

1 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

2 -----

3 WILLIAM WHITFORD, et al.,
4 Plaintiffs,
5 -vs-
6 BEVERLY R. GILL, et al.,
7 Defendants; Case No. 3:15-CV-00421-jdp
8 and
9 THE WISCONSIN STATE ASSEMBLY,
10 Intervenor-
11 Defendant.

12 -----

13 THE WISCONSIN ASSEMBLY DEMOCRATIC
CAMPAIGN COMMITTEE,
14
15 Plaintiff,
16
17 -vs-
18 BEVERLY R. GILL, et al., Case No. 3:18-CV-00763-jdp
19 Defendants;
20 and
21 THE WISCONSIN STATE ASSEMBLY,
22 Intervenor-
23 Defendant.

24 -----

25 Videotaped Examination of LINEA SUNDSTROM,
taken at the instance of the Intervenor-Defendant, under
and pursuant to the Federal Rules of Civil Procedure,
before KARA D. SHAWHAN, a Certified Realtime Reporter,
Registered Merit Reporter and Notary Public in and for
the State of Wisconsin, at The Law Office of Peter
Earle, LLC, 839 North Jefferson Street, Milwaukee,
Wisconsin, on January 18, 2019, commencing at 12:03 p.m.
and concluding at 3:29 p.m.

Page 2

1 A P P E A R A N C E S
2 CAMPAIGN LEGAL CENTER, by
3 RUTH GREENWOOD, ESQUIRE
4 ANNABELLE E. HARLESS, ESQUIRE
5 73 West Monroe Street, Suite 302,
6 Chicago, Illinois 60603,
7 appeared on behalf of the Plaintiff.

8 BARTLIT BECK, LLP, by
9 TAYLOR A.R. MEEHAN, ESQUIRE
10 54 West Hubbard Street,
11 Chicago, Illinois 60654,
12 appeared on behalf of the Intervenor-Defendant.

13 A L S O P R E S E N T

14 Mr. Jonathan Hansen, Videographer.

15 * * * * *

16 I N D E X

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23 Exhibit 47 -E-Mail Between Ms. Sundstrom and
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 Disposition Of Original Exhibit/s:
 Attached To Original Transcript

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1 herein, having been first duly sworn on oath, was
2 examined and testified as follows:

3 E X A M I N A T I O N

4 BY MS. MEEHAN:

5 Q. Good afternoon, Ms. Sundstrom. My name is Taylor
6 Meehan. I'm from Bartlit Beck. Could you state
7 your full name for the record?

8 A. Linea Sundstrom.

9 Q. You understand that today you're under oath?

10 A. Yes.

11 Q. Is there any reason you can't give your best answer
12 today?

13 A. No.

14 Q. No medication or anything else that would prevent
15 you from telling the truth?

16 A. No.

17 Q. Before we get started, I just want to lay a few
18 ground rules. So I'm going to ask you many
19 questions today, and you are free to take a break
20 whenever you would like, just let me know, but I
21 would ask that you don't take a break until you've
22 answered a question that I have asked. So no
23 breaks while a question is pending.

24 And then so that the court reporter can
25 get everything down that we discuss, make sure that

Page 3

1 THE VIDEOGRAPHER: Good afternoon. We
2 are on the record. My name is Jon Hansen, CLVS.
3 Today's date, January 18, 2019. The time, 12:03.
4 This deposition is being held in Milwaukee,
5 Wisconsin, in the matter of William Whitford, et
6 al., versus Beverly Gill, et al., the Wisconsin
7 State Assembly, United States District Court,
8 Western District of Wisconsin, Case No.
9 15-CV-00421-jdp, in the matter of the Wisconsin
10 Assembly Democratic Campaign Committee versus
11 Beverly Gill and the Wisconsin State Assembly, Case
12 No. 18-CV-00763-jdp.

13 The deponent this afternoon is Linea
14 Sundstrom. At this time if counsel could please
15 state their appearance after which our reporter
16 will swear in the witness and we can proceed.

17 MS. MEEHAN: Taylor Meehan from Bartlit
18 Beck, LLP, in Chicago. I represent the Wisconsin
19 State Assembly.

20 MS. GREENWOOD: I'm Ruth Greenwood with
21 the Campaign Legal Center in Chicago representing
22 Linea Sundstrom and the individual plaintiffs in
23 this matter. I'm joined by my colleague Annabelle
24 Harless also from the Campaign Legal Center.

25 LINEA SUNDSTROM, called as a witness

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1 I finish my full question before you answer so that
2 we're not talking over one another. And if your
3 answer to one of my questions is a "yes" or "no,"
4 just give an audible "yes" or an audible "no"
5 instead of nodding your head so that the court
6 reporter can record your answer.

7 And lastly, if you don't understand my
8 question or hear my question, please feel free to
9 ask me to clarify or repeat it. I'd be happy to do
10 so.

11 So let's start with your background.
12 What is your occupation?

13 A. My training is in archeology, and I do various work
14 in the field of historic preservation.

15 Q. Do you currently have a job?

16 A. Yes. I'm self-employed.

17 Q. And what does that entail?

18 A. I do work under contract with state and federal
19 agencies out West.

20 Q. When you say "out West," do you mean out West in
21 the country or in Wisconsin?

22 A. In the country.

23 Q. And how long have you been self-employed?

24 A. Since 1990.

25 Q. What did you do before 1990?

Page 6	Page 8
<p>1 A. I was in graduate school.</p> <p>2 Q. Where did you go to graduate school?</p> <p>3 A. University of Kansas.</p> <p>4 Q. I went to Missouri.</p> <p>5 A. Oooh.</p> <p>6 Q. Oh, no. What's your current address?</p> <p>7 A. 1320 East Lake Bluff. That's in Shorewood,</p> <p>8 Wisconsin 53211. The mailing address is Milwaukee.</p> <p>9 Q. In what year did you move to that current address?</p> <p>10 A. We moved there in 1991, I believe.</p> <p>11 Q. And where did you live before you lived at your</p> <p>12 current address?</p> <p>13 A. We lived for one year at another house in Shorewood</p> <p>14 before, and before that we lived in Lawrence,</p> <p>15 Kansas, for about eight years.</p> <p>16 Q. While you were in grad school?</p> <p>17 A. In graduate school, yes.</p> <p>18 Q. Who is your current representative in the Wisconsin</p> <p>19 assembly?</p> <p>20 A. David Bowen.</p> <p>21 Q. And who was your representative before</p> <p>22 Representative Bowen?</p> <p>23 A. Let me think about that for a minute. I think it</p> <p>24 was Sheldon Wasserman.</p> <p>25 Q. And is David Bowen a Democrat?</p>	<p>1 registration in Milwaukee, I think they just wanted</p> <p>2 to hear about how some of the new laws were</p> <p>3 affecting those efforts.</p> <p>4 Q. Beyond those two cases, you've never been sued?</p> <p>5 A. No.</p> <p>6 Q. Never sued anyone else?</p> <p>7 A. No.</p> <p>8 Q. And never been a witness in any other cases?</p> <p>9 A. No.</p> <p>10 Q. Do you consider yourself a politically engaged</p> <p>11 person?</p> <p>12 A. Yes.</p> <p>13 Q. Why?</p> <p>14 A. I'm involved in some political organizing, I vote,</p> <p>15 I encourage other people to vote, I put up yard</p> <p>16 signs, I register people to vote. So my</p> <p>17 involvement in political activity is fairly broad.</p> <p>18 Q. When you say you do political organizing, what does</p> <p>19 "Political organizing" mean to you?</p> <p>20 A. It's getting a group together because you share</p> <p>21 common political goals, policies that you would</p> <p>22 like to see implemented, candidates that you'd like</p> <p>23 to see elected.</p> <p>24 Q. How long have you been a politically active person?</p> <p>25 A. Depending on how you define "politically active,"</p>
Page 7	Page 9
<p>1 A. Yes.</p> <p>2 Q. Who is your current state senator, if you know?</p> <p>3 A. Lena Taylor.</p> <p>4 Q. And do you recall who your senator was before</p> <p>5 Senator Taylor?</p> <p>6 A. Alberta Darling.</p> <p>7 Q. Have you ever been involved in any other</p> <p>8 litigation?</p> <p>9 A. I testified in two cases in federal court.</p> <p>10 Q. Did you testify as an expert witness?</p> <p>11 A. I was an expert witness in one, and the other one I</p> <p>12 was a witness.</p> <p>13 Q. And what was the case in which you were an expert</p> <p>14 witness about?</p> <p>15 A. It was about a historic preservation case. It was</p> <p>16 a federal prosecution of a vandalism case.</p> <p>17 Q. Where was the case?</p> <p>18 A. In South Dakota.</p> <p>19 Q. And when -- What was the case about when you</p> <p>20 testified as a fact witness?</p> <p>21 A. That was the one Wisconsin Institute voting rights</p> <p>22 case.</p> <p>23 Q. Can you tell me more about your involvement in that</p> <p>24 case?</p> <p>25 A. Because I organize a group that does voter</p>	<p>1 I'd say since third grade.</p> <p>2 Q. Why would you say "since third grade"?</p> <p>3 A. I was -- I was interested in some of the things</p> <p>4 that we were being taught in school and only</p> <p>5 hearing one side of the story, so I was interested</p> <p>6 in finding out other points of view at that time</p> <p>7 and probably made myself a little unpopular with my</p> <p>8 teachers.</p> <p>9 Q. Were you in the third grade in the '50s?</p> <p>10 A. No. In the '60s.</p> <p>11 Q. In the '60s? Were you learning about Communism in</p> <p>12 the third grade?</p> <p>13 A. Yes.</p> <p>14 Q. What did you think about Communism in the third</p> <p>15 grade?</p> <p>16 A. I didn't know what to think about it because the</p> <p>17 only thing that we were taught is that it was bad,</p> <p>18 but it was never defined for us as either a</p> <p>19 political or an economic system.</p> <p>20 Q. Nowadays do you think about politics at least once</p> <p>21 a day?</p> <p>22 A. Yes.</p> <p>23 Q. More than once a day?</p> <p>24 A. Yes.</p> <p>25 Q. Do you think you spend more time thinking about</p>

<p style="text-align: right;">Page 10</p> <p>1 politics than the average person?</p> <p>2 A. Yes.</p> <p>3 Q. I'm going to hand you a document, and it is marked</p> <p>4 Defendant's Dep. Exhibit No. 46.</p> <p>5 (Exhibit No. 46 was marked.)</p> <p>6 BY MS. MEEHAN:</p> <p>7 Q. Just take a minute and review. Just let me know</p> <p>8 whenever you're ready.</p> <p>9 A. Okay.</p> <p>10 Q. Can you -- Do you recognize this document?</p> <p>11 A. Yes.</p> <p>12 Q. And what is it?</p> <p>13 A. It's the answers to the interrogatories.</p> <p>14 Q. And you signed under penalty of perjury that all</p> <p>15 the answers you gave here were true to the best of</p> <p>16 your knowledge; is that right?</p> <p>17 A. Yes.</p> <p>18 Q. Can you take a look at Interrogatory No. 4 which is</p> <p>19 on Page 5? And do you see where Interrogatory</p> <p>20 No. 4 asks you to describe any political parties or</p> <p>21 other political organizations of which you are a</p> <p>22 member?</p> <p>23 A. Yes.</p> <p>24 Q. And you listed here the Democratic Party of</p> <p>25 Wisconsin, 2013; the Grassroots North Shore, 2011;</p>	<p style="text-align: right;">Page 12</p> <p>1 A. Yes.</p> <p>2 Q. Do you think the election of Donald Trump has</p> <p>3 caused other Democrats to become more politically</p> <p>4 active?</p> <p>5 A. I think it has caused more people to become</p> <p>6 politically active. Whether or not they identify</p> <p>7 as Democrats I'm not sure.</p> <p>8 Q. That's interesting. Who else might be more</p> <p>9 politically active as a result of the election of</p> <p>10 Donald Trump other than those who identify as</p> <p>11 Democrats?</p> <p>12 A. Of the young people that I've talked to, the</p> <p>13 millennials and the younger than the millennials</p> <p>14 have become politically energized. They don't</p> <p>15 necessarily identify with either political party.</p> <p>16 Q. But based on your conversations with them,</p> <p>17 something about Donald Trump has caused them to</p> <p>18 engage politically. Is that a fair</p> <p>19 characterization?</p> <p>20 A. I would say something about the policies and the</p> <p>21 philosophies that Donald Trump advocates, yes.</p> <p>22 Q. And those are policies that he -- that these young</p> <p>23 people disagree with; is that right?</p> <p>24 A. Yes.</p> <p>25 Q. Did Act 43 also cause you to become more</p>
<p style="text-align: right;">Page 11</p> <p>1 and Supermarket Legends 2011.</p> <p>2 MS. GREENWOOD: Objection.</p> <p>3 BY MS. MEEHAN:</p> <p>4 Q. Oh. I'm sorry. It would be helpful if I read it</p> <p>5 correctly. You listed here Democratic Party of</p> <p>6 Wisconsin, 2013; Grassroots North Shore, 2010;</p> <p>7 Supermarket Legends, 2011. Do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. I see that you joined these three organizations in</p> <p>10 the last ten years. Did something cause you to</p> <p>11 become more politically active beginning in 2010</p> <p>12 when you joined Grassroots North Shore?</p> <p>13 A. Yes.</p> <p>14 Q. And what was that?</p> <p>15 A. It was the election of Scott Walker and the ramming</p> <p>16 through of Act 10 in what I felt was an</p> <p>17 undemocratic manner.</p> <p>18 Q. What do you mean by "undemocratic manner"?</p> <p>19 A. I felt the public didn't have adequate time and</p> <p>20 opportunity to comment, and I felt that the</p> <p>21 legislature was being asked to vote on something</p> <p>22 which clearly many of them had not read.</p> <p>23 Q. Is it fair to say that both the election of Scott</p> <p>24 Walker and the passage of Act 10 caused you to</p> <p>25 become more politically active?</p>	<p style="text-align: right;">Page 13</p> <p>1 politically active when it was passed in 2011?</p> <p>2 A. Yes.</p> <p>3 Q. How so?</p> <p>4 A. I understood that it would affect how certain</p> <p>5 communities would be able -- would or would not be</p> <p>6 able to create political policy change in the</p> <p>7 state. I -- It seemed to me that when those</p> <p>8 districts were drawn, they were obviously set up in</p> <p>9 such a way to -- I don't know if I should say</p> <p>10 "Punish" districts like -- communities like mine</p> <p>11 that voted strongly Democratic, but certainly to</p> <p>12 dilute our vote. That was fairly obvious to</p> <p>13 anybody who lived where I live. And again, I felt</p> <p>14 it was undemocratic.</p> <p>15 Q. You felt it was undemocratic meaning the way that</p> <p>16 the legislation was enacted was undemocratic?</p> <p>17 A. The process itself was undemocratic. It was done</p> <p>18 behind closed doors. It was done in an extremely</p> <p>19 partisan manner. The result was undemocratic in</p> <p>20 that it allowed one political party to strongly</p> <p>21 disadvantage the other.</p> <p>22 Q. If Democrats took control of the Wisconsin Assembly</p> <p>23 at a time when they were able to redistrict, do you</p> <p>24 think Democrats would do the same things that</p> <p>25 Republicans did here?</p>

<p style="text-align: right;">Page 14</p> <p>1 A. No, I do not.</p> <p>2 Q. Why not?</p> <p>3 A. First of all, I think it's counter to the</p> <p>4 philosophy of the Democrats -- at least the ones</p> <p>5 that I know and talk to. I don't think they would</p> <p>6 have felt that they needed to. I don't feel that</p> <p>7 on the Democratic side that there is a long-term</p> <p>8 goal of completely eliminating or wiping out the</p> <p>9 opposition. I think Democrats have more of an idea</p> <p>10 of the old idea of the loyal opposition. Both</p> <p>11 sides deserve to have a voice. And the majority</p> <p>12 voice deserves -- The majority of people can decide</p> <p>13 which voice they're going to support. So no, I</p> <p>14 don't. I think there's a very different outlook</p> <p>15 and philosophy guiding the two parties in Wisconsin</p> <p>16 on that matter.</p> <p>17 Q. Are your views based on specific conversations</p> <p>18 you've had with other individuals?</p> <p>19 A. Yes.</p> <p>20 Q. Could you describe -- Could you give me a few</p> <p>21 examples of conversations that you've had with</p> <p>22 other individuals that have informed your view?</p> <p>23 A. Okay. Well, I've never talked to a Democrat who</p> <p>24 said, "We need to control everything. We need to</p> <p>25 silence the Republican point of view or the</p>	<p style="text-align: right;">Page 16</p> <p>1 A. Milwaukee County Democrats. It had to do with the</p> <p>2 organizing work I was doing with Supermarket</p> <p>3 Legends.</p> <p>4 Q. Are there any other reasons why you became a</p> <p>5 dues-paying member of the Democratic Party of</p> <p>6 Wisconsin?</p> <p>7 A. Well, as I got more involved in politics and I felt</p> <p>8 like it was important to work with the party</p> <p>9 structure as best that one could -- Naturally, I</p> <p>10 didn't agree with everything they were doing and</p> <p>11 agree with their strategy, so my feeling was if I</p> <p>12 want to be part of it, then I need to actually be</p> <p>13 part of it. If I want to make suggestions and</p> <p>14 criticisms, then I actually need to make myself</p> <p>15 part of the group.</p> <p>16 Q. You mention you didn't agree with everything they</p> <p>17 were doing. Can you give me an example of</p> <p>18 something you didn't agree with -- agree that the</p> <p>19 Democratic Party of Wisconsin was doing?</p> <p>20 A. A lot of it had to do with campaign strategy, and</p> <p>21 generally speaking, they would hire a statewide</p> <p>22 organizer to produce materials, and those materials</p> <p>23 were then applied statewide. I didn't think that</p> <p>24 was appropriate particularly in Milwaukee because</p> <p>25 there's a different set of priorities there, and</p>
<p style="text-align: right;">Page 15</p> <p>1 conservative point of view."</p> <p>2 Q. Have you had a conversation with a Republican in</p> <p>3 which Republicans have said, "We need to control</p> <p>4 everything, and we need to silence the Democratic</p> <p>5 point of view"?</p> <p>6 A. Not a direct conversation, but I have read articles</p> <p>7 about the strategy and why these strategies were</p> <p>8 developed, and so those interviewers came to that</p> <p>9 conclusion. So it's not a direct conversation.</p> <p>10 It's based on things I've read.</p> <p>11 Q. Let's go back to your response to Interrogatory</p> <p>12 No. 4, and I just want to walk through the three</p> <p>13 parties, how you were involved and what that was</p> <p>14 like.</p> <p>15 A. Okay.</p> <p>16 Q. So you joined the Democratic Party of Wisconsin in</p> <p>17 2013; is that right?</p> <p>18 A. Yes.</p> <p>19 Q. And what made you start paying dues in 2013 to the</p> <p>20 Democratic Party of Wisconsin?</p> <p>21 A. Well, to be perfectly honest, it was because I got</p> <p>22 named as Democrat of the Year for Milwaukee County,</p> <p>23 and I had to pay the dues to go to the banquet.</p> <p>24 Q. That's a riot. What caused you to be named</p> <p>25 Democrat of the Year in Milwaukee County?</p>	<p style="text-align: right;">Page 17</p> <p>1 you need to address people's specific concerns and</p> <p>2 values if you want them to come over to your side.</p> <p>3 Q. Do you think campaigns have to be run differently</p> <p>4 in Milwaukee than, say, Madison?</p> <p>5 A. Yes.</p> <p>6 Q. Why is that?</p> <p>7 A. There are some significant demographic differences.</p> <p>8 Milwaukee has a lot of low-income neighborhoods.</p> <p>9 The racial makeup is different. Milwaukee is, as</p> <p>10 everyone knows, highly segregated by race and</p> <p>11 income, and so a piece of material that may be</p> <p>12 compelling in, say, Hayward is not necessarily</p> <p>13 going to speak to people living in a low-income</p> <p>14 neighborhood in Milwaukee just because the</p> <p>15 priorities for policy are different, and there's</p> <p>16 also some practical things.</p> <p>17 For example, in some neighborhoods people</p> <p>18 don't answer their doors, so if you're knocking on</p> <p>19 doors, you're not actually reaching voters very</p> <p>20 efficiently.</p> <p>21 Q. Do you attend meetings for the Democratic Party of</p> <p>22 Wisconsin?</p> <p>23 A. I attend the -- I try to attend the meetings of the</p> <p>24 county Democrats. I don't get there to every</p> <p>25 meeting because they're not at a time that's</p>

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1 convenient for me, but I do attend occasionally and
 2 participate.
 3 Q. About how often would you guess you attend
 4 meetings?
 5 A. Maybe four times a year.
 6 Q. And how many people are at those meetings?
 7 A. Oh, it really varies. I'd say between 40 and 100.
 8 Q. In addition to the meetings, are there events that
 9 you attend?
 10 A. Sometimes I attend their annual dinner. I think
 11 they have an annual picnic as well that I sometimes
 12 attend.
 13 Q. Are these meetings, annual dinners, annual picnics
 14 opportunities for you to get together with
 15 like-minded people and discuss political ideas?
 16 A. Yes.
 17 Q. Are you on a mailing list for the Democratic Party?
 18 A. Yes.
 19 Q. Is there anything else you do as a member of the
 20 Democratic Party of Wisconsin?
 21 A. I offer the Democratic Party voter information
 22 materials that my other group has developed for
 23 their use if they care to use them.
 24 Q. Let's talk to your other group, Supermarket
 25 Legends.

Page 19

1 A. Okay.
 2 Q. Did you join -- Did you found Supermarket Legends
 3 in 2011?
 4 A. Yes. Along with another person.
 5 Q. And who is that other person?
 6 A. Jim Brown.
 7 Q. What made you found Supermarket Legends in 2011?
 8 A. There were a handful of people who felt that the
 9 recall petitioning work and the campaign work that
 10 was coming out of the Democratic Party campaign
 11 offices was not as efficient as it could be, and we
 12 felt that we could better tailor the materials to
 13 Milwaukee voters and that we could develop a
 14 different strategy which basically involved going
 15 where people are rather than expecting people to
 16 come to you or to answer their door to a complete
 17 stranger. So we actually did and do stand out in
 18 front of supermarkets, hence the name.
 19 Q. And you stand out in front of supermarkets to meet
 20 voters -- potential voters as they come into the
 21 supermarket to talk to them about the issues?
 22 A. We talk to them about voting, the importance of
 23 voting. We help them register to vote. And then
 24 around election time, depending on the election, we
 25 may or may not issue -- print up endorsement cards

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1 and hand those out as well. One of the things that
 2 we do is we very strongly encourage people to
 3 participate in early voting. So we make sure that
 4 our Milwaukee voters know when and where they can
 5 vote and what they need to bring with them.
 6 Q. What's an endorsement card?
 7 A. So an endorsement card, the ones that we have
 8 produced have the election day information and
 9 early voting information, help lines on one side,
 10 and on the other side it lists the candidates that
 11 Supermarket Legends have decided as a group are
 12 those best for Milwaukee.
 13 Q. And is the endorsement card something a voter could
 14 bring with them to the election?
 15 A. Yes. It's a quarter sheet of paper, and most
 16 people do hold on to it. They -- They are happy to
 17 have the information, and they may bring it into
 18 the polling place or they may not. It's up to the
 19 voter. I have seen them in polling places.
 20 Q. You mentioned one of the reasons you founded
 21 Supermarket Legends is because you thought you
 22 could better tailor certain election -- or certain
 23 campaign materials to Milwaukee voters; is that
 24 right?
 25 A. Yes.

Page 21

1 Q. Could you give me an example of how you have better
 2 tailored election materials to Milwaukee voters for
 3 the recall election?
 4 A. Oh, boy. I'm trying to remember what materials we
 5 did for the recall election.
 6 Q. Or if that's too far back, feel free to just pick
 7 any of --
 8 A. I could talk about some more recent --
 9 Q. Perfect.
 10 A. So two examples. One would be the spring
 11 elections, the non-partisan elections, they don't
 12 get as much attention in the media, and so a lot of
 13 times we find that voters are not aware that these
 14 elections are going on. And a lot of people are
 15 traveling that time of year, so they're very happy
 16 to receive a card that tells them when they can
 17 vote, what's on the ballot, some recommendations.
 18 You know, they don't -- obviously don't need to
 19 follow those recommendations, but it gives them a
 20 starting place if they want to look into who the
 21 different candidates are.
 22 Now, how that differs between a statewide
 23 material -- Well, statewide -- The statewide
 24 materials are only going to talk about statewide
 25 offices, and my group is very strongly encouraging

Page 22	Page 24
<p>1 voters to participate not once every two years or 2 once every four years, but every election. So we 3 want to give them that information that they need 4 to develop that pattern of voting in the spring as 5 well as in the August and the November elections. 6 Early voting availability happens 7 everywhere in Wisconsin, but the form it takes 8 differs, and that's up to the municipal clerk or 9 the county clerk. So my cards for Milwaukee voters 10 are going to be very specific what to do if you're 11 a Milwaukee voter, whereas the state Democratic 12 Party can't really hand that out to every campaign 13 office because it simply wouldn't apply. 14 Q. Do you have dues-paying members for Supermarket 15 Legends? 16 A. No. We do not have dues. 17 Q. Do you have -- Can you become a member of 18 Supermarket Legends? 19 A. Yes. 20 Q. How many members do you have? 21 A. I have 559 people on the mailing list right now. 22 Q. Has the group exceeded expectations for you? 23 A. I can't really answer that because I didn't have 24 specific expectations for it. 25 Q. When you started Supermarket Legends, did you</p>	<p>1 transition. Now I'm transitioning out as leader 2 and transitioning some new people in, so that 3 process may change a little bit, but it's really 4 very simple. We do almost all of our business 5 through e-mail. 6 Q. Do volunteers work with other volunteers at 7 particular locations? 8 A. Sometimes. Particularly if they've not volunteered 9 in the past, we pair them up with an experienced 10 volunteer so that they have the confidence that 11 they understand what they're doing. Once they've 12 -- If we're doing, say, voter registration, that's 13 a little more complicated, so they're going to need 14 to do that two or three times, and then they'll 15 feel like they're ready to go on their own. 16 If they're just handing out endorsement 17 cards, anyone can do that. That doesn't require 18 any training. I give them a little bit -- you 19 know, just some tips, but it doesn't require any 20 kind of formal training. 21 Q. Do you meet with volunteers to conduct training? 22 A. I do. I conduct training sessions about voter 23 registration and about ID for voting so that my 24 volunteers are well-informed. Sometimes I send 25 them to other groups' training. For example, the</p>
<p>1 expect to get 559 people on your mailing list? 2 A. I didn't even think about it. 3 Q. Do you have meetings? 4 A. Very rarely. 5 Q. How often? 6 A. Once, twice, or three times a year. 7 Q. How do you -- How -- I want to figure out how it 8 works day to day. So how do you decide who goes to 9 the supermarket so that they can meet up with 10 voters? 11 A. Okay. So how it works is if someone expresses an 12 interest in participating and volunteering for the 13 work, then they get on the e-mail list. Each 14 e-mail has updates of any changes to the voting 15 laws that people would need to be aware of, and 16 then it has a list of volunteer opportunities. So 17 they're not just supermarkets, but, for example, we 18 go to community events, street fairs, anything like 19 that where there's a gathering of people where we 20 can be there and talk to them about voting. 21 So the e-mail has a list of events, and 22 if somebody wants to volunteer, they simply respond 23 to the e-mail. And up until now I have then 24 plugged them into whichever event I can use their 25 help with. Now, the group is undergoing a</p>	<p>1 League of Women Voters regularly does voter 2 registration training. 3 Q. And do you have regularly scheduled training 4 sessions? 5 A. No. I schedule mine when I feel they're needed. 6 So if we've got, say, an election coming up and 7 we've got new volunteers, I'll schedule a training 8 or two, and then they can show up if they like. 9 Training is not required. As you know, the state 10 used to have a system whereby people were actually 11 certified for this, and the legislature took that 12 away. So the training is not formally required. 13 However, the group requires it because we want to 14 do a good job. 15 Q. How do you decide as Supermarket Legends who to 16 endorse on your endorsement card? 17 A. Usually the -- a few people that are really 18 involved in the leadership get together, and we 19 research the candidates and sort of make a list of 20 recommendations. That goes out to all the people 21 on the e-mail list, and then they can e-mail back 22 concurring, or maybe they want a different person. 23 Occasionally for an office if there's a split, 24 we'll actually list both candidates on the 25 endorsement card.</p>
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1 Q. If a volunteer were to e-mail you back about a
 2 candidate you had proposed for endorsement, do the
 3 other volunteers see their e-mail, or is it just a
 4 one-way conversation?
 5 A. It's just one way. However, I update them and say,
 6 "We had 15 people who wanted Candidate B rather
 7 than Candidate A." So that kind of gives them
 8 another chance to weigh in if they suddenly
 9 realize, "Well, maybe I'm with the Bs and not with
 10 the As."
 11 Q. Have you received any e-mails with substantive
 12 thoughts about the candidates or just the
 13 candidates' names?
 14 A. Oh, there are actually thoughts and opinions
 15 included.
 16 Q. Is it fair to say that when members of Supermarket
 17 Legends are e-mailing back and forth about
 18 candidates up for office, they're not just
 19 e-mailing the candidates' names. They're also
 20 e-mailing the reasons why they like that candidate?
 21 A. Yes. Particularly if they disagree, then they'll
 22 explain, you know. And that's because they want to
 23 make sure that I considered whatever issue is
 24 important to them or that I and the other
 25 leadership considered it when we made the

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1 recommendations.
 2 Q. Have you ever endorsed a Republican candidate on
 3 your endorsement card?
 4 A. No.
 5 Q. Have you ever endorsed an independent candidate on
 6 your endorsement card?
 7 A. I believe -- I believe we endorsed -- I don't know
 8 if you consider it independent. I believe we
 9 endorsed Angela Walker who ran as a Socialist.
 10 Q. Did Angela Walker run as a Socialist in the
 11 sheriff's?
 12 A. Yes.
 13 Q. Have you ever endorsed any other third-party
 14 candidates?
 15 A. I can't think of any.
 16 Q. Why have you never endorsed a Republican candidate?
 17 A. Because in looking -- researching the candidates, I
 18 have never felt that the Republicans who were
 19 running for office -- the policies that they
 20 advocated were the best policies for the city of
 21 Milwaukee.
 22 Q. When evaluating candidates who will be running for,
 23 say, an assembly district, are you still evaluating
 24 them based on what they can do in the state
 25 assembly for the city of Milwaukee?

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1 A. Yes.
 2 Q. Do you think that it's important for Milwaukee to
 3 have a representative in the state assembly who
 4 thinks about Milwaukee first?
 5 A. Yes.
 6 Q. Who's loyal to Milwaukee?
 7 A. Yes.
 8 Q. One more group that we should talk about. You --
 9 Is it correct that you joined Grassroots North
 10 Shore in 2010?
 11 A. 2010 or 2011, yes. Whatever I wrote on here should
 12 be correct. Yeah. 2010.
 13 Q. And what is Grassroots North Shore?
 14 A. It's a group of Democrats that get together to help
 15 candidates to do canvassing, fundraising events
 16 occasionally. It's independent from the Democratic
 17 Party. It's not an arm of the Democratic Party,
 18 but they support Democratic candidates.
 19 Q. Do you know whether there are any Republicans in
 20 Grassroots North Shore?
 21 A. I don't know.
 22 Q. Have you ever met another member of Grassroots
 23 North Shore who is a Republican?
 24 A. Not that I know of.
 25 Q. Have you ever met a member of Grassroots North

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1 Shore who is a member of a third party?
 2 A. I don't think so. I'm not sure, but I don't think
 3 so.
 4 Q. Is it fair to say that most members of Grassroots
 5 North Shore appear to be Democrats?
 6 A. Yes.
 7 Q. Why did you become a member in 2010?
 8 A. I was working on the campaign to recall Governor
 9 Walker and State Senator Alberta Darling, and they
 10 were one of the offices that was used for that
 11 purpose, helping people figure out where to go to
 12 get signatures, and then they were also processing
 13 the petitions as they came in.
 14 Q. Did they have the equivalent of a campaign office?
 15 Did they have an office --
 16 A. Yes.
 17 Q. -- that they were working out of?
 18 A. Yes.
 19 Q. Did people come in and out of that office daily --
 20 Let me ask you an easier question. Was the office
 21 the hub of Grassroots North Shore?
 22 A. Yes.
 23 Q. Did you attend meetings of Grassroots North Shore
 24 at this office?
 25 A. I don't remember attending any meetings there. It

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1 was a small building.
 2 Q. Did Grassroots North Shore or has Grassroots North
 3 Shore hosted any events?
 4 A. Yes.
 5 Q. Could you list for me the events they've hosted?
 6 A. They host several events every year. They have a
 7 fundraising dinner, they have a picnic, I think.
 8 They sometimes host speakers, and when there's
 9 campaigns going on, they -- they're sort of a hub
 10 where you can go and get a walk list if you want to
 11 do canvassing or -- and they sometimes host phone
 12 banks as well.
 13 Q. Would you consider Grassroots North Shore a pretty
 14 active organization?
 15 A. Yes.
 16 Q. Do you have a sense of how many members they have?
 17 A. I believe their mailing list is over 1,000, but I
 18 don't know specifically.
 19 Q. And the "North Shore" in the name of Grassroots
 20 North Shore refers to the north shore of Wisconsin;
 21 is that right?
 22 A. The north shore of Lake Michigan, yeah.
 23 Q. Aside from volunteering with the recall elections
 24 in 2010, how else have you volunteered with
 25 Grassroots North Shore?

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1 A. I help with their fundraisers sometimes. I think
 2 I've helped with some miscellaneous tasks along the
 3 way, but I don't -- I'm more focused on Supermarket
 4 Legends' work, and we talk to each other so we
 5 don't overlap each other's efforts. And again, I
 6 -- my group produces a lot of informational
 7 materials, and we share those with Grassroots North
 8 Shore if they feel like they can use them.
 9 Q. Other than Grassroots North Shore and League of
 10 Women Voters, what other groups has Supermarkets
 11 Legends worked with?
 12 A. I wouldn't say we work with League of Women Voters.
 13 Q. Okay.
 14 A. We work separately, but we are aware of each
 15 other's efforts. We're in communication about each
 16 other's efforts. I try to be in communication with
 17 the Democratic Party organizers, some of the groups
 18 on campus. For example, at MATC there's a League
 19 of Student Voters. Let's see. There's a lot of
 20 groups in the city that do similar efforts in voter
 21 education and voter registration, so I actually
 22 have a list of who's doing what, and it's not --
 23 It's never accurate, needless to say, but I don't
 24 -- We don't strategize together. We just pay
 25 attention to where the gaps might be, and my group

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1 is probably the most flexible. So I will look at
 2 that list and I'll say, "Well, here's a place where
 3 we could do some good. Here's a place where our
 4 efforts are needed," and I try to be strategic in
 5 that way.
 6 Q. Is one of the ways you communicate with League of
 7 Women Voters or Grassroots North Shore by giving
 8 them your literature?
 9 A. Yes. Although I will say that League of Women
 10 Voters is very skittish about taking my literature.
 11 Q. Why is that?
 12 A. Because of how they're structured. They require
 13 their own logo -- their own stamp to be on there.
 14 Q. Right.
 15 A. And I understand that.
 16 Q. You mention you have a list of who's doing what.
 17 How many groups do you think are on that list?
 18 A. Maybe 30.
 19 Q. Do you think most of those groups are more liberal
 20 groups?
 21 A. Yes.
 22 Q. How many -- Let me start over. For your
 23 Supermarket Legends group, you mentioned you have
 24 559 volunteers on your mailing list right now; is
 25 that correct?

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1 A. Yes.
 2 Q. Are most of your volunteers Democrats?
 3 A. Yes.
 4 Q. Do you know of any volunteers who are Republicans?
 5 A. No.
 6 Q. Do you know of any volunteers who are members of
 7 third parties?
 8 A. No.
 9 Q. Are any of your volunteers registered Socialists?
 10 A. Well, I can't answer that question because we don't
 11 register with parties in Wisconsin. We don't have
 12 registered Socialists.
 13 Q. Let's switch gears and talk about your own voting
 14 patterns.
 15 A. Okay.
 16 Q. Are you a regular voter?
 17 A. Yes.
 18 Q. Have you voted in every election since you were
 19 eligible to vote?
 20 A. No.
 21 Q. Do you recall which elections you were unable to
 22 vote in?
 23 A. I probably chose not to vote in local elections
 24 when we first moved to Wisconsin because I didn't
 25 know enough about the political scene yet to make a

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1 choice.

2 Q. In the last ten years have you voted in every

3 election?

4 A. I believe so.

5 Q. Do you think it's important to vote in every

6 election?

7 A. Yes.

8 Q. Why?

9 A. One of the reasons that the policies I favor do not

10 get implemented and supported in the courts is

11 because my like-minded people tend not to vote in

12 every election; and therefore, we may win the

13 majority at the state and national level, but we

14 are losing at the local level simply because of a

15 lack of participation.

16 Q. Do you think by your voting in every election you

17 are encouraging your peers to also vote in every

18 election?

19 A. Yes.

20 Q. You're an example to them?

21 A. Yes.

22 Q. And do you think it's important to vote in every

23 election even if your candidate is sure to win?

24 A. Yes.

25 Q. Do you think it's important to vote in every

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1 election even if your candidate is sure to lose?

2 A. Yes.

3 Q. Have you voted in both primaries and general

4 elections?

5 A. Yes.

6 Q. Did you vote in the Democratic presidential primary

7 in the 2008 election?

8 A. Yes.

9 Q. Do you recall who you voted for in the Democratic

10 presidential primary for the 2008 election?

11 A. I believe I voted for Barack Obama.

12 Q. Why did you vote for Barack Obama instead of

13 Secretary Clinton?

14 A. I thought that Obama had good political instinct

15 and good political skills that would allow him to

16 get some good policies through. Policywise, I

17 didn't find the two candidates terribly different,

18 but I felt like he was -- had a better strategy,

19 and I also was -- I also found his campaign

20 strategy and his fundraising strategy appealing.

21 Q. What about it was appealing to you?

22 A. He seemed to be asking for small donations rather

23 than large donations, and I felt like that would

24 make him more accountable to his voters and not so

25 much accountable to large corporate donors.

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1 Q. What about his political instincts were attractive

2 to you?

3 A. He seemed to have a personality that won people

4 over to him.

5 Q. Is personality something you consider when deciding

6 which candidates to vote for?

7 A. Not usually.

8 Q. Is it fair to say that at least in the 2008

9 Democratic presidential primary, personality

10 mattered to you in deciding to vote for President

11 Obama over Hillary Clinton?

12 A. I think his personality as one piece of his ability

13 to strategize and be successful, yes.

14 Q. Do you think President Obama's personality caused

15 more people to vote than otherwise would have?

16 A. Yes.

17 Q. Is a candidate's ability to get out the vote an

18 important factor in deciding who to vote for?

19 A. Yes.

20 Q. Did you vote in the 2016 presidential primary?

21 A. Yes.

22 Q. Whom did you vote for in the 2016 presidential

23 primary?

24 A. I voted for Bernie Sanders.

25 Q. And why did you vote for Bernie Sanders and not

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1 Secretary Clinton?

2 A. I -- Sanders' political policy views were more in

3 line with my own.

4 Q. Did you notice material differences between Senator

5 Sanders' policy views and Secretary Clinton's

6 policy views?

7 A. To some extent, yes.

8 Q. Could you give me an example?

9 A. I thought Senator Sanders had a better platform as

10 concerned the costs of college, student loan debt

11 and tuition costs.

12 Q. Anything else?

13 A. I think he had a better plan regarding health care

14 costs and keeping down the cost of health care.

15 Q. Did you vote in the Democratic primary for the 2018

16 gubernatorial race in Wisconsin?

17 A. Yes.

18 Q. Whom did you vote for in the Democratic primary for

19 that race?

20 A. I voted for Kathleen Vinehout.

21 Q. Why did you vote for Senator Vinehout? Is Kathleen

22 Vinehout a senator in the --

23 A. She was. I can't -- Did she resign, though, to

24 run? Did she? I can't remember. Anyway --

25 Q. Why did you vote for her instead of Governor Evers?

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1 A. Evers.
 2 Q. Evers.
 3 A. Again, she's a great political strategist. I've
 4 observed her in action in Madison. She's extremely
 5 knowledgeable. She's extremely good with
 6 understanding the budget process which is most of
 7 what the legislature has to deal with.
 8 Q. Did her gender have any influence in your deciding
 9 to support her as a candidate instead of others in
 10 the gubernatorial race?
 11 A. No.
 12 Q. Why not?
 13 A. That's just not a factor that I take into account.
 14 Q. Have you ever been prevented from voting in federal
 15 elections?
 16 A. No.
 17 Q. Have you ever been prevented from voting in state
 18 or local elections?
 19 A. No.
 20 Q. Do you have any reason to believe that when you
 21 have walked into the polls and cast your vote that
 22 your vote was not counted?
 23 A. No.
 24 Q. All right. If you want to turn back to your
 25 interrogatories. Interrogatory No. 7 asks about

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1 your political activity since 2002. So we've
 2 already talked about Supermarket Legends, which is
 3 the second bullet point you put here. Do you see
 4 that?
 5 A. Um-hum.
 6 Q. In the third bullet point you talk about how you
 7 were involved in the efforts to recall Governor
 8 Walker and State Senator Alberta Darling in 2012.
 9 Was that the volunteer work we've already discussed
 10 in conjunction with Grassroots North Shore?
 11 A. Yes.
 12 Q. Did you do anything in addition to volunteering
 13 with Grassroots North Shore as part of your efforts
 14 to recall Governor Walker and State Senator Alberta
 15 Darling in 2012?
 16 A. I'm -- I supported the campaign of -- the campaigns
 17 of the people running against them. I don't know
 18 if that's what you're talking about. And just to
 19 clarify, the Grassroots North Shore office was
 20 hosting that effort. I -- I'm not 100 percent sure
 21 about this, but I believe the effort was the
 22 Democratic Party of Wisconsin. They were sharing
 23 an office for that effort.
 24 Q. I see. That makes sense. What else has Grassroots
 25 North Shore -- Let me start over. What other

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1 issues has Grassroots North Shore become involved
 2 in since 2011?
 3 A. They do some candidate recruitment. They try to
 4 have a voice with the Democratic Party of
 5 Wisconsin. So, for example, when the DPW was
 6 hiring a new director, those candidates came and
 7 met with the leadership of Grassroots North Shore
 8 and were interviewed by them. I think they try to
 9 do some candidate recruitment, but a lot of what
 10 they do is helping with campaign work.
 11 Q. Is Grassroots North Shore seen as a more
 12 progressive group than the Democratic Party of
 13 Wisconsin?
 14 A. No. I don't think so.
 15 Q. How does Grassroots North Shore help with -- help
 16 support candidates?
 17 A. They make endorsements to their membership. They
 18 help people organize campaign outreach; for
 19 example, door-to-door. They help organize phone
 20 banking for campaigns, and they do some
 21 get-out-the-vote phone banking as well.
 22 Q. Going back to your response to Interrogatory No. 4,
 23 I'm looking at the first bullet where you write
 24 you've done minor volunteer work on several
 25 campaigns.

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1 MS. GREENWOOD: Objection. You're
 2 talking about Interrogatory 7, I think.
 3 MS. MEEHAN: Hmm?
 4 MS. GREENWOOD: You just mentioned it was
 5 Interrogatory 4. I think it's Interrogatory 7.
 6 MS. MEEHAN: Oh.
 7 MS. GREENWOOD: Just for the record.
 8 BY MS. MEEHAN:
 9 Q. Sorry. Looking at Interrogatory No. 7 -- your
 10 response to Interrogatory No. 7, you write,
 11 "Plaintiff has done minor volunteer work on several
 12 campaigns, canvassing or making phone calls, but
 13 she does not remember all of the specifics. Those
 14 would include the campaigns of" -- Could you
 15 pronounce her name?
 16 A. Nikiya.
 17 Q. "-- Nikiya Harris, Mandela Barnes and Chris
 18 Rockwood, perhaps some others she has forgotten."
 19 Is Nikiya Harris Nikiya Harris Dodd?
 20 A. Yes.
 21 Q. And when you did minor volunteer work for her, do
 22 you recall what office she was running for?
 23 A. I believe she was running for the state Senate.
 24 Q. And do you recall what year that would have been?
 25 A. No, I don't.

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1 Q. Was it after 2011?
 2 A. Yes.
 3 Q. And what did you do, if you can recall, to
 4 volunteer for her campaign?
 5 A. I did canvassing.
 6 Q. Does canvassing include knocking on doors?
 7 A. Knocking on doors, yes.
 8 Q. Do you recall what office Mandela Barnes was
 9 running for when you campaigned for him?
 10 A. I believe when he ran for state assembly, but also
 11 in the -- in one of the primaries he ran against
 12 Lena Taylor, and I campaigned for him during that
 13 election cycle, that primary cycle.
 14 Q. The primary he would have run against Lena Taylor,
 15 that would be for state Senate?
 16 A. For state Senate, yes.
 17 Q. Do you recall also volunteering for Mandela Barnes
 18 when he was running for state assembly?
 19 A. I think I did, yes.
 20 Q. Do you recall when that would have been?
 21 A. No.
 22 Q. Was Mandela Barnes running for state assembly in
 23 your district?
 24 A. I think so. I'm not sure.
 25 Q. Is it possible you would have been supporting

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1 Mandela Barnes in his race for state assembly in
 2 another district?
 3 A. It's possible, yes.
 4 Q. Do you recall other instances when you've supported
 5 candidates running for state assembly in other
 6 districts?
 7 A. Yes. I believe Nikiya Harris -- Well, that was
 8 state Senate, but she lives in a different
 9 district. And also Chris Rockwood would have been
 10 a different district as well.
 11 Q. Do you recall when that was that you volunteered
 12 for Chris Rockwood?
 13 A. No. I don't remember.
 14 Q. Why did you decide to volunteer for candidates
 15 running in other districts?
 16 A. In hopes that they would get elected, and then
 17 there's more people on my side making the policies.
 18 Q. How did you volunteer for these candidates running
 19 for assembly in different districts?
 20 A. A little bit of phone banking, a little bit of
 21 canvassing, placing a yard sign in my yard, and
 22 just talking to other people about the candidates.
 23 Q. Do you recall who you had a yard sign for of the
 24 candidates we've been discussing?
 25 A. Oh, probably all of them. I don't recall. I do a

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1 lot of yard signs.
 2 Q. How many yard signs did you have in your yard for
 3 the 2018 general election?
 4 A. Six.
 5 Q. Do you recall which candidates you had yard signs
 6 in your yard for?
 7 A. Evers and Barnes. Oh, now, see, this is like
 8 trying to name the seven dwarfs.
 9 Q. It's okay if you can't remember them all.
 10 A. Let's see. Who was running for what? David Bowen.
 11 Honestly, I don't remember.
 12 Q. Mr. Bowen is your current representative.
 13 A. Yes.
 14 Q. Is that correct?
 15 A. Yeah. Oh. The other statewide. Sarah Godlewski,
 16 and I'm trying to remember who else was in there --
 17 the statewide offices, and those would have been
 18 the Democrats.
 19 Q. Did you have a yard sign for Tammy Baldwin?
 20 A. Yes.
 21 Q. Do you donate to candidates?
 22 A. Yes.
 23 Q. Did you donate to candidates for political office
 24 in 2018?
 25 A. Yes. I believe so.

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1 Q. If you -- Actually, if you just want to flip to --
 2 A. Yeah.
 3 Q. -- Exhibit A of your interrogatory response --
 4 A. Okay.
 5 Q. -- as well as Exhibit B and Exhibit C. Do these
 6 three exhibits, Exhibits A, B and C to your
 7 interrogatory response, look like an accurate and
 8 complete list of all the candidates or political
 9 committees you've donated to since 2002?
 10 A. Yes. Except where there are corrections made.
 11 There was a contribution that got listed three
 12 times. That was a mistake.
 13 Q. Um-hum.
 14 A. And then this -- the -- on the -- It's not the
 15 state website, but the Wisconsin Democracy Campaign
 16 website, they listed my employer incorrectly.
 17 Q. Um-hum.
 18 A. So other than that, yes.
 19 Q. Did you donate to Representative Bowen or his
 20 political action committee for the 2018 election?
 21 A. Yes.
 22 Q. And why did you decide to do that?
 23 A. I'm a strong supporter of David Bowen. He does an
 24 excellent job representing his district, so I try
 25 to support him when he asks for money.

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1 Q. Have you ever donated to candidates who ultimately
 2 lose their elections?
 3 A. Yes.
 4 Q. Why do you donate to candidates -- Have you ever
 5 donated to candidates knowing that they will likely
 6 lose their election?
 7 A. I probably have.
 8 Q. Why would you donate to a candidate even though it
 9 seemed more likely that they might lose their
 10 election than not?
 11 A. I think it's important that the different
 12 candidates get their message out so that people
 13 have more of a choice.
 14 Q. Have you ever thought about running for office
 15 yourself?
 16 A. No.
 17 Q. Why not?
 18 A. I don't think it suits my personality. I'm not
 19 that gregarious, not a people person. Also, I
 20 don't really have the personal resources to pay for
 21 campaigning.
 22 Q. Any other reasons?
 23 A. No.
 24 MS. MEEHAN: Do you guys want to take a
 25 five-minute break?

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1 MS. GREENWOOD: Yeah. That would be
 2 great.
 3 THE VIDEOGRAPHER: Going off the record
 4 at 1:08.
 5 (A break was taken.)
 6 THE VIDEOGRAPHER: We are back on the
 7 record at 1:21, Media No. 2.
 8 BY MS. MEEHAN:
 9 Q. Do you consider yourself an informed voter?
 10 A. Yes.
 11 Q. Do you follow the news?
 12 A. Yes.
 13 Q. Do you watch the debates?
 14 A. I listen to the debates on the radio.
 15 Q. Do you read about the candidates?
 16 A. Yes.
 17 Q. How else do you become familiar with the
 18 candidates' positions?
 19 A. I read articles, attend forums, visit websites that
 20 have summaries of the different positions of the
 21 different candidates.
 22 Q. Before deciding who to vote for, do you evaluate
 23 each candidate's position on certain issues?
 24 A. Yes.
 25 Q. What else matters when deciding who to vote for?

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1 A. I think the candidate's personal integrity is
 2 important, their ability to get things done is
 3 important, their willingness to work hard. How
 4 well I feel they're going to represent their
 5 specific constituents is a factor as well.
 6 Q. What do you mean by "how well a candidate will
 7 represent their specific constituents"?
 8 A. Whether the candidate will make decisions based on
 9 what they perceive to be in the best interests of
 10 their district and being able to present the
 11 different options to their district and hearing
 12 people -- actually listening to the constituents'
 13 views about the different decisions that that
 14 person's going to be making.
 15 Q. Does charisma matter to you when deciding whether
 16 to vote for a candidate?
 17 A. No.
 18 Q. Does a candidate's speaking ability matter to you?
 19 A. No.
 20 Q. Does a candidate's race matter to you?
 21 A. Not as a primary concern. However, if a candidate
 22 is representing a district that is of a different
 23 ethnic background than the candidate, I think they
 24 should at least demonstrate a competency in a
 25 cultural knowledge and an understanding of the

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1 issues faced by that larger community.
 2 Q. Do you think an African American candidate might
 3 better understand issues for African Americans in a
 4 predominantly -- Let me start over. Do you think
 5 an African American candidate might better
 6 understand his constituents' issues if he's running
 7 in a predominantly African American district
 8 compared to a non-African American candidate?
 9 A. Well, he might, yes.
 10 Q. If there were a Democrat running for office with
 11 the same personality as President Trump, would you
 12 be able to vote for that Democrat?
 13 A. I can't accept the premise of your question. I
 14 don't know of any Democrats with a personality even
 15 remotely like President Trump.
 16 Q. If there were a candidate -- If there were a
 17 candidate -- Can you accept the premise of my
 18 question? So if there were a candidate running for
 19 office who was a Democrat but had the same
 20 personality as President Trump, would you have
 21 concerns about that candidate?
 22 A. I would have concerns about it, but obviously it's
 23 going to depend on the choice.
 24 Q. When you say, "It's going to depend on the choice,"
 25 does that mean who that candidate would be running

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1 against?
 2 A. Yes.
 3 Q. If you agreed with a candidate -- Does anything
 4 else matter to you when deciding who to vote for?
 5 A. Policies, experience, skills, ability to make
 6 things happen, willingness to listen, political
 7 philosophy. Those would be the main ones.
 8 Q. Does age matter to you?
 9 A. No.
 10 Q. Would you show up to the polls and vote for someone
 11 just because they are a Democrat on the ticket?
 12 A. No.
 13 Q. Did you vote for David Clarke?
 14 A. No.
 15 Q. Who did you vote for instead of David Clarke? And
 16 have you voted in the past for Angela Walker
 17 instead of David Clarke?
 18 A. Yes.
 19 Q. Is Angela Walker a Socialist?
 20 A. Yes.
 21 Q. Is David Clarke a Democrat?
 22 A. Not to my thinking, he's not.
 23 Q. Did David Clarke run as a Democrat?
 24 A. Yes.
 25 Q. Why is David Clarke not to your thinking a

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1 Democrat?
 2 A. Because he proposes policies that are not in line
 3 with any other democrat's. His political
 4 philosophy is very conservative, and he sought a
 5 job in the Trump administration.
 6 Q. Do you think any Democrats -- Do you think any
 7 genuine Democrats would seek a job in the Trump
 8 administration?
 9 A. No.
 10 Q. Why not?
 11 A. Because I think President Trump represents an
 12 extreme version of a presidency and an extreme
 13 version of republicanism. I think that Democrats
 14 would find it difficult to work with him and also
 15 would place them in some peril of having to quit or
 16 to be fired or to have their own reputation
 17 tarnished by association.
 18 Q. Do you think that all Republicans are the same?
 19 A. No.
 20 Q. Do you think that all Democrats are the same?
 21 A. No.
 22 Q. Do you think there are important policy
 23 disagreements between -- among Republicans?
 24 A. Yes.
 25 Q. Do you think there are important policy

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1 disagreements among Democrats?
 2 A. Yes.
 3 Q. Do you think there's common ground between
 4 Democrats and Republicans?
 5 A. Yes.
 6 Q. On what issues do you think there's common ground
 7 between Democrats and Republicans?
 8 A. I can name a few. James Sensenbrenner, who is a
 9 good Republican, actually came out in favor of
 10 restoration of voting rights, so that's a common
 11 ground. In Wisconsin right now I don't believe a
 12 majority of Republicans favored conducting the
 13 state's business in secret. They may have gone
 14 along with it, but I don't believe that they
 15 favored it. I'm not sure about some other issues
 16 such as right to work, what the -- Obviously, more
 17 Democrats than Republicans are against
 18 right-to-work laws, but I think there's quite a bit
 19 of overlap with workers, issues like that.
 20 Q. Do you think that there are Republicans in
 21 Wisconsin who might have voted for Donald Trump but
 22 who disagreed with Governor Walker's view on right
 23 to work?
 24 A. Yes.
 25 Q. Okay. I'm handing you Defendant's Dep. Exhibit

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1 No. 47.
 2 (Exhibit No. 47 was marked.)
 3 BY MS. MEEHAN:
 4 Q. If you just want to take a moment and review.
 5 MS. GREENWOOD: Thank you.
 6 MS. MEEHAN: Um-hum.
 7 BY MS. MEEHAN:
 8 Q. Do you recognize this document?
 9 A. Yes.
 10 Q. Is it an e-mail between you and Senator Schultz?
 11 A. Yes.
 12 Q. And when did you send this e-mail?
 13 A. June 8, 2013.
 14 Q. And who is Senator Schultz?
 15 A. He's a Wisconsin state senator -- or was at that
 16 time.
 17 Q. Is he a Republican?
 18 A. Yes.
 19 Q. Was he your senator?
 20 A. No.
 21 Q. Do you see where you wrote, "I'd just like to thank
 22 you for speaking truth to power on the Joy Cardin
 23 Show, as always"?
 24 MS. GREENWOOD: Objection. It says "and
 25 always" I think.

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<p>1 BY MS. MEEHAN: 2 Q. Oh. Do you see where your e-mail says, "I'd just 3 like to think you for speaking truth to power on 4 the Joy Cardin Show, and always"?" 5 A. Yes. 6 Q. Do you remember how Schultz spoke truth to power on 7 the radio show you reference here? 8 A. I don't remember what the specific issue was. 9 Q. Senator Schultz is no longer in -- is no longer a 10 senator; is that right? 11 A. Right. 12 Q. Did he retire -- Do you know why Senator Schultz 13 retired? 14 A. I believe he retired because his district was 15 redrawn in such a way that he wouldn't be 16 reelected. 17 Q. Is it possible Senator Schultz also retired because 18 of lack of bipartisan cooperation in the Senate? 19 A. I don't know. 20 Q. Do you see the next paragraph of your e-mail where 21 you say, "I was in Madison a few weeks ago to talk 22 to legislate organization about voting rights. I 23 met with your staffer, Todd Allbaugh, and he was 24 extremely helpful in advising me about how to 25 approach that process even though I am not your</p>	<p>1 Schultz? 2 A. Yes. 3 Q. Is that part of the reason why you wrote, "You do 4 Wisconsin proud"?" 5 A. I wrote that because I think at that time he was 6 getting a lot of pressure to get in line with the 7 Republican leadership, and I just wanted to give 8 him some personal support on holding to his own 9 values. 10 Q. By supporting Senator Schultz, do you think you 11 gave Senator Schultz strength to vote as he felt he 12 needed to vote and not vote as the Republican 13 leadership thought he should vote? 14 A. I have no way of knowing that. I just hope I made 15 him feel better about it. 16 Q. Do you remain involved in the political process? 17 Oh. You can put this to the side too if you want. 18 Do you remain involved in the political process by 19 contacting elected representatives? 20 A. Yes. 21 Q. In the last ten years how many times have you 22 written to your state senator? 23 A. I don't know, but when I gathered those letters up, 24 I believe there was 134. Now, some of them were 25 about other topics, and they were not all to</p>
<p>1 constituent and not a Republican. You do Wisconsin 2 proud"?" 3 A. Yes. 4 Q. Do you recall this meeting with Senator Schultz's 5 staffer? 6 A. I do recall a little bit about it. 7 Q. And you -- Do you recall talking with Senator 8 Schultz's staffer about voting rights? 9 A. Yes. I think what I was asking him was how to -- 10 what would be the best way to try to get some 11 policies introduced or changed in that regard. 12 Q. And Senator Schultz's office was helpful in 13 answering those questions? 14 A. Yes. 15 Q. Senator Schultz's office heard your questions even 16 though you are not one of Senator -- even though 17 you were not one of Senator Schultz's constituents. 18 Is that right? 19 A. Yes. 20 Q. And Senator Schultz's office listened to your 21 questions, answered your questions, even though you 22 were not a Republican; is that right? 23 A. Yes. 24 Q. Do you think there's some common ground between -- 25 was some common ground between you and Senator</p>	<p>1 legislators. 2 Q. Is it fair to say you've written more than 100 3 letters since 2002 to elected officials? 4 A. Yes. 5 Q. Have you also written to your assembly 6 representative? 7 A. Yes. 8 Q. Have you written to your governor? 9 A. Yes. 10 Q. And have you written to elected officials who do 11 not represent your assembly or Senate district? 12 A. Yes. 13 Q. Have you written to Wisconsin State Assembly 14 committee members? 15 A. Yes. 16 Q. Do you encourage your friends to contact their 17 representatives? 18 A. Yes. 19 Q. And why do you do that? 20 A. I think that the legislature is supposed to 21 represent the people, and I think we the people 22 make their job easier if they can hear from us, and 23 sometimes I encourage those comments to be in an 24 e-mail or in a written letter so that they have a 25 little bit more permanence than just leaving a</p>

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1 message on the phone line.
 2 Q. Do you encourage your friends to contact your
 3 representative -- their representatives even if
 4 your friends are represented by Republicans?
 5 A. Yes.
 6 Q. Do you -- In addition to writing letters to your
 7 elected officials, do you also call your elected
 8 officials?
 9 A. Very rarely.
 10 Q. About how many times since 2011 do you think you've
 11 called your elected officials?
 12 A. Two.
 13 Q. In addition to writing letters and calling your
 14 elected officials, do you testify at the Wisconsin
 15 State House from time to time?
 16 A. Yes.
 17 Q. How many times do you think you've testified since
 18 2011? Let me actually change the date on that.
 19 How many times do you think you've testified in the
 20 last ten years?
 21 A. I can't give you an exact number.
 22 Q. Less than --
 23 A. Eight maybe.
 24 Q. Sorry. Is it fair to say you've testified
 25 somewhere between five and ten times in the last

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1 ten years?
 2 A. I think so.
 3 Q. And what -- What topics have you testified on?
 4 A. I've testified on voting rights. I testified on
 5 the elimination of the government accountability
 6 board. I testified on local control issues a
 7 couple of times. One was when the legislature
 8 restructured the Milwaukee County Board. Let's
 9 see. What else? I'm sure there's others. I
 10 testified on some just issues of integrity and the
 11 process of how bills were -- I felt were not being
 12 properly considered before they were voted on.
 13 Q. Do you recall the names of the committees you've
 14 given testimony to?
 15 A. Joint finance, rules committee, which I think is a
 16 -- It was either the Senate or it was a joint
 17 committee. That I don't remember. I'd have to
 18 look them up.
 19 Q. Do you send over ink copy of your testimony to the
 20 committee afterward?
 21 A. Yes.
 22 Q. Since 2011 have you ever been prevented from
 23 testifying before a committee?
 24 A. I was discouraged but not prevented.
 25 Q. How were you discouraged from testifying before a

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1 committee?
 2 A. When they set up the -- It was a committee hearing
 3 here in Milwaukee, and they had made a policy --
 4 arbitrarily in my opinion -- that no one could
 5 bring anything into the room where the testimony
 6 was taking place. So, for example, I had a
 7 computer with me because, as I mentioned, I'm
 8 self-employed. I can't afford to take a whole day
 9 off from work. And they told me that if I entered
 10 with my computer, that I would be arrested.
 11 Q. What did you do?
 12 A. I went in anyway.
 13 Q. With your computer?
 14 A. Yes.
 15 Q. Did they arrest you?
 16 A. No.
 17 Q. Did anyone approach you about your computer once
 18 you went in?
 19 A. No. Because I was posing as a member of the media
 20 up until the time I testified.
 21 Q. After you testified did anyone approach you about
 22 your computer?
 23 A. Yes.
 24 Q. How so?
 25 A. The person sitting next to me told me I couldn't

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1 sit in the media section.
 2 Q. A reporter told you you had to go get a
 3 different --
 4 A. Yes.
 5 Q. That's funny. Any other times you've been
 6 discouraged from testifying since 2011?
 7 A. No. It's -- It's difficult sometimes because the
 8 public hearings -- There's very little public
 9 notice in advance, and, you know, it's Wisconsin.
 10 The weather might be bad. You have to get to
 11 Madison and back. So it's not always easy to
 12 testify in person, but I have not actually been
 13 prevented that I can think of.
 14 Q. Are you aware of Act 43?
 15 A. Yes.
 16 Q. When did you first learn about Act 43?
 17 A. I think I learned about it when the newspapers
 18 began reporting on the -- that the process was
 19 underway and how it was taking place.
 20 Q. Is it fair to say you first learned about Act 43
 21 sometime in 2011?
 22 A. Yes.
 23 Q. When did you first learn the Act 43 boundaries of
 24 your district?
 25 A. As soon as they were made public. That would have

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1 been in 2012, I think.

2 Q. You're claiming in this lawsuit that you were

3 harmed by the boundaries of your assembly district;

4 is that right?

5 A. Yes.

6 Q. How have the boundaries of your assembly district

7 harmed you?

8 A. I lived -- I was in a -- I live in a community that

9 votes about 80 percent, give or take, Democratic.

10 We were placed into a district that votes even more

11 heavily Democratic. We're a relatively small

12 portion of that new district, so basically our

13 votes no longer really influence the outcome of the

14 election even though we do have a high voter

15 participation.

16 In the previous district, the elections

17 were frequently competitive -- sometimes we elected

18 Democrats and sometimes we elected Republicans --

19 but in this new district the Republicans really

20 don't have a chance. So that's one way that it's

21 affected me is in diluting my vote and so that I

22 now have the sense that I can show up and vote or

23 not show up and vote. It's not going -- it's not

24 really going to impact the outcome of the election.

25 Another sense in which I feel that it has

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1 harmed me and my community is that we're now in

2 with a city -- City of Milwaukee district. We are

3 an independent suburb. We have a separate school

4 district. We're very different in terms of the

5 demographics in terms of income, unemployment rate,

6 race.

7 And another big difference is that the

8 rest of the district is within the Milwaukee Public

9 School District whereas ours is an independent

10 school district. The consequence of that is that

11 the state legislators that represent the new

12 district have two very different sets of

13 priorities. I don't think that the interests and

14 issues are different, but the priorities are

15 different between Shorewood and the City of

16 Milwaukee, and so those elected officials have this

17 very difficult task of covering both of those very

18 different sets of people.

19 Q. When you say that they have two different sets of

20 priorities, what do you mean by "priorities"?

21 A. Well, to give an example, as far as schools go,

22 within Milwaukee Public Schools, those schools tend

23 to be lower-than-average-performing, whereas

24 Shorewood School District tends to be

25 well-above-average-performing, so there's a whole

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1 different set of problems. You've got a high rate

2 of poverty in the Milwaukee side of the district,

3 so children are coming to school and needing a lot

4 of basic resources -- food and clothing, things

5 like that. Shorewood School District doesn't have

6 those type of problems and issues. It really cuts

7 across the board.

8 The parking situation is different. The

9 -- As I mentioned, Milwaukee -- At the north side

10 of Milwaukee has a lot of industrial and light

11 industrial. Shorewood has almost none. So it's

12 just a very different -- a very different dynamic

13 that those elected officials have to make policy

14 for.

15 Q. Is the Village of Shorewood a relatively affluent

16 part of Wisconsin?

17 A. It is affluent relative to the City of Milwaukee.

18 It's not as affluent as the other suburbs.

19 Q. What are the demographics of the Village of

20 Shorewood?

21 A. In terms of --

22 Q. Is it predominantly white?

23 A. Yes. It's about 3 percent black, about -- I want

24 to say 87 maybe percent white and the rest

25 miscellaneous.

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1 Q. Do you think at least half the people in Shorewood

2 who are eligible to vote have college degrees or

3 are enrolled in college?

4 A. Yes.

5 Q. Is it fair to say that your new district is more

6 economically diverse than your old district?

7 A. Yes.

8 Q. Is it fair to say your new district is more

9 racially diverse than your old district?

10 A. Yes.

11 Q. And how are you harmed by having a more

12 economically and racially diverse district?

13 A. The harm comes in the inability to unify the

14 district against a set of priorities. So that in

15 Shorewood, for example, homelessness is not a big

16 issue, where it is a major issue in Milwaukee.

17 Joblessness is not much of an issue in Shorewood,

18 but it's a big issue in Milwaukee. So how do you

19 unify these two sets of people? How do you come up

20 with a unified set of priorities to work towards?

21 That's the part where I see the harm coming in.

22 It's not so much in the right to associate, but

23 it's in the right to be able to effectively

24 petition the government for redress of grievances.

25 That part has become more difficult just because we

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<p>1 don't have the same interests in common.</p> <p>2 Q. Can you give me an example where you have been</p> <p>3 harmed because your representative has advanced a</p> <p>4 policy goal of those in Milwaukee instead of a</p> <p>5 policy goal of yours in the Village of Shorewood?</p> <p>6 A. Let me think about that. I have one elected</p> <p>7 official who supports to some extent the voucher</p> <p>8 school program. Now, this is a program that some</p> <p>9 people believe Milwaukee children benefit from. So</p> <p>10 yes, it's putting money into that program.</p> <p>11 Shorewood doesn't really benefit from that program</p> <p>12 in any way. I would argue that Milwaukee also does</p> <p>13 not benefit from it, but that's another question.</p> <p>14 Q. When you say "one elected official," is that your</p> <p>15 representative?</p> <p>16 A. It's State Senator Lena Taylor.</p> <p>17 Q. Can you think of other -- any other specific</p> <p>18 examples where you've been harmed because your</p> <p>19 elected officials have advanced the policy</p> <p>20 interests of Milwaukee instead of the policy</p> <p>21 interests of the Village of Shorewood?</p> <p>22 A. I don't know that I can think of any specific</p> <p>23 policies, but obviously when they are producing</p> <p>24 budget requests and so forth, of course they're</p> <p>25 going to prioritize Milwaukee, where the needs are</p>	<p>1 be heard on some of these issues where the Village</p> <p>2 of Shorewood just has a different set of priorities</p> <p>3 than the north side of Milwaukee.</p> <p>4 Q. Do you have a specific example of an assemblyman or</p> <p>5 an assemblywoman who received a letter from you or</p> <p>6 a call from you and then upon finding out that you</p> <p>7 were not in their district ignored your letter or</p> <p>8 call?</p> <p>9 A. It seems to me that that did happen to me and that</p> <p>10 I sort of had to learn that you've got to focus on</p> <p>11 your own people, and then if you want this comment</p> <p>12 to go to that other assemblyperson, you find</p> <p>13 someone in their district and ask them to write a</p> <p>14 letter or make a phone call. That's how I've</p> <p>15 approached it.</p> <p>16 Q. When you said, "It seems to me that that did happen</p> <p>17 to me," what do you mean by that?</p> <p>18 A. Well, it was quite a while ago, and I don't</p> <p>19 remember exactly, but I do remember sending letters</p> <p>20 and no response at all.</p> <p>21 Q. Before we started talking about the makeup of your</p> <p>22 district, you also mentioned that you feel like you</p> <p>23 can no longer influence the election. Do you</p> <p>24 remember saying that?</p> <p>25 A. Um-hum.</p>
<p>1 more diverse and often more challenging.</p> <p>2 Q. Why can't your elected officials advance both the</p> <p>3 policy interests of the Village of Milwaukee and</p> <p>4 the Village of Shorewood?</p> <p>5 A. Well, for example, let's say that some school</p> <p>6 policy came up where there was a difference between</p> <p>7 how Shorewood wanted the state to, say, do funding</p> <p>8 -- per cap funding, and Milwaukee School District</p> <p>9 wants one kind of per cap and we want a different</p> <p>10 one. That's a -- That's a conflict, and I feel</p> <p>11 like the way the districts are drawn now, that the</p> <p>12 elected officials really should prioritize the</p> <p>13 Milwaukee part because that's the majority, and it</p> <p>14 leaves Shorewood really without -- We really are</p> <p>15 not going to be heard very much on that issue.</p> <p>16 The other North Shore suburbs that were</p> <p>17 kept in the old district, they can present that</p> <p>18 argument, but I can't approach their elected</p> <p>19 officials because the first thing they do if I</p> <p>20 write a letter or fill out the form online to make</p> <p>21 a comment, the first thing they do is check to see</p> <p>22 if you're in their district. If you're not in</p> <p>23 their district, they throw it out or they ignore</p> <p>24 it.</p> <p>25 So I feel like it's difficult for us to</p>	<p>1 Q. Does the change in district lines make it more</p> <p>2 likely that a Republican will win in your old</p> <p>3 district?</p> <p>4 A. Yes.</p> <p>5 Q. And what is your old -- What number is your old</p> <p>6 district, if you recall?</p> <p>7 A. I don't recall.</p> <p>8 Q. What cities were in your old district -- or</p> <p>9 villages?</p> <p>10 A. I believe it had Shorewood, Whitefish Bay, Fox</p> <p>11 Point and maybe -- whatever that Bay one is --</p> <p>12 Bayside.</p> <p>13 Q. Is Representative Hutton the representative in your</p> <p>14 -- in those locations now as far as you --</p> <p>15 A. I'm not sure.</p> <p>16 Q. Do you feel harmed by Act 43 because a</p> <p>17 representative who is Republican is more likely to</p> <p>18 win in your old district than before Act 43?</p> <p>19 A. Yes.</p> <p>20 Q. When you say you can no longer influence the</p> <p>21 election, do you mean you can no longer influence</p> <p>22 the election in your old district?</p> <p>23 A. Well, obviously I can't influence the election in</p> <p>24 my old district because I can't vote there. What I</p> <p>25 meant was I can't influence it in the new district.</p>

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1 Q. When you say you can't influence your election in
 2 the new district, is that because your new district
 3 is predominantly Republican --
 4 A. It's not --
 5 Q. Or sorry. When you say you can't influence the
 6 election in your new district, is that because your
 7 new district is predominantly Democrat?
 8 A. It's not because it's predominantly Democrat. It's
 9 because it's overwhelmingly Democrat.
 10 Q. Was your old district overwhelmingly Democrat?
 11 A. No.
 12 Q. Earlier you testified that your community is about
 13 80 percent Democrat. Did you mean the Village of
 14 Shorewood?
 15 A. I meant the Village of Shorewood.
 16 Q. Are you aware that your lawyers have hired an
 17 expert in this case named Dr. Chen?
 18 A. Yes.
 19 Q. Have you heard of Dr. Chen's simulated plan 43995?
 20 A. Yes.
 21 Q. Are you aware that simulated plan 43995 is a map
 22 that Dr. Chen has created to compare against
 23 Act 43?
 24 A. Yes.
 25 Q. Have you seen the map yourself?

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1 A. I have seen my district.
 2 Q. Have you -- Do you recall what Dr. Chen's map would
 3 do to your district?
 4 A. Yes.
 5 Q. Dr. Chen's map would allow Democrats to retain more
 6 than 60 percent of the vote in your district under
 7 simulated map 43995. Does that sound right to you?
 8 A. Yes.
 9 Q. Would being in a district with roughly 60 percent
 10 Democrat, 40 percent Republicans solve your
 11 problem?
 12 A. Which problem?
 13 Q. Do you feel like you could influence an election in
 14 a district that was 60 percent Democrat and
 15 40 percent Republican?
 16 A. Yes.
 17 Q. Why do you think you could influence an election in
 18 a district that's 60 percent Republican and -- or
 19 60 percent Democrat and 40 percent Republican?
 20 A. It's -- Because you could gather up enough votes to
 21 make the election competitive as opposed to making
 22 it a foregone conclusion.
 23 Q. Do you think a district where there's 60 percent
 24 Democrats and 40 percent Republicans is
 25 competitive?

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1 A. It could be.
 2 Q. You do not think that a district with 60 percent
 3 Democrats and 40 percent Republicans is a foregone
 4 conclusion for Democrats?
 5 A. No.
 6 Q. If you were in a district with 60 percent
 7 Democrats, would you have the same claim that your
 8 vote has been -- that you have been packed in the
 9 district?
 10 A. It would depend on how the district was formed and
 11 why it was formed, and it would depend on what the
 12 study refers to as the efficiency gap. It's a
 13 little bit more complicated than just 60/40.
 14 Q. Do you -- If you were in a district with more than
 15 60 -- with 60 percent Democrats and 40 percent
 16 Republicans, would you feel as though your vote was
 17 wasted?
 18 A. Probably not.
 19 Q. What else would you have to know about your
 20 district to be able to decide whether your vote was
 21 wasted?
 22 A. Well, I think you'd have to know the whole state,
 23 how it was constructed, and you'd have to look at
 24 the statistics regarding how lopsided the districts
 25 are and how many lopsided ones there are and which

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1 side they favor.
 2 Q. Do you think the number of Republicans in the
 3 Wisconsin State Assembly should mirror the
 4 percentage of Republicans in Wisconsin? For
 5 example, if there are 51 percent Republicans in
 6 Wisconsin, should there be 51 Republicans in the
 7 assembly?
 8 A. Not necessarily.
 9 Q. Why not?
 10 A. Because there might be a time when the Republicans
 11 had better ideas or better candidates.
 12 Q. If Republicans had better ideas or better
 13 candidates, would that perhaps have drawn Democrats
 14 to vote for those Republican candidates?
 15 A. Yes.
 16 Q. And because Republicans might have had better ideas
 17 or better candidates causing Democrats to vote for
 18 those candidates, you might see more Republicans in
 19 the legislature than the percentage of Republicans
 20 in Wisconsin?
 21 A. Correct.
 22 Q. Okay. Let's turn to Interrogatory 8 in your
 23 interrogatories. Do you see where Interrogatory 8
 24 asks you to identify the people and/or groups with
 25 whom you want to associate but are allegedly

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1 burdened in doing so by Act 43?
 2 A. Yes.
 3 Q. And you -- Do you see where you responded
 4 "Generally, other Democrats in my assembly
 5 district, region and across the state of
 6 Wisconsin."
 7 A. Yes.
 8 Q. Do you see that?
 9 A. Um-hum.
 10 Q. Have you been able to associate with new Democrats
 11 as a result of your new district lines?
 12 A. I wouldn't say that. I could have associated with
 13 them right along.
 14 Q. Why could you have associated with them before
 15 Act 43?
 16 A. We're two human beings. We can associate.
 17 Q. There's nothing about Act 43 that prevents you from
 18 talking about political ideas, for example, with
 19 individuals in downtown Milwaukee; is that right?
 20 A. That's right.
 21 Q. There's nothing about Act 43 that prevents you from
 22 talking about political issues with someone in
 23 Whitefish Bay; is that right?
 24 A. That's true.
 25 Q. Does Supermarket Legends do volunteer work in the

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1 city of Milwaukee?
 2 A. Yes.
 3 Q. Does Supermarket Legends do volunteer work in areas
 4 of Milwaukee that are now part of your assembly
 5 district but were not previously part of your
 6 assembly district?
 7 A. Yes.
 8 Q. When Interrogatory No. 8 says "associate," what do
 9 you think that means?
 10 A. I think it means communicate with other people, but
 11 it also means organize in order to effect a policy
 12 that you promote.
 13 Q. Anything else?
 14 A. No.
 15 Q. When you say "Associate means communicate with
 16 other people," do you mean communicate with other
 17 people about political ideas?
 18 A. Well, I believe the First Amendment protects all
 19 different kinds of speech, not just political.
 20 Q. So communicate with -- "Associate" to you means
 21 communicate with other people for all sorts of
 22 reasons --
 23 A. Right.
 24 Q. -- protected by the First Amendment.
 25 A. Um-hum.

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1 Q. Is Interrogatory No. 8 an accurate and complete
 2 response?
 3 A. Yes.
 4 Q. Is there anything you would add?
 5 A. No.
 6 Q. Can you name another Democrat in your district who
 7 you can't associate with because of Act 43?
 8 A. No, not specifically. And that's why it says
 9 "Generally." It doesn't prohibit the association.
 10 It just makes it more challenging.
 11 Q. How does Act 43 make association more challenging
 12 within your district?
 13 A. Well, for example, what I just talked about -- the
 14 common priorities and common interests. It's
 15 easier to get a group of people together who have a
 16 common set of interests and a common set of
 17 policies that they want to prioritize.
 18 Q. Are most of the individuals in Milwaukee who have
 19 different priorities and different interests than
 20 you also Democrats?
 21 A. Yes.
 22 Q. What is it then that makes their priorities and
 23 interests different than yours?
 24 A. The demographic makeup of their community is very
 25 different. The economic system is different, and

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1 the political system is different. They're dealing
 2 with the entire Milwaukee Common Council. We have
 3 our little village board. They have a mayor; we
 4 have a manager. So there are lots of ways in which
 5 the strategy would have to be adjusted as well as
 6 the priorities.
 7 Q. Can you name another Democrat somewhere in the
 8 state of Wisconsin who you can't associate with
 9 because of Act 43?
 10 A. No.
 11 Q. Can you name a group in your district that you
 12 can't associate with because of Act 43?
 13 A. No.
 14 Q. Nothing about Act 43, for example, prevented you
 15 from joining the Wisconsin Democratic Party of
 16 Wisconsin. Correct?
 17 A. Correct.
 18 Q. Can you name a group anywhere in the state of
 19 Wisconsin that you can't associate with because of
 20 Act 43?
 21 A. No.
 22 Q. Has Act 43 made it so challenging to interact with
 23 other Democrats in your district that you've
 24 stopped interacting with other Democrats in your
 25 district?

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1 A. No.
 2 Q. And, in fact, your group, Supermarket Legends,
 3 volunteers elsewhere in your district; isn't that
 4 right?
 5 A. Yes.
 6 Q. Are there any other people you want to associate
 7 with but cannot because of Act 43?
 8 A. Not specifically, no.
 9 Q. And are there any other groups you want to
 10 associate with but cannot because of Act 43?
 11 A. No.
 12 Q. Okay. Go ahead and skip -- or move to
 13 Interrogatory No. 9. No. 9 asks you to describe
 14 all the ways that Act 43 has allegedly impaired
 15 your ability to affiliate with like-minded
 16 Democrats and to pursue Democratic associational
 17 goals. And then you have -- Excuse me. You have
 18 listed seven bullets in response to that
 19 interrogatory. Correct?
 20 A. Yes.
 21 Q. Have you had a chance to review those bullets
 22 today?
 23 A. Yes.
 24 Q. Are they an accurate and complete response?
 25 A. Yes.

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1 Q. Is there anything else you would add to those
 2 bullets?
 3 A. No.
 4 Q. Let's start with Bullet 1. Bullet 1, you
 5 cross-referenced Interrogatory No. 8, which is the
 6 interrogatory we were just discussing. Correct?
 7 A. Um-hum -- Yes.
 8 Q. And then you write, "Generally, the current plan
 9 intentionally discriminates against me because I am
 10 a Democrat disadvantaging myself, Democrats across
 11 the state, and the party I support in advocating
 12 and implementing preferred policies and achieving
 13 various associational goals." What do you mean by
 14 "Achieving various associational goals"?
 15 A. What I mean by that is being able to put a group
 16 together to advocate for a policy change and to
 17 have that advocacy have some chance of succeeding.
 18 Q. What do you mean by "some chance of succeeding"?
 19 A. Well, two things. One is, the state is
 20 approximately 49/49 Republican and Democrat, and
 21 therefore, it should be that each policy has about
 22 the same chance of making it into law. That's not
 23 the situation right now because the state assembly
 24 is about two-thirds Republican. So that's --
 25 That's one piece of it. Another piece of it is

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1 simply getting the elected officials to feel like
 2 they need to listen to voters and voter groups as
 3 opposed to simply implementing policies that they
 4 are inventing on their own in secret without a
 5 public debate or, for example, bills that they are
 6 taking out of the ALEC binder and adapting to
 7 Wisconsin.
 8 Q. What is an example of an associational goal?
 9 A. Oh, let's see here. Let's say that I wish to start
 10 a coalition around voting rights in Wisconsin.
 11 Let's say I wanted to start a group that was going
 12 to advocate for universal voter registration. Now,
 13 these groups exist already, and they can have press
 14 conferences and they can lobby legislators and so
 15 forth, but under this current political structure
 16 that we're in, nothing comes of it.
 17 Q. Could you form that group regardless of the makeup
 18 of the legislature?
 19 A. Yes. I can form the group.
 20 Q. Would you regard Supermarket Legends as a
 21 successful organization?
 22 A. Yes.
 23 Q. And Supermarket Legends has been successful -- And
 24 you founded Supermarket Legends in 2011. Correct?
 25 A. Yes.

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1 Q. Is it fair to say that Supermarket Legends has been
 2 a successful organization despite the fact that
 3 Republicans have predominantly controlled the
 4 legislature during its existence?
 5 A. Okay. Well, we have to unpack that one a little
 6 bit. It depends on how you define "success," first
 7 of all. I feel it's been successful in that we
 8 have been able to provide voter education and voter
 9 registration services to some areas that were not
 10 previously served in that way. It has been a
 11 success in using volunteers' time in a manner that
 12 I believe is efficient and effective.
 13 In terms of changing policy in the state,
 14 I would say it has not been a success because the
 15 candidates and the policies that we've advocated
 16 for have not necessarily done any better. As an
 17 aside to Supermarket Legends, I have tried very
 18 hard to advocate for good voting laws in the state
 19 and have failed entirely. So -- But there again,
 20 that's due to the structure -- the political
 21 structure that we have to work under.
 22 Q. Are there any other failures either personally or
 23 as part of Supermarket Legends that you've
 24 experienced since 2011 other than not being able to
 25 enact your preferred policies?

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1 A. I'm not sure what you're getting at.
 2 Q. So you've said that Supermarket Legends and then
 3 you, personally, you've been unable to enact your
 4 preferred policies at the state legislature.
 5 Correct?
 6 A. Um-hum.
 7 Q. Is there anything else that you've been able --
 8 you've been unable to do since 2011?
 9 A. Me, personally?
 10 Q. Yeah.
 11 A. I think most of the things if not all of the times
 12 I testified before legislative committees, the
 13 committee went right ahead and did what they said
 14 they were going to do before the public hearing
 15 even happened.
 16 I don't think I'm alone in feeling like
 17 the people who show up for public hearings or who
 18 submit testimony in writing are being heard. And
 19 it's discouraging. I do it, I continue to do it,
 20 and I continue to encourage other people to do it
 21 largely because I want it to be on the record that
 22 not everybody in Wisconsin was in line with some of
 23 these really very disturbing, very anti-democratic
 24 policies that are now being implemented. But in
 25 terms of changing the policy, it hasn't done any

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1 good.
 2 Q. Even if you're not able to change the policy,
 3 what's the value you see in creating that record
 4 that you disagreed with the policy?
 5 A. I'm a historian. The value I see is, first of all,
 6 to have it in the record that there were people who
 7 were actually giving these things thought. There
 8 were people who were still trying to do what was
 9 best for the state of Wisconsin and the majority of
 10 the people in Wisconsin.
 11 Also, those legislators and elected
 12 officials of other kinds who are still trying to do
 13 what is best for the state, I feel they need our
 14 respect and our support. And I think that the ones
 15 who are now beholden to outside interests, for
 16 example, huge corporations that are not even
 17 American corporations, I think those people need to
 18 be called out on it. I think the state needs to
 19 have this conversation. A lot of people don't have
 20 the resources. They can't get to Madison to
 21 testify or they're too shy. Their personality just
 22 isn't such that it permits them to do that. So
 23 that's another reason that I do it, because I think
 24 those voices need to be out there as best we can
 25 push them out there.

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1 Q. Do you think being on record as opposed to certain
 2 policies might also encourage other citizens to
 3 speak out?
 4 A. I think it does, yes.
 5 Q. Do you think being on the record as opposed to
 6 certain policies might cause a Republican in the
 7 legislature to vote against his party?
 8 A. I like to imagine that day.
 9 Q. It's possible.
 10 A. It's possible. I do try to make the most
 11 compelling arguments that I can and to make broad
 12 arguments that are not only going to resonate with
 13 my side.
 14 Q. Because you hope that perhaps by making your
 15 arguments, you might convince not only your side
 16 but someone who isn't on your side.
 17 A. Well, yes. To give one example, the Republicans
 18 used to bill themselves as the party of fiscal
 19 responsibility. That's really gone out the window.
 20 So I think it doesn't hurt to remind them and to
 21 point out the fiscal irresponsibility of when
 22 they're passing a policy strictly on ideological
 23 grounds, but it's actually going to affect
 24 Wisconsin individuals, I think it's good that they
 25 be reminded of that, and I don't know if I can turn

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1 their hearts, but I can try.
 2 Q. Is it fair to say that the -- Is it fair to say
 3 that the largest harm you've suffered from Act 43
 4 is the inability to enact your preferred policies?
 5 A. I think the largest harm is the inability to have
 6 my preferred policies even seriously considered.
 7 Q. I'm going to hand you another document.
 8 (Exhibit No. 48 was marked.)
 9 BY MS. MEEHAN:
 10 Q. I'm handing you a document marked Defendant's Dep.
 11 Exhibit No. 48. Just take a minute and review.
 12 A. Okay.
 13 Q. Okay. Do you recognize this document?
 14 A. Yes.
 15 Q. And is it an e-mail exchange between you and -- at
 16 least the recipients are nine representatives, it
 17 looks like?
 18 A. Yes. And that would have been a legislative
 19 committee.
 20 Q. Do you recall which one?
 21 A. It's one that oversees governmental things, but I
 22 don't remember the name of it. It has a different
 23 name in the assembly and in the Senate, but it's
 24 governmental affairs or something like that.
 25 Q. Is this a committee that considered the SRD

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<p>1 program?</p> <p>2 A. Yes.</p> <p>3 Q. And what is the SRD program?</p> <p>4 A. It's a program that no longer exists that allowed</p> <p>5 municipal clerks to deputize citizens to help with</p> <p>6 voter registration.</p> <p>7 Q. Is this e-mail about the same legislative changes</p> <p>8 with respect to the SRD program as the legislative</p> <p>9 program with respect to the SRD program that you</p> <p>10 discuss in your interrogatory response?</p> <p>11 A. Yes.</p> <p>12 Q. And that e-mail exchange occurred in October of</p> <p>13 2015; is that right?</p> <p>14 A. Yes.</p> <p>15 Q. Is this e-mail following up on testimony you gave</p> <p>16 to the committee about the program?</p> <p>17 A. Yes.</p> <p>18 Q. In your testimony did you urge the committee not to</p> <p>19 eliminate the program?</p> <p>20 A. Yes.</p> <p>21 Q. Do you see at the end of your e-mail you wrote that</p> <p>22 Representative -- is it Bernier?</p> <p>23 A. Bernier, I think. I'm not sure.</p> <p>24 Q. "Bernier was very dismissive of my testimony about</p> <p>25 helping the 18-year-old quadriplegic to register to</p>	<p>1 this and numerous other issues. Your follow-up</p> <p>2 comments have been duly noted and are appreciated."</p> <p>3 Did I read that correctly?</p> <p>4 A. Yes.</p> <p>5 Q. The legislature ultimately disagreed with you on</p> <p>6 this issue. Right?</p> <p>7 A. Yes.</p> <p>8 Q. Do you feel like you were heard on the issue even</p> <p>9 though the legislature ultimately disagreed?</p> <p>10 A. No.</p> <p>11 Q. Why not?</p> <p>12 A. Because as she mentions, the testimony went on</p> <p>13 until 9 p.m. I believe each person had three</p> <p>14 minutes, so you can do the math. As I recall,</p> <p>15 there was only one person besides Representative</p> <p>16 Bernier who spoke in favor of eliminating the SRD</p> <p>17 program. The chairman of the County Clerks</p> <p>18 Association or Municipal Clerks Association, I</p> <p>19 believe it was, gave a longer testimony in favor of</p> <p>20 retaining the program. Now, municipal clerks are</p> <p>21 really the only people who are affected by this</p> <p>22 program, and they don't have to use it if they</p> <p>23 don't wish to. Well, they can't use it now, but</p> <p>24 when it was in effect. So I felt that they were</p> <p>25 not being heard, I felt that I was not being heard,</p>
<p>1 vote. I certainly -- I can certainly understand</p> <p>2 that you think he's not worth worrying about." Do</p> <p>3 you see that?</p> <p>4 A. Yes.</p> <p>5 Q. And did Representative Bernier write back to your</p> <p>6 e-mail?</p> <p>7 A. Yes.</p> <p>8 Q. Who is Representative Bernier?</p> <p>9 A. She was the chair of that committee, and I believe</p> <p>10 she and maybe one other person testified in favor</p> <p>11 of eliminating the SRD program.</p> <p>12 Q. Fair to say you and Representative Bernier were</p> <p>13 opposed to one another on this issue?</p> <p>14 A. Yes.</p> <p>15 Q. Do you see where Representative Bernier writes</p> <p>16 back, "I regret that you thought I was being</p> <p>17 dismissive and certainly that you thought there was</p> <p>18 any lack of concern for the disabled"?</p> <p>19 A. Yes.</p> <p>20 Q. And then she further writes, "As you are aware, it</p> <p>21 was a very long day. We stayed until 9:00 p.m. to</p> <p>22 be sure everyone had a chance to testify. I have,</p> <p>23 of course, been very appreciative of the work of</p> <p>24 the SRD. As a former clerk myself, I have been in</p> <p>25 continual communication with a number of clerks on</p>	<p>1 and it's odd. You know, you look at these e-mails.</p> <p>2 She is basically saying, "Oh, I appreciate the</p> <p>3 SRDs," but her testimony was all about how terrible</p> <p>4 the SRDs were.</p> <p>5 So I believe that she was being</p> <p>6 disingenuous in her response to me in the e-mail.</p> <p>7 But she did respond.</p> <p>8 Q. Why didn't you feel heard on the issue even though</p> <p>9 you were able to give testimony?</p> <p>10 A. Well, I feel like if you have a room with several</p> <p>11 hundred people and they all say A and then you go</p> <p>12 ahead and vote B anyway, you didn't listen to them.</p> <p>13 Q. Do you measure whether you've been heard on a</p> <p>14 political issue by the ultimate legislative</p> <p>15 outcome?</p> <p>16 A. No.</p> <p>17 Q. With respect to the SRD issue in particular, is</p> <p>18 there something else that Representative Bernier</p> <p>19 could have done to make you feel heard on the issue</p> <p>20 short of not getting rid of the SRD program?</p> <p>21 A. Several things. First of all, the measure to get</p> <p>22 rid of the SRD program was attached to some other</p> <p>23 legislation which the Republican leadership had</p> <p>24 already announced that they were going to pass no</p> <p>25 matter what happened. So that really meant that I</p>

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<p>1 could testify, but it wasn't -- they were not going 2 to take it into account. They had made that quite 3 clear.</p> <p>4 Personally, she herself -- She was very 5 dismissive. She -- When she sat down to testify 6 herself, she said, "I have had to bite my tongue 7 when other people were testifying." Now, I felt 8 that was a disrespectful statement. I don't know 9 if it was aimed specifically at me or at all the 10 other people that testified that day, but the 11 implication is that we were misrepresenting the 12 facts, and I didn't hear anybody do that.</p> <p>13 Q. Do you think she could have said, "I've had to bite 14 my tongue" because she disagreed with you -- with 15 your policy position on the SRD issue?</p> <p>16 A. No. I don't think that's what she meant.</p> <p>17 Q. Do you have any reason to believe that -- or do you 18 have any additional reason to believe that she said 19 she was biting her tongue because she thought you 20 or someone else had misrepresented the facts?</p> <p>21 A. I don't remember her comments exactly. I believe 22 what she said about the young man that I registered 23 to vote at his home, I believe she asserted that he 24 could have registered to vote in some other way, 25 that it would have been accessible to him, and we</p>	<p>1 A. I didn't meet with them that day. At least not -- 2 At least not formally. If I ran into them in the 3 hallway, I would have said "hello," but no. When 4 you testify in Wisconsin, you -- If you wish to 5 testify, you fill out a little slip of paper, and 6 then you sit in that room all day long and wait for 7 them to call on you. So you can't really leave the 8 room. You can't really go do anything else. And 9 it's -- It's difficult. It's not pleasant. Let's 10 put it that way.</p> <p>11 Q. Is your -- Your representative is not on this list 12 of recipients. Correct?</p> <p>13 A. I don't believe so. Let's see. No.</p> <p>14 Q. Do you know how your representative ultimately 15 voted on this issue when it came to the floor?</p> <p>16 A. I believe they voted "no."</p> <p>17 Q. Which is how you would have voted. Correct?</p> <p>18 A. Yes.</p> <p>19 Q. If you wanted to meet with your representative 20 about this issue, do you think you could have?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. I'm going to hand you another document. 23 (Exhibit No. 49 was marked.)</p> <p>24 BY MS. MEEHAN:</p> <p>25 Q. This is marked Defendant's Dep. Exhibit No. 49.</p>
<p>1 were disagreeing on that point. And you notice 2 that she didn't -- I asked her directly, "Well, how 3 could he have without missing a day of school?" 4 And she didn't answer that question.</p> <p>5 Q. You mentioned that you felt like -- One of the 6 reasons you felt you weren't heard at the committee 7 hearing was because Representative Bernier made 8 some disrespectful statements.</p> <p>9 A. Um-hum.</p> <p>10 Q. When in her e-mail Representative Bernier says, "I 11 regret that you thought I was being dismissive and 12 certainly that you thought there was any lack of 13 concern for the disabled," did that take away your 14 feeling that you weren't heard at the committee?</p> <p>15 A. No. Unfortunately, I take a darker view of it than 16 that. I feel like she felt like maybe she was in a 17 little bit of trouble over that comment about the 18 disabled voter, and she wanted to get something in 19 writing defending herself on it.</p> <p>20 Q. Did you meet with your representative on this 21 issue?</p> <p>22 A. I think I wrote to them, but I can't remember for 23 certain.</p> <p>24 Q. You don't recall when you went to testify -- when 25 you went to testify --</p>	<p>1 The Bates stamp is Sundstrom 607. Take a moment to 2 review this document.</p> <p>3 A. Okay.</p> <p>4 Q. Do you recognize this letter?</p> <p>5 A. Yes.</p> <p>6 Q. Is this a letter from you to Representative Dan -- 7 is it Knodl?</p> <p>8 A. Yes.</p> <p>9 Q. Is Dan Knodl your representative?</p> <p>10 A. No.</p> <p>11 Q. Is Dan Knodl a Republican?</p> <p>12 A. Yes.</p> <p>13 Q. And you wrote this letter to him on March 17, 2017. 14 Correct?</p> <p>15 A. Yes.</p> <p>16 Q. Do you see in the first paragraph of the letter you 17 say, "Thank you for hosting the town hall in 18 Glendale yesterday. I very much appreciate your 19 willingness to reach out to your constituents"?</p> <p>20 A. Yes.</p> <p>21 Q. Did you go to the town hall?</p> <p>22 A. I did.</p> <p>23 Q. Even though Representative Knodl isn't your 24 representative. Correct?</p> <p>25 A. Correct.</p>

<p style="text-align: right;">Page 94</p> <p>1 Q. Were Representative Knodl's constituents able to 2 talk to their representative at this town hall 3 meeting? 4 A. I'm trying to remember how it was structured. Yes. 5 You could just raise your hand if you wanted to say 6 something. 7 Q. When you say, "I very much appreciate your 8 willingness to reach out to your constituents," do 9 you take this to mean there was at least some 10 interaction between Representative Knodl and his 11 constituents? 12 A. Yes. 13 Q. And were you able to talk to the representative or 14 ask him questions if you wanted to? 15 A. I was, yes. 16 Q. Did you ask him questions? 17 A. I don't remember. I know I said something, but I 18 don't know if it was a question or a comment. 19 Q. And he would have heard your comment if you had 20 given a comment there? 21 A. Yes. 22 Q. Is Representative Knodl's hosting a town hall 23 meeting an example of Representative Knodl giving 24 his constituents an opportunity to be heard? 25 A. I think to some extent it was that, but it was also</p>	<p style="text-align: right;">Page 96</p> <p>1 Q. Did you mean physically heard when you wrote this 2 or did you mean "heard" in the sense we've been 3 talking about today? 4 A. What I meant was I wanted to give him credit for 5 holding a town hall and not just hiding away from 6 the people who were against his policy stances. 7 Q. Do you think there are ways that constituents can 8 be heard by their representatives even if their 9 representatives don't ultimately enact their 10 constituents' preferred policies? 11 A. Yes. I can give an example. I would venture to 12 say that most of the bills or a significant 13 proportion of the bills that have been enacted in 14 Wisconsin under the new districts came directly out 15 of the American Legislative Exchange Council 16 handbook. They were not initiated in Wisconsin, 17 and to me, those are outsiders setting our local 18 policy. It's not me as a constituent approaching 19 my elected official and saying, "Hey, I think -- 20 Here's a way to address a problem that we're 21 facing. Would you consider writing a bill about 22 it?" I just see that that piece has really been 23 lost to a large extent. 24 Now, on the Democratic side, we do see 25 our legislative Democrats proposing bills that were</p>
<p style="text-align: right;">Page 95</p> <p>1 a public relations move on his part. 2 Q. And why do you say that? 3 A. Because when people -- A lot of the people who 4 attended the town hall were not his supporters, and 5 when they questioned his policy stances, he rattled 6 off sort of the standard talking points of the 7 Wisconsin Democratic or -- that would be the day -- 8 the Wisconsin Republican leadership. 9 Q. Do you have any reason to believe he didn't 10 physically hear his constituents when they made a 11 comment contrary to Representative Knodl's views? 12 A. No. 13 Q. In the language you use -- in your interrogatories 14 and the language you use today, are those 15 constituents being heard, in your view? 16 A. They're being physically heard, as you just phrased 17 it, but "heard" in the sense of the elected 18 official actually basing their vote on the wishes 19 of their constituents, no, I don't believe they are 20 being heard any longer under these districts. 21 Q. Do you see in the last paragraph of this letter you 22 write, "Hearing from your constituents is a step in 23 the right direction, and I thank you again for 24 taking that step." 25 A. Yes.</p>	<p style="text-align: right;">Page 97</p> <p>1 written in Wisconsin for Wisconsin, but we see 2 relatively little of that on the Republican side 3 under these districts because the districts I feel 4 are drawn in such a way that the representatives 5 really don't have to take those ideas into account. 6 And for their part, their life is easier if they 7 can just plug something in rather than have to 8 start inventing something, you know, from the 9 start. 10 Q. Is it problematic for legislators to propose bills 11 that they think are good ideas even though a 12 constituent didn't bring those particular ideas to 13 them? 14 A. No. I think their job is to go ahead and propose 15 the bill and defend it, but there's another 16 problem. We are seeing bills that are being put 17 forward, and even the people who are sponsoring the 18 bill are not willing to defend it. So that's not a 19 public debate. That's not a Democratic way of 20 making decisions. 21 Q. In Bullet 4 of your interrogatory responses do you 22 see where you wrote, "The First Amendment conveys 23 the right to assemble freely and to petition the 24 government for redress of grievances. The first of 25 those is still possible, although now requires a</p>

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1 considerable effort at bridging the significant
 2 economic, racial and cultural divide between
 3 Shorewood and Milwaukee's north side"?

4 A. Yes.

5 Q. What do you think the right to assemble freely
 6 encompasses?

7 A. I think it -- I think the way the First Amendment
 8 is written, as I say here, it's not simply the
 9 right to assemble. It's the right to assemble and
 10 to petition the government. Those two things are
 11 linked together in one sentence in the First
 12 Amendment, and to my way of thinking, it's -- The
 13 right to assemble has no meaning if you cannot
 14 translate it into promoting a policy in a way that
 15 might be effective or that might have some
 16 influence on the policies.

17 Q. By saying "might have some influence on the
 18 policy," do you mean enacting your preferred
 19 policies?

20 A. Not necessarily, but perhaps modifying a bill to
 21 take something into account that wasn't already
 22 encompassed by it.

23 Q. And we'll get to the freedom to petition in one
 24 second, but "to assemble" to you, does that mean to
 25 work together as a group?

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1 A. It means to work together. It means to talk to one
 2 other person about their civic responsibilities.
 3 It encompasses a great number of things.

4 Q. Has anything about Act 43 prevented you from
 5 working together with other citizens?

6 A. Prevented? No.

7 Q. Has anything about Act 43 hindered you from working
 8 together with other citizens?

9 A. Yes. I think so. At least in theory because the
 10 example I gave before, suburban schools versus
 11 Milwaukee Public Schools. I could have started a
 12 group, circulated a petition that would have --
 13 around some policy that was affecting suburban
 14 schools. And now I can only -- You know, if I want
 15 to present that to my own representative, it's just
 16 my little village. It's not that group of suburban
 17 schools like it used to be.

18 So I think it has hindered some of these
 19 naturally organically forming groups from forming.
 20 It's just made it more difficult.

21 Q. Does anything about Act 43 hinder you from working
 22 with individuals who live in other districts, and
 23 together, the two of you, lobbying their
 24 representative?

25 A. No.

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1 Q. Are there any other examples other than the school
 2 example you just gave where you can't work together
 3 with fellow Democrats in your district?

4 A. There are -- I'm sure there are many examples.
 5 Another example is just the way the municipal
 6 governments are structured. So if I want something
 7 to change in the village of Shorewood, that's one
 8 structure. Something to change in the city of
 9 Milwaukee, that's a separate structure. And where
 10 this maybe comes into play a little bit more
 11 clearly is when the legislature passes policies
 12 that apply only to the city of Milwaukee -- and
 13 they do this quite frequently. So they have this
 14 term called "first class city," and they will make
 15 a law, and they will except first class cities or
 16 they will make a law to only apply to first class
 17 cities. Milwaukee is the only first class city.
 18 They had a little bit of a panic and a scramble a
 19 couple years ago when the population of Madison was
 20 approaching that definition. They had to redefine
 21 "First class city" so that Madison didn't get
 22 caught up under these regulations.

23 Q. How have you been harmed when the legislature
 24 passes laws applying only to Milwaukee as a first
 25 class city?

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1 A. Well, if I'm -- If I'm -- Say I'm working on get
 2 out the vote in Milwaukee. If they pass a law that
 3 restricts -- Well, for example, early voting.
 4 That's actually a pretty good example because the
 5 way the law was -- is written, but it's now under
 6 court order, each municipality was allowed only one
 7 site for early voting. So it didn't matter if you
 8 had to run 200 voters through your early voting
 9 line or if you had to run 200,000. You still only
 10 could use one site, and that did affect me because
 11 I helped out with it. So that's just one fairly
 12 concrete example of how a policy would harm my
 13 efforts at getting -- encouraging people to vote
 14 early.

15 Q. How have you been harmed as a resident of the
 16 village of Shorewood when the legislature passes
 17 laws applying only to Milwaukee?

18 A. I can't think of a specific example.

19 Q. Okay. So staying in the same bullet for Bullet
 20 No. 4 for Interrogatory No. 9, you say "The
 21 second," by which you mean the freedom to petition
 22 the government for redress of grievances, "has
 23 become mostly impossible. The Republican Party has
 24 used redistricting to lock in control of the state
 25 legislature. Even when most Wisconsinites vote for

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1 Democrats, Republicans retain a solid majority in
 2 the Senate and assembly. I can petition all I want
 3 and organize my fellow AD 10 citizens to join in
 4 that effort, but legislators have little reason to
 5 consider our views." Do you see here where, in the
 6 first sentence I read, you said, "the right to
 7 petition the government has become mostly
 8 impossible," but then later you say, "I can
 9 petition all I want"?

10 A. Yes. I am assuming there that it is a right that
 11 has some meaning and power.

12 Q. When you say you're assuming it's a right that has
 13 some meaning and power, what do you mean by
 14 "Meaning and power"?

15 A. Well, to give an analogy, during the Jim Crow era
 16 in the South, African American people had the right
 17 to vote. Right? They just didn't have -- in the
 18 reality of the situation, the process was so
 19 onerous that that right meant nothing.

20 Q. How -- What would have to change in your district
 21 for the right to petition to have meaning and
 22 power?

23 A. Well, in my district -- I guess the old district
 24 was certainly more evenly divided between
 25 Republicans and Democrats. There was more of a

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1 sense that the people running for office and the
 2 elected representatives actually did listen to
 3 their constituents and take them seriously. But
 4 you can't -- I think you can't look at just one
 5 district because I'm in a Democratic district now,
 6 and I could be in a different Democratic district.
 7 That's not the problem. The problem is the way
 8 that the whole state political structure was put
 9 into place to lock these seats in.

10 And so that -- You know, for example, we
 11 just had an election when the majority of voters
 12 voted for Democrats. We voted in -- All of our
 13 statewide offices were won by Democrats, and yet
 14 now we're going to experience this big disconnect
 15 between the state assembly and the executive
 16 branch. That's not what the voters will. It's
 17 pretty obviously not what the voters were looking
 18 for. That's what the voters ended up with.

19 Q. For your right to petition to have meaning and
 20 power, does the state legislature need to enact
 21 policies that you agree with?

22 A. They don't need to enact all of them, but they need
 23 to, I would say, give them fair consideration.

24 Q. How do you measure whether the legislature is
 25 giving your preferred policies fair consideration?

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1 A. Well, the example I gave before, where hundreds of
 2 people came and testified against a bill and the
 3 legislature went right ahead and passed it. And
 4 I've looked at polling data. I know that the
 5 policies that are being enacted under these maps,
 6 under this structure of the assembly and Senate,
 7 many of them are contrary to the will of the voters
 8 of Wisconsin.

9 Q. When you say "contrary to the will of the voters of
 10 Wisconsin," do you mean the results happening in
 11 the state assembly are not the results that the
 12 voters in the state of Wisconsin prefer?

13 A. Yes.

14 Q. Okay. I'm going to hand you one more document.
 15 (Exhibit No. 50 was marked.)

16 BY MS. MEEHAN:

17 Q. This is marked Defendant's Dep. Exhibit No. 50.

18 A. Okay.

19 Q. Do you recognize this document?

20 A. Yes.

21 Q. What is it?

22 A. It's an e-mail I guess that I sent to people who
 23 had expressed support for the protestors in
 24 Madison. I'm guessing it's an e-mail and not a
 25 Facebook post. I recognize the words as mine, so I

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1 think -- or maybe it was somehow posted as a larger
 2 text on Facebook.

3 Q. Fair to say it's something that your friends or
 4 other associates were able to read?

5 A. Oh, yes.

6 Q. Do you remember about when you wrote it?

7 A. I could look it up. There was a particular day
 8 during those -- the first part of those three
 9 months when the governor issued a policy that
 10 protestors would not be allowed into the capitol
 11 building. That was the word he used. And I felt
 12 like that was quite a blatant violation of the
 13 First Amendment, so I believe I went over to
 14 participate that day. So this was -- Whatever day
 15 that was, this was after that day. It may have
 16 been the same day or it may have been a later day.
 17 I'm thinking it was later, like the following week
 18 maybe.

19 Q. Do you recall roughly just what month and year?

20 A. It was after Act 10 was passed, so that was in
 21 January. I'm guessing this was probably in late
 22 January or early February of 2011.

23 Q. Do you see in the second paragraph near the end you
 24 wrote, "At this stage of life I know a losing
 25 battle when I see one. This one is a losing

Page 106	Page 108
<p>1 battle, but there is something to be said for 2 push-back and something to be said for going down 3 fighting." Do you see that? 4 A. Yes. 5 Q. Do you think it's worthwhile to fight even -- Do 6 you think it's worthwhile to fight losing battles 7 in politics? 8 A. Yes. 9 Q. And do you think it's worthwhile to express your 10 political views even when your political views 11 won't carry the day? 12 A. Yes. Although at that stage I believe what I meant 13 by "a losing battle" was that these things were 14 being voted on. It was a foregone conclusion that 15 these decisions had been made before the 16 legislature even went into session, but I did think 17 it was important to participate in the protests 18 because otherwise you're giving a stamp of approval 19 to a policy that at least half the people in the 20 state did not support. 21 Q. When you went and joined the protestors, do you 22 think you were exercising your First Amendment 23 rights? 24 A. Yes. 25 Q. Do you see the fourth paragraph you begin, "In</p>	<p>1 A. Right. Many people who were taking time out to 2 attempt to bring the other side to reason. 3 Q. You talk about in the fourth paragraph as well how 4 the Madison police chief refused to block you from 5 the capitol. Do you see that? 6 A. Yes. 7 Q. You were able to march right into the capitol and 8 protest Act 10. Correct? 9 A. That day I was. 10 Q. Okay. Back to your interrogatory responses. If 11 you look at Bullet 5, you say, "There are" -- It's 12 three-quarters of the way down. "There are many 13 other examples where the legislature has simply 14 ignored the will of the voters because legislators 15 are confident of retaining their seats no matter 16 what they do." Has your legislator ignored the 17 will of his constituents? 18 A. No. But he's in the minority, not in the majority. 19 Q. Is your point here that other people's legislators 20 are not representing their view? 21 A. Yes. 22 Q. And do you feel you're harmed because other 23 people's legislators are not representing their 24 view? 25 A. Yes.</p>
<p>Page 107</p> <p>1 return, I get to meet people from all walks of life 2 who care about the future. That's the reward. It 3 is a wonderful thing to be part of an immense 4 peaceful group of concerned citizens." Do you see 5 that? 6 A. Yes. 7 Q. What do you mean by "that's the reward"? 8 A. Well, when I wrote this, I was discouraged by the 9 way that the process was happening, and I was not 10 expecting to be rewarded by the Republican 11 leadership was going to see the light and change 12 their ways, and I was just here whining about how 13 cold it was and so forth, so what I'm trying to say 14 there is that it was not without rewards, and the 15 reward was to feel like you were not the only one, 16 and to feel like "Well, we're not going to win this 17 one, but maybe we can build on it." 18 Q. Even though you weren't able to achieve your 19 desired policy outcome, you felt you received a 20 reward in exchange for exercising your First 21 Amendment rights; is that right? 22 A. The reward I received was -- The reassurance was 23 that I was not alone in my views. 24 Q. Because you were one of many, many people at the 25 capitol that day; is that right?</p>	<p>Page 109</p> <p>1 Q. And is that because when other people's legislators 2 don't represent their view, you're not able to 3 achieve desired policy outcomes? 4 A. That's -- That's part of it, but what I see as the 5 problem is we have a legislator that isn't 6 representing what the people are asking for. So 7 for example, with the Foxconn deal, it didn't have 8 a lot of support despite a major public relations 9 effort, and yet it passes overwhelmingly. Why is 10 that? The same thing with some of these -- 11 Well, this bill that was just rammed 12 through in extraordinary session. I didn't hear 13 anybody in Wisconsin saying, "We want less 14 accountability for WEDC." I have not heard anybody 15 on either side say that, and there have been some 16 very compelling editorials written by Republicans 17 saying that "We need to rein this in." 18 The majority of people in Wisconsin want 19 a different school funding formula. They are 20 suffering because their schools are underfunded. 21 We are now passing referendums literally to mop the 22 floors. 23 I don't think anybody on either side of 24 the aisle agrees that that is a fiscally 25 responsible way to run the public instruction in</p>

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<p>1 the state. There's many examples like this.</p> <p>2 MS. MEEHAN: Can we go off the record</p> <p>3 really fast?</p> <p>4 MS. GREENWOOD: Okay.</p> <p>5 THE VIDEOGRAPHER: Going off the record</p> <p>6 at 3:05.</p> <p>7 (A break was taken.)</p> <p>8 THE VIDEOGRAPHER: We're back on the</p> <p>9 record at 3:11.</p> <p>10 BY MS. MEEHAN:</p> <p>11 Q. Could you take a look at Interrogatory No. 10? Do</p> <p>12 you see that Interrogatory 10 asks you to describe</p> <p>13 all the ways in which Act 43 has harmed you as</p> <p>14 alleged in Paragraph 176 of your amended complaint?</p> <p>15 A. Yes.</p> <p>16 Q. And then you responded by cross-referencing your</p> <p>17 response to Interrogatories 8 and 9; is that right?</p> <p>18 A. Yes.</p> <p>19 Q. Is there anything else you would add to your</p> <p>20 response to Interrogatory No. 10?</p> <p>21 A. The only other thing I can think of is that if, for</p> <p>22 example, I wanted my assemblyperson to pursue a</p> <p>23 particular policy, it is a little bit harder to</p> <p>24 organize voters just because of the geography and</p> <p>25 the demographic makeup. For example, some people</p>	<p>1 who showed up, and I don't know how many people</p> <p>2 shook their heads and said, "No."</p> <p>3 Q. About how many people showed up to these meetings?</p> <p>4 A. Oh, it varied. Some maybe 20, and some maybe 60.</p> <p>5 Q. How often does he have these meetings?</p> <p>6 A. I think he has maybe three or four a year.</p> <p>7 Q. So aside from what we've talked about today and</p> <p>8 everything in your interrogatory responses, is</p> <p>9 there any other way that Act 43 has hurt your</p> <p>10 ability to associate with like-minded Democrats?</p> <p>11 A. No.</p> <p>12 Q. Aside from what we've talked about today and what's</p> <p>13 in your interrogatory responses, is there any other</p> <p>14 way that Act 43 has deterred or hindered you from</p> <p>15 pursuing associational goals?</p> <p>16 A. Not besides what we've talked about.</p> <p>17 Q. Besides what we've talked about today and what's in</p> <p>18 your interrogatory responses, has Act 43 punished</p> <p>19 you in any way for engaging in associational</p> <p>20 activity?</p> <p>21 A. Well, when Shorewood got kicked out of the</p> <p>22 districts that had the other North Shore suburbs</p> <p>23 and put in with this very strongly Democratic</p> <p>24 district in Milwaukee, I felt like we were being</p> <p>25 punished for trying to recall Senator Alberta</p>
Page 111	Page 113
<p>1 in Shorewood are not comfortable going into</p> <p>2 neighborhoods in Milwaukee, and some people in</p> <p>3 Milwaukee are not comfortable coming into</p> <p>4 Shorewood, and that's an unfortunate reality in our</p> <p>5 city, but I am aware of it, and that's --</p> <p>6 Q. Why are they not comfortable?</p> <p>7 A. I think a lot of it has to do with perceived</p> <p>8 racially motivated treatment on both sides. Some</p> <p>9 white people have the idea that the black</p> <p>10 neighborhoods are full of crime. Some black people</p> <p>11 have the idea that if they venture across the</p> <p>12 bridge, they're going to get pulled over. And</p> <p>13 there's probably a little bit of truth to each of</p> <p>14 those, but only a little.</p> <p>15 So it is a little bit -- It's not so</p> <p>16 much, you know, talking about having a house party.</p> <p>17 It's going to take a little bit more outreach</p> <p>18 effort. And I've actually helped Representative</p> <p>19 Bowen a little bit when he first had this new</p> <p>20 district with Shorewood in it to try to get public</p> <p>21 town hall type of events in both sides of his</p> <p>22 district and try to encourage people to feel</p> <p>23 comfortable to show up for them. And I think it's</p> <p>24 worked actually pretty well, but I can't say for</p> <p>25 sure because the people I'm seeing are the people</p>	<p>1 Darling. We -- Of the suburbs, we voted most</p> <p>2 strongly for her opponent in that election, but of</p> <p>3 course I don't know the motive of the people who</p> <p>4 drew the maps. That was just an impression that I</p> <p>5 formed at the time.</p> <p>6 Q. What made you form that impression?</p> <p>7 A. Because we were the only one that got switched out.</p> <p>8 Q. Anything else?</p> <p>9 A. No.</p> <p>10 Q. Besides what we talked about today and what's in</p> <p>11 your interrogatory responses, has Act 43 in any way</p> <p>12 prevented you from turning out to vote?</p> <p>13 A. No.</p> <p>14 Q. Has it hindered you from turning out to vote beyond</p> <p>15 what we've talked about today and what's in your</p> <p>16 interrogatories?</p> <p>17 A. You're talking about me personally voting?</p> <p>18 Q. Correct.</p> <p>19 A. No, it has not.</p> <p>20 Q. Besides what we've talked about today and what's in</p> <p>21 your interrogatory responses, is there any other</p> <p>22 way that Act 43 has prevented or hindered you from</p> <p>23 volunteering?</p> <p>24 A. No.</p> <p>25 Q. Aside from what we've talked about today and what's</p>

Page 114	Page 116
<p>1 in your interrogatory responses, is there any other</p> <p>2 way that Act 43 has prevented or hindered you from</p> <p>3 donating to candidates?</p> <p>4 A. No.</p> <p>5 Q. Besides what we've talked about today and what's in</p> <p>6 your interrogatory responses, is there any other</p> <p>7 way that Act 43 has prevented or hindered you from</p> <p>8 running for office?</p> <p>9 A. No.</p> <p>10 Q. Besides what we've talked about today and what's in</p> <p>11 your interrogatory responses, is there any other</p> <p>12 way that Act 43 has deterred -- has prevented or</p> <p>13 hindered you from appealing to independents?</p> <p>14 A. No.</p> <p>15 Q. Besides what we've talked about today and what's in</p> <p>16 your interrogatory responses, is there any other</p> <p>17 way that Act 43 has prevented or hindered you from</p> <p>18 advocating for policies?</p> <p>19 A. Yes. Well, there's other examples I didn't give,</p> <p>20 but they would come within the general statements I</p> <p>21 made.</p> <p>22 Q. Okay. Just a few more quick questions. When did</p> <p>23 you first decide to sue to challenge Act 43?</p> <p>24 A. I received an e-mail I believe from League of Women</p> <p>25 Voters noting that -- Of course I knew that the</p>	<p>1 about what district I lived -- you know, basic</p> <p>2 facts of the case like that.</p> <p>3 Q. And what happened --</p> <p>4 MS. GREENWOOD: I'm sorry. I'm just</p> <p>5 going to caution the witness not to discuss the</p> <p>6 content of the conversations that we had.</p> <p>7 THE WITNESS: Oh, okay.</p> <p>8 MS. GREENWOOD: That's fine. Just</p> <p>9 letting you know.</p> <p>10 BY MS. MEEHAN:</p> <p>11 Q. Did you talk any other times? Or when was the next</p> <p>12 time you talked to your attorneys?</p> <p>13 A. I believe it was at a meeting in Madison.</p> <p>14 Q. Was the meeting in Madison at Professor Whitford's</p> <p>15 house?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recall when this meeting in Madison took</p> <p>18 place?</p> <p>19 A. I believe it was in November.</p> <p>20 Q. Of 2018?</p> <p>21 A. Yes.</p> <p>22 Q. Who was at the meeting?</p> <p>23 A. Most of the plaintiffs were there and the team of</p> <p>24 attorneys.</p> <p>25 Q. Were spouses at the meeting?</p>
<p>Page 115</p> <p>1 case had been remanded, but saying that there was a</p> <p>2 call-out for additional plaintiffs. So it was at</p> <p>3 that time.</p> <p>4 Q. When did you receive the e-mail?</p> <p>5 A. I don't remember.</p> <p>6 Q. Would it have been in the summer of 2018?</p> <p>7 A. I think so.</p> <p>8 Q. Do you recall what else the e-mail said besides</p> <p>9 calling for additional plaintiffs?</p> <p>10 A. It explained what had happened with the case, and</p> <p>11 it said that the attorneys would -- were looking</p> <p>12 for people in a variety of different assembly</p> <p>13 districts and that they would interview you to</p> <p>14 decide if you should be a plaintiff or not.</p> <p>15 Q. Anything else you remember about the e-mail?</p> <p>16 A. No. There was a link where you could, you know,</p> <p>17 volunteer yourself.</p> <p>18 Q. And did you click the link to volunteer yourself?</p> <p>19 A. Yes. I believe so. I believe that's how it was</p> <p>20 set up.</p> <p>21 Q. Without revealing the substance of any</p> <p>22 conversations you've had with your attorneys, what</p> <p>23 happened next?</p> <p>24 A. I'm trying to remember if there was an e-mail.</p> <p>25 There was a phone call follow-up, and we talked</p>	<p>Page 117</p> <p>1 A. Some were.</p> <p>2 Q. Were -- At least one spouse was at the meeting?</p> <p>3 A. Yes. Mine was.</p> <p>4 Q. Was Fred Kessler at the meeting?</p> <p>5 A. Yes.</p> <p>6 Q. How long did the meeting last for?</p> <p>7 A. I don't remember. I'm going to say two hours.</p> <p>8 Q. Was there a presentation at the meeting, without</p> <p>9 giving the contents of the presentation?</p> <p>10 A. Yes.</p> <p>11 Q. Was it a PowerPoint presentation?</p> <p>12 A. No.</p> <p>13 Q. What kind of -- Did you receive a handout at the</p> <p>14 meeting?</p> <p>15 A. Yes. I believe I did.</p> <p>16 Q. Are you aware that trial begins on April 23?</p> <p>17 A. Yes.</p> <p>18 Q. Are you planning to come testify at trial?</p> <p>19 A. It depends on if I'm requested to do so.</p> <p>20 Q. Are you planning to come to the trial?</p> <p>21 A. Probably, yes.</p> <p>22 Q. As your schedule stands now, would anything prevent</p> <p>23 you from coming to trial?</p> <p>24 A. No.</p> <p>25 Q. Okay.</p>

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1 MS. MEEHAN: That's all.
 2 MS. GREENWOOD: Thank you. I just have a
 3 few questions for you, Ms. Sundstrom.
 4 THE WITNESS: Okay.
 5 EXAMINATION
 6 BY MS. GREENWOOD:
 7 Q. At the beginning today, Ms. Meehan asked you about
 8 who your representative was before David Bowen, who
 9 is your current representative, and you said
 10 Sheldon Wasserman; is that right?
 11 A. Yes.
 12 Q. Was he the representative before David Bowen?
 13 A. No. It was Sandy Pasch. We had just talked about
 14 her.
 15 Q. Thank you. You mentioned also that you supported
 16 or you voted for Bernie in the 2016 presidential
 17 primaries. Who did you vote for in the 2016
 18 general election?
 19 A. Clinton.
 20 Q. And even though she wasn't your most preferred
 21 Democrat, why did you vote for her in the 2016
 22 election?
 23 A. Because she was far and away the most
 24 well-qualified of the candidates, and her policies
 25 were most in line with mine.

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1 Q. And you also mentioned that in the 2018
 2 gubernatorial primary, you voted for Kathleen
 3 Vinehout. Who did you vote for in the 2018
 4 gubernatorial general election in Wisconsin?
 5 A. Tony Evers.
 6 Q. I just want to take you back to Exhibit A. In that
 7 exhibit you looked at on the front page, the third
 8 and fourth entries show that you made donations to
 9 Bowen for Action, two sets of donations for \$120
 10 each; is that right?
 11 A. Yes. That's correct.
 12 Q. Okay. And if we go to the end of Exhibit A, you'll
 13 see that in 2011 you made a single -- although it's
 14 reported three times -- you made a single donation
 15 to Sandy Pasch in August of 2011. Sorry. We're on
 16 the last page of Exhibit A.
 17 A. Oh. Sorry. I'm sorry --
 18 Q. Actually, we're on the second-last page of
 19 Exhibit A.
 20 A. Sandy Pasch. Okay. I think I'm in the right spot
 21 now.
 22 Q. And then you'll see you also made a donation to
 23 Sandy Pasch -- I'm sorry. It is the last page now
 24 -- In July of 2011 you made a \$250 donation to
 25 Friends of Sandy Pasch. Do you see that?

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1 A. Yes.
 2 Q. And in May of 2011 you made a \$100 donation to
 3 Friends of Sandy Pasch. Do you see that?
 4 A. Yes.
 5 Q. Why did you give more money to Sandy Pasch in 2011
 6 than David Bowen in 2017?
 7 A. That was when she was running against Alberta
 8 Darling, who had been recalled. It was a
 9 competitive contest. Sandy Pasch had a good chance
 10 of winning it, so I felt like if -- you know, if
 11 they need a little money to push her over the top,
 12 then that -- I was certainly willing to do that.
 13 Q. You also talked today about how you had sent an
 14 e-mail to Senator Schultz, and he had responded to
 15 you, and you felt that he had listened to your
 16 concerns. I know you've also sent -- I'm sorry.
 17 Have you also sent messages to Governor Walker?
 18 A. I believe I have, yes.
 19 Q. And do you believe he's ever listened to your
 20 concerns?
 21 A. No.
 22 Q. We also looked -- or talked about the fact that you
 23 sometimes disagree with your current state senator,
 24 Lena Taylor; is that right?
 25 A. Yes.

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1 Q. Did you vote for Lena Taylor in the general
 2 elections?
 3 A. Yes.
 4 Q. You also talked about how you don't feel that in
 5 your district, District 10, your representative is
 6 able to advance the issues of the North Shore
 7 because Shorewood is a very small part of the
 8 district. The district you used to be in, the rest
 9 of it, is -- most of it is now in District 23. Do
 10 you feel you're able -- that that district is able
 11 to advance the issues of the North Shore of
 12 Milwaukee?
 13 MS. MEEHAN: Objection to form.
 14 BY MS. GREENWOOD:
 15 Q. Okay. Do you know the number of the district
 16 that's -- that includes Whitefish Bay and Fox Point
 17 and Bayside?
 18 A. I believe it's 23.
 19 Q. Okay. And do you believe that District 23 is able
 20 to advance the issues of those suburbs in the state
 21 assembly?
 22 A. No.
 23 Q. Why not?
 24 A. Because they have been put in with other suburbs
 25 farther north that are very, very strongly

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1 Republican.

2 Q. You also were asked today whether your vote has

3 counted, and you said that it does. You believe it

4 does count in the state. I wonder, do you feel

5 that your vote counts equally to Republicans across

6 the state?

7 A. No.

8 Q. You were also asked about the goals of Supermarket

9 Legends and whether -- which successes you've had.

10 My question is just whether the only goal of

11 Supermarket Legends is to advance policies in the

12 state assembly.

13 A. No.

14 Q. Okay.

15 MS. GREENWOOD: No more questions. Thank

16 you.

17 THE WITNESS: All right.

18 MS. MEEHAN: I just have a few quick

19 follow-ups.

20 EXAMINATION

21 BY MS. MEEHAN:

22 Q. Did Representative Bowen run against anyone in the

23 2018 general election?

24 A. No.

25 Q. And even though he didn't run against anyone in the

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1 2018 general election, you still donated \$240 to

2 his political action committee; is that right?

3 A. Yes.

4 Q. Why did you do that?

5 A. Just to help him get his message out and maybe

6 build for the future a little bit.

7 Q. You just testified that you do not feel your vote

8 counts equally to Republicans across the state.

9 What do you mean by that?

10 A. I think as the -- As the briefs in the case show,

11 some votes are more likely to influence an outcome

12 than others are based on how these districts are

13 constructed.

14 Q. Anything else?

15 A. No.

16 MS. MEEHAN: That's all.

17 MS. GREENWOOD: Thank you.

18 THE VIDEOGRAPHER: We're going off the

19 record at 3:29. End of deposition.

20 (Proceedings concluded at 3:29 p.m.)

21

22

23

24

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1 STATE OF WISCONSIN)

2) SS:

3 COUNTY OF MILWAUKEE)

4

5 I, KARA D. SHAWHAN, a Certified Realtime

6 Reporter, Registered Merit Reporter and Notary Public in

7 and for the State of Wisconsin, do hereby certify that

8 the above deposition of LINEA SUNDSTROM was recorded by

9 me on January 18, 2019, and reduced to writing under my

10 personal direction.

11 I further certify that I am not a

12 relative or employee or attorney or counsel of any of

13 the parties, or a relative or employee of such attorney

14 or counsel, or financially interested directly or

15 indirectly in this action.

16 In witness whereof I have hereunder set

17 my hand and affixed my seal of office at Milwaukee,

18 Wisconsin, this 22nd day of January, 2019.

19

20 _____

21 Notary Public

22 In and for the State of Wisconsin

23

24 My Commission Expires: August 29, 2021.

25

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1 -----

2 E R R A T A

3 -----

4 PAGE LINE CHANGE

5 _____

6 REASON: _____

7 _____

8 REASON: _____

9 _____

10 REASON: _____

11 _____

12 REASON: _____

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14 REASON: _____

15 _____

16 REASON: _____

17 _____

18 REASON: _____

19 _____

20 REASON: _____

21 _____

22 REASON: _____

23 _____

24 REASON: _____

25

Linea Sundstrom

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 LINEA SUNDSTROM 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
evidence to be the person(s) who appeared before me.

20

21 Signature _____

22

23

24

25