you known Professor Whitford before 15 this contact?</p> <p>16 A. No, I did not.</p> <p>17 Q. Did he contact you by telephone?</p> <p>18 A. Yes.</p> <p>19 Q. Did you later -- what did he tell you?</p> <p>20 A. Introduced himself and introduced the 21 notion of a lawsuit regarding the gerrymandering.</p> <p>22 Q. And what did you tell him in this initial 23 phone call?</p> <p>24 A. I heard what he had to say about, you 25 know, the thoughts of a lawsuit, and just let him</p>	<p>1 Q. And on the second phone call you decided 2 that you would join this litigation?</p> <p>3 A. Yes.</p> <p>4 Q. And how did you go about -- what was the 5 next contact then that you had involving this 6 litigation?</p> <p>7 A. There were a few phone conversations. 8 And then I believe I was contacted by an attorney 9 associated with the suit from the -- I believe from 10 the Campaign Legal Center. I'm not certain of 11 that.</p> <p>12 Q. One of your attorneys today?</p> <p>13 A. No.</p> <p>14 Q. But an attorney affiliated with your -- 15 but an attorney who was affiliated with your 16 attorneys today; is that right?</p> <p>17 A. Yes.</p> <p>18 Q. Do you happen to recall when that was?</p> <p>19 A. No, I don't.</p> <p>20 Q. Why did you decide to get involved in the 21 case?</p> <p>22 A. I decided to get involved in the case 23 because I felt it represented all the right things. 24 I believe that the districts have -- had become so 25 gerrymandered, so lopsided, so unfair, that, you</p>
<p>1 know that I was certainly in agreement and felt 2 that something needed to be done.</p> <p>3 Q. Did you make a decision at that time that 4 you would join this lawsuit?</p> <p>5 A. I don't think in the first conversation, 6 no.</p> <p>7 Q. So it took another -- at least one more 8 conversation; right?</p> <p>9 A. Yes.</p> <p>10 Q. And what was the second conversation? 11 Was that also with Mr. Whitford?</p> <p>12 A. Yes.</p> <p>13 Q. Was that a face-to-face?</p> <p>14 A. No.</p> <p>15 Q. That was also by telephone?</p> <p>16 A. Yes.</p> <p>17 Q. And on that -- that telephone call he 18 told you more about the case?</p> <p>19 A. Yes.</p> <p>20 Q. About how long, if you can recall, was it 21 between this first contact and the second contact?</p> <p>22 A. It was a few weeks. I wanted to find out 23 who Professor Whitford was. And I had friends that 24 actually were in his classes and spoke highly of 25 him.</p>	<p>1 know, a Democrat, folks that I typically associate 2 with, couldn't get elected.</p> <p>3 Q. Was there a particular assembly seat that 4 you believed a Democrat could not get elected?</p> <p>5 A. Well, there -- I knew that there were 6 several, but I believe the district I live in is 7 probably one of the -- one of the worst.</p> <p>8 Q. Do you view your involvement in this case 9 as a form of political activity?</p> <p>10 A. No. I'm looking at my involvement in 11 this case as more to serve, you know, to help level 12 the playing field, if you will, to make votes count 13 and elections be competitive and have a fair 14 environment.</p> <p>15 Q. Do you see your involvement in this case 16 as a means of expressing your opinion on 17 districting?</p> <p>18 A. Yes.</p> <p>19 Q. Do you see your involvement in this case 20 as a means of expressing your views about 21 gerrymandering in particular?</p> <p>22 A. In part, yes.</p> <p>23 Q. You described that you met Mr. Whitford 24 by telephone?</p> <p>25 A. Yes.</p>

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1 Q. At a time that you're not certain, but it  
 2 was after you had had some surgery?  
 3 A. I think it was actually before I had the  
 4 surgery in 2016.  
 5 Q. Okay. When did you first meet  
 6 Mr. Whitford in person?  
 7 A. I haven't.  
 8 Q. Have you met any of the other plaintiffs  
 9 in this case in person?  
 10 A. No.  
 11 Q. Were you involved at all in bringing any  
 12 plaintiffs into this litigation?  
 13 A. No.  
 14 Q. Have you talked to anyone about the  
 15 deposition that you are providing right now?  
 16 A. Yes.  
 17 Q. Who have you spoken with about that --  
 18 about the deposition? Your attorneys here?  
 19 A. Doug and Cecilia and Ruth.  
 20 Q. Anyone else?  
 21 A. Well, family members; a few of my friends  
 22 obviously know that I'm here today.  
 23 Q. Did you tell your family members or  
 24 friends what you were going to say today?  
 25 A. I wasn't sure what I was going to say

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1 today. But certainly they know the positions I  
 2 would be taking today.  
 3 Q. Prior to your contact with Mr. Whitford,  
 4 can you recall having any conversations with  
 5 anybody about whether or not the district that you  
 6 currently reside in is unwinnable for Democrats?  
 7 A. Yes.  
 8 Q. Who did you have those conversations  
 9 with?  
 10 A. Oh, well, large numbers of people. I  
 11 mean, old retired guys go to coffee shops and they  
 12 talk politics all the time, right? But no, I had  
 13 talked to representatives. I talked to, you know,  
 14 past representatives. Mike Sheridan. You know,  
 15 there's a group of us that get together frequently,  
 16 you know, that could include the likes of Andy  
 17 Jorgenson and -- but numbers of, you know, folks  
 18 both in and outside the district.  
 19 Q. Did you ever speak with Peter Barca about  
 20 this issue in particular, the electability of a  
 21 Democrat in your assembly district?  
 22 A. It's probable. I can't say that I recall  
 23 the conversation, but --  
 24 Q. But you're certain that you spoke with  
 25 Mike Sheridan about this issue?

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1 A. Yes.  
 2 Q. And you're certain that you spoke with  
 3 Andy Jorgenson about this issue?  
 4 A. I believe Andy was involved in the  
 5 conversation.  
 6 Q. Anyone else involved in that conversation  
 7 that you can recall?  
 8 A. There's been so many conversations, you  
 9 know. I mean, folks -- other folks that are, you  
 10 know, that I worked with over the years and --  
 11 Q. Let's go ahead and concentrate on any  
 12 conversations in which Mike Sheridan was involved  
 13 or Andy Jorgenson was involved. In any  
 14 conversations that also involved Mike Sheridan and  
 15 Andy Jorgenson that addressed the electability of  
 16 assembly district number 31, your current assembly  
 17 district, can you recall anyone else being involved  
 18 in that conversation?  
 19 A. No.  
 20 Q. Mike Sheridan, does he still reside in  
 21 Wisconsin?  
 22 A. Yes.  
 23 Q. Is he in Janesville?  
 24 A. Yes.  
 25 Q. And Representative Jorgenson, or former

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1 Representative Jorgenson, does he still reside in  
 2 Wisconsin?  
 3 A. I believe so.  
 4 Q. Do you know where he resides?  
 5 A. No.  
 6 Q. Is he -- strike that. Are you planning  
 7 on coming and testifying at trial in this case?  
 8 A. If needed, yes.  
 9 Q. Are there any reasons that you would be  
 10 unavailable to testify at trial?  
 11 A. No.  
 12 Q. Do you consider yourself an informed  
 13 voter?  
 14 A. Yes.  
 15 Q. What issues are most important to you?  
 16 A. There are so many. Education is probably  
 17 one of my top. Family's always been big on  
 18 education. The environment is extremely important.  
 19 There are a number of things -- I'll just say it  
 20 out loud. One of the things that I think is  
 21 terrible to our politics today is Citizens United  
 22 and, you know, voting rights. And obviously we're  
 23 here for one of my -- my big concerns: I would  
 24 have loved to see all elections be fair and  
 25 competitive.

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1 Q. Do you believe that every assembly  
 2 district in the state of Wisconsin should have an  
 3 equal chance for a Democrat and a Republican to  
 4 win?  
 5 A. Yes.  
 6 Q. Do you believe that a Democrat in  
 7 district 45 should have the same chance of winning  
 8 as a Democrat in district 31?  
 9 A. Yes.  
 10 Q. Is that what you mean when you say that  
 11 you would love to see all elections be fair and  
 12 competitive?  
 13 A. Yes.  
 14 Q. Do you consider yourself to be an  
 15 activist?  
 16 A. Yes.  
 17 Q. Do you think it's important to speak up  
 18 for causes if you believe in them?  
 19 A. Yes.  
 20 Q. Even if those causes are unpopular?  
 21 A. Yes.  
 22 Q. Can anyone stop you from speaking up  
 23 about unpopular causes?  
 24 A. No, not yet.  
 25 Q. Have they tried?

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1 A. Yes.  
 2 Q. Go ahead, explain. How does that happen?  
 3 A. Well, obviously I've had folks try to  
 4 convince me that I'm on the wrong side of an issue  
 5 or that I shouldn't champion particular issues.  
 6 You know, being a chairman of a town board and  
 7 being opposed to annexation, and it's popular on  
 8 one side of the fence, but if you're looking at a  
 9 more global elected position, that may not  
 10 necessarily be a popular position to take.  
 11 Q. Has anyone ever convinced you that a  
 12 position that you held was wrong?  
 13 A. No.  
 14 Q. Have you ever convinced someone else that  
 15 the position you held was correct and the one that  
 16 they held was incorrect?  
 17 A. I may have.  
 18 Q. Have you changed your mind over the years  
 19 on any significant issues, public policy related?  
 20 A. Yes.  
 21 Q. What's an example of an issue that's a  
 22 significant public policy issue in which your views  
 23 have changed over the years?  
 24 A. High-capacity wells.  
 25 Q. And that's been a pretty big political

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1 issue in Wisconsin?  
 2 A. Uh-huh.  
 3 Q. What is your position today on high-cap  
 4 wells?  
 5 A. I believe they should be more regulated  
 6 than -- recently they've thrown out all the  
 7 regulations on them.  
 8 Q. And previously what was your position on  
 9 high-cap wells?  
 10 A. I would -- I thought that they were  
 11 great. I was in favor of them.  
 12 Q. Can you think of any other significant  
 13 issues where you've changed your mind over the  
 14 years?  
 15 A. Not that really rings a bell.  
 16 Q. What made you change your mind with  
 17 respect to the high-cap wells issue?  
 18 A. Well, I grew up rurally, worked on farms;  
 19 I know the value of using them for irrigation  
 20 purposes, okay? When we have aquifers now that are  
 21 being depleted because of over capacity, huge  
 22 wells. I mean, we have areas in this state where  
 23 it has changed the value of properties because what  
 24 was once lake property is now swamp property.  
 25 It's -- it's all about production, it's all about

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1 yield, it's all about making money, but at what  
 2 cost.  
 3 Q. Would it be accurate to say that the more  
 4 facts that you learned about the impacts of  
 5 high-cap wells, that knowledge of those facts  
 6 helped inform and change your position?  
 7 A. Yes.  
 8 Q. Do you think that a candidate's position  
 9 on issues matters in terms of earning your vote?  
 10 A. Yes.  
 11 Q. How do you find out about those  
 12 candidate's positions?  
 13 A. Well, I have a couple different sources.  
 14 I mean, obviously being with the UAW legislative  
 15 group, you know, we bring candidates in and we ask  
 16 a series of questions, where they are and what  
 17 positions they've taken. I pay attention to  
 18 what -- what the candidates actually say and then  
 19 what they actually do, because to say it is one  
 20 thing, to do it's the next.  
 21 Q. Do you read the news?  
 22 A. Read the news, watch the news.  
 23 Q. Research Internet?  
 24 A. I do some research on the Internet.  
 25 Q. Talk to friends?

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<p>1 A. Talk to friends.</p> <p>2 Q. Retired guys at coffee shops?</p> <p>3 A. Retired guys at coffee shops.</p> <p>4 Q. And you have a unique position to meet</p> <p>5 individually, or at least in small groups with</p> <p>6 candidates based on your position with the</p> <p>7 legislative committee?</p> <p>8 A. Yes.</p> <p>9 Q. Do you go to any other</p> <p>10 candidate-sponsored events?</p> <p>11 A. I attend some of the candidate-sponsored</p> <p>12 events. You know, it's on kind of a hit-and-miss</p> <p>13 basis.</p> <p>14 Q. Before you decide to vote for a</p> <p>15 candidate, do you evaluate the candidate's</p> <p>16 positions on issues?</p> <p>17 A. Yes.</p> <p>18 Q. Would you vote for a candidate if you had</p> <p>19 no idea what that candidate's position was on</p> <p>20 issues?</p> <p>21 A. No.</p> <p>22 Q. Beyond a candidate's positions on issues,</p> <p>23 what types of things matter to you in terms of</p> <p>24 earning your vote? For example, you testified</p> <p>25 earlier that you thought your own experience was</p>	<p>1 my research. And I have supported Democrats</p> <p>2 although I -- I didn't get to do the kind of</p> <p>3 research that I wanted. But yes, generally</p> <p>4 speaking, I'm going to vote for a Democrat.</p> <p>5 Q. And if that Democratic candidate had</p> <p>6 opinions that were adverse to you on education,</p> <p>7 contrary to your views on the environment, believe</p> <p>8 that the Citizens United decision was a good</p> <p>9 decision, and wish to obtain office so that if the</p> <p>10 Democrats achieve a majority, they can politically</p> <p>11 gerrymander the state, would that make you pause</p> <p>12 about voting for that candidate?</p> <p>13 A. Probably, yes.</p> <p>14 Q. If the Republican candidate held your</p> <p>15 views on those three issues and the Democratic</p> <p>16 candidate was opposed to you on those three issues,</p> <p>17 would you consider voting for the Republican</p> <p>18 candidate?</p> <p>19 A. No.</p> <p>20 Q. Why not?</p> <p>21 A. I can use an example in true life. There</p> <p>22 were a number of things that Donald Trump said when</p> <p>23 he was on the campaign trail that actually caught</p> <p>24 my attention, and I -- I thought, now, this is</p> <p>25 interesting. But of course I did my research on</p>
<p>1 something that made you a good candidate for state</p> <p>2 assembly. Would you say that candidates'</p> <p>3 experience is an important factor in earning your</p> <p>4 vote?</p> <p>5 A. It's a factor I look at, absolutely.</p> <p>6 Q. Any other attributes that come to mind?</p> <p>7 A. I like to know what a candidate's</p> <p>8 background is. You know, where -- where are</p> <p>9 there -- you know, where are their roots. Did</p> <p>10 they -- you know, I question a candidate that moves</p> <p>11 into the district to be able to run, and I've</p> <p>12 supported candidates that ran for district that</p> <p>13 lived outside the district.</p> <p>14 Q. So that wouldn't necessarily be a</p> <p>15 disqualifier, but it would inform your decision as</p> <p>16 to --</p> <p>17 A. Right.</p> <p>18 Q. -- whether to vote for someone? Would</p> <p>19 you vote for someone just because they were a</p> <p>20 Democrat?</p> <p>21 A. Yes.</p> <p>22 Q. Even if you didn't know their position on</p> <p>23 issues?</p> <p>24 A. Generally if they're going to be in an</p> <p>25 election that I'm voting in, I'm going to have done</p>	<p>1 Donald Trump, and I think his background says a</p> <p>2 lot, to 5,000 lawsuits, or whatever it is. But I</p> <p>3 knew better than to vote for him, 'cause I knew</p> <p>4 that he would not be able to do some of the things</p> <p>5 I thought were very interesting that I would like</p> <p>6 to see him be able to do, simply because, even as</p> <p>7 the president, he wouldn't be able to do those</p> <p>8 things.</p> <p>9 Q. Those reasons sound like they were</p> <p>10 specific to Mr. Trump. But were they specific to</p> <p>11 the fact that he was running as a Republican?</p> <p>12 A. They're mostly specific to Mr. Trump in</p> <p>13 some of the things he said he was going to do that</p> <p>14 I -- that I thought was interesting.</p> <p>15 Q. If we return then to the hypothetical,</p> <p>16 let's presume that the candidates have equal</p> <p>17 characters, have equal experience, the Democrat</p> <p>18 disagrees with you on these three other issues that</p> <p>19 we've talked about, the Republican agrees with you</p> <p>20 on those three issues. In that circumstance would</p> <p>21 you consider voting for the Republican?</p> <p>22 A. No.</p> <p>23 Q. Would you consider not voting for a</p> <p>24 Democratic candidate, either leaving it blank or</p> <p>25 doing a write-in where that Democratic candidate</p>

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1 disagrees with you on your most significant three  
 2 issues?  
 3 A. That's a tough one. I would probably  
 4 vote for the Democrat. But if I was that driven, I  
 5 might -- I might just not vote.  
 6 Q. You are a regular voter; correct?  
 7 A. Pretty regular at going to the polls.  
 8 Q. How long have you been a regular voter?  
 9 A. I think since I was 18.  
 10 Q. You vote in every election, or nearly  
 11 every election?  
 12 A. Nearly every election. I can't say every  
 13 one, 'cause I might have missed a few.  
 14 Q. And generally, why is it important to you  
 15 to vote?  
 16 A. I was raised in a household where you  
 17 should be involved in your community, you should  
 18 be -- you know, do public service, play your role.  
 19 And as much as it's said that my vote doesn't  
 20 count, that that could be true, what was it, John  
 21 F. Kennedy won by one vote in each precinct, we  
 22 speak the English language instead of German by one  
 23 vote, Hitler got elected by one vote. I believe  
 24 votes count.  
 25 Q. Do you believe it's important to vote in

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1 elections even where you don't think that the  
 2 candidate that you're supporting is going to win?  
 3 A. Yes. I vote for myself even when I don't  
 4 have any opposition.  
 5 Q. You testified that you vote in nearly  
 6 every election. That includes primaries as well as  
 7 general elections?  
 8 A. Uh-huh.  
 9 Q. Do you recall who you voted for in the  
 10 2008 presidential primary?  
 11 A. No, I don't.  
 12 Q. Does it change your recollection if I  
 13 told you that the candidates for president of the  
 14 United States in the 2008 Democratic party were  
 15 Barack Obama and Hillary Clinton, or at least those  
 16 were the two main candidates, would that change  
 17 your recollection about who you voted for in that  
 18 primary?  
 19 A. That would change whether I can recall.  
 20 Q. And who did you vote for?  
 21 A. I voted for Barack.  
 22 Q. Do you recall the reasons that you voted  
 23 for President Obama over Senator Clinton?  
 24 A. We had a unique opportunity to, because  
 25 our region encompassed Chicago, they had more

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1 access, if you will, to Mr. Obama at the time. We  
 2 actually, "we" being the UAW, actually had a number  
 3 of the candidates at one of our delegate forums,  
 4 and they spoke. And, quite frankly, I -- so it was  
 5 all in terms of being informed. And I didn't like  
 6 Clinton's connection with the banks and Wall  
 7 Street.  
 8 Q. So you had an opportunity to hear from  
 9 Mr. Obama himself about what his views were?  
 10 A. Yes.  
 11 Q. That was significant to you?  
 12 A. Yes.  
 13 Q. And you had at least one significant  
 14 policy disagreement or philosophical disagreement  
 15 with Secretary Clinton?  
 16 A. Yes.  
 17 Q. Any other reasons that you can recall  
 18 that you voted for Obama?  
 19 A. (Witness shakes head.)  
 20 Q. How about in 2016, when the race was  
 21 primarily between -- at least the lead candidates  
 22 were Senator Sanders and Secretary Clinton, do you  
 23 recall if you voted in that primary?  
 24 A. I did.  
 25 Q. Do you recall who you voted for?

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1 A. I do.  
 2 Q. Who was that?  
 3 A. Bernie Sanders.  
 4 Q. And what were the primary reasons that  
 5 you voted for Mr. Sanders?  
 6 A. I liked his platform. I liked everything  
 7 he had to -- to say. I felt, again, there was a  
 8 connection there with Hillary Clinton, and I felt  
 9 there was some baggage for the Clinton family that  
 10 Bernie didn't carry.  
 11 Q. When you say baggage for the Clinton  
 12 family, what kind of baggage was that?  
 13 A. Well, I think Bill was impeached over  
 14 some of his behavior. But one of the things that,  
 15 as an auto worker, that was key to me was the North  
 16 American Free Trade Agreement.  
 17 Q. So NAFTA was an important issue to you?  
 18 A. Yes, yes. He did not have to sign that.  
 19 Q. And did you have -- did you believe your  
 20 views to be -- or Senator Sanders' views to be  
 21 closer to yours on that issue than --  
 22 A. Yes.  
 23 Q. -- Secretary Clinton's views?  
 24 A. I'm sorry.  
 25 Q. Yeah, that's all right. I was just going

<p style="text-align: right;">Page 54</p> <p>1 to ask and remind you if you could let me finish 2 the question. But you viewed -- you believed that 3 Senator Sanders had views closer to your own on 4 NAFTA than Hillary Clinton did? 5 A. Yes. 6 Q. Did you think that Senator Sanders was 7 more likely to win the general than Hillary 8 Clinton? 9 A. I did. 10 Q. Was that one of the reasons that you 11 voted for Senator Sanders? 12 A. Yes. 13 Q. So we've talked today about electability 14 and experience and the candidate's position on 15 issues. All of those influence you in terms of who 16 you vote for. 17 A. Uh-huh. 18 Q. Would you add to that personal 19 interactions with that candidate in terms of being 20 influential as to who you vote for? 21 A. In the case of Obama, I would say yes. 22 Q. Did you think when you were a candidate 23 that your ability to meet a new person was going to 24 make it more likely that that person would vote for 25 you versus your opponent?</p>	<p style="text-align: right;">Page 56</p> <p>1 start again. That was closer to being in English. 2 When was the last time there was a 3 contested Democratic primary in the 31st assembly 4 district? 5 A. In the 31st assembly district, I don't 6 think there has been. I think the last time it was 7 contested was when it was -- when I ran. And it 8 was the 45th district then. 9 Q. Do you recall a primary contest between 10 Clinton Anderson and Don Prestia? 11 A. Yes, I do. 12 Q. Now that I -- 13 A. I forgot about that. 14 Q. Now that I say those names, does that 15 ring a bell in terms of a Democratic primary? 16 A. Yes. 17 Q. Do you recall who you supported in that 18 primary? 19 A. Clinton. 20 Q. Clinton Anderson? 21 A. Clinton Anderson, I'm sorry, yes. 22 Q. And why did you support Mr. Anderson? 23 A. I actually met with both the candidates. 24 And I was initially leaning towards Mr. Prestia, 25 and then there were a number of things -- I talked</p>
<p style="text-align: right;">Page 55</p> <p>1 A. I was hopeful. 2 Q. Last question about primaries. Did you 3 vote in this most recent primary, 2018, for 4 governor? 5 A. I did. 6 Q. Do you recall who you voted for? 7 A. Yes. 8 Q. Who was that? 9 A. Tony Evers. 10 Q. And what were the primary reasons that 11 you voted for Mr. Evers versus any of his 12 competitors? 13 A. Being that my family is big on education, 14 with his education background, that -- that was 15 very -- very important to me. 16 Q. Have you ever voted in a Republican 17 primary? 18 A. No. 19 Q. What was the last Democratic primary for 20 the office of representative of the assembly in the 21 31st district, do you recall? 22 A. I can't remember the entire question. 23 Could you re -- 24 Q. Yeah. Do you recall a contested primary 25 in the district that you live in today -- let me</p>	<p style="text-align: right;">Page 57</p> <p>1 to my network where there were concerns about 2 Mr. Prestia. 3 Q. What types of concerns were those? 4 A. Well, excuse me. I want to say that one 5 of them was that he was -- was or going to be 6 immersed in bankruptcy. But he was saying one 7 thing when his history was showing to be something 8 different. 9 Q. Do you recall if that was with respect to 10 positions on issues? 11 A. Yes. 12 Q. So upon learning that Mr. Prestia may be 13 facing some bankruptcy challenges, and upon 14 learning that he had changed on issues, is that 15 when you became more inclined to vote for 16 Mr. Anderson? 17 A. Yes. 18 Q. Were there any other reasons that you can 19 recall as to why you voted for Mr. Anderson? 20 A. He -- he was a fresh face. He didn't -- 21 you know, he didn't carry any baggage. And 22 Mr. Prestia, you know, expressed some anti-worker 23 sentiment and -- you know, I was just concerned he 24 wouldn't be the kind -- he wouldn't be the 25 candidate I'd want to be supporting.</p>

<p style="text-align: right;">Page 58</p> <p>1 Q. Do you follow Democratic primaries 2 outside of your area? I think that you've 3 testified, at least with respect to your work with 4 the union, that you track at least four assembly 5 districts. Do you follow any other assembly 6 districts in the state? 7 A. Mostly within the -- within the state. I 8 try to pay attention to what some of the politics 9 are in Illinois, but they're pretty strange in 10 some. But because I've got, you know, family in 11 different -- different parts of the state and 12 friends in different parts of the state, I have 13 some interest in what goes on in some of those 14 races. 15 Q. Are you familiar with Sharice Daniels? 16 A. That doesn't ring a bell. 17 Q. I noticed that you made a donation to 18 Josh Zepnick; is that correct? 19 A. That's correct. 20 Q. He formerly was a representative in the 21 ninth assembly district; is that correct? 22 A. I believe so. 23 Q. Why did you make a donation to 24 Mr. Zepnick? 25 A. I made a donation to Josh because --</p>	<p style="text-align: right;">Page 60</p> <p>1 A. Yes. 2 Q. And I think we established that you were 3 a strong candidate for assembly; correct? 4 MR. POLAND: Object to the form of the 5 question. 6 BY MR. ST. JOHN: 7 Q. If you understand the question, you can 8 answer the question. I'm happy to rephrase it. 9 A. If you would, that would be great. 10 Q. Ms. Loudenbeck, Representative 11 Loudenbeck, defeated you in 2010; correct? 12 A. Correct. 13 Q. And you considered yourself to be a 14 strong candidate for assembly in 2010; correct? 15 A. Yes. 16 Q. Do you believe that Democrats could be 17 elected in your current district? 18 A. In the 31st, no. 19 Q. Correct. No? What's your factual basis 20 for that opinion? 21 A. What would I base it on? 22 Q. Yes. 23 A. Is I'm very familiar with the redesign of 24 the district and the area that was taken in. The 25 area -- the area that was taken in going so far</p>
<p style="text-align: right;">Page 59</p> <p>1 primarily because his staffer is a good friend of 2 mine, and I was in Milwaukee a considerable amount 3 during those days, and he asked me to stop over. 4 And when I was there, and of course Peter was there 5 and everyone, so I did what we do sometimes when 6 we're at those things, I wrote a check and 7 supported his campaign. 8 Q. Is it fair to say that one of the reasons 9 that you made a donation is that you were asked to 10 make a donation? 11 A. You know, I don't know if -- I don't know 12 if he actually asked me to make a donation. But 13 having been a candidate, knowing when you're at a 14 fundraiser, when you're in a race, you know, it's 15 difficult to raise money. 16 Q. So you think this would have been a 17 fundraiser that you were at? 18 A. Oh, yeah, I know it was. It was at a 19 saloon in Milwaukee. 20 Q. And who's your representative today in 21 the state assembly? 22 A. Amy Loudenbeck. 23 Q. And she was the last representative of 24 the district that you resided in under the old map; 25 is that correct?</p>	<p style="text-align: right;">Page 61</p> <p>1 east, it is, and has historically been, extremely 2 Republican. It takes in, you know, areas -- Lake 3 Geneva, places like that. And they're -- they are 4 very Republican areas. So I just, you know, 5 believe that by having redesigned it that way 6 there's just no choice for -- or no chance for a 7 Democrat to get elected there. 8 Q. Think about your old district, district 9 number 45, correct, under the prior map. 10 A. Yes. 11 Q. Would you have considered that district 12 to have been unwinnable by a Republican? 13 A. No. 14 Q. Prior to 2010 would you have considered 15 that district to have been unwinnable by 16 Republicans? 17 A. No. 18 Q. Haven't Democratic candidates that have 19 run against Ms. Loudenbeck done better in assembly 20 district 31 than Republican candidates who ran 21 against Representative Benedict? 22 A. I don't know that. 23 Q. Would that information affect your 24 opinion about whether or not -- about the 25 likelihood that -- strike that.</p>



<p style="text-align: right;">Page 62</p> <p>1 If you were to learn that Democratic 2 candidates had performed better for the assembly in 3 district 31 against Representative Loudenbeck than 4 Republican candidates performed in the old district 5 45 against Representative Benedict, would that 6 inform your opinion about whether or not district 7 31 is winnable by a Democratic candidate? 8 A. I don't know that. 9 Q. Do you think Democrats have just as much 10 ability to win new voters as Republicans? 11 A. No. 12 Q. Why is that? 13 A. I believe that because I believe that a 14 large share of the younger vote is not staying in 15 Wisconsin. And that's the pick up -- I think that 16 the folks that are Democrats are entrenched, 17 they're going to be Democrats, and I think the 18 folks that are Republicans are entrenched, they're 19 going to be Republicans. And the younger folks 20 these days I think are having to leave Wisconsin, 21 if for no other reason than employability 22 opportunities. 23 Q. Are there any other reasons that you 24 believe that Democrats are unable to find new 25 voters?</p>	<p style="text-align: right;">Page 64</p> <p>1 Development, unemployment compensation, etcetera, 2 etcetera, when that closure took place. 3 Q. And you believe that those circumstances 4 allowed Representative Loudenbeck to outperform the 5 typical Republican candidate in that district? 6 A. Yes, because in her literature she beat 7 me over the head for being a union guy. I mean, 8 we'll just get to it. That's -- 9 Q. You thought that was effective? 10 A. Oh, no, that was a killer. 11 MR. POLAND: Hey, Kevin, when you're at a 12 convenient stopping point, if we could take a 13 break? 14 MR. ST. JOHN: Yeah. Can I -- just a 15 couple more -- 16 MR. POLAND: Yeah, of course. 17 MR. ST. JOHN: -- of questions on this 18 and then we'll be done with this topic. 19 BY MR. ST. JOHN: 20 Q. So do you believe then that 21 Representative Loudenbeck ran an effective 22 campaign? 23 A. Yes. 24 Q. And you believe that effective campaigns 25 can help candidates win districts that might be</p>
<p style="text-align: right;">Page 63</p> <p>1 A. No, I don't. 2 Q. Do you think that Republicans have 3 superior ability to persuade independents to vote 4 for them? 5 A. No. 6 Q. Do you believe that Republican candidates 7 have a superior ability to persuade Democrats to 8 vote for them? 9 A. Don't believe so. 10 Q. Why do you believe that Representative 11 Loudenbeck was able to defeat you in assembly 12 district 45 in 2010? 13 A. Well, there's a couple of factors. That 14 data, as I remember it, there were a couple of 15 districts within the old 45 that didn't turn out. 16 I mean, it's not that she won those districts; 17 those districts didn't perform. Or areas within 18 the district. 2010 was a very, very difficult time 19 within that district. That we had just -- the 20 General Motors plant had just closed, a number of 21 businesses associated with that closed. And I know 22 that a lot of those folks were -- and a lot of 23 folks in the periphery were upset with the notion 24 that GM workers and/or other affiliated businesses 25 got preferential treatment from Workforce</p>	<p style="text-align: right;">Page 65</p> <p>1 difficult to win? 2 A. Yes. 3 Q. And you believe that your old district 4 would have been a difficult district for a 5 Republican to win? 6 A. The 45th? 7 Q. Yes. 8 A. It had been prior to that. 9 Q. And do you believe -- okay. 10 MR. ST. JOHN: Let's -- I think this is a 11 good breaking point, Doug. 12 MR. POLAND: Okay. 13 MR. ST. JOHN: Thank you. 14 THE VIDEOGRAPHER: Going off the record. 15 The time is 10:33. 16 (Break taken.) 17 THE VIDEOGRAPHER: We are back on the 18 records at 10:51. 19 BY MR. ST. JOHN: 20 Q. Have you ever voted for a Republican? 21 A. No. 22 Q. For the office of sheriff? 23 A. I may have. I may have voted for Sheriff 24 Black. 25 Q. How about district attorney, think maybe</p>

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1 you may have voted for a Republican for district  
 2 attorney?  
 3 A. No. I think there was one time in our  
 4 history we actually endorsed -- when you said that,  
 5 I believe it was Sheriff Black.  
 6 Q. You think that UAW may have endorsed --  
 7 A. Yes.  
 8 Q. -- Sheriff Black? Has anything ever  
 9 prevented you from voting?  
 10 A. No.  
 11 Q. Do you consider yourself to be a  
 12 politically engaged person?  
 13 A. Yes.  
 14 Q. How long have you been a politically  
 15 engaged person?  
 16 A. Since in the '70s.  
 17 Q. What sparked your political engagement?  
 18 Was there an event or circumstance?  
 19 A. No. At the household I grew up in, my  
 20 folks were involved, you know, dad was a school  
 21 board member, all of those -- you know, he belonged  
 22 to different community organizations and was just,  
 23 you know, it's a right we have, but it's an  
 24 obligation if you're going to be in a community,  
 25 you engage in the community.

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1 Q. Would you say then that you were raised  
 2 with the values that it was important to be  
 3 involved in your community?  
 4 A. Yes.  
 5 Q. You provided some interrogatory responses  
 6 to us, and one of the things that you were asked  
 7 about was whether or not you were a member of a  
 8 political party. And I believe the response says  
 9 you are not currently a member. Are you a member  
 10 of a political party today?  
 11 A. I have been a dues-paying member of the  
 12 Democratic party, but I'm not current on my dues,  
 13 and so no.  
 14 Q. Do you recall when you were a member of  
 15 the Democratic party?  
 16 A. I think I last paid dues a couple of  
 17 years ago.  
 18 Q. Why have you stopped paying dues to the  
 19 Democratic party?  
 20 A. In largest measure, I have not been  
 21 satisfied with the kind of support. I was upset,  
 22 since 2010, for the kind of support that came out  
 23 of the party. And in 2016 I didn't like the way  
 24 things went down for choosing our candidate for  
 25 president.

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1 Q. When you say the kind of support, are you  
 2 referring to the kind of support that the  
 3 Democratic party gives candidates?  
 4 A. Yes.  
 5 Q. Is there any other type of support that  
 6 you're referring to?  
 7 A. No. That -- that's always kind of stuck  
 8 with me, that, you know, I didn't get the kind of  
 9 support I believed I could have or should have  
 10 gotten. You know, we're in Rock County, you know,  
 11 so Rock County Democratic Party. And it's  
 12 been just not well organized, in my opinion, and --  
 13 Q. Do you think that if the Democratic party  
 14 provided better support for candidates, that those  
 15 candidates would have an improved chance of  
 16 winning?  
 17 A. I think they could be helpful to a  
 18 campaign, yes.  
 19 Q. When you were referring to 2016 and that  
 20 you didn't like the way that things went down for  
 21 choosing the Democratic candidate for president,  
 22 what are you referring to there?  
 23 A. I believe -- you know, and I don't have  
 24 anything solid or concrete to really put my thumb  
 25 on, but my view became dim, because I believe that

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1 the candidate in 2016 for president should have  
 2 been Bernie Sanders.  
 3 Q. And do you believe that most Democrats  
 4 supported Bernie Sanders?  
 5 A. The majority of the folks that I  
 6 associate with, yes.  
 7 Q. Do you think that party elites sometimes  
 8 get in the way of what Democrats on the ground  
 9 want?  
 10 A. Yes.  
 11 Q. Do you think that this sometimes  
 12 frustrates the ability of Democratic candidates --  
 13 let me start that again.  
 14 Do you think that this sometimes  
 15 frustrates the ability of Democratic voters to have  
 16 their candidates prevail?  
 17 A. Somewhat.  
 18 Q. While you're not a dues-paying member of  
 19 the Democratic party today, do you consider  
 20 yourself to be a Democrat?  
 21 A. Yes.  
 22 Q. Why is that? What does it mean to you to  
 23 be a Democrat?  
 24 A. I associate with the Democrats because  
 25 the beliefs that I have, the ideas, my thoughts for

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1 the future, are more in line with their platform.  
 2 Q. More in line with their platform as  
 3 compared to the Republican party?  
 4 A. Yes.  
 5 Q. Do you think that you need to consider  
 6 yourself -- one needs to consider oneself either a  
 7 Democrat or a Republican?  
 8 A. Not necessarily. I think that if you  
 9 want to have your issues represented, you need to  
 10 pick one of the two major parties. The  
 11 independents really don't fare so well.  
 12 Q. If a third party were viable, could you  
 13 see yourself being attracted to that party?  
 14 A. Possibly.  
 15 Q. What would that party look like in  
 16 comparison to the Democrats and the Republicans?  
 17 A. It would be somewhere in the middle  
 18 between the two.  
 19 Q. Does that describe your own general  
 20 philosophies?  
 21 A. If I can quote the Janesville Gazette,  
 22 they -- when I ran for office, they supported me,  
 23 and they called me a conservative Democrat. And  
 24 folks said how do you feel about that, and I said  
 25 great.

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1 Q. And would you consider yourself a  
 2 conservative Democrat then?  
 3 A. Yes.  
 4 Q. And you find, as a conservative Democrat,  
 5 that you're still comfortable in the Democratic  
 6 party?  
 7 A. Yes.  
 8 Q. There are other -- strike that. Would  
 9 you agree that there is -- there are a variety of  
 10 types of Democrats within the Democratic party?  
 11 A. Yes.  
 12 Q. Conservative Democrat would be one?  
 13 A. Uh-huh. Yes.  
 14 Q. Maybe a progressive would be another?  
 15 A. Yes.  
 16 Q. A liberal might be another?  
 17 A. Yes.  
 18 Q. Maybe some Libertarians in the Democratic  
 19 party, do you think?  
 20 A. Yes.  
 21 Q. Socialists in the Democrat party, do you  
 22 think?  
 23 A. Yes.  
 24 Q. Do you believe that that type of  
 25 diversity also exists within the Republican party?

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1 A. Absolutely.  
 2 Q. Maybe Christian conservatives --  
 3 A. Yes.  
 4 Q. -- in the party? Free market types in  
 5 the party?  
 6 A. Yes. Tea party types in the party.  
 7 Q. Not all Democrats are exactly the same;  
 8 is that correct?  
 9 A. Right.  
 10 Q. What makes you a conservative Democrat?  
 11 A. I say that because some of -- I'm  
 12 probably between conservative and progressive. But  
 13 there's some positions way out left that I -- I  
 14 can't support. There's some things that, you know,  
 15 go further to right of center that I support. You  
 16 know I'm -- I'm that guy that is a hunter and I'm a  
 17 gun guy and all those things. You know, one of the  
 18 hot buttons was conceal carry. I don't have a  
 19 problem with conceal carry. And I lost voters when  
 20 I ran because of that. And I know that. But I  
 21 wasn't going to lie when I said that I supported  
 22 it. I wasn't going to change that. I think that's  
 23 reasonable with reasonable controls.  
 24 Q. You testified earlier that there were  
 25 some things that you found attractive about

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1 President Trump when he was a candidate, at least I  
 2 think in terms of positions; is that correct?  
 3 A. Yes.  
 4 Q. Would one of those positions be trade?  
 5 A. Yes.  
 6 Q. And I think you testified that you had --  
 7 you also thought that Senator Sanders had good  
 8 positions on trade too?  
 9 A. Yes.  
 10 Q. Do you think there are many Democrats who  
 11 have sympathies with President Trump's position on  
 12 trade?  
 13 A. Sure, there is.  
 14 Q. Do you think there are many Democrats who  
 15 are more free trade types?  
 16 A. Not so much.  
 17 Q. Do you think -- we talked earlier today  
 18 at some length about your participation with your  
 19 union.  
 20 A. Uh-huh.  
 21 Q. Besides your participation and  
 22 associations with the Democratic party, former --  
 23 which included former membership and your  
 24 membership with the union, which is current, are  
 25 there any other organizations that you're involved

<p style="text-align: right;">Page 74</p> <p>1 in who have as a purpose public issues, public 2 affairs, public policy, or politics? 3 A. Other than -- I would say no, other than, 4 you know, Ducks Unlimited, Pheasants Forever, you 5 know. 6 Q. Those organizations might have public 7 policy views on a limited scope of issues, is that 8 fair to say? 9 A. Yes. 10 Q. Do you do any work for those 11 organizations that is connected to advocating for 12 public policy? 13 A. No. 14 Q. Do you see your support of those 15 organizations as a means to advocate or affect 16 public policy? 17 A. Yes. 18 Q. Let's take Ducks Unlimited for an 19 example. 20 A. Uh-huh. 21 Q. How do you see your membership -- well, 22 let me stop there. Are you a member of Ducks 23 Unlimited? 24 A. Yes. 25 Q. How do you see your membership with Ducks</p>	<p style="text-align: right;">Page 76</p> <p>1 A. Yes. 2 Q. Did that deter you from campaigning for 3 that individual? 4 A. No. 5 Q. Have you campaigned for representative -- 6 for candidates for representative of the state 7 assembly who you believed during the campaign stood 8 long odds at winning? 9 A. Yes. 10 Q. And did that deter you from campaigning 11 for that candidate? 12 A. No. 13 Q. Has anyone ever tried to stop you from 14 campaigning for a candidate? 15 A. Yes. 16 Q. Who? 17 A. I've had folks try to encourage me to -- 18 to not support candidates. 19 Q. Can you give me an example of that? 20 A. I can. There was a time when Gordon 21 Ringhand tried to encourage me to -- to discourage 22 Mike Sheridan from running. Obviously Mike was 23 running against Gordon's wife. I've had other 24 folks within the UAW structure, you know, where I 25 was going to support the candidate I was going to</p>
<p style="text-align: right;">Page 75</p> <p>1 Unlimited? As advancing, advocating, or affecting 2 public policy? 3 A. They're always pursuing, you know, the 4 advancement of wetlands, you know, the protection 5 of, creation of, you know, to further the support 6 and further the habitat. Pheasants Forever is the 7 same way. 8 Q. Those are both groups that are both 9 simultaneously friendly to outdoorsmen and also 10 conservationists; is that correct? 11 A. Yes. 12 Q. Any other organizations besides the ones 13 that you just described, the Democratic party, or 14 your union, that you can think of? 15 A. No. 16 Q. Have you campaigned for representatives 17 of the state assembly who you -- have you 18 campaigned for representatives of the state 19 assembly? 20 A. Yes. 21 Q. Other than yourself? 22 A. Yes. 23 Q. Have you campaigned for representatives 24 of the state assembly who did not win their 25 elections?</p>	<p style="text-align: right;">Page 77</p> <p>1 support even if the UAW endorsed somebody else. 2 I'm -- fine, you've got your endorsement, I'm still 3 going to support my candidate. So I've had folks 4 ask me point blank to please not get involved in a 5 campaign, and I still did. 6 Q. So that's never stopped you; is that 7 right? 8 A. No. 9 Q. Where the UAW may have endorsed a 10 candidate, would that have been in a primary 11 situation where they endorsed one Democrat and you 12 supported another? 13 A. We typically don't endorse in primaries. 14 That having been said, there was an election Mike 15 ran in and the UAW did endorse, and it was in a 16 primary. And I was working Mike's campaign. 17 Q. You supported Mike Sheridan. Are you 18 still friends with Mike Sheridan? 19 A. I am. 20 Q. When you campaigned as a candidate, did 21 you try to convince independents to vote for you? 22 A. Yes. 23 Q. Did you try to convince conservatives to 24 vote for you? 25 A. Yes.</p>

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1 Q. Did you try to convince Republicans to  
 2 vote for you?  
 3 A. Yes.  
 4 Q. Was there any type of voter that you  
 5 discouraged from voting for you?  
 6 A. No. I even encouraged my opposition,  
 7 during the primary, for their family members to  
 8 vote for me.  
 9 Q. Do you think you earned any of those  
 10 votes?  
 11 A. I did. Not in the primary.  
 12 Q. I'm going to mark as an exhibit Exhibit  
 13 No. 109.  
 14 (Exhibit 109 marked for identification.)  
 15 BY MR. ST. JOHN:  
 16 Q. A document titled Plaintiff Roger  
 17 Anclam's Response to Defendant's First Set of  
 18 Interrogatories and Document Production Requests.  
 19 MR. POLAND: I'm sorry, Kevin, what's the  
 20 exhibit number again?  
 21 MR. ST. JOHN: 109.  
 22 MR. POLAND: 109. Thank you.  
 23 BY MR. ST. JOHN:  
 24 Q. Mr. Anclam, does this document look  
 25 familiar to you?

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1 A. Yes.  
 2 Q. If I could ask you to turn, please, to  
 3 page 8. Is that your signature at the bottom of  
 4 page 8?  
 5 A. It is.  
 6 Q. And did you sign this document?  
 7 A. I did.  
 8 Q. Do you understand this document to be  
 9 answers to interrogatories that you've been  
 10 provided in this case?  
 11 A. Yes.  
 12 Q. And you understand that you answered  
 13 those interrogatories under penalty of perjury?  
 14 A. Yes.  
 15 Q. I would ask if you could turn to page 6.  
 16 At the bottom of the page you will see something  
 17 entitled interrogatory number seven. There's an  
 18 interrogatory, then on the next page, page 7, there  
 19 is a response. If you could take a moment and just  
 20 familiarize -- refamiliarize yourself with that  
 21 interrogatory and response. And I'd appreciate you  
 22 just let me know when you're done. Okay.  
 23 So that interrogatory requests that  
 24 you disclose your political activity, including  
 25 volunteering for political campaigns, since 2002.

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1 Do you understand that to be the question?  
 2 A. Yes.  
 3 Q. And you provided a response that is the  
 4 bullet on the top of page 7; is that correct?  
 5 A. Correct.  
 6 Q. Earlier today we talked about some of the  
 7 work that you did with UAW relating to campaigns.  
 8 Is the work that we talked about earlier today, do  
 9 you believe that to be included in your response  
 10 under the bullet? Is it the same type of work?  
 11 A. Yes.  
 12 Q. You had just also testified that you  
 13 supported or worked on Mike Sheridan's campaign.  
 14 Do you recall that?  
 15 A. Yes.  
 16 Q. Do you remember what year that was?  
 17 A. I've actually worked on Mike's campaigns  
 18 over the years. I probably was involved in every  
 19 one of his campaigns.  
 20 Q. And Mr. Sheridan was last elected I think  
 21 in 2008?  
 22 A. Yes.  
 23 Q. Is that correct?  
 24 A. Yes.  
 25 Q. Do you understand when you were -- when

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1 you were answering this interrogatory, did you  
 2 consider your work on Mike Sheridan's campaign to  
 3 fall into what you've written here today?  
 4 A. Yes.  
 5 Q. Okay. So I'd like to step back now,  
 6 understanding that that's how you understood it,  
 7 and I just want to ask you specifically about each  
 8 assembly campaign that you would have considered  
 9 yourself to be a volunteer on. Can you name the  
 10 candidates on whose campaigns that you have worked?  
 11 A. I worked on Mike's campaign, obviously my  
 12 campaign, Ryan Schroeder's campaign, Clinton  
 13 Anderson's campaign a little bit, Brittany Keyes'  
 14 campaign. I didn't do anything directly on Andy's;  
 15 Janis Ringhand's campaign, and I went to a  
 16 fundraiser for Josh.  
 17 Q. Have you, in addition to working on these  
 18 campaigns -- and I'm going to ask you about those  
 19 in a second -- but have you provided endorsements  
 20 to candidates?  
 21 A. I have.  
 22 Q. Have you provided endorsements to  
 23 candidates for state assembly?  
 24 A. I'm not certain of that. I may have.  
 25 Q. Let's turn to the list of people that you

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1 gave me here on candidates you remember working for  
 2 their campaigns. You already described that you  
 3 believe you worked on all of Mike Sheridan's  
 4 campaigns. What type of work did you do on the  
 5 Sheridan campaign?  
 6 A. Obviously talked to folks regularly, went  
 7 with him to listening sessions, went door knocking  
 8 with him, those types of activities.  
 9 Q. You spent a lot of time working on Mike  
 10 Sheridan's campaigns?  
 11 A. I did in, I think his last run was '14,  
 12 when he ran for the senate. I spent a lot of time  
 13 out canvassing for Mike on that campaign.  
 14 Q. So you worked for Mike Sheridan during  
 15 his senate campaign, or at least volunteered for  
 16 the campaign?  
 17 A. Right.  
 18 Q. And you volunteered for his assembly  
 19 campaigns as well?  
 20 A. Yes.  
 21 Q. Did you volunteer for his assembly in --  
 22 did he run for assembly in 2010, do you recall, the  
 23 year that you were running for assembly?  
 24 A. Yes.  
 25 Q. Did you volunteer for his campaign while

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1 you were also running for office?  
 2 A. I did.  
 3 Q. Fair to say maybe you also campaigned  
 4 together at Rock County functions?  
 5 A. Yes.  
 6 Q. Mr. Sheridan lost his election in 2010;  
 7 is that correct?  
 8 A. Yes.  
 9 Q. And so there was no 2012 election for you  
 10 to volunteer for Mike Sheridan's campaign; is that  
 11 correct?  
 12 A. I don't think he ran in '12.  
 13 Q. Do you recall when you -- what the first  
 14 election was that you worked for Mike Sheridan,  
 15 what year that was?  
 16 A. No, I don't.  
 17 Q. But you can tell me that the first time  
 18 he ran for state assembly you were helping him out  
 19 that -- that time; correct?  
 20 A. Yes.  
 21 Q. Did you ever raise money for Mike  
 22 Sheridan, solicit donations to his campaign?  
 23 A. Yes.  
 24 Q. Did you do that during all of his  
 25 campaigns?

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1 A. I think I did.  
 2 Q. Would you be provided a list of  
 3 individuals to call to solicit campaign donations?  
 4 A. I never worked off a list. I mean, I  
 5 encouraged, you know, friends and family members  
 6 to, you know, give to his campaign to help improve  
 7 his, you know, his fundraising.  
 8 Q. So is it fair to say then that you  
 9 solicited campaign contributions for Mike Sheridan  
 10 from people who you knew personally?  
 11 A. Yes.  
 12 Q. Did you ever solicit campaign  
 13 contributions for the Sheridan campaign from  
 14 members of the union who you might know but not  
 15 know very well?  
 16 A. Generally speaking, no. I mean, if they  
 17 were in a leadership role, I knew them and I -- I  
 18 mean, my way to solicit for Mike was to say, you  
 19 know, I got a check right here for Mike and I  
 20 encourage everybody to write one the same or  
 21 larger. So it was more of a challenge, you know.  
 22 But to say I would do that with somebody I didn't  
 23 know as well, generally I knew them well.  
 24 Q. You wouldn't consider yourself to be the  
 25 campaign fundraiser, would you?

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1 A. No.  
 2 Q. Ryan Schroeder, is that the --  
 3 A. Schroeder.  
 4 Q. Can you spell that? Do you know? If you  
 5 don't know, that's fine. It's not a quiz.  
 6 A. I just want to say  
 7 it's S-C-H-R-O-E-D-E-R.  
 8 Q. And what office did Mr. Schroeder run  
 9 for?  
 10 A. State assembly.  
 11 Q. And which district was that?  
 12 A. 31st.  
 13 Q. And what year was that, do you recall?  
 14 A. I think he ran in 2012.  
 15 Q. Was it under the new map?  
 16 A. Yes.  
 17 Q. And what work did you do on that  
 18 campaign?  
 19 A. Canvassing.  
 20 Q. Does that mean going door to door?  
 21 A. Door to door.  
 22 Q. Informing people about who was running?  
 23 A. Yes.  
 24 Q. Encouraging them to vote?  
 25 A. Yes.

<p style="text-align: right;">Page 86</p> <p>1 Q. Encouraging them to vote for 2 Mr. Schroeder? 3 A. Yes. 4 Q. Dropping off literature at their houses? 5 A. Yes. 6 Q. Did you spend a lot of time or a lot of 7 days volunteering in this manner for 8 Mr. Schroeder's campaign? 9 A. Several days. 10 Q. Did you do any other work for 11 Mr. Schroeder's campaign? 12 A. No. 13 Q. Was this work in a volunteer capacity? 14 A. Yes. 15 Q. How about Clinton Anderson, what office 16 was Clinton Anderson running for when you were 17 assisting him with the campaign? 18 A. State assembly. 19 Q. Do you recall what year that was? 20 A. I'm not sure. I think he ran in '14. 21 Q. Do you recall if it was under the new 22 map? 23 A. It was. 24 Q. And what work did you do on that 25 campaign?</p>	<p style="text-align: right;">Page 88</p> <p>1 A. So -- 2 Q. Neighbors? 3 A. Neighbors. 4 Q. Did you do any other activity for 5 Mr. Anderson? 6 A. No, other than I might have made a 7 contribution to his campaign. 8 Q. Is there a reason that you didn't canvass 9 for Mr. Anderson? 10 A. I just wasn't as close to that campaign 11 as I was the Schroeder campaign or my own. 12 Q. Any other reason that you can think of? 13 A. No. 14 Q. Brittany Keyes. Was she also a candidate 15 for state assembly? 16 A. Yes. 17 Q. In the 31st district? 18 A. Yes. 19 Q. After the district was redistricted? 20 A. Yes. 21 Q. And what work did you do for the Keyes 22 campaign? 23 A. I encouraged donations to her campaign, I 24 canvassed, and I was in some of the parades. And I 25 remember what I hated about campaigning.</p>
<p style="text-align: right;">Page 87</p> <p>1 A. I didn't do a lot of canvassing for him. 2 I guess I canvassed within, you know, my -- my 3 wheelhouse of like-minded folks that, you know, 4 he's a young guy, you know, got a lot of energy, 5 you know, get behind him kind of thing. 6 Q. So you would -- would you share 7 information -- let me start over. Did you provide 8 people literature? 9 A. I had limited amount of his literature 10 that I handed out to folks, uh-huh. 11 Q. And you received that literature from his 12 campaign? 13 A. Yes. 14 Q. So you might share this literature with 15 your family? 16 A. Yes. 17 Q. With your friends? 18 A. Yes. 19 Q. Maybe with your coffee group? 20 A. Absolutely. 21 Q. With the others with whom you worked with 22 at the union? 23 A. Well, I was actually retired at that 24 time. 25 Q. That's right.</p>	<p style="text-align: right;">Page 89</p> <p>1 Q. And would that be the parades? 2 A. Yes. I like the door to door. 3 Q. And did you drop off her literature? 4 A. Yes. 5 Q. When you solicited donations, was this 6 the same type of solicitations as you were doing 7 for Mike Sheridan, which is to say that you were 8 not the campaign fundraiser? 9 A. I was not the campaign -- it was just 10 with friends and family, you know, not -- not as 11 much even as with Mike. Of course I was retired at 12 this time, so -- 13 Q. Were there any reasons that you did more 14 campaign activity for Candidate Keyes as compared 15 with Candidate Anderson? 16 A. I don't know if it's yes or no. I liked 17 Brittany as a candidate better. I felt she was a 18 stronger candidate. She was, you know, full of 19 energy, vibrant, the times were more in line. You 20 know, Clinton was a guy running for office, and 21 Brittany -- you know, I don't know how to say this 22 other than just we're in the age of, you know, 23 women running for office. I really liked her 24 running there. 25 Q. You thought that she was a candidate for</p>

<p style="text-align: right;">Page 90</p> <p>1 the times?  2 A. Yes.  3 Q. Is it fair to say that your attraction to  4 a candidate as a candidate influences whether you  5 campaign for that candidate and how much work you  6 will do for that campaign?  7 A. Yes.  8 Q. The more excited you are by a candidate,  9 the more likely you are to campaign for a  10 candidate?  11 A. Yes.  12 Q. And was it -- is it fair to say that you  13 were excited for Brittany Keyes' candidacy?  14 A. I was.  15 Q. Did you think that Brittany Keyes might  16 have a chance at winning that election?  17 A. I did. I didn't think that it was a  18 great chance, but one that I was taking some hope  19 in.  20 Q. Do you think that, from your  21 observations, do you believe that Brittany Keyes  22 got the support that she needed from ADCC in order  23 to win that race?  24 A. Yeah, she had pretty good support.  25 Q. Next on your list was Andy Jorgensen.</p>	<p style="text-align: right;">Page 92</p> <p>1 was -- I think when he got elected the first time,  2 he was a vice president of the local union. So we  3 spent a lot of time together in negotiations with  4 the different companies. And I knew where he was  5 coming from on the issues. I was more familiar  6 with his -- his platform and what it really meant  7 down inside to him, so --  8 Q. Did you have a lot of agreements with  9 Mr. Sheridan about politics?  10 A. I did.  11 Q. Would you consider Mr. Sheridan to be a  12 conservative Democrat?  13 A. Not as much as myself, but our views are  14 very well aligned.  15 Q. Would you consider him to be a mainstream  16 Democrat?  17 A. That's all in definition of mainstream.  18 Q. That's a fair point. Let's move on to  19 Dennis Ringhand. Do I have that name correct,  20 Ringhand?  21 A. Yeah, Janis.  22 Q. Oh, I'm sorry, Janis Ringhand. What  23 office did you campaign for Janis Ringhand?  24 A. I wasn't real active in her campaigns. I  25 mean, I chatted up her campaign. She was in the</p>
<p style="text-align: right;">Page 91</p> <p>1 A. Uh-huh.  2 Q. I know that Mr. Jorgensen has ran for  3 multiple offices, so this question is just about  4 the state assembly.  5 A. Okay.  6 Q. Did you campaign for Mr. Jorgensen when  7 he ran for state assembly?  8 A. No. I mean, I chatted him up with folks,  9 but I didn't do any doors, I didn't do any  10 leaflets.  11 Q. Do you remember when he was in the state  12 assembly, do you recall if it was before this new  13 map passed?  14 A. I think he was in before the new map.  15 Q. Is there a reason that you didn't  16 campaign for Mr. Jorgensen when he was running for  17 state assembly?  18 A. I would -- I spent my time working on  19 Mike's. I mean, Mike was in the 44th, I think Andy  20 was 43rd. And geographics was a part of that.  21 Plus I was fairly well committed to, you know,  22 spending time on Mike's campaign.  23 Q. Why did you spend so much time on  24 Representative Sheridan's campaigns?  25 A. Well, we're good friends. And Mike</p>	<p style="text-align: right;">Page 93</p> <p>1 assembly, running for the assembly.  2 Q. Do you recall what year that was?  3 A. I think that was '12.  4 Q. Do you recall what district Janis  5 Ringhand was running for?  6 A. No, I don't.  7 Q. Was it your district?  8 A. No.  9 Q. What campaign of Mr. Jorgensen's did you  10 assist him on? What office was he running for?  11 A. State assembly.  12 Q. I might have misunderstood you before, so  13 I'll just ask you again, not to try to trip you up,  14 but just to ask: Did you work on Mr. Jorgensen's  15 campaign for state assembly?  16 A. No, I didn't spend very much time. I  17 mean, I think I chatted up his campaign, and I  18 think I gave him a donation, but I didn't handle  19 the literature or any of those things.  20 Q. Can you think of any other assembly  21 candidates for whom you campaigned since 2002?  22 A. I don't remember that. I mean, I  23 supported Mark Spreitzer, but I didn't really do  24 anything on his campaign. So no.  25 Q. Before you ran for representative of the</p>



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1 assembly in the old 45th district, did you ever  
 2 campaign for Mr. Benedict?  
 3 A. No.  
 4 Q. Why is that?  
 5 A. I know that the -- the local was doing  
 6 work on his campaign, but I didn't work on it  
 7 directly. I guess I just didn't feel the need.  
 8 Q. And when you say that the local was doing  
 9 work, would those activities include phone banking,  
 10 plant-gating --  
 11 A. Yes.  
 12 Q. -- standing on the street corner, Get Out  
 13 the Vote type of activities?  
 14 A. Yes.  
 15 Q. And is it fair to say that in each  
 16 general election since 19 -- or each -- in each  
 17 general election since 2002, that you've been also  
 18 doing those type of activities?  
 19 A. Yes.  
 20 Q. And that you've been doing them with the  
 21 union?  
 22 A. Yes.  
 23 Q. Those activities aren't always assembly  
 24 specific, are they?  
 25 A. No.

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1 Q. They could be for any candidates that are  
 2 running for office?  
 3 A. Yes.  
 4 Q. They could just be generally get out and  
 5 vote?  
 6 A. Just encourage the vote.  
 7 Q. So other than the candidates that we just  
 8 discussed, have you -- and your own candidacy, have  
 9 you ever worked on a campaign for a Democratic  
 10 candidate for assembly?  
 11 A. No.  
 12 Q. So you've worked for assembly candidates  
 13 who are outside of your district; is that right?  
 14 Mr. Sheridan?  
 15 A. Right.  
 16 Q. And you've worked for candidates within  
 17 your district; is that correct?  
 18 A. Yes.  
 19 Q. And you did so when you were running, of  
 20 course?  
 21 A. Yes.  
 22 Q. And you did so after Act 43 was passed;  
 23 correct?  
 24 A. Correct.  
 25 Q. And you worked for candidates outside of

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1 your district after Act 43 was passed; is that  
 2 correct? Ms. Ringhand?  
 3 A. Yes.  
 4 Q. You like campaigning?  
 5 A. I enjoy it.  
 6 Q. Everything but the parades?  
 7 A. The parades are killers.  
 8 Q. Do you think -- do you think anything  
 9 could stop you from campaigning?  
 10 A. Other than health, probably not.  
 11 Q. Now, having reviewed your interrogatory  
 12 and your response, let's assume that everything  
 13 that we've talked today, if it's responsive to that  
 14 request, you've written down here, and then what  
 15 you've written here is also written here, okay? Is  
 16 there anything else that you have that you would  
 17 add to that interrogatory response?  
 18 A. Outside of what I've said today or is  
 19 written here?  
 20 Q. Correct.  
 21 A. No.  
 22 Q. If you could turn to the same exhibit,  
 23 the next interrogatory, interrogatory number eight.  
 24 A. Uh-huh.  
 25 Q. If you wouldn't mind, please review that

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1 interrogatory, which starts, I'd say, a third of  
 2 the way down page 7, and the answer ends at the  
 3 bottom of page 7. If you would take a moment to  
 4 review your response and the interrogatory. And  
 5 just let me know when you're done. I'll have a few  
 6 questions for you on that.  
 7 A. I've reviewed it.  
 8 Q. Outside of what you've written here, are  
 9 there any additional burdens that you believe that  
 10 you've suffered because of Act 43 that relate to  
 11 your associations with people or groups?  
 12 A. I would say yes. If you look at what the  
 13 45th assembly district was geographically, and look  
 14 at the 31st geographically, it's -- it's difficult  
 15 to, just geographically, even -- I mean, I go into  
 16 areas where I don't know folks, okay, and it's  
 17 difficult because I don't know necessarily what  
 18 their hometown issues are.  
 19 Where I was in the 45th, I knew what  
 20 the issues were, I was -- I was part of those  
 21 issues, you know, from serving as chairman of the  
 22 town board. And so it's difficult to become  
 23 associated with folks, to understand what their  
 24 issues are, you know, to be able to communicate and  
 25 articulate my issues, why my issues should be

<p style="text-align: right;">Page 98</p> <p>1 important to them, you know, because just 2 geographically you're crossing over county lines 3 and living in different counties is treated 4 differently in terms of code enforcement and 5 all -- all of those types of things. 6 In the county where I live, towns have 7 much more authority than in Walworth county. And 8 so when you talk about folks that have been, in 9 their opinion, treated unfairly because of their 10 rules, it's hard to have that kind of discussion 11 and say why it's important to get engaged and vote 12 and -- because the system's all against them. 13 So, you know, just the geographics 14 creates a burden, you know, because you're living 15 in two different worlds when you cross the county 16 line, in large measure. 17 Q. So the fact that there's new territory 18 means there's a whole new group of people you don't 19 have prior relationships with? 20 A. Yes. 21 Q. And the fact that there's a new county 22 means that on top of that difference, there are 23 going to be different issues facing the -- help me 24 understand that last part. 25 A. You could have the same issues, but</p>	<p style="text-align: right;">Page 100</p> <p>1 A. No, I think it's covered in what I've 2 said today and in my responses. 3 Q. Can you describe for me what the burden 4 is that you suffer? 5 A. I think we -- we all suffer from the same 6 burden in that to get folks energized and keep 7 energized, you need to see some successes or have 8 the chance at a success. And, you know, when you 9 go out to have a conversation with folks and 10 encourage them to get out and vote and support 11 their -- their issues or like issues, there's low 12 energy when there's no -- or limited opportunity 13 for success to elect the representatives that you 14 want. 15 Q. So you're still able to go and encourage 16 people to get out and vote; correct? 17 A. Not as effectively, yes. 18 Q. So it's not as effective, but are you 19 encouraging people to go out and vote? 20 A. Yes. 21 Q. I think that what you just described, in 22 part you also wrote about in your interrogatory 23 response. Your interrogatory response, it says, "I 24 have tried to register voters who declined because 25 they feel their vote is wasted." Do you see where</p>
<p style="text-align: right;">Page 99</p> <p>1 they're addressed differently. Whereas in where I 2 lived, issues can be taken care of by the town that 3 in -- for instance, Walworth county, the towns 4 don't have that authority, it has to go to county. 5 Q. Have you made any new associations with 6 individuals in the new parts of your district? 7 A. I have a few. 8 Q. Anyone that you campaigned with? 9 A. On Ryan's campaign I met -- met some 10 folks and campaigned with them for Ryan, yes. 11 Q. People that might have been from Walworth 12 county? 13 A. They were from Walworth county. 14 Q. Taking a look at your interrogatory 15 response, please take a look at the first bullet. 16 A. Uh-huh. 17 Q. You see the first bullet it says, 18 "Generally other Democrats in my assembly district 19 region and across the state of Wisconsin." Did you 20 write that? 21 A. I did. 22 Q. Are the burdens in associating with these 23 other Democrats different than any that you've 24 described here today already or are listed in your 25 interrogatories?</p>	<p style="text-align: right;">Page 101</p> <p>1 you wrote that? 2 A. Uh-huh. 3 Q. Has any individual told you that they 4 feel their vote is wasted because of Act 43 or the 5 redistricting law? 6 A. Because of the redistricting, yes. 7 Q. Now, you have to register to vote to vote 8 for the office of governor too; is that correct? 9 A. Correct. 10 Q. For president; is that correct? 11 A. Yes. 12 Q. In your experience, people typically vote 13 all the way from the top of the ballot at least 14 down to the state legislature; is that correct? 15 A. That's what you hope as a candidate, yes. 16 Q. So when someone tells you that they don't 17 want to register because their vote is wasted, do 18 you ever say well, we still have other offices to 19 vote for as well? 20 A. I always say that. 21 Q. And do you think that you are successful 22 and convince them to either register to vote or to 23 go vote when you have these conversations? 24 A. I have been successful to some extent, 25 but I know that I'm not successful in a lot of</p>

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<p>1 cases. Folks don't feel that there's any value in 2 voting. And I always use my example of one vote 3 counts, which I need to change considerably. 4 I always try to appeal to folks that 5 if they want to have something to say in 6 government, then the only way they can do it is to 7 vote. If you wonder why things happen the way they 8 do is because of the folks that do engage. The 9 folks that don't engage, I always tell them, you 10 give up your opportunity to complain if you don't 11 vote. 12 Q. You also wrote in that bullet that your 13 nephew lives in your district and he told you that 14 he would not vote because he doesn't know why he 15 should bother, given that Republicans will win. Do 16 you see that? 17 A. Yes. 18 Q. Were you discussing specifically the 19 state assembly in that conversation? 20 A. I was talking to him about getting out 21 and voting in the assembly. And I always encourage 22 him, everybody, encourage them, you vote the whole 23 ticket. Front and back. Referendums. I campaign 24 on those too, by the way. 25 Q. Oh, you participated in campaigns for</p>	<p>1 Q. What's your brother's name? 2 A. Russell. 3 Q. And what's your nephew's name? 4 A. Rusty. I think they're both Russells. 5 One is a J and one is a K. Yes, brother is Russell 6 J, and nephew's Russell K. 7 Q. They're both Anclams? 8 A. Yes. 9 Q. Do you happen to know their date of 10 birth, either of their dates of birth? 11 MR. POLAND: Before he -- before he 12 testifies, if he does give a date, then to the 13 extent that we put a protective order in place, we 14 might need to designate that as confidential. 15 MR. ST. JOHN: And I would have no 16 objection to that. 17 THE WITNESS: Brother is May of '50 -- 18 1954. 19 BY MR. ST. JOHN: 20 Q. Do you recall the date? 21 A. I think it's the 26th. 22 Q. And the nephew, do you happen to know the 23 date? 24 A. No, I don't know the date. I think the 25 year was '73.</p>
<p>Page 103</p> <p>1 referenda? 2 A. Oh, sure. 3 Q. Yeah. We might get to that. 4 A. Okay. 5 Q. I also don't want to keep you too much 6 longer. With your nephew, do you know if he did go 7 and vote? 8 A. He didn't. 9 Q. What year was this that you all were 10 having this conversation? 11 A. I have it with him regularly. To pin it 12 down to a year, I know that I talked to him during 13 the last presidential election. I know that's the 14 last time I talked to him, because I was together 15 with him and his father. And his father, I 16 mean, he'll vote, and then he doesn't vote, 17 and -- because I know the conversation was to vote 18 the whole ticket. And then it's the matter of 19 well, who do you vote for. Well, there's a lot of 20 work to voting right. 21 Q. Is this your brother or -- 22 A. Yes. 23 Q. So it's your brother's son is the nephew 24 you're referring to? 25 A. Yes.</p>	<p>Page 105</p> <p>1 Q. The next bullet you write that you've 2 been a member of UAW since '76, which we've talked 3 about at length today. That you're the vice chair 4 of the local branch, active in the citizen and 5 legislative program, which I think we've also 6 talked about -- 7 A. Yes. 8 Q. -- correct? And that you've been 9 donating each year \$100 to UAW since 1979. Do you 10 see that? 11 A. Yes. 12 Q. Those donations have been consistent each 13 and every year? 14 A. Pardon me? I didn't -- 15 Q. Have those donations to UAW been 16 consistent -- 17 A. Yes. 18 Q. -- each and every year? 19 A. Yes. 20 Q. So hundred in 2008, hundred in 2009, 21 hundred in 2010? 22 A. Yes. 23 Q. Hundred in 2011? 24 A. Yes, every year. 25 Q. Okay. Hundred in 2012?</p>

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<p>1 A. Yes.</p> <p>2 Q. That's the last one I'll ask. The next</p> <p>3 bullet says, "When I engage in political activities</p> <p>4 on behalf of UAW, I run into the same attitude</p> <p>5 among my fellow union workers." Do you see that?</p> <p>6 A. Uh-huh.</p> <p>7 Q. Is this attitude a malaise about voting?</p> <p>8 A. No, they -- they're experiencing the same</p> <p>9 things regardless whether they're in Sheboygan or</p> <p>10 LaCrosse or Racine, Kenosha. When I'm -- when</p> <p>11 we're together and having these conversations,</p> <p>12 we're experiencing the same kinds of problems, to</p> <p>13 get folks out, to get them to vote, to -- to, you</p> <p>14 know, encourage them to work campaigns, to get</p> <p>15 folks to register to vote.</p> <p>16 Q. Do you know if these individuals are</p> <p>17 Democrats?</p> <p>18 A. Most of the folks, when I'm talking about</p> <p>19 folks in the UAW, are associating with Democrats,</p> <p>20 yes.</p> <p>21 Q. But not all of them; correct?</p> <p>22 A. If they're not, I don't know that.</p> <p>23 Q. You don't have detailed conversations</p> <p>24 with all these people about their politics, do you?</p> <p>25 A. The other leadership in the UAW?</p>	<p>1 basis -- well, are you referring to Representative</p> <p>2 Loudenbeck in this answer?</p> <p>3 A. Ideally, yes. I have her personal cell</p> <p>4 phone number in my cell phone, and -- that she had</p> <p>5 given to me. And I will call her, and she has</p> <p>6 never returned a call.</p> <p>7 Q. Have you ever placed a call with her</p> <p>8 office, her legislative office?</p> <p>9 A. I've gone right to her office. I --</p> <p>10 because the community I live in is within a few</p> <p>11 minutes of the community I live in. And, you know,</p> <p>12 it's sparse in terms of population. It's not like</p> <p>13 saying you bumped into somebody on the square, you</p> <p>14 know, when you're talking populations of 800 folks</p> <p>15 in a local community. So folks go to the same</p> <p>16 restaurants and things like that.</p> <p>17 I have had several conversations with</p> <p>18 her on the sidewalk about issues. Because</p> <p>19 obviously, you know, our town lays entirely within</p> <p>20 her district. So we've had a lot of conversations</p> <p>21 to which I've never had it resolved, never had a</p> <p>22 response. I became accustomed to that. So I have</p> <p>23 fellow board members who are friendly towards Amy,</p> <p>24 and she's friendly towards them, so I just always</p> <p>25 put it on their plate.</p>
<p>Page 107</p> <p>1 Q. You said among your fellow union workers.</p> <p>2 I wasn't thinking you were referring to UAW</p> <p>3 leadership. Are you just talking about UAW</p> <p>4 leadership here?</p> <p>5 A. I'm generally speaking about the</p> <p>6 leadership. I have -- in my role, I had somewhat</p> <p>7 limited access to membership as a representative.</p> <p>8 There were some of the plant locations that I had</p> <p>9 that I couldn't even go on the plant property.</p> <p>10 Q. But that wasn't because of Act 43;</p> <p>11 correct?</p> <p>12 A. No, no, no, that was as a matter of</p> <p>13 company policy. So I didn't -- I didn't have</p> <p>14 access to a lot of those members that way. But</p> <p>15 most of the -- most of the members in situations</p> <p>16 that I was in contact with members were -- were</p> <p>17 folks that were mostly Democrats. So were there</p> <p>18 folks that were Republican and we certainly had</p> <p>19 differences in views, yes.</p> <p>20 Q. You also write that you feel that local</p> <p>21 Republican officeholders are unresponsive to the</p> <p>22 needs of constituents because they know they don't</p> <p>23 have to work as hard to win. Do you see that?</p> <p>24 A. Yes.</p> <p>25 Q. Do you have -- what's your factual</p>	<p>Page 109</p> <p>1 Q. And do they get responses from</p> <p>2 Representative Loudenbeck or her office about those</p> <p>3 issues?</p> <p>4 A. They have on some and -- I don't know.</p> <p>5 One of them was the matter of the town of Beloit</p> <p>6 was looking at being incorporated. I don't know if</p> <p>7 you read that. And I indicated that we could</p> <p>8 become legislatively incorporated. And my board</p> <p>9 member talked to her and she said no, that's not</p> <p>10 true, you can't do this and you can't do that.</p> <p>11 So I brought to my board member's</p> <p>12 attention about the four towns over around Mount</p> <p>13 Pleasant that all they had to do to become</p> <p>14 legislatively incorporated was take a vote at a</p> <p>15 town board meeting, have a resolution, and they</p> <p>16 were automatically legislatively incorporated. And</p> <p>17 he went to her about that. And I have never heard</p> <p>18 back about it, nor has he.</p> <p>19 But there -- a lot of the folks that I</p> <p>20 associate with are active on all types of different</p> <p>21 issues and have reported that they've contacted her</p> <p>22 and never gotten a response.</p> <p>23 Q. But you've had conversations with</p> <p>24 Representative Loudenbeck?</p> <p>25 A. I have had conversations.</p>

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1 Q. And in those conversations you expressed  
 2 your views about issues relating to her job as  
 3 representative of the assembly?  
 4 A. Yes.  
 5 Q. And your positions on those issues, I  
 6 assume?  
 7 A. Yes.  
 8 Q. Sometimes your personal opinions on those  
 9 things, I assume?  
 10 A. Yes.  
 11 Q. Sometimes the position of the town on an  
 12 issue that's important to the town?  
 13 A. Right, yes.  
 14 Q. Now, are there any people that you want  
 15 to associate with but you cannot associate with  
 16 because of the redistricting law?  
 17 A. No.  
 18 Q. Are there any groups that you want to  
 19 associate with but you cannot associate with  
 20 because of the redistricting law?  
 21 A. No.  
 22 Q. Outside of what you wrote in your  
 23 interrogatory and you've disclosed here in  
 24 testimony, are there any other burdens that you  
 25 believe you have suffered with respect to your --

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1 with respect to associating with individuals or  
 2 groups as a result of the redistricting law?  
 3 A. No.  
 4 Q. If you could please turn to interrogatory  
 5 number nine. If you take a look at that, read your  
 6 interrogatory, read your response and then let me  
 7 know when you're done. I've got a couple questions  
 8 on that one as well.  
 9 A. Okay.  
 10 Q. Did you write the bullet response?  
 11 A. I did.  
 12 Q. How does the current plan disadvantage  
 13 you from advocating for policies?  
 14 A. I can't -- I can't or can't have a  
 15 representative advocate for policies for me.  
 16 Q. Besides making it less likely that you  
 17 will elect a representative that -- who will then  
 18 advocate for your positions, which I'm  
 19 understanding to be your position in this case,  
 20 beyond that are there any other ways in which Act  
 21 43 impairs your ability to advocate?  
 22 A. Outside of being able to get folks  
 23 elected, no.  
 24 Q. Outside of getting folks elected, is  
 25 there any way in which the current plan impairs

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1 your ability to implement preferred policies?  
 2 A. I have to think about that in a different  
 3 light in terms of it -- it does interfere with the  
 4 ability to because of the division between that  
 5 wasn't there before. In the 45th assembly district  
 6 we had the same assembly person with the city. Now  
 7 we have two different assembly folks.  
 8 So when we're talking about policy and  
 9 procedure and things that happen between two  
 10 governments, we don't have a like representative.  
 11 I mean, we are a community of interest because of  
 12 our -- our -- the way our town is inextricably wed  
 13 inside the city limits.  
 14 Q. So are you saying that the town of Turtle  
 15 has two different representatives?  
 16 A. No, I'm saying, you know, I'm not sure  
 17 about my folks that are inside the city. I'm  
 18 saying that we had one representative that  
 19 represented the entire Beloit and all of town of  
 20 Turtle, and now we've got two representatives. And  
 21 we have, because we're so close together on all the  
 22 things that we are forced, you know, to be together  
 23 on, we have two different representatives to deal  
 24 with, whether it's infrastructure, schools.  
 25 Q. So in the Beloit area there are now two

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1 different districts where a geography used to  
 2 include just one district; correct?  
 3 A. Yes.  
 4 Q. Did the last plan include all of the city  
 5 of Beloit, do you know?  
 6 A. To the best of my knowledge, yes, all of  
 7 the city of Beloit and some of the town of Beloit.  
 8 Q. Do you think it's important for  
 9 legislative districts to include whole  
 10 municipalities when that's possible?  
 11 A. I don't know how it would impact other  
 12 municipalities, but as it pertains to ours, it  
 13 would be best.  
 14 Q. So you recognize that sometimes that  
 15 could affect another municipality, but ideally a  
 16 municipality could be held together; is that  
 17 correct? Did I understand you correctly?  
 18 A. For us, for where I live, yes.  
 19 Q. Do you think that's true in other  
 20 communities as well?  
 21 A. I don't know what the division lines mean  
 22 when you get to some of your larger communities. I  
 23 mean, I don't know how many representatives you  
 24 have here in Madison or Milwaukee. I know that  
 25 there are parts of Janesville that are affected

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<p>1 because the 31st has some towns that -- that border 2 the city of Janesville. And I know that I've 3 talked to those folks, and I know that it's 4 difficult for them. That has existed for some 5 time. So I don't know if that would be on a 6 case-by-case basis. I guess I'd have to -- I'd 7 have to look at that.</p> <p>8 Q. You'd have to make individual decision 9 with each community to --</p> <p>10 A. Right.</p> <p>11 Q. -- assess those interests?</p> <p>12 A. Right. I know where the -- when the maps 13 were -- were done, redone in -- under Act 43, I 14 talked to folks that I went to school with, grew up 15 with over in Delavan, and some part of that 16 changed, which represented a problem for them, 17 because you have the city and then you have, I 18 don't know if -- if the lake is actually 19 incorporated, but I know that represented some real 20 concerns for them, because now you have different 21 representatives to deal with on matters, you know, 22 where, again, you're interlocked.</p> <p>23 Q. If you return to interrogatory number 24 nine. If I understand it, you're saying that the 25 current plan -- you're asked to identify how the</p>	<p>1 A. Yes.</p> <p>2 Q. -- here; right? Do you have anything 3 else that you would add to that interrogatory 4 response sitting here today?</p> <p>5 A. No.</p> <p>6 Q. So other than what we've discussed here 7 today and what you wrote in your interrogatory 8 responses, are there any other ways in which Act 43 9 has hurt your ability to affiliate with like-minded 10 Democrats?</p> <p>11 A. I think it's pretty well covered between 12 the conversation and the document.</p> <p>13 Q. Okay. And outside of the conversation 14 that we've had today, and what you wrote in your 15 interrogatory responses, are there any other ways 16 in which Act 43 has impaired your ability to pursue 17 associational goals?</p> <p>18 A. No.</p> <p>19 Q. Regardless of what we've talked about 20 today, has Act 43 punished you in any way for 21 engaging in associational activity?</p> <p>22 A. No.</p> <p>23 Q. And has Act 43 deterred or hindered you 24 in any way from turning out to vote? Hindered you 25 personally.</p>
<p>Page 115</p> <p>1 current plan impairs your ability to affiliate with 2 like-minded Democrats and pursue Democratic 3 associational goals. And if I understand your 4 interrogatory response, you're suggesting that Act 5 43 impairs your ability to achieve various 6 associational goals. Do I understand that 7 correctly?</p> <p>8 A. Yes.</p> <p>9 Q. What are those associational goals that 10 Act 43 impairs you from achieving?</p> <p>11 A. Well, I mean, there's so many things on 12 our platform that we -- we can't achieve because we 13 can't get anybody elected.</p> <p>14 Q. So it's about implementing the policies 15 of the Democratic party?</p> <p>16 A. Yes.</p> <p>17 Q. Anything else? Was that a yes or a no?</p> <p>18 A. No. Sorry.</p> <p>19 Q. If you look at that interrogatory 20 document, Exhibit 109, there's -- the last 21 interrogatory there is interrogatory ten. Can you 22 take a look at that and just review your response?</p> <p>23 A. All right.</p> <p>24 Q. That response refers to interrogatories 25 eight and nine, which we've just discussed --</p>	<p>Page 117</p> <p>1 A. No.</p> <p>2 Q. And has Act 43 in any way deterred or 3 hindered you personally from volunteering?</p> <p>4 A. No.</p> <p>5 Q. And has Act 43 deterred or hindered you 6 personally from donating to candidates?</p> <p>7 A. I haven't been as likely to get involved 8 or donate. The likelihood of getting folks 9 elected -- I mean, I can spend money on a lot of 10 things and get a lot more out of them than put them 11 in a campaign that's not going to go anywhere.</p> <p>12 Q. But you continue to campaign for assembly 13 Democrats in your district; correct?</p> <p>14 A. Yes.</p> <p>15 Q. And you continue to donate to assembly 16 Democrats --</p> <p>17 A. Yes.</p> <p>18 Q. -- in your district? If you could 19 just --</p> <p>20 A. Oh, I'm sorry.</p> <p>21 Q. -- allow me to finish my question before 22 providing the response. That's fine. So I'll just 23 ask you those questions again so we can get the 24 record clean.</p> <p>25 You continue to donate to candidates</p>

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1 within your assembly district; correct?  
 2 A. Yes.  
 3 Q. And you continue to campaign for  
 4 candidates, Democratic candidates, in your assembly  
 5 district; correct?  
 6 A. Yes.  
 7 Q. Has Act 43 in any way deterred or  
 8 hindered you from appealing to independents?  
 9 A. No.  
 10 Q. Has Act 43 -- let me caveat this one.  
 11 Outside of the things that we already discussed  
 12 today and the things that you wrote in your  
 13 interrogatory response, are there any other ways in  
 14 which Act 43 has deterred or hindered you from  
 15 advocating for your policies?  
 16 A. No.  
 17 Q. I'd like to talk about your donations to  
 18 candidates, briefly. In your interrogatory  
 19 responses, we received exhibits to those  
 20 interrogatory responses, which are also attached to  
 21 those responses here today as part of Exhibit 109.  
 22 Do you see where those -- where there are printouts  
 23 that show information about campaign contributions?  
 24 A. Yes.  
 25 Q. You're looking at a page right now. At

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1 the top of the page, the printout, does it say  
 2 Exhibit A?  
 3 A. Yes.  
 4 Q. I just wanted to go through Exhibit A  
 5 with you and ask a couple of simple questions, I  
 6 believe. Exhibit A says that you donated to Keyes  
 7 for Wisconsin; do you see that?  
 8 A. Yes.  
 9 Q. Did you donate to Keyes for Wisconsin?  
 10 A. Yes.  
 11 Q. And is that Brittany Keyes, who was the  
 12 candidate for assembly district number 31?  
 13 A. Yes.  
 14 Q. This report also says that you  
 15 contributed to Citizens for Zepnick. I think we've  
 16 talked about that already today; correct?  
 17 A. Yes.  
 18 Q. That refers to Josh Zepnick in the ninth  
 19 district in Milwaukee?  
 20 A. Yes.  
 21 Q. The next entry is a donation to Sheridan  
 22 for Senate. Do you see that?  
 23 A. Yes.  
 24 Q. And is that Mike Sheridan? And we talked  
 25 about him today?

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1 A. Yes.  
 2 Q. Then there are -- there are actually  
 3 three entries for donations to Sheridan for Senate.  
 4 Do you see that?  
 5 A. Yes.  
 6 Q. And the next entry is a donation to Ryan  
 7 J. Schroeder for assembly; do you see that?  
 8 A. Yes.  
 9 Q. Did you make that donation?  
 10 A. Yes.  
 11 Q. And that's assembly district 31?  
 12 A. Yes.  
 13 Q. And before you turn that page, or if you  
 14 can go back to that page, all of these elections  
 15 occurred in 2014 or later; is that correct? All  
 16 the ones that we've just discussed on this page?  
 17 A. Yes.  
 18 Q. If you go to the next page, there's  
 19 another entry for a donation to Ryan J. Schroeder  
 20 for assembly that was made on October 31, 2012. Do  
 21 you see that?  
 22 A. Yes.  
 23 Q. Did you make that donation?  
 24 A. Yes.  
 25 Q. And then in July 2012 there's a donation

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1 listed to Citizens for Janis Ringhand; do you see  
 2 that --  
 3 A. Yes.  
 4 Q. -- donation? Did you make that donation?  
 5 A. Yes.  
 6 Q. If you drop a couple more, there is a  
 7 donation that's made to Friends of Melissa Sergeant  
 8 that was made on February 18, 2012. Do you see  
 9 that?  
 10 A. Yes.  
 11 Q. And it says that Ms. Sergeant was a  
 12 candidate for the 48th assembly district; is that  
 13 right?  
 14 A. Yes.  
 15 Q. Can you recall making any other donations  
 16 to candidates for assembly after -- let me try that  
 17 again. After the time that the redistricting law  
 18 was passed, have you made any other candidates --  
 19 or contributions to candidates for assembly offices  
 20 other than the ones that we just went through here  
 21 today?  
 22 A. Not that I'm aware of.  
 23 Q. And then before the redistricting law was  
 24 passed, this report shows that for candidates for  
 25 the assembly, that you made a donation to your own

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1 campaign committee; correct?  
 2 A. Yes.  
 3 Q. Several donations; right?  
 4 A. Yes.  
 5 Q. I can understand that. And you also made  
 6 donations to Barrett for governor --  
 7 A. Yes.  
 8 Q. -- is that right? And you made some  
 9 donations to the Democratic Party of Rock County;  
 10 correct?  
 11 A. Yes.  
 12 Q. In 2010. Did you make -- before the  
 13 redistricting law passed, did you make any  
 14 contributions to or donations to candidates for  
 15 state assembly?  
 16 A. Before the redistricting?  
 17 Q. Yes.  
 18 A. Yes, I believe just Mike Sheridan.  
 19 Q. Okay. We can put that one aside. Well,  
 20 a couple more questions about donations just to  
 21 make it clear for the record. Since Act 43 passed,  
 22 you made donations to candidates who were running  
 23 in the 31st district?  
 24 A. Yes.  
 25 Q. And since Act 43 passed, you've made some

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1 donations to assembly candidates running in other  
 2 districts; correct?  
 3 A. Yes.  
 4 Q. And before Act 43 was passed you made  
 5 donations to your own campaign; correct?  
 6 A. Yes.  
 7 Q. And before Act 43 was passed you made  
 8 some donations to Mike Sheridan's campaign;  
 9 correct?  
 10 A. Yes.  
 11 MR. POLAND: How you doing? You need a  
 12 break?  
 13 MR. ST. JOHN: Can we go off the record  
 14 for one second?  
 15 THE VIDEOGRAPHER: Going off the record.  
 16 The time is 12:13.  
 17 (Discussion held off the record.)  
 18 THE VIDEOGRAPHER: We are back on the  
 19 record at 12:14.  
 20 BY MR. ST. JOHN:  
 21 Q. Now, you're claiming in this lawsuit that  
 22 you're harmed by the boundaries of your assembly  
 23 district; is that correct?  
 24 A. Yes.  
 25 Q. How will prevailing in this litigation

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1 help you?  
 2 A. If the districts are redistricted and  
 3 they're fair and balanced, I would hope that  
 4 whoever got elected would understand that they're  
 5 now in a competitive district and need to be  
 6 responsive.  
 7 Q. Is it accurate to say then that your  
 8 injuries will only be redressed if every assembly  
 9 district in the state is competitive?  
 10 A. I -- yes.  
 11 Q. If your district became more competitive,  
 12 met the definition that you believe as being  
 13 competitive, but the rest of the districts in the  
 14 state remain unchanged, would that redress your  
 15 harm?  
 16 A. No.  
 17 Q. And if all of the districts in the state  
 18 became, in your view, fair, but your district was  
 19 unaffected, would that address your harm?  
 20 A. No.  
 21 Q. Are there any other outcomes beyond  
 22 having 99 districts be, in your view, competitive,  
 23 that would redress the harm that you suffer from  
 24 Act 43?  
 25 A. No.

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1 Q. We talked a little bit earlier about  
 2 contacts that you had made with Representative  
 3 Loudenbeck.  
 4 A. Yes.  
 5 Q. And I just wanted to ask a couple more  
 6 questions about contacts with representatives. Do  
 7 you contact any other elected officials to  
 8 communicate with them about issues of concern to  
 9 you or to the town?  
 10 A. Yes.  
 11 Q. And do you contact those -- do you  
 12 contact other state legislators with those  
 13 concerns?  
 14 A. Yes.  
 15 Q. Maybe your state senator do you contact  
 16 with those concerns?  
 17 A. No.  
 18 Q. Why don't you contact your state senator?  
 19 A. I haven't contacted Senator Nass  
 20 personally because -- because the folks I associate  
 21 with that have contacted him either don't get a  
 22 response or don't get a response that satisfies  
 23 their needs.  
 24 Q. Have you personally contacted Senator  
 25 Nass or his office?



<p style="text-align: right;">Page 126</p> <p>1 A. No.</p> <p>2 Q. Other than the communications that you</p> <p>3 described with Ms. Loudenbeck, Representative</p> <p>4 Loudenbeck, and since she's been Representative</p> <p>5 Loudenbeck as opposed to the campaign, are there</p> <p>6 any additional contacts that you made with her</p> <p>7 other than the ones that you generically described</p> <p>8 earlier today?</p> <p>9 A. No.</p> <p>10 Q. Have you contacted any other Republican</p> <p>11 members of the state legislature with your</p> <p>12 concerns?</p> <p>13 A. No.</p> <p>14 Q. Have you contacted any Democrat members</p> <p>15 of the state assembly with your concerns?</p> <p>16 A. Yes.</p> <p>17 Q. And which members would those be?</p> <p>18 A. Most -- mostly Mark Spreitzer. And I</p> <p>19 think -- I think he is in the 45th. I think that</p> <p>20 he kept that, the 45th designation. I've been in</p> <p>21 touch with Deb Kolste in the 44th. And since Act</p> <p>22 43 I've been obviously in touch with Andy</p> <p>23 Jorgensen.</p> <p>24 Q. And do you make these contacts through</p> <p>25 e-mail?</p>	<p style="text-align: right;">Page 128</p> <p>1 A. Yes.</p> <p>2 Q. I'd like to show you another document</p> <p>3 that we will mark as Exhibit 110.</p> <p>4 (Exhibit 110 marked for identification.)</p> <p>5 BY MR. ST. JOHN:</p> <p>6 Q. This is entitled Plaintiff Roger Anclam's</p> <p>7 Response to Assembly's First Set of Document</p> <p>8 Production Request to Plaintiffs. Little bit of a</p> <p>9 mouthful. Have you seen this document before?</p> <p>10 A. Yes.</p> <p>11 Q. Do you understand this document to</p> <p>12 include requests that defendants in this case have</p> <p>13 made of you to produce documents?</p> <p>14 A. Yes.</p> <p>15 Q. And have you seen the requests themselves</p> <p>16 before?</p> <p>17 A. Yes.</p> <p>18 Q. If you go to the bottom of page 3, you'll</p> <p>19 see a request for production number one. Do you</p> <p>20 see that at the bottom?</p> <p>21 A. Yes.</p> <p>22 Q. It requests all communications from 2002</p> <p>23 to the present between each plaintiff and his or</p> <p>24 her local, state, and national representatives, or</p> <p>25 those representatives' offices or staff. Do you</p>
<p style="text-align: right;">Page 127</p> <p>1 A. No.</p> <p>2 Q. Do you make these contacts through</p> <p>3 letter?</p> <p>4 A. No.</p> <p>5 Q. Are these contacts all verbal?</p> <p>6 A. Yes.</p> <p>7 Q. Have you ever written a letter to a state</p> <p>8 assembly person?</p> <p>9 A. Yes. But I want to say that was in the</p> <p>10 '70s, so --</p> <p>11 Q. Since 2002 can you recall having written</p> <p>12 a letter to a state legislator?</p> <p>13 A. No.</p> <p>14 Q. Since 2002 can you recall sending an</p> <p>15 e-mail to a state legislator?</p> <p>16 A. No.</p> <p>17 Q. Since 2002 can you recall writing a</p> <p>18 letter or sending an e-mail to a member of</p> <p>19 Congress?</p> <p>20 A. No.</p> <p>21 Q. Since 2000 -- okay. By "member of</p> <p>22 Congress," I was trying to refer to a member of the</p> <p>23 House of Representatives or a member of the United</p> <p>24 States Senate. Did you understand me to include</p> <p>25 both of those offices in my question?</p>	<p style="text-align: right;">Page 129</p> <p>1 believe that you have any documents that would be</p> <p>2 responsive to that request?</p> <p>3 A. No.</p> <p>4 Q. Based on your testimony today, I</p> <p>5 understand that you do not write letters or e-mails</p> <p>6 to your local representatives, or at least haven't</p> <p>7 done so in a very long time; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. The next request for production seeks all</p> <p>10 letters to the editor, editorials, op-eds,</p> <p>11 commentary, opinion pieces, articles or similar</p> <p>12 documents, whether published or unpublished,</p> <p>13 written by you that relate to politics, public</p> <p>14 policy issues, or political parties. Do you see</p> <p>15 that?</p> <p>16 A. Yes.</p> <p>17 Q. Do you write editorials as the town board</p> <p>18 chairman?</p> <p>19 A. No.</p> <p>20 Q. Pamphlets that might go to constituents?</p> <p>21 A. That -- that made me pause to think. I</p> <p>22 haven't submitted anything to the newspaper. We --</p> <p>23 I didn't even think of that. We do occasionally</p> <p>24 put out an annual report which, you know, has a lot</p> <p>25 to do with our budget and operations within the</p>

<p style="text-align: right;">Page 130</p> <p>1 town. And I have put a message in -- we don't have  2 periodic newsletters -- an occasional newsletter  3 that goes out to the residents of the town.  4 Q. Do those messages in the newsletters, do  5 they contain your opinions about issues relating to  6 politics, public policy issues, or political  7 parties?  8 A. They may.  9 Q. And I would just ask that -- ask you and  10 your counsel that if you could find documents that  11 you believe to be responsive to this question, that  12 you just supply them to counsel and counsel will  13 produce them if counsel believes them to be  14 appropriate.  15 A. Okay.  16 Q. But I just ask that, you know, after we  17 have this conversation today, if you think that  18 there are additional documents, that you go ahead  19 and search for those additional documents.  20 How about when you were a candidate  21 for office, did you publish opinion pieces about  22 politics, public policy issues, or political  23 parties?  24 A. Not that I recall.  25 Q. Did you communicate -- as a candidate,</p>	<p style="text-align: right;">Page 132</p> <p>1 Q. Did you search your Facebook account for  2 responsive documents to this request?  3 A. I did not.  4 Q. Did you provide your password to another  5 party or person?  6 A. I did.  7 Q. Is it your understanding that that other  8 person or -- searched your Facebook account for  9 responsive documents?  10 A. That's my understanding.  11 Q. Did you review the documents that were  12 gathered by that other person prior to them being  13 provided to -- well, forget the timeframe. Let me  14 ask that again and start over.  15 Did you review the documents that were  16 gathered by that other person?  17 A. Yes.  18 Q. Do you know if you reviewed those  19 documents before those documents were provided to  20 the defendants in this case?  21 A. Yes.  22 Q. Have you reviewed those documents in  23 preparation for this deposition?  24 A. Yes.  25 Q. Having reviewed those documents, do you</p>
<p style="text-align: right;">Page 131</p> <p>1 did you communicate your frustration with the  2 support that you received from the Democratic party  3 to any individual?  4 A. Yes.  5 Q. And to whom did you communicate your  6 frustration?  7 A. Mike Sheridan.  8 Q. Can you think of any other individuals  9 that you communicated your frustration?  10 A. No.  11 Q. The third production request asks for all  12 posts to blogs, Facebook, Twitter, Instagram, other  13 forms of social media written by each plaintiff  14 that relate to politics, public policy issues, or  15 political parties. Do you see that?  16 A. Yes.  17 Q. And if you turn to the next page, there's  18 a written response on that. And the response says  19 that certain documents were being produced to the  20 defendants that bore the production numbers Anclam  21 001 to Anclam 035. Do you see that?  22 A. Yes.  23 Q. Did you search your -- well, first, do  24 you have a Facebook account?  25 A. I do.</p>	<p style="text-align: right;">Page 133</p> <p>1 believe those documents contain all posts to  2 Facebook that relate -- that you've made that  3 relate to politics, public policy issues, or  4 political parties?  5 A. I believe so.  6 Q. You can't think of any that you didn't  7 see that relate to those topics?  8 A. (No audible answer.)  9 Q. When did you join Facebook, do you  10 recall?  11 A. I don't know.  12 Q. Before we talk about -- we're going to  13 talk about a couple of those documents, but I want  14 to ask about other types of social media. Do you  15 have an Instagram account?  16 A. No.  17 Q. Do you have a Twitter account?  18 A. No.  19 Q. Have you ever had a Twitter account?  20 A. No.  21 Q. Have you ever had an Instagram account?  22 A. No.  23 Q. Do you use any other types of social  24 media?  25 A. No.</p>

Page 134	Page 136
<p>1 Q. Do you have a blog?</p> <p>2 A. No.</p> <p>3 Q. Does the town have, like, a blog of the</p> <p>4 chairman?</p> <p>5 A. We have the town's website.</p> <p>6 Q. Okay. Do you read blogs?</p> <p>7 A. Generally speaking, no.</p> <p>8 Q. Do you comment on blogs? You know how</p> <p>9 some blogs will give the reader an opportunity to</p> <p>10 provide a comment?</p> <p>11 A. Yes.</p> <p>12 Q. Do you ever comment on blogs?</p> <p>13 A. I'm not an IT guy here. I don't do all</p> <p>14 this stuff. I had to give my password to someone</p> <p>15 else 'cause I don't know how to do it right. So if</p> <p>16 it shows up on my news feed or something like that,</p> <p>17 have I commented on some of those things, yes.</p> <p>18 Q. But that's on Facebook; right?</p> <p>19 A. Yes.</p> <p>20 Q. So outside of Facebook, outside of the</p> <p>21 Facebook environment, just an Internet site, for</p> <p>22 example, most newspaper websites today will post an</p> <p>23 article and then there'll be an opportunity for a</p> <p>24 reader to comment. Have you seen that before?</p> <p>25 A. Yes.</p>	<p>1 Q. On Facebook -- let's talk about Facebook.</p> <p>2 You have a Facebook account?</p> <p>3 A. Yes.</p> <p>4 Q. Sometimes you comment on articles in your</p> <p>5 Facebook account; correct?</p> <p>6 A. Yes.</p> <p>7 Q. Sometimes you make your own posts on</p> <p>8 Facebook; correct?</p> <p>9 A. Yes.</p> <p>10 Q. And when you were looking at the</p> <p>11 documents that were produced in response to this</p> <p>12 production request, is that the type of material</p> <p>13 that you saw?</p> <p>14 A. Yes.</p> <p>15 Q. Things that you posted on Facebook?</p> <p>16 A. Yes.</p> <p>17 Q. Do you know whether the person who</p> <p>18 searched your Facebook account read each and every</p> <p>19 one of your Facebook posts?</p> <p>20 A. I don't know that. They had access to be</p> <p>21 able to -- they ordered a history or they did --</p> <p>22 I'm not sure what that is.</p> <p>23 Q. Is it your understanding that they</p> <p>24 performed keyword searches on your Facebook account</p> <p>25 in order to identify potentially responsive</p>
<p>Page 135</p> <p>1 Q. Have you commented on any newspaper</p> <p>2 articles?</p> <p>3 A. No.</p> <p>4 Q. Have you commented on any -- do you</p> <p>5 understand what a blog is? What's your</p> <p>6 understanding of the word blog?</p> <p>7 A. I don't know what the different groups</p> <p>8 are, okay? So if I need to find out something on a</p> <p>9 piece of equipment and I Google it and it'll show</p> <p>10 up for a group of guys or whatever.</p> <p>11 Q. Yeah. Those are not the things I'm</p> <p>12 trying to ask about.</p> <p>13 A. Okay.</p> <p>14 Q. Sometimes someone will have a website and</p> <p>15 they'll put some of their opinions on that website.</p> <p>16 Have you seen Internet sites like that?</p> <p>17 A. I have.</p> <p>18 Q. Sometimes those Internet sites allow</p> <p>19 readers to provide comments to the article or</p> <p>20 opinion that they just read. Have you seen that</p> <p>21 before?</p> <p>22 A. I have.</p> <p>23 Q. Have you ever commented in that forum to</p> <p>24 an opinion piece or article?</p> <p>25 A. No.</p>	<p>Page 137</p> <p>1 documents?</p> <p>2 A. I don't know how they searched it.</p> <p>3 (Exhibit 111 marked for identification.)</p> <p>4 BY MR. ST. JOHN:</p> <p>5 Q. I'm going to mark as Exhibit 111 a</p> <p>6 document that has a Bates stamp number Anclam 0001.</p> <p>7 That's the first page of the exhibit.</p> <p>8 MR. POLAND: What number is it?</p> <p>9 MR. ST. JOHN: It's Exhibit 111.</p> <p>10 BY MR. ST. JOHN:</p> <p>11 Q. And I'm going to describe this document a</p> <p>12 little bit more for the record just so we can find</p> <p>13 it later. This particular document is four pages,</p> <p>14 and it is -- has Bates stamped Anclam 0001 and then</p> <p>15 consecutively to Anclam 0004. And in the upper</p> <p>16 left-hand corner of the first page of the document</p> <p>17 it says "account Roger Anclam, item: R-A0000001051</p> <p>18 preview." And on the third page of the document it</p> <p>19 has the same account name and the same item number,</p> <p>20 but also includes -- it includes the word "meta</p> <p>21 data" instead of the word "preview." Have I</p> <p>22 described that accurately, Mr. Anclam?</p> <p>23 A. Yes.</p> <p>24 MR. POLAND: Kevin, before you get into</p> <p>25 substantive questions, I do want to note for the</p>

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<p>1 record that there was -- there was one inadvertent  2 production on the very first page of this document.  3 There is a -- a name of a person that was  4 unintentionally not redacted. I know that counsel  5 for the various parties are continuing to work on  6 a -- on an agreement on what oughta be redacted and  7 what ought not to be redacted, and that does  8 continue. But I would like to note for the record  9 that the name that appears on that first page  10 should be redacted.  11 BY MR. ST. JOHN:  12 Q. I was going to ask you about the  13 redactions. You see in this document there is  14 large blacked-out portions; right? Do you see  15 that?  16 A. Yes.  17 Q. Did you black out any parts of your  18 Facebook pages?  19 A. No.  20 Q. Now, do you remember making this post?  21 A. Yes.  22 Q. Do you know what is contained in those  23 blacked-out portions?  24 A. No, I do not.  25 Q. Do you know why those portions might be</p>	<p>1 Q. Do you know why those documents are  2 blacked out? Not just this one, but any of them,  3 do you know why any of them were blacked out?  4 A. No.  5 Q. Did anyone ask you to black out the  6 documents?  7 A. No.  8 Q. Did anyone ask you to have blacked out  9 the documents?  10 A. No.  11 Q. If you turn to page 3 of Exhibit No. 111,  12 which is that exhibit number. Prior to this  13 litigation had you ever seen a document that looked  14 like that containing meta data?  15 A. No.  16 Q. Do you know what meta data is?  17 A. No.  18 Q. That's not something that you would see  19 when you look at your Facebook; is that correct?  20 A. Correct.  21 Q. I've just got one more document that I'd  22 like to share with you today. And we'll mark that  23 as Exhibit 112.  24 (Exhibit 112 marked for identification.)  25 BY MR. ST. JOHN:</p>
Page 139	Page 141
<p>1 blacked out?  2 A. No.  3 Q. Do you know how this document relates to  4 politics, public policy issues, or political  5 parties?  6 A. The group that's represented in the  7 picture was -- are all representatives and serve  8 on, with the exception of maybe one, serve on the  9 local's CAP committee.  10 Q. The CAP committee?  11 A. Citizen legislative committee.  12 Q. That's the committee that you're the --  13 A. Vice chair.  14 Q. -- is it vice chair of today?  15 A. Yes.  16 Q. Okay. And you did look at these  17 documents today in preparation for this deposition;  18 correct?  19 A. Yes.  20 Q. The documents that you looked at, did  21 they -- were they blacked out as well?  22 A. Yes.  23 Q. Did you black out any of the documents  24 that you reviewed?  25 A. No.</p>	<p>1 Q. Have you seen this post before,  2 Mr. Anclam?  3 A. Yes.  4 Q. Do you recall making this post, or  5 sharing this link, I should say?  6 A. No.  7 Q. Do you recall the article that says it  8 was people power, not Trump, that caused house GOP  9 ethics reversal?  10 A. No.  11 Q. Do you recall what the ethics reversal  12 was about?  13 A. No.  14 Q. You can set that aside.  15 MR. POLAND: Kevin, you mind if I just  16 note for the record the Bates numbers of those  17 pages, just 'cause they're not consecutive?  18 MR. ST. JOHN: I have no objection to  19 that.  20 MR. POLAND: Yeah. Exhibit 112, the  21 Bates numbers are Anclam 0086, Anclam 0114, and  22 Anclam 0115.  23 BY MR. ST. JOHN:  24 Q. Have you ever discussed with a member of  25 the state assembly or a member of the state senate</p>

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1 legislative districts that should be targeted for  
 2 election?  
 3 A. No.  
 4 Q. Have you ever discussed with individuals  
 5 with whom you serve on the union committee of which  
 6 you are presently the vice chair, have you ever  
 7 discussed targeting individual assembly districts?  
 8 A. Yes.  
 9 Q. And which districts did you discuss  
 10 targeting?  
 11 A. I'm certain I can't remember them all,  
 12 but I know that we talked about the 43rd, 44th,  
 13 45th and 31st.  
 14 Q. And by targeting, you talked about  
 15 turning out the vote in these districts?  
 16 A. Yes.  
 17 Q. Was it agreed that all of those districts  
 18 should be targeted?  
 19 A. Yes.  
 20 Q. Were there any districts considered for  
 21 targeting which were not targeted?  
 22 A. No.  
 23 Q. And once a decision is made to target a  
 24 district, does that mean that activities relating  
 25 to getting out the vote, and other activities

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1 identified in your interrogatory response that we  
 2 discussed earlier today, that those would occur in  
 3 those assembly districts?  
 4 A. Yes.  
 5 Q. When I asked my question just a moment  
 6 ago about targeting districts, I didn't put any  
 7 date bounds on that, but of course I was referring  
 8 to the time in which you were serving on that  
 9 committee. I intended that question to extend to  
 10 any election year in which you served on that  
 11 committee. Did you understand my question to be  
 12 that way?  
 13 A. Yes.  
 14 Q. We talked earlier about how there were  
 15 different types of Democrats; do you recall that?  
 16 A. Yes.  
 17 Q. I think some that we listed were  
 18 conservative Democrats, progressives, liberals,  
 19 socialists; do you recall that?  
 20 A. Yes.  
 21 Q. Do you think that some types of Democrats  
 22 are better suited to win elections than other types  
 23 of Democrats?  
 24 A. Yes.  
 25 Q. Do you believe that a conservative

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1 Democrat, for example, might have a better chance  
 2 of winning an assembly district in Western  
 3 Wisconsin than an urban Milwaukee socialist  
 4 Democrat?  
 5 A. Yes.  
 6 MR. ST. JOHN: Your counsel and I, or all  
 7 the counsel in this case, have talked about trying  
 8 to keep our depositions to be brief, and I think  
 9 we've probably gone a little bit longer than what  
 10 we were aiming to do. But with that in mind, and  
 11 reserving any rights that we may have to later call  
 12 you consistent with our agreement or the rules  
 13 of -- federal rules of civil procedure, I don't  
 14 have any further questions for you today.  
 15 MR. POLAND: No questions.  
 16 MR. ST. JOHN: Thank you, Mr. Anclam.  
 17 THE VIDEOGRAPHER: This concludes the  
 18 deposition of Roger Anclam, and we are off the  
 19 record at 12:44.  
 20  
 21  
 22  
 23  
 24  
 25

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1 STATE OF WISCONSIN )  
 ) ss.  
 2 COUNTY OF MILWAUKEE )  
 3 I, ANITA KORNBURGER, Registered  
 4 Professional Reporter and Notary Public in and  
 5 for the State of Wisconsin, do hereby certify  
 6 that the preceding deposition was recorded by  
 7 me and reduced to writing under my personal  
 8 direction.  
 9 I further certify that said deposition was  
 10 taken at 10 East Doty Street, Madison,  
 11 Wisconsin, on February 8, 2019, commencing at  
 12 9:06 a.m. and concluding at 12:44 p.m.  
 13 I further certify that I am not a relative  
 14 or employee or attorney or counsel of any of  
 15 the parties, or a relative or employee of such  
 16 attorney or counsel, or financially interested  
 17 directly or indirectly in this action.  
 18 In witness whereof, I have hereunto set my  
 19 hand and affixed my seal of office at  
 20 Milwaukee, Wisconsin, this 25th day of  
 21 February, 2019.  
 22  
 23 ANITA KORNBURGER, RPR - Notary Public  
 24  
 25 My commission expires May 24, 2021.

Roger Anclam

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4 PAGE LINE CHANGE  
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1           ACKNOWLEDGMENT OF DEPONENT  
2  
3           I, \_\_\_\_\_, do hereby  
4 certify that I have read the foregoing pages, and that  
5 the same is a correct transcription of the answers  
6 given by me to the questions therein propounded, except  
7 for the corrections or changes in form or substance, if  
8 any, noted in the attached Errata Sheet.  
9  
10  
11 \_\_\_\_\_  
12 Roger Anclam                                 DATE  
13  
14  
15 Subscribed and sworn to  
16 before me on this \_\_\_\_\_ day  
17 of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_  
18 \_\_\_\_\_,  
19 proved to me on the basis of satisfactory  
20 evidence to be the person(s) who appeared before me.  
21  
22                                 Signature \_\_\_\_\_  
23  
24  
25