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U.S. DISTRICT COURT
N.D. OF ALABAMA

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

EVAN MILLIGAN, et al., *Plaintiffs*, vs. JOHN H. MERRILL, et al., *Defendants*.	No. 2:21-cv-01530-AMM
BOBBY SINGLETON, et al., *Plaintiffs*, vs. JOHN H. MERRILL, et al., *Defendants*.	No. 2:21-cv-01291-AMM

AMENDED EXHIBIT LIST TO JOINT PRETRIAL REPORT

The *Milligan* Plaintiffs, *Singleton* Plaintiffs, and Defendants hereby respectfully resubmit their list of Stipulated and Objected-to Exhibits with modifications from the version filed on December 23. They do so for several reasons.

First, the Parties have altered the numbering of the exhibits to prevent confusion and duplication with those in *Caster*.

Second, the Parties apologize for their omission of copies of the Stipulated exhibits. The *Milligan* Plaintiffs' exhibits are attached here; Defendants and *Singleton* Plaintiffs have filed their exhibits separately.

Third, to minimize the need to refer to multiple lists, the Parties have added a column for the objected-to exhibits previously filed that identifies their filing location on the docket.

Stipulated Exhibits		
Exh. #	**Description**	**Bates/ECF Doc #**
M1	Expert Report of Kosuke Imai	68-4
M2	Expert Report of Ryan Williamson	68-3
M3	Expert Report of Moon Duchin	68-5
M4	Expert Report of Baodong Liu	68-1
M5	Expert Report of Joseph Bagley	68-2
M6	Rebuttal Report of Kosuke Imai	76-3
M7	Rebuttal Report of Moon Duchin	76-4
M8	Rebuttal Report of Baodong Liu	76-1
M9	Rebuttal Report of Joseph Bagley	76-2
M10	Congressional District Comparison 2011/2021	RC 000002
M11	Transcript of Randy Hinaman Deposition & exhibits	N/A
M12	Transcript of Rep. Pringle Deposition & exhibits	N/A
M13	Transcript of Sen. McClendon Deposition & exhibits	N/A
M14	Declaration of Scott Douglas	70-3
M15	Declaration of Benard Simelton	70-4
M16	Declaration of Shalela Dowdy	70-5
M17	Declaration of Evan Milligan	70-6
M18	Declaration of Letetia Jackson	70-7
M19	Transcript of Oct. 26, 2021 Hearing of Reapportionment Committee	70-8
M20	Declaration of Sen. Laura Hall	70-9

M21	2011 Alabama congressional district map	N/A
M22	2021 Alabama congressional plan map	RC 000553
M23	2021 Alabama congressional plan map book	RC 000556
M24	2021 Reapportionment Public Hearings list	N/A
M25	Ala. HB 621 (May 2011)	SOS000076
M26	2011 Legislative Reapportionment Comm. Guidelines	SOS002410
M27	2021 Proposed Reapportionment Comm. Guidelines comparison handout	RC 044470
M28	2021 Reapportionment Comm. Redistricting Guidelines	RC 044593
M29	Talking Points for Likely Issues	RC 045524
M30	Proposed Ala. Senate Districts Functionality Examination	RC 044600
M31	"House approves congressional redistricting plan," Montgomery Advertiser (6/2/2011)	SOS001921
M32	June 29, 2021 email from Rep. Hall to D. Overton	RC 045712-14
M33	Decl. of Randy Hinaman from *ALBC* case	Hinaman Dep. Ex. 4
M34	Congressional plans introduced in 2021 special session	RC 000007
M35	Exhibit M-1 to William Cooper expert report in *Caster v. Merrill*, No. 2:21-cv-01536-AMM	*Caster*, ECF No. 48-46
M36	Exhibit M-2 to Cooper report in *Caster*	*Caster*, ECF No. 48-47
M37	Exhibit N-1 to Cooper report in *Caster*	*Caster*, ECF No. 48-48
M38	Exhibit N-2 to Cooper report in *Caster*	*Caster*, ECF No. 48-49
M39	Exhibit O-1 to Cooper report in *Caster*	*Caster*, ECF No. 48-50
M40	Exhibit O-2 to Cooper report in *Caster*	*Caster*, ECF No. 48-51
M41	Exhibit P-1 to Cooper report in *Caster*	*Caster*, ECF No. 48-52
M42	Exhibit P-2 to Cooper report in *Caster*	*Caster*, ECF No. 48-53
M43	Exhibit Q-1 to Cooper report in *Caster*	*Caster*, ECF No. 48-54
M44	Exhibit Q-2 to Cooper report in Caster	*Caster*, ECF No. 48-55
M45	Exhibit R-1 to Cooper report in *Caster*	*Caster*, ECF No. 48-56
M46	Exhibit R-2 to Cooper report in Caster	*Caster*, ECF No. 48-57
S1	Stipulations of Fact	ECF No. 47
S2	Natalie Davis Report	ECF No. 56-1
S3	Natalie Davis Rebuttal Report	ECF No. 60-1

S4	Alabama State House Hearing Transcript	RC 044681
S5	Coastal Alabama Community College–Fairhope Hearing Transcript	RC 044818
S6	Gadsden State Community College (Ayers) Hearing Transcript	RC 044990
S7	Jefferson State Community College–Hoover Hearing Transcript	RC 045074
S8	Lawson State Community College Hearing Transcript	RC 045111
S9	Lurleen B. Wallace Community College Hearing Transcript	RC 045156
S10	Northeast Alabama Community College Hearing Transcript	
S11	Northwest Shoals Community College Hearing Transcript	RC 045231
S12	All Alabama Congressional Maps	ECF No. 57-7
S13	Enacted 2021 Plan Map (Letter Size)	RC 000554
S14	Enacted 2021 Plan Population Summary	RC 000649
S15	Enacted 2021 Plan Population Summary (AP)	RC 000651
S16	Enacted 2021 Plan Population Summary (VAP)	RC 000652
S17	Enacted 2021 Plan District Statistics	RC 000537
S18	Enacted 2021 Plan Communities of Interest Splits	RC 000372
S19	Jefferson D7 Precincts	
S20	MGM D7 Precincts	
S21	Tuscaloosa D7 Precincts	
S22	Singleton Plan 1 Map (Large)	RC 022544
S23	Singleton Plan 1 Communities of Interest Splits	RC 022393
S24	Singleton Plan 2 (Smaller Deviation) Equivalency File	RC 026273 (PDF)
S25	Singleton Plan 2 Map (Letter Size)	RC 030932
S26	Singleton Plan 2 Population Summary	RC 030982
S27	Singleton Plan 2 District Statistics	RC 030925
S28	Singleton Plan 2 Communities of Interest Splits	RC 030745

S29	Singleton Plan 3 (Zero Deviation) Equivalency File	RC 034944 (PDF)
S30	Singleton Plan 3 Population Summary (AP)	RC 039227
S31	Singleton Plan 3 District Statistics	RC 039137
S35	Singleton Plan 3 Communities of Interest Splits	RC 038970
S36	Coleman Plan 1 Communities of Interest Splits	RC 009238
S37	Hatcher Plan 1 Communities of Interest Splits	RC 018041
S38	2002 Preclearance Submission (Without Exhibits)	RC 043723–34
S39	2011 Preclearance Submission (Without Exhibits)	ECF Nos. 113-87 and 113-88, No. 18-cv-907 (N.D. Ala.)
S40	Secretary of State Merrill's Pre-Trial Brief, *Chestnut v. Merrill*	ECF No. 101, No. 18-cv-907 (N.D. Ala.)
S41	Defendant's Exhibit 001, *Chestnut v. Merrill* (Congressional Maps)	ECF No. 114-1, No. 18-cv-907 (N.D. Ala.)
S44	Trey Hood Report, *Chestnut v. Merrill*	ECF No. 114-7, No. 18-cv-907 (N.D. Ala.)
S45	May 2021 Whole County Plan Draft	
D1	Thomas M. Bryan – Singleton Report	
D2	Thomas M. Bryan – Milligan Report	
D3	Thomas M. Bryan CV	
D4	Thomas M. Bryan Supplemental Report – Final	
D5	M.V. Hood III Expert Report	
D6	M.V. Hood III Supplemental Report – Final	
D7	Clay Helms Declaration	
D8	Mary McIntyre Declaration (12.20.21)	
D9	Declaration of Josiah Bonner, Jr.	
D19	Evans Letter to DOJ 4.15.1992 SOS007081	
D20	Evans letter to DOJ 3.10.1992 SOS007085	
D21	Evans Letter to Justice Dept. 3.10.1992, Section 5 Submission by State of Alabama SOS007070	

D22	Evans Letter to Justice Dept. 3.10.1992, Section 5 Submission by State of Alabama SOS007070 Part 2	
D23	DOJ Letter to Jimmy Evans 3.27.1992 SOS007071	
D24	Kathleen L. Wilde fax to John Tanner of the DOJ 3.25.1992 SOS007079	
D25	Letter to DOJ re Preclearance Submission of Al. Act. No. 2011-518 SOS002646	
D26	2001 Alabama State Board of Education Districts	
D31	2010 Allen Congressional Plan 4 SOS001466	
D32	2011 Preclearance Allen Plan 6 SOS001551	
D33	2011 Preclearance Beason Plan SOS001565	
D34	2011 Preclearance bpshan SOS001448	
D35	2011 Preclearance Buskey Congressional Plan SOS001621	
D36	2011 Preclearance Hammon All District Status SOS001579	
D37	2011 Preclearance Map McClendon Congressional Plan 1 - Map-0SOS001431	
D38	2011 Preclearance McClendon Congressional Plan 1 SOS001593	
D39	2011 Preclearance Poole Congressional Plan 4 SOS001607	
D40	2011 Preclearance Population Summary Report State 1 SOS001537	
D41	2011 Plan - 2 - Population and VAP Summary - Single Race	
D42	2011 Plan - 3 - Population and VAP Summary - Any Part Race	
D43	2011 Plan - 4 - Plan Components' Population and VAP - Any Part Race	
D44	2011 Plan - 5 - Plan Components' Population and VAP - Single Race	
D45	2011 Plan - 6 - County and Voting Districts Splits	

D46	2011 Preclearance Population Summary Report Allen SOS001635	
D47	2011 Preclearance Population Summary Report McClammy SOS001509	
D48	2011 Preclearance Population Summary Report SOS001649	
D50	2020 Democratic Runoff	
D51	2020-03 Certification AL Democratic Party Primary Runoff Candidates 2020-03-11	
D52	2021-10-25 2021 2nd Special Session Proclamation	
D53	2021 Alabama Congressional Plan Bill History with Recorded Votes	
D54	2021 Redistricting Plans Comparative by District Analysis Congressional	
D55	2021 Plan - 1 - Map	
D56	2021 Plan - 2 - District Statistics	
D57	2021 Plan - 3 - Population Summary - Single Race	
D58	2021 Plan - 4 - VAP Summary - Single Race	
D59	2021 Plan - 5 - Population Summary - Any Part Race	
D60	2021 Plan - 6 - VAP Summary - Any Part Race	
D61	2021 Plan - 7 - Plan Components' Population and VAP	
D62	2021 Plan - 8 - County and Voting District Splits	
D63	2021 Plan - 9 - City Splits	
D64	2021 Plan - 10 - Reock Compactness Measure	
D65	2021 Plan - 11 - Schwartzberg Compactness Measure	
D66	2021.09.07 Public Hearing Transcript - Permanent Legislative Committee On Reapportionment (Shelton State - Tuscaloosa AL)	
D67	AL DEM Cert. Amend 12182019	

D69	Certification of Results June 4, 1996, Constitutional Amendments	
D70	Democratic Party-Official 2020 Primary Election Results (1)	
D71	District Statistics Report Congressional Final, May 16	
D73	Exhibits to Congressional Submission SOS002005	
D74	Final Exhibits - District Statistics Report Congressional Final, May 16	
D75	Hatcher Plan - 1 - Map	
D76	Hatcher Plan - 2 - District Statistics	
D77	Hatcher Plan - 3- Population Summary - Single Race	
D78	Hatcher Plan - 4 - VAP Summary - Single Race	
D79	Hatcher Plan - 5- VAP Summary - Any Part Race	
D80	Hatcher Plan - 6 - Population Summary - Any Part Race	
D81	Hatcher Plan - 7 - Plan Components' Population and VAP	
D82	Hatcher Plan - 8 - County and Voting District Splits	
D83	Hatcher Plan - 9 - City Splits	
D84	Hatcher Plan - 10 - Reock Compactness Measure	
D85	Hatcher Plan - 11 - Schwartzberg Compactness Measure	
D86	*Jones v. Jefferson County* – Motion for Consent Order (agreed before litigation)	
D87	Kiani Gardner – CD-1 candidate endorsed by ADC	
D88	Alabama Advisory Committee to U.S. Commission on Civil Rights Report (July 2020)	
D89	Letter to John Park Jr. 11.21.2011 SOS000514	
D90	Letter to John Tanner dated 4.15.1992	

D91	Liu – Alabama Democrats Candidate list 2020 Primaries	
D98	Pierce Map 9.91991 SOS007159	
D99	Pleasant Grove Settlement Agreement	
D107	Reapportionment Committee Guidelines for Legislative, State Board of Education, and Congressional Redistricting State of Alabama May 2011	
D108	Legislative Reapportionment Public Hearings Aug 5	
D109	Singleton 1 Plan - 1 - Map	
D110	Singleton 1 Plan - 3 - District Statistics	
D111	Singleton 1 Plan - 4 - Population Summary - Single Race	
D112	Singleton 1 Plan - 5 - VAP Summary - Single Race	
D113	Singleton 1 Plan - 6 - Population Summary - Any Part Race	
D114	Singleton 1 Plan - 7 - VAP Summary - Any Part Race	
D115	Singleton 1 Plan - 8 - Plan Components' Population and VAP	
D116	Singleton 1 Plan - 9 - County and Voting District Splits	
D117	Singleton 1 Plan - 10 - City Splits	
D118	Singleton 1 Plan - 11 - Reock Compactness Measure	
D119	Singleton 1 Plan - 12 - Schwartzberg Compactness Measure	
D120	Singleton 2 Plan - 3 - District Statistics	
D121	Singleton 2 Plan - 4 - Population Summary - Any Part Race	
D122	Singleton 2 Plan - 5 - VAP Summary - Any Part Race	
D123	Singleton 2 Plan - 6 - Plan Components' Population and VAP	
D124	Singleton 2 Plan - 7 - County and Voting District Splits	
D125	Singleton 2 Plan - 8 - City Splits	

D126	Singleton 2 Plan - 9 - Reock Compactness Measure	
D127	Singleton 2 Plan - 10 - Schwartzberg Compactness Measure	
D128	Singleton 3 Plan - 1 - Map	
D129	Singleton 3 Plan - 3 - District Statistics	
D130	Singleton 3 Plan - 4 - VAP Summary - Single Race	
D131	Singleton 3 Plan - 5 - Population Summary - Single Race	
D132	Singleton 3 Plan - 6 - Population and VAP Summary - Any Part Race	
D133	Singleton 3 Plan - 7 - Plan Components' Population and VAP	
D134	Singleton 3 Plan - 8 - County and Voting District Splits	
D135	Singleton 3 Plan - 9 - City Splits	
D136	Singleton 3 Plan - 10 - Reock Compactness Measure	
D137	Singleton 3 Plan - 11 - Schwartzberg Compactness Measure	
D142	DOJ Letter withdrawing objection	
D147	Letter to DOJ Feb. 7, 2002, re: Submission under Section 5 of the VRA of 65, Ala. Act No. 2002-73	
D148	Letter to Civil Rights Division re Preclearance Submission of Ala. Act. No. 2011-677 – 1212857 Sept. 21, 2011	
D149	US Congress Final District Statistics Report SOS001080	
D151	2021 Census – Alabama Profile	
D159	Democratic_Party-Official 2020 Primary Election Results (only CD1 and CD2 results others hidden)	
D160	Census 2018 Voting and Reg by Race	
D161	Census 2016 Voting and Reg by Race	
D165	Letter to Justice Dept. 3.10.1992 Section 5 Submission by State of Alabama Part 1	

D166	Letter to Justice Dept. 3.10.1992 Section 5 Submission by State of Alabama Part 2	
D167	Legislative Reapportionment Public Hearings_Aug 5	
D168	ACS 2019 Data Connecticut	
D169	ACS 2019 Data United States	
D170	Byrne Declaration	

***Milligan* Plaintiffs' Objected-To Exhibits**	
Exhibit	**Objections**
M47 - Transcript of Alabama Senate Floor Debate, Nov. 3, 2021	Authenticity

***Singleton* Plaintiffs' Objected-To Exhibits**	
Exhibit	**Objections**
S32 - DRA About election data.pdf	Authenticity; Relevance
S33 - DRA D7 Act 2021-555 map.pdf	Authenticity; Relevance
S34 - DRA Act 2021-555 plan stats.pdf	Authenticity; Relevance
S42 - DRA Whole County Plan map.pdf	Authenticity; Relevance
S43 - DRA Whole County Plan statistics.pdf	Authenticity; Relevance
S51 - DRA Singleton Congressional Plan 2 map.pdf	Authenticity; Relevance
S52 - DRA Singleton Congressional Plan 2 statistics.pdf	Authenticity; Relevance
S60 - DRA Singleton Congressional Plan 3 map.pdf	Authenticity; Relevance
S61- DRA Singleton Congressional Plan 3 statistics.pdf	Authenticity; Relevance

Defendants' Objected-To Exhibits[1]	
Exhibit	**Objections**

[1] Objections come from the *Milligan* Plaintiffs. The *Singleton* Plaintiffs do not object to the authenticity or relevance of any of the Defendants' exhibits. The *Singleton* Plaintiffs reserve the right to object if an exhibit is offered for a purpose not permitted by the Federal Rules of Evidence.

D10	Bonner Declaration Bonner Deposition Testimony with exhibits - Part 1	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D11	Bonner Declaration Bonner Deposition Testimony with exhibits - Part 2	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D12	Bonner Declaration Bonner Deposition Testimony with exhibits - Part 3	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D13	Byrne Testimony and Exhibits Part 1	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D14	Byrne Testimony and Exhibits Part 2	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D15	1991-06-14 Public Hearing Transcript - Joint Legislative Committee on Reapportionment (Mobile , AL) SOS008654	Relevance; Hearsay
D16	1991.08.21 Public Hearing Transcript - Joint Legislative Committee on Reapportionment (Montgomery AL) SOS 007291	Relevance; Hearsay
D17	1991.10.02 Public Hearing Transcript - Joint Legislative Committee on Reapportionment (Montgomery AL) SOS007200	Relevance; Hearsay
D18	1992.03.29 DOJ Objection letter	Duplicate exhibit
D27	2011 Plan - *Alabama v. Holder* (DDC) Complaint	Relevance
D28	2011 Plan – *Alabama v. Holder* (DDC) Dismissal	Relevance
D29	2011 Plan - *Alabama v. Holder* (DDC) DOJ Preclearance	Relevance

D30	*State of Alabama v. Holder* Errata to Complaint SOS000172	Relevance
D49	2020 Annual Report - State Personnel Board	Relevance
D68	Application of Appellant Billy Joe Camp, Secretary of State of Alabama, for Stay of Judgment Pending Appeal	Hearsay
D72	SOS002410 Reapportionment Committee Guidelines May 2011	Relevance
D92	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 1	Relevance
D93	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 2	Relevance
D94	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 3	Relevance; Hearsay
D95	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 4	Relevance; Hearsay
D96	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 1	Relevance; Hearsay
D97	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 2	Relevance; Hearsay
D100	Preclearance submission Exhibit C-10 alternative plan McClammy	Rule 106 (completeness)
D101	Preclearance submission Exhibit C-11 alternative plan McClammy 2M	Rule 106 (completeness)
D102	Preclearance submission Exhibit C-12 alternative plan McClammy PPB	Rule 106 (completeness)
D103	Preclearance submission Exhibit C-13 alternative plan Poole-Hubbard	Rule 106 (completeness)
D104	Preclearance submission Exhibit C-14 alternative plan alternative plan State 1	Rule 106 (completeness)
D105	Preclearance submission Exhibit C-8 alternative plan Allen	Rule 106 (completeness)
D106	Preclearance submission Exhibit C-9 alternative plan Greer 2	Rule 106 (completeness)
D138	SOS002410 Reapportionment Committee Guidelines May 2011	Relevance
D139	*Thompson v. Merrill* Alabama Board of Pardons and Paroles Chair Leigh	Relevance, Hearsay

	Gwathney's Objections and Answers to Plaintiffs' First Set of Interrogatories to Her	
D140	*Thompson v. Merrill* SOS Merrill's Objections and Answers to Plaintiff's First Set of Interrogatories to Him	Relevance, Hearsay
D141	US election 2020 Why Trump gained support among minorities	Relevance, Hearsay
D143	*Wesch* -Supplemental Stipulation	Relevance
D144	*Milligan v. Merrill* Deposition Transcript of Randy Hinaman 2021.12.09 Part 1	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D145	*Milligan v. Merrill* Deposition Transcript of Randy Hinaman 2021.12.09 Part 2	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D146	2000 Population State Board of Education	Relevance, Hearsay
D150	CDC MMWR – Study Showing vaccination by SVI index	Hearsay
D152	Hispanic Voters Now Evenly Split Between Parties, WSJ Poll Finds	Relevance, Hearsay
D153	Sentencing Project, The Color of Justice Racial and Ethnic Disparity in Prison	Relevance, Hearsay
D154	Redistricting Alabama: How South Alabama could be split due to Baldwin County's growth	Relevance, Hearsay
D155	Voting Determination Letters for Alabama	Relevance
D156	Felon Voting Rights Final Version	Relevance; Hearsay
D157	2017.08.09 Alabama Senate Profile – Robert Kennedy Jr. says he's more than a name	Relevance, Hearsay
D158	Economic Policy Institute, State unemployment by race and ethnicity (2021Q3)	Hearsay
D162	Becoming Less Separate	Rule 106 (completeness)

D163	Defendant's First Evidentiary Submission	Relevance
D164	Randy Hinaman Amended Notice of Deposition 120921	Relevance

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system which provides electronic notice of filing to all counsel of record.

This the 27th day of December 2021.

/s/ Deuel Ross

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