

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA

BLACK VOTERS MATTER CAPACITY
BUILDING INSTITUTE, INC., et al.,

Plaintiffs,

v.

LAUREL M. LEE, in her official capacity as
Florida Secretary of State, et al.,

Defendants.

Case No. 2022-ca-000666

**PLAINTIFFS' NOTICE OF FILING AFFIDAVIT IN SUPPORT OF
PLAINTIFFS' EMERGENCY MOTION TO VACATE STAY PENDING APPEAL**

Plaintiffs hereby give notice of the filing the Affidavit of Dr. Stephen Ansolabehere in support of Plaintiffs' Emergency Motion to Vacate Stay Pending Appeal.

Dated: May 16, 2022

Respectfully submitted,

/s/ Frederick S. Wermuth
Frederick S. Wermuth
Florida Bar No. 0184111
Thomas A. Zehnder
Florida Bar No. 0063274
**KING, BLACKWELL, ZEHNDER &
WERMUTH, P.A.**
P.O. Box 1631
Orlando, Florida 32802
Telephone: (407) 422-2472
Facsimile: (407) 648-0161
fwermuth@kbzwlaw.com
tzehnder@kbzwlaw.com

John M. Devaney+
PERKINS COIE LLP
700 Thirteenth Street N.W., Suite 600
Washington, D.C. 20005
Telephone: (202) 654-6200
Facsimile: (202) 654-6211
jdevaney@perkinscoie.com

Abha Khanna*
Jonathan P. Hawley*
ELIAS LAW GROUP LLP
1700 Seventh Avenue, Suite 2100
Seattle, Washington 98101
Telephone: (206) 656-0177
Facsimile: (206) 656-0180
akhanna@elias.law
jhawley@elias.law

Christina A. Ford
Florida Bar No. 1011634
Joseph N. Posimato+
Graham W. White*
ELIAS LAW GROUP LLP
10 G Street NE, Suite 600
Washington, D.C. 20002
Phone: (202) 968-4490
Facsimile: (202) 968-4498
cford@elias.law
jposimato@elias.law

gwhite@elias.law

Counsel for Plaintiffs

+Admitted Pro hac vice

*Pro hac vice application forthcoming

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 16, 2022 I electronically filed the foregoing using the State of Florida ePortal Filing System, which will serve an electronic copy to counsel in the Service List below.

/s/ Frederick S. Wermuth

Frederick S. Wermuth

Florida Bar No. 0184111

Counsel for Plaintiffs

SERVICE LIST

Daniel E. Nordby
Shutts & Bowen LLP
215 S. Monroe Street
Suite 804
Tallahassee, FL 32301
ndordby@shutts.com

Counsel for Defendants
Florida Senate, Ray Rodrigues, and Wilton Simpson

Ashley Davis
Bradley R. McVay
Florida Department of State
R.A. Gray Building, Suite 100
500 South Bronough Street
Tallahassee, FL 32399
ashley.davis@dos.myflorida.com
brad.mcvay@dos.myflorida.com

Counsel for Defendant
Laurel M. Lee, as Florida Secretary of State

Andy Bardos, Esq.
GrayRobinson, P.A.
P.O. Box 11189
Tallahassee, FL 32302
andy.bardos@gray-robinson.com

Counsel for Defendants
Chris Sprowls and Thomas J. Leek

Mohammed O. Jazil
Michael Beato
Gary V. Perko
Holtzman Vogel Baran Torchinsky
& Josefiak, PLLC
119 S. Monroe Street
Suite 500
Tallahassee, FL 32301
mjazil@holtzmanvogel.com
mbeato@holtzmanvogel.com
gperko@holtzmanvogel.com

Counsel for Defendant

Laurel M. Lee, as Florida Secretary of State

Bilal A. Faruqi
Office of the Attorney General
State Programs Bureau
PL-01 The Capitol
Tallahassee, FL 32399
bilal.faruqi@myfloridalegal.com

Counsel for Defendant
Ashley Moody, as Florida Attorney General

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Case No. 2022-ca-000666

AFFIDAVIT OF DR. STEPHEN ANSOLABEHERE

STATE OF MASSACHUSETTS
COUNTY OF SUFFOLK

BEFORE ME, the undersigned authority, personally appeared Stephen Ansolabehere, who, after first being duly sworn, deposes and says:

1. I was retained by Plaintiffs in *Black Voters Matter Capacity Building Inst., Inc. et al. v. Lee et al.*
2. This afternoon, I evaluated the Secretary's opposition to Plaintiffs' motion to vacate the automatic stay and Dr. Johnson's corresponding affidavit.
3. Dr. Johnson flags several Census blocks in his analysis which he says have been moved. All of them are zero population blocks, whose assignment to CDs do not affect the representation of any person in the state of Florida.
4. Dr. Johnson flags two points where he believes there may be discontinuities or non-contiguous areas in the map. The first concerns Interstate 95 in St. Johns County. Census Blocks 12109212901008, 121090212091009, and 121090212091010 correspond to Interstate 95. Each of these blocks has zero population. I performed integrity checks for

discontinuities in CD boundaries and non-contiguous blocks. I found none in the entire map, which, of course, includes St. Johns County. When I prepared Corrected Map A, I fixed the line that Dr. Johnson has highlighted. It corresponds to I-95 and has zero population. The assignment of the 3 Census Blocks corresponding to I-95 in this area of the map is of no consequence to the representation of any population because these are zero population blocks.

5. As Plaintiffs' counsel explained to the court last week, I originally assigned these zero population blocks to CD-4. Assigning them to CD-6 would make the map more compact, and that is my recommendation.
6. Second, Dr. Johnson highlights a black dot in CD-3 in the PDF version of Map A. I do not know what that dot is. I have inspected that area in my software and do not see a non-contiguous area or block. I have run further integrity checks and have found no non-contiguous areas. I have further checked to make sure that all Census Blocks are assigned to CDs.
7. In Paragraphs 15, 16, and 17, Dr. Johnson notes three census blocks that are in different districts in Map A than under the Enacted Map. Each of these Census blocks, as he indicates, have zero population. The three Census Blocks are 120830010031087, 120860141001018, and 121050157024030. They correspond to a river border, the lanes of a highway, and an irrigation canal. They are on the border between districts and are road or waterways. Because they have no population and because they border districts, their assignment is of no consequence in the map. Should the Court have any concern, they can be easily assigned back to the same CDs as assigned in the Enacted Map.
8. If called to testify under oath, my testimony would be consistent with this affidavit.

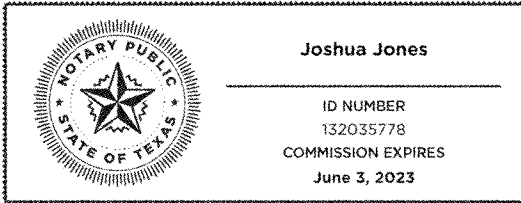
FURTHER AFFIANT SAYETH NOT.

Stephen Daniel Ansolabehere

Stephen Ansolabehere

Texas, Harris County

SWORN TO AND SUBSCRIBED before me this 16th day of May 2022, by Stephen Daniel Ansolabehere, who (check one) is personally known to me, produced a driver's license (issued by a state of the United States within the last five (5) years) as identification, or produced other identification, to wit: DRIVER LICENSE



Joshua Jones
 Print Name: Joshua Jones
 Notary Public, State of ~~Massachusetts~~ Texas
 Commission No.: 132035778
 My Commission Expires: 06/03/2023

Notarized online using audio-video communication