IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP, et al, Plaintiffs, v. THOMAS C. ALEXANDER, et al, Defendants.	Case No. 3:21-cv-03302-MGL-TJH-RMG

SENATE DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR *IN CAMERA* REVIEW OF SENATE DEFENDANTS' PRIVILEGE LOG AND MOTION TO COMPEL

From its outset, Plaintiffs' Motion For In Camera Review And To Compel rests on false and misleading premises. Plaintiffs assert that "attorneys at Jones Day, including counsel of record in this case, Mr. John Gore," "wore many hats" because they allegedly "not only provided legal advice to the Senate, but also legislative advice and advice concerning political considerations." Dkt. No. 322 at 1. This is a gross misrepresentation: every witness who has testified in this case—including witnesses whose transcripts Plaintiffs cite in their Motion—has confirmed that Jones Day's work on South Carolina redistricting involved only "legal advice." See Fiffick Tr. 339 (Ex. A); Terreni Tr. 155, 386–88 (Ex. B); Roberts Tr. 59, 204 (Ex. C); John Tr. 253 (Ex. D); Benson Tr. 110 (Ex. E). Attorneys at Jones Day, including Mr. Gore, did not perform any other role. See Terreni Tr. 386–88 (Ex. B). Plaintiffs cite precisely nothing to support their baseless assertion otherwise.

Plaintiffs' attempt to take aim at the Senate Defendants' other outside counsel, Mr. Charles Terreni, also misrepresents the record. To be sure, Mr. Terreni provided both "practical" and "legal" advice to the Senate during Congressional redistricting. See id at 199–200. As the Senate

city 26:8 35:18 105:7,8 206:7,9 233:19 234:20 235:13
civil 2:9 18:22
claims 17:2,4
clarification 258:15,19
clarified 231:19 267:15
clarify 8:16 14:6 46:5 68:14 69:5 70:15 73:11 94:16 125:24 129:7 152:17 164:18 198:25 214:24 218:8,15
clarity 247:6 249:2
clark 108:3,11 111:11 124:7,7
classical 32:25
clean 76:17 86:9
clear 49:6 74:13 79:9 82:24 172:16
clearly 6:16 209:19
clemson 21:4
clerk 23:25 43:25 52:2
clients 253:23
clifford 3:11
climer 239:12,14 239:15 241:8
close 101:4
closed 34:11 137:19 164:8
closely 208:24 209:11
clyburn 64:22 65:7 75:5 78:4 78:13 81:25 82:10 83:2 90:6 201:25 215:12 219:12 220:4 227:8
clyburn's 41:25 44:15 79:8 81:22 82:6 83:16 84:10 91:3 92:2 93:7 148:15,17 256:3
coalition 146:1,9
coast 33:10,15
coastal 257:17
cohl 52:13,23
collaboration 194:8
collected 150:6
colleton 20:7
columbia 1:2,15 2:18 3:16 19:17 104:20 164:9
columbia's 28:5 28:10 264:18
come 22:24 23:11 51:18 65:3 118:21 139:18,23 140:13 163:13 212:2
comes 216:24 217:6
coming 25:2 105:17
comment 45:2,9 45:10 97:17 210:9 237:4
commented 135:7
comments 29:9 133:4 136:1,3,9 136:21 137:12 137:15 178:23 205:15,19 211:4 252:13
commission 3:13 17:17 113:14 263:24
committee 2:16 3:4 42:16 46:11 49:23 50:4,9,25 54:13 56:10,11 56:11 199:14,18 210:9 213:2 232:10,24 248:15 266:23
committee's 208:25
committees 121:4
common 158:24 225:23 226:1
communication 46:24 47:2,6 91:5
communications 43:20 44:18
communities 103:10,18,21,25 104:11,16 106:14,18 107:25 185:18 188:4,9,12 205:22 233:17 235:14,24 236:3
community 34:17 103:2,19 104:25 105:4 106:3
community's 136:25
compact 120:8
compactness 119:25 120:1,11 120:18,25 121:23 122:1,5,7 122:12,16 233:20 235:15 235:24
company 108:24
compare 17:20 155:16 160:17 167:7 168:1 173:16 213:14
compared 105:9 115:9 167:5 168:24 169:20 178:12 179:17 203:1 208:8 209:15
comparing 167:8 210:14,23
comparison 99:1 167:9 195:23 196:9 210:18 259:18 266:21
compels 30:22
competitive 170:11 172:25 173:13

compile 103:9 108:4
complaining 136:21
complaint 246:9 246:15 268:10
complaints 12:16 137:16,20 249:16
complete 263:6 271:8
completed 23:12 43:23 210:23 269:17
completeness 146:19
compliance 70:4 70:11 71:6,8,9 71:12 96:16 107:6,16 129:25 129:11 165:25 183:17 204:5 213:15
complied 64:3 69:21 72:9 114:23 155:25 165:15 166:4,8 184:12 204:14 204:19 219:24 247:15
comply 96:22,24 97:4 101:20 242:11 259:8,12
complying 96:4 233:12 257:4
compromise 20:6
computer 16:19 16:21 37:1,2,4,5 40:17 177:8 200:10 238:13 251:21
computers 37:16 92:6 224:23
conceded 101:18 219:18
concept 185:1
concern 15:21 185:19
concerned 29:22 249:16
concerning 170:6 186:4 214:23 225 233:4
concerns 29:4,7 29:13,19 30:10 73:20 74:2 76:8 76:11 118:11 138:1 139:25 159:6 188:7,11 188:15 229:14
concluded 262:23
conclusion 129:15,23
conditions 215:21
conduct 31:10 40:12 97:13 128:1 130:15,19 139:11 148:2,7 148:13 158:14 166:16 181:12 208:6,7,13,19 254:20
conducted 72:13 128:22 130:5,8 132:25 135:9 154:15,20 155:6 166:5,18 167:5 168:1 169:3 185:18 204:24 204:25 229:19
conducting 208:15
conference 1:3 1:14 4:21 31:21 35:12 61:20 63:2,13 76:14 78:6 82:17 124:14 128:17 144:19 145:10 174:1,20 182:17 182:21 189:7 193:19 213:9 232:16 241:18 245:7 251:1 261:22 262:3,12 269:4 270:1 271:1
confused 176:24 218:16
confusing 92:16
congress 41:19 216:14 217:7 220:7,18 260:15 261:5
congressional 13:25 14:13 26:25 39:18 41:21 42:13 43:4 44:2 46:25 47:12 48:3,9 52:19,21 53:4,7 53:24 54:18,20 55:14 58:9,19 60:22 61:18 62:9,10 63:12,21 64:18,22 65:2,13 65:19,23 66:17 66:20 72:3,7,8 74:8,18,21 75:4 75:18,23 76:19 76:20 78:23,24 79:7,16,18,22,24 79:25 81:18 82:3,5,8 83:8,10 85:7 86:19 93:13,18 101:16 103:9 105:25,21 107:1,3,17,18 108:9 109:9 112:17 113:9,20 116:5 118:13,17 118:20 120:15 125:11,15,25 132:10,18 135:23 137:13 138:1,14,16 139:2,12 140:10 142:13,18 143:2 143:5,15,19 144:18 145:2,9 146:24 147:7,13 149:22,25 152:24 153:8,20 157:9 158:17 159:12 165:11 169:13,19 170:15 174:23 175:22,23

183:10,16 194:5 194:11,19 196:18,20,21 197:8 198:7 200:17 205:21 206:5,8,13,15 217:8 230:17,25 234:8,18 239:19 243:8 244:17,20 245:2 248:13 249:25 253:5,8 256:2 257:2 260:20 265:14 265:18,22 266:4 268:2
congressman 41:25 42:2,11 64:22,23 75:5,6 78:4 79:8 81:2 81:25 132:19 162:22 201:24 205:20 216:5,9 220:3,4 256:18 261:4,12
congressmen 216:13
consensus 177:25
consent 20:6 150:16
consider 21:10 49:14 53:2,20 75:11,14 85:6 100:4 101:9 107:16 180:25 186:10 247:1 254:15 256:24 258:25 259:1,15 259:21
consideration 72:21 77:11 101:19 119:23 134:2 205:25 206:12 211:14 230:18 234:23 235:6,8 260:17 260:19
considerations 77:9,10,15 114:1 114:20 233:21 235:4
considered 59:8 81:10 105:1,20 105:25 122:23 197:11 200:18 230:11 238:7 253:17 257:1 259:25 260:3,5
considering 97:9 97:10 253:21 258:21,22
consistency 77:5 77:24 88:5 100:10 233:18
consistent 97:16 97:20 167:1 216:20
conspiracy 18:22
constituencies 87:2 183:18 184:8
constituency 169:17 235:10
constituent 77:5 77:24 88:5 100:10 233:18
constituents 221:13
constitute 93:24
constitutions 233:13
constraints 176:2
construction 19:21 111:6
construed 133:23
consultant 108:4 108:12
consultants 45:24 50:12
consulted 10:9 156:5
consulting 26:12 26:14,18 34:13
contact 15:8 41:8 65:12,16 108:19 113:17 113:24 149:15 216:8 220:6
contacted 11:9
contained 121:8
contemplated 166:17
contemplating 199:6
content 9:8,13 10:2 42:8
contest 7:23
context 27:16 184:19 185:2 237:7,15
contexts 27:3
contiguity 102:14 233:15
contiguous 166:11 209:9
continue 250:1 261:16
continued 85:15 158:2 195:10 231:5 250:20
continuity 102:16,21 166:10 208:25
control 168:13
controlled 172:22
conversation 14:4 61:24 65:14 112:12 198:24 236:23 237:8 251:7 252:14 254:3 256:7,14
conversations 28:25 39:14 41:11 44:12,17 44:20 45:21 46:3,13,21 52:21 85:22,25 113:24 124:5,21,22 125:10,21 126:3 126:5 129:10 131:10 139:14 139:21 156:25 165:21,23,25 216:25 231:8 261:18

conveyed 110:17 110:19
coordinators 50:7
copied 196:4
copies 181:17 269:14
copy 135:24 145:6 147:22 149:5 160:16 173:15 250:12 261:24 262:18
cor 78:15
core 53:2 55:25 87:2 120:5 139:5 143:24 144:4 155:8 161:6 163:5 169:11,17 171:1 173:7 177:18 181:2 183:18 184:7 186:15 189:22,25 193:12,16 194:9 201:8 203:23 206:24 208:6,11 209:2,13 210:4 210:14 218:2,10 218:23 219:7,8 219:15,22,25 220:12,19 235:9 243:24 246:25 247:7 255:8 260:18,23
cores 77:6
correct 11:1 14:11 15:20 20:1 34:16 44:16 56:17 60:20 63:15 65:9,20 67:14,17 75:21,22 76:21 76:22 77:20,23 79:19 82:7 83:3 83:6 86:18,22 87:15,18,22 90:6 91:15 93:19 94:20 95:4 99:16 101:8,21 101:25 120:19 121:14 123:1 130:13 137:9 149:23 150:18 168:21 170:4 176:7,15 187:11 187:17 193:14 197:22 212:13 215:23 217:9 218:23,24 219:2 219:5 226:20 235:9,11 237:12 239:21 240:2 242:23,24 247:8 255:2 256:22 259:17 261:2 271:8
corrections 271:6
correctly 122:25 226:19
correlated 125:4 125:7,23 126:4 126:17,21
correspond 39:8
correspondence 48:3 147:11 156:18
coun 198:5
council 21:17 26:8 41:14
counsel 1:16 2:1 5:8 8:9 11:10 12:5,8 32:1 36:21 37:14 51:21,25 57:22 59:9 66:7 69:17 69:24 72:6,13 98:5 107:8 114:11 115:25 116:8 118:3 119:6 122:2 124:9 128:5 129:13,22 134:10 140:19 142:4 151:18 161:20 168:15 169:21 173:8 174:2 175:4 180:3 182:14 184:2 185:22 187:12 190:6,7 190:24 199:23 200:4,9,12 204:8 204:17 214:19 215:6 216:16 217:23 218:14 223:19 229:3 234:12 240:17 240:21 250:16 251:25 263:9 269:14
count 28:6,11 94:24 264:19
counties 18:2,3,7 18:9 94:9 128:15 242:9 244:11,16 246:13
county 18:9,11 18:16 19:16 20:4,8 26:12 30:7 35:17 42:18,19,21,24 43:4 44:3 83:11 83:12 86:17 87:14 105:18 106:3 114:3,9,14 115:2 117:13 118:16,25 119:8 128:13 175:16 175:21 176:4 177:3 178:2 196:17,21 197:1 197:7 198:6,20 199:8,10 206:2,8 206:10,11 207:21 209:11 209:19,20,22 216:3 223:8,9 233:19 234:20 235:12,21 245:2 246:24 247:3,15 248:1,23 253:6 256:23 257:16 263:13
couple 22:22 34:10 85:20 104:22 138:4
courier 28:8
course 212:10

courses 21:6
court 1:1,17 4:3 6:4,13 7:8,13 18:19 19:5,7,8 19:13,20 70:19 73:15 122:12 136:10 182:4 261:23 262:4,9 262:13 263:3,24
courtroom 6:11
courts 122:6 260:3
cover 145:16,18 153:1,12,12,23
coworker 104:10
cracked 184:19 185:17
cracking 185:7 185:13,20 186:4 186:23 188:12
crap 251:15
crazy 22:20
create 32:10 37:7 54:6 64:6 103:24 104:13 104:16 133:8 155:9 162:10 202:6 224:10,12 226:9 242:21 244:16 246:4
created 14:14 30:19 36:11,17 61:4 74:7 89:8 131:18 136:8 150:12 162:5,6 162:19 202:2 222:18 225:14 225:19 239:22 242:19 243:14 243:23 245:23 248:20
creating 21:22 58:18 62:23 121:12 157:8 160:13 161:4 162:12 183:10 225:16,17 235:6 245:20
creation 48:16 48:21,21 63:17 87:25 132:17 158:5 161:24 163:17 201:7,15 201:16 230:6
credit 21:3
cri 234:15
criteria 59:12 64:7,10,16 65:22 75:8 77:11 87:21 88:1,5,7 90:1 96:21 102:10 104:21 114:24 115:16 115:24 116:6,22 117:8,18 118:1 119:13 131:15 131:19 21,25 132:4,7,8,13 136:14 140:8 147:17,20 155:21,25 165:16 166:1,9 170:21 201:21 201:23 204:9,15 204:19 214:1,4,9 214:11,16,18 215:1,3 216:15 216:21 217:11 217:15 218:3,6 218:11,12,19 219:8,17,24 220:19 227:6 232:10,24 233:17 234:10 234:16 235:2 236:6 247:25 256:25 257:2,7 260:12
cs 269:15
cultural 105:20 105:24
culture 105:9,12
cunningham 205:20 230:15
current 21:13 27:18
currently 20:15 20:17
cusick 2:5 4:17 4:19 5:4 6:1,2 27:25 28:13,19 28:20 32:3,7 38:9 51:23 52:4 59:24 61:22 63:4 70:17,21 76:16 78:8 82:19 85:16 97:25 98:6,15 107:11,14 114:13 118:5 123:9,20 124:16 128:19 134:3,12 134:16 144:16 145:4 146:18 147:1 152:21 153:10,17 157:21 158:3 159:20,25 160:3 173:20 174:6,7 174:25 175:6,7 182:2,10,15,18 182:24 189:5,13 190:18 191:1,21 193:21 195:2,11 195:16 196:1 199:12,20,25 200:6,11,14 207:2,9 212:20 212:25 213:10 222:1,15 223:13 223:21 224:5 231:2,6,11,21 232:14,17 236:17,22 238:17 239:1 240:3,10,19,22 241:14,16,19 242:1 243:4,10 244:2,9 245:5,9 245:17 246:7,17 250:6,13,18 251:23 252:12 253:18 254:10 255:18 256:5 258:13,18 261:21,23 262:1 264:7,11
cusick's 250:23 251:4
cut 85:13 128:10 175:15

cv 1:6
cycle 9:24 14:14 15:19 25:6,11 26:22 29:8,15 35:2 36:12,18 37:6 39:9 60:23 111:2 125:12,16 131:7,12
cyndi 3:21

d

d 4:1 114:2 264:1
daily 54:19
dale 46:1
dalton 41:24 42:5 46:1 65:10 82:13 90:8 123:11 143:22 162:22 256:3
daniel 175:17 195:23 196:9 266:20
data 18:12 25:25 26:5 29:4 34:7 45:13,19 57:9 75:15 76:5 94:23 103:22 108:3,5,6,7,13 109:4 110:5,5,15 110:21,22,25 111:11,15,18,19 112:2 113:8,12 122:19 123:8 124:17,19 125:19 126:9,13 126:15 142:7 149:12 167:18 170:10 194:16 201:15,19 240:1 254:13,25 255:3 255:10
database 113:14 123:5 150:6 151:17
date 1:12 11:12 34:7 42:7 55:15 58:21 90:13 91:4 108:8 226:5 237:18 270:24 271:12
dated 59:16 189:7 223:15 231:13 233:7 236:16
dates 40:18,20
dave's 148:23
day 2:21 3:11 5:11 23:21,21 47:8,11 117:10 263:12 271:15
days 234:1 269:17
dc 2:23 216:4
deal 248:19 260:6
dealing 35:18 42:16 147:20
dealt 147:16 165:21
dean 92:15
decade 115:8
december 38:16 194:2
decent 138:6
decide 196:16 257:9
decided 219:16
deciding 74:10 74:12 196:13
decision 23:1 69:18 136:15,17 152:8 156:3 176:20 177:4 181:1 249:9 253:9,11
decisions 23:23 164:20 177:16 187:6 203:8,14 252:22
declaratory 246:15 268:11
declare 271:4
decrease 168:24
decreasing 169:8 205:6
decree 20:6
deemed 271:6
deeply 105:9,11
defamation 18:21
defendants 1:8 2:13 3:1,10 5:11 5:17,22
defense 2:4 32:1 51:21,25 98:5 107:8 114:11 115:25 116:8 118:3 119:6 122:2 124:9 128:5 129:13,22 134:10 151:18 168:15 169:21 174:2 175:4 180:3 182:14 184:2 185:22 190:24 199:23 200:4,9,12 214:19 215:6 216:16 217:23 218:14 223:19 229:3 234:12 240:17,21 250:16
defined 104:22
definitely 35:6 249:20
degree 21:1
democratic 109:6 172:14
democrats 172:4
demographer 69:13 71:22,25 97:6 186:6,8,11 186:14,21 187:5
demographers 187:1
demographic 68:2 75:17 103:6 104:23 105:3 122:22 123:3 180:9,15 186:13 242:22
demographics 34:2 97:9 105:1 237:10
denies 68:7
dennis 10:21,22
denying 226:17 228:20

department 20:5
depend 169:23 169:24
depended 211:21
depending 7:12 236:7
depends 156:11 236:1
deponent 269:13 271:3
deposed 11:10 17:6 18:23
deposing 269:13
deposition 1:11 4:4,6,7 6:5,14 11:5,8,17 12:3 12:10,21 13:1,12 13:14 18:25 60:12 61:25 62:1 85:22 86:1 86:4 231:9,10 249:1 262:23
derieux 2:10 5:23
describe 48:25 75:1 127:4,5 138:13 248:10 252:18
describing 153:2
designated 207:21
designation 38:1 165:8
desk 212:9
detail 164:14
detailing 210:10
details 211:1
determination 71:11,19 87:24 90:20 130:4 171:7 172:14 173:4 186:7 196:25 227:12 227:20,22 228:22 229:11
determinations 151:7 176:18 187:13 204:14 205:15
determine 71:23 97:6 168:6 228:25 229:13 237:19 239:24 253:6
determines 176:25
determining 253:1
develop 147:19
developing 74:4
development 164:16
deviation 100:22 157:7,15,20 183:17
deviations 93:17 93:24 100:13,21 114:3,4,9
devices 40:22
dictate 71:10
differences 201:14 202:19 202:24
different 13:24 13:24 38:20 67:12 96:23 120:20 122:4 138:17 164:3 179:2 180:9 182:20 190:25 191:2 204:21,25 210:14,19 218:1 236:11,12 238:19 241:2 245:2 248:17 249:23
differently 236:7
difficulties 86:7
digital 103:18,24
dilute 67:23 68:24 69:1,6 70:22,23 71:14 179:12
diluted 68:20
diluting 67:7,18 68:6 70:8
dilution 30:19 68:1,17 179:15
direct 88:6 207:13 211:14 252:5
directed 239:10 241:5
direction 47:4 171:18 180:5 211:23
directions 211:17
directive 53:8
directly 30:12 105:16 197:21 200:7 261:13
director 21:15
discern 241:13
disclose 119:21 183:22 218:4
disclosed 91:1 135:17 216:21 218:12 219:1 220:21
disclosure 91:2
discriminate 226:23 227:2,13 227:17 228:19 229:1 258:9
discrimination 30:23 106:8,13 106:17 107:6,20 185:12,16 226:17 229:9
discuss 6:4 12:3 14:3,7 154:19 220:18 221:3,5 254:9
discussed 6:14 20:9 27:4 42:9 47:15 48:12 52:15 112:4,5 121:11 130:11 132:8,14 157:5 173:5 176:5,19 178:25 183:23 210:3 212:17 241:3 247:4 253:17 256:6,10
discussing 54:20 156:20 237:14 254:4

discussion 15:21 38:18 48:21 52:19 76:3,4 101:4 126:16 155:15 156:22 167:23 168:22 180:22 195:12 196:8 198:15 199:2 205:11 233:3
discussions 9:9 9:14 45:17 48:16 53:13 55:11 93:10 104:2,8 106:25 112:8,9 126:19 131:23 132:2 145:20 146:8 154:7 156:7 169:8 170:6,9,10 170:14 196:10 197:10,20,24 205:5 206:19 223:2
displayed 180:13
displays 180:9
disproportiona... 30:11
dispute 17:13
distilled 231:19 232:20 267:14
distinct 209:12
district 1:1,1 18:16 20:3,8 27:22 42:13,15 42:19,21 43:4,8 52:22 64:22 65:2,19 66:17,20 66:23 69:1 71:17 73:8 74:11 75:5 76:19 78:24 79:4,6,7,8,16,18 79:22,24,25 81:18 82:5,8 83:8,10,11,12 85:8 86:19 94:1 94:9,10,12 96:1 100:7,11,11,15 100:15,24,25 112:17 118:21 119:25 120:7,9 132:19 138:17 138:20 157:9 163:25 168:7,9 169:2,2,14 170:7 170:15,16 171:3 171:6,9 172:2,3 172:4,5,5,6,12 172:13,15,24,24 172:25 175:22 175:23 177:12 183:10 185:10 185:14 186:1 196:18,20,22,23 197:8 198:7 204:23,23 205:21 206:5,9 206:14,16 219:13 230:17 231:1 233:20 235:15,20 244:18,21 252:6 253:5,8 254:24 254:25 256:2,15 256:16,16,16,17 256:18 257:11 257:13,18,19,21 257:22,23 258:2 258:3,4,5 261:16
district's 168:11 197:2
districts 17:21 17:22 18:6 19:16,18 20:3 26:9 30:16,22 33:4,20 62:9 63:12,21 64:18 73:19 74:17,22 74:25 75:12,23 77:6 78:24 93:14,19,23 95:19 100:19 102:2 107:3 109:11,18 112:7 118:17 120:2 138:22 143:19 153:21 165:11 167:12 168:14 169:9,11,19,25 170:11 174:23 175:12 176:6 180:23 183:17 183:19 184:8 198:19 203:15 205:7,9 206:20 217:8 233:22 234:25 235:18 239:19,25 243:8 245:3 247:2 251:18 255:25 257:10 258:23 259:2,16 266:5 268:3
divided 188:4 205:22 206:11
division 1:2
divisions 114:14 114:15,16 118:25 119:2,8,9 233:18,19 234:20,21
document 59:25 60:4,5,11,19,22 61:3,16,16 62:8 62:11 63:1,24,25 64:13 72:16 99:8 153:3,11 191:5 212:17 222:4,7,18,20 223:2,22 231:22 232:1,5,7
documentation 16:14 56:2 158:23
documented 154:21
documenting 136:8 159:6
documents 12:11,13 36:11 36:16,22,24 37:17,25 56:1 64:7,9 88:13 90:20,21 123:22 153:19 192:18
doing 22:2 25:24 26:6,18 45:11,16 236:10,11,13 242:5

donaldson 261:15
door 49:7 140:12 249:15,19,21,24
doors 137:19
download 148:25
downloaded 113:15
downloading 40:18 255:7
downstairs 92:12
downtown 175:25
dr 26:22,25 27:7 97:18,22
draft 194:1,5 195:13 227:4 228:1 249:23 262:2,10,11,19
drafted 162:1 212:16
drafting 51:1 122:23 134:2 249:16
drastic 66:23
draw 19:18 22:24 24:20 49:8 51:18 63:23 67:19 74:24 81:17,22 81:25 130:16 140:12 143:3,5,6 147:17 149:22 161:12 168:4 171:3 179:9 215:2,17 239:5 239:10 241:5 247:5,14 252:3 258:6,23
drawer 25:15 27:11 51:11 95:25 96:7 136:19 142:10
drawers 53:20 97:17,21 130:21 216:25
drawing 24:19 25:12,18,19 35:21 51:15 52:6,7 53:11,13 54:3 61:6,10,15 62:9,12,16 63:11 63:21 64:3,17 65:13 67:16 68:6,12,18 70:10 70:14,24 73:1,4 74:9,17 75:12 81:8,10 87:21 88:18 89:7 96:19 97:3,10 101:10 102:8 106:9 107:1,17 107:18 109:15 118:2,12 125:2 130:22 132:9 137:12 140:5 141:4 143:15,20 144:7 151:11 159:7 161:15,23 171:24 172:9,17 177:8 178:1 180:20 190:3 199:3 201:21 206:19 214:12 214:17 216:20 217:1,5,8 219:16 219:21 223:3 230:11 244:23 247:2,18 252:5 252:20 253:22 254:12,15,24 256:25 258:22 259:2,15 260:23
drawn 27:8 42:14 43:9 67:12,24 68:19 68:23 71:3,13 73:19 74:1,7 76:12 96:12 101:15 102:1,5 111:14 120:23 139:19 141:16 142:5 143:14,19 144:2 149:25 150:17 151:13 161:16 168:11 179:12 188:6 203:15 205:23 220:15 252:9
drew 61:17 64:1 66:13,15 74:17 74:21 77:25 83:13 84:4 89:12 111:24 115:6 117:22 135:22 142:12 142:14 148:24 149:14,14 150:5 150:12 153:2 193:23 235:20 239:8 251:17 258:10
drill 56:13
drive 16:22 43:7 43:10 192:14,16
driving 43:6
drop 33:1
dropbox 159:25
drove 252:22
duffy 19:14 20:2 20:7,9
duly 4:15
duty 6:9

e

e 2:17 4:1,1 5:2 239:16 264:1,15 269:1 270:3,3,3
earlier 41:6 46:20 49:10 86:23 87:19 89:10 93:10 96:10 98:16 100:9 101:5 132:23 133:16 167:20 176:5 178:21,25 203:6 215:15,20 219:20 230:4 234:1,19 235:8 248:25 253:16 255:18 259:14
early 44:8 47:21
ease 119:3,19,22 123:23 199:13 246:10
easier 60:1 114:6 117:10 119:11 174:9 241:13 245:24

easily 51:17 148:18,21
easley 263:13
easy 102:11
edits 163:24 168:19
edler 3:11
educational 2:4 20:23
effect 30:24 33:1 33:2 226:17 228:18 229:1,8
effectiveness 166:20
effects 33:23 176:6
efforts 26:25 130:8 187:2 250:2
eight 80:13 149:6
either 7:12 8:14 8:19 24:22 40:2 43:20 44:13 47:7 52:2 57:6 65:3,7 66:3,11 69:17 72:14 81:5 88:17,20 89:20 101:24 104:19 108:20 111:12 142:11 152:8 162:7 185:8 211:5 221:9,12 225:5 239:12 241:7
elaborate 252:24
elect 68:8 69:2,8 71:17,21,23 106:24 129:18 129:25 167:22 185:10,14 186:3 226:18 228:21 229:6
election 3:13 5:21 17:15,17 109:5 110:23,25 111:1,1,5,7 112:6 113:13,15 117:9,10,18,25 118:11,12,22 119:3,10,19,22 179:22 228:24 229:5 240:1
elections 3:5 109:7 115:19 117:11 119:14 119:16 167:15 167:17 228:25
electronic 153:15 261:24 262:7,19 265:24
electronically 153:1
elevate 87:23 88:4,8,19 117:3 117:7
elevated 77:25 87:20 115:7,24 116:7,10,22 214:2,4,9,11,18 215:4 234:19 235:9,11,25
elevating 115:15 218:13 235:2
eleven 80:13 149:6
email 16:20 38:24,24 39:1,3 43:24 98:7,12,22 99:2,4 110:17 134:4,13,17 144:17 145:1,16 145:17 146:13 146:23 147:2,10 152:22 153:1,7 153:12,23 158:23 190:19 191:12,15,18 195:19,22 196:5 223:14,22 224:2 224:13,17,21 225:3,6,12,15 231:12,18 233:6 265:6,11,13,17 265:20 266:10 266:13,16,19 267:10,13
emailed 220:10
emails 43:20 47:23 57:24 139:17,20 146:11 225:9
emphasis 21:1
employee 249:18
ended 94:3
ends 144:23
endurance 7:22
engaged 70:24 187:7
engagement 8:13 45:4,6
enjoyed 42:17
ensure 72:8 73:25 106:23 166:8
entail 21:21 40:16 104:8 170:14
entire 60:16 123:5 125:22 203:3 204:10 207:10 224:23 249:4,12
entries 222:5
equal 235:23
equally 232:25 233:22 234:24 235:3,17
equipment 254:12
equivalency 24:14 147:22 148:22
eric 1:17 263:3 263:23
errata 269:11,13 269:17
erratas 269:15
especially 33:15 201:24
essay 223:25
et 1:4,7 269:4 270:1 271:1
ethnicity 123:8
evaluate 122:8
evening 22:23
events 13:3 263:10
eventually 237:25
everybody 5:5 110:9,20

exact 10:23 11:12 14:20 17:12 39:24 42:7 44:7 45:15 55:15 58:21 108:8 198:11
exactly 46:2 53:15 91:11 111:4 120:21 128:15 156:14 160:17 163:19 165:19 173:16 197:14 224:16
examination 4:16 250:21 258:17 264:6,8 264:10
example 105:8 176:20
examples 68:10 68:16,23 73:5,9 73:12,13,18 104:25 105:19 106:13
exception 215:11
exchange 41:14 190:12 236:15 236:21 267:17
exchanged 142:7
exchanging 194:15
excuse 49:21
exhibit 28:1,9,9 28:10 31:14,16 31:23 38:3,6 59:15,20,20,22 62:3 63:6 86:12 98:1,3,12,22 123:10,15,16,18 134:8,13 144:22 145:1 146:20,23 152:22 153:4,7 153:11,15 154:1 159:21,23 173:25 174:11 174:22 175:2 182:6,8 189:10 189:11 190:22 190:22,22 191:7 191:8,12,15,18 191:25 195:17 195:18,22 199:15,17 207:6 207:7 212:21,22 222:3,12 223:16 223:16 224:2 231:15,15,18 236:18,20 238:20,24 240:5 240:8,11,15 241:20,22 243:5 243:7 244:6,7 245:13,15 246:8 246:9,14 260:11 264:18,22 265:1 265:4,6,9,11,13 265:17,20,23 266:1,3,6,8,10 266:13,16,19,22 267:1,3,6,10,13 267:16,18,20,22 267:23 268:1,4,6 268:8,9
exhibits 12:14 12:25 245:11
exist 90:21 128:13
existing 77:6
expanding 105:18
expect 110:1 169:18
expecting 228:11
expedited 262:8
experience 68:22 70:13,25 73:6 81:8 136:18 216:19
experienced 257:11
expert 12:19 46:6 96:18 126:12
expertise 27:15 46:8 121:23,25 130:20
experts 46:4,7 50:19,23 103:24
expires 263:24
explain 42:22 74:16 113:2 178:19
explained 166:23
expressed 29:4 179:2
extensive 256:14
extent 13:21 107:9 126:6 129:23 156:10 229:4 260:4
extreme 100:20
extremely 25:16
eye 120:4,6,17 120:22
eyes 186:20

f

f 119:25
facebook 34:24
fact 94:1 100:7 100:14 108:22 110:7 119:10 172:11 253:3
factor 67:19 73:3,3 74:3,10 74:12,15 97:1 101:20 106:18 107:6,22 117:21 230:11 260:22
factored 74:6 127:8 135:22
factors 74:24 75:3 132:16
fails 269:19
fair 25:14,16 29:3,6 35:4 77:14 100:18 101:13 168:12 176:12 225:11 226:8,10 249:17
fairly 222:3
false 230:21
familiar 17:2 41:15 103:17 125:3 184:18 222:6
far 71:6 79:4 109:17 118:22 122:11 139:2

168:5 188:8 198:4 206:14 249:15 252:20 254:12
faulk 10:11,12 55:5 134:4,18 201:12
features 206:2
federal 19:9 96:22,24 97:4 101:6,10,20 122:14 129:2,6 129:12 130:11 184:13 233:12 233:13 260:3
feedback 45:3 81:15 112:14 137:1 138:24 139:18 188:1 194:23 216:6
feel 146:4 236:25
fell 17:22
fewer 117:13 118:16
field 21:9 46:7 121:22 130:20
fiffick 10:5 13:2 13:4 15:14 16:11 22:18 23:16 24:22 40:3 41:11 47:4 47:6 49:13,19 50:17 52:25 54:5 55:4 56:21 57:6 62:20 63:10 65:4 66:4 66:6 72:15 84:15 88:20 89:20 91:20 98:8 115:12 121:17 123:11 123:18 124:12 124:17,22 141:14,25 151:4 151:9 152:8 156:5 161:8 163:12,14 164:23 177:20 181:3 187:10,15 190:5,8,20 191:5 192:6 201:9 204:7,16 223:15 223:23 227:23 227:25 228:5,11 231:13,25 233:4 233:25 239:12 241:7 249:7 255:20 256:9 261:10,14 265:9
fiffick's 140:7 192:11
fifth 92:4 140:3 162:7 249:21
figure 64:2
file 17:16,20 24:14 28:1 240:15 245:15 267:22 268:8
files 147:22 148:22,25 164:7
final 34:10 101:3 102:18 122:18 164:19 195:3 203:7,14 206:23 247:10 260:6
finalize 102:23
finalized 180:22 206:18
finally 35:8
find 30:5 128:7 136:24 199:25
fine 51:12
finish 8:4 159:16 160:9
finished 141:5
fire 23:24
fired 187:7
firm 8:23
firms 8:14,19
first 4:15,24 5:1 9:17 11:9 16:7 19:10 23:6 28:14 56:18 58:4,5 62:6,6 92:9 105:14 112:17 115:21 123:21,25 134:17,19 138:8 151:21 152:22 153:3 158:8 159:16 160:22 161:4 170:15 171:24 175:22 179:12,13 191:24 196:17 196:20,21 197:2 197:17,18 198:5 198:7,21 199:8 199:11 200:15 204:22 205:20 206:5,8,13,15 213:6 223:22 226:14 230:25 232:11,19 233:23 238:15 238:19 240:23 250:8 253:5,8
fiscal 23:8 26:3
five 33:22 46:10 94:8 251:11 258:2,4
fix 102:22 157:10,14
fixed 257:24
flagged 18:10,13
floor 2:6,11 92:4 92:9 137:4 140:3 162:7 249:21
florence 236:13
flow 82:22
flower 193:6
floyd 19:14
focus 64:16 123:21 177:1,2 177:22 207:11 214:16
focused 115:18 236:8 246:12
folder 28:2,3 32:5 182:3
folks 49:25 99:18 113:23 194:9 204:15 214:14
follow 66:13 79:1 85:1 93:6 198:23 199:1 206:1 227:6 258:15

follows 4:15 85:15 158:2 195:10 231:5 250:20
foregoing 263:5 271:5
forget 82:12
forgot 104:12
form 218:14
forman 3:14 5:21
format 92:7 113:16 148:18 149:3
former 104:10 205:20
fort 33:11 42:15 64:25 65:20 75:6 86:18,20 132:20 202:1 215:14 219:14 227:10 256:19
forth 13:20 35:20
forward 16:18 55:4 202:14
forwarded 16:16 146:15 147:8,11
foundation 128:6 169:22
four 19:9,24 33:5 157:8
fourth 32:16
frame 44:7 141:22 194:7 198:11
francis 4:25
frank 23:7,9,13 131:11
free 133:20 146:4 148:23
front 6:10 11:2 60:1 92:8,11 111:21 135:24 145:6 197:15 207:16 215:10 224:7 231:22 239:2
full 4:23 41:3 54:13 121:4 155:12 203:18 253:2 261:3
function 102:16
fund 2:4
further 4:8 258:12 263:8

g

g 4:1
gadsden 1:14 2:18
gain 94:18
general 13:21 57:7 112:20 113:1,6 134:22 159:4 173:2 185:1 187:23 222:5
generally 9:21 26:1 54:25 86:1 138:5,13 139:24 156:9,16 173:12 185:3 198:8 200:18
generate 255:9
generated 154:24
generic 146:12
gentleman 104:9
geographic 42:20 43:8 84:24 94:4,6 131:2 206:2
geographical 177:1
geographies 95:3
geography 21:1 33:7 42:23 43:3 92:23 95:1 103:5 104:23 169:23 186:12
georgetown 5:18 20:4
gergel 19:15,17 19:21
gerrymandering 72:17 73:6,14,17 73:20 74:2 76:9 229:14,17 233:15,24
getting 120:20 138:19 156:19 175:13 218:16 244:1
gis 17:18 21:1,12 24:5,10,13,18 186:12 254:12
gist 119:19 197:16
give 20:22 28:13 31:20 37:11 58:20,20 59:5,19 77:24 98:2 115:5 123:15 133:14 159:19 164:14 173:18 173:22 186:19 190:23 214:3 235:23 240:14
given 33:7 35:10 36:19 54:11 64:9 66:6 71:24 75:3,20,25 77:11 78:17 88:13 89:7 94:1 100:7 100:14,20 103:19 135:19 171:19 172:11 176:4 203:10 218:5 220:13,14 233:20 234:23 235:16,16 271:9
giving 26:19 177:10
glazier 1:17 6:4 6:13 70:18 263:3,23
gmail 192:7,12 192:13,17
go 6:6 32:22 33:5 57:18 61:1 61:2,15 64:24 75:7 80:20 83:18 85:9,12 86:9 89:1 90:19 91:10,16 94:10 110:8 117:15 121:2,9 126:23 132:20 136:2

148:11,23
154:11 157:9,14
157:23 158:7
163:2 173:21
174:4 177:3
179:14 181:23
188:18 190:20
191:8 195:3,7
200:22 202:1
205:2 207:10
211:7 213:7
215:13 219:13
223:10 227:10
231:2 232:4,14
241:16 245:6
255:15 256:22
goal 178:7,11
179:6,8 183:16
goes 19:10 87:1
going 9:8,13
10:1 12:15
16:20 27:23,25
28:2 31:14 38:2
45:11 62:2
85:18 94:3,10,14
96:23 100:16
107:8 108:9
109:12,16,17,19
112:20,25
114:11 116:6
121:9,11 123:9
123:21 134:3,21
138:21 146:3,11
152:21 158:6
163:25 171:8
172:2 173:20,23
182:12 188:24
189:5,19 190:16
190:20 195:16
198:18,20
199:12 207:2,10
210:8 212:9,20
222:1,4 223:13
231:14 236:3,4
236:10,12,14
238:10 245:9
246:11 247:5
253:13 257:8,20
259:19
good 4:18 5:10
53:5 133:3
248:19
google 16:22
192:14,16
gore 2:22 5:10
5:11 7:12 8:10
9:2 10:3 11:18
12:4 55:12
56:24 57:8 58:7
58:24 59:8 70:2
86:5 92:18
118:8 140:23
141:11 142:3
156:6 161:14,23
163:21 165:18
173:20 190:18
204:8,17 238:17
247:11 250:9,14
250:22 251:3
258:12,21 262:4
264:9
gore's 55:13
gossett 23:24
43:25
governed 140:9
government
22:3 26:7 51:8
126:7 217:4
governments
27:5 51:8
gray 2:17 12:7
grayson 24:5
149:1
great 5:3 6:1 8:6
23:10 27:13
43:5,12 51:12
105:7 175:6
205:21
greenville 3:8
33:13 104:9,19
164:9 236:10
261:15
gressette 92:10
140:3
grooms 47:16,17
53:6 112:13,18
113:18 139:15
ground 6:5
group 41:15
103:4 177:4,25
181:3 201:9
219:16
groups 30:11
34:18
growth 22:5
33:8,10 100:15
guess 12:14
56:11,13 76:6
141:7 142:11
156:9 160:19
167:4 174:8,17
175:8 176:25
180:13 199:2
203:13 211:2
214:21 220:9
238:5
guidance 97:8
131:3,7
guide 61:6
118:12 133:24
guided 89:24
117:21 118:1
132:9 183:23
218:19 220:14
220:20
guideline 70:22
247:20 260:12
guidelines 59:13
59:16,23 61:7
62:4,23 63:7,11
63:18,20,22
64:14 65:24
75:19,21 76:20
76:25 77:2
86:13,25 87:10
87:14,17 101:18
114:2 117:18
118:24 119:5
140:8 204:6
209:1 213:16
215:10 219:4,11
242:12 247:16
247:22 257:7
260:25 265:5
guiding 90:1
gullah 106:3
guy 24:17 51:1

h

h 3:1,4 52:13
264:15 270:3

half 43:9 80:13 149:6
hanahan 175:17
hand 24:17 263:11
handed 143:22 149:13
handing 200:9
handled 190:2
handout 133:14
handwriting 38:11
handwritten 37:18 38:6 265:1
happen 6:21 68:11 217:19
happened 18:23 90:22 171:13 229:22 243:1
hard 28:6,10 147:22 149:5 196:13 264:19
harpootlian 51:1 51:15 64:12 91:6 142:9 157:12 188:16 190:12 195:14 200:20 207:23 210:7 221:18
harpootlian's 195:6
hat 23:2
head 85:10 159:3 223:12 244:24 247:19 248:2
headed 23:14
heading 26:17
headline 196:8
heads 173:22
hear 7:11 25:7 29:7 30:10 43:1 61:13 74:12 76:8,11 104:7 110:23 118:7,8 130:10 137:20 172:8 223:7
heard 6:3 13:19 15:12 25:21 104:2,8 125:5 127:3,7 129:9 137:16 166:20 167:2 169:6 171:21 178:22 184:20 194:23 211:20 262:14
hearing 4:13 104:19 127:11 128:20 158:8,10 158:25 159:5 181:8,11,14,21 182:4 187:20 188:11,17,20 189:3 190:11 205:17 207:4 211:8 212:1 238:8
hearings 45:1 83:19 106:2 132:24 133:1,6 133:17,19,20 134:6,20,25 135:4,8,17,21 136:13 137:6,11 137:15,21 179:3 194:18,24
heavily 111:5
heck 43:7
held 142:18 158:9
help 111:13 137:12 214:3
helpful 81:9 84:6 129:1,5,11 130:3 132:7,13 136:18 136:23 137:25 151:12 165:2 174:12,18 178:16 179:5 181:25 186:17 200:3 214:7 221:11,14,16,19 221:24 232:9 253:22
henry 134:4,18
hereto 271:7
hereunto 263:11
hesitant 23:5
hi 5:23
high 20:23,25
higher 253:14
highlight 147:3
highlighted 67:1 72:22 208:22 232:19,23
highly 128:8
hill 33:11
hire 22:21 23:24 59:1 187:4 249:9
hired 22:17 24:3 24:4,25 26:14 50:12,19,23 51:17 56:14 58:4,5 108:12 187:7 249:4,6,11
historic 103:6 104:23 105:6,9 105:11,13 106:6 106:13 107:19
history 106:7,17 107:2,5,17,19
hmm 41:5 258:24
hold 21:14 22:13 36:10,10,15,16 136:13
holding 45:18
holds 181:8
home 22:22 92:5 140:4 173:21 197:7 253:5
homework 183:11
hooking 40:17
hope 128:10
hopefully 27:25 28:15 85:17 86:7 101:4 238:14 258:13
horry 257:16
hour 43:9
hours 11:23 21:3
house 3:2,3,5 5:17 10:16,25 18:5 131:14,17 131:24 138:6 194:4,10 209:21 213:3 231:18 232:20 267:14

house's 132:4 194:1,17
hues 209:11
hutto 157:4
hypothetical 185:23 214:20 216:17

i

idea 36:8 59:1 67:25 166:6 196:16 237:16 259:19
identifiable 103:10
identification 28:12 31:25 38:8 59:23 98:14 123:19 134:15 145:3 146:25 153:9,16 159:24 174:24 182:9 189:12 191:14,17,20 195:24 199:19 207:8 212:24 222:14 224:4 231:20 236:21 238:25 240:9,16 241:24 243:9 244:8 245:14,16 246:16
image 240:15 245:15 267:22 268:8
impact 31:17,23 63:20 70:9,14,23 71:2 159:7 194:24 199:3 215:25 220:8 264:22
impacted 106:13 211:10 215:21 247:2
impacting 30:11
implementing 257:5
implicate 73:20 74:2
importable 122:22
important 106:21 109:8
inaccuracies 28:24
inaccurate 31:6 234:9
inaudible 61:11 61:19 124:13 250:24
include 14:12 47:24 48:3 49:23 55:5 65:18 106:7 121:10 183:25 234:4,7 242:6,22
included 30:5 37:16 57:24 58:25 99:6 121:3 145:25 147:2,10 155:2 180:10 195:18 218:5 228:14 238:11 255:14 260:24
includes 60:16 99:23 134:5 144:20 243:13
including 97:18 97:22 165:18 175:21
inconsistent 235:1
incorporated 205:14,15
incorporating 135:8 206:4
increase 168:24
increased 172:6 199:10
increasing 169:8 205:6
index 3:24
indicates 165:9
individual 5:17 17:19 36:6 177:25
individuals 98:8
influence 193:22
influenced 136:1 260:23
information 30:7,8 54:7,10 54:12 75:17 91:14 103:15 104:14 109:19 110:10,12 111:14,23 113:24 115:2 121:8 122:23 123:3 135:16 137:7 139:1 149:2 162:17 165:22 171:7 178:3 224:15 227:4 230:14 252:21
initial 89:24 90:17 108:19 141:16,20 144:23 153:23 159:21 160:13 160:23 162:4,10 162:12 163:6,17 164:16,20 170:12 171:17 172:9 180:21 187:20,24 194:1 200:25 202:21 203:1 204:25 230:12
initially 63:24 74:14 160:7 172:17
injunctive 246:15 268:10
input 27:14 54:2 81:14 133:17,24 137:11 139:12 163:6 165:3 202:4,9,13 203:10,22 205:14 206:4,6 206:15 212:11 247:2 260:14 261:11
inside 215:22
insight 215:3
instance 129:24
instances 96:14 101:14

instruct 7:15 96:19
instructed 81:17 81:21 87:7 88:23 95:10 152:10
instruction 65:1 65:18 66:16,20 75:25 76:18 78:2,13,16 79:20 83:4,7 84:4 87:10,13,23 88:15,16,19 170:18,23 171:11,12,16 180:1 211:21 215:25 234:5 255:19,23,24 256:6,10
instructions 48:2 54:3 64:15,20,21 65:21 66:5,10,14 75:20 82:24 83:15 86:15 88:24 89:6,11,14 89:20,24 90:5 137:25 171:2 176:3 183:22 213:21 215:4,16 216:9,14 217:20 218:4,22,25 220:7,13,25 221:9 260:9,14
intact 184:8
intel 241:12
intend 258:9
intent 30:23 226:16,22 227:2 227:12,16 228:16
intention 185:11
interact 108:25
interaction 82:12
interest 103:3,10 103:18,20,21,25 104:17 105:1,4 106:14,18 107:25 188:5,9 205:23 233:17 235:15,24 236:3
interested 263:10
interests 136:25
internal 260:18
internally 219:25
internet 194:21
interpret 87:4
introduce 173:25
introduced 174:11
invite 57:16 158:21
invited 141:11
invites 57:20,25
involve 73:16 166:1
involved 10:8,12 18:19 48:15,20 53:5 54:24 55:11 58:14 63:17 107:1 113:23 124:4 156:6 161:3,22 161:24 165:22 165:24 177:15 197:23 201:6 203:5 223:3
involvement 55:13 62:22 144:1 161:14 165:10 184:11 190:13
involving 19:16 20:2 31:11 256:15
irmo 20:17
island 175:17 195:23 196:9 266:21
issue 31:22 35:16 61:21 63:3,14 76:15 78:7 82:18 124:15 128:18 149:21 157:18 171:4 174:21 175:11 245:8 251:2
issues 28:7,12 85:18 139:25 210:10 264:21
it'd 49:18
it'll 7:13 59:14 97:25 223:15 246:8
item 191:12,15 191:18 266:11 266:14,17
items 192:2,5,9
iteration 195:3
iterations 161:25 164:1 193:23 211:17 238:7

j

j 3:11
jackson 42:15 64:25 65:20 75:7 86:19,21 132:21 202:1 215:14 219:14 227:10 256:19
james 3:1
jane 3:14 5:20
january 26:3 195:7,15,20 206:18 207:4,4 213:4 222:9,14 223:15 226:6 231:13 233:7 236:16 237:13 247:10,12 267:9
jasper 19:16 206:7
jcusick 2:7
jeff 23:24 43:25
jessamine.zip 191:16,19 266:15,18
jmgore 2:23
joanne 3:11
job 22:6,8,11 23:2 27:13 29:24 30:14 53:18
joe 42:2,4 64:23 201:25 205:19

215:12 219:13 227:9 230:14
joey 51:3 121:20 142:6 157:13
john 2:5,22 3:11 4:19 5:10,14 8:10 10:3 11:18 24:6,16 32:1 35:19,19 46:10 47:20 49:12 51:21 53:5 54:1 58:3,4 62:21 84:16 86:5 91:21 98:5,7,23 99:14 107:8 114:11 115:12 134:11 139:9 140:23 142:16 143:10 157:17 161:7 163:15,21 174:2 175:4 177:20 181:4 182:14 195:20 200:5 201:10 223:20 224:24 240:17
joined 24:24 26:6 56:25 57:8 58:7 84:13 193:20
joint 189:6,11 266:9
jolie 50:6
jones 2:21 5:11
jonesday.com 2:23
jordan 3:4
jr 4:25
jtrinkley 3:17
judge 6:11 19:14 19:14,14,15,17 19:21 20:2,7,9
judges 19:10,24 101:6,11
judiciary 2:16 3:3 13:6 23:21 37:11 49:23,24 50:4,10 54:15 55:1 161:11 163:10 199:14 199:17 213:2 248:15 266:23
july 1:12 132:25 263:12 269:3
jurisdiction 96:20
jurisdictions 26:10 34:15 67:13 96:11 106:16 216:22 217:12,15
justice 20:5

k

keep 23:10 64:25 65:20 75:6 85:18 86:17,18 87:13 132:20 135:6,16 142:24 155:11 174:9,10 215:14 218:7 219:14 223:8 227:10 244:15 244:17 245:1 249:21 256:19
keeping 30:21 31:7 87:17 213:22 242:6 248:1,23
kelly 53:10
kept 42:15 83:11 83:12 169:11 184:7 244:11 247:14 251:21
kincaid 15:11 190:20 191:6 192:6,15
kind 42:16 69:22 157:21 164:10 167:19 185:25 195:3,14 203:7 207:11
knew 110:20 116:5 120:21 194:6 220:20 237:6
know 6:18 7:24 13:15 14:22 15:11,13 16:7,9 17:4,11 22:23 23:10 27:12 35:15 36:7 38:22 41:6 43:9 43:13 44:9 45:7 46:19 49:10 50:15,15,25 52:3 52:16,24 53:16 53:17,18 54:8 55:24 56:8,8 57:4 61:12 62:13 66:9,9 73:16 80:8 83:24 84:3,14,15 85:10 87:1 89:6 89:11,19,23 103:12,12,14,14 105:8,9,14,23 110:7 111:10,20 113:22 115:23 116:3,9,12,24 118:6,7 119:13 121:22 122:6,9 124:11 125:9 126:6 127:1 130:5 132:16,23 133:12 136:10 138:7,9,20 139:21 141:24 142:11,17 143:10 145:6,24 147:3 149:14 150:24,25 151:21 155:5 157:17 158:20 162:4,15 163:20 163:21 165:19 166:3,17,19 174:17 184:4 187:14 190:7,16 192:2,5,20 194:7 198:14 199:7 202:19 203:6 204:3 207:16 214:11,16 216:8 216:12,18,18 218:3,10 219:7 219:23 220:5,11 220:17,24 221:1 221:2,20,25 222:16,18 224:6 225:19 231:25

232:22 233:23 234:22 236:10 237:3,21 243:1 243:14,20 248:25 249:23 250:7 253:3 254:14,17,19,22 256:9 259:7 260:8 261:13
knowing 214:1
known 126:9 198:1 214:21 219:22 220:2,22
knows 221:2

I

I 5:1,1 29:25 52:11,13 239:16
labeled 59:13,14 192:3,7,9 234:21 241:21
laptop 174:3
laptops 40:23
large 18:10 33:3 42:20 84:24 92:7 113:14 164:13 171:5 172:1,12 175:13 177:6 184:7 230:15,24 252:25 253:4 263:5
largest 164:12
lasted 13:16
latest 109:7
law 3:5 5:18 8:23 52:2 96:22 96:24 97:4 101:20 129:2,6 129:12 184:13 233:13
lawsuit 4:20 16:25 17:5 18:22 19:3 246:10
lawyer 107:10 254:1
lead 82:22 172:25
leading 175:17 206:13
league 152:24 153:20
league's 154:8 156:13
leah 35:16
leaning 170:16 171:9,11,17,25 172:10,18 173:14 175:10 177:12 178:8,12 179:7 184:1
learn 20:12
learned 21:8 129:10
leatherwood 3:21 5:18
left 147:15 224:22 256:17
legal 2:4 9:3,6,11 9:20 10:10,14 36:10,15 59:5 67:9 69:16 70:9 70:12 71:4,7 107:9 129:14,14 129:23 161:18 163:18,20,21 165:20 166:1 184:20,22 202:21,25 204:20 208:15 208:18 210:2,3 229:4 251:16 254:4,6,7,14,16 254:17,17,19 257:8 258:25 259:3,4,6,11 269:23
legislative 21:15 21:16,23,24 27:23 41:13
legislators 29:9 37:8
legislature 172:23
length 205:21
letter 8:14 36:10 36:15,16,20 64:11 77:5 87:3 145:16,18,21 146:1,6,9 153:12 153:24 154:4,6
letting 89:5
level 51:8 128:13 178:2,4
lexington 18:15 43:7
liberties 2:9
lie 230:21
lieu 4:8
life 20:21
liked 112:19,22 112:24
limit 133:22,23
limited 23:5 45:3 45:5 133:17 255:24 256:1
linda 3:11
line 30:21 31:8 98:9 182:13,15 182:15,18 183:5 183:6 207:19 223:23 264:3,17 270:4,7,10,13,16 270:19
lines 22:24 96:1 97:14 136:1 163:25 167:25 186:1 205:24 206:1 208:22 209:18 210:6 252:6 254:24 258:6
lisle 12:6
list 30:4,5,9 103:9 222:7,12 267:6
listed 31:18 87:10 150:21 156:1
listened 135:18
lists 173:21
litigation 8:20 8:25 35:8 36:10 36:16
little 11:7 13:20 20:12 22:15 29:17 35:7 41:2 46:20 47:1 56:13 106:6 109:23 132:23

138:11 176:24 205:13 218:16 241:12
litz 52:11
live 20:15,17
lived 18:11 20:19
load 16:19 108:13 153:5
loaded 16:21 113:13 123:6 150:23,24
lobbyists 45:22
local 22:3 26:7 27:5,20,22 30:1 35:21 51:7,8 126:7 176:16 187:1 217:4
localities 21:25 97:8 106:19,22 131:3
location 1:14 85:17
log 142:22
logistical 7:25
long 11:21 13:15 20:19 21:18 22:13 54:19 133:2 156:9,14 162:9 222:4 251:9,12
look 40:13 57:19 62:11,15 63:25 74:10 80:20 83:18 85:9 89:1 91:16 94:13,23 95:1,8 96:10,13 96:19,22,25 97:2 100:23 101:15 107:19,24 110:9 117:16 120:5 121:2 126:23 127:14 130:17 130:21 137:10 144:14 145:12 148:12 155:18 159:18 162:14 163:2 170:1 172:13 178:1 179:20,23 180:2 180:5 181:23 186:7 188:18 198:3 200:22 205:2 211:7 223:10 229:8 230:4 246:2
looked 64:4 79:10,10 88:2 94:24 95:2,5 106:11 116:17 122:10 127:12 127:22 139:3 167:11,11 170:4 171:6 178:3 179:16,21 186:25 251:15 254:25
looking 22:20,21 22:24 73:8 78:18 79:5 94:8 95:13,17,21,23 95:25 104:11,21 112:14 120:7,22 122:11,12 135:1 141:10 156:11 174:13 179:18 230:7 239:25
looks 71:2,10 217:6 242:17
loop 34:11
lose 100:25
lost 218:7
lot 33:9 38:21 40:8 136:20 137:1 140:5 148:19 157:6,10 165:21,23 172:2 172:4 187:25 188:5 205:18 217:1 249:20 255:11
lots 217:3
louisiana 2:22
lower 77:15 92:22 113:5,5
lowered 196:19
luca 29:25
lucas 3:1
luke 2:15
lunch 7:25
lwvsc 153:7,15 265:21,23
lying 230:21,23
lynn 152:23

m

m 2:22 5:1 239:16
mace 261:19
madison 10:11 10:12 134:4,18 201:12
mahogany 1:14
main 3:7,15 10:5 42:14
maintaining 170:7 183:18 205:6 233:17
major 30:14 105:14
majority 69:1 170:7
makers 181:1
making 7:13 88:13 94:21 151:6 163:24 168:19 170:15 177:9,11 178:4 180:11,14 204:13 226:25 227:11 228:2,6 228:12 230:21 230:21 242:2 244:10
man 233:14
manner 4:12
map 15:5 16:8 17:19,19,22 19:21 25:15 27:10 34:7 37:1 41:1 43:23 51:11 53:13,20 65:13 66:13,15 67:15 68:7,19,25 70:10,14,24 71:2 71:10 72:25 76:23 77:3 79:3 79:5,16 80:2,10 80:16 81:2,15,23 82:1,2,6 83:13 83:14 84:4,8

85:8 88:18
91:23,23 92:1,8
92:20,25 93:3
95:25 96:7,23
97:16,20 102:23
104:11 109:6
112:23 113:4
114:23 116:17
117:14 120:23
125:2 130:21
135:24,25
136:19 138:5,14
139:2,13,18,23
139:24 140:2,5,9
140:14,17,20,24
141:6 142:4,5,10
142:12,15,17
143:2,5,11,11
144:7,10,13
148:13,16 149:3
149:22 150:17
151:11,16,20
153:2,20 154:9
154:16,17
156:11,19,23
157:1,19 159:7
159:18 161:23
161:25 162:5,7
162:20 163:1,18
166:4,8,14,18,18
167:8,8 168:1
169:3,18 171:25
178:20 179:17
181:5 185:17,19
185:20 190:3
201:1,16,21,22
204:19 207:21
208:4 209:11,20
212:2 216:20,25
217:6 219:17
223:3 224:22
235:6 239:5,8,20
242:2,4,16,17
243:2,14 244:3
244:10 246:2,23
247:1,14 248:11
249:21 252:20
252:23 253:1
map's 71:2
181:6
mapped 103:21
mapping 24:8
26:19 103:18,24
108:6,14 113:13
113:16 115:18
123:6 136:23
170:25 235:21
247:17
maps 13:3,22,23
14:1,3,7,9,10,12
14:14,17 15:6,14
15:22 16:2,5,7
16:16 19:18
21:22,25 24:12
25:13,18,19 27:7
36:4 37:7 38:19
38:21 44:5
47:15 49:8 51:2
51:15,18 52:6,7
52:15,19 53:4,11
54:3,20 57:1,12
58:19 61:6,10,15
61:18 62:9,10,12
62:16 63:12
64:1,2,17 67:12
67:19,24 68:12
68:18,23 69:21
71:13 72:9 73:4
73:19 74:1,4,7,9
74:20,21 75:12
76:7,12 77:25
80:18 81:9,10
84:11 87:21
89:7,12 96:12,19
97:3,10,11
101:10,14,16
102:14 104:16
106:9 107:1,17
107:19 109:15
111:14,23 112:4
112:13,15,18,24
114:20,25 115:6
116:6 117:12,22
118:2,13 120:17
121:10 129:12
130:16,22 132:9
134:2 135:22
137:13 139:19
141:3,7,10 142:5
142:7,12,14,18
143:3,5,6,16,19
144:1,9,12,14,18
145:2,9 146:24
147:7,14,18,22
147:25 148:3,24
149:25 150:5,11
150:11,13,19,21
151:2,3,8,12,23
152:1,11,13,24
153:8 154:19
155:10,14 156:7
156:10,19,20,23
158:9 167:6,21
177:6 181:16
190:13 192:19
192:20,24
193:10,15,22,23
194:11,18
196:14 199:3,5
208:16 212:16
214:12,17 215:2
216:2 217:1
218:4,10 219:7
219:21,23
220:15 230:12
238:10,11,15,19
241:4,10 242:21
242:25 244:12
245:22 246:4
248:11,16,19
251:6,10,14,20
252:3,8 254:12
258:7,10 260:23
265:15,19,22
maptitude 164:4
168:14,20
180:10 209:9
238:12
march 28:8
margaret 3:21
mark 28:1 97:24
123:9 134:3
189:5 190:16
195:16 212:20
marked 28:12
31:16,24 38:7
59:23 98:13
123:19 134:14
145:3 146:25
153:8,16 159:24
174:23 182:5,9
189:12 191:13

191:16,19 195:24 199:18 207:8 212:24 222:14 224:3 231:14,20 236:21 238:19 238:25 240:9,16 241:19,23 243:8 244:8 245:14,16 246:16
marking 38:3 231:12
master 30:3
master's 21:3
material 133:8
materials 11:4 37:8 41:16 147:6 181:15 189:2
mathematical 229:7
mathias 3:7 5:15 5:16 250:8,10 262:16,18
matter 94:3 107:22 230:19
matters 46:9
matthews 188:16 220:24 246:5
maura 10:7,8 55:7 201:12
maximization 179:11
maximize 177:12 178:8,12 179:9
maximized 179:10
maximizing 179:6 184:1
maxine 134:4,18
mbs 1:6
mburchstead 3:18
mccall 3:11
mcgee 50:7 121:19
mcmaster 269:4 270:1 271:1
mean 14:6 38:22 48:10 67:8 69:25 76:2,7 94:7,16 103:20 105:11 121:6 127:8 129:21 139:5 152:17 160:20 184:5 193:5 198:25 216:4 228:18
means 6:8 32:21 110:18 185:1 237:22 239:17 243:17
meant 84:21
measure 122:5
measurements 122:7
measures 121:23 122:13
measuring 120:11 122:1
media 34:23
meet 13:7
meeting 11:19 12:23 38:4,7,15 41:25 42:3 50:7 56:19 65:10,15 84:9,13 90:14,22 90:24 91:6,25 92:10,13 93:8 121:7,9 126:25 134:5,6,13 143:22 158:22 161:12 183:9 188:24 198:9 212:18 222:13 230:22 265:3,12 267:8
meetings 11:18 11:22 12:24 13:24 45:16,18 46:12 54:13,16 54:24 55:6,16,20 55:22,25 56:2,4 56:25 57:17,21 58:1,6,25 59:3 89:2,4 91:23 126:20 132:3 133:9,15 136:11 141:2,7,12,15,20 142:23,24 159:9 161:12,24 206:7 247:11 251:24
meg 5:18
member 18:14 34:17,21 40:4 48:11,12 49:7,9 56:9 83:5 84:9 84:22 90:10 92:1,20 115:20 119:12 140:12 143:4 148:14 149:4 212:13 238:21,24 240:5 240:8,24 241:6 243:24 256:3 261:7 267:18,20
members 3:12 9:7,13 10:16 13:24 14:4 21:23 24:1,22 25:13 29:9 35:13 38:21 40:5 41:19,20,22 44:14,14,24 47:25 49:4,11,15 49:17,24 50:3,9 54:11,17,18 55:17,21,23 66:3 80:5 81:1,11,16 83:21,25 88:25 89:6,16,23 91:2 92:16 102:19 106:12 109:17 109:21,24 110:1 110:14,20 111:20,24 112:4 112:11 116:3,12 117:12 120:24 121:15 127:25 128:20 131:24 133:9 138:18,24 138:25 139:11 139:22 143:7,9 144:6,10,12 147:23 148:5,10 150:19 151:1,24 152:2,3,6 156:20 156:24 157:2,3

158:9,19 159:1
161:10 163:10
168:2 178:7,11
179:2 181:12
187:19 188:21
188:23 202:8,9
203:25 207:1
211:5,14 212:2
214:10,15 215:1
215:25 216:14
216:22 217:5,7
217:21 218:5,13
219:23 220:7,18
221:12 223:4
234:8,18 239:17
247:21 248:17
248:22 249:15
249:22 256:7
257:2 260:15,21
261:5
memorize 133:4
memorized 237:2
mention 13:19 25:21 101:18
mentioned 27:19 29:8 34:15 42:23 63:9,16 65:6 67:11 69:6 91:18 94:18 104:22 110:22 112:2 170:9
mentioning 132:7
mentor 18:20
mess 79:25
message 123:11 236:20 237:5,18 237:19 267:17
messages 39:14 39:16,20,22 40:13,18 123:19 265:10
messing 176:8
met 20:9 35:17 35:25 54:19 91:3,8 140:23 142:4 143:1 155:20 162:22 218:3,11 219:8
method 46:23 47:5
methodist 34:20
methods 28:6,11 264:20
metrics 166:24 167:9 210:24
metropolitan 164:13
michael 3:15 193:20
michelle 50:6 121:19
mid 17:24
middle 7:3 8:3 24:18 66:25
midway 232:10
military 42:17
mill 33:11
mind 4:22 67:4 70:17 183:4
mine 38:12,13 104:10
minimal 64:23 65:7 74:23 75:2 75:5 76:1,4,23 77:3 78:18,21,22 79:6,11,12,21 81:18,23 82:1,2 82:5,8 83:8,9 84:22,23 85:7 86:16 87:17 90:4 93:25 94:4 100:6,12,19 101:2,24 132:18 169:12,17 183:15 184:6 185:19 194:12 194:13 201:25 209:19 213:22 215:12 219:12 227:9 255:19 256:1,18 257:11 257:14,23 258:1 258:2,4
minimize 119:8 119:9
minimized 115:8
minimizing 114:3,8,14,15,16 115:18 118:19 118:25 119:1 233:18,19 234:20,21 235:12,13,21,21
minor 68:6 257:19
minorities 68:7 106:23 167:21 185:9,13 226:17 228:20 229:2
minority 30:20 67:8,18,23 68:1 68:17,20,24 69:1 69:1,7 70:8,23 71:14,16,17,20 129:25 130:1 170:7 186:3
minute 200:2 232:4 245:6 250:17
minutes 13:17 46:11 134:5,6,14 157:8 251:12 265:12
mischaracterizes 118:4 119:7 122:3 151:19 168:16 184:3 217:24 234:13
misheard 14:8
mislabeled 200:1
misread 114:12
misspelling 193:6
mitigate 138:1
mm 41:5 258:24
modifications 202:5 257:19
moment 5:5,7 28:13 31:20 59:19 66:8 67:4 70:18 72:11 73:24 85:13 86:12 98:2 106:15 107:23 108:18 111:9 113:21 123:15 124:24 125:13 125:17,20 134:9 144:22 146:5,7 146:10,22 153:5

157:24 160:1 166:15 182:11 190:23 195:4,8 207:5 222:11 223:18 231:3 232:15 240:14 241:17 244:6 245:12 246:13 246:21
month 11:13 58:22
months 11:15
morgan 24:5,9 49:12 91:21,22 142:12,14 149:1
morning 4:18 5:10 253:16
moseley 3:12
mount 105:10,15
move 59:11 94:15 172:1 176:19,20 215:21 236:14 256:19
moved 94:22 171:14 176:14 206:1 230:15,25 251:22
movement 172:23
moving 55:4 95:6,9,18 96:1 169:25 170:2 177:1,16 179:19 186:1 202:14 215:16 253:4
multiple 33:4 37:3 92:3 109:25 140:2 196:14 199:5
municipalities 26:13 115:3
municipality 105:17
murphy 3:2 36:1

n

n 4:1 264:1
naacp 1:4 2:4 4:21 35:12,21 144:19 145:10 189:7 269:4 270:1 271:1
naacpldf.org 2:7
naivety 180:7
name 4:18,23,24 4:25 5:1,1 14:20 15:12 23:1 46:15 51:3,22 82:13 155:12
name's 99:4
named 51:19
names 22:22
narrowing 245:24
national 15:1,9 15:15,23 41:7 150:21 151:13 251:5
natural 82:22 157:22 171:13 206:1
nature 17:13 43:8
necessarily 99:20 119:18 177:13 185:21 185:24
necessary 149:12 209:23 271:6
need 6:19 100:15 159:18 250:12 262:7
needed 7:10 8:1 24:19 71:23 94:10 185:10 259:20
negative 137:3 187:25 188:3
neither 263:8
never 15:12 68:19 74:9 84:24 91:22 113:15 124:19 125:8 130:5,14 139:22 142:14
new 2:6,11 28:6 28:11 30:4 82:23 94:9 105:17 185:20 212:14 264:19
nexsen 3:6 5:16 5:19
nexsenpruet.c... 3:9
night 23:7
nodding 6:16
nods 248:2
noises 213:8 232:13 241:15 245:4
noncontiguous 102:23
nonpartisan 44:21
nontransparency 138:2
nontransparent 137:19
north 26:12,15 26:20 34:15 73:16 175:16,18 176:1
notary 263:4 271:13,19
note 269:10
notebooks 50:9
noted 7:13 271:7
notes 37:18,22 38:1,6 56:3,6,10 110:9 135:3,12 135:13,14 154:22 159:8 205:3 223:25 265:2
notice 28:24
november 158:8 158:25 159:10 160:7,14 181:7,8 182:3 183:14 187:20 189:3,7 243:21
nrrt 155:11 190:13,17 192:19 193:10
number 18:10 32:1,23 38:5 39:24 95:22 98:8,10 100:23 101:6 112:16 113:5 123:13

141:10 144:20 180:19,19 189:8 195:21 199:24 213:5 237:6 240:6 244:5 259:20
numbering 59:17 123:12 134:7 144:23 145:24 153:4,13 222:9 223:17 231:16
numbers 30:15 95:24 167:13,14 170:5 172:14 186:20 198:3 237:2 259:19
numeral 66:24 77:4 87:2,20 103:1
numerals 77:16
numerous 35:19 123:7 260:1
nuts 254:11
nw 2:22
ny 2:6,11
nygord 3:21

o

o 4:1 5:2 51:24 52:13
oath 4:9,10 6:7
object 107:9 114:12 218:14
objection 4:11 7:13 115:25 116:8 118:3,9 119:6 122:2 124:9 128:5 129:13,22 151:18 168:15 169:21 180:3 184:2 185:22 214:19 215:6 216:16 217:23 229:3 234:12
objectives 208:25
obtain 108:7
obviously 49:12 53:1
occasions 140:25
occur 216:25
occurred 16:9 56:2 91:25 141:20 171:20 186:23 198:10
occurrence 171:13
occurring 33:8
occurs 126:6
ocean 176:9
october 145:16
offer 91:14 228:15
offered 212:23 213:1 221:23 227:15 254:7 267:4
offering 207:20 254:4
office 10:24 17:14 25:2 26:3 29:23 40:25 41:20,25 43:21 44:15 47:10 65:8 81:22 82:6 83:17 84:10 90:11 91:3 92:2 92:8,11 93:7 126:8 140:6,7 148:15,17 162:8 177:7 261:12
offices 30:7
official 2:14,15 3:1,3,4,12 22:10 25:1 35:5 52:3 263:12
offsite 24:6
oh 174:6 249:20
okay 28:17,19 32:8,22 54:1 59:25 60:8 67:6 72:22 139:10 172:20 174:16 175:4 183:4 191:22 196:2 199:21 210:7 245:18 246:18 246:22 252:11 254:9 258:14 261:24
oldham 46:1 123:12,18 124:5 124:18,20,23 265:10
once 43:23 168:10
one's 38:13 244:4 258:14,15
ones 41:23 49:19 78:11 115:24 117:4 128:16 147:19 150:21 155:1 158:18 168:2 197:11 204:18 230:1 235:9 258:14
online 80:11 102:25 148:11 148:12,21 152:4 154:18,24 200:23 255:15
open 23:11 49:7 133:20 140:12 238:13 249:15 249:19,21,24
opinion 107:10 117:2,6 129:14 129:23 209:6 215:7 227:15 228:15 229:4,24 254:4,6,7
oppermann 51:3 51:5 97:18,22 142:6 157:13 210:13,18 211:5 213:12,20 214:14 221:15
oppermann's 51:11 207:12
opportunities 166:25
opportunity 23:10 68:7 106:24 183:22 226:18 228:21
opposed 117:3
optimism 250:14
order 71:17 77:12,22 96:22 115:22 227:4

233:21234:23
235:16259:8
262:5,6,15,16,19
organic 171:22
organization
14:21,24 108:15
109:1 152:6,18
152:19
organizations
34:21 44:18
144:20 145:11
152:14
organizing 50:8
orientation
111:13
original 44:10
158:16 175:15
188:1 202:3,4
205:18 230:8
261:24
originally
157:19 206:6
outcome 228:23
228:25 229:5
outlier 120:9
outreach 139:11
158:15 181:12
outside 12:8,23
14:17,18 15:22
18:11 40:22
42:23 43:2
46:11 47:13
52:7 53:13,19
55:10 59:7,9
66:5,7 69:17,24
72:5,5 73:22
89:4 96:9
101:15 106:4
113:18 120:14
123:4 125:25
137:10 140:17
140:19 142:3,4
143:24 144:4
156:23 157:1
161:20 163:4,5
169:9 173:8
187:12 190:6,7
193:16 202:15
204:8,16 206:24
208:18 215:22
218:2,9 219:6
250:2,3 251:25
overlap 138:7
overpopulated
94:11
oversaw 23:21
139:24
overseeing
164:16,20
overview 20:23
181:22,24 222:6

p

p 4:1
p.m. 262:24
package 102:15
packed 184:18
185:17
packets 111:22
packing 184:25
185:6,9,20 186:4
186:22 188:12
page 6:6,24
30:13 55:3
66:25 78:10
82:4 99:22,22
101:23 121:6
123:13 22,25
134:17,19
145:15,23
146:20 149:20
171:15 173:21
174:3 182:13,14
182:15,18 183:6
189:18 191:3
207:13,14
208:21 209:10
209:18 210:6
223:22 224:1
232:11 233:6
243:12 258:20
264:3,17 270:4,7
270:10,13,16,19
pages 121:20
palmetto 243:17
paper 37:21,24
80:14 149:6,13
paragraph 232:8
parameters
42:14
part 6:19 48:24
49:4 53:3 57:21
88:22 113:19
139:6 186:14
202:16 206:19
236:2 254:18
participate
58:16
participated
112:10 251:25
participating 4:4
59:3
particular 77:12
77:21 115:22
205:19 233:21
234:23 235:16
236:1 255:25
parties 14:17,18
44:21
partisan 14:24
110:5 167:12,14
170:4 255:10
parts 176:21
197:10
party 4:11 19:2
125:23 126:3,17
126:21 239:18
263:9
pass 112:20,25
173:1
passed 83:14
85:8 98:19
100:1 101:1
113:6 117:14
131:14 161:1
209:21 246:12
246:24 247:1
248:13,15
249:25
passes 247:10
passing 10:19
26:23
patrick 10:20
patterns 178:2
patterson 50:6
121:20
paula 10:5 55:8
62:19,24 84:17
115:12 133:13
152:23 161:8
163:15 177:20
181:4 201:10

pdf 145:23 242:15
pending 263:9
peninsula 175:18176:1
people 7:7 18:10 18:13 24:4 35:23 41:3 45:8 45:10 94:25 96:19 97:10 100:24 103:4,24 116:16 117:11 119:16 126:3 133:14 148:24 158:15,21 162:23 176:9 188:5 202:25 204:13 217:1 245:1
percent 84:16 100:5,22 180:18 180:18,19
percentage 69:2 69:2 112:16 179:13 196:19 196:22 198:4,5 253:14
perfect 200:11 262:1
perform 167:6 167:21 205:9 239:25
performance 112:6,10 172:6 179:16 197:3,18 199:9,11
period 133:2
permissible 72:21,25 75:24 101:19
person 4:9 10:18 24:3 30:17 51:17 58:16 84:19,20 194:20
person's 82:13
personal 17:8 35:5,6 37:4,5 39:3,12,15
perspective 71:13 96:6 151:11
pertain 147:14
pertinent 9:16
phone 13:8 23:14 39:5,7,11 39:12,15,17 40:8 40:13,17,25 42:4 43:22 44:8 138:19 197:25 198:9,9 220:10 220:18 237:2,6 237:17 261:9
phones 40:23
physical 104:1
physically 4:5
pick 38:20 94:2 94:9 100:8,16,24 220:17
picked 136:5 220:9
pickens 263:13
picture 92:9
piece 37:21,24 149:6,13
pivot 218:1
pl 123:5
place 92:10 140:5 142:22 156:23
placed 39:17
placeholder 134:22
plaintiff 36:5
plaintiff's 28:8,9 31:16 38:3 59:14 62:3 63:5 86:11 98:1,22 123:10,14 134:8 144:22 146:20 153:3,11,25 159:20 174:11 175:2 182:5 189:9 190:22 191:25 195:17 199:15 207:6 212:21 222:3 223:16 231:14 236:17 238:20 240:5,10 241:20 243:5 244:6 245:10 246:8,8 260:11
plaintiffs 1:5,16 2:3 4:20 5:25 17:3
plan 44:10 64:23 75:6 78:19,20,21 78:22 79:11,12 81:20 82:3 83:20 84:8 87:25 89:25 90:17,25 98:18 98:18,25 99:25 100:1,25 101:2 102:17 109:12 115:9 132:17 140:13 141:16 141:21 157:13 158:17,17 159:11,12,16,22 159:24 160:6,14 160:23 161:1,4 161:13,15,18 162:5,10,12 163:6 164:17,20 165:5,6,9,14 168:25 169:20 170:12 171:17 172:10,18 173:1 174:10,17 175:3 175:20 178:13 179:12 181:24 183:10,12,14,16 183:19,23 184:6 184:9,11,12,16 187:21,24 188:1 188:25 194:1,5 195:5,13,23 196:9 200:19,25 201:4,17 202:3,5 202:5,22 203:1,9 203:15,20,22 204:14,24 205:1 205:4,18,22 208:8 209:16,21 211:18 212:9,14 212:15 213:3 226:22 227:1,4,9 227:12,16 229:1 229:8,13 230:8

230:12 238:1,6
238:22 225 239:6
240:6,9,14,25
241:2 242:5
243:11,17 244:8
245:14,21
247:10 248:5,9
248:13 249:25
253:14,22
256:25 257:12
257:14 266:2,21
267:19,21 268:5
268:7
plan's 201:7
planning 5:6
228:15
plans 24:15 27:5
35:20 63:23
81:9 91:8
101:25 102:5,24
111:6 115:1
120:2,5 121:11
122:24 143:15
148:19 154:23
155:16,17,20,24
157:1,5,10 158:6
158:21 166:24
186:23 190:17
200:17,24 209:9
210:14,19 211:1
212:11 213:15
214:11 230:6
241:6 245:25
247:12 249:23
254:15 255:10
255:15
play 48:23 67:24
74:14,20 76:1
107:2 118:22
217:6
played 74:16,23
75:1 101:24
252:25
plays 119:19
pleasant 105:10
105:16
please 4:12,22
7:24 36:13
50:21 55:19
60:9,17 68:14
70:16 93:15
97:19 99:8
144:3 189:23
plf 28:10 31:23
38:6 59:22
98:12 123:18
134:13 145:1
146:23 153:7,15
159:23 174:22
182:8 189:11
191:12,15,18
195:22 199:17
207:7 212:22
222:12 224:2
231:18 236:20
238:24 240:8,15
241:22 243:7
244:7 245:13,15
246:14 264:18
264:22 265:1,4,6
265:9,11,13,17
265:20,23 266:1
266:3,6,8,10,13
266:16,19,22
267:1,3,6,10,13
267:16,18,20,22
267:23 268:1,4,6
268:8,9
plus 35:10
103:17 196:9
point 29:2,11
37:12 38:17
40:11 47:21
56:25 63:11
64:12 69:7 77:1
83:5 86:15
91:12 95:21
104:19 107:4
111:22 119:17
121:24 122:17
128:2 129:16
143:13 144:8
145:19,22
157:18,20,22
158:21 161:21
162:17 169:5
170:8 188:13
189:4,16 194:4
211:16 219:19
222:21 226:8
243:22 247:9
points 98:9,13
98:23,25 99:6,12
188:8 265:7
polarized 127:1
127:13,15,17,20
127:23,25 128:4
128:8,11,11,12
128:16,21 130:6
131:1,4 254:20
policy 49:7
140:12 249:15
249:19
polidata 108:23
political 30:16
44:18 103:5
107:24 108:5,13
109:10,18
110:21 111:19
112:9 113:8
122:22 125:4,6
126:9,13,15
152:13,18,19
170:10 171:6
178:3 253:9
254:25 255:3
politically 43:6
43:13 170:11
196:14 197:3
politics 252:22
population 22:5
30:15 33:3,8,15
33:19,24 66:22
71:16,21 75:16
85:4,7 93:17,18
93:23 94:2,9,11
94:19 95:21,22
95:24 99:24
100:8,13,14,16
100:20 129:25
157:20 166:13
167:11 169:24
171:5,8,14 172:1
172:12,15
175:13 177:14
180:18 198:7
215:18 230:2,10
230:24 237:10
243:20 257:15
257:16 258:1,5

populations 94:22 95:2,18 170:2 198:16,18 215:17,21
portal 80:11,13 80:19 148:21 154:10
portion 92:22 97:18 115:21 172:12 175:13 206:9 226:14 230:15 232:19 232:23
portions 234:16
posed 72:1
position 21:19 21:21 22:13,17 23:19 25:23 27:18 56:14 68:9,21 70:7 142:1
possible 80:15 80:24 93:3 138:12 149:11 149:16 162:25 179:23,25 180:12 187:4 223:8 224:24 242:11 243:25 244:15 247:14 248:7
possibly 80:9,17 84:5 90:23 116:14 117:1 138:3 142:2 157:19 161:10 171:23 178:17 196:19 201:12 202:12 214:8 237:20
post 28:7 80:10 93:3
posted 80:3 84:11 102:25 148:11 150:20 151:7 152:4,15 154:12 159:11 160:7,10,14 162:20 163:1,7 164:21 165:15 169:4 180:23 194:1 200:17,23 201:1 204:1 206:17,23 215:2 255:15
potential 33:23 180:15
potentially 7:8 7:25 11:10 29:5 91:21 204:8,17
powerpoint 31:17 32:4,10,13 34:5 37:10
practical 77:12 77:19 115:22
practice 159:4 216:20 217:10 217:14 225:5,8
pre 143:14,19
precinct 114:10 114:16 118:19 118:21 119:2 257:25
precincts 22:4 115:4 118:18 119:10
predominant 73:3
preferable 209:20
preference 77:13 77:22 115:23 233:21 234:24 235:17
preferred 205:10
preparation 13:11 60:11
prepare 11:8,16 13:1 111:22 181:14
prepared 54:14 181:16 231:25
preparing 13:13 188:23
present 3:20 4:5 11:25 32:13 101:1 136:11
presentation 31:17 32:5,11,14 34:5 37:10
presentations 26:20 33:25 97:13
presented 102:24
preserve 36:10 36:16
preserving 77:5
president 2:14 36:1
presidential 111:1,3,5 167:15 179:22
press 183:12 199:13,18 200:7 266:23
pretty 26:4 35:22 132:15 215:24 252:19 255:16
prevented 215:16
previous 11:15 17:14 27:4 29:24 32:22 70:20 113:14 115:8 184:11 185:17
previously 42:19 126:9
primarily 39:25 40:7 47:1 49:11 52:24 54:2 62:24 167:16 176:13
primary 7:7 25:4,10,12,15 35:23 46:23 47:5 49:14,19 50:8 111:7 142:10 180:25 203:14
printed 80:14 121:19 147:23
printing 92:7
prior 11:15 20:10 25:2 45:1 46:11 54:12 61:4 62:11,15 108:9 118:4 162:23

priority 66:1 201:20
private 139:21
privy 165:21
probably 10:5 13:10 17:24 26:10 35:9 50:17 64:13 70:1 181:25 190:2 204:11 237:1
proceed 4:13
proceedings 85:14 158:1 195:9 231:4 250:19
process 10:9,14 16:1,10 17:23 21:24 27:24 37:9,19 40:16 41:4,10,22 43:24 44:9,25 45:2 46:4 47:21 50:13,20,24 53:21,22 54:7 58:18 60:16 61:5 69:20 72:7 97:22 102:7 112:3 120:15 126:1 133:25 136:22 137:2,17 137:21 138:14 138:21 144:7 159:7 160:9,13 161:3 178:22 179:1 184:21 187:8 188:22 193:9 194:5 201:19 203:4,6 204:10 206:3 252:16,18,20
processes 115:18 140:9
produce 17:19 18:1 24:14 36:21,24 110:3 242:25
produced 14:4 15:22 44:5 82:2 198:2
producing 13:23
product 104:1 141:5
production 40:14
professional 17:8,9
program 29:25 30:2
project 164:7 252:13
projector 92:12
pronouncing 51:23
proposal 149:22 163:18 164:11 180:21 181:1 183:11 197:13 202:21 203:1
proposals 162:13,19 164:4 197:15
proposed 12:25 14:10,14 15:15 57:2 72:8 76:12 79:4 80:1 181:2 95:19 98:18 102:14 109:12 114:20 120:2 122:24 129:12 141:3,6 144:9,12 144:18 145:2 146:24 147:18 147:25 148:3 149:25 150:11 152:1 155:20,24 156:19,20,23 159:16 160:24 161:5 168:2 183:15 186:23 188:1 189:20 194:18 200:17 243:2 265:14,18
proposing 96:1 168:14 214:10 216:1
provide 7:14 69:20 81:14 88:23 92:25 97:7 108:13 115:1,14 124:12 124:17 131:3 133:8 163:6 203:23,24 220:12
provided 29:9 36:9,14 37:13,25 65:1 80:2 86:15 87:23 88:4 92:20 110:10 111:15 113:10 120:24 125:15 131:18 163:18 163:19 202:25
provides 168:10
providing 45:8 131:7 137:25 163:20 202:20 208:16
proviso 17:25
pruet 3:6 5:16 5:19
public 21:3 24:12 29:9,10 44:24 45:1,2,4,6 45:9,10,16,18 55:18 76:9,11 81:1,11,14,17,19 83:17,19 89:2,4 89:23 90:23 91:7 97:17 104:18 106:2,12 107:21 115:20 116:3,13 117:13 119:13,22 126:20 128:21 132:24 133:10 133:15,17,20,23 133:24 134:6 135:3,18,21 136:1,3,5,8,21 136:25 137:3,11 137:11,14 144:10,13 148:5 150:20 152:2 154:24 156:20 156:24 158:10 158:19,20 159:1 162:15 168:2 178:23 179:2 181:12 187:19 202:4 203:22

204:6 205:14 17
205:18 206:4,6,7
206:15 211:3,5,9
214:15 215:1,10
216:1,9,22
217:22 219:23
220:2 230:7,14
230:22 238:8
244:25 248:22
252:12,21 263:4
271:19
public's 223:4
publically 57:13
80:3
publicly 24:15
44:6 80:16,19
84:11 90:17
91:13 93:4
141:17,21
147:25 148:20
150:20 151:7,14
152:15 154:12
155:2 156:1,7
157:1,5,10
159:11 160:7,10
161:4 162:20
163:1,7 164:21
165:15 169:4
180:23 194:1
201:1 204:1
206:17,23 215:2
215:4 216:13,21
217:2,16,21
218:12 219:1,11
220:21 255:4,12
published 28:7
28:22 45:19
90:18 181:6
pull 28:3 31:14
32:5 34:8 38:2
59:20 62:2
94:11,14 98:3
114:5 123:16
124:25 134:9
144:15 146:21
153:5,14,24
154:17 160:1
171:8 172:2
173:18,23 174:4
181:25 182:6
191:10 192:23
195:18 207:5
213:13 222:10
223:18 230:13
231:11,16
236:19 238:10
238:22 240:14
243:5 244:3,6
245:11 246:11
246:13
pulled 30:6 60:2
113:16 149:1
151:21 155:17
172:4 174:14
175:5 200:6,10
241:19 251:11
pulling 145:5
175:23 185:13
196:20
purpose 26:8
purposes 8:25
21:7 102:11
146:19 167:10
199:13
pursuant 213:4
pushed 33:19
put 17:25 20:6
21:23 24:13
28:2 59:19 88:6
121:7,20 148:10
149:12 152:21
159:25 172:3,15
174:3,25 176:9
176:10 181:18
191:7 206:8
208:4 212:16
215:10 223:16
224:18 225:24
226:2,3 255:5
putting 23:1
71:11 74:10
172:5 179:17
185:9 197:17
224:14 244:19

q

qualified 67:10
227:21
qualifies 227:19
229:18
question 6:19,20
7:2,3,9 8:3,5,16
9:10 11:3 22:10
29:16 36:13
37:23 39:6
43:12 49:22
50:16,21 55:19
60:8,17 62:7
66:18 67:9,21
68:13 69:5,16
70:9,12,15,18,20
71:5,7 72:1
73:11 74:19
76:10 78:10
87:9 93:15
95:16 97:19
99:10 103:13
107:13 109:16
114:21 116:2
117:1 118:10
125:24 127:18
129:3,8 130:18
131:16 132:11
135:10,15
141:25 146:5
147:9 149:17
150:2 155:22
156:21 160:11
172:8 178:9
184:14 192:4
204:11 210:21
211:13 214:13
214:24 216:10
218:1,8 225:25
226:24 228:3
232:8 236:25
254:16 256:13
258:19 259:1,3,4
259:6,11 260:6
questions 6:10
6:15,23 7:19 8:8
18:17 34:10
59:11 79:1
82:21 85:21
91:15 101:3
138:5 142:1
160:21 166:1
178:19 187:15
189:18,20,24
222:24 231:19
232:5,20 250:5,9

250:10,11,15,17
250:24 251:5,24
258:12 267:14
queue 98:2
quick 86:8 104:6
155:18 157:23
174:15
quickly 246:20
quite 241:10
249:1

r

r 3:15 4:1 5:2,2
239:16 270:3,3
race 72:21,25
73:2 74:3,6,10
74:14,16,20,23
75:11,14,16,24
76:4 101:9,19
125:4,6,23 126:3
126:16,21 127:5
170:1 179:20,23
180:2 258:7
racial 68:17
72:17 73:5,13,16
73:20 74:2 76:9
97:9 123:7
127:6 167:11,21
168:5 185:15
205:24 229:14
229:17 233:15
233:24 237:10
242:22
racially 127:1,12
127:15,17,20,23
127:25 128:3,11
128:12,16,21
130:6 131:1,4
254:20
radio 138:23
rainwater 23:7
raise 89:18
raised 158:25
159:6 187:19,24
188:15
raising 196:22
ram 254:17
ran 18:4 155:4
166:10 210:25
ranked 232:24
rankin 2:15 5:11
23:22 46:24
47:2,4,14,24
49:6 53:1,8 65:4
92:13 140:11
153:25 212:7
249:8,9,14
rankin's 92:8,11
140:6 162:8
177:7
rapidly 105:18
reach 157:17
188:20,22
216:12
reached 139:22
158:20 161:17
reaching 138:25
158:23
read 12:18 17:5
30:25 31:1 60:5
60:13,15,19 67:4
70:19 77:7,9
122:25 148:18
183:5 208:23
212:8 226:19
233:9 262:21
269:9 271:5
reading 70:17
115:20 119:13
reads 30:13
reagan 53:10
real 104:6
105:17 174:14
253:9
realize 213:12
242:15
really 17:1 23:4
23:22 24:17
53:8,14 55:8
67:9 75:15 76:4
78:25 92:5
125:9 136:20,22
137:3,14 176:12
196:13,16
198:12 249:24
252:22,25 253:3
254:11 256:1
257:13
rear 3:24
reason 7:18
183:25 248:21
259:10 269:11
270:6,9,12,15,18
270:21
reasoning
116:21
reasons 30:18
42:22 43:2
185:16
rebut 230:14,19
recall 13:9 14:20
16:2,5 18:25
19:22 29:2,11
32:15 34:3,4
35:3,11,24 36:19
37:13 38:15,17
38:18 39:13,22
39:24 40:11,20
42:3,7,8 44:19
44:22 45:17,20
45:25 47:22
48:1,5 50:11,14
50:22 51:16
52:18,20 53:14
54:9,23 56:5,7
56:23 57:1,3,5
58:5,6,8,11,23
59:10 64:8,14
65:4,16 66:8
73:24 78:14
80:7,8,21 81:7
83:23,24 84:12
85:3 88:6,10
89:3,5,9,21
90:13,16 91:11
91:19 92:17
93:2,9 98:16
99:2,3,5,11,13
103:11 105:22
105:23 106:1,5
106:15 107:4,21
107:23 108:8,18
109:2 111:4,9,10
112:8 113:21
116:23 119:24
121:24 122:17
124:24 125:13
125:17,20 126:1
126:13,18,19,24
128:2,20,23
129:16,18 130:9
130:10,13

131:13 132:25
133:1,11,18
134:23 135:1,5
135:11 136:5,7
137:23 139:20
139:23 141:8,9,9
141:15,22 143:1
143:4,9,21 144:8
145:8,17,19,20
145:22 146:7,8
146:10,17
151:20,25
152:12,20 154:5
154:7,22 155:3,5
155:13 156:8,10
156:14 158:10
158:24 159:2,13
161:18,21 162:2
162:9,11,16,18
162:21 163:8,9
163:19,22
164:25 165:20
166:2,14 167:23
169:1,5,10 170:8
170:19,23
173:11 177:21
177:24 178:14
178:21,25
180:24 181:9,13
181:19 187:18
187:23,25
188:11,13,14,15
189:1,4,14,16
190:11,14
192:23 193:2
194:21 195:1
196:7,10 198:8
200:21 201:18
202:17 204:2
205:4,8,11
206:14,21,25
207:12,25
208:20 209:5,17
210:1,2,5,16,17
210:22 211:3
213:24 214:5
221:4,7,10
222:22 223:6,11
224:11,14,15
225:16,17,22
226:13 227:14
227:18 233:5
236:23,24
237:13 238:2,3,9
238:15 239:5,7
239:11,22 241:5
242:2,4,19
244:10,12 245:1
245:20,23 246:6
247:11,13
248:22,24 251:7
251:9 252:1
256:7 260:4
recalled 55:24
recap 82:23
86:14 88:22
receipt 269:18
receive 43:19
64:15 89:14
143:6 171:2,16
received 13:23
14:9 24:12
83:16 84:3 91:7
99:4 108:3
113:23 117:12
124:19 137:25
148:16 192:21
202:4 205:19
222:8,13 227:4
255:20,23 267:7
receiving 99:2,3
145:17 146:6
153:19 189:1,14
196:6 211:16
recess 85:14
158:1 195:9
231:4 250:19
recollection 57:8
243:16
recommendation
249:8
recommendati...
22:21 177:9
219:15,20 220:3
220:6,14,19,23
227:7 234:7,11
234:17 247:21
247:24 256:15
256:25 257:1,5,6
258:16 260:8,10
260:14,20
record 4:23
19:20 31:21
61:20 63:2,9,13
76:9,12,14,17
77:9 78:6 82:17
85:12 86:9
124:14 128:17
142:24 157:23
174:1,20 182:17
182:21 183:5
193:19 195:4,7
213:7,9 231:2
232:14,16 233:9
241:16,18 245:6
245:7 251:1
261:3,22 262:3
262:12 263:7
record's 74:13
79:9
rector 2:5
redacted 123:23
redistricting
9:21 10:9,13,20
14:13 15:2,9,16
15:18,23 19:9
21:7,12 22:3
23:4,12 25:6,11
25:18 26:4,7,11
26:21,25 27:3,5
27:15,20 29:8
31:12 32:17
33:1,2 34:14
35:2,10,13,16
36:4,12,17 37:6
37:9,12,19 38:4
38:7,16 39:4,8
39:18,20 40:1,9
40:24 41:4,7,22
44:24 45:2,23
46:4,8,9,25
47:12,25 48:4,9
48:10,17,18,22
49:1,16 50:11,13
50:18,20,22,24
51:9 52:8,22
53:3,7,12,21,22
53:24 54:7,10,12
54:17,18,21
55:14,17,21 56:1
56:10 58:10,14
59:12,15,22

60:16,23 61:4
62:4 63:6,23
64:10 67:16
69:15,19 72:3,7
72:9 73:7,13
74:8,18,21 75:10
75:19,25 76:20
80:6 83:22
86:12,24 88:7,24
89:6,15 91:24
96:21 97:21
101:16 102:9,20
103:9,16 105:2,5
105:21 107:2
108:10 109:9
111:16 113:9,19
113:20 114:2
115:8,11,15
116:4,5,25 117:8
117:17 118:1,13
120:5,14,15,24
122:24 125:12
125:16 126:1,7
126:10 129:6,12
130:7 131:7,15
131:18,24 132:3
132:24 133:25
135:23 136:14
136:22 137:13
138:1,15,16,18
139:5,12 142:13
142:15,18 143:3
143:24 144:4
146:1,13,14
148:19,23 150:9
150:22,24
151:13,24 152:2
152:15 155:8,21
155:23,25
159:11 161:1,7
163:5,11 165:16
165:25 166:9,24
170:20 171:1
173:7 176:16
177:6,19 178:6
178:11 179:1
181:3,7 183:13
184:19,21 185:1
186:15 187:2,7
188:21 189:21
189:22 190:1
193:9,13,16
194:9,19 198:2
199:16 200:8,16
201:9,19 202:9
202:16 203:3,24
203:25 204:6
206:24 208:7,11
209:3,14 210:4
210:15 211:22
212:23 213:1,16
216:15,24 217:4
217:17 218:3,6
218:10,18,23
219:4,7,9,16,22
220:1,8,12,20
227:6,16 237:14
238:1 242:12
243:24 246:25
247:7,16 249:4
249:13 250:1
251:6 252:13
254:5,10 255:6,8
257:7 260:12,18
260:24,25 261:5
265:2,5 267:5
redraw 30:15
redrawing 22:4
30:22 175:12
refer 45:8 46:5
139:4 192:2
193:12 245:9
reference 123:24
199:13 246:10
246:11
referenced
208:12 269:6
referred 184:20
200:18 207:23
260:8
referring 43:13
62:18 99:25
124:7 183:2
200:24 212:8
refers 207:19
239:6
reflect 31:5
214:4
refrain 6:16
regarding 9:4
10:20 34:13
35:2 37:11
38:16 40:1
42:23 45:23
53:6 58:9 142:4
144:17 153:19
213:2
region 257:17
regions 209:11
209:12
regular 55:16
regularly 44:23
56:19
regulatory 25:2
relate 21:25
related 25:18
37:1,1 39:20
48:4,8 49:1 52:8
53:12 54:10
64:10 79:21
263:8
relatively 169:19
relayed 221:20
release 25:24
158:16 183:12
199:14,18 200:7
266:24
released 26:5
44:10 45:14
57:9 83:20
90:24 150:14
165:1,3 183:12
201:22
relevant 9:16
21:6 109:14
relied 27:14
111:5 132:14
137:7,14 215:1
217:16 219:21
219:25 228:13
229:19 233:25
234:11
relief 246:15
268:11
rely 60:25 64:6
120:13 201:20
216:21 217:11
217:15 226:25
227:23 228:2,11
relying 218:13
219:9 228:5

remain 65:12 216:3 223:9
remained 203:2 204:7,9
remarks 183:1
remember 11:12 11:13,14 15:6 19:4,11 44:7 45:15 53:9,15 55:15,24 62:16 62:25 84:17 98:17,20 104:20 110:19 141:19 143:13 145:12 146:6 153:18 158:22 161:11 181:18 193:18 196:5,6 197:14 198:11 204:2 207:1 210:25 211:1 224:14 243:18 245:25 252:14 253:19 253:24 255:21 256:21
remote 21:2
remotely 4:7,10
remove 172:11
repair 236:4
repairing 235:12
repeat 6:19 9:10 25:7 29:16 36:13 39:6 50:21 55:19 60:8,17 62:14 66:18 67:21 68:13 74:19 76:10 78:9,16 82:20 93:15 95:15 97:19 99:10 104:6 107:12 109:22 114:21 116:2 117:5,23 118:10 127:18 129:3 130:18 131:16 132:11 135:10 141:18 143:17 144:3,11 147:9 148:1 150:2 155:22 156:21 160:11 168:17 176:23 178:9,24 184:14 187:22 192:4 202:23 203:11 210:21 211:19 214:13 215:19 216:10 217:13,25 220:16 225:25 226:24 228:3,8
repeatedly 76:8
rephrase 6:21 14:23 19:23 75:9 76:7 85:5 176:17
report 23:18 44:2 120:19 127:22 225:14 225:16,18,20 228:1,5
reported 1:17 23:23 24:2 28:25 99:14
reporter 1:17 4:3,5,6 6:4,13 7:9,14 29:1 70:19 136:10 182:5 261:23 262:4,9,13 263:1 263:3,24 264:12
reporting 4:7,12
reports 12:19 17:15 18:1,4,8 24:14,21 72:13 102:24 110:3 114:25 121:4,10 121:18 148:9 154:17,23 155:1 155:4,6,10,13 167:8 181:17 198:3 204:23 208:4 210:25 255:9
represent 5:21 8:15
representation 8:20 253:8
representative 42:6 43:21 44:4 44:13,14,15 65:7 65:17 78:13 81:22 82:6,9 83:1,16 84:10 86:21 90:6 91:3 92:1 93:7 148:15,17 227:8 261:18
representatives 3:2,3,5 10:17
represented 8:9 8:22
representing 4:19 5:24 12:5 18:14,16
republican 15:2 15:9,15,23 41:7 43:17 109:6 112:16 113:5 150:22 151:13 170:16 171:9,11 171:17,25 172:10,13,18,22 173:14 175:10 177:12 178:8,12 179:7,10,11,13 179:15 184:1 196:19 197:18 199:8 238:22,24 239:18,19 240:6 240:8,25 241:6 251:5 253:7 267:19,21
republicans 172:3,23
request 21:22 49:8 57:21 78:3 86:21 88:6,13 109:3 110:4,11 111:7,11 150:17 213:4 256:3
requested 24:21 25:13 48:11,13 49:9 79:14 83:10 88:11 110:8 143:10,12 150:14 212:4,14 261:15
requests 112:1 143:6 162:19
require 257:6

required 17:15 17:25 271:13
requirement 77:2 87:16 97:2 254:15,20
research 125:8 125:14 126:8
reside 18:18 197:8
resolves 85:17
respect 209:19 236:3
respond 214:2
responded 190:9
response 91:15
responses 6:17
responsibilities 25:5,10
responsibility 25:12,17 50:8 62:25 165:13 203:7,14
responsible 70:3 102:13 114:19 114:22 120:1 139:25 151:6 155:19,24 163:24 164:15 164:19 202:20 217:17
responsive 123:23
rest 20:14 33:16 123:22
result 82:1
resulted 171:9
resulting 29:5
results 25:25 29:14,21 93:12 109:5 111:6,8 113:15 179:22
retain 169:17
retained 149:8
return 269:13,17
returns 110:23 240:1
revenue 23:8 26:2
reverse 175:21
review 12:11 16:21 28:21 41:16 60:5,11 61:9,16,17 62:8 90:19 99:7 125:18 131:21 136:2 144:9,12 146:4 147:15,24 148:3 150:7,11 154:4,14 156:10 156:15 158:6 162:14 163:5 200:3 208:2,14 208:19 222:20 232:3,7 269:7
reviewed 12:16 27:7 63:10 75:18 99:18 127:19 147:6,12 154:5,9 222:24
reviewing 12:24 63:24 145:8,13 165:14 189:2,14 210:17,22 232:9 251:10
revolved 52:22 64:14 76:4
rfa 31:3,5,10,19 97:7,7,14 126:8 131:3,6
rhetorical 43:11
richard 19:15
richland 18:9,15 18:16 44:3 244:4,7,11,16,20 245:1 246:24 247:3 268:4
rigged 137:2,17 178:22 179:1 252:13,16
right 14:10 19:25 24:17 26:4 28:14 32:5 38:10 56:16 87:8 91:9 93:21 101:3,24 105:10 110:24 168:20 175:1 176:11 180:24 182:22 191:1 206:10 215:18,22 217:8 219:1 234:6 236:19 237:11 244:24 254:16 255:1 259:16 262:13,21,22
rights 30:18 31:8 31:11 67:1 69:21 70:4,12 71:7,9 72:10 96:5,17 107:7 166:4 226:15 233:14 259:8,12
ring 108:23
ripple 33:2 176:6
river 105:10,16
rmg 1:6
road 45:12 133:3 206:10
rob 5:13 8:10 11:19
robert 2:17 269:1
roberts 1:11 4:14,18,25 5:2,9 6:3 8:9 20:16 28:17 30:14,20 32:8 36:9 60:1 61:23 63:8 76:18 82:20 85:19 98:4,16 145:7 153:18 160:2 173:24 174:9 175:1 182:12 183:8 191:11 196:2 199:21 223:23 224:7 231:7,23 236:20 239:3 242:3 245:18 250:23 254:1 258:6 264:5 267:16 269:5 270:2,24 271:2,4 271:12
robinson 2:17 12:7
robinsongray.c... 2:19 269:2

rock 33:11
rocking 182:23
role 24:9 25:4,11 31:10,19 48:25 53:10,15 59:3 62:22 68:15 74:16,20 75:2 76:1 77:25 99:15 101:24 187:8 248:10 253:1
roles 31:3,5
rolled 81:20
rolling 182:23
roman 66:24 77:4,16 87:2,20 103:1
ronnie 143:12
room 1:14 4:6 5:5,9,17 41:1 42:1 91:23,24 92:1,8 138:5,14 139:13,18,23,24 140:9,14,17,20 140:24 142:5,5 142:12,15,17 143:2,5 144:10 144:13 154:16 154:19 155:8 156:19,23 157:1 162:5 201:13 224:22 248:11 249:21 261:9
rooms 92:3 140:2 162:7
rough 67:25 262:2,9,11,19
roughly 13:15 56:15 142:19
rpv 129:1,4,10 130:3,8,14,17,19 130:21 131:6,8 131:11 166:16 204:22
rtyson 2:19 269:2
rule 30:17
rules 6:5
run 17:15,17 24:20 102:17,24 114:25 115:19 120:19 121:19 148:9 204:4,21 243:20,21
running 171:4 175:12,24 224:23
runs 108:24
ruoff 26:22,25 35:19 46:10 97:18,22 157:18
ruoff's 27:7

s

s 2:5 4:1 5:2 228:16 263:3,23 264:15 270:3
sabb 143:12 159:23 221:6,9 241:21,22 242:5 242:18 245:13 245:21 266:1 267:23 268:6
saint 175:24
saved 164:3
saw 33:9 110:22 156:8 164:25
saying 98:24 103:20 107:21 168:18 245:1 260:7
says 32:16 38:19 67:1 75:24 77:8 77:10,17,18,21 115:21 192:5 208:24 210:7 212:8 213:14 223:25 225:15 226:15 232:9,20 232:24 234:22 235:14
sb 117:14
sc 1:15 2:18 3:8 3:16
scanned 80:22
scenarios 122:5
school 18:4,13 18:15 19:16,18 20:3,3,8,24,25 22:1,3 26:8 27:22
scope 8:19 41:3 103:19
scott 3:11 36:6,7 47:20 143:10
scratch 37:21,24
screen 28:4,16 32:6 34:9 59:21 63:5 98:4 123:17 125:1 134:9 144:21 145:5 146:22 153:14 160:1 173:23 175:1,3 177:7 180:14 182:6,13 191:10 195:19 200:3,13 207:5,14,15 208:22 213:13 222:10 223:18 224:8 231:17,23 236:19 238:23 243:6 245:12 246:18
screenshots 246:23
scrolled 242:14
scrolling 246:20
scsenate.gov. 39:2
seal 263:12
sean 46:18
search 40:12
seat 18:18
second 99:7 134:19 153:10 159:19 173:19 181:5 195:5,13 201:1 213:7 224:1 240:18,19 243:12
section 30:21 31:8 72:9 107:7 107:16
see 11:2 28:16 32:8,9,18 33:18 59:25 67:1,2 72:17,20,22 80:20 100:2 109:6,10 114:4

114:18 122:19
123:25 131:1
134:23 139:2
147:4 148:12
151:3 154:2
160:4,17 165:15
167:21 173:16
191:22 196:2,4,8
199:21 200:12
207:16 208:21
210:11 213:18
219:10 224:7
226:5 229:8
231:23 232:12
232:18 233:1
237:11 239:3
240:24 241:4
242:4 243:11
245:18 246:18
256:17 259:3
seeing 47:7
120:7,8 134:24
191:2
seek 54:2 165:3
seen 36:2 60:13
104:1
sen 224:3 267:11
senate 2:14,15
5:11 9:7,12 10:4
13:5 14:5,15
18:5 22:7,12,25
23:4,12,15,20,25
24:4 25:3,15
26:6 37:11 44:1
44:5 46:22 48:4
48:10,16,22 49:1
49:15,23,24 50:4
52:2,22 53:3,21
53:22,23,25
54:11 56:15
57:13 58:14
59:12,18 62:5
65:23 68:9,15,18
68:19 70:7
72:24 74:5,8
75:10 76:13,21
81:20 82:3
83:22 86:25
88:14,24 89:15
89:24 90:17,25
96:9 98:11,19,24
100:1 101:16
111:3 116:17
123:13 127:24
134:7 136:14
138:10,17,18,22
140:16 141:16
141:20 144:1
145:2,13 146:1
146:13,14,24
151:1 153:8
155:20 158:5
159:10,17
160:25 165:6
173:21 174:3
175:3 181:7
187:24 188:10
188:21 194:25
195:5,13 199:14
199:15,17 200:7
200:8,16,19
201:3,7,16,22
202:8,10 203:18
203:19,24
204:25 207:22
208:2,5,8,19
209:7,15 210:19
210:23,24 211:6
211:6,10,11,18
211:18,21 212:3
212:8 213:2,3,15
218:17 219:4
220:11 224:18
226:15 232:20
233:16 237:25
238:5 240:12
246:12 247:20
248:9,14,15
249:4,13,18
255:5 257:7
260:25 265:15
265:19,21
266:22
senate's 155:25
247:16
senator 23:22
40:7 44:1 46:24
47:2,4,15,20
48:6 49:6 51:1
51:14 52:14
53:6,8 64:12
65:4 79:7 91:6
91:15 92:8,11,13
110:7,11 112:3,8
112:13,18
113:18 139:15
139:15 140:6,11
142:8 143:10,11
143:12 148:17
149:21 153:25
157:4,12 162:7
165:6 177:7
190:12 195:5,19
196:11,12 197:6
198:15 200:20
202:11,12,15
203:5,10 210:7
212:7 220:24
221:5,9,18
223:24 239:12
239:13 241:8
242:5,18 245:21
246:4 249:8,8,14
252:25 256:3
261:12,14
senators 27:21
46:21 47:13,14
47:19,23 53:1
54:9 99:17
113:18 116:19
139:17 140:15
140:17,17 143:1
149:24 150:3,10
150:14 157:11
157:16 162:20
164:24,25 165:9
188:16 203:16
214:10,15
221:22 249:19
send 18:1 149:21
sense 62:6
112:22 117:3
209:20 251:17
sensing 21:2
sent 16:7,8,13,15
18:3,6,8 36:11
36:17 47:24
57:25 99:19
146:12 162:16
189:22 192:11
193:10 207:1
225:12 237:3

269:14
sentence 77:7 200:16 233:23 234:22
sentiment 137:3
separate 245:2
september 59:16 62:5 213:16
series 238:18
served 126:11
service 182:5
serving 18:17
session 27:24
sessions 142:17
set 30:17 92:6 131:15 133:22 166:24 168:3,8 171:24 172:9,17 172:20 186:19 189:18 218:18 218:22
setting 78:11
seven 33:22 65:2 66:17,21 76:19 86:16,24 87:5,7 87:11 93:13 100:19 176:4,21 213:22 216:2 233:22 234:24 235:17 239:17 239:18 240:24 241:6 256:16,17 257:13 260:10
seventh 64:22 75:4 79:23,25 132:18 176:9 201:24 215:11 216:6 219:12
227:8
seymore 19:14
shapefile 24:13
shapefiles 147:21
shapes 73:21,23 120:9 251:17
share 15:14 48:7 48:8 59:20 80:5 81:9,16 83:15,21 98:3 123:16 125:11 143:14,18 151:23 152:1,5 152:10 178:6,10 179:6 191:8 192:18 195:18 213:20 220:12 223:17 225:23 231:15 246:18 252:8
shared 16:6,22 16:23 43:3 44:6 57:13 102:19 124:18 141:17 141:21 148:14 149:4 189:25 191:13,16,19 192:3,6 193:11 193:15 201:2 206:22 213:24 215:5 216:13 221:13 233:25 266:11,14,17
sharepoint 28:3 59:14
sheet 80:14 154:17 242:25 269:11
sheets 98:9,13,24 99:1 167:7 205:3 265:8
shift 197:2
shoot 237:4,21
shortens 222:23
shorthand 48:18
show 45:12 90:21 255:10
showed 112:18
showing 127:22
shown 79:17 180:16 196:15
sic 131:11 207:6
side 49:16 52:21 107:15 132:10 138:7,10 140:10 144:1 147:21 163:23 166:8 175:17 194:10 194:25
sign 8:18 225:9 262:21 269:12
signature 263:22
signed 8:13 20:6 225:2 269:20
signif 71:15
significance 193:8 243:16
significant 94:2 215:25
silence 138:23
similar 85:21 137:21
simpler 167:4
single 146:20 177:24 191:3 244:13
sit 19:18 247:17
site 199:16
sitting 18:13 42:11 55:12 156:16 177:8
situation 23:5 151:5
six 33:22 78:24 79:16,19,22 81:18,23 83:8,10 85:8 86:16 87:17 90:4 92:21,22,24 93:12,16,20,20 94:1,8,9,12,14 94:18,22 100:7 100:11,16,22,24 168:23 169:9 170:3,7 172:4,6 172:13,15,24 175:14 176:13 176:22 177:14 213:22 215:17 215:22 219:13 254:25 256:16 256:17 257:11 257:21 260:10
sixth 79:6 82:8 132:18 175:23 176:10 199:10 215:12 230:16 231:1 256:2
skimmed 60:18
slide 32:16,23 33:5,5
slides 33:22
slightly 115:7

slowly 244:1
smaller 112:16
smoother 115:19
social 34:23
software 102:15 108:6 120:21 164:5,7 166:12 168:10,20 179:24 180:8,11 209:8,9 247:18
solicit 139:1
soliciting 139:12
solutions 269:23
solve 28:6,11 264:20
somebody 22:22 119:12 151:3 216:19
soon 138:22
sorry 25:9 29:18 60:10 61:1,2,12 62:13 76:13 78:5 82:15 85:12 91:10 92:15 113:11 118:6 126:15 128:10 147:3 163:13 182:25 186:8 191:1 198:5 210:3 239:13 240:17 245:5
sort 23:21 36:14 140:4 142:22
sought 9:3,6,11 9:20 27:14 165:19
sound 43:11
sounds 8:6
sources 111:15 122:22 123:2 125:18
south 1:1,3 3:7 3:12 4:20 9:22 10:16 20:17,19 21:16 29:13,20 31:18,24 32:16 33:7,9,23 35:10 35:12 59:17 92:23 93:14 96:12 98:10 105:15,24 106:8 106:17 112:20 112:25 113:6 123:13 125:3,7 125:23 126:4,17 126:21 127:21 127:23 128:4,7 134:7 144:18 145:9 152:25 174:22 189:6 213:2 240:12 243:7 249:18 250:2,3 257:17 261:5 263:4,13 264:23 266:3 268:1 269:4 270:1 271:1
southcarolinas... 146:15
southern 33:12
spartanburg 33:13
speak 25:9 36:2 44:23 47:13,20 53:6 82:25 83:1 86:3 90:5,7 133:15,21 142:6 158:21 181:20 261:8
speaker 3:2 261:9
speaker's 10:24
speaking 47:8 138:9
special 26:8
specializations 21:11
specific 34:2 50:4 73:8 78:23 79:15 87:12 89:15 91:4 104:21 105:19 109:3 110:11 112:1 158:4 160:20 171:18 176:19 179:18 222:5
specifically 177:22 188:14 196:12 210:19 225:22 249:14
specifics 146:4 189:19 248:24
speculation 116:1 124:10
spelling 4:23
spent 251:9,11
split 115:4,4 118:19 188:6 235:12,21 236:4 257:24
splits 115:2,19 117:13 118:16 118:19 209:19 209:22 235:13 235:13,22 257:25
spoke 13:2,8 15:12 40:7 42:1 42:2 90:7 104:18 157:12 163:3 205:21 261:4,7
spoken 162:24 163:1
spot 23:11
spread 33:3
staff 9:7,12 10:4 10:15 13:5 23:20 24:7,22,23 24:25 25:2,13 37:11 38:4,7 41:20 44:2,10 46:22 49:15,24 50:3,10 54:15,18 55:1,4 81:20 82:3 83:5,20 84:8,18,22 87:25 89:24 90:8,9,10 90:17,25 92:1,3 92:16,20 115:11 120:5 121:13,15 132:17 140:16 140:17 141:16 141:20 144:1,6 145:13 148:14 149:4 158:5,17 158:17 159:12 159:17,21

160:13,23 161:4
161:11 162:5,10
162:12 163:6,11
164:16,20 165:5
165:8 170:12
171:17 172:9,18
173:5,6 174:16
175:3,20 181:24
183:9,12,14
187:20,24 188:1
190:4 195:5
198:2 200:25
201:17 202:3,4,5
202:22 203:1,2
203:22 205:1,18
230:8,12 251:16
256:3 265:2
stage 207:24
stages 102:18
stamp 38:5
59:17 98:10
99:22 123:12
134:7 144:23
145:24 146:21
153:4,13 189:8
191:6,25 195:21
213:5 222:9
223:17 231:16
236:18 238:20
240:11 243:12
244:5
standpoint
117:10 136:24
stands 29:25
start 5:8 9:17
61:4 159:15
160:9,22
started 26:4
143:15,20 230:7
starting 26:3
108:9 129:14
stat 154:17
205:3 242:25
state 1:3 4:12,21
4:23 17:17 22:5
26:9,24 30:16,21
31:8 33:17,20
35:12 81:24
113:13 128:9,12
144:19 145:10
164:13 189:6
193:6 209:12
233:12,13 236:2
236:8 263:4
269:4 270:1
271:1
statement 209:3
209:7,14,25
226:21 227:1,23
230:22 235:2
statements 125:3
126:20 228:2,6
228:12 234:1
states 1:1 122:21
200:15 209:10
209:18
statewide 178:2
255:24
stations 140:4
statistical
121:10,23 122:7
statistics 186:13
228:14 229:23
229:25
stats 24:21 85:10
117:16 181:17
208:4,16 238:11
238:22,25 240:6
240:9,13,25
241:21,23
243:13 246:3
267:19,21,25
stay 168:24
169:13 176:22
step 60:10 150:4
steps 72:7 73:25
159:6 166:7
198:24 199:1
stop 30:19
246:20 249:22
stored 149:8
150:6,8 164:4,6
story 22:20
straight 65:9
streamline
138:12
streamlines
222:23
street 1:14 2:5
2:10,18 3:7,15
strength 30:20
67:8,18,23 68:1
68:6,17,20,24
69:7 70:8,23
71:14
strictly 179:21
striped 245:25
stronger 197:18
struggling
196:24 197:16
student 5:18
study 166:23
stuff 20:2 51:9
249:23
stupidest 23:1
style 118:18,20
subcategory
103:1
subcommittee
3:5 40:10 47:25
48:4,10,17,18,22
49:1,5 50:12,19
50:23 54:13
55:17,21 61:8
80:6 83:22 84:1
88:3,25 89:5,15
90:24 102:20
110:6,14 111:16
113:19 115:15
120:25 121:3
127:24 146:2,13
148:10 151:24
152:3,16 159:11
159:21 160:14
165:9 178:7,11
181:8 183:9
188:21,23,24
189:21 200:8,16
202:9,16 203:18
203:19,20,25
211:18,22 212:3
212:23 213:1
218:18 234:17
238:2 247:23
249:5,13 253:2
256:6,11 257:3
261:1 267:5
subcommittee's
132:24

subject 98:8 196:8 223:23
submission 15:5 144:17 147:13 153:16,19 154:8 154:13 265:24
submissions 24:12 145:2,9 146:24 152:24 154:12 155:2 162:15 265:15 265:19
submit 45:10 210:8,13
submitted 14:13 14:21 15:7,25 16:3 24:15 41:17 64:12 80:12,18 147:7 148:20 150:1,19 152:14,15 153:1 154:10 155:10 156:7 157:1,5,10 157:13,19 158:9 158:19 189:24 190:13,17 212:11 218:10 219:7,24 251:10
subscribed 271:14
subsequently 161:25
substantial 100:8
suburb 33:12
succinct 122:21
sued 18:20
suggestions 177:10,11,22
suite 3:8,16
summaries 134:24 135:2
summary 31:2 134:19 243:20
summation 86:8
summer 5:19
sumter 83:11,12
sun 206:7,9
supervised 24:2
supervisor 23:16
supplement 64:7
supplemental 132:7
support 211:9 223:4
sure 6:23 8:7,17 10:23 16:23 28:14,16 34:12 42:15 46:2,17 52:9,12 57:23 60:7 71:15 74:13 78:10,25 83:11 90:10 96:4 99:9 104:20 121:5 135:8 149:20 159:19 161:17 163:3 166:11,12 186:19 202:18 204:19 232:6 237:24 241:11 249:2 250:14 255:16 258:20
swap 257:20
swapping 35:20
sworn 4:15 271:14
system 17:18 108:14 113:13 123:6 148:19 150:9,11,24 151:22 157:6

t

t 5:2 51:24 52:11 264:15 270:3,3
tab 28:2 31:15 32:3 59:13 97:25 98:6 123:10 134:10 134:12 144:16 146:19 182:2 189:9 190:24 191:2,4 195:17 199:23 207:3,6 212:21 222:2 223:14,19 231:14 236:15 238:19 240:4,4 240:11,18 241:20 243:4 244:3 246:7
tabs 152:22 190:18 191:3 238:18 240:3 245:10
taiwan 36:6
take 5:4 7:23 8:5 17:16 24:20 37:18 56:3 60:10 68:25 72:7 73:25 135:3,13,14 150:4 156:10 157:22 159:5,8 166:7 176:8 181:5 186:7 198:3 200:2 211:14,23 229:7 238:3 246:2 250:17 259:9,20
taken 1:16 21:6
talk 11:7 13:20 15:4 33:1,21,23 34:1 35:7 41:2 41:21 46:10 82:9 89:15 158:4 193:25 195:5 205:13 217:5 261:14
talked 10:19 14:9 23:7 35:15 41:4,6 46:20 49:10,12 50:1,5 102:9 106:6 122:15 132:23 143:25 144:5 149:19 167:20 190:17 203:6 218:21
talking 7:8 23:6 23:13 78:12 98:9,12,23,25 99:5,12 230:2 234:5 236:2 237:9 244:19 247:21,22 248:12 265:7
talks 117:18 260:13

target 168:4,8 259:18,22,25
targets 168:13 169:7
tasked 227:11
teague 152:23
team 24:1,24 53:3 56:1 69:15 115:11 116:4,25 132:3 139:5 143:24 144:4 155:8,23 161:7 163:5,11 170:25 171:1 173:7 177:19 186:15 186:22 189:22 190:1 193:13,16 194:9 203:24 206:24 208:7,11 209:3,14 210:3,4 210:4,15 218:3 218:10,23 219:7 219:9,22 220:1 220:12,20 243:24 246:25 247:7 251:16 255:8,9 257:8 260:18,24
technical 19:13 31:22 56:11 61:21 63:3,14 70:10,14,24 71:4 71:8,13 76:15 78:7 82:18 85:18 86:7 96:6 101:6,9 107:15 124:15 126:12 128:18 130:12 138:7 147:21 163:23 166:7 174:21 190:3 245:8 251:2 254:5,10,13 259:1 260:2
technically 27:12 51:12
techniques 21:2 120:10,13
tell 38:10,12 57:10,14,18 58:15 79:5 135:25 141:1 142:20 174:4 200:23 214:22 221:8 229:6 237:7 244:24 247:18 248:17 253:11
telling 42:12
ten 13:18 45:12 135:21 137:6 209:22 251:12
term 104:12 127:3,7,11 129:17 166:20 171:22 184:18
terms 184:21,23
terreni 8:23 10:3 40:3 47:9 49:18 52:25 54:4,6,17 55:2,11 56:20 57:6 59:8 62:20 63:10 66:3,7 69:17 72:14 84:14 88:20 89:20 91:20 99:18 102:4,6 113:22 115:12 121:18 139:6 140:21 141:13 141:25 151:10 152:9 156:3 161:8,19 163:12 163:14,20 164:22 173:9 177:19 181:3 187:9,16 190:5,8 201:10 203:7,13 204:7,16 255:20 256:10 261:10
test 120:4,6,17 120:22 122:1
testified 4:15 19:7,19 52:24 56:24 74:14 82:25 87:19 89:10 90:5 96:10 97:17,21 100:9 101:5,23 133:16 186:5 214:17 215:15 215:20 219:20 230:4 234:19 235:8,25 254:23 259:14
testify 19:5 158:15
testifying 6:8
testimony 69:9 74:6 81:20 83:17 106:1 107:21 118:4 119:7,22 122:3 129:19 134:20 135:6,18,21 136:6 151:19 168:16 178:21 184:3 189:6,12 189:15,25 207:12,20 212:22,25 213:14 217:24 222:8,13 223:7 230:7,14 234:13 244:25 248:22 266:9 267:4,7 269:9,18 271:8
tests 204:22
text 39:14,16,19 39:25 40:18 123:11,18 236:15,20 237:4 237:18 265:10 267:16
thank 5:3 18:24 20:11 51:25 183:8 240:21
thanks 6:1 250:6
that'd 69:13 72:14 259:3
themes 158:24 187:18,23
thereof 263:10
thing 8:2 47:10 51:17 96:16
things 23:3 24:21 29:23 135:7 138:21 238:13 248:19 254:13
think 11:23 13:19 18:5

22:25 23:9
25:21 27:10,18
34:11 38:13
45:5 51:10 65:6
67:11 74:13
78:5 80:25 81:9
81:24 82:15
84:2 89:22
91:18 95:12
99:21 100:21,25
101:14,23
104:22 110:9,22
111:3 114:12
116:11 125:6
128:7 133:16
136:12 137:24
146:13 149:19
151:12,16
157:21 165:2
171:21,23
174:16 178:15
179:5 186:17
188:7 190:24
195:2 201:18
204:3 207:22
211:20 214:6,23
214:25 215:24
221:11 222:2
234:9 241:12
250:4 251:14
252:16 254:23
260:7,9 262:1
think's 132:6
third 16:8 44:20
145:15 150:25
151:16,20 191:5
224:1 246:9,14
268:9
this'll 144:22
thomas 1:7 2:14
46:14,16
three 11:23
13:10 16:4,5
21:2,20 27:19
32:23 38:19
58:12 66:5,14
75:19 77:4
86:15 87:3 88:1
88:23 89:19
103:2 114:8
115:5,16,23
116:5,6,21 117:3
117:7 119:13
132:16 150:21
164:12,13
223:22 257:22
threshold 71:20
tidal 33:6,18
tied 192:16
tier 77:15
till 56:18
time 1:13 7:23
18:20 19:12
23:5,9 26:18
28:14 35:14
40:3 44:7 45:11
46:15 48:19
49:8 50:2 54:19
86:8 117:24
133:2,13,22
138:9,19 140:14
141:22 144:11
164:7 167:3
168:17 169:15
187:22 189:23
194:7 196:13
197:15 198:11
202:23 203:11
204:22 211:19
215:19 216:11
217:13,25
218:15 220:16
224:23 225:25
228:8 248:20
249:1 259:15
269:19
timeframe 269:8
timeline 13:3,19
13:25 15:4,25
16:5,9,12 45:15
56:14 84:12
158:5 162:21
163:3 195:15
247:9 248:18
timelines 13:22
14:9
times 35:20
45:12 109:25
217:2,4 249:20
260:1,9
timmons 261:14
title 10:22,23
21:13 22:10
25:1 32:17,20
52:16 53:16,18
titled 28:5 31:17
36:15 38:4
59:15 134:4
159:12 222:7
238:21 240:5
244:4
titles 49:22
192:24 193:3
tjh 1:6
today 7:7,19 8:9
11:5 12:15,25
212:11 214:18
234:6 250:24
251:5 254:3,7,23
255:18 256:15
today's 6:5 11:5
11:8,17 12:3
60:12
toggle 33:22
told 22:23,25
23:14 79:24
88:10 111:20
115:2 140:11
251:15 253:13
top 85:10 146:12
159:2 213:11
223:11 232:18
233:6 244:24
247:19
topic 125:9
topics 13:21
total 93:17,23
94:24 95:22,24
100:20 180:17
198:16,17
215:18 237:9
totally 138:17
250:18
touch 64:21 65:2
66:17,20 75:4
76:18 86:16
87:5,7,11 132:17
132:22 201:24
215:11 216:2,5
219:12 227:7

touching 86:24 213:21
towns 114:4,9,16 115:3
track 135:6,16
traditional 32:25
training 37:8 229:11
transcribed 182:4
transcribing 6:14
transcript 3:24 82:22 83:19 89:2 90:23 91:17 136:7 158:7 181:23 182:1 188:19 207:3,11 250:12 262:17,21 263:6 269:6,20 271:5,8
transcription 182:3,9 207:8 266:7 267:2
transcripts 12:21 126:24 211:8 223:11
transferred 22:7
transparent 137:22 252:19
traveling 26:20 45:12
traywick 12:7
trende 46:18
tresvant 41:24 42:5 65:10 82:13,14 90:9 143:22 162:22 256:4
trial 20:10
trick 6:22
tried 16:18 235:19
trinkley 3:14 5:20,20 250:8,11 262:14
true 263:6 271:8
trump 112:16 113:5 180:19 196:22 199:11 253:14
trust 15:2,9,16 15:23 41:7 150:22 151:14 251:6
truthfully 6:10 7:20
try 6:15 7:24 28:1 86:7 138:11,25 174:18 216:5 236:4 244:23 247:18
trying 6:22 15:24 82:20 94:4 95:20 97:3 103:24 104:11 104:13 109:5 112:14 168:4,8 169:16 196:16 199:25 230:13 241:11 259:18
tsunami 33:15
tuesday 183:13 210:9
turn 19:19 39:19 57:20 99:21 180:9 182:12 195:12 196:18 207:13 250:7
turned 39:23 40:13
turning 40:19
twitter 34:24,25 35:1
two 10:6 11:18 11:23 12:23 16:7 19:22,23,24 20:3 22:15,15 24:3 25:22 35:23 38:19 40:18,20 42:14 43:9,9 56:15 65:19 77:16 86:17,19 87:14 92:6 93:22 100:17,17 112:13,15 140:4 143:13 150:23 151:21 166:23 167:5 173:17 174:13 176:5,8 192:19 198:1 200:17,24 207:22 208:3,5 208:19 210:20 210:24 211:6,10 212:10 213:3,3 213:14,23 233:25 240:25 250:17 256:16 256:18 257:18 257:19 258:13 260:10
type 14:22 73:18
typical 148:9 242:24
typically 58:2 102:17 112:5 126:7 147:15 177:5 178:4
tyson 2:17 5:13 5:13 7:12 8:10 9:2 11:19 12:4 69:25 118:8 144:16 250:9,14 262:4,6,11 269:1
tyson's 262:19

u

u 29:25
ultimately 98:19 100:1 101:1
unable 7:18
unassigned 157:20 166:13
undercount 29:5 29:13,20,22 30:11
underlying 147:12
understand 6:8 6:11,19 7:16 41:3 43:16 49:3 58:24 67:7 68:21 72:24 81:1 84:7 107:5 116:16 119:15 119:17 129:7 184:22,25 188:2 197:4 249:5

259:5
understanding 16:12,24 59:2 60:3 67:20,22 68:4,5 73:2 103:2 128:25 129:4,5 130:2,24 132:8,13 138:6 185:4 228:4,10 230:10 249:3,12
understood 7:4 7:19 25:5 79:21 84:23 249:7
unfair 236:25
unfortunately 37:25 78:9 86:6 138:8 238:12
union 2:9 34:19
unique 33:7
united 1:1 34:19
university 21:4
update 30:1,3,8 115:14 214:3
upload 80:16 123:15 245:11
uploaded 80:19 80:23 151:14,17
ups 109:10
use 30:14 35:1 38:25 39:3,7 48:17 63:23 74:3 75:4,24 120:17 121:23 126:9 132:16 155:11 171:22 180:1 219:16 225:6
uses 72:25

v

v 269:4 270:1 271:1
vague 67:25
vaguely 133:1 190:15 208:1
valid 188:8
various 114:25 121:10 255:10
vehicle 202:13
verbal 6:17
verify 269:9
veritext 269:14 269:23
veritext.com. 269:15
version 206:23 262:7
versus 100:22 176:21,22 196:20 201:16 210:24
video 82:15 85:13 182:8 207:7 266:7 267:2
videoconference 1:10 2:1 3:20 193:20
viewed 42:12
viewing 102:11
violate 257:6
virtual 5:5
vote 30:17 233:14
voted 43:15 203:20 238:1
voter 17:16,20 36:6
voters 17:20 42:18 43:5,12,17 94:13,17,25 152:25 153:20 166:25 167:6 176:14 177:2 179:15,20 186:3
votes 173:1
voting 22:4 30:18,20,22 31:8 31:11 67:1,8,18 67:23 68:1,6,17 68:20,24 69:7,21 70:4,8,11,23 71:7,9,14 72:10 85:4,6 96:5,17 99:23 107:7 114:10,16 115:4 118:18,19 119:2 119:9 125:19 127:2,5,13,15,17 127:20,23,25 128:4,8,12,16,21 130:6 131:2,4 166:4 178:2 226:15 230:10 233:14 254:20 259:8,12
vs 1:6 4:21
vtd 74:11 178:4 234:21
vtds 94:14 95:6 95:9 179:18,20 233:20 235:12 235:21 236:4

w

w 3:14 5:1
waiting 118:6
waive 262:22
walk 135:20,25 154:13 159:15 160:8,12 173:12 175:8 201:6
wallace 3:4
want 6:23 11:7 20:12 23:11 34:12 41:2 42:20 43:3 44:8 64:24 68:11 74:13 97:24 98:21 99:21 132:19,22 134:23 157:22 158:4 174:4,9 195:12 197:2 200:2 207:11 215:13 219:13 227:9 231:11 249:1 250:6,15 253:6,7 256:22 258:20 262:14
wanted 42:14 64:23,24 75:5,6 132:20 139:2 140:12 197:1,4 215:13 227:8
wanting 206:8
wants 201:25,25 215:12 219:12 219:14

washington 2:23
watch 210:8
watched 194:21
water 33:1 131:11
wave 32:17,21 33:6,18
way 26:6 43:8 47:21 68:24 71:2,2,10,13 74:1 76:3 116:16 162:2 167:4 171:3 178:20 203:15 245:25
ways 179:9 229:7
we've 36:3 49:12 50:1 60:2 68:19 143:25 144:5 149:19 183:23 190:16 212:11 218:21 234:5
web 80:21
website 148:23 148:24 149:12 183:13 200:5 255:6
weekly 54:16,22 55:25 58:25
weeks 13:10 21:20 27:19
weighing 114:22
weight 65:21 115:5 235:23 260:14
welcome 140:13 232:7
wells 3:11
went 6:7 19:19 20:8 22:22 23:6 29:24 63:9 99:17 206:16 237:17
wes 239:12,14 241:8
west 175:25 197:10 230:16
whatsoever 48:24 229:12
white 237:11
wide 249:24
wife 22:23 23:6
william 1:11 4:14,25 264:5 269:5 270:2,24 271:2,4,12
willroberts 39:2
wilson 42:2,4,6 42:12 43:21 44:4,13 64:24 65:18 75:6 86:21 132:19 162:22 201:25 215:13 219:13 220:4 227:9 256:19 261:4
wilson's 44:2
windows 92:9,12
wise 198:7
witness 28:18 52:1 107:10,12 182:19,22 262:20 263:11 269:8,10,12,19
woman's 261:12
women 152:24 153:20
wondering 32:20 154:13 160:8,12
word 238:4
work 6:25 7:5,24 26:12,14,21,24 27:10,20 31:12 34:13 35:13 37:2 38:24 39:11 40:24 48:4 50:19,24 51:11,13,14,19 52:5,15 61:6 63:21 70:14 73:6 96:9 97:7 103:16,23 106:16 107:15 118:1,12 120:14 125:2,22 126:2 127:8 132:9 133:25 135:9 140:4 176:16 187:1 194:13,24 201:1 217:15 218:19 220:20 226:11 238:6 249:6 250:1 259:16
worked 17:14 19:8,9,13,15 20:5 24:6 26:2,5 26:22 27:2,24 35:9,15,19,23,25 36:3 49:11,15,20 49:25 50:5 51:5 52:9,14,25 75:12 76:3 96:11 103:8 106:19 108:17,22 116:4 119:14,16 120:18 121:12 121:16 122:15 130:7,12 131:5 178:20 248:10 249:12,18
working 19:12 20:5 21:9 26:16 27:5,20 35:11 51:7 54:19 67:16 99:5,11,13 101:5 104:10 133:14 160:22 188:25 194:5,6 194:10 199:4 216:23 217:12 248:10,17
works 6:17 8:5 10:24
wrestled 253:3
writing 224:15 225:22
written 37:22 135:2 189:2,6,25 210:8,13 212:22 212:25 222:7,12 267:3,7
wrong 51:24

x

x 264:1,15

y	zoomed 164:10
y'all 262:5 yeah 26:2 38:12 60:7 61:3 91:5 112:12 114:7 118:10 133:2,19 135:1 137:18 145:12 168:18 174:6,14 176:7 180:18 182:19 199:5 200:6 201:5 210:5 222:17 232:12 244:22 260:19 262:6 year 17:12 56:18 years 17:11 20:21 22:16 25:22 35:10 56:15 67:15 73:12 103:17 125:22 126:2 127:9,20 216:19 217:11 259:16 yep 32:24 107:11 219:18 230:3 yesterday 11:20 york 2:6,11	
z	
z 52:11 zero 157:7 zip 28:1 zoom 11:19 58:2 58:17 84:19 140:23 141:2 174:18 240:24 251:24	

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.

Exhibit D

IN THE UNITED STATES DISTRICT COURT.
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION
----------x
THE SOUTH CAROLINA STATE
CONFERENCE OF THE NAACP

and

TAIWAN SCOTT, ON BEHALF OF HIMSELF
AND ALL OTHER SIMILARLY SITUATED
PERSONS,

Plaintiffs,

Vs. Case No. 3:21-CV-03302-JMC-TJH-RMG

THOMAS C. ALEXANDER, IN HIS OFFICIAL
CAPACITY AS PRESIDENT OF THE SENATE;
LUKE A. RANKIN, IN HIS OFFICIAL CAPACITY
AS CHAIRMAN OF THE SENATE JUDICIARY
COMMITTEE; MURRELL SMITH, IN HIS OFFICIAL
CAPACITY AS SPEAKER OF THE HOUSE OF
REPRESENTATIVES; CHRIS MURPHY, IN HIS
OFFICIAL CAPACITY AS CHAIRMAN OF THE
HOUSE OF REPRESENTATIVES JUDICIARY
COMMITTEE; WALLACE H. JORDAN, IN HIS
OFFICIAL CAPACITY AS CHAIRMAN OF THE HOUSE
OF REPRESENTATIVES ELECTIONS LAW
SUBCOMMITTEE; HOWARD KNAPP, IN HIS
OFFICIAL CAPACITY AS INTERIM EXECUTIVE
DIRECTOR OF THE SOUTH CAROLINA STATE
ELECTION COMMISSION; JOHN WELLS, JOANNE
DAY, CLIFFORD J. EDLER, LINDA MCCALL,
AND SCOTT MOSELEY, IN THEIR OFFICIAL
CAPACITIES AS MEMBERS OF THE SOUTH
CAROLINA STATE ELECTION COMMISSION,

Defendants.
----------x

STENOGRAPHIC REMOTE VIRTUAL DEPOSITION
BREEDEN JOHN
Tuesday, August 9, 2022

August 9, 2022

10:00 a.m.

T R A N S C R I P T of the stenographic remote virtual deposition of BREEDEN JOHN, pursuant to the Federal Rules of Civil Procedure, held remotely on Tuesday, August 9, 2022, commencing at approximately 10:00 a.m. (EST), reported by and before Erica Ruggieri, a Registered Professional Reporter, Certified Court Reporter, and Notary Public of the State of New York and New York.

APPEARANCES OF COUNSEL:

(Via Videoconference)

ATTORNEYS FOR THE PLAINTIFFS:

THE SOUTH CAROLINA STATE CONFERENCE OF

THE NAACP AND MOON DUCHIN, PHD:

NAACPLEGALDEFENSE&EDUCATIONALFUND, INC.

BY: JOHN CUSICK

40 Rector Street, Fifth Floor

New York, New York 10006

917-858-2870

laden@naacpldf.org

jcusick@naacpldf.org

-and

ARNOLD & PORTER

JOHN HINDLEY

APPEARANCES OF COUNSEL: (Cont'd)

(Via Videoconference)

ATTORNEYS FOR THE HOUSE DEFENDANTS:
NEXSEN PRUET, LLC
BY: HAMILTON BARBER

104 South Main Street, Suite 900
Greenville, South Carolina 29601
864-370-2211
AMathias@nexsenpruet.com

ROBINSON GRAY
THOMAS C. ALEXANDER, IN HIS OFFICIAL CAPACITY AS PRESIDENT OF THE SENATE;
LUKE A. RANKIN, IN HIS OFFICIAL CAPACITY AS CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE;
LISLE TRAYWICK,

APPEARANCES OF COUNSEL: (Cont'd)
(Via Videoconference)

ATTORNEYS FOR ELECTION DEFENDANTS:
BURR & FORMAN, LLP

BY: JANE W. TRINKLEY
1221 Main Street, Suite 1800
Columbia, South Carolina 29201
803-799-9800
Jtrinkley@burr.com

10:06

EXAMINATION BY
MR. CUSICK:

Q. Good morning, Mr. John, how are you doing today?

A. Not bad. How are you?

Q. It's going almost midway through the week. Well, as we just mentioned, my name is John Cusick, I'm one of the attorneys representing the plaintiffs in this lawsuit, South Carolina NAACP versus Alexander.

Could you please state your full name for the record spelling your last name?

A. Victor Breeden John IV, J-O-H-N.

Q. Great.

Outside of the public hearing portions did you speak with any third-party organizations?

A. No.

Q. Did you have any communications with the American

Legislative Exchange Council?

A. No.

Q. National Republican Redistricting Trust?

A. No.

Q. Any members of the U.S. Congress or their staff?

A. Staffer from Congressman Clyburn's office came by one day to meet.

Q. Do you recall who that staff member was?

A. Dalton Tresvant.

Q. Who participated in the meeting in addition to him?

A. It was myself, Andy Fiffick, Will Roberts, I believe Charlie Terreni was there. I think

that was it.

Q. How long was the meeting?

A. Not long. Less than two hours?

Q. In person or via Zoom?

A. In person.

Q. Was this in the map room?

A. Yeah, we were in Senator Rankin's office on this day.

Q. What was discussed during that meeting with Mr. Tresvant?

A. Just kind of walked around or went through the map around the 6th District and surrounding areas and just kind of talked about areas that the Congressman may -- you know, that he may have been interested in keeping in the district, the 6th District or seeing added to the 6th District and areas that he may not have wanted in the district. I don't really recall much conversation about areas he didn't want in the district just

that people could look to those?

A. No. They would come look at them with us.

Q. Who was responsible for collecting all maps proposed by members of the public?

A. So they were sent through or submitted through the website and from there I guess I would describe it as like a team effort, folks who had access -- I think, you know, the way it worked, I think it was set up where they would be submitted through the portal on our website, the website would forward what was submitted to the redistricting inbox that is ^ CK stuff in Outlook and folks who had access to that inbox would forward them sometimes to that entire core group, other times just straight to Will and myself. You know, Will and myself, I remember Andy, a combination thereof of folks who would take those submissions and

turn them into maps.

Q. Were all the draft maps that you and the core team were working on, were those stored somewhere?

A. Yes. I guess it depends on

which computer we were working from at the time. We had three laptops. We used one the majority of the time but didn't always, you know, sometimes we had a different one we were working from.

Q. And who was responsible for sending maps to outside counsel like Mr. Terreni?

A. I guess there wasn't a designated person with that responsibility necessarily. He would come over to the map room to meet and he would say -- after we received submissions we would sit down and look at them together. I don't know that they were ever transmitted to him directly via

among the core redistricting team?

A. Yes.

Q. But the primary map drawer from a technical sense was Mr. Roberts?

A. Right. He was doing -- he

was drawing the at the time and on a typical day it was him at the computer with myself Andy and Charlie sometimes some of the other or Paula more occasionally. It was usuallily the four of us in the room just watching and ironing things out as they came to us.

Q. And then any legal questions would have even gone to Mr. Terreni or Mr. Gore?

MR. TRAYWICK: Objection asked and answered multiple times.

A. Yeah. Charlie was generally in the room providing legal advice as the need may a rise.

Q. Either just before or shortly after this map was proposed

do you recall receiving proceed mode maps or data from the national Republican redistricting trust?

MR. TRAYWICK: Object to the form of the question.

A. I recall those /SAO*EFG

receiving those maps.

Q. How did you receive them?

A. Andy. They were sent to Andy or something.

Q. And how did Andy share them with you?

A. I don't remember exactly. He may have downloaded the file or -- I don't remember exactly but will was -- he was able to pull them up fairly easily.

Q. Do you recall how many proposals you received or reviewed?

A. Yeah. We received two at the same time and then I think one later on.

Q. Did you receive any data?

A. I don't know what all was

-- what file was sent but I would think it was bloc equivalency file that we are able to load into the general way of sharing maps.

Q. I'll just point you to tabs the ten and 11. Tab ten is an email

that is from Mr. Fiffick to him self but is efforting a message from somebody named Adam Kincade, a zip file folder that's titled Jess mean. Do you see Include File Not Found?

Q. Do you see that?

A. I do.

Q. And this?

MR. CUSICK: This will be Plaintiffs' Exhibit 19. It's Bates stamp numbering ending in 3245. Is this one of the maps you reviewed to the extent they have the same name.

A. Yeah, yeah, this is one of them. I remember that name Jess minute.

Q. Who did you review it with?

A. I guess it would have been Andy Charlie and will and myself.

Q. What was your assessment or what was the core redistricting team's assessment of this map?

MR. TRAYWICK: I'm going to

object to the form of that.

A. I don't know -- I believe this was the map that was sent later after the first two. Honestly I don't really remember much about this map I remember we pulled up the first two and went through them a minute or two and just went back to our map.

Q. What about your reactions to the other two that you are referencing?

A. Yeah. It was we pulled them up to see like what they were trying to do. Didn't really -- I don't remember what aspects didn't really lineup with where we were on our own map at the time but it was

kind of we looked at them and then back to work.

Q. Do you recall if the maps were ever publicly posted?

A. No, they weren't that I recall. I don't know.

Q. Do you know who made that decision not to publicly post them?

A. Well I think they were received after the deadline for public submissions if I remember correctly. So at that time we were only posting maps.

Q. What that have been an or decision then for whether to post it or not?

A. Yeah. Probably more Andy really.

Q. Were there any follow-up discussions after initially reviewing those maps?

A. Owe mean not really. If they were it was informal. I don't really remember anything. We didn't

sit down to discuss them.

Q. So you mentioned earlier that map, the initial staff that we talked about was published on November 23rd and then the subcommittee held a hearing on a

November 29th. I'll have you look to tab eight which will be Plaintiffs' Exhibit 20. Include File Not Found?

MR. CUSICK: This is a trips of that hearing with Bates stamp numbering 11844 -- again Plaintiffs' Exhibit 20 tab eight.

Q. And then just for ease of reference Senator Rankin's remarks begin on page two. And then down on page four he begins to discuss the purpose of the hearing around 8 through 11 it references Mr. Roberts to give a brief overview of the congressional plan. Do you see that?

A. Yes.

/KHRAOEUBer staffer Dalton RAM came to the map room did he mention by Congress /KHRAOEU better than was trusted in a particular area of Sumter County?

A. I believe he said that a

relative of the Congress man had a hair salon or other business in that area.

Q. And Mr. Gordon didn't draw that I maps did he?

A. No.

Q. He just gave legal advice CHECK Gore?

A. Right.

Q. And Mr. John, don't staffers have an attorney-client relationship with members CHECK Senate staffers?

A. Yes.

Q. So would you be aware of every conversation a Senate staff attorney may have had with a member in light of that?

A. No, definitely not.
Q. Because of privilege,
right?
A. That's correct.
Q. Is it true that the NR R T
maps and the paper map Mr. Trade

dress van brought to the map room
were not posted publicly?
A. It is true, yes.
Q. Is that because they didn't
comply with good public submissions
policy?
A. That was correct. It was
after the deadline.
Q. Now, Mr. Cue sick went
through the redistricting country
with you which were actually called
the guidelines. Do you recall that?
A. I do.
Q. And he sort of asked you
some questions in the abstract about
whether things were added as
criteria and I wanted to try to
expand on that because there was

Exhibit E

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP, et al.,
Plaintiffs,
vs. CASE NO.: 3:21-CV-03302-MBS-TJH-RMG
THOMAS C. ALEXANDER, et al.,
Defendants.

VIDEOTAPED	(Appearance via Video Conference)
DEPOSITION OF:	PAULA BENSON
DATE:	July 13, 2022
TIME:	10:04 a.m.
LOCATION:	Robinson Gray 1310 Gadsden Street Columbia, South Carolina
TAKEN BY:	Counsel for the Plaintiffs
REPORTED BY:	Mary K. Stepp, Court Reporter (Appearance via Video Conference)

APPEARANCES OF COUNSEL:

ATTORNEY FOR PLAINTIFFS:

(Appearance via Video Conference)
AMERICAN CIVIL LIBERTIES UNION
ADRIEL I. CEPEDA DERIEUX, ESQUIRE
125 Broad Street
New York, New York 10004
212.284.7334
acepedaderieux@aclu.org

and

NAACP
JOHN CUSICK, ESQUIRE
LEAH ADEN, ESQUIRE
GENEVA GUADALUPE, LEGAL INTERN
(Legal Defense Fund)
40 Rector Street #5
New York, New York 10006
212.965.2200

ATTORNEY FOR HOUSE DEFENDANTS, SPEAKER JAMES H. LUCAS, CHAIRMAN CHRIS MURPHY, and CHAIRMAN WALLACE JORDAN:

(Appearance via Video Conference)
NEXSEN PRUET, LLC
MICHAEL PARENTE, ESQUIRE
1230 Main Street, Suite 700
Columbia, South Carolina 29201
803.253.8247
mparente@nexsenpruet.com

APPEARANCE OF COUNSEL CONTINUED:

ATTORNEY FOR ELECTION DEFENDANTS:

(Appearance via Video Conference)
BURR FORMAN, LLP
JANE TRINKLEY, ESQUIRE
1221 Main Street, Suite 1800
Columbia, South Carolina 29201
803.799.9800
jtrinkley@burr.com

ATTORNEYS FOR SENATE DEFENDANTS:

(Appearance via Video Conference)
ROBINSON GRAY
ROBERT E. TYSON, ESQUIRE
ALEXANDER RANKIN, ESQUIRE
CYNDI NYGARD, PARALEGAL
1310 Gadsden Street
Columbia, South Carolina 29201
803.231.7845
cnygard@robinsongray.com

ALSO PRESENT:

Rodney Myers, Videographer

(INDEX AT REAR OF TRANSCRIPT)

THE VIDEOGRAPHER: All right. Good morning. We are going on the record at 10:04 a.m. on July 13th, 2022. Please note that this deposition is being conducted virtually. Quality of the reporting depends on the quality of camera and Internet connection of the participants. What is seen from the witness and heard on the screen is what will be recorded. Audio and video recording will continue to take place unless all parties agree to go off the record.

This is media unit number 1 of the video-recorded deposition of Paula Benson taken by counsel for the plaintiff in the matter of the South Carolina State Conference of the NAACP versus Alexander, Thomas C., filed in United States District Court, District of South Carolina, Columbia Division. The case number is 3:21-CV-03302-MBS-PJH-RMG.

This deposition is being conducted remotely using virtual technology. My name is Rodney Myers, representing Veritext and I am the videographer. The court reporter is Mary Stepp from the firm Veritext. I am not authorized to administer an oath. I am not related to any party in this action, nor am I financially interested in the outcome.

If there are any objections to proceeding, please state them at the time of your appearance. Counsel and all present, including remotely, will now state their appearances and affiliations for the record, beginning with the noticing attorney.

MR. CEPEDA: Hi, good morning, this is Adriel Cepeda Derieux for Plaintiff.

MS. GUADALUPE: Good morning. This is Geneva Guadalupe, ACLU intern for the Plaintiff.

MR. PARENTE: This is Michael Parente from Nexsen Pruet. I represent the House Defendants, Speaker Lucas, Chairman Murphy, and Chairman Jordan.

MS. TRINKLEY: This is Jane Trinkley with Burr & Forman. I represent the Election Defendants. Hey, Paula.

MS. BENSON: Hello, Jane.

MR. TYSON: And this is Rob Tyson. I'm across the table from Ms. Benson and I represent Senators Alexander and Senator Rankin.

THE VIDEOGRAPHER: Will the court reporter now please swear in the witness and then we may proceed.

(Witness sworn.)

PAULA BENSON,

having been duly sworn, testified as follows:

A. No.

Q. You did not observe -- strike that.

You did not participate in any meetings where John Gore spoke to the group, either in person or by Zoom?

A. I -- I did participate in meetings which, I believe, occurred following the time when we had those weekly staff meetings. Basically, I can remember being in contact with Mr. Gore on -- on legal advice.

Q. On legal advice as to what?

A. And I -- it may have been questions that we had about an interpretation of a precedent. It may have been how people were dealing with census information. Uhm, it -- it -- it may have been on -- on particular -- and, again, this was not the congressional, this was in the Senate portion of the -- the process, where we were hearing proposals by senators for particular types of maps that we had some questions, if, uhm -- if -- if those would meet legal guidelines and -- and the guidelines that we had.

Q. What about other outside lawyers? Did folks from Robinson Gray ever do the same?

A. You know, I don't remember talking with --

Exhibit F

Kenny, Stephen J.

From: Gore, John M.
Sent: Thursday, August 18, 2022 4:47 PM
To: Hindley, John; rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow; Kenny, Stephen J.; Cynthia D. Nygord; Hollingsworth, Jennifer J.; Mathias, Andrew A.; Mparente@nexsenpruet.com; KDiamaduros@nexsenpruet.com; Wilkins, William W.; Ricard, Rhett D.; Rabon, Sheree M.; Smith, Laura L.; jtrinkley@burr.com; lcrum@burr.com; mburchstead@burr.com; Werdenie, Sharon A.; Barber, Hamilton B.; Gibson, Lisa; Leah Aden; aingram@naacpldf.org; raudain@naacpldf.org; Santino Coleman; Rick Rozos; Michelle Charles; acepedaderieux@aclu.org; strivedi@aclu.org; pyan@aclu.org; sosaki@aclu.org; chris@boroughsbryant.com; achaney@aclusc.org; Crosland, Stewart; Freedman, John A.; Colarusso, Gina; Hirschel, Andrew; Ramer, Paula; Gryll, Sarah; Ellis, Rodney; Rick Rozos; Michelle Charles; MMoore@nexsenpruet.com; jcusick@naacpldf.org
Subject: RE: SCNAACP v. Alexander - Privilege Logs

Mr. Hindley:

The answer to your first question is yes, and the answer to your second question is no. The Senate Defendants have logged on their privilege log all attorney-client privileged communications identified as responsive to Plaintiffs' requests, including any such communications between Mr. Terreni and/or Senate staff and Jones Day.

Please note that Mr. Terreni also testified that:

1. Jones Day provided legal advice only;
2. Jones Day advised the Senate on both Senate and Congressional redistricting;
3. Mr. Terreni and others communicated with Jones Day by telephone and other means;
4. The Senate's work on the Congressional Plan did not begin in earnest until November 2021, after it had completed Senate redistricting; and
5. The Congressional Plan did not generate much interest among senators.

I obviously cannot speak to Plaintiffs' counsel's expectations, but that is not the standard. In addition to Mr. Terreni, every Senate witness has testified under oath that Jones Day only provided legal advice on redistricting. Thus, we don't understand why Plaintiffs continue to press this issue. That said, let us know if you have any further questions.

Best,
John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Wednesday, August 17, 2022 6:35 PM
To: Gore, John M. <jmgore@jonesday.com>; rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Mparente@nexsenpruet.com; KDiamaduros@nexsenpruet.com; Wilkins, William W. <BWilkins@nexsenpruet.com>; Ricard, Rhett D. <RRicard@nexsenpruet.com>; Rabon, Sheree M.

<SRabon@nexsenpruet.com>; Smith, Laura L. <LSmith@nexsenpruet.com>; jtrinkley@burr.com; lcrum@burr.com; mburchstead@burr.com; Werdenie, Sharon A. <SWerdenie@nexsenpruet.com>; Barber, Hamilton B. <HBarber@nexsenpruet.com>; Gibson, Lisa <LGibson@burr.com>; Leah Aden <laden@naacpldf.org>; aingram@naacpldf.org; raudain@naacpldf.org; Santino Coleman <scoleman@naacpldf.org>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; acepedaderieux@aclu.org; strivedi@aclu.org; pyan@aclu.org; sosaki@aclu.org; chris@boroughsbryant.com; achaney@aclusc.org; Freedman, John A. <John.Freedman@arnoldporter.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Ramer, Paula <Paula.Ramer@arnoldporter.com>; Gryll, Sarah <Sarah.Gryll@arnoldporter.com>; Ellis, Rodney <Rodney.Ellis@arnoldporter.com>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; MMoore@nexsenpruet.com; jcusick@naacpldf.org
Subject: RE: SCNAACP v. Alexander - Privilege Logs

** External mail **

Mr. Gore:

We have a few follow up questions concerning Senate Defendants' privilege log.

First, does the updated privilege log reflect all privileged communications between Jones Day and Mr. Terreni, even if Senate Defendants and their staff were not copied on emails?

Second, are Senate Defendants withholding any privileged communications between Jones Day and members of the Senate and Senate staff, including Mr. Terreni, that are not noted in the log? If so, why are the entries not noted in the log? We are cognizant of the Parties' agreement that we do not have to log communications and documents that purely involve litigation and are created after January 20, 2022 when the map contained in S.865 was passed. But based on the depositions, including Mr. Terreni's testimony about Senate Defendants having retained Jones Day in "late 2020," Plaintiffs would have expected more entries reflecting Jones Day's communications with members of the Senate and Senate staff.

Please let us know if you can provide any clarification as to why there appears to be very few communications involving you and other attorneys at Jones Day on Senate Defendants' privilege log by 5:00 p.m. tomorrow.

Thanks,
John

From: Gore, John M. <jmgore@jonesday.com>
Sent: Wednesday, August 10, 2022 3:35 PM
To: Hindley, John <John.Hindley@arnoldporter.com>; rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>; zzz.External.KDiamaduros@nexsenpruet.com <KDiamaduros@nexsenpruet.com>; Wilkins, William W. <BWilkins@nexsenpruet.com>; Ricard, Rhett D. <RRicard@nexsenpruet.com>; Rabon, Sheree M. <SRabon@nexsenpruet.com>; Smith, Laura L. <LSmith@nexsenpruet.com>; jtrinkley@burr.com; lcrum@burr.com; mburchstead@burr.com; Werdenie, Sharon A. <SWerdenie@nexsenpruet.com>; Barber, Hamilton B. <HBarber@nexsenpruet.com>; Gibson, Lisa <LGibson@burr.com>; Leah Aden <laden@naacpldf.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.raudain@naacpldf.org <raudain@naacpldf.org>; Santino Coleman <scoleman@naacpldf.org>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.pyan@aclu.org <pyan@aclu.org>; zzz.External.sosaki@aclu.org <sosaki@aclu.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Freedman, John A.

<John.Freedman@arnoldporter.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Ramer, Paula <Paula.Ramer@arnoldporter.com>; Gryll, Sarah <Sarah.Gryll@arnoldporter.com>; Ellis, Rodney <Rodney.Ellis@arnoldporter.com>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>
Subject: RE: SCNAACP v. Alexander - Privilege Logs

External E-mail

Mr. Hindley:

The Senate Defendants have appropriately asserted and logged their privilege claims over the documents you identify below.

First, all of the documents in your first paragraph (Entries 3B, 26B, 27, 28A-B, 29A-B, 41C, 42, 52B, 53B, 54B-C, 62B, 66B-C, 67B-C, 68C, 70, 71B-D, and 72C-D) are transmittals of emails and documents reflecting attorney-client privileged communications between parties within the scope of the privilege, such as Senators or Senate staff. These attorney-client communications do not lose their privileged status merely because they are forwarded to or among individuals within the scope of the client's privilege. To the contrary, "[a] document need not be authored or addressed to an attorney in order to be properly withheld on attorney-client privilege grounds." *Santrade Ltd. v. Gen. Elec. Co.*, 150 F.R.D. 539, 545 (E.D.N.C. 1993). Indeed, "documents subject to the privilege may be transmitted between non-attorneys (especially individuals involved in corporate decision-making) so that the corporation may be properly informed of legal advice and act appropriately." *Id.*; *see also In re New York Renu with Moistureloc Product Liab. Litig.*, 2008 WL 2338552, *10 (D.S.C. May 8, 2008) (citing *Santrade*).

Second, Entry 42, in addition to reflecting attorney-client communications, is subject to a common-interest protection. South Carolina and federal law recognize the common-interest doctrine, and such protection attaches between the House and Senate, which are both chambers of the General Assembly. *See Tobaccoville USA, Inc. v. McMaster*, 387 S.C. 287 (2010); *Wellin v. Wellin*, 211 F. Supp. 3d 793, 810-13 (D.S.C. 2016). Paula Benson and Emma Dean are copied on the email and are lawyers on each side of the common interest, and the communication relates to common legal interests.

Third, Entries 36-38 and 43 are all forwards by Senate staff from the Senate Redistricting email address to the Senate's outside counsel, Mr. Terreni, in order to facilitate Mr. Terreni's provision of legal advice. The attorney-client privilege "exists to protect not only the giving of professional advice to those who can act on it but also the giving of information to the lawyer to enable him to give sound and informed advice." *Upjohn Co. v. U.S.*, 449 U.S. 383, 390 (1991). Your email improperly conflates two concepts. To be sure, the member of the public who submitted the comment to the Senate and its staff through the Senate Redistricting inbox had no reasonable expectation of confidentiality over that comment. Accordingly, the Senate Defendants have produced all of those comments already in this litigation. But the Senate maintained confidentiality and the privilege over communications with Mr. Terreni sent by Senate staff from this email box in connection with requesting legal advice, including, in particular, emails conveying public comments "to enable [Mr. Terreni] to give sound and informed advice." *Id.* Contrary to your assertion, Mr. "Terreni's communications with this email would" *not* "invite the presence of others"; the Senate Redistricting inbox is monitored only by Senate staff within the Senate's privilege with Mr. Terreni, not by members of the public or some other third party.

Fourth, your criticism of Entry 49 rests on two faulty premises. First, Entry 49 reflects that Mr. Terreni *received*, rather than sent, that email. The email thus entails "the giving of information to the lawyer to enable him to give sound and informed advice." *Id.* Second, as every witness to have addressed the issue to date has confirmed, Mr. Terreni did not draw any proposed redistricting plans.

In an effort to demonstrate our good faith, we are providing the attached revised privilege log, which presents privilege descriptions on an email-by-email basis -- including in any logged email thread. We have also updated Entry 42 to more

clearly set forth the common-interest protection, in addition to the attorney-client privilege assertion, and have fixed typos and other minor issues. We trust that this will allay your concerns and resolve this matter.

Thanks,
John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Friday, August 5, 2022 10:18 AM
To: Gore, John M. <jmgore@jonesday.com>; rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Mparente@nexsenpruet.com; KDiamaduros@nexsenpruet.com; Wilkins, William W. <BWilkins@nexsenpruet.com>; Ricard, Rhett D. <RRicard@nexsenpruet.com>; Rabon, Sheree M. <SRabon@nexsenpruet.com>; Smith, Laura L. <LSmith@nexsenpruet.com>; jtrinkley@burr.com; lcrum@burr.com; mburchstead@burr.com; Werdenie, Sharon A. <SWerdenie@nexsenpruet.com>; Barber, Hamilton B. <HBarber@nexsenpruet.com>; Gibson, Lisa <LGibson@burr.com>; Leah Aden <laden@naacpldf.org>; aingram@naacpldf.org; raudain@naacpldf.org; Santino Coleman <scoleman@naacpldf.org>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; acepedaderieux@aclu.org; strivedi@aclu.org; pyan@aclu.org; sosaki@aclu.org; chris@boroughsbryant.com; achaney@aclusc.org; Freedman, John A. <John.Freedman@arnoldporter.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Ramer, Paula <Paula.Ramer@arnoldporter.com>; Gryll, Sarah <Sarah.Gryll@arnoldporter.com>; Ellis, Rodney <Rodney.Ellis@arnoldporter.com>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; MMoore@nexsenpruet.com; jcusick@naacpldf.org
Subject: RE: SCNAACP v. Alexander - Privilege Logs

** External mail **

Good morning, Mr. Gore:

Plaintiffs have some concerns regarding Senate Defendants' privilege log.

Plaintiffs identified entries that Senate Defendants claim to be protected by the attorney-client privilege but do not denote a person acting as an attorney. Specifically, entries 3B, 26B, 27, 28A-B, 29A-B, 41C, 42, 52B, 53B, 54B-C, 62B, 66B-C, 67B-C, 68C, 70, 71B-D, and 72C-D fail to denote an attorney. Given that the attorney client privilege only protects communications between a client and "a member of the bar, or his subordinate" who is "acting as a lawyer," *In re Grand Jury Subpoena*, 341 F.3d 331, 335 (4th Cir. 2003), these communications should not be withheld from production. To the extent non-privileged communications were subsequently forwarded to an attorney, that does not make the forwarded communication privileged, and the underlying communication should be produced. If that is the case with regard to any of the documents on the log, please identify (by Bates number) where these documents can be found in your production.

Entry 42 does not appear to be privileged as the communication includes members of House staff. The House staffers included in the communication are Ashley Harwell-Beach, Patrick Dennis, and Emma Dean. The attorney client privilege only protects communications between a client and his or her attorney "without the presence of strangers." *Id.* at 335; *F.T.C. v. Reckitt Benckiser Pharm., Inc.*, No. 3:14MC5, 2015 WL 1062062, at *3 (E.D. Va. 2015) (internal citations omitted)

(finding that the privilege does not "apply to the situation where it is the . . . understanding of the client that the communication is to be made known to others"). Given that an attorney-client relationship does not exist between Senate counsel and House staffers, this communication should be downgraded and produced.

Entries 36-38 and 43 are communications between the Redistricting@scsenate.gov email and Charles Terreni. First, the privilege log fails to identify who the client is in these communications. Second, because the public communicated with the Redistricting Subcommittee through the redistricting@scsenate.gov email, there would not have been a reasonable expectation of confidentiality between the attorney and client. Order, ECF 244 at 5 ("If the individual or entity requesting legal information had no expectation of confidentiality at the time of the communication, then that person cannot later seek to shield that information simply because it was regarding a legal issue."). Similar to above, Terreni's communications with this email would invite the presence of others, making them not confidential. *Id.*; *Reckitt Benckiser*, 2015 WL 1062062, at *3.

Globally, plaintiffs are concerned that many of communications identified in the log were not made for the purpose of securing legal advice but rather political or policy advice related to redistricting. Many of the privilege descriptions do not provide Plaintiffs with sufficient information to determine whether a communication actually concerned legal advice or services. For example, entry 49, the privilege description states, "Email and attachment reflecting confidential communications between attorney and client for the purpose of obtaining legal advice regarding redistricting plan proposals." If Mr. Terreni sent this communication in order to convey whether a plan complies with the Voting Rights Act, that would be a protected attorney-client communication. If, however, Mr. Terreni is merely circulating a proposed map or data analyzing a map, such a communication would likely not be privileged. The log should give a more fulsome discussion of the nature of the communication and, if legal advice was rendered, what the general subject matter of the communication was. And if there are any communications in which the attorney is dispensing political or policy advice rather than legal advice, Plaintiffs ask that Senate Defendants produce those documents.

Please let us know if you would like to schedule a meet and confer on this issue.

Best,
John

From: Gore, John M. <jmgore@jonesday.com>
Sent: Wednesday, July 27, 2022 11:36 AM
To: Hindley, John <John.Hindley@arnoldporter.com>; rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>; zzz.External.KDiamaduros@nexsenpruet.com <KDiamaduros@nexsenpruet.com>; Wilkins, William W. <BWilkins@nexsenpruet.com>; Ricard, Rhett D. <RRicard@nexsenpruet.com>; Rabon, Sheree M. <SRabon@nexsenpruet.com>; Smith, Laura L. <LSmith@nexsenpruet.com>; jtrinkley@burr.com; lcrum@burr.com; mburchstead@burr.com; Werdenie, Sharon A. <SWerdenie@nexsenpruet.com>; Barber, Hamilton B. <HBarber@nexsenpruet.com>; Gibson, Lisa <LGibson@burr.com>; Leah Aden <laden@naacpldf.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.raudain@naacpldf.org <raudain@naacpldf.org>; Santino Coleman <scoleman@naacpldf.org>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.pyan@aclu.org <pyan@aclu.org>; zzz.External.sosaki@aclu.org <sosaki@aclu.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Freedman, John A. <John.Freedman@arnoldporter.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Ramer, Paula <Paula.Ramer@arnoldporter.com>; Gryll, Sarah <Sarah.Gryll@arnoldporter.com>; Ellis, Rodney <Rodney.Ellis@arnoldporter.com>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>;

zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>
Subject: RE: SCNAACP v. Alexander - Privilege Logs

External E-mail

Please see attached. Thanks.

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Wednesday, July 27, 2022 11:34 AM
To: Gore, John M. <jmgore@jonesday.com>; rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Mparente@nexsenpruet.com; KDiamaduros@nexsenpruet.com; Wilkins, William W. <BWilkins@nexsenpruet.com>; Ricard, Rhett D. <RRicard@nexsenpruet.com>; Rabon, Sheree M. <SRabon@nexsenpruet.com>; Smith, Laura L. <LSmith@nexsenpruet.com>; jtrinkley@burr.com; lcrum@burr.com; mburchstead@burr.com; Werdenie, Sharon A. <SWerdenie@nexsenpruet.com>; Barber, Hamilton B. <HBarber@nexsenpruet.com>; Gibson, Lisa <LGibson@burr.com>; Leah Aden <laden@naacpldf.org>; aingram@naacpldf.org; raudain@naacpldf.org; Santino Coleman <scoleman@naacpldf.org>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; acepedaderieux@aclu.org; strivedi@aclu.org; pyan@aclu.org; sosaki@aclu.org; chris@boroughsbryant.com; achaney@aclusc.org; Freedman, John A. <John.Freedman@arnoldporter.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Ramer, Paula <Paula.Ramer@arnoldporter.com>; Gryll, Sarah <Sarah.Gryll@arnoldporter.com>; Ellis, Rodney <Rodney.Ellis@arnoldporter.com>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; MMoore@nexsenpruet.com; jcusick@naacpldf.org
Subject: RE: SCNAACP v. Alexander - Privilege Logs

** External mail **

Thank you, John. It appears that my link has expired. Could you circulate the supplemental log?

From: Gore, John M. <jmgore@jonesday.com>
Sent: Wednesday, July 27, 2022 11:17 AM
To: Hindley, John <John.Hindley@arnoldporter.com>; rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>; zzz.External.KDiamaduros@nexsenpruet.com <KDiamaduros@nexsenpruet.com>; Wilkins, William W. <BWilkins@nexsenpruet.com>; Ricard, Rhett D. <RRicard@nexsenpruet.com>; Rabon, Sheree M. <SRabon@nexsenpruet.com>; Smith, Laura L. <LSmith@nexsenpruet.com>; jtrinkley@burr.com; lcrum@burr.com; mburchstead@burr.com; Werdenie, Sharon A. <SWerdenie@nexsenpruet.com>; Barber, Hamilton B. <HBarber@nexsenpruet.com>; Gibson, Lisa <LGibson@burr.com>; Leah Aden <laden@naacpldf.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.raudain@naacpldf.org <raudain@naacpldf.org>; Santino Coleman <scoleman@naacpldf.org>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>;

zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.pyan@aclu.org <pyan@aclu.org>; zzz.External.sosaki@aclu.org <sosaki@aclu.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Freedman, John A. <John.Freedman@arnoldporter.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Ramer, Paula <Paula.Ramer@arnoldporter.com>; Gryll, Sarah <Sarah.Gryll@arnoldporter.com>; Ellis, Rodney <Rodney.Ellis@arnoldporter.com>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>
Subject: RE: SCNAACP v. Alexander - Privilege Logs

External E-mail

John:

Thanks for reaching out.

The Senate Defendants produced a supplemental privilege log along with their document production on July 20. The email was sent by Jan Paolo Gatchalian at Jones Day.

Please let me know if you have trouble accessing that log, and I will resend it.

Thanks,
John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Wednesday, July 27, 2022 10:41 AM
To: rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Mparente@nexsenpruet.com; KDiamaduros@nexsenpruet.com; Wilkins, William W. <BWilkins@nexsenpruet.com>; Ricard, Rhett D. <RRicard@nexsenpruet.com>; Rabon, Sheree M. <SRabon@nexsenpruet.com>; Smith, Laura L. <LSmith@nexsenpruet.com>; jtrinkley@burr.com; lcrum@burr.com; mburchstead@burr.com; Werdenie, Sharon A. <SWerdenie@nexsenpruet.com>; Barber, Hamilton B. <HBarber@nexsenpruet.com>; Gibson, Lisa <LGibson@burr.com>; Leah Aden <laden@naacpldf.org>; aingram@naacpldf.org; raudain@naacpldf.org; Santino Coleman <scoleman@naacpldf.org>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; acepedaderieux@aclu.org; strivedi@aclu.org; pyan@aclu.org; sosaki@aclu.org; chris@boroughsbryant.com; achaney@aclusc.org; Freedman, John A. <John.Freedman@arnoldporter.com>; Hindley, John <John.Hindley@arnoldporter.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Ramer, Paula <Paula.Ramer@arnoldporter.com>; Gryll, Sarah <Sarah.Gryll@arnoldporter.com>; Ellis, Rodney <Rodney.Ellis@arnoldporter.com>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; MMoore@nexsenpruet.com; Gore, John M. <jmgore@jonesday.com>; jcusick@naacpldf.org
Subject: SCNAACP v. Alexander - Privilege Logs

** External mail **

Counsel:

I write to follow up on the House and Senate Defendants' privilege logs.

It is my understanding that we have yet to receive a privilege log from the House Defendants in the congressional case. If that is incorrect, we would appreciate it if someone could advise when the log was produced. According to our records, the last time we received a privilege log from the House Defendants was on April 1, 2022, but that log was for the state house case. Do House Defendants plan on serving an updated privilege log that contain documents relevant to the congressional map? If so, when do House Defendants plan on serving that log?

As for the Senate Defendants, the parties received a non-legislative privilege log on June 23, 2022. In Mr. Gore's July 5, 2022 email, he stated that Senate Defendants identified seven responsive documents and that they would be logging or producing these documents. Subsequent to the June 23 log, we are aware defense counsel has also collected and produced documents from other (non-defendant) members of the Senate Redistricting Subcommittee and staff. In light of this, do Senate Defendants plan on serving an updated privilege log? If so, when do Senate Defendants plan on serving that log?

Best,

John Hindley
Associate | Bio

Arnold & Porter
601 Massachusetts Ave., NW
Washington, DC 20001-3743
T: +1 202.942.5796
John.Hindley@arnoldporter.com
www.arnoldporter.com | LinkedIn | Twitter

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com
This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com
This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com

Exhibit G

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP, et al.,	:	
Plaintiffs,	:	
vs.	:	Case No. 3:21-CV-03302-MGL-TJH-RMG
THOMAS C. ALEXANDER, et al.,	:	
Defendants.	:	

DEPOSITION OF ADAM KINCAID

DATE: Wednesday, August 10, 2022
TIME: 10:02 a.m.
LOCATION: Holtzman Vogel
2300 N Street, N.W.
Washington, D.C. 20037

REPORTED BY: Erick M. Thacker, RPR
Reporter, Notary

A P P E A R A N C E S

On behalf of Plaintiffs:

JOHN M. HINDLEY, ESQUIRE
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Avenue, Northwest
Washington, D.C. 20001
john.hindley@arnoldporter.com

On behalf of Senate Defendants:

ROBERT E. TYSON, ESQUIRE (Via Zoom)
VORDMAN CARLISLE TRAYWICK, III, ESQUIRE
(Via Zoom)
Robinson Gray Stepp & Laffitte, LLC
1310 Gadsden Street
Columbia, South Carolina 29201
rtyson@robinsongray.com
ltraywick@robinsongray.com

On behalf of House Defendants:

ANDREW A. MATHIAS, ESQUIRE (Via Zoom)
Nexsen Pruet, LLC
104 South Main Street
Suite 900
Greenville, North Carolina 29601
amathias@nexsenpruet.com

A P P E A R A N C E S (Continued)

On behalf of the South Carolina State Election Commission Defendants:

JANE W. TRINKLEY, ESQUIRE (Via Zoom)
Burr & Forman, LLP
P.O. Box 11390
Columbia, South Carolina 29211
jtrinkley@burr.com

On behalf of the National Republican Redistricting Trust and Adam Kincaid:

PHILLIP M. GORDON, ESQUIRE
JOHN CYCON, ESQUIRE
Holtzman Vogel Baran Torchinsky & Josefiak, PLLC
2300 N Street, Northwest
Suite 643A
Washington, D.C. 20037
pgordon@holtzmanvogel.com
jcycon@holtzmanvogel.com

ALSO PRESENT:
Cynthia Nygord (Via Zoom)
Samantha Foran (Via Zoom)

C O N T E N T S

EXAMINATION BY:	PAGE
Counsel for Plaintiffs	7
Counsel for Senate Defendants	148
Counsel for House Defendants	152

E X H I B I T S

NUMBER	DESCRIPTION	PAGE
Kincaid-1	Subpoena of Mr. Adam Kincaid	13
Kincaid-2	Subpoena of The National Republican Redistricting Trust	14
Kincaid-3	Subpoena of The National Republican Redistricting Trust of Produce Documents	46
Kincaid-4	Wren Map	86
Kincaid-5	Palmetto Map	95
Kincaid-6	Jessamine Map	103
Kincaid-7	November 23, 2021 Senate Map	106
Kincaid-8	Congressional House Staff Plan Map	110
Kincaid-9	Congressional House Staff Plan Alternative 1 Map	110
Kincaid-10	S. 865 Passed - As Signed by the Governor Map	112

C O N T E N T S (Continued)

E X H I B I T S

NUMBER	DESCRIPTION	PAGE
Kincaid-11	Transcription of Video File Judiciary Redistricting Subcommittee, November 29, 2021	135
Kincaid-12	E-mail correspondence SCSENATE_00003245	144
Kincaid-13	E-mail correspondence SCSENATE_00003246	146
Kincaid-14	E-mail correspondence SCSENATE_000027169	146
Kincaid-15	E-mail correspondence SCSENATE_00003244	146

(*Exhibits attached to transcript.)

P R O C E E D I N G S

MR. HINDLEY: Good morning, Mr. Kincaid. My name is John Hindley, and I am one of the attorneys from Arnold & Porter representing the plaintiffs in this case.

If we can just for the record, can counsel identify themselves?

MR. CYCON: John Cycon, Holtzman Vogel, on behalf of Mr. Kincaid and the National Republican Redistricting Trust.

MR. GORDON: Phillip Gordon, counsel for Mr. Adam Kincaid and the National Republican Redistricting Trust.

MR. HINDLEY: And other counsel?

MR. MATHIAS: Yeah. Andrew Mathias of Nexsen Pruet for the individual House Defendants, Lucas, Murphy and Jordan.

MR. TRAYWICK: Lisle Traywick of Robinson Gray Stepp & Lafitte for the Senate Defendants, President Alexander and Chairman Rankin.

MR. TYSON: And Rob Tyson, as I said

earlier, also of the Senate Defendants.

MR. HINDLEY: And the Election Defendants?

MS. TRINKLEY: This is Jane Trinkley with Burr & Forman for the Election Defendants.

MR. HINDLEY: Great. Thank you.

WHEREUPON,

ADAM KINCAID

called as a witness, and having been first duly sworn, was examined and testified as follows:

EXAMINATION BY COUNSEL FOR PLAINTIFFS

BY MR. HINDLEY

Q So, Mr. Kincaid, can you state and spell your name for the record?

A Adam Kincaid. Adam is A-D-A-M. Kincaid, K-I-N-C-A-I-D.

Q And where are you located today?

A Washington, D.C.

Q And do you understand that you're testifying under oath?

A Yes.

Q And that you must testify truthfully

Q And did all staffers search their e-mails and text messages?

A Yes.

Q And can you list who searched for documents?

MR. CYCON: Counsel, he said all staffers, so asked and answered.

BY MR. HINDLEY

Q And as part of your search, did you identify any responsive documents?

A Yes.

Q And what did you identify?

A The three maps that were produced to you-all.

Q And did you -- excluding those three documents, was there anything else you provided to counsel in response to the subpoena?

A Anything else we provided to counsel? I think when we went through the subpoena and documents, the documents that I produced to counsel were the ones that we -- that were viewed as responsive.

Q But my question is: Besides the three maps that were provided to plaintiffs, was there anything else that you provided to counsel?

MR. CYCON: I'm going to object. I mean, I'll say object to form, but, overall, the communications between us are privileged.

You can ask him about responsive documents, but I don't see what else you're getting into.

MR. HINDLEY: I'm not asking about communications. I'm asking if there was any other documents that he provided to counsel.

MR. GORDON: Let's handle it this way: So object to the extent that the question requires privileged information. The defendant can -- excuse me. Defendant, sorry. You're not a defendant.

The -- Mr. Kincaid can answer to the extent he doesn't reveal the content of any specific document he may have provided to counsel other than the ones that were eventually produced to plaintiffs.

You can answer the question with that stipulation --

THE WITNESS: I provided --

MR. GORDON: -- or objection.

THE WITNESS: I provided a list of documents related to South Carolina redistricting to counsel, and we went through there, and the three maps we produced were the maps we felt were responsive to this subpoena.

BY MR. HINDLEY

Q And did you personally withhold any documents?

A No.

Q And does NRRT utilize calendar invites?

A Yes.

Q And did you provide calendar invites to counsel?

A There were no responsive calendar invites.

Q Okay. Did you provide counsel any reports that were created for South Carolina congressional redistricting?

MR. GORDON: Objection to the extent it requires -- that it's privileged information under the attorney-client privilege.

The witness may answer to the extent there were such documents, but should not reveal the contents thereof, if any.

THE WITNESS: Can I talk to them real quick separately? Is that possible? I just want to -- or not?

MR. HINDLEY: Sure. We can go off the record.

(Recess 10:44 a.m. to 10:48 p.m.)

BY MR. HINDLEY

Q Before we stepped out, I asked: Did you provide any reports that were created for South Carolina congressional redistricting through counsel?

MR. GORDON: And I'm going to reassert the objection I stated before.

THE WITNESS: I provided counsel with a list of documents that we had, and we produced to you-all the documents that were responsive to the

subpoena.
BY MR. HINDLEY
Q And did that include reports?
MR. GORDON: Same objection.
THE WITNESS: The documents that we produced to you-all were the documents responsive in the subpoena. We did not withhold any responsive documents.
BY MR. HINDLEY
Q But did that -- did that include any reports?
MR. CYCON: Asked and answered.
THE WITNESS: We sent you-all three maps. Those were the three responsive documents that we had in our possession.
BY MR. HINDLEY
Q And -- and when communicating with members of the South Carolina General Assembly, did -- are you aware of any members of NRRT that communicated with them by personal e-mail?
MR. CYCON: Object to form.
THE WITNESS: No.

BY MR. HINDLEY

Q And does the Trust provide cell phones to its employees?

A No.

Q And you mentioned that you searched text messages, correct?

A That's correct.

Q Did you search any messaging apps?

A Messaging apps. I instructed staff to look through all of their communications, so, yes, that would have included messaging apps.

Q Did that include like Facebook Messenger?

A I asked the staff to look through their messaging, messages, with -- with, you know -- you know, South Carolina. That's --

Q Did -- apologies. Did your directions provide any list of examples of what forms of communications they should look on the phone?

A I said any communications between you-all and anyone in South Carolina.

Q So did the direction not specifically

mention various apps?

A A list of specific apps that people can look through?

Q Yes.

A We told them to look through all their messages to see if they had any responsive messages with the people on the subpoena.

Q And that did not include any specific apps; is that correct?

A It did not list specific apps, no. I'm not even aware of all the messaging apps.

Q Does NRRT have their own social media accounts?

A Yes.

Q What social media accounts does NRRT have?

A NRRT's Twitter account is GOP Redistrict.

Q There's no Facebook account?

A There's not an active Facebook account, no.

Q No Instagram or Snapchat?

A No. No.

Q And you mentioned Twitter. Did you search the NRRT's messenger function for its Twitter account?

A There are no messages in GOP Redistrict's Twitter account.

Q Is there any other devices or systems that NRRT searched that I haven't specifically asked about?

A I mean, you've asked for drives. You've asked for phones. You asked -- no, I can't think of anything else that you haven't mentioned.

Q And would you agree that NRRT's primary -- primary communication for redistricting is their e-mail?

A It's a primary, yes.

Q And is there anything -- what assurances can you make that the search was thorough and complete?

A We made a thorough and complete search of all of our files, all of our e-mails,

messaging, so that's how I can tell you.

Q Now I want to move on to Topic No. 6.

A Okay. Should I go back or forward?

Q It's not a tab, but --

A Okay.

Q So did --

A I just want to have the list in front of me.

Q Okay. So did anyone at NRRT have conversations with members of the South Carolina General Assembly?

A To discuss the rationale, purpose, interpretation or analysis of the maps --

Q Yes.

A -- specifically? No. I'm not aware of any communications or correspondence with members of the South Carolina legislature, the General Assembly, relating to these maps.

Q Did anyone at NRRT have conversations with staff at the South Carolina General Assembly?

A Yes.

Q And who were they?
A Reagan Kelly and Andrew Fiffick.
Q And what was the primary method of communication with Mr. Fiffick?
A I never spoke to Mr. Fiffick. I just shared some files with him through Google Drive.
Q And how many times did you communicate with Mr. Fiffick?
A I sent files to Mr. Fiffick on two or three occasions to my recollection.
Q And just because there was no -- you never had a phone call with Mr. Fiffick?
A I've never spoken to him, no.
Q And how many times have you talked to Mr. Kelly?
A Personally, I'm not sure I've spoken to Reagan more than once, maybe twice.
Q And what was the primary method of communication for that conversation with Mr. Kelly?
A I met Reagan, I think, at an NCSL event one time.

Q And did you discuss South Carolina redistricting during that conversation?

A Just that he was engaged with it. That's all. I don't recall -- there were no conversations about specific lines or anything like that.

Q Did you describe -- did you discuss data in relation to South Carolina redistricting?

A I did not discuss data with Reagan.

Q And do you recall that --

A To the best of my recollection, I didn't discuss data with Reagan.

Q Okay. And you mentioned that there could have been a second conversation.

A I don't know how many times I've met Reagan. It may be once. It may be twice. I don't recall.

Q But the only one you recall is at the -- the event you've mentioned?

A I believe I met him once in person at an NCSL event.

Q And you never had any phone

conversations with Mr. Kelly?

A I don't recall any phone conversations with Reagan, no.

Q Okay. Besides generally that he was involved in the South Carolina redistricting process, was there anything else that was discussed with Mr. Kelly?

A Are you asking about my communications specifically or --

Q Well, anyone from -- from NRRT.

A The staff talked to Reagan, you know, occasionally about data, you know, the data that we make available.

Q And do you know how many times staff at NRRT had conversations with Mr. Kelly?

A I don't know a number. I know they were in regular contact with him regarding data, but not regarding redistricting specifically.

Q And what data did NRRT provide to Mr. Kelly?

A Reagan had access to election data that was produced by NRRT staff.

Exhibit H

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP, et al.,	)	
Plaintiffs,	)	Case No. 3:21-CV-03302-MGL-TJH-RMG
vs.	)	
THOMAS C. ALEXANDER, et al.,	)	
Defendants.	)	

Videotaped Remote Deposition of
SENATOR GEORGE EARLE CAMPSEN, III
(Taken by Plaintiffs)
Isle of Palms, South Carolina
Friday, August 5, 2022

Reported in Stenotype by
Lauren M. McIntee, RPR, CRR
Transcript produced by computer-aided transcription

APPEARANCES

ON BEHALF OF THE PLAINTIFFS:

John S. Cusick, Esquire (via Zoom)
Leah C. Aden, Esquire (via Zoom)
NAACP Legal Defense & Educational Fund, Inc.
40 Rector Street, 5th Floor
New York, New York 10006
(212) 965-7715
Jcusick@naacpldf.org
Laden@naacpldf.org

-and-

Adriel Cepeda, Esquire (via Zoom)
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, New York 10004
(212) 549-2500
acepedaderieux@aclu.org

ON BEHALF OF THE SENATE DEFENDANTS:

Vordman Carlisle Traywick, III, Esquire (via Zoom)
Cynthia Nygord, Esquire (via Zoom)
Robinson Gray, LLC
1310 Gadsden Street
Columbia, South Carolina 29201
(803) 231-7845
Ltraywick@robinsongray.com
Cnygord@robinsongray.com
-and-
John M. Gore, Esquire (via Zoom)
Jones Day
51 Louisiana Avenue NW,
Washington, District of Columbia 20001
(202) 879-3939
Jmgore@jonesday.com

ON BEHALF OF THE ELECTION DEFENDANTS:
Jane W. Trinkley, Esquire (via Zoom)
Burr & Forman, LLP
1221 Main Street, Suite 1800
Columbia, South Carolina 29201
(803) 753-3241
Jtrinkley@burr.com

ON BEHALF OF THE HOUSE DEFENDANTS:
Rhett Ricard, Esquire (via Zoom)
Nexsen Pruet, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
(843) 720-1707
Rricard@nexsenpruet.com

ALSO PRESENT:

Brendan Rolland (via Zoom)

Michael Kirby, Videographer (via Zoom)

VIDEOTAPED REMOTE DEPOSITION OF SENATOR GEORGE EARLE CAMPSEN, III, a witness called on behalf of Plaintiffs, before Lauren M. McIntee, Registered Professional Reporter, Certified Realtime Reporter, and Notary Public, in and for the State of North Carolina, in Isle of Palms, South Carolina, on Friday, August 5, 2022, commencing at 9:10 a.m.

INDEX OF EXAMINATIONS

By Mr. Cusick.....Page 9
By Mr. Traywick.....Page 210

INDEX OF EXHIBITS

NUMBER	EXHIBIT	MARKED
Exhibit 1	Subpoena	46
Exhibit 2	Senator George Campsen's Objections and Responses to Plaintiffs' Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action	49
Exhibit 3	Text Messages (SCSENATE_00027301 to 27316)	57
Exhibit 4	2021 Policy For Public Plan Submissions, South Carolina Senate Judiciary Committee Redistricting Subcommittee (SCSENATE_00003723 to 3724)	111
Exhibit 5	Email Exchange Ending on the First Page From Lynn Teague to Paula Benson, Dated September 30, 2021 (SCSENATE_00003749 to 3751)	114
Exhibit 6	Email Exchange Ending on the First Page From Lynn Aden to Senate Redistricting, et al., Dated October 8, 2021 (SCSENATE_00003798 to 3834)	116
Exhibit 7	2021 Redistricting Guidelines, South Carolina Senate Judiciary Committee, Redistricting Subcommittee (SCSENATE_00003721 to 3722)	118
Exhibit 8	July 20th of 2021 Hearing Transcript (SCNAACP_CD_011429 to 11485)	124

EXHIBITS (Cont'd)

NUMBER	EXHIBIT	MARKED
Exhibit 9	September 13, 2021, Email From Madison Faulk to Maura Baker with Attachments (SCSENATE_00022919 to 22925)	157
Exhibit 10	November 12th Senate Judiciary Hearing (SCNAACP_CD_011844 to 11843)	159
Exhibit 11	Staff Subcommittee Plan Map	163
Exhibit 12	November 29th, 2021, Hearing Transcript (SCNAACP_CD_011729 to 11934)	171
Exhibit 13	January 5, 2022, Email From Will Roberts to Senator Campsen (SCSENATE_00022581 to 22584)	174
Exhibit 14	Text Messages (SCSENATE_00027173 to 27174)	177
Exhibit 15	Email Exchange Ending on the First Page From Breeden John to Chip Campsen, et al., Dated October 8, 2021, with Attachment (SCSENATE_00022547 to 22549)	178
Exhibit 16	January 11, 2022, Email From Breeden John to Chip Campsen, et al., with Attachment (SCSENATE_00022561 to 22564)	180
Exhibit 17	January 11, 2022, Email From Michelle McGee to Luke Rankin, et al. (SCSENATE_00022556 to 22557)	181
Exhibit 18	January 13, 2022, Hearing Transcript (SCNAACP_CD_011935 to 12054)	188
Exhibit 19	January 17, 2022, Email From Robert Oppermann to Andy Fiffick with Attachment (SCSENATE_00003269 to 3277)	193

EXHIBITS (Cont'd)

NUMBER	EXHIBITS	MARKED
Exhibit 20	List of Written Testimony Received After Announcement of Meeting, January 11, 2022 (SCSENATE_00023933 to 24040)	196
Exhibit 21	January 16, 2022, Email From Will Roberts to Andy Fiffick with Attachment (SCSENATE_000022528 to 22530)	197
Exhibit 22	January 17, 2022, Email From Breeden John to Chip Campsen, et al., Zoom Invite (SCSENATE_00022510)	199
Exhibit 23	January 18, 2022, Email From Paula Benson to Chip Campsen, et al., with Attachment (SCSENATE_000022356 to 22364)	199
Exhibit 24	January 18, 2022, Email From Luke Rankin to Andy Fiffick with Attachment (SCSENATE_00022289 to 22291)	201
Exhibit 25	January 19, 2022, Hearing Transcript (SCNAACP_CD_013197 to 13264)	204
Exhibit 26	January 20, 2022, Hearing Transcript	207

THE VIDEOGRAPHER: We're on the record at 9:10 a.m. This is the deposition of Senator George E. Campsen, III. This deposition is being held on August 5th, 2022. The court reporter is Lauren McIntee. The videographer is Michael Kirby. The court reporter will now do the swearing.

THE COURT REPORTER: Participating attorneys recognize that all parties, including the witness and court reporter, are participating remotely. In lieu of an oath administered in person, the witness will verbally declare that their testimony in this deposition is under penalty of perjury and will be the truth, the whole truth, and nothing but the truth.

Counsel stipulate that all objections to the remote participation are waived. Please state your name and indicate your agreement on the record.

MR. TRAYWICK: Lisle Traywick agrees on behalf of the Senate defendants.

MR. CUSICK: John Cusick agrees behalf of plaintiffs.

MS. TRINKLEY: Jane Trinkley on behalf of the Election defendants.

THE COURT REPORTER: If that's all, counsel, you may proceed.

MR. CUSICK: Thank you.

EXAMINATION

BY MR. CUSICK:

Q. Good morning, Senator Campsen. How are you doing today?

A. Good morning. Doing fine. Thank you.

Q. My name is John Cusick. I'm one of the attorneys representing the plaintiffs in this lawsuit, The South Carolina State Conference of the NAACP versus Alexander. If you could please state your full name for the record, spelling your last name.

A. George Earle Campsen, III. C-A-M-P-S-E-N.

Q. Great. Thank you.

MR. CUSICK: And I'd like to just briefly go around the virtual room, if you will, for any attorneys planning to make an appearance today. And we can begin with House defendants.

Hearing none, I will turn to the Election defendants, Ms. Trinkley.

MS. TRINKLEY: We're here.

MR. CUSICK: Great. And anyone else from the Senate defendants?

MR. TRAYWICK: Lisle Traywick here on behalf of the Senate defendants, and I believe John Gore is participating remotely as well.

privilege could be asserted. Because this all went through legal counsel.

Q. Got it. I just have a few final questions with who you spoke to. And if you used the term reapportionment or I used redistricting, just so we're on the same page, I'm referring -- I'm referring or you're referring, we're talking about congressional redistricting. Does that make sense unless I state otherwise?

A. Yes.

Q. And so did you speak to any -- anybody at the National Republican Redistricting Trust?

A. No.

Q. The American Legislative Exchange Council?

A. The what?

Q. American Legislative Exchange Council?

A. No.

Q. So I see that at least this text message, there was one to Congress Member Mace. Was that the only time you spoke with her about redistrict -- congressional redistricting?

A. Yes. And she called. She initiated a call with me on that.

Q. So in addition to the text message, there was also a call?

A. No, but it was -- it was one criteria of -- it was one factor of many, and it did not predominate.

Q. So I now want to talk about a few -- few other things that might have been considered as criteria. I know that so far, I think earlier in the deposition you recall hearing that Congress Member Wilson wanted to keep Fort Jackson in CD2; is that right?

A. I heard that thirdhand. I didn't hear it from him or his, any -- anyone associated with him.

Q. Did you at all elevate, to the extent you were aware of it, any Congress members' preferences or views for how they wanted a congressional district drawn?

A. No, I didn't. When you say -- when you say "elevate" -- can you state that again?

Q. Sure. Did -- how did you weigh any instructions or views for how congressional members were hoping congressional districts would be drawn?

A. I -- well, I gave the -- I gave little weight to it or no weight to it. I mean, I -- we had -- there was a plan that some group in DC offered for the 1st. I never even looked at it. I just asked staff, is it defensible? And they said, no. So I didn't take that into account. Never even looked at it. I mean, the

staff said, no, it's not defensible. That was -- that was dealing with the 1st.

Q. And was that plan the one or plans that were submitted by the National Republican Redistricting Trust?

A. I don't even know the name of the organization. I know it was a DC Republican organization. That sounds like it might be the entity, but I'm not -- I can't confirm that. I never looked at it. Never talked to them.

Q. And --

A. Never considered the plan because the staff said it's indefensible. I said okay, we'll move on.

Q. And what staff conveyed that?

A. Well, Andy Fiffick is the one who communicated that to me. I -- I never saw it. It's just -- its -- its existence came up during subcommittee, just before a subcommittee hearing. And I said, well, let's -- let's -- I'm sure he talked to Charlie Terreni on it. Said don't even look at it, and I didn't, didn't even consider it.

Q. Did you ever become aware of Congress Member Wilson asking to not have Beaufort County in CD2?

A. I was aware that at some point he was advocating for that, and I was also aware that Beaufort

Exhibit I

JONES DAY

51 LOUISIANA AVENUE, N.W. • WASHINGTON, D.C. 20001.2113

TELEPHONE: +1.202.879.3939 • FACSIMILE: +1.202.626.1700

DIRECT NUMBER: (202) 879-3930

JMGORE@JONESDAY.COM

PRIVILEGED AND CONFIDENTIAL

May 20, 2022

VIA EMAIL

Mr. John Hindley
Arnold & Porter
601 Massachusetts Avenue, N.W.
Washington, D.C. 20001

Re: *South Carolina State Conference of the NAACP v. Alexander*, 3:21-cv-03302-MBS-TJH-RMG (D.S.C.)

Dear Mr. Hindley:

I write in response to your letter of May 19, 2022. Please note that the Senate Defendants will be sending your team a letter outlining the deficiencies in Plaintiffs' discovery responses within the time provided by Local Civil Rule 37.01.

Your letter raises "concerns regarding Senate Defendants' discovery to date," including alleged "deficiencies" and the timing of Senate Defendants' discovery responses. Letter at 1. At the outset, the Senate Defendants note that your objections to their discovery responses are untimely. Local Civil Rule 37.01 required Plaintiffs to file any motion to compel discovery "within twenty-one (21) days after receipt of the discovery response to which the motion to compel is directed," unless "counsel are actively engaged in attempts to resolve the discovery dispute." Local Civil Rule 37.01(A) (D.S.C.). The Senate Defendants served their responses to Plaintiffs' various discovery requests on April 6, 2022—yet you waited 43 days, and only after the Senate Defendants requested that you state your concerns in writing, to send your letter.

Unfortunately, your letter also contains overheated and baseless allegations against the Senate Defendants. In particular, your letter accuses the Senate Defendants of "hiding" responsive information, of "wast[ing] everyone's time," and of hindering preparations for "a fast[-]approaching trial," Letter at 2, even though trial is more than four months away and you delayed sending your letter until May 19. In any event, your allegations are meritless and do nothing to advance this important case toward resolution.

Nonetheless, in a good-faith effort to move this case along, the Senate Defendants provide the responses below. We look forward to discussing these matters further during our meet-and-confer on Monday, May 23.

I. Written Discovery

Your letter raises alleged "deficiencies" in the Senate Defendants' responses to Interrogatories 1–8 and 13–15. Letter at 1. The Senate Defendants have provided appropriate responses to all interrogatories and have objected to the interrogatories on various grounds. Moreover, the Senate Defendants' responses to various interrogatories track Plaintiffs' own responses to similar interrogatories propounded by the Senate Defendants.

For example, your letter complains that the Senate Defendants' response to Interrogatory 2 incorporates by reference the Senate Defendants' initial disclosures. *See id.* at 2. But that is precisely how Plaintiffs responded to similar interrogatories propounded by the Senate Defendants. *See* Plaintiff SC NAACP's Responses To Senate Defendants' First Set Of Interrogatories Re Congressional Map at 7–10, 31–34. And your contention that the Senate Defendants' initial disclosures "do not identify anyone by name," Letter at 2, is incorrect. The Senate Defendants' initial disclosures specifically identify "Taiwan Scott," "South Carolina State Conference of the NAACP," and "Brenda Murphy" and incorporate by reference the names of all "persons, individuals, or entities disclosed by any plaintiff [or] defendant . . . in this action." Senate Defendants' Initial Disclosures Regarding Plaintiffs' Challenges To The Congressional Plan at 2.

Similarly, your letter complains that the Senate Defendants' response to Interrogatory 13 states that "in-house counsel at the South Carolina Senate" was consulted on that response. Letter at 3. Plaintiffs' response to a similar interrogatory, however, was no more fulsome. *See* Plaintiff SC NAACP's Responses To Senate Defendants' First Set Of Interrogatories Re Congressional Map at 11. Frankly, we are confused by this "rules for thee and not for me" approach to discovery.

Your other complaints mischaracterize the Senate Defendants' responses and rest on faulty premises. First, you complain that the Senate Defendants' did not provide a longer list of individuals in response to Interrogatories 1 and 3. *See* Letter at 2–3. But the Senate Defendants objected to those interrogatories on a variety of grounds and are not obligated to disclose information already publicly available or known to Plaintiffs. Nonetheless, the Senate Defendants are willing to confer regarding these interrogatories and the information Plaintiffs seek.

Second, you point to the Senate Defendants' response to Interrogatory 4. But by definition, "any South Carolina House of Representatives amendment to maps adopted in S. 865," *id.* at 2,

came from the South Carolina House of Representatives and, thus, is available through the public legislative record and the Senate Redistricting website.

Third, you complain about the Senate Defendants' responses to Interrogatories 5-8, but the robust and ordinary legislative process described in those responses *is* "the process" through which the Senate Defendants considered input regarding S. 865 and the Congressional Plan. *Id.* Further, as the Senate Defendants explained, the map drawers used Maptitude to consider, propose, and review draft maps and to store data regarding draft maps and the Congressional Plan. *See id.* And as for what "data and communities of interest were considered," *id.*, respectfully, such a request is not in any of Plaintiffs' interrogatories. Plaintiffs cannot rewrite their interrogatories and move the goalposts simply because they do not like the response.

Moreover, your complaints about these responses ignore information the Senate Defendants have provided and the overbreadth of your interrogatories. Indeed, as noted above, the Senate Defendants' responses describe how "feedback from . . . the public was incorporated into draft maps." *Id.* at 2. Your assertion that the Senate Defendants must describe "what if any analyses, such as racially polarized voting analysis or performance analysis, was done," *id.*, ignores that the Senate Defendants elsewhere stated "consistent with prior public statements, that no racially polarized voting analysis was conducted regarding S. 865 or any Predecessor Maps," Senate Defendants' Objections And Responses To Plaintiffs' First Set Of Interrogatories at 11. And your remaining complaints ignore either information the Senate Defendants already have provided, *see id.* at 9 (describing the Senate's redistricting criteria), or that your interrogatories seek information protected by legislative privilege, *see, e.g.*, *id.* at 6–9.

Your complaint regarding the Senate Defendants' response to Interrogatory 13 ignores that the response explains the Senate Defendants' view that the Congressional Plan complies with Section 2, that Interrogatory 13 seeks information protected by attorney-client privilege, that the Senate Defendants elsewhere stated that no racially polarized voting analysis was conducted, and that Plaintiffs have not brought a Section 2 claim. *See id.* at 11-12. Finally, your complaint regarding the Senate Defendants' response to Interrogatory 15 overlooks that the interrogatory calls for legal conclusions and positions, not factual information. *See id.* at 13. As the panel made clear in the House Plan litigation, this is not a proper use of written discovery.

II. Document Production

The Senate Defendants disagree with your self-serving characterization that "depositions are currently being scheduled" because your letter was the first time we have heard from anyone on Plaintiffs' team about scheduling depositions in the Congressional Plan challenge. The Senate Defendants also note that your allegation that "Plaintiffs are prejudiced each day they do not

receive documents from the Senate Defendants," Letter at 4, rings hollow in light of your delay in sending the letter and raising alleged deficiencies in the Senate Defendants' discovery responses. The Senate Defendants also disagree that "any documents being withheld for any reason must be logged," *id.* at 5, since the parties already have agreed that no privilege log is required for attorney-client communications involving outside counsel that postdate the filing of Plaintiffs' original complaint on October 12, 2021.

Nonetheless, the Senate Defendants will make a first production of more than 2,500 documents on May 23, 2022. After investigation and custodial interviews, the Senate Defendants have also collected documents, including any official emails, official text messages, data, draft maps, and handwritten notes, from the following custodians:

Senator Thomas Alexander
Maura Baker
Paula Benson
Madison Faulk
Andy Fiffick
Breeden John
Grayson Morgan
Senator Harvey Peeler
Senator Luke Rankin
Will Roberts
Map Room
Public Redistricting Inbox

The Senate Defendants have applied the search terms listed in Appendix A to identify potentially responsive emails, and their review of the collected documents remains ongoing.

As you know, the Court's prior order directing searches and productions from personal email accounts was premised on evidence that "legislators may have received or sent information relating to House reapportionment on personal email accounts." Dkt. No. 221 at 3. Even then, the Court directed individuals to conduct searches of their own personal email accounts and to sign a certification "stating that they have searched their personal accounts and devices and have produced all communications relating to House reapportionment." *Id.* The Senate Defendants are not aware of any evidence that they received or sent information relating to Congressional redistricting on personal email accounts. The Senate Defendants therefore have not searched, and do not intend to search, any personal email accounts at this time.

Moreover, the Senate Defendants reserve the right to take all necessary and appropriate steps to preserve their claims of legislative privilege. In all events, the Senate Defendants will produce an appropriate privilege log once review of all potentially responsive documents is complete.

Finally, the Senate Defendants have not searched for documents from, and are not authorized to accept subpoenas on behalf of, any other legislators.

III. Depositions

The Senate Defendants will work with Plaintiffs on a reasonable and appropriate schedule for conducting depositions within the discovery period for this case. Several discovery issues remain to be resolved, however, before depositions of fact witnesses can commence. Moreover, the Senate Defendants cannot commit to make witnesses available on any of the particular dates requested by Plaintiffs, and do not have control over several of the proposed deponents mentioned in your letter. The Senate Defendants also reserve the right to object to holding any deposition open, particularly if Plaintiffs insist on deposing fact witnesses before document production is complete.

The Senate Defendants believe that there is a more efficient and effective path forward for completing depositions in this case. For their part, the Senate Defendants plan to take the depositions of each of Plaintiffs' putative experts, Ms. Brenda Murphy, Mr. Taiwan Scott, and a Rule 30(b)(6) witness for the South Carolina State Conference of the NAACP. The Senate Defendants believe that, as in the House Plan litigation, the best way forward is to take expert depositions while document productions are ongoing, and then to depose fact witnesses once document productions have been completed. In particular, expert depositions should be scheduled for the month of June and any fact depositions to take place thereafter.

* * * *

We look forward to discussing these issues with your team further during our meet-and-confer on Monday, May 23.

Very truly yours,

John M. Gore

John M. Gore

APPENDIX A

Congress* w/3 District*
"Clyburn"
Nancy w/3 Mace
Tom w/3 Rice
Joe w/3 Wilson
Ralph w/3 Norman
Jeff w/3 Duncan
William /3 Timmons
"CD" w/2 1
"CD" w/2 2
"CD" w/2 3
"CD" w/2 4
"CD" w/2 5
"CD" w/2 6
"CD" w/2 7
"SC" w/2 1
"SC" w/2 2
"SC" w/2 3
"SC" w/2 4
"SC" w/2 5
"SC" w/2 6
"SC" w/2 7
"Republican National Committee"
"RNC"
"Republican State Leadership Committee"
"RSLC"
"National Republican Redistricting Trust"
"NRRT"
Act w/3 118
"S. 865"
"S.865"
"S865"
"H. 4492"
"H.4492"
"H4492"
"BVAP"
"Black voting age population"

crack OR cracked OR cracking
pack OR packed OR packing
Gerrymander*
map w/3 room
redistrict* AND criteri*
“community of interest” OR “communities of interest”
COI
“community of color” OR “communities of color”
“racially polarized”
RPV
“bloc voting”
“racial bloc voting”
“voting rights act”
“VRA”
“majority-minority”
“Gullah”

Gore, John M.

From: Gore, John M.
Sent: Tuesday, July 5, 2022 8:31 PM
To: 'Hindley, John'; Mparente@nexsenpruet.com; Rob Tyson
Cc: Cynthia D. Nygord; Kenny, Stephen J.; Savannah Leyton; Lisle Traywick; La'Jessica Stringfellow; sosaki@aclu.org; Leah Aden; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew; Freedman, John A.; Crosland, Stewart; MMoore@nexsenpruet.com; Mathias, Andrew A.; Hollingsworth, Jennifer J.
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer [IWOV-NPCOL1.FID2240915]
Attachments: SC State Senate Redistricting_Search Terms_2022.06.30 (002).pdf

Mr. Hindley:

Your email again misstates the facts and ignores the record.

First, you continue to misunderstand—and fail to address—your burden. Your burden is to show that there has been a deficiency in our prior searches and productions. You have failed even to attempt to make such a showing.

Second, you say that "Senate Defendants have no interest in coming to a reasonable accommodation." That is untrue and appears to be an intentional misstatement. As I explained below, we offered to review emails that hit on the names of the individuals you requested, but you rejected that offer. To date, you still have not explained why you rejected that offer.

Third, the fact that we already reviewed 50,000 documents demonstrates that our effort has been more than reasonable, adequate, and proportionate to the needs of the case.

Fourth, as Mr. Parente explained, the search terms you proposed for Senate Defendants, including the connectors, are different than those the House Defendants applied. You have offered no principled basis for this difference. None exists.

We have run a hit report on the additional terms that the House Defendants applied and the names you requested (Dakota w/3 Foster, Muscatel, Heather w/3 Harrison, Sukovich, and Kincaid). The report is attached. In total, those terms hit on 4,953 documents, including family.

We have gone ahead and reviewed those documents. Consistent with the expectations we repeatedly communicated to you, that review uncovered only 7 additional documents that may be responsive to your requests. This proves what we have been saying all along: your terms are overbroad, unduly burdensome, and not proportionate to the needs of the case. We conducted this review over a holiday weekend, at great expense to our clients, and these 7 documents provide no corresponding benefit to the case.

We will log or produce these documents as part of our next production. We trust this puts an end to any further discussion of search terms.

John

John M. Gore
Partner

JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Thursday, June 30, 2022 8:32 PM
To: Gore, John M. <jmgore@jonesday.com>; Mparente@nexsenpruet.com; Rob Tyson <rtyson@robinsongray.com>
Cc: Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; sosaki@aclu.org; Leah Aden <laden@naacpldf.org>; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; MMoore@nexsenpruet.com; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer [IWOV-NPCOL1.FID2240915]

** External mail **

Good evening Mr. Gore:

Thank you for your email and providing an updated hit report.

As we explained in our May 27, 2022 email, the search terms Senate Defendants applied do not include frequently used redistricting-related terms (i.e., reapportionment, deviation, split, and census), relevant counties and geographic areas, relevant third parties involved in the mapmaking process, and parties and counsel who submitted proposed maps during the redistricting process. Responsive documents that are captured by these terms could better reflect the intent of the Senate Defendants when it created and passed the map in S. 865.

Further, many of the terms in my updated list contain connectors (i.e., (congress! and CD)), reducing the amount of non-responsive documents that would have to be reviewed. These connectors were attached to search terms you believed were too general. In fact, the terms from my June 24, 2022 email decreased the number of documents Senate Defendants would have to review by about 4,300.

We believe that reviewing an additional 5,260 documents is an appropriate burden for Senate Defendants to bear to ensure Plaintiffs have confidence that it has received a sufficient amount of responsive documents. Given that Senate Defendants have already reviewed approximately 50,000 documents over a four week period, reviewing an additional 5,000 documents would not be overly burdensome or out of proportion to the needs of the case. Contrary to your assertion that we are sending terms "to see what might stick," Plaintiffs have been crafting terms that would better balance Plaintiffs' need for responsive documents and the burden placed on Senate Defendants. It appears that Senate Defendants have no interest in coming to a reasonable accommodation. We believe the terms in my previous email strike the right balance.

Please advise if Senate Defendants plan on reviewing the documents that hit on the search terms in my June 24 email. If not, Plaintiffs will have to resort to seeking relief from the Court.

Best,
John

From: Gore, John M. <jmgore@jonesday.com>
Sent: Tuesday, June 28, 2022 2:35 PM
To: zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>; Hindley, John <John.Hindley@arnoldporter.com>; Rob Tyson <rtyson@robinsongray.com>
Cc: Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; zzz.External.sosaki@aclu.org <sosaki@aclu.org>; Leah Aden <laden@naacpldf.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer [IWOV-NPCOL1.FID2240915]

External E-mail

Mr. Hindley:

Thank you for your email. As a courtesy, we have generated the attached search term report on your latest set of proposed terms. Unfortunately, those proposed terms still yield 5,260 documents with hits, including family, which remains far too large a universe to warrant review at this juncture of the case.

You still have not responded to our showing that applying any additional search terms is not reasonable, appropriate, or proportional to the needs of this case. Accordingly, you also have not provided any response to our objections laid out below, or offered any principled basis for requesting application of your newest proposed terms or any other additional terms. Instead, you continue to throw out potential search terms without explanation as to why they are appropriate or how your latest iteration of terms cures the defects we have identified.

Rather, you point to two purported facts, but each is irrelevant or misstated. First, you point to Plaintiffs' and House Defendants' searches in response to different discovery requests. But it is of no moment here what Plaintiffs did to respond to the House Defendants' different document requests. Instead, the only issue is that the Senate Defendants have made a reasonable and appropriate effort to respond to your requests, and you have not even tried to show otherwise. Moreover, as Mr. Parente explains below, you have misstated the facts regarding the House Defendants' searches in response to Plaintiffs' discovery requests.

Second, your assertion that the Senate Defendants have a "platoon" of lawyers is incorrect. The Senate Defendants have five counsel of record in this case, compared to the 23 counsel of record for Plaintiffs.

In all events, the Senate Defendants previously offered to accommodate your request to expand their search terms by reviewing all documents that hit on your proposed terms associated with people's names—Dakota w/3 Foster, Muscatel, Heather w/3 Harrison, Sukovich, and Kincaid—if doing so would resolve the issue of additional search terms entirely. We understand your latest email to have rejected that offer.

Thanks,
John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®

51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Parente, Michael A. <MParente@nexsenpruet.com>
Sent: Tuesday, June 28, 2022 2:23 PM
To: Hindley, John <John.Hindley@arnoldporter.com>; Gore, John M. <jmgore@jonesday.com>; Rob Tyson <rtyson@robinsongray.com>
Cc: Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; sosaki@aclu.org; Leah Aden <laden@naacpldf.org>; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; Moore, Mark C. <MMoore@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer [IWOV-NPCOL1.FID2240915]

** External mail **

Mr. Hindley,

House Defendants do not agree that the search terms you listed below are substantially similar to the ones House Defendants have implemented. As I stated in my June 15th email, House Defendants agreed to run the seven additional search terms you suggested, with a modification to the first term (using the connector within 5 words instead of within 50 words). As a result of running those seven new terms and reviewing over 2,200 additional hits, we produced only one responsive document that hit on those terms that was not already produced through the use of our own very extensive search terms.

Below are the additional terms House Defendants ran after our meet and confer and follow-up emails that resulted in the one additional document production:

1. (Charleston or Beaufort or Richland or Florence or Orangeburg or Sumter or Columbia or “North Charleston” or “West Ashley” or Dorchester or Berkeley) /5 (vot! or line or district! or precinct!)
2. Kincaid
3. “Fair Lines America” or FLA
4. “Magellan Strategies” or Magellan
5. Section 2 and (congress! or CD)
6. “the League” or “League of Women Voters” or “League of Women Voters of SC”
7. “legal defense fund”

In addition, we did not run the following terms as they were not relevant to the House Defendants because they did not submit maps to the House:

1. Dakota /3 foster
2. Muscatel
3. Heather /3 Harrison
4. Sukovich

Please let me know if you have any questions about the above. Thanks,

Michael A. Parente
Associate
Nexsen Pruet, LLC
1230 Main Street, Suite 700

Columbia, SC 29201
Post Office Box 2426 (29202)
Cell: (703) 819-0751
Office: (803) 253-8247
Fax: (803) 727-1482
MParente@nexsenpruet.com

www.nexsenpruet.com

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Friday, June 24, 2022 2:56 PM
To: Gore, John M. <jmgore@jonesday.com>; Rob Tyson <rtyson@robinsongray.com>
Cc: Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; sosaki@aclu.org; Leah Aden <laden@naacpldf.org>; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; Moore, Mark C. <MMoore@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Parente, Michael A. <MParente@nexsenpruet.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

{EXTERNAL EMAIL}

Mr. Gore:

Thank you for your email. The information you provided helps us better understand the additional burden our search terms would impose. To balance the needs of both parties, we propose that you apply the below configurations. These should reduce the burden on Senate Defendants. Applying the below search terms will resolve this issue.

I would remind you that Plaintiffs accommodated the House Defendants by applying their additional search terms even though they were generic and not specific to the needs of the case. This resulted in Plaintiffs reviewing an additional 4,000 documents. Likewise, House Defendants also applied Plaintiffs' requested search terms on top of the terms they already applied. Finally, I would remind you of the platoon of lawyers working on and available to the Senate's defense. The below search terms are substantially similar to the ones House Defendants have applied.

- Census /3 map
- Deviation /10 (congress! or CD)
- Reapportion! /10 (congress! or CD)
- Split! /10 (congress! or CD)
- "black voters" and (district! or congress! or CD or precinct! or line or vot!)
- NAACP and (congress! or CD)
- (LWV or LWVSC or "the League" or "League of Women Voters" or "League of Women Voters of SC") and (congress! or CD)
- ACLU and (congress! or CD)

- (LDF or "Legal Defense Fund) and (congress! or CD)
- (Charleston or Beaufort or Richland or Florence or Orangeburg or Sumter or Columbia or "North Charleston" or "West Ashley" or Dorchester or Berkeley) /10 (vot! or line or district! or precinct!)
- Dakota /3 foster
- Muscatel
- Heather /3 Harrison
- Sukovich
- Kincaid
- "Fair Lines America" or FLA
- "Magellan Strategies" or Magellan
- Section 2 and (congress! or CD or VRA or vot!)

Please let us know if you have any questions.

Best,
John

From: Gore, John M. <jmgore@jonesday.com>
Sent: Wednesday, June 22, 2022 5:25 PM
To: Hindley, John <John.Hindley@arnoldporter.com>; Rob Tyson <rtyson@robinsongray.com>
Cc: Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; zzz.External.sosaki@aclu.org <sosaki@aclu.org>; Leah Aden <laden@naacpldf.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

External E-mail

Mr. Hindley:

We have run your additional requested search terms against our unreviewed document universe. In total, your requested search terms result in 9,467 documents, including family documents, which is far too large to warrant review at this juncture of the case.

1. We already have produced over 9,500 documents and substantially completed our production yesterday.
    - Among those documents are documents that would have hit on your search terms.
2. As I have explained below, many of your search terms are generic and not specific to redistricting, let alone the Congressional redistricting plan at issue in this case.
    - Your terms therefore would require review of a large volume of non-responsive documents and, thus, are unduly burdensome and not proportional to the needs of the case.
    - Indeed, as I also explained below, the bulk of documents we already have reviewed are not responsive.
3. Unsurprisingly, then, many of your search terms—including but not limited to the county names, ACLU, FLA, LWV, NAACP, Section 2, and Split*-hit on far too many documents to be proportional to the needs of the case at this juncture.

4. The "unique" hits listed in the third column below also do not present an accurate picture of the prospective review universe resulting from your additional search terms.
    - The "unique" hits reflect the number of document hits for each term, but they do not include family members of those documents, which we also would have to review for responsiveness and potential privilege issues.
    - Relativity STRs, moreover, do not present the number of "family" documents for the "unique" hits, so that number is not knowable for the distinct terms.
    - Thus, a search term with a seemingly small number of "unique" hits could generate a large review universe depending on family size.
    - Accordingly, applying more than 1 of your search terms, each with a seemingly small number of "unique" hits, would result in a large aggregate review universe.
5. Finally, there have been challenges with de-duplicating our documents. We already have seen many duplicates in our review universe and expect that documents that hit on your additional terms may be duplicative of documents we already have reviewed and/or produced.

You have not offered any principled basis for your requested additional search terms. Instead, you seem to be throwing out terms to see what might stick.

Nonetheless, it is time for the discussion of search terms to come to a close. We are willing to review all documents hit by the search terms associated with people's names—Dakota w/3 Foster, Muscatel, Heather w/3 Harrison, Sukovich, and Kincaid—but only if doing so resolves the issue of search terms entirely. We are not interested in reviewing those documents and to "continue working on others" as you suggest.

Thanks,
John

Terms Summary

Term	Documents with hits	Documents with hits, including Family	Unique hits
"black voters" AND (district* OR congress* OR CD OR precinct* OR line OR vot*)	73	79	1
"Fair Lines America" OR FLA	661	779	507
"Magellan Strategies" OR Magellan	11	16	11
(Charleston OR Beaufort OR Richland OR Florence OR Orangeburg OR Sumter OR Columbia OR "North Charleston" OR "West Ashley" OR Dorchester OR Berkeley) w/50 (vot* OR line OR district* OR precinct*)	4,101	5,584	3,586
ACLU	297	420	8
Census w/3 map	35	41	2
Dakota w/3 foster	28	46	4
Deviation AND (congress* OR CD)	78	88	5
Heather w/3 Harrison	31	49	1
Kincaid	10	14	9
LDF OR "Legal Defense Fund"	146	256	1
LWV OR LWVSC OR "the League" OR "League of Women Voters" OR "League of Women Voters of SC"	1,334	1,838	957
Nuocetel	12	16	2
NAACP	682	1,053	298
ReappORtion* AND (congress* OR CD)	90	179	4
Section 2 and (congress* OR CD OR VRA OR vot*)	379	790	301
Split* AND (congress* OR CD)	224	371	109
Sukovich	125	262	50

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Friday, June 17, 2022 5:26 PM
To: Gore, John M. <jmgore@jonesday.com>; Rob Tyson <rtyson@robinsongray.com>
Cc: Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; sosaki@aclu.org; Leah Aden <laden@naacpldf.org>; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; MMoore@nexsenpruet.com; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mparente@nexsenpruet.com
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

** External mail **

Mr. Gore:

Thank you for that information. In light of what you said, can you provide the unique hits for documents that *only* hit on our *new* search terms, and not both old and new terms? Without those unique hits, it's tough to get an accurate assessment of what Senate Defendants' additional burden would be. Once we receive this information, Plaintiffs are happy to consider adjustments.

In addition, the search terms associated with people's names—Dakota w/3 Foster, Muscatel, Heather w/3 Harrison, Sukovich, and Kincaid—produced relatively low hit counts. Would Senate Defendants consider reviewing those while the parties continue working on others?

Regards,
John Hindley

From: Gore, John M. <jmgore@jonesday.com>
Sent: Friday, June 17, 2022 1:24 PM
To: Hindley, John <John.Hindley@arnoldporter.com>; Rob Tyson <rtyson@robinsongray.com>
Cc: Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; zzz.External.sosaki@aclu.org <sosaki@aclu.org>; Leah Aden <laden@naacpldf.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>;

zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

External E-mail

Mr. Hindley:

Thank you for following up.

The numbers I sent do not represent unique hits: we ran all of the search terms together to generate the hit report.

As I stated, the additional search terms you propose would approximately double our email review universe, which is already expansive and returning many nonresponsive documents.

Moreover, as your question contemplates, our review universe contains documents that would hit on your additional search terms. For example, we have seen numerous emails between NAACP, LDF, or Dakota Foster, on the one hand, and Senate staff, on the other, regarding Congressional redistricting.

Thanks,
John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Tuesday, June 14, 2022 3:03 PM
To: Gore, John M. <jmgore@jonesday.com>; Rob Tyson <rtyson@robinsongray.com>
Cc: Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; sosaki@aclu.org; Leah Aden <laden@naacpldf.org>; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; MMoore@nexsenpruet.com; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mparente@nexsenpruet.com
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

** External mail **

Mr. Gore:

We have a follow up question concerning your hit report. Do your numbers represent unique hits, or do the hits for each term encompass documents that hit on other terms as well, such that you would already being reviewing those?

Thanks,
John Hindley

From: Gore, John M. <jmgore@jonesday.com>
Sent: Friday, June 3, 2022 9:05 PM
To: Hindley, John <John.Hindley@arnoldporter.com>; Rob Tyson <rtyson@robinsongray.com>
Cc: Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; zzz.External.sosaki@aclu.org <sosaki@aclu.org>; Leah Aden <laden@naacpldf.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

External E-mail

Mr. Hindley:

Thank you for your email.

Expert deposition scheduling: Thank you for this information. We would like to schedule the depositions on the dates below. Will you confirm these?

- Bagley: June 29
- Imai: July 26
- Duchin: July 14
- Ragusa: June 28
- Liu: July 12

Fact Deposition Scheduling: On Tuesday's call, you agreed that it would be "reasonable" to conduct the depositions of Will Roberts, Andy Fiffick, and Paula Benson during the week of June 27. While those depositions could take place that week, they would have to take place after the special session on June 28. Those witnesses also are available on various dates in July.

This is the first time we have received your request to depose other fact witnesses. We cannot commit to firm dates for any of those witnesses at this time and need additional information to understand your request.

- For one thing, the federal rules limit the number of depositions you can take. We understand that you are also seeking to depose House witnesses and, therefore, are seeking to conduct depositions in excess of the limit. Will you provide us a list of all witnesses you're planning to depose and an explanation as to how the number of depositions you plan to conduct complies with the rules?
- For another thing, you have not provided us a list of the topics you plan to address with a 30(b)(6) witness. *See* Fed. R. Civ. P. 30(b)(6) (the party seeking the deposition "must describe with reasonable particularity the matters for examination"). We therefore cannot even begin to identify a deponent, let alone schedule a deposition.
- We disagree with your characterization that the parties have to "cram[] numerous depositions into a roughly two-week period" for several reasons.
    - In the first place, the discovery period runs until August 12, which provides plenty of time to conduct discovery on a reasonable schedule.

  - Moreover, you are subject to a limit on depositions, so there are not "numerous" depositions still to be scheduled.
  - Finally, we disagree that additional discovery requests will be "necessary" following the depositions.
- One reason that no additional discovery will be "necessary" is that your existing discovery requests already are overbroad and capture whatever information you think you may glean from depositions.

Search terms: On Tuesday's call, you agreed that a June 21 substantial completion date is "reasonable." Your assertion below that we "did not make a counter offer" on search terms is incorrect. Our position consistently has been, and remains, that the existing search terms we have applied—which are the same terms the House Defendants have applied—are more than adequate and reasonable to this case. In fact, as we have stated several times now, even those search terms are substantially overbroad as we are identifying a large volume of unresponsive material in our review of documents that hit on those terms.

Moreover, we have no obligation to apply search terms simply because you want us to. Instead, we are required only to undertake reasonable, appropriate, and proportionate efforts under the rules. And your request for additional search terms is premature; at a minimum, you should receive our forthcoming productions before you can determine whether there is any need for any reasonable search expansion.

In all events, as a courtesy, we have run a hit report on the additional search terms you propose below. Unfortunately, applying these terms would nearly double the size of our email review universe. The additional search terms are therefore unreasonable and not appropriate to the case, and we will not be applying them. We have proceeded in good faith on the search term issue and the attorney-client email logging issue below and anticipate that you will do the same here.

I have provided below both the number of documents that "hit" on your search terms and the total number of "family members" of such documents that would require our review. As you will see, this volume is simply too large to be reasonable and cannot be accommodated by June 21. Moreover, many of the terms you have suggested, like the county names, the names of advocacy organizations, and the reference to Section 2 are not specific to redistricting and will undoubtedly yield an overwhelming number of false hits.

- Census /3 map: **90/322**
- Deviation and (congress! or CD): **636/1,532**
- Reapportion! and (congress! or CD): **831/1,735**
- Split! and (congress! or CD): **1,371/2,660**
- "black voters" and (district! or congress! or CD or precinct! or line or vot!): **433/879**
- NAACP: **1,826/3,171**
- LWV or LWVSC or "the League" or "League of Women Voters" or "League of Women Voters of SC": **2,452/4,257**
- ACLU: **723/1,336**
- LDF or "Legal Defense Fund": **446/853**
- (Charleston or Beaufort or Richland or Florence or Orangeburg or Sumter or Columbia or "North Charleston" or "West Ashley" or Dorchester or Berkeley) /50 (vot! or line or district! or precinct!): **6,972/12,892**
- Dakota /3 foster: **76/108**
- Muscatel: **24/34**
- Heather /3 Harrison: **37/57**
- Sukovich: **230/441**
- Kincaid: **32/60**
- "Fair Lines America" or FLA: **1,176/3,553**
- "Magellan Strategies" or Magellan: **23/54**
- Section 2 and (congress! or CD or VRA or vot!): **1,588/4,640**

Logging of attorney-client emails: We remain disappointed that you insist on renegotiating our deal on logging attorney-client emails. We had an agreement, not a "so-called" agreement, as your local counsel confirmed on the call. Moreover, we are not aware of any legal requirement to log these emails; when we ask you to provide case law authority for your position, you acknowledged that you do not have any.

In all events, we will not be logging any litigation-related emails involving counsel since those emails are not responsive to your requests in any event. We also have already begun our review using our search terms and decline your request to apply additional search terms to attorney-client emails. Subject to that understanding, we can agree to change the cutoff date for the logging of these emails to January 20, 2022, the date that the Senate passed the Congressional Plan.

We view this as a significant good-faith move by our side and expect that it will be reciprocated with similar good faith from your side on other discovery issues.

Thanks,
John

JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Thursday, June 2, 2022 12:23 PM
To: Rob Tyson <rtyson@robinsongray.com>
Cc: Gore, John M. <jmgore@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; sosaki@aclu.org; Leah Aden <laden@naacpldf.org>; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; MMoore@nexsenpruet.com; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mparente@nexsenpruet.com
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

** External mail **

Mr. Gore and Mr. Tyson:

We write to follow-up on a handful of discovery issues. We would appreciate responses by COB tomorrow, so that we can move forward with scheduling and any motion to compel, if necessary.

Expert deposition scheduling

Let us know which of the following dates work for you:

- Bagley: June 29 as the preference but July 5, 6, 11, and 12 work
- Imai: week of July 25 as a possibility because he's traveling out of country
- Duchin: June 16 as the preference but other dates like July 13-15 could work
- Ragusa: June 28, 30, or July 1
- Liu: June 14 as the preference but July 12 works too

Fact deposition scheduling

We're still considering your offer to make Mr. Fiffick, Mr. Roberts, and Ms. Benson available the week of June 27. One issue with scheduling additional depositions beginning on or after July 5 is that doing so only leaves a handful of business days to consider serving additional discovery requests based on information learned from those depositions. That is because we would need to serve these requests at least 30 days before the August 12 discovery deadline to allow for objections and responses. Therefore, would the Senate Defendants be willing to give us (1) firm dates for Sens. Rankin, Peeler, Alexander; other Senate staff that you represent for the purposes of this litigation, including Maura Baker, Madison Fault, and John Breedon; and the 30(b)(6) deposition before July 10th, and/or (2) a stipulation to make the response/objection period to discovery requests shorter? Perhaps from 30 days to 20 days? If these are not possible, we're concerned that the parties will be unnecessarily cramming numerous depositions into a roughly two-week period for no reason and Plaintiffs won't have sufficient time to serve any discovery requests that are necessary based on information obtained through these depositions because they are being scheduled so late.

Search Terms

You state in your May 27 email that you have "not taken a definitive position on search terms" and, at our meet and confer, that Plaintiffs' proposed search terms nearly doubled the amount of documents Senate Defendants had to review. Senate Defendants, however, did not make a counter offer as to search terms. You suggested that the term "section 2" caused the high amount of hits. Plaintiffs asked whether you could provide a hit report reflecting Senate Defendants burden. You stated that you would take it under advisement but that you considered it work product. Plaintiffs offered to assist in lessening the burden on Senate Defendants. Without a hit report, however, Plaintiffs attempts at adjusting the search terms is like shooting in the dark. Below is a revised list of search terms. Unless Senate Defendants provide a hit report or provide a definitive counteroffer, Plaintiffs insist that Senate Defendants apply at least these additional search terms. We believe that they strike an appropriate balance.

- Census /3 map
- Deviation and (congress! or CD)
- Reapportion! and (congress! or CD)
- Split! and (congress! or CD)
- "black voters" and (district! or congress! or CD or precinct! or line or vot!)
- NAACP
- LWV or LWVSC or "the League" or "League of Women Voters" or "League of Women Voters of SC"
- ACLU
- LDF or "Legal Defense Fund"
- (Charleston or Beaufort or Richland or Florence or Orangeburg or Sumter or Columbia or "North Charleston" or "West Ashley" or Dorchester or Berkeley) /50 (vot! or line or district! or precinct!)
- Dakota /3 foster
- Muscatel
- Heather /3 Harrison
- Sukovich
- Kincaid
- "Fair Lines America" or FLA
- "Magellan Strategies" or Magellan
- Section 2 and (congress! or CD or VRA or vot!)

Logging attorney-client emails

At our meet-and-confer, you said you were still considering our updated agreement regarding attorney-client emails; namely, moving the cutoff to the date of congressional map passage plus applying the search terms we ultimately agree

upon. Please let us know if you agree or have a counterproposal. If neither, we'll have to move to compel the review, logging, and/or production of that universe of documents.

Regards,
John

From: Rob Tyson <rtyson@robinsongray.com>
Sent: Wednesday, June 1, 2022 8:34 PM
To: Hindley, John <John.Hindley@arnoldporter.com>
Cc: Gore, John M. <jmgore@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Savannah Leyton <sleyton@robinsongray.com>; Lisle Traywick <ltraywick@robinsongray.com>; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; zzz.External.sosaki@aclu.org <sosaki@aclu.org>; Leah Aden <laden@naacpldf.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>
Subject: Re: SC NAACP v. Alexander - Scheduling Meet and Confer

External E-mail

Mr. Hindley, On yesterday's call, you said you would send us the dates your experts are available. As we mentioned, we'd like to move forward scheduling them. Look forward to getting them. Tks. Rob

Sent from my iPhone

> On May 27, 2022, at 1:42 PM, Hindley, John <John.Hindley@arnoldporter.com> wrote:
>
> Mr. Gore:
>
> Plaintiffs are available from 1-2 and 3-5 on Tuesday. Please let us know if any of those times work for you.
>
> Best,
> John Hindley
>
> ---
>
> **From:** Gore, John M. <jmgore@jonesday.com>
> **Sent:** Friday, May 27, 2022 12:35 PM
> **To:** Hindley, John <John.Hindley@arnoldporter.com>; cnygord@robinsongray.com; rtyson@robinsongray.com; Kenny, Stephen J. <skenny@jonesday.com>; sleyton@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com
> **Cc:** zzz.External.sosaki@aclu.org <sosaki@aclu.org>; Leah Aden <laden@naacpldf.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; zzz.External.acepedaderieux@aclu.org

<acepedaderieux@aclu.org>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>; Mathias, Andrew A. <amathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

External E-mail

Mr. Hindley:

Thanks for your response. Unfortunately, I now have an emergency hearing in another matter on Tuesday morning. Will you advise on your team's availability on Tuesday afternoon or Wednesday?

We look forward to sharing our proposal on a timeline for document production, privilege logs, and personal email searches.

Your email contains two material inaccuracies. First, we did not "refuse to consider a substantial completion date" for document productions. To the contrary, we *agreed* to consider a substantial completion date, which is why we are proposing a timeline.

Second, your statement about logging attorney-client communications is, candidly, revisionist history. We have checked with our team, who confirmed that we already have a deal in place to cut off logging of attorney-client communications with outside counsel as of October 12, 2021, the date plaintiffs filed their original complaint. You are trying to back out of that deal.

We disagree with several other points in your email, as we will discuss at the meet-and-confer. For now, two require responses.

Document Production/Search Terms: Contrary to what you say below, we are not at an "impasse" on this issue since we have not taken a definitive position on it. In all events, as we have explained, we have used the same search terms that the House Defendants have used in the Congressional Plan litigation. We already have produced plans and emails from "parties and counsel who submitted proposed maps during the redistricting process" and will produce any more such emails that we locate and are responsive to your discovery requests.

The issue of additional search terms is premature and unripe since productions are ongoing. In any event, as we noted below, we will provide additional information regarding your search terms at the meet-and-confer.

Depositions: Your citation to Judge Gergel's statement on the record proves our point that fact depositions should not proceed until anticipated document discovery is completed. Judge Gergel said it is appropriate to ask witnesses about personal email use in depositions, not that depositions should proceed before anticipated and forthcoming document productions have been completed. We will not agree to hold depositions open because you insist on taking depositions before receiving document productions that you know are coming.

We also are working with the witnesses you have requested to nail down their availability. A significant complication is the General Assembly's special session, which is scheduled for June and is placing heavy demands on Senate staff. Our proposal will lay out an appropriate timeline for those depositions, which will avoid any need for "11th-hour motions practice."

There is no reason for you to court unnecessary motions practice by noticing depositions without coordinating with us. The panel will not look favorably on unilateral notices when it has encouraged you to work with us.

Finally, we note that you have not responded with availability for your expert witnesses on the deposition dates we proposed.

We look forward to the meet-and-confer.

Best,
John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Friday, May 27, 2022 9:32 AM
To: Gore, John M. <jmgore@jonesday.com>; cnygord@robinsongray.com; rtyson@robinsongray.com; Kenny, Stephen J. <skenny@jonesday.com>; sleyton@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com
Cc: sosaki@aclu.org; Leah Aden <laden@naacpldf.org>; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; MMoore@nexsenpruet.com; Mathias, Andrew A. <amathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mparente@nexsenpruet.com
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

** External mail **

Mr. Gore:

Thank you for your email and clarifications. Plaintiffs are available Tuesday morning at 10am EST to meet and confer. Please advise if that time works for Senate Defendants.

Document Production/Search Terms

We appreciate that you are formulating a timeline for document production, privilege logs, and personal emails. We look forward to your proposal.

Plaintiffs strongly disagree with your assertion that your search terms are “appropriate” for this case. As reflected in our May 24 email, your search terms do not include frequently used redistricting-related terms (i.e., reapportionment, deviation, split, and census), relevant counties and geographic areas, possibly relevant third parties involved in the mapmaking process, and parties and counsel who submitted proposed maps during the redistricting process. Furthermore, your assertion that Judge

Gergel said that parties are not obligated to search geographic terms is not accurate. As you can see in the April 12, 2022 hearing transcript (pp. 45-51), the Court urged counsel for Plaintiffs and House Defendants to come up with an accommodation as to county searches through the use of a "hit report" and different search term configurations. That is what Plaintiffs and House Defendants did. House Defendants provided a hit report on April 28, 2022 using the search terms configurations that Plaintiffs provided. The search terms Plaintiffs provided had connectors that limited the number of possibly irrelevant documents House Defendants would have to review and produce. Plaintiffs hoped that Plaintiffs and Senate Defendants could come to a similar agreement. Unless counsel proposes alternative configurations to the search terms contained in Plaintiffs' May 24 email, it appears that the parties have reached an impasse on this issue.

Privilege Log

Plaintiffs were not suggesting that there was an exception to the attorney-client privilege. Plaintiffs were attempting to reach an accommodation to lessen the burden on both Parties in logging privileged communications and documents. Under Plaintiffs' proposal, similar to the agreement reached with the House Defendants, both Parties would neither have to log privilege communications and documents that were created after the passage of the congressional map nor communications and documents that are exclusively related to litigation strategy. If this or a similar arrangement does not work for Senate Defendants, the Parties can proceed with logging all relevant, privileged communications and documents.

Non-Party Senators

You state that counsel for Senate Defendants "are not authorized to accept service of subpoenas on their behalf." As a follow up question, is counsel for Senate Defendants attempting to obtain authorization? Otherwise, Plaintiffs will plan on serving third-party subpoenas directly to non-party members of the Senate Redistricting Subcommittee.

Interrogatories

You state that Senate Defendants "will not be amending our interrogatory responses." We are at an impasse on this issue.

Depositions

Plaintiffs continue to strongly disagree with your assertion that fact depositions have to wait until the competition of document production. Your assertion is particularly concerning given that Senate Defendants refused to consider a substantial completion date at our Monday meet and confer. Taking depositions in the midst of document production as part of the discovery process is local practice. As Judge Gergel said during the April 12 hearing, "Take their depositions and ask them, Did you communicate in private emails? If they did, request them." (Apr. 12, 2022 Hr'g Tr. 58:1-3). Conducting depositions during document production lessens the likelihood that the Parties will have to engage in 11th-hour motions practice to obtain relevant documents that were previously uncollected. In your May 25 email, you state that no dates the week of June 6 work for Mr. Fiffick, Mr. Roberts, and Ms. Benson because counsel and witnesses are unavailable. Can you please provide availability for these depositions for the week of June 13? In the absence of Senate Defendants providing dates, Plaintiffs plan to notice and proceed with the depositions. Plaintiffs are willing to schedule expert depositions so long as Senate Defendants schedule fact depositions during the same time frame.

Plaintiffs look forward to Tuesday's meet and confer

Regards,
John Hindley

From: Gore, John M. <jmgore@jonesday.com>
Sent: Wednesday, May 25, 2022 7:55 PM
To: Hindley, John <John.Hindley@arnoldporter.com>; cnygord@robinsongray.com; rtyson@robinsongray.com; Kenny, Stephen J. <skenny@jonesday.com>; sleyton@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com
Cc: zzz.External.sosaki@aclu.org <sosaki@aclu.org>; Leah Aden <laden@naacpldf.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>; Mathias, Andrew A. <amathias@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

External E-mail

Dear Mr. Hindley:

Thank you for your email. We are still looking into the issues you raise but provide the preliminary responses below based upon the information currently available to us. We reserve the right to amend or supplement these responses.

We also believe that another meet-and-confer on these issues would be productive. Our team is available on Tuesday morning, May 31, after the holiday weekend. Will you advise us on your team's availability?

Please note that I have also added House Defendants' counsel to this response.

Document Production, Privilege Log, And Personal Emails: We understand that the search terms we already have applied are broader than the search terms used in the House Plan litigation. We also understand that our search terms are the same search terms that the House Defendants have used in the Congressional Plan litigation. Accordingly, we maintain that those search terms are appropriate and that no further search terms are needed in this case.

The additional search terms you propose below are overbroad and not proportional to the needs of the case. For example, virtually every piece of proposed legislation includes a "Section 2," so we anticipate that that term would generate a large number of unresponsive hits. Similarly, the NAACP and ACLU are active in a variety of legislative arenas, not just redistricting, so searching by those terms also would generate a large number of unresponsive hits. And Judge Gergel already has made clear that there is no obligation to search for county names for the same reason.

Nonetheless, we are looking into the effect of your proposed terms on the size of our review universe. We will be prepared to discuss that further on the meet-and-confer.

We also are formulating a proposal on a timeline and approach to the document production, privilege log, and personal email issues. We will be prepared to discuss that further on the meet-and-confer.

Finally, you asked that attorney-client "communications and documents relating to the redistricting process" be logged if they are "dated on or before the passage of the congressional map." You appear to believe that there is an exception to attorney-client privilege for such documents and communications, even when they were made in anticipation of litigation. **Prior to our meet-and-confer, please provide any cases that recognize this exception to the attorney-client privilege so we can assess them with our client.**

Text Messages: Your email states that counsel has "collected text messages between custodians that relate to redistricting." That is not accurate. Counsel has collected text messages between custodians that may relate to redistricting and the issues in this case.

Other Senators/Miscellaneous: Your email states that we said we "would not accept service of subpoenas" for other members of the Redistricting Subcommittee. That is not accurate. We instead said that we are not authorized to accept service of subpoenas on their behalf.

Moreover, your discovery requests are limited in scope to the Senate Defendants and their staff. They are not broad enough to encompass other members of the Senate or the Redistricting Subcommittee.

Interrogatories: As your email indicates, we already have identified in writing individuals who were involved in the redistricting process. Therefore, we will not be amending our interrogatory responses.

Depositions: For two main reasons, the week of June 6 does not work for depositions of Mr. Fiffick, Mr. Roberts, and Ms. Benson. First, counsel and witnesses are unavailable. Second, fact depositions should not proceed until the anticipated document productions are complete.

Your proposed solution of producing only documents for each deponent is unfortunately unworkable. As your email notes, we are currently reviewing a large collection universe to identify responsive documents. Moreover, documents may be relevant to more than one custodian or witness, which we can only ascertain through a thorough review.

We are committed to continuing to move the case forward. We are open to discussing a schedule for fact depositions as part of the timeline for producing documents and a privilege log (see above). We also believe that, as we explained both in our letter and on the call, the most efficient way forward is to hold expert depositions first because those depositions do not turn on the forthcoming document productions.

We are available to take depositions of Plaintiffs' experts on the following dates. Please let us know your side's availability:

- Imai, Duchin, Liu: June 13, 14, 16, 23, 24, or 27 or July 11-15
- Ragusa: June 15, 16, 28, 29, 30, or July 1.
- Bagley: June 27, 28, 29, and 30 or July 5, 6, 11, and 12

Thanks,
John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001

Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Tuesday, May 24, 2022 10:18 AM
To: Gore, John M. <jmgore@jonesday.com>; cnygord@robinsongray.com; rtyson@robinsongray.com; Kenny, Stephen J. <skenny@jonesday.com>; sleyton@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com
Cc: sosaki@aclu.org; Leah Aden <laden@naacpldf.org>; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

** External mail **

Mr. Gore:

Thank you for participating in yesterday's productive meet and confer. This email serves to memorialize our discussion and summarize the status of certain discovery issues. If you believe that any of the points below are incorrect or inaccurate, please let us know immediately.

Document Production

Counsel for the Senate Defendants confirmed that they would be producing 2,500 documents initially. We have received those documents and are in the process of uploading them. We will let counsel know if we have any questions. In addition, counsel stated that they were in the process of reviewing approximately 50,000 additional documents and plan on making additional productions, although they could not predict the number of productions or provide any sort of schedule for those productions. Plaintiffs noted that counsel's letter did not include search terms they would like applied. To balance Plaintiffs' need for evidence reflecting Senate Defendants' intent when they drafted the map in S. 865 and counsel's desire to not have to review a significant amount of irrelevant documents, Plaintiffs ask that counsel for Senate Defendants apply the below search terms in addition to the terms contained in your May 20 letter:

- Population and (congress! or CD)
- Census /3 map
- Deviation and (congress! or CD)
- Reapportion! and (congress! or CD)
- Split! and (congress! or DC)
- "black voters"
- NAACP
- LWV or LWVSC or "the League" or "League of Women Voters" or "League of Women Voters of SC"
- ACLU
- LDF or "Legal Defense Fund"
- (Charleston or Beaufort or Richland or Florence or Orangeburg or Sumter or Columbia or "North Charleston" or "West Ashley" or Dorchester or Berkeley) /50 (vot! or line or district! or precinct!)
- Dakota /3 foster
- Muscatel

- Heather /3 Harrison
- Sukovich
- Kincaid
- "Fair Lines America" or FLA
- "Magellan Strategies" or Magellan
- Section 2

Please let us know by close of business tomorrow if counsel agrees to applying the above search terms or if counsel proposes alternative configurations.

Counsel also stated that they have not searched the official email accounts of non-named members of the Senate Redistricting Subcommittee (with the exception of Sen. Peeler) and have not asked, and do not intend to ask, for their consent to search their official email accounts.

Counsel also explained that "official text messages" are those that relate to official business/duties and not related to personal affairs. Counsel for Senate Defendants are not searching text messages between custodians or their family/spouses. Counsel has collected text messages exchanged between custodians that relate to redistricting. Counsel confirmed that "official text messages" include messages sent on personal phones and do not necessarily refer only to text messages sent on a phone provided by the Senate to its members/staff.

As to personal emails, counsel stated that they have only collected materials from official email accounts. It is Senate Defendants' position that, according to the Court's April 13 Order (ECF 221), they only have to search personal emails upon knowledge of evidence that those email accounts were used to send or receive official correspondence and counsel for Senate Defendants have not seen any such evidence. Counsel stated that they have asked Senate Defendants if they used personal emails to conduct redistricting-related work and they said that they do not recall. Plaintiffs disagree with counsel's position that counsel only has an obligation to search personal emails if defense counsel is aware of evidence that personal emails were used. As discussed during today's call, Plaintiffs asked whether counsel would be amenable to having Senate Defendants and Mr. Peeler sign a certification that they did not conduct redistricting-related business over personal email. Counsel stated that they would take it under advisement but reiterated their position that counsel does not have an obligation to search personal emails because counsel has not uncovered evidence that personal emails were used. Please let us know by close of business tomorrow if counsel will have Senate Defendants and Sen. Peeler sign a certification that they did not use personal emails to conduct redistricting-related business.

Interrogatories 1-3, 13

Counsel confirmed that the individuals identified as custodians (Maura Baker, Paula Benson, Madison Faulk, Breedon John, and Grayson Morgan) were involved in the redistricting process. Counsel also stated that Ms. Baker and Ms. Faulk are staff attorneys. Ms. Baker had access to redistricting email account and Ms. Faulk oversaw legal interns. Ms. Benson is also a staff attorney. Mr. John and Mr. Morgan worked under Mr. Roberts and served as GIS map-drawing professionals. Counsel for Senate Defendants also confirmed that Ms. Baker, Ms. Benson, and Ms. Faulk were involved in drafting Senate Defendants' interrogatory responses.

Counsel did not commit to amending their interrogatory responses to include the above names but that they would take it under advisement. Please let us know by close of business tomorrow if you plan on amending Senate Defendants' responses to Interrogatories 1-3 and 13 reflecting the information that was discussed at yesterday's meet and confer.

Interrogatories 4-8, 14-15

Counsel stated that they do not plan on amending their responses to Interrogatories 4-8 and 14-15 in light of Plaintiffs' objections in their May 19 letter.

Senate Defendants' response to Interrogatory 14 asserted that Plaintiffs sought information that was protected by the attorney-client privilege. Plaintiffs asked counsel to explain this purported attorney-client relationship. Counsel stated that an attorney-client relationship existed between the client and in-house and outside counsel. Counsel advised that litigation counsel was involved in answering legal questions concerning redistricting during the redistricting process but that they were not involved in drawing or advising on maps.

Privilege Log

Counsel reiterated their position that they would produce a privilege log at the end of document production and that they would not agree to producing privilege logs on a rolling basis. Counsel further stated that they would not be open to producing a rolling privilege log despite House Defendants producing a rolling privilege log throughout the discovery process in Plaintiffs' challenge of the state house maps. Plaintiffs ask that counsel reconsider their position or else they will have to seek relief from the Court to compel the production of a rolling privilege log.

As to whether Senate Defendants will assert legislative privilege over certain documents, counsel did not rule that out. Senate Defendants are reserving the right to assert the legislative privilege in order to preserve their objection. Plaintiffs believe that the Court's February 10 order rejecting House Defendants' legislative privilege claims equally applies to the Senate Defendants and, therefore, are not entitled to the legislative privilege.

The Parties also discussed coming to an arrangement regarding the Parties' obligations to log certain attorney-client communications and documents. The Parties agreed to go back and come up with a workable arrangement that meets the needs of both sides. Plaintiffs recognize the burden of logging all litigation-related communications but also recognize that communications and documents related to the redistricting process, even if involving current counsel, should be logged or produced. Therefore, Plaintiffs propose that the Parties log or produce attorney-client documents dated on or before the passage of the congressional map (January 21, 2022) that also hit on the search terms to which the parties agree. Please let us know if Senate Defendants agree to this arrangement or would like an additional meet and confer on this issue.

Depositions

Counsel for Senate Defendants were also not amenable to holding depositions of fact witnesses until the completion of document production. Plaintiffs explained that, consistent with the Court's instructions and local practice, depositions of at least some fact witnesses need to take place to ensure Plaintiffs can identify potential additional witnesses and areas where documents need to be collected and produced. For example, depositions will afford Plaintiffs the opportunity to determine if witnesses used personal emails and cells numbers during the redistricting process which necessitate their search and collection.

The parties appear to have reached an impasse on scheduling depositions. Nevertheless, Plaintiffs remain open to scheduling depositions for Mr. Fiffick, Mr. Roberts, and Ms. Benson the week of June 6. As Plaintiffs already shared on Friday, Plaintiffs are available for a deposition of Mr. Fiffick any day the week of June 6, as well as June 6, 7, 8, or 9 for one of Mr. Roberts. And Plaintiffs reiterate their request to schedule Ms. Benson's for a day after Mr. Fiffick's. Please let Plaintiffs know of their availability for the week of June 6. In addition, Plaintiffs propose that, to lessen the likelihood that a

deposition would have to re-open, Senate Defendants produce all relevant, non-privileged information for that particular custodian prior to the scheduled deposition, as was done in the state house case. Please let us know if counsel would be amendable to such an arrangement by the end of the week.

Miscellaneous

Counsel for Senate Defendants stated that they represent the SC Senate Judiciary and Redistricting Subcommittee staff (including Mr. Fiffick, Mr. Roberts, Ms. Baker, Ms. Benson, Ms. Faulk, Mr. John, and Mr. Morgan) because Sen. Rankin is a named defendant, but that they do not represent the non-named members of the Redistricting Subcommittee (Sens. Campsen, Young, Sabb, Matthews, Talley, and Harpootlian) and would not accept service of subpoenas for those individuals.

Please let us know if you have any questions or recollections inconsistent with the above.

Regards,
John Hindley

From: Gore, John M. <jmgore@jonesday.com>
Sent: Friday, May 20, 2022 6:26 PM
To: Hindley, John <John.Hindley@arnoldporter.com>; cnygord@robinsongray.com; rtyson@robinsongray.com; Kenny, Stephen J. <skenny@jonesday.com>; sleyton@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com
Cc: zzz.External.sosaki@aclu.org <sosaki@aclu.org>; Leah Aden <laden@naacpldf.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Crosland, Stewart <scrosland@jonesday.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

External E-mail

Mr. Hindley:

You sent your letter at 4:45 pm yesterday and only after we requested that you outline your concerns in writing. Your letter requested a response before Monday's meet-and-confer. Your email below now demands a response today.

We trust that the tone of Monday's call will be more productive.

John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001

Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Friday, May 20, 2022 2:52 PM
To: Gore, John M. <jmgore@jonesday.com>; cnygord@robinsongray.com; rtyson@robinsongray.com; Kenny, Stephen J. <skenny@jonesday.com>; sleyton@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com
Cc: sosaki@aclu.org; Leah Aden <laden@naacpldf.org>; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

** External mail **

Mr. Gore:

Since Plaintiffs sent their May 19 letter regarding Senate Defendants' discovery deficiencies, we have not received word as to whether Senate Defendants plan on responding to that letter. To ensure that the Parties have a productive meet and confer and enough time to understand their respective positions, Plaintiffs expect a response in writing by the close of business today.

Additionally, Plaintiffs would like to offer some dates for the depositions of Mr. Fiffick, Mr. Roberts, and Ms. Benson. My colleague, Leah Aden, is available June 1, 2, 3, 6, 7, 8, 9, or 10 for the deposition of Mr. Fiffick. My other colleague, John Cusick, is available June 1, 2, 3, 6, 7, 8, or 9 for the deposition of Mr. Roberts. Plaintiffs would like to schedule the deposition of Ms. Benson soon after Mr. Fiffick's deposition.

Plaintiffs look forward to your response.

Regards,
John Hindley

From: Hindley, John
Sent: Thursday, May 19, 2022 4:43 PM
To: 'Gore, John M.' <jmgore@jonesday.com>; cnygord@robinsongray.com; rtyson@robinsongray.com; Kenny, Stephen J. <skenny@jonesday.com>; sleyton@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com
Cc: zzz.External.sosaki@aclu.org <sosaki@aclu.org>; Leah Aden <laden@naacpldf.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

Mr. Gore:

Please see the attached letter regarding Senate Defendants' deficient discovery.

Regards,
John Hindley

From: Gore, John M. <jmgore@jonesday.com>
Sent: Wednesday, May 18, 2022 6:20 PM
To: Hindley, John <John.Hindley@arnoldporter.com>; cnygord@robinsongray.com; rtyson@robinsongray.com; Kenny, Stephen J. <skenny@jonesday.com>; sleyton@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com
Cc: zzz.External.sosaki@aclu.org <sosaki@aclu.org>; Leah Aden <laden@naacpldf.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A. <John.Freedman@arnoldporter.com>
Subject: RE: SC NAACP v. Alexander - Scheduling Meet and Confer

External E-mail

Mr. Hindley:

Thanks for reaching out.

Counsel for the Senate Defendants are available between 10 am and noon on Monday, May 23.

We request that, in advance of the meet-and-confer, you describe in writing any concerns regarding any alleged deficiencies in the Senate Defendants' discovery responses to date. Providing this information in writing in advance both comports with local practice and will facilitate a more productive meet-and-confer discussion.

Thanks,
John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Wednesday, May 18, 2022 3:09 PM
To: cnygord@robinsongray.com; rtyson@robinsongray.com; Kenny, Stephen J. <skenny@jonesday.com>; sleyton@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com; Gore, John M. <jmgore@jonesday.com>
Cc: sosaki@aclu.org; Leah Aden <laden@naacpldf.org>; strivedi@aclu.org; aingram@naacpldf.org; jcusick@naacpldf.org; chris@boroughsbryant.com; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; acepedaderieux@aclu.org; achaney@aclusc.org; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Freedman, John A.

<John.Freedman@arnoldporter.com>
Subject: SC NAACP v. Alexander - Scheduling Meet and Confer

** External mail **

Counsel:

Plaintiffs would like to schedule a meet and confer to discuss Senate Defendants' discovery thus far in this case. In particular, Plaintiffs would like to discuss Senate Defendants' future document production, responses and objections to Plaintiffs' written discovery, privilege logs, and potential depositions.

Please let us know what times you are available on Friday (5/20) or Monday (5/23) for the meet and confer. Plaintiffs will provide the dial-in information.

Regards,

John Hindley
Associate | Bio

Arnold&Porter
601 Massachusetts Ave., NW
Washington, DC 20001-3743
T: +1 202.942.5796
John.Hindley@arnoldporter.com
www.arnoldporter.com | LinkedIn | Twitter

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com
This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com
This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com
***This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from

your system without copying it and notify sender by reply e-mail, so that our records can be corrected.***

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com

*** FIRM CONFIDENTIAL COMMUNICATION *** This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete

the message and any attachments. If you reply to this message, Nexsen Pruet, LLC may collect personal information including your name, business name and other contact details, and IP address. If you have any questions, please contact Privacy@nexsenpruet.com.
This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her computer.

For more information about Arnold & Porter, click here:
http://www.arnoldporter.com

Exhibit K

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of South Carolina

S.C. State Conference of the NAACP, et. al,
Plaintiff
v.
Thomas C. Alexander, in his official cpacity as President of the Senate, et. al,
Defendant

Civil Action No. 3:21-cv-03302--MBS-TJH-RMG

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: George Campsen, State Senator of South Carolina

(Name of person to whom this subpoena is directed)

☑ *Production:* **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Place:	Date and Time:
Mr. Allen Chaney, ACLU of South Carolina P.O. Box 1668 Columbia, South Carolina 29202	06/23/2022 12:00 pm

❒ *Inspection of Premises:* **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 06/08/2022

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk *Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* South Carolina State Conference of the NAACP, Taiwan Scott, who issues or requests this subpoena, are:

Allen Chaney, tel: (843) 282-7953, achaney@aclusc.org

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:21-cv-03302--MBS-TJH-RMG

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____

on *(date)* _____ .

❒ I served the subpoena by delivering a copy to the named person as follows: _____

_____

_____ on *(date)* _____ ; or

❒ I returned the subpoena unexecuted because: _____

_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of $ _____ .

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) ***For a Trial, Hearing, or Deposition.*** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) ***For Other Discovery.*** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) ***Avoiding Undue Burden or Expense; Sanctions.*** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) ***Command to Produce Materials or Permit Inspection.***

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) ***Quashing or Modifying a Subpoena.***

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) ***Producing Documents or Electronically Stored Information.*** These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) ***Claiming Privilege or Protection.***

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

ATTACHMENT

SUBPOENA FOR PRODUCTION OF DOCUMENTS DIRECTED TO GEORGE CAMPSEN, SOUTH CAROLINA STATE SENATOR

For a statement of your obligation in producing documents under this subpoena see Rule 45(e), and (g) of the Federal Rules of Civil Procedure ("Rule"), which appear on the final page of the subpoena. Documents should be produced on or before June 23, 2022. To make arrangements for electronic production, contact Allen Chaney, ACLU of South Carolina, P.O. Box 1668, Columbia, South Carolina 29202, tel: 843-282-7953, achaney@aclusc.org. The production should be made pursuant to the Definitions and Instructions below.

DEFINITIONS

As used herein, the following terms have the following meanings:

1. "ALL," "ANY," and "EACH" shall each be construed as encompassing any and all.
2. "AND" and "OR" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of the Request all responses that might otherwise be construed to be outside of its scope.
3. "CHALLENGED DISTRICTS" means South Carolina Congressional Districts 1, 2, and 5.
4. "COMMITTEES" refers to the 24-member South Carolina House of Representatives Judiciary Committee chaired by Representative Christopher J. Murphy; the 7-member South Carolina House of Representatives Judiciary Redistricting Ad Hoc Committee chaired by Rep. Wallace H. Jordan, Jr.; the 22-member South Carolina Senate Judiciary Committee chaired by Senator Luke A. Rankin; and the 7-member South Carolina Senate Judiciary Redistricting Subcommittee also chaired by Senator Rankin.
5. "COMMITTEE MEMBERS" refers to any person involved in the duties of the committees, purports to act on the Committees' behalf or any person or entity acting or

purporting to act on the Committees' behalf or subject to the Committees' control or is involved in the redistricting work of the Committees related to S. 865. The members of the South Carolina House of Representatives Judiciary Committee are Representatives Christopher J. Murphy, John Richard C. King, Neal A. Collins, William H. Bailey, Justin T. Bamberg, Beth E. Bernstein, Bruce M. Bryant, Micajah P. Caskey, IV, Westley P. Cox, Sylleste H. Davis, Jason Elliott, Russell W. Fry, Patricia Moore Henegan, Max T. Hyde, Jr., Jeffrey E. Johnson, Wallace H. Jordan, Jr., John R. McCravy, III, Cezar E. McKnight, Brandon Newton, Wm. Weston J. Newton, Seth Rose, Ivory Torrey Thigpen, Elizabeth Wetmore, and William W. Wheeler, III. Representatives Jordan, Bamberg, Bernstein, Collins, Elliot, Henegan, and Newton are members of the South Carolina House of Representatives Judiciary Redistricting Ad Hoc Committee. The members of the Senate Judiciary Committee are Senators Luke A. Rankin, Brad Hutto, Gerald Malloy, George E. Campsen, III, A. Shane Massey, Marlon E. Kimpson, Ronnie A. Sabb, Margie Bright Matthews, Wes Climer, Mia S. McLeod, Rex F. Rice, Sandy Senn, Scott Talley, Richard J. Cash, Richard A. Harpootlian, Dwight A. Loftis, Brian Adams, Billy Garrett, Penry Gustafson, Michael Johnson, Josh Kimbrell, Vernon Stephens, and Mike Reichenbach. Senators Rankin, Campsen, Young, Sabb, Matthews, Talley, and Harpootlian are members of the South Carolina Senate Judiciary Redistricting Subcommittee.

6. "COMMUNICATIONS" means the transmittal of information of any kind, written or oral, by and/or through any means, including, but not limited to, emails, email attachments, calendar invitations, PowerPoint presentations, PDFs, written reports, letters, and the like. It includes communications from the National Republican Redistricting Trust that include or are with outside entities and individuals.

7. "DEFENDANTS" means all of the Defendants in the case caption: Thomas C. Alexander, James H. Lucas, Chris Murphy, Wallace H. Jordan, Howard Knabb, John Wells, Joanne Day, Clifford J. Elder, Linda McCall, and Scott Moseley. "DEFENDANTS" includes any of Defendants' current or former agents, advisors, employees, representatives, officers, consultants, contractors, or any person or entity acting or purporting to act on Defendants' behalf or subject to Defendants' control.
8. "DISTRICTS BORDERING THE CHALLENGED DISTRICTS" mean South Carolina congressional districts that border in whole or in part the Challenged Districts.
9. "DOCUMENT" or "DOCUMENTS" is defined to be synonymous in meaning and the same in scope as the term "document" as used in Rule 34 and the phrase "writings and recordings" as defined by Rule 1001 of the Federal Rules of Evidence, and includes without limitation any kind of written, typewritten, printed, graphic, or recorded material whatsoever, including without limitation notes, text messages, emails, electronic mail, public or private posts on Facebook, Instagram, or other social media platforms, public or private electronic messages sent via messaging applications or platforms including but not limited to Facebook Messenger, Teams, Signal, Slack, Parler or other such platforms, memoranda, letters, reports, studies, electronic mail messages, telegrams, publications, contracts, manuals, business plans, proposals, licenses, drawings, designs, data sheets, diaries, logs, specifications, brochures, product or service descriptions, periodicals, schematics, blueprints, recordings, summaries, pamphlets, books, prospectuses, interoffice and intra office communications, offers, notations of any sort of conversations, working papers, applications, permits, surveys, indices, telephone calls, meeting minutes, databases, electronic files, software, transcriptions of recordings, computer tapes, diskettes, or other magnetic media, bank checks, vouchers,

charge slips, invoices, expense account reports, hotel charges, receipts, freight bills, agreements, corporate resolutions, minutes, books, binders, accounts, photographs, and business records. This shall include all non-identical copies, no matter how prepared; all drafts prepared in connection with such documents, whether used or not; and any deleted or erased documents that may be retrieved from hard drives, floppy disks, electronic back-up files, or any other back-up systems, regardless of location, together with all attachments thereto or enclosures therewith, in your possession, custody or control or any of your attorneys, employees, agents, or representatives.

a. "DOCUMENT" or "DOCUMENTS" shall include Electronically Stored Information. "ELECTRONICALLY STORED INFORMATION" means electronically stored data on magnetic or optical storage media (including but not limited to hard drives, backup tapes, Jaz and zip drives, floppy disks, CD-ROMs and DVD-ROMs) as an "active" file or files (readily readable by one or more computer applications or forensics software), any electronic files saved as a backup, any "deleted" but recoverable electronic files on said media; any electronic file fragments (files that have been deleted and partially overwritten with new data), and slack (data fragments stored randomly from random access memory [RAM] on a hard drive during the normal operation of a computer [file slack and/or RAM slack] or residual data left on the hard drive after new data has overwritten some but not all of previously stored data), text messages and emails located on any mainframe, server, desktop, or portable device, including cell phones.

10. "MAP ROOM" refers to any part of the process for the development, design, and and/or revisions of proposed and draft congressional legislative redistricting maps, S. 865 (as

defined below), and predecessor maps (as defined below) by the South Carolina General Assembly, including, but not limited to the virtual and physical room the Assembly established to develop congressional maps.

11. "PERSON" means any natural person or any legal entity, including, but not limited to, any business or governmental entity or association.

12. "PREDECESSOR MAPS" means any previous South Carolina congressional redistricting map in whole or in part that were considered, created, developed, and/or proposed by the South Carolina General Assembly.

13. "RACIALLY POLARIZED" means that there is a consistent relationship between the race of the voter and the way in which the voter votes. It means that "black voters and white voters vote differently." *Thornburg v. Gingles*, 478 U.S. 30, 53 n.21 (1986).

14. "RELATED TO," "CONCERNING," or "INCLUDING" shall be construed in the broadest sense to mean referring to, describing, reflecting, alluding to, responding to, connected with, commenting on, in respect of, about, regarding, discussing, showing, analyzing, constituting, and/or evidencing, in any manner, whether directly or indirectly, the subject matter of the Request.

15. "S. 865" refers to Senate Bill 865 as ratified by the South Carolina General Assembly on January 26, 2022 and signed by the Governor of South Carolina on the same day as Act 118, and refers to the bill as a whole and/or to any provision thereof, as well as prior versions thereof, substitute bills, and/or amendments related to the bill. S. 865 is the legislation passed by the South Carolina General Assembly that implemented South Carolina's seven congressional districts.

16. "SOUTH CAROLINA GENERAL ASSEMBLY" means all one hundred twenty-four (124) members of the South Carolina House of Representatives and all forty-six (46) members of the South Carolina Senate. "SOUTH CAROLINA GENERAL ASSEMBLY" includes committees, committee chairs, staff, advisors, employees, representatives, officers, consultants, contractors, or any person or entity acting or purporting to act on the South Carolina General Assembly's behalf or subject to the South Carolina General Assembly's control.
17. "VOTERS OF COLOR" means anyone who is Black, Hispanic/Latinx, Asian American and Pacific Islander, or is a member of any other racial minority group, who is eligible or could be eligible to vote.
18. "YOU" or "YOUR" means George Campsen and any person or entity acting or purporting to act on Your behalf or subject to Your control.

INSTRUCTIONS

1. The responsive documents should be produced in the manner prescribed by the Rules and any applicable laws or rules.
2. Under Rule 34(b)(2)(B) & (C), if any part of the Request is objected to, the reason for the objection should be stated with particularity. If an objection is made to part of any item or category set forth in a request, that part should be specified. Any ground not stated will be waived.
3. If, in responding to this request, You encounter any ambiguities when construing a request or definition, set forth in Your response what you find ambiguous and the construction You used in responding.

4. Each request for production and subparagraphs or subdivisions thereof shall be construed independently, and no request shall be construed as creating a limitation upon any other request.
5. The documents produced in response to these requests are all responsive documents in your possession, custody, or control, or known to be available to you, regardless of whether such documents are possessed directly by you or your agents, advisors, employees, representatives, attorneys, consultants, successors-in-interest, or other persons or entities acting on your behalf or subject to your control, and whether they are maintained at any of your locations, offices, archives, or in any other location (including back-up tapes or electronic mail) or with any persons related in any way to you.
6. Any reference in these document requests to an individual includes any and all agents, advisors, employees, representatives, attorneys, successors-in-interest, and all other persons or entities acting on his, her, or its behalf or under his, her, or its control.
7. Any reference in these document requests to any corporation, partnership, association, governmental entity or agency, or other entity includes the present and former officers, executives, partners, directors, trustees, employees, agents, representatives, attorneys, accountants and all other persons acting or purporting to act on behalf of such corporation, partnership, association, agency, or entity and any of their parent corporations, holding companies, subsidiaries, affiliates, divisions, departments, predecessors, and/or successors-in-interest.
8. Where a request calls for information that is not available to you in the form requested, but is available in another form or can be obtained, in whole or in part, from other data in your possession or control, you must so state and either supply the information requested in the

form in which it is available, or supply the data from which the information requested can be obtained.

9. In addition to the responsive document, you shall produce all non-identical copies, including all drafts, of each responsive document.
10. If any requested document is not or cannot be produced in full, you shall produce it to extent possible, indicating what document or portion of such document is not or cannot be produced and the reason why it is not or cannot be produced.
11. Each document produced must include all attachments and enclosures.
12. Documents attached to each other shall not be separated.
13. Documents not otherwise responsive to a request for production shall be produced if such documents refer to, concern, or explain the documents called for by any request for production and constitute routing slips, transmittal memoranda or letters, comments, valuations, or similar documents.
14. In accordance with Rule 34(b), all documents shall be produced as they are kept in the usual course of business or shall be organized and labeled to correspond with the categories in the requests and identify the name of the person from whose files the documents were produced.
15. Each request shall be responded to separately. Nevertheless, a document that is responsive to more than one request may be produced for one request and incorporated by reference in another response, provided that the relevant, corresponding portion is so labeled or marked.
16. If any requested document or other document potentially relevant to this action is subject to destruction under any document retention or destruction program, the document(s) should be exempted from any scheduled destruction and should not be destroyed until the conclusion of this lawsuit or unless otherwise permitted by the Court. Any reference in these document

requests to an individual includes any and all agents, advisors, employees, representatives, attorneys, successors-in-interest, and all other persons or entities acting on his, her, or its behalf or under his, her, or its control.

17. No part of a document request shall be left unanswered because an objection is interposed to another part of the document request. If you object to any document request or sub-part thereof, state with specificity your objection and all grounds therefore. Any ground not stated will be waived.

18. All documents are to be produced in electronic form. Documents produced electronically should be produced in native format with all metadata intact. To the extent documents can be accurately represented in black and white, they should be produced in single-page Tagged Image File Format ("TIFF"), together with any related field-delimited load files (e.g., Concordance DAT, CSV, OPT, LOG). Each TIFF document shall be produced with an image load file in standard Opticon (*.log) format that reflects the parent / child relationship and also includes the beginning Bates number; ending Bates number; beginning Attachment Bates number; ending Attaching Bates number; custodian; date sent (for email messages); date modified (for email and non-email messages) where information is available; author (for email and non-email messages); and subject (for email messages). The TIFF images shall also be accompanied by extracted text or, for those files that do not have extracted text upon being processed (such as hard copy documents), optical character recognition ("OCR") text data; such extracted text or OCR text data shall be provided in document level form and named after the TIFF image. Documents that contain redactions shall be OCR'd after the redaction is applied to the image, and the OCR will be produced in place of extracted text at the document level.

19. If you contend that it would be unduly burdensome to obtain and provide all of the documents called for in response to any request, then in response to each such request you shall:

    a. produce all documents and information available to you without undertaking what you contend to be an unreasonable burden; and

    b. set forth the particular grounds on which you contend that additional efforts to obtain such documents and information would be unduly burdensome.

20. If any document is withheld, in whole or in part, under any claim of privilege, including without limitation, the work-product doctrine, attorney-client privilege, deliberative process privilege, or investigative or law enforcement privilege, your answer should provide the following information in a single log:

    a. the type of document;

    b. the date of the document;

    c. the names of its author(s) or preparer(s) and an identification by employment and title of each such person;

    d. the name of each person who was sent or furnished with, received, viewed, or has had custody of the document or a copy thereof together with an identification of each such person;

    e. its title and reference, if any;

    f. a description of the document sufficient to identify it without revealing the information for which privilege is claimed;

    g. the type of privilege asserted;

h. a description of the subject matter of the document in sufficient detail to allow the Court to adjudicate the validity of the claim for privilege; and

i. the paragraph of this request to which the document relates.

21. Any requests propounded in the disjunctive shall be read as if propounded in the conjunctive and vice versa. Any request propounded in the singular shall be read as if propounded in the plural and vice versa. Any request propounded in the present tense shall also be read as if propounded in the past tense and vice versa.

22. These document requests cover the period from January 1, 2021 to the present, unless otherwise indicated in the request itself. The document requests set forth below encompass all documents and information concerning this period, even though dated, prepared, generated, or received prior to this period.

23. These document requests are continuing in nature and require further and supplemental production if additional documents are acquired and located following the time of the initial production, to the fullest extent under the Rules and any applicable laws or rules.

DOCUMENTS REQUESTED

REQUEST FOR PRODUCTION NO. 1

All documents You provided to Defendants, Committee Members, or the South Carolina General Assembly, or communications between You and Defendants, Committee Members, or the South Carolina General Assembly, from January 1, 2021 through the present that reflect or discuss the rationale(s), purpose(s), interpretation(s), or analysis of S. 865 and/or Predecessor Maps.

REQUEST FOR PRODUCTION NO. 2

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly concerning the congressional districts adopted in S. 865

and Predecessor Maps, including but not limited to all documents or data provided to, considered by, or relied upon by persons who drew, reviewed, approved, or adopted the districts as reflected in S. 865 and Predecessor Maps.

REQUEST FOR PRODUCTION NO. 3

All maps, draft maps, memoranda, reports, analyses, correspondence, or other documents You provided to Defendants, Committee Members, or the South Carolina General Assembly concerning the drawing of the districts adopted in S. 865 and Predecessor Maps. This request includes, but is not limited to, documents concerning the Racially Polarized voting in the South Carolina electorate, congressional districts, and the role of race in drawing districts.

REQUEST FOR PRODUCTION NO. 4

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly sufficient to show any and all criteria used in drawing and approving the district lines, contours, limits, or boundaries included in the districts adopted in S. 865 or the Predecessor Maps.

REQUEST FOR PRODUCTION NO. 5

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly, from January 1, 2021 through the present concerning the impact of potential impact of S. 865 and any Predecessor Maps on Voters of Color.

REQUEST FOR PRODUCTION NO. 6

All documents and communications between You and third parties concerning the Map Room regarding S. 865 and all Predecessor Maps.

REQUEST FOR PRODUCTION NO. 7

All documents and communications concerning the Map Room concerning S. 865 and Predecessor Maps.

REQUEST FOR PRODUCTION NO. 8

All documents and communications concerning the impact or potential impact of S. 865 and any Predecessor Maps on Voters of Color.

REQUEST FOR PRODUCTION NO. 9

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly concerning any survey results, databases, estimates, or statistics regarding racial or ethnic group affiliation or identification among South Carolina voters in the Challenged Districts and Districts Bordering the Challenged Districts or regarding partisan or political affiliation among South Carolina voters in the Challenged Districts and Districts Bordering the Challenged Districts.

REQUEST FOR PRODUCTION NO. 10

All correspondence and documents You received from Mr. Adam Kincaid, the National Republican Redistricting Trust, Fair Lines America, Magellan Consulting, or anyone else from January 1, 2021 to the present concerning S. 865 and any Predecessor Maps, the drawing of congressional districts or any congressional draft maps of the districts considered but not adopted, and congressional redistricting in South Carolina.

Dated: June 8, 2022

Respectfully submitted,

/s/ Allen Chaney
Allen Chaney, Fed. ID 13181
AMERICAN CIVIL LIBERTIES UNION
OF SOUTH CAROLINA
Charleston, SC 29413-0998
Tel.: (843) 282-7953
Fax: (843) 720-1428
achaney@aclusc.org

Christopher J. Bryant, Fed. ID 12538
BOROUGHS BRYANT, LLC
1122 Lady St., Ste. 208
Columbia, SC 29201
Tel.: (843) 779-5444
chris@boroughsbryant.com

Somil B. Trivedi**
Patricia Yan**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
915 15th St., NW
Washington, DC 20005
Tel.: (202) 457-0800
strivedi@aclu.org

Jeffrey A. Fuisz**
Paula Ramer**
Andrew Hirschel*
ARNOLD & PORTER KAYE SCHOLER LLP
250 West 55th Street
New York, NY 10019
Tel: (212) 836-8000
jeffrey.fuisz@arnoldporter.com

Sarah Gryll**
ARNOLD & PORTER KAYE SCHOLER LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
sarah.gryll@arnoldporter.com

Leah C. Aden**
Stuart Naifeh**
Raymond Audain**
John S. Cusick**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector St, 5th Fl.
NY, NY 10006
Tel.: (212) 965-7715
laden@naacpldf.org

Santino Coleman, Fed. ID. 11914
Antonio L. Ingram II**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
700 14th St, Ste. 600
Washington, D.C. 20005
Tel.: (202) 682-1300
aingram@naacpldf.org

Adriel I. Cepeda Derieux**
Samantha Osaki**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Tel.: (212) 549-2500
acepedaderieux@aclu.org

John A. Freedman**
Elisabeth S. Theodore*
Gina M. Colarusso**
John M. Hindley**
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Ave., N.W.
Washington, D.C. 20001
Tel: (202) 942-5000
john.freedman@arnoldporter.com

** Motion for admission Pro Hac Vice forthcoming*
*** Admitted Pro Hac Vice*

Janette M. Louard*
Anthony P. Ashton*
Anna Kathryn Barnes**
NAACP OFFICE OF THE GENERAL COUNSEL
4805 Mount Hope Drive
Baltimore, MD 21215
Tel: (410) 580-5777
jlouard@naacpnet.org

* Motion for admission *Pro Hac Vice* forthcoming or pending
** Admitted *Pro Hac Vice*

Counsel for Plaintiff the South Carolina Conference of the NAACP

Counsel for Plaintiffs the South Carolina Conference of the NAACP and Taiwan Scott

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2022, a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ Allen Chaney
Allen Chaney

Exhibit L

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of South Carolina

S.C. State Conference of the NAACP, et. al,
Plaintiff
v.
Thomas C. Alexander, in his official cpacity as President of the Senate, et. al,
Defendant

Civil Action No. 3:21-cv-03302-MBS-TJH-RMG

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: A. Shane Massey, State Senator of South Carolina

(Name of person to whom this subpoena is directed)

☑ *Production:* **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Place:	Date and Time:
Mr. Allen Chaney, ACLU of South Carolina P.O. Box 1668 Columbia, South Carolina 29202	06/23/2022 12:00 pm

☐ *Inspection of Premises:* **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 06/08/2022

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk *Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* South Carolina State Conference of the NAACP, Taiwan Scott, who issues or requests this subpoena, are:

Allen Chaney, tel: (843) 282-7953, achaney@aclusc.org

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:21-cv-03302-MBS-TJH-RMG

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____

on *(date)* _____ .

❒ I served the subpoena by delivering a copy to the named person as follows: _____

_____

_____ on *(date)* _____ ; or

❒ I returned the subpoena unexecuted because: _____

_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of $ _____ .

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) ***For a Trial, Hearing, or Deposition.*** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) ***For Other Discovery.*** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) ***Avoiding Undue Burden or Expense; Sanctions.*** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) ***Command to Produce Materials or Permit Inspection.***

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) ***Quashing or Modifying a Subpoena.***

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) ***Producing Documents or Electronically Stored Information.*** These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) ***Claiming Privilege or Protection.***

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

ATTACHMENT

SUBPOENA FOR PRODUCTION OF DOCUMENTS DIRECTED TO A. SHANE MASSEY, SOUTH CAROLINA STATE SENATOR

For a statement of your obligation in producing documents under this subpoena see Rule 45(e), and (g) of the Federal Rules of Civil Procedure ("Rule"), which appear on the final page of the subpoena. Documents should be produced on or before June 23, 2022. To make arrangements for electronic production, contact Allen Chaney, ACLU of South Carolina, P.O. Box 1668, Columbia, South Carolina 29202, tel: 843-282-7953, achaney@aclusc.org. The production should be made pursuant to the Definitions and Instructions below.

DEFINITIONS

As used herein, the following terms have the following meanings:

1. "ALL," "ANY," and "EACH" shall each be construed as encompassing any and all.
2. "AND" and "OR" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of the Request all responses that might otherwise be construed to be outside of its scope.
3. "CHALLENGED DISTRICTS" means South Carolina Congressional Districts 1, 2, and 5.
4. "COMMITTEES" refers to the 24-member South Carolina House of Representatives Judiciary Committee chaired by Representative Christopher J. Murphy; the 7-member South Carolina House of Representatives Judiciary Redistricting Ad Hoc Committee chaired by Rep. Wallace H. Jordan, Jr.; the 22-member South Carolina Senate Judiciary Committee chaired by Senator Luke A. Rankin; and the 7-member South Carolina Senate Judiciary Redistricting Subcommittee also chaired by Senator Rankin.
5. "COMMITTEE MEMBERS" refers to any person involved in the duties of the committees, purports to act on the Committees' behalf or any person or entity acting or

purporting to act on the Committees' behalf or subject to the Committees' control or is involved in the redistricting work of the Committees related to S. 865. The members of the South Carolina House of Representatives Judiciary Committee are Representatives Christopher J. Murphy, John Richard C. King, Neal A. Collins, William H. Bailey, Justin T. Bamberg, Beth E. Bernstein, Bruce M. Bryant, Micajah P. Caskey, IV, Westley P. Cox, Sylleste H. Davis, Jason Elliott, Russell W. Fry, Patricia Moore Henegan, Max T. Hyde, Jr., Jeffrey E. Johnson, Wallace H. Jordan, Jr., John R. McCravy, III, Cezar E. McKnight, Brandon Newton, Wm. Weston J. Newton, Seth Rose, Ivory Torrey Thigpen, Elizabeth Wetmore, and William W. Wheeler, III. Representatives Jordan, Bamberg, Bernstein, Collins, Elliot, Henegan, and Newton are members of the South Carolina House of Representatives Judiciary Redistricting Ad Hoc Committee. The members of the Senate Judiciary Committee are Senators Luke A. Rankin, Brad Hutto, Gerald Malloy, George E. Campsen, III, A. Shane Massey, Marlon E. Kimpson, Ronnie A. Sabb, Margie Bright Matthews, Wes Climer, Mia S. McLeod, Rex F. Rice, Sandy Senn, Scott Talley, Richard J. Cash, Richard A. Harpootlian, Dwight A. Loftis, Brian Adams, Billy Garrett, Penry Gustafson, Michael Johnson, Josh Kimbrell, Vernon Stephens, and Mike Reichenbach. Senators Rankin, Campsen, Young, Sabb, Matthews, Talley, and Harpootlian are members of the South Carolina Senate Judiciary Redistricting Subcommittee.

6. "COMMUNICATIONS" means the transmittal of information of any kind, written or oral, by and/or through any means, including, but not limited to, emails, email attachments, calendar invitations, PowerPoint presentations, PDFs, written reports, letters, and the like. It includes communications from the National Republican Redistricting Trust that include or are with outside entities and individuals.

7. "DEFENDANTS" means all of the Defendants in the case caption: Thomas C. Alexander, James H. Lucas, Chris Murphy, Wallace H. Jordan, Howard Knabb, John Wells, Joanne Day, Clifford J. Elder, Linda McCall, and Scott Moseley. "DEFENDANTS" includes any of Defendants' current or former agents, advisors, employees, representatives, officers, consultants, contractors, or any person or entity acting or purporting to act on Defendants' behalf or subject to Defendants' control.
8. "DISTRICTS BORDERING THE CHALLENGED DISTRICTS" mean South Carolina congressional districts that border in whole or in part the Challenged Districts.
9. "DOCUMENT" or "DOCUMENTS" is defined to be synonymous in meaning and the same in scope as the term "document" as used in Rule 34 and the phrase "writings and recordings" as defined by Rule 1001 of the Federal Rules of Evidence, and includes without limitation any kind of written, typewritten, printed, graphic, or recorded material whatsoever, including without limitation notes, text messages, emails, electronic mail, public or private posts on Facebook, Instagram, or other social media platforms, public or private electronic messages sent via messaging applications or platforms including but not limited to Facebook Messenger, Teams, Signal, Slack, Parler or other such platforms, memoranda, letters, reports, studies, electronic mail messages, telegrams, publications, contracts, manuals, business plans, proposals, licenses, drawings, designs, data sheets, diaries, logs, specifications, brochures, product or service descriptions, periodicals, schematics, blueprints, recordings, summaries, pamphlets, books, prospectuses, interoffice and intra office communications, offers, notations of any sort of conversations, working papers, applications, permits, surveys, indices, telephone calls, meeting minutes, databases, electronic files, software, transcriptions of recordings, computer tapes, diskettes, or other magnetic media, bank checks, vouchers,

charge slips, invoices, expense account reports, hotel charges, receipts, freight bills, agreements, corporate resolutions, minutes, books, binders, accounts, photographs, and business records. This shall include all non-identical copies, no matter how prepared; all drafts prepared in connection with such documents, whether used or not; and any deleted or erased documents that may be retrieved from hard drives, floppy disks, electronic back-up files, or any other back-up systems, regardless of location, together with all attachments thereto or enclosures therewith, in your possession, custody or control or any of your attorneys, employees, agents, or representatives.

a. "DOCUMENT" or "DOCUMENTS" shall include Electronically Stored Information. "ELECTRONICALLY STORED INFORMATION" means electronically stored data on magnetic or optical storage media (including but not limited to hard drives, backup tapes, Jaz and zip drives, floppy disks, CD-ROMs and DVD-ROMs) as an "active" file or files (readily readable by one or more computer applications or forensics software), any electronic files saved as a backup, any "deleted" but recoverable electronic files on said media; any electronic file fragments (files that have been deleted and partially overwritten with new data), and slack (data fragments stored randomly from random access memory [RAM] on a hard drive during the normal operation of a computer [file slack and/or RAM slack] or residual data left on the hard drive after new data has overwritten some but not all of previously stored data), text messages and emails located on any mainframe, server, desktop, or portable device, including cell phones.

10. "MAP ROOM" refers to any part of the process for the development, design, and and/or revisions of proposed and draft congressional legislative redistricting maps, S. 865 (as

defined below), and predecessor maps (as defined below) by the South Carolina General Assembly, including, but not limited to the virtual and physical room the Assembly established to develop congressional maps.

11. "PERSON" means any natural person or any legal entity, including, but not limited to, any business or governmental entity or association.

12. "PREDECESSOR MAPS" means any previous South Carolina congressional redistricting map in whole or in part that were considered, created, developed, and/or proposed by the South Carolina General Assembly.

13. "RACIALLY POLARIZED" means that there is a consistent relationship between the race of the voter and the way in which the voter votes. It means that "black voters and white voters vote differently." *Thornburg v. Gingles*, 478 U.S. 30, 53 n.21 (1986).

14. "RELATED TO," "CONCERNING," or "INCLUDING" shall be construed in the broadest sense to mean referring to, describing, reflecting, alluding to, responding to, connected with, commenting on, in respect of, about, regarding, discussing, showing, analyzing, constituting, and/or evidencing, in any manner, whether directly or indirectly, the subject matter of the Request.

15. "S. 865" refers to Senate Bill 865 as ratified by the South Carolina General Assembly on January 26, 2022 and signed by the Governor of South Carolina on the same day as Act 118, and refers to the bill as a whole and/or to any provision thereof, as well as prior versions thereof, substitute bills, and/or amendments related to the bill. S. 865 is the legislation passed by the South Carolina General Assembly that implemented South Carolina's seven congressional districts.

16. "SOUTH CAROLINA GENERAL ASSEMBLY" means all one hundred twenty-four (124) members of the South Carolina House of Representatives and all forty-six (46) members of the South Carolina Senate. "SOUTH CAROLINA GENERAL ASSEMBLY" includes committees, committee chairs, staff, advisors, employees, representatives, officers, consultants, contractors, or any person or entity acting or purporting to act on the South Carolina General Assembly's behalf or subject to the South Carolina General Assembly's control.
17. "VOTERS OF COLOR" means anyone who is Black, Hispanic/Latinx, Asian American and Pacific Islander, or is a member of any other racial minority group, who is eligible or could be eligible to vote.
18. "YOU" or "YOUR" means A. Shane Massey and any person or entity acting or purporting to act on Your behalf or subject to Your control.

INSTRUCTIONS

1. The responsive documents should be produced in the manner prescribed by the Rules and any applicable laws or rules.
2. Under Rule 34(b)(2)(B) & (C), if any part of the Request is objected to, the reason for the objection should be stated with particularity. If an objection is made to part of any item or category set forth in a request, that part should be specified. Any ground not stated will be waived.
3. If, in responding to this request, You encounter any ambiguities when construing a request or definition, set forth in Your response what you find ambiguous and the construction You used in responding.

4. Each request for production and subparagraphs or subdivisions thereof shall be construed independently, and no request shall be construed as creating a limitation upon any other request.
5. The documents produced in response to these requests are all responsive documents in your possession, custody, or control, or known to be available to you, regardless of whether such documents are possessed directly by you or your agents, advisors, employees, representatives, attorneys, consultants, successors-in-interest, or other persons or entities acting on your behalf or subject to your control, and whether they are maintained at any of your locations, offices, archives, or in any other location (including back-up tapes or electronic mail) or with any persons related in any way to you.
6. Any reference in these document requests to an individual includes any and all agents, advisors, employees, representatives, attorneys, successors-in-interest, and all other persons or entities acting on his, her, or its behalf or under his, her, or its control.
7. Any reference in these document requests to any corporation, partnership, association, governmental entity or agency, or other entity includes the present and former officers, executives, partners, directors, trustees, employees, agents, representatives, attorneys, accountants and all other persons acting or purporting to act on behalf of such corporation, partnership, association, agency, or entity and any of their parent corporations, holding companies, subsidiaries, affiliates, divisions, departments, predecessors, and/or successors-in-interest.
8. Where a request calls for information that is not available to you in the form requested, but is available in another form or can be obtained, in whole or in part, from other data in your possession or control, you must so state and either supply the information requested in the

form in which it is available, or supply the data from which the information requested can be obtained.

9. In addition to the responsive document, you shall produce all non-identical copies, including all drafts, of each responsive document.
10. If any requested document is not or cannot be produced in full, you shall produce it to extent possible, indicating what document or portion of such document is not or cannot be produced and the reason why it is not or cannot be produced.
11. Each document produced must include all attachments and enclosures.
12. Documents attached to each other shall not be separated.
13. Documents not otherwise responsive to a request for production shall be produced if such documents refer to, concern, or explain the documents called for by any request for production and constitute routing slips, transmittal memoranda or letters, comments, valuations, or similar documents.
14. In accordance with Rule 34(b), all documents shall be produced as they are kept in the usual course of business or shall be organized and labeled to correspond with the categories in the requests and identify the name of the person from whose files the documents were produced.
15. Each request shall be responded to separately. Nevertheless, a document that is responsive to more than one request may be produced for one request and incorporated by reference in another response, provided that the relevant, corresponding portion is so labeled or marked.
16. If any requested document or other document potentially relevant to this action is subject to destruction under any document retention or destruction program, the document(s) should be exempted from any scheduled destruction and should not be destroyed until the conclusion of this lawsuit or unless otherwise permitted by the Court. Any reference in these document

requests to an individual includes any and all agents, advisors, employees, representatives, attorneys, successors-in-interest, and all other persons or entities acting on his, her, or its behalf or under his, her, or its control.

17. No part of a document request shall be left unanswered because an objection is interposed to another part of the document request. If you object to any document request or sub-part thereof, state with specificity your objection and all grounds therefore. Any ground not stated will be waived.

18. All documents are to be produced in electronic form. Documents produced electronically should be produced in native format with all metadata intact. To the extent documents can be accurately represented in black and white, they should be produced in single-page Tagged Image File Format ("TIFF"), together with any related field-delimited load files (e.g., Concordance DAT, CSV, OPT, LOG). Each TIFF document shall be produced with an image load file in standard Opticon (*.log) format that reflects the parent / child relationship and also includes the beginning Bates number; ending Bates number; beginning Attachment Bates number; ending Attaching Bates number; custodian; date sent (for email messages); date modified (for email and non-email messages) where information is available; author (for email and non-email messages); and subject (for email messages). The TIFF images shall also be accompanied by extracted text or, for those files that do not have extracted text upon being processed (such as hard copy documents), optical character recognition ("OCR") text data; such extracted text or OCR text data shall be provided in document level form and named after the TIFF image. Documents that contain redactions shall be OCR'd after the redaction is applied to the image, and the OCR will be produced in place of extracted text at the document level.

19. If you contend that it would be unduly burdensome to obtain and provide all of the documents called for in response to any request, then in response to each such request you shall:

    a. produce all documents and information available to you without undertaking what you contend to be an unreasonable burden; and

    b. set forth the particular grounds on which you contend that additional efforts to obtain such documents and information would be unduly burdensome.

20. If any document is withheld, in whole or in part, under any claim of privilege, including without limitation, the work-product doctrine, attorney-client privilege, deliberative process privilege, or investigative or law enforcement privilege, your answer should provide the following information in a single log:

    a. the type of document;

    b. the date of the document;

    c. the names of its author(s) or preparer(s) and an identification by employment and title of each such person;

    d. the name of each person who was sent or furnished with, received, viewed, or has had custody of the document or a copy thereof together with an identification of each such person;

    e. its title and reference, if any;

    f. a description of the document sufficient to identify it without revealing the information for which privilege is claimed;

    g. the type of privilege asserted;

h. a description of the subject matter of the document in sufficient detail to allow the Court to adjudicate the validity of the claim for privilege; and

i. the paragraph of this request to which the document relates.

21. Any requests propounded in the disjunctive shall be read as if propounded in the conjunctive and vice versa. Any request propounded in the singular shall be read as if propounded in the plural and vice versa. Any request propounded in the present tense shall also be read as if propounded in the past tense and vice versa.

22. These document requests cover the period from January 1, 2021 to the present, unless otherwise indicated in the request itself. The document requests set forth below encompass all documents and information concerning this period, even though dated, prepared, generated, or received prior to this period.

23. These document requests are continuing in nature and require further and supplemental production if additional documents are acquired and located following the time of the initial production, to the fullest extent under the Rules and any applicable laws or rules.

DOCUMENTS REQUESTED

REQUEST FOR PRODUCTION NO. 1

All documents You provided to Defendants, Committee Members, or the South Carolina General Assembly, or communications between You and Defendants, Committee Members, or the South Carolina General Assembly, from January 1, 2021 through the present that reflect or discuss the rationale(s), purpose(s), interpretation(s), or analysis of S. 865 and/or Predecessor Maps.

REQUEST FOR PRODUCTION NO. 2

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly concerning the congressional districts adopted in S. 865

and Predecessor Maps, including but not limited to all documents or data provided to, considered by, or relied upon by persons who drew, reviewed, approved, or adopted the districts as reflected in S. 865 and Predecessor Maps.

REQUEST FOR PRODUCTION NO. 3

All maps, draft maps, memoranda, reports, analyses, correspondence, or other documents You provided to Defendants, Committee Members, or the South Carolina General Assembly concerning the drawing of the districts adopted in S. 865 and Predecessor Maps. This request includes, but is not limited to, documents concerning the Racially Polarized voting in the South Carolina electorate, congressional districts, and the role of race in drawing districts.

REQUEST FOR PRODUCTION NO. 4

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly sufficient to show any and all criteria used in drawing and approving the district lines, contours, limits, or boundaries included in the districts adopted in S. 865 or the Predecessor Maps.

REQUEST FOR PRODUCTION NO. 5

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly, from January 1, 2021 through the present concerning the impact of potential impact of S. 865 and any Predecessor Maps on Voters of Color.

REQUEST FOR PRODUCTION NO. 6

All documents and communications between You and third parties concerning the Map Room regarding S. 865 and all Predecessor Maps.

REQUEST FOR PRODUCTION NO. 7

All documents and communications concerning the Map Room concerning S. 865 and Predecessor Maps.

REQUEST FOR PRODUCTION NO. 8

All documents and communications concerning the impact or potential impact of S. 865 and any Predecessor Maps on Voters of Color.

REQUEST FOR PRODUCTION NO. 9

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly concerning any survey results, databases, estimates, or statistics regarding racial or ethnic group affiliation or identification among South Carolina voters in the Challenged Districts and Districts Bordering the Challenged Districts or regarding partisan or political affiliation among South Carolina voters in the Challenged Districts and Districts Bordering the Challenged Districts.

REQUEST FOR PRODUCTION NO. 10

All correspondence and documents You received from Mr. Adam Kincaid, the National Republican Redistricting Trust, Fair Lines America, Magellan Consulting, or anyone else from January 1, 2021 to the present concerning S. 865 and any Predecessor Maps, the drawing of congressional districts or any congressional draft maps of the districts considered but not adopted, and congressional redistricting in South Carolina.

Dated: June 8, 2022

Respectfully submitted,

/s/ Allen Chaney
Allen Chaney, Fed. ID 13181
AMERICAN CIVIL LIBERTIES UNION
OF SOUTH CAROLINA
Charleston, SC 29413-0998
Tel.: (843) 282-7953
Fax: (843) 720-1428
achaney@aclusc.org

Christopher J. Bryant, Fed. ID 12538
BOROUGHS BRYANT, LLC
1122 Lady St., Ste. 208
Columbia, SC 29201
Tel.: (843) 779-5444
chris@boroughsbryant.com

Somil B. Trivedi**
Patricia Yan**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
915 15th St., NW
Washington, DC 20005
Tel.: (202) 457-0800
strivedi@aclu.org

Jeffrey A. Fuisz**
Paula Ramer**
Andrew Hirschel*
ARNOLD & PORTER KAYE SCHOLER LLP
250 West 55th Street
New York, NY 10019
Tel: (212) 836-8000
jeffrey.fuisz@arnoldporter.com

Sarah Gryll**
ARNOLD & PORTER KAYE SCHOLER LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
sarah.gryll@arnoldporter.com

Leah C. Aden**
Stuart Naifeh**
Raymond Audain**
John S. Cusick**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector St, 5th Fl.
NY, NY 10006
Tel.: (212) 965-7715
laden@naacpldf.org

Santino Coleman, Fed. ID. 11914
Antonio L. Ingram II**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
700 14th St, Ste. 600
Washington, D.C. 20005
Tel.: (202) 682-1300
aingram@naacpldf.org

Adriel I. Cepeda Derieux**
Samantha Osaki**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Tel.: (212) 549-2500
acepedaderieux@aclu.org

John A. Freedman**
Elisabeth S. Theodore*
Gina M. Colarusso**
John M. Hindley**
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Ave., N.W.
Washington, D.C. 20001
Tel: (202) 942-5000
john.freedman@arnoldporter.com

** Motion for admission Pro Hac Vice forthcoming*
*** Admitted Pro Hac Vice*

Janette M. Louard*
Anthony P. Ashton*
Anna Kathryn Barnes**
NAACP OFFICE OF THE GENERAL COUNSEL
4805 Mount Hope Drive
Baltimore, MD 21215
Tel: (410) 580-5777
jlouard@naacpnet.org

* Motion for admission *Pro Hac Vice* forthcoming or pending
** Admitted *Pro Hac Vice*

Counsel for Plaintiff the South Carolina Conference of the NAACP

Counsel for Plaintiffs the South Carolina Conference of the NAACP and Taiwan Scott

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2022, a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ Allen Chaney
Allen Chaney

Exhibit M

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of South Carolina

S.C. State Conference of the NAACP, et. al,
Plaintiff
v.
Thomas C. Alexander, in his official cpacity as President of the Senate, et. al,
Defendant

Civil Action No. 3:21-cv-03302-MBS-TJH-RMG

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Scott Talley, State Senator of South Carolina

(Name of person to whom this subpoena is directed)

☑ *Production:* **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Place:	Date and Time:
Mr. Allen Chaney, ACLU of South Carolina P.O. Box 1668 Columbia, South Carolina 29202	06/23/2022 12:00 pm

❒ *Inspection of Premises:* **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 06/08/2022

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk *Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* South Carolina State Conference of the NAACP, Taiwan Scott, who issues or requests this subpoena, are:

Allen Chaney, tel: (843) 282-7953, achaney@aclusc.org

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:21-cv-03302-MBS-TJH-RMG

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____

on *(date)* _____ .

❒ I served the subpoena by delivering a copy to the named person as follows: _____

_____

_____ on *(date)* _____ ; or

❒ I returned the subpoena unexecuted because: _____

_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of $ _____ .

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) ***For a Trial, Hearing, or Deposition.*** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) ***For Other Discovery.*** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) ***Avoiding Undue Burden or Expense; Sanctions.*** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) ***Command to Produce Materials or Permit Inspection.***

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) ***Quashing or Modifying a Subpoena.***

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) ***Producing Documents or Electronically Stored Information.*** These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) ***Claiming Privilege or Protection.***

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

ATTACHMENT

SUBPOENA FOR PRODUCTION OF DOCUMENTS DIRECTED TO SCOTT TALLEY, SOUTH CAROLINA STATE SENATOR

For a statement of your obligation in producing documents under this subpoena see Rule 45(e), and (g) of the Federal Rules of Civil Procedure ("Rule"), which appear on the final page of the subpoena. Documents should be produced on or before June 23, 2022. To make arrangements for electronic production, contact Allen Chaney, ACLU of South Carolina, P.O. Box 1668, Columbia, South Carolina 29202, tel: 843-282-7953, achaney@aclusc.org. The production should be made pursuant to the Definitions and Instructions below.

DEFINITIONS

As used herein, the following terms have the following meanings:

1. "ALL," "ANY," and "EACH" shall each be construed as encompassing any and all.
2. "AND" and "OR" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of the Request all responses that might otherwise be construed to be outside of its scope.
3. "CHALLENGED DISTRICTS" means South Carolina Congressional Districts 1, 2, and 5.
4. "COMMITTEES" refers to the 24-member South Carolina House of Representatives Judiciary Committee chaired by Representative Christopher J. Murphy; the 7-member South Carolina House of Representatives Judiciary Redistricting Ad Hoc Committee chaired by Rep. Wallace H. Jordan, Jr.; the 22-member South Carolina Senate Judiciary Committee chaired by Senator Luke A. Rankin; and the 7-member South Carolina Senate Judiciary Redistricting Subcommittee also chaired by Senator Rankin.
5. "COMMITTEE MEMBERS" refers to any person involved in the duties of the committees, purports to act on the Committees' behalf or any person or entity acting or

purporting to act on the Committees' behalf or subject to the Committees' control or is involved in the redistricting work of the Committees related to S. 865. The members of the South Carolina House of Representatives Judiciary Committee are Representatives Christopher J. Murphy, John Richard C. King, Neal A. Collins, William H. Bailey, Justin T. Bamberg, Beth E. Bernstein, Bruce M. Bryant, Micajah P. Caskey, IV, Westley P. Cox, Sylleste H. Davis, Jason Elliott, Russell W. Fry, Patricia Moore Henegan, Max T. Hyde, Jr., Jeffrey E. Johnson, Wallace H. Jordan, Jr., John R. McCravy, III, Cezar E. McKnight, Brandon Newton, Wm. Weston J. Newton, Seth Rose, Ivory Torrey Thigpen, Elizabeth Wetmore, and William W. Wheeler, III. Representatives Jordan, Bamberg, Bernstein, Collins, Elliot, Henegan, and Newton are members of the South Carolina House of Representatives Judiciary Redistricting Ad Hoc Committee. The members of the Senate Judiciary Committee are Senators Luke A. Rankin, Brad Hutto, Gerald Malloy, George E. Campsen, III, A. Shane Massey, Marlon E. Kimpson, Ronnie A. Sabb, Margie Bright Matthews, Wes Climer, Mia S. McLeod, Rex F. Rice, Sandy Senn, Scott Talley, Richard J. Cash, Richard A. Harpootlian, Dwight A. Loftis, Brian Adams, Billy Garrett, Penry Gustafson, Michael Johnson, Josh Kimbrell, Vernon Stephens, and Mike Reichenbach. Senators Rankin, Campsen, Young, Sabb, Matthews, Talley, and Harpootlian are members of the South Carolina Senate Judiciary Redistricting Subcommittee.

6. "COMMUNICATIONS" means the transmittal of information of any kind, written or oral, by and/or through any means, including, but not limited to, emails, email attachments, calendar invitations, PowerPoint presentations, PDFs, written reports, letters, and the like. It includes communications from the National Republican Redistricting Trust that include or are with outside entities and individuals.

7. "DEFENDANTS" means all of the Defendants in the case caption: Thomas C. Alexander, James H. Lucas, Chris Murphy, Wallace H. Jordan, Howard Knabb, John Wells, Joanne Day, Clifford J. Elder, Linda McCall, and Scott Moseley. "DEFENDANTS" includes any of Defendants' current or former agents, advisors, employees, representatives, officers, consultants, contractors, or any person or entity acting or purporting to act on Defendants' behalf or subject to Defendants' control.
8. "DISTRICTS BORDERING THE CHALLENGED DISTRICTS" mean South Carolina congressional districts that border in whole or in part the Challenged Districts.
9. "DOCUMENT" or "DOCUMENTS" is defined to be synonymous in meaning and the same in scope as the term "document" as used in Rule 34 and the phrase "writings and recordings" as defined by Rule 1001 of the Federal Rules of Evidence, and includes without limitation any kind of written, typewritten, printed, graphic, or recorded material whatsoever, including without limitation notes, text messages, emails, electronic mail, public or private posts on Facebook, Instagram, or other social media platforms, public or private electronic messages sent via messaging applications or platforms including but not limited to Facebook Messenger, Teams, Signal, Slack, Parler or other such platforms, memoranda, letters, reports, studies, electronic mail messages, telegrams, publications, contracts, manuals, business plans, proposals, licenses, drawings, designs, data sheets, diaries, logs, specifications, brochures, product or service descriptions, periodicals, schematics, blueprints, recordings, summaries, pamphlets, books, prospectuses, interoffice and intra office communications, offers, notations of any sort of conversations, working papers, applications, permits, surveys, indices, telephone calls, meeting minutes, databases, electronic files, software, transcriptions of recordings, computer tapes, diskettes, or other magnetic media, bank checks, vouchers,

charge slips, invoices, expense account reports, hotel charges, receipts, freight bills, agreements, corporate resolutions, minutes, books, binders, accounts, photographs, and business records. This shall include all non-identical copies, no matter how prepared; all drafts prepared in connection with such documents, whether used or not; and any deleted or erased documents that may be retrieved from hard drives, floppy disks, electronic back-up files, or any other back-up systems, regardless of location, together with all attachments thereto or enclosures therewith, in your possession, custody or control or any of your attorneys, employees, agents, or representatives.

a. "DOCUMENT" or "DOCUMENTS" shall include Electronically Stored Information. "ELECTRONICALLY STORED INFORMATION" means electronically stored data on magnetic or optical storage media (including but not limited to hard drives, backup tapes, Jaz and zip drives, floppy disks, CD-ROMs and DVD-ROMs) as an "active" file or files (readily readable by one or more computer applications or forensics software), any electronic files saved as a backup, any "deleted" but recoverable electronic files on said media; any electronic file fragments (files that have been deleted and partially overwritten with new data), and slack (data fragments stored randomly from random access memory [RAM] on a hard drive during the normal operation of a computer [file slack and/or RAM slack] or residual data left on the hard drive after new data has overwritten some but not all of previously stored data), text messages and emails located on any mainframe, server, desktop, or portable device, including cell phones.

10. "MAP ROOM" refers to any part of the process for the development, design, and and/or revisions of proposed and draft congressional legislative redistricting maps, S. 865 (as

defined below), and predecessor maps (as defined below) by the South Carolina General Assembly, including, but not limited to the virtual and physical room the Assembly established to develop congressional maps.

11. "PERSON" means any natural person or any legal entity, including, but not limited to, any business or governmental entity or association.

12. "PREDECESSOR MAPS" means any previous South Carolina congressional redistricting map in whole or in part that were considered, created, developed, and/or proposed by the South Carolina General Assembly.

13. "RACIALLY POLARIZED" means that there is a consistent relationship between the race of the voter and the way in which the voter votes. It means that "black voters and white voters vote differently." *Thornburg v. Gingles*, 478 U.S. 30, 53 n.21 (1986).

14. "RELATED TO," "CONCERNING," or "INCLUDING" shall be construed in the broadest sense to mean referring to, describing, reflecting, alluding to, responding to, connected with, commenting on, in respect of, about, regarding, discussing, showing, analyzing, constituting, and/or evidencing, in any manner, whether directly or indirectly, the subject matter of the Request.

15. "S. 865" refers to Senate Bill 865 as ratified by the South Carolina General Assembly on January 26, 2022 and signed by the Governor of South Carolina on the same day as Act 118, and refers to the bill as a whole and/or to any provision thereof, as well as prior versions thereof, substitute bills, and/or amendments related to the bill. S. 865 is the legislation passed by the South Carolina General Assembly that implemented South Carolina's seven congressional districts.

16. "SOUTH CAROLINA GENERAL ASSEMBLY" means all one hundred twenty-four (124) members of the South Carolina House of Representatives and all forty-six (46) members of the South Carolina Senate. "SOUTH CAROLINA GENERAL ASSEMBLY" includes committees, committee chairs, staff, advisors, employees, representatives, officers, consultants, contractors, or any person or entity acting or purporting to act on the South Carolina General Assembly's behalf or subject to the South Carolina General Assembly's control.
17. "VOTERS OF COLOR" means anyone who is Black, Hispanic/Latinx, Asian American and Pacific Islander, or is a member of any other racial minority group, who is eligible or could be eligible to vote.
18. "YOU" or "YOUR" means Scott Talley and any person or entity acting or purporting to act on Your behalf or subject to Your control.

INSTRUCTIONS

1. The responsive documents should be produced in the manner prescribed by the Rules and any applicable laws or rules.
2. Under Rule 34(b)(2)(B) & (C), if any part of the Request is objected to, the reason for the objection should be stated with particularity. If an objection is made to part of any item or category set forth in a request, that part should be specified. Any ground not stated will be waived.
3. If, in responding to this request, You encounter any ambiguities when construing a request or definition, set forth in Your response what you find ambiguous and the construction You used in responding.

4. Each request for production and subparagraphs or subdivisions thereof shall be construed independently, and no request shall be construed as creating a limitation upon any other request.
5. The documents produced in response to these requests are all responsive documents in your possession, custody, or control, or known to be available to you, regardless of whether such documents are possessed directly by you or your agents, advisors, employees, representatives, attorneys, consultants, successors-in-interest, or other persons or entities acting on your behalf or subject to your control, and whether they are maintained at any of your locations, offices, archives, or in any other location (including back-up tapes or electronic mail) or with any persons related in any way to you.
6. Any reference in these document requests to an individual includes any and all agents, advisors, employees, representatives, attorneys, successors-in-interest, and all other persons or entities acting on his, her, or its behalf or under his, her, or its control.
7. Any reference in these document requests to any corporation, partnership, association, governmental entity or agency, or other entity includes the present and former officers, executives, partners, directors, trustees, employees, agents, representatives, attorneys, accountants and all other persons acting or purporting to act on behalf of such corporation, partnership, association, agency, or entity and any of their parent corporations, holding companies, subsidiaries, affiliates, divisions, departments, predecessors, and/or successors-in-interest.
8. Where a request calls for information that is not available to you in the form requested, but is available in another form or can be obtained, in whole or in part, from other data in your possession or control, you must so state and either supply the information requested in the

form in which it is available, or supply the data from which the information requested can be obtained.

9. In addition to the responsive document, you shall produce all non-identical copies, including all drafts, of each responsive document.
10. If any requested document is not or cannot be produced in full, you shall produce it to extent possible, indicating what document or portion of such document is not or cannot be produced and the reason why it is not or cannot be produced.
11. Each document produced must include all attachments and enclosures.
12. Documents attached to each other shall not be separated.
13. Documents not otherwise responsive to a request for production shall be produced if such documents refer to, concern, or explain the documents called for by any request for production and constitute routing slips, transmittal memoranda or letters, comments, valuations, or similar documents.
14. In accordance with Rule 34(b), all documents shall be produced as they are kept in the usual course of business or shall be organized and labeled to correspond with the categories in the requests and identify the name of the person from whose files the documents were produced.
15. Each request shall be responded to separately. Nevertheless, a document that is responsive to more than one request may be produced for one request and incorporated by reference in another response, provided that the relevant, corresponding portion is so labeled or marked.
16. If any requested document or other document potentially relevant to this action is subject to destruction under any document retention or destruction program, the document(s) should be exempted from any scheduled destruction and should not be destroyed until the conclusion of this lawsuit or unless otherwise permitted by the Court. Any reference in these document

requests to an individual includes any and all agents, advisors, employees, representatives, attorneys, successors-in-interest, and all other persons or entities acting on his, her, or its behalf or under his, her, or its control.

17. No part of a document request shall be left unanswered because an objection is interposed to another part of the document request. If you object to any document request or sub-part thereof, state with specificity your objection and all grounds therefore. Any ground not stated will be waived.

18. All documents are to be produced in electronic form. Documents produced electronically should be produced in native format with all metadata intact. To the extent documents can be accurately represented in black and white, they should be produced in single-page Tagged Image File Format ("TIFF"), together with any related field-delimited load files (e.g., Concordance DAT, CSV, OPT, LOG). Each TIFF document shall be produced with an image load file in standard Opticon (*.log) format that reflects the parent / child relationship and also includes the beginning Bates number; ending Bates number; beginning Attachment Bates number; ending Attaching Bates number; custodian; date sent (for email messages); date modified (for email and non-email messages) where information is available; author (for email and non-email messages); and subject (for email messages). The TIFF images shall also be accompanied by extracted text or, for those files that do not have extracted text upon being processed (such as hard copy documents), optical character recognition ("OCR") text data; such extracted text or OCR text data shall be provided in document level form and named after the TIFF image. Documents that contain redactions shall be OCR'd after the redaction is applied to the image, and the OCR will be produced in place of extracted text at the document level.

19. If you contend that it would be unduly burdensome to obtain and provide all of the documents called for in response to any request, then in response to each such request you shall:

    a. produce all documents and information available to you without undertaking what you contend to be an unreasonable burden; and

    b. set forth the particular grounds on which you contend that additional efforts to obtain such documents and information would be unduly burdensome.

20. If any document is withheld, in whole or in part, under any claim of privilege, including without limitation, the work-product doctrine, attorney-client privilege, deliberative process privilege, or investigative or law enforcement privilege, your answer should provide the following information in a single log:

    a. the type of document;

    b. the date of the document;

    c. the names of its author(s) or preparer(s) and an identification by employment and title of each such person;

    d. the name of each person who was sent or furnished with, received, viewed, or has had custody of the document or a copy thereof together with an identification of each such person;

    e. its title and reference, if any;

    f. a description of the document sufficient to identify it without revealing the information for which privilege is claimed;

    g. the type of privilege asserted;

h. a description of the subject matter of the document in sufficient detail to allow the Court to adjudicate the validity of the claim for privilege; and

i. the paragraph of this request to which the document relates.

21. Any requests propounded in the disjunctive shall be read as if propounded in the conjunctive and vice versa. Any request propounded in the singular shall be read as if propounded in the plural and vice versa. Any request propounded in the present tense shall also be read as if propounded in the past tense and vice versa.

22. These document requests cover the period from January 1, 2021 to the present, unless otherwise indicated in the request itself. The document requests set forth below encompass all documents and information concerning this period, even though dated, prepared, generated, or received prior to this period.

23. These document requests are continuing in nature and require further and supplemental production if additional documents are acquired and located following the time of the initial production, to the fullest extent under the Rules and any applicable laws or rules.

DOCUMENTS REQUESTED

REQUEST FOR PRODUCTION NO. 1

All documents You provided to Defendants, Committee Members, or the South Carolina General Assembly, or communications between You and Defendants, Committee Members, or the South Carolina General Assembly, from January 1, 2021 through the present that reflect or discuss the rationale(s), purpose(s), interpretation(s), or analysis of S. 865 and/or Predecessor Maps.

REQUEST FOR PRODUCTION NO. 2

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly concerning the congressional districts adopted in S. 865

and Predecessor Maps, including but not limited to all documents or data provided to, considered by, or relied upon by persons who drew, reviewed, approved, or adopted the districts as reflected in S. 865 and Predecessor Maps.

REQUEST FOR PRODUCTION NO. 3

All maps, draft maps, memoranda, reports, analyses, correspondence, or other documents You provided to Defendants, Committee Members, or the South Carolina General Assembly concerning the drawing of the districts adopted in S. 865 and Predecessor Maps. This request includes, but is not limited to, documents concerning the Racially Polarized voting in the South Carolina electorate, congressional districts, and the role of race in drawing districts.

REQUEST FOR PRODUCTION NO. 4

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly sufficient to show any and all criteria used in drawing and approving the district lines, contours, limits, or boundaries included in the districts adopted in S. 865 or the Predecessor Maps.

REQUEST FOR PRODUCTION NO. 5

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly, from January 1, 2021 through the present concerning the impact of potential impact of S. 865 and any Predecessor Maps on Voters of Color.

REQUEST FOR PRODUCTION NO. 6

All documents and communications between You and third parties concerning the Map Room regarding S. 865 and all Predecessor Maps.

REQUEST FOR PRODUCTION NO. 7

All documents and communications concerning the Map Room concerning S. 865 and Predecessor Maps.

REQUEST FOR PRODUCTION NO. 8

All documents and communications concerning the impact or potential impact of S. 865 and any Predecessor Maps on Voters of Color.

REQUEST FOR PRODUCTION NO. 9

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly concerning any survey results, databases, estimates, or statistics regarding racial or ethnic group affiliation or identification among South Carolina voters in the Challenged Districts and Districts Bordering the Challenged Districts or regarding partisan or political affiliation among South Carolina voters in the Challenged Districts and Districts Bordering the Challenged Districts.

REQUEST FOR PRODUCTION NO. 10

All correspondence and documents You received from Mr. Adam Kincaid, the National Republican Redistricting Trust, Fair Lines America, Magellan Consulting, or anyone else from January 1, 2021 to the present concerning S. 865 and any Predecessor Maps, the drawing of congressional districts or any congressional draft maps of the districts considered but not adopted, and congressional redistricting in South Carolina.

Dated: June 8, 2022

Respectfully submitted,

/s/ Allen Chaney
Allen Chaney, Fed. ID 13181
AMERICAN CIVIL LIBERTIES UNION
OF SOUTH CAROLINA
Charleston, SC 29413-0998
Tel.: (843) 282-7953
Fax: (843) 720-1428
achaney@aclusc.org

Christopher J. Bryant, Fed. ID 12538
BOROUGHS BRYANT, LLC
1122 Lady St., Ste. 208
Columbia, SC 29201
Tel.: (843) 779-5444
chris@boroughsbryant.com

Somil B. Trivedi**
Patricia Yan**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
915 15th St., NW
Washington, DC 20005
Tel.: (202) 457-0800
strivedi@aclu.org

Jeffrey A. Fuisz**
Paula Ramer**
Andrew Hirschel*
ARNOLD & PORTER KAYE SCHOLER LLP
250 West 55th Street
New York, NY 10019
Tel: (212) 836-8000
jeffrey.fuisz@arnoldporter.com

Sarah Gryll**
ARNOLD & PORTER KAYE SCHOLER LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
sarah.gryll@arnoldporter.com

Leah C. Aden**
Stuart Naifeh**
Raymond Audain**
John S. Cusick**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector St, 5th Fl.
NY, NY 10006
Tel.: (212) 965-7715
laden@naacpldf.org

Santino Coleman, Fed. ID. 11914
Antonio L. Ingram II**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
700 14th St, Ste. 600
Washington, D.C. 20005
Tel.: (202) 682-1300
aingram@naacpldf.org

Adriel I. Cepeda Derieux**
Samantha Osaki**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Tel.: (212) 549-2500
acepedaderieux@aclu.org

John A. Freedman**
Elisabeth S. Theodore*
Gina M. Colarusso**
John M. Hindley**
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Ave., N.W.
Washington, D.C. 20001
Tel: (202) 942-5000
john.freedman@arnoldporter.com

** Motion for admission Pro Hac Vice forthcoming*
*** Admitted Pro Hac Vice*

Janette M. Louard*
Anthony P. Ashton*
Anna Kathryn Barnes**
NAACP OFFICE OF THE GENERAL COUNSEL
4805 Mount Hope Drive
Baltimore, MD 21215
Tel: (410) 580-5777
jlouard@naacpnet.org

* Motion for admission *Pro Hac Vice* forthcoming or pending
** Admitted *Pro Hac Vice*

Counsel for Plaintiff the South Carolina Conference of the NAACP

Counsel for Plaintiffs the South Carolina Conference of the NAACP and Taiwan Scott

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2022, a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ Allen Chaney
Allen Chaney

Exhibit N

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of South Carolina

S.C. State Conference of the NAACP, et. al,
Plaintiff
v.
Thomas C. Alexander, in his official cpacity as President of the Senate, et. al,
Defendant

Civil Action No. 3:21-cv-03302-MBS-TJH-RMG

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Tom Young, Jr., State Senator of South Carolina

(Name of person to whom this subpoena is directed)

☑ *Production:* **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Place:	Date and Time:
Mr. Allen Chaney, ACLU of South Carolina P.O. Box 1668 Columbia, South Carolina 29202	06/23/2022 12:00 pm

☐ *Inspection of Premises:* **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 06/08/2022

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk *Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* South Carolina State Conference of the NAACP, Taiwan Scott, who issues or requests this subpoena, are:

Allen Chaney, tel: (843) 282-7953, achaney@aclusc.org

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:21-cv-03302-MBS-TJH-RMG

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____

on *(date)* _____ .

❒ I served the subpoena by delivering a copy to the named person as follows: _____

_____

_____ on *(date)* _____ ; or

❒ I returned the subpoena unexecuted because: _____

_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of $ _____ .

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) ***For a Trial, Hearing, or Deposition.*** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) ***For Other Discovery.*** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) ***Avoiding Undue Burden or Expense; Sanctions.*** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) ***Command to Produce Materials or Permit Inspection.***

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) ***Quashing or Modifying a Subpoena.***

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) ***Producing Documents or Electronically Stored Information.*** These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) ***Claiming Privilege or Protection.***

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

ATTACHMENT

SUBPOENA FOR PRODUCTION OF DOCUMENTS DIRECTED TO TOM YOUNG JR., SOUTH CAROLINA STATE SENATOR

For a statement of your obligation in producing documents under this subpoena see Rule 45(e), and (g) of the Federal Rules of Civil Procedure ("Rule"), which appear on the final page of the subpoena. Documents should be produced on or before June 23, 2022. To make arrangements for electronic production, contact Allen Chaney, ACLU of South Carolina, P.O. Box 1668, Columbia, South Carolina 29202, tel: 843-282-7953, achaney@aclusc.org. The production should be made pursuant to the Definitions and Instructions below.

DEFINITIONS

As used herein, the following terms have the following meanings:

1. "ALL," "ANY," and "EACH" shall each be construed as encompassing any and all.
2. "AND" and "OR" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of the Request all responses that might otherwise be construed to be outside of its scope.
3. "CHALLENGED DISTRICTS" means South Carolina Congressional Districts 1, 2, and 5.
4. "COMMITTEES" refers to the 24-member South Carolina House of Representatives Judiciary Committee chaired by Representative Christopher J. Murphy; the 7-member South Carolina House of Representatives Judiciary Redistricting Ad Hoc Committee chaired by Rep. Wallace H. Jordan, Jr.; the 22-member South Carolina Senate Judiciary Committee chaired by Senator Luke A. Rankin; and the 7-member South Carolina Senate Judiciary Redistricting Subcommittee also chaired by Senator Rankin.
5. "COMMITTEE MEMBERS" refers to any person involved in the duties of the committees, purports to act on the Committees' behalf or any person or entity acting or

purporting to act on the Committees' behalf or subject to the Committees' control or is involved in the redistricting work of the Committees related to S. 865. The members of the South Carolina House of Representatives Judiciary Committee are Representatives Christopher J. Murphy, John Richard C. King, Neal A. Collins, William H. Bailey, Justin T. Bamberg, Beth E. Bernstein, Bruce M. Bryant, Micajah P. Caskey, IV, Westley P. Cox, Sylleste H. Davis, Jason Elliott, Russell W. Fry, Patricia Moore Henegan, Max T. Hyde, Jr., Jeffrey E. Johnson, Wallace H. Jordan, Jr., John R. McCravy, III, Cezar E. McKnight, Brandon Newton, Wm. Weston J. Newton, Seth Rose, Ivory Torrey Thigpen, Elizabeth Wetmore, and William W. Wheeler, III. Representatives Jordan, Bamberg, Bernstein, Collins, Elliot, Henegan, and Newton are members of the South Carolina House of Representatives Judiciary Redistricting Ad Hoc Committee. The members of the Senate Judiciary Committee are Senators Luke A. Rankin, Brad Hutto, Gerald Malloy, George E. Campsen, III, A. Shane Massey, Marlon E. Kimpson, Ronnie A. Sabb, Margie Bright Matthews, Wes Climer, Mia S. McLeod, Rex F. Rice, Sandy Senn, Scott Talley, Richard J. Cash, Richard A. Harpootlian, Dwight A. Loftis, Brian Adams, Billy Garrett, Penry Gustafson, Michael Johnson, Josh Kimbrell, Vernon Stephens, and Mike Reichenbach. Senators Rankin, Campsen, Young, Sabb, Matthews, Talley, and Harpootlian are members of the South Carolina Senate Judiciary Redistricting Subcommittee.

6. "COMMUNICATIONS" means the transmittal of information of any kind, written or oral, by and/or through any means, including, but not limited to, emails, email attachments, calendar invitations, PowerPoint presentations, PDFs, written reports, letters, and the like. It includes communications from the National Republican Redistricting Trust that include or are with outside entities and individuals.

7. "DEFENDANTS" means all of the Defendants in the case caption: Thomas C. Alexander, James H. Lucas, Chris Murphy, Wallace H. Jordan, Howard Knabb, John Wells, Joanne Day, Clifford J. Elder, Linda McCall, and Scott Moseley. "DEFENDANTS" includes any of Defendants' current or former agents, advisors, employees, representatives, officers, consultants, contractors, or any person or entity acting or purporting to act on Defendants' behalf or subject to Defendants' control.
8. "DISTRICTS BORDERING THE CHALLENGED DISTRICTS" mean South Carolina congressional districts that border in whole or in part the Challenged Districts.
9. "DOCUMENT" or "DOCUMENTS" is defined to be synonymous in meaning and the same in scope as the term "document" as used in Rule 34 and the phrase "writings and recordings" as defined by Rule 1001 of the Federal Rules of Evidence, and includes without limitation any kind of written, typewritten, printed, graphic, or recorded material whatsoever, including without limitation notes, text messages, emails, electronic mail, public or private posts on Facebook, Instagram, or other social media platforms, public or private electronic messages sent via messaging applications or platforms including but not limited to Facebook Messenger, Teams, Signal, Slack, Parler or other such platforms, memoranda, letters, reports, studies, electronic mail messages, telegrams, publications, contracts, manuals, business plans, proposals, licenses, drawings, designs, data sheets, diaries, logs, specifications, brochures, product or service descriptions, periodicals, schematics, blueprints, recordings, summaries, pamphlets, books, prospectuses, interoffice and intra office communications, offers, notations of any sort of conversations, working papers, applications, permits, surveys, indices, telephone calls, meeting minutes, databases, electronic files, software, transcriptions of recordings, computer tapes, diskettes, or other magnetic media, bank checks, vouchers,

charge slips, invoices, expense account reports, hotel charges, receipts, freight bills, agreements, corporate resolutions, minutes, books, binders, accounts, photographs, and business records. This shall include all non-identical copies, no matter how prepared; all drafts prepared in connection with such documents, whether used or not; and any deleted or erased documents that may be retrieved from hard drives, floppy disks, electronic back-up files, or any other back-up systems, regardless of location, together with all attachments thereto or enclosures therewith, in your possession, custody or control or any of your attorneys, employees, agents, or representatives.

a. "DOCUMENT" or "DOCUMENTS" shall include Electronically Stored Information. "ELECTRONICALLY STORED INFORMATION" means electronically stored data on magnetic or optical storage media (including but not limited to hard drives, backup tapes, Jaz and zip drives, floppy disks, CD-ROMs and DVD-ROMs) as an "active" file or files (readily readable by one or more computer applications or forensics software), any electronic files saved as a backup, any "deleted" but recoverable electronic files on said media; any electronic file fragments (files that have been deleted and partially overwritten with new data), and slack (data fragments stored randomly from random access memory [RAM] on a hard drive during the normal operation of a computer [file slack and/or RAM slack] or residual data left on the hard drive after new data has overwritten some but not all of previously stored data), text messages and emails located on any mainframe, server, desktop, or portable device, including cell phones.

10. "MAP ROOM" refers to any part of the process for the development, design, and and/or revisions of proposed and draft congressional legislative redistricting maps, S. 865 (as

defined below), and predecessor maps (as defined below) by the South Carolina General Assembly, including, but not limited to the virtual and physical room the Assembly established to develop congressional maps.

11. "PERSON" means any natural person or any legal entity, including, but not limited to, any business or governmental entity or association.

12. "PREDECESSOR MAPS" means any previous South Carolina congressional redistricting map in whole or in part that were considered, created, developed, and/or proposed by the South Carolina General Assembly.

13. "RACIALLY POLARIZED" means that there is a consistent relationship between the race of the voter and the way in which the voter votes. It means that "black voters and white voters vote differently." *Thornburg v. Gingles*, 478 U.S. 30, 53 n.21 (1986).

14. "RELATED TO," "CONCERNING," or "INCLUDING" shall be construed in the broadest sense to mean referring to, describing, reflecting, alluding to, responding to, connected with, commenting on, in respect of, about, regarding, discussing, showing, analyzing, constituting, and/or evidencing, in any manner, whether directly or indirectly, the subject matter of the Request.

15. "S. 865" refers to Senate Bill 865 as ratified by the South Carolina General Assembly on January 26, 2022 and signed by the Governor of South Carolina on the same day as Act 118, and refers to the bill as a whole and/or to any provision thereof, as well as prior versions thereof, substitute bills, and/or amendments related to the bill. S. 865 is the legislation passed by the South Carolina General Assembly that implemented South Carolina's seven congressional districts.

16. "SOUTH CAROLINA GENERAL ASSEMBLY" means all one hundred twenty-four (124) members of the South Carolina House of Representatives and all forty-six (46) members of the South Carolina Senate. "SOUTH CAROLINA GENERAL ASSEMBLY" includes committees, committee chairs, staff, advisors, employees, representatives, officers, consultants, contractors, or any person or entity acting or purporting to act on the South Carolina General Assembly's behalf or subject to the South Carolina General Assembly's control.
17. "VOTERS OF COLOR" means anyone who is Black, Hispanic/Latinx, Asian American and Pacific Islander, or is a member of any other racial minority group, who is eligible or could be eligible to vote.
18. "YOU" or "YOUR" means Tom Young, Jr. and any person or entity acting or purporting to act on Your behalf or subject to Your control.

INSTRUCTIONS

1. The responsive documents should be produced in the manner prescribed by the Rules and any applicable laws or rules.
2. Under Rule 34(b)(2)(B) & (C), if any part of the Request is objected to, the reason for the objection should be stated with particularity. If an objection is made to part of any item or category set forth in a request, that part should be specified. Any ground not stated will be waived.
3. If, in responding to this request, You encounter any ambiguities when construing a request or definition, set forth in Your response what you find ambiguous and the construction You used in responding.

4. Each request for production and subparagraphs or subdivisions thereof shall be construed independently, and no request shall be construed as creating a limitation upon any other request.
5. The documents produced in response to these requests are all responsive documents in your possession, custody, or control, or known to be available to you, regardless of whether such documents are possessed directly by you or your agents, advisors, employees, representatives, attorneys, consultants, successors-in-interest, or other persons or entities acting on your behalf or subject to your control, and whether they are maintained at any of your locations, offices, archives, or in any other location (including back-up tapes or electronic mail) or with any persons related in any way to you.
6. Any reference in these document requests to an individual includes any and all agents, advisors, employees, representatives, attorneys, successors-in-interest, and all other persons or entities acting on his, her, or its behalf or under his, her, or its control.
7. Any reference in these document requests to any corporation, partnership, association, governmental entity or agency, or other entity includes the present and former officers, executives, partners, directors, trustees, employees, agents, representatives, attorneys, accountants and all other persons acting or purporting to act on behalf of such corporation, partnership, association, agency, or entity and any of their parent corporations, holding companies, subsidiaries, affiliates, divisions, departments, predecessors, and/or successors-in-interest.
8. Where a request calls for information that is not available to you in the form requested, but is available in another form or can be obtained, in whole or in part, from other data in your possession or control, you must so state and either supply the information requested in the

form in which it is available, or supply the data from which the information requested can be obtained.

9. In addition to the responsive document, you shall produce all non-identical copies, including all drafts, of each responsive document.
10. If any requested document is not or cannot be produced in full, you shall produce it to extent possible, indicating what document or portion of such document is not or cannot be produced and the reason why it is not or cannot be produced.
11. Each document produced must include all attachments and enclosures.
12. Documents attached to each other shall not be separated.
13. Documents not otherwise responsive to a request for production shall be produced if such documents refer to, concern, or explain the documents called for by any request for production and constitute routing slips, transmittal memoranda or letters, comments, valuations, or similar documents.
14. In accordance with Rule 34(b), all documents shall be produced as they are kept in the usual course of business or shall be organized and labeled to correspond with the categories in the requests and identify the name of the person from whose files the documents were produced.
15. Each request shall be responded to separately. Nevertheless, a document that is responsive to more than one request may be produced for one request and incorporated by reference in another response, provided that the relevant, corresponding portion is so labeled or marked.
16. If any requested document or other document potentially relevant to this action is subject to destruction under any document retention or destruction program, the document(s) should be exempted from any scheduled destruction and should not be destroyed until the conclusion of this lawsuit or unless otherwise permitted by the Court. Any reference in these document

requests to an individual includes any and all agents, advisors, employees, representatives, attorneys, successors-in-interest, and all other persons or entities acting on his, her, or its behalf or under his, her, or its control.

17. No part of a document request shall be left unanswered because an objection is interposed to another part of the document request. If you object to any document request or sub-part thereof, state with specificity your objection and all grounds therefore. Any ground not stated will be waived.

18. All documents are to be produced in electronic form. Documents produced electronically should be produced in native format with all metadata intact. To the extent documents can be accurately represented in black and white, they should be produced in single-page Tagged Image File Format ("TIFF"), together with any related field-delimited load files (e.g., Concordance DAT, CSV, OPT, LOG). Each TIFF document shall be produced with an image load file in standard Opticon (*.log) format that reflects the parent / child relationship and also includes the beginning Bates number; ending Bates number; beginning Attachment Bates number; ending Attaching Bates number; custodian; date sent (for email messages); date modified (for email and non-email messages) where information is available; author (for email and non-email messages); and subject (for email messages). The TIFF images shall also be accompanied by extracted text or, for those files that do not have extracted text upon being processed (such as hard copy documents), optical character recognition ("OCR") text data; such extracted text or OCR text data shall be provided in document level form and named after the TIFF image. Documents that contain redactions shall be OCR'd after the redaction is applied to the image, and the OCR will be produced in place of extracted text at the document level.

19. If you contend that it would be unduly burdensome to obtain and provide all of the documents called for in response to any request, then in response to each such request you shall:

    a. produce all documents and information available to you without undertaking what you contend to be an unreasonable burden; and

    b. set forth the particular grounds on which you contend that additional efforts to obtain such documents and information would be unduly burdensome.

20. If any document is withheld, in whole or in part, under any claim of privilege, including without limitation, the work-product doctrine, attorney-client privilege, deliberative process privilege, or investigative or law enforcement privilege, your answer should provide the following information in a single log:

    a. the type of document;

    b. the date of the document;

    c. the names of its author(s) or preparer(s) and an identification by employment and title of each such person;

    d. the name of each person who was sent or furnished with, received, viewed, or has had custody of the document or a copy thereof together with an identification of each such person;

    e. its title and reference, if any;

    f. a description of the document sufficient to identify it without revealing the information for which privilege is claimed;

    g. the type of privilege asserted;

h. a description of the subject matter of the document in sufficient detail to allow the Court to adjudicate the validity of the claim for privilege; and

i. the paragraph of this request to which the document relates.

21. Any requests propounded in the disjunctive shall be read as if propounded in the conjunctive and vice versa. Any request propounded in the singular shall be read as if propounded in the plural and vice versa. Any request propounded in the present tense shall also be read as if propounded in the past tense and vice versa.

22. These document requests cover the period from January 1, 2021 to the present, unless otherwise indicated in the request itself. The document requests set forth below encompass all documents and information concerning this period, even though dated, prepared, generated, or received prior to this period.

23. These document requests are continuing in nature and require further and supplemental production if additional documents are acquired and located following the time of the initial production, to the fullest extent under the Rules and any applicable laws or rules.

DOCUMENTS REQUESTED

REQUEST FOR PRODUCTION NO. 1

All documents You provided to Defendants, Committee Members, or the South Carolina General Assembly, or communications between You and Defendants, Committee Members, or the South Carolina General Assembly, from January 1, 2021 through the present that reflect or discuss the rationale(s), purpose(s), interpretation(s), or analysis of S. 865 and/or Predecessor Maps.

REQUEST FOR PRODUCTION NO. 2

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly concerning the congressional districts adopted in S. 865

and Predecessor Maps, including but not limited to all documents or data provided to, considered by, or relied upon by persons who drew, reviewed, approved, or adopted the districts as reflected in S. 865 and Predecessor Maps.

REQUEST FOR PRODUCTION NO. 3

All maps, draft maps, memoranda, reports, analyses, correspondence, or other documents You provided to Defendants, Committee Members, or the South Carolina General Assembly concerning the drawing of the districts adopted in S. 865 and Predecessor Maps. This request includes, but is not limited to, documents concerning the Racially Polarized voting in the South Carolina electorate, congressional districts, and the role of race in drawing districts.

REQUEST FOR PRODUCTION NO. 4

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly sufficient to show any and all criteria used in drawing and approving the district lines, contours, limits, or boundaries included in the districts adopted in S. 865 or the Predecessor Maps.

REQUEST FOR PRODUCTION NO. 5

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly, from January 1, 2021 through the present concerning the impact of potential impact of S. 865 and any Predecessor Maps on Voters of Color.

REQUEST FOR PRODUCTION NO. 6

All documents and communications between You and third parties concerning the Map Room regarding S. 865 and all Predecessor Maps.

REQUEST FOR PRODUCTION NO. 7

All documents and communications concerning the Map Room concerning S. 865 and Predecessor Maps.

REQUEST FOR PRODUCTION NO. 8

All documents and communications concerning the impact or potential impact of S. 865 and any Predecessor Maps on Voters of Color.

REQUEST FOR PRODUCTION NO. 9

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly concerning any survey results, databases, estimates, or statistics regarding racial or ethnic group affiliation or identification among South Carolina voters in the Challenged Districts and Districts Bordering the Challenged Districts or regarding partisan or political affiliation among South Carolina voters in the Challenged Districts and Districts Bordering the Challenged Districts.

REQUEST FOR PRODUCTION NO. 10

All correspondence and documents You received from Mr. Adam Kincaid, the National Republican Redistricting Trust, Fair Lines America, Magellan Consulting, or anyone else from January 1, 2021 to the present concerning S. 865 and any Predecessor Maps, the drawing of congressional districts or any congressional draft maps of the districts considered but not adopted, and congressional redistricting in South Carolina.

Dated: June 8, 2022

Respectfully submitted,

/s/ Allen Chaney
Allen Chaney, Fed. ID 13181
AMERICAN CIVIL LIBERTIES UNION
OF SOUTH CAROLINA
Charleston, SC 29413-0998
Tel.: (843) 282-7953
Fax: (843) 720-1428
achaney@aclusc.org

Christopher J. Bryant, Fed. ID 12538
BOROUGHS BRYANT, LLC
1122 Lady St., Ste. 208
Columbia, SC 29201
Tel.: (843) 779-5444
chris@boroughsbryant.com

Somil B. Trivedi**
Patricia Yan**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
915 15th St., NW
Washington, DC 20005
Tel.: (202) 457-0800
strivedi@aclu.org

Jeffrey A. Fuisz**
Paula Ramer**
Andrew Hirschel*
ARNOLD & PORTER KAYE SCHOLER LLP
250 West 55th Street
New York, NY 10019
Tel: (212) 836-8000
jeffrey.fuisz@arnoldporter.com

Sarah Gryll**
ARNOLD & PORTER KAYE SCHOLER LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
sarah.gryll@arnoldporter.com

Leah C. Aden**
Stuart Naifeh**
Raymond Audain**
John S. Cusick**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector St, 5th Fl.
NY, NY 10006
Tel.: (212) 965-7715
laden@naacpldf.org

Santino Coleman, Fed. ID. 11914
Antonio L. Ingram II**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
700 14th St, Ste. 600
Washington, D.C. 20005
Tel.: (202) 682-1300
aingram@naacpldf.org

Adriel I. Cepeda Derieux**
Samantha Osaki**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Tel.: (212) 549-2500
acepedaderieux@aclu.org

John A. Freedman**
Elisabeth S. Theodore*
Gina M. Colarusso**
John M. Hindley**
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Ave., N.W.
Washington, D.C. 20001
Tel: (202) 942-5000
john.freedman@arnoldporter.com

** Motion for admission Pro Hac Vice forthcoming*
*** Admitted Pro Hac Vice*

Janette M. Louard*
Anthony P. Ashton*
Anna Kathryn Barnes**
NAACP OFFICE OF THE GENERAL COUNSEL
4805 Mount Hope Drive
Baltimore, MD 21215
Tel: (410) 580-5777
jlouard@naacpnet.org

* Motion for admission *Pro Hac Vice* forthcoming or pending
** Admitted *Pro Hac Vice*

Counsel for Plaintiff the South Carolina Conference of the NAACP

Counsel for Plaintiffs the South Carolina Conference of the NAACP and Taiwan Scott

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2022, a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ Allen Chaney
Allen Chaney

Exhibit O

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of South Carolina

S.C. State Conference of the NAACP, et. al,
Plaintiff
v.
Thomas C. Alexander, in his official cpacity as President of the Senate, et. al,
Defendant

Civil Action No. 3:21-cv-03302-JMC-TJH-RMG

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Charles L.A. Terreni

(Name of person to whom this subpoena is directed)

☑ *Production:* **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Place:	Date and Time:
Mr. Allen Chaney, ACLU of South Carolina P.O. Box 1668 Columbia, South Carolina 29202	06/15/2022 12:00 pm

☐ *Inspection of Premises:* **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 06/01/2022

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

/s/ Allen Chaney
Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* South Carolina State Conference of the NAACP, Taiwan Scott, who issues or requests this subpoena, are:

Allen Chaney, tel: (843) 282-7953, achaney@aclusc.org

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:21-cv-03302-JMC-TJH-RMG

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____

on *(date)* _____ .

❒ I served the subpoena by delivering a copy to the named person as follows: _____

_____

_____ on *(date)* _____ ; or

❒ I returned the subpoena unexecuted because: _____

_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of $ _____ .

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) ***For a Trial, Hearing, or Deposition.*** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) ***For Other Discovery.*** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) ***Avoiding Undue Burden or Expense; Sanctions.*** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) ***Command to Produce Materials or Permit Inspection.***

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) ***Quashing or Modifying a Subpoena.***

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) ***Producing Documents or Electronically Stored Information.*** These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) ***Claiming Privilege or Protection.***

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

ATTACHMENT

SUBPOENA FOR PRODUCTION OF DOCUMENTS DIRECTED TO CHARLES L.A. TERRENI, TERRENI LAW FIRM

For a statement of your obligation in producing documents under this subpoena see Rule 45(e), and (g) of the Federal Rules of Civil Procedure ("Rule"), which appear on the final page of the subpoena. Documents should be produced on or before June 15, 2022. To make arrangements for electronic production, contact Allen Chaney, ACLU of South Carolina, P.O. Box 1668, Columbia, South Carolina 29202, tel: 843-282-7953, achaney@aclusc.org. The production should be made pursuant to the Definitions and Instructions below.

DEFINITIONS

As used herein, the following terms have the following meanings:

1. "ALL," "ANY," and "EACH" shall each be construed as encompassing any and all.
2. "AND" and "OR" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of the Request all responses that might otherwise be construed to be outside of its scope.
3. "CHALLENGED DISTRICTS" means South Carolina Congressional Districts 1, 2, and 5.
4. "COMMITTEES" refers to the 24-member South Carolina House of Representatives Judiciary Committee chaired by Representative Christopher J. Murphy; the 7-member South Carolina House of Representatives Judiciary Redistricting Ad Hoc Committee chaired by Rep. Wallace H. Jordan, Jr.; the 22-member South Carolina Senate Judiciary Committee chaired by Senator Luke A. Rankin; and the 7-member South Carolina Senate Judiciary Redistricting Subcommittee also chaired by Senator Rankin.
5. "COMMITTEE MEMBERS" refers to any person involved in the duties of the committees, purports to act on the Committees' behalf or any person or entity acting or

purporting to act on the Committees' behalf or subject to the Committees' control or is involved in the redistricting work of the committees related to S. 865. The members of the South Carolina House of Representatives Judiciary Committee are Representatives Chris Murphy, John Richard C. King, Neal A. Collins, William H. Bailey, Justin T. Bamberg, Beth E. Bernstein, Bruce M. Bryant, Micajah P. Caskey, IV, Westley P. Cox, Sylleste H. Davis, Jason Elliott, Russell W. Fry, Patricia Moore Henegan, Max T. Hyde, Jr., Jeffrey E. Johnson, Wallace H. Jordan, Jr., John R. McCravy, III, Cezar E. McKnight, Brandon Newton, Wm. Weston J. Newton, Seth Rose, Ivory Torrey Thigpen, Elizabeth Wetmore, and William W. Wheeler, III. Representatives Jordan, Bamberg, Bernstein, Collins, Elliot, Henegan, and Newton are members of the South Carolina House of Representatives Judiciary Redistricting Ad Hoc Committee. The members of the Senate Judiciary Committee are Senators Luke A. Rankin, Brad Hutto, Gerald Malloy, George E. Campsen, III, A. Shane Massey, Marlon E. Kimpson, Ronnie A. Sabb, Margie Bright Matthews, Wes Climer, Mia S. McLeod, Rex F. Rice, Sandy Senn, Scott Talley, Richard J. Cash, Richard A. Harpootlian, Dwight A. Loftis, Brian Adams, Billy Garrett, Penry Gustafson, Michael Johnson, Josh Kimbrell, Vernon Stephens, and Mike Reichenbach. Senators Rankin, Campsen, Young, Sabb, Matthews, Talley, and Harpootlian are members of the South Carolina Senate Judiciary Redistricting Subcommittee.

6. "COMMUNICATIONS" means the transmittal of information of any kind, written or oral, by and/or through any means, including, but not limited to, emails, email attachments, calendar invitations, PowerPoint presentations, PDFs, written reports, letters, and the like. It includes communications from the National Republican Redistricting Trust that include or are with outside entities and individuals.

7. "DEFENDANTS" means all of the Defendants in the case caption: Thomas C. Alexander, James H. Lucas, Chris Murphy, Wallace H. Jordan, Howard Knabb, John Wells, Joanne Day, Clifford J. Elder, Linda McCall, and Scott Moseley. "DEFENDANTS" includes any of Defendants' current or former agents, advisors, employees, representatives, officers, consultants, contractors, or any person or entity acting or purporting to act on Defendants' behalf or subject to Defendants' control.
8. "DISTRICTS BORDERING THE CHALLENGED DISTRICTS" mean South Carolina congressional districts that border in whole or in part the Challenged Districts.
9. "DOCUMENT" or "DOCUMENTS" is defined to be synonymous in meaning and the same in scope as the term "document" as used in Rule 34 and the phrase "writings and recordings" as defined by Rule 1001 of the Federal Rules of Evidence, and includes without limitation any kind of written, typewritten, printed, graphic, or recorded material whatsoever, including without limitation notes, text messages, emails, electronic mail, public or private posts on Facebook, Instagram, or other social media platforms, public or private electronic messages sent via messaging applications or platforms including but not limited to Facebook Messenger, Teams, Signal, Slack, Parler or other such platforms, memoranda, letters, reports, studies, electronic mail messages, telegrams, publications, contracts, manuals, business plans, proposals, licenses, drawings, designs, data sheets, diaries, logs, specifications, brochures, product or service descriptions, periodicals, schematics, blueprints, recordings, summaries, pamphlets, books, prospectuses, interoffice and intra office communications, offers, notations of any sort of conversations, working papers, applications, permits, surveys, indices, telephone calls, meeting minutes, databases, electronic files, software, transcriptions of recordings, computer tapes, diskettes, or other magnetic media, bank checks, vouchers,

charge slips, invoices, expense account reports, hotel charges, receipts, freight bills, agreements, corporate resolutions, minutes, books, binders, accounts, photographs, and business records. This shall include all non-identical copies, no matter how prepared; all drafts prepared in connection with such documents, whether used or not; and any deleted or erased documents that may be retrieved from hard drives, floppy disks, electronic back-up files, or any other back-up systems, regardless of location, together with all attachments thereto or enclosures therewith, in your possession, custody or control or any of your attorneys, employees, agents, or representatives.

a. "DOCUMENT" or "DOCUMENTS" shall include Electronically Stored Information. "ELECTRONICALLY STORED INFORMATION" means electronically stored data on magnetic or optical storage media (including but not limited to hard drives, backup tapes, Jaz and zip drives, floppy disks, CD-ROMs and DVD-ROMs) as an "active" file or files (readily readable by one or more computer applications or forensics software), any electronic files saved as a backup, any "deleted" but recoverable electronic files on said media; any electronic file fragments (files that have been deleted and partially overwritten with new data), and slack (data fragments stored randomly from random access memory [RAM] on a hard drive during the normal operation of a computer [file slack and/or RAM slack] or residual data left on the hard drive after new data has overwritten some but not all of previously stored data), text messages and emails located on any mainframe, server, desktop, or portable device, including cell phones.

10. "MAP ROOM" refers to any part of the process for the development, design, and and/or revisions of proposed and draft congressional legislative redistricting maps, S. 865 (as

defined below), and predecessor maps (as defined below) by the South Carolina General Assembly, including, but not limited to the virtual and physical room the Assembly established to develop congressional maps.

11. "PERSON" means any natural person or any legal entity, including, but not limited to, any business or governmental entity or association.

12. "PREDECESSOR MAPS" means any previous South Carolina congressional redistricting map in whole or in part that were considered, created, developed, and/or proposed by the South Carolina General Assembly.

13. "RACIALLY POLARIZED" means that there is a consistent relationship between the race of the voter and the way in which the voter votes. It means that "black voters and white voters vote differently." *Thornburg v. Gingles*, 478 U.S. 30, 53, n.21 (1986).

14. "RELATED TO," "CONCERNING," or "INCLUDING" shall be construed in the broadest sense to mean referring to, describing, reflecting, alluding to, responding to, connected with, commenting on, in respect of, about, regarding, discussing, showing, analyzing, constituting, and/or evidencing, in any manner, whether directly or indirectly, the subject matter of the Request.

15. "S. 865" refers to Senate Bill 865 as ratified by the South Carolina General Assembly on January 26, 2022 and signed by the Governor of South Carolina on the same day as Act 118, and refers to the bill as a whole and/or to any provision thereof, as well as prior versions thereof, substitute bills, and/or amendments related to the bill. S. 865 is the legislation passed by the South Carolina General Assembly that implemented South Carolina's seven congressional districts.

16. "SOUTH CAROLINA GENERAL ASSEMBLY" means all one hundred twenty-four (124) members of the South Carolina House of Representatives and all forty-six (46) members of the South Carolina Senate. "SOUTH CAROLINA GENERAL ASSEMBLY" includes committees, committee chairs, staff, advisors, employees, representatives, officers, consultants, contractors, or any person or entity acting or purporting to act on the South Carolina General Assembly's behalf or subject to the South Carolina General Assembly's control.
17. "VOTERS OF COLOR" means anyone who is Black, Hispanic/Latinx, Asian American and Pacific Islander, or is a member of any other racial minority group, who is eligible or could be eligible to vote.
18. "YOU" or "YOUR" means Charles L.A. Terreni, and all current or former agents, advisors, employees, representatives, officers, consultants, clerks, or contractors with Terreni Law Firm, LLC., and any person or entity acting or purporting to act on Your behalf or subject to Your control.

INSTRUCTIONS

1. The responsive documents should be produced in the manner prescribed by the Rules and any applicable laws or rules.
2. Under Rule 34(b)(2)(B) & (C), if any part of the Request is objected to, the reason for the objection should be stated with particularity. If an objection is made to part of any item or category set forth in a request, that part should be specified. Any ground not stated will be waived.
3. If, in responding to this request, You encounter any ambiguities when construing a request or definition, set forth in Your response what you find ambiguous and the construction You used in responding.

4. Each request for production and subparagraphs or subdivisions thereof shall be construed independently, and no request shall be construed as creating a limitation upon any other request.
5. The documents produced in response to these requests are all responsive documents in your possession, custody, or control, or known to be available to you, regardless of whether such documents are possessed directly by you or your agents, advisors, employees, representatives, attorneys, consultants, successors-in-interest, or other persons or entities acting on your behalf or subject to your control, and whether they are maintained at any of your locations, offices, archives, or in any other location (including back-up tapes or electronic mail) or with any persons related in any way to you.
6. Any reference in these document requests to an individual includes any and all agents, advisors, employees, representatives, attorneys, successors-in-interest, and all other persons or entities acting on his, her, or its behalf or under his, her, or its control.
7. Any reference in these document requests to any corporation, partnership, association, governmental entity or agency, or other entity includes the present and former officers, executives, partners, directors, trustees, employees, agents, representatives, attorneys, accountants and all other persons acting or purporting to act on behalf of such corporation, partnership, association, agency, or entity and any of their parent corporations, holding companies, subsidiaries, affiliates, divisions, departments, predecessors, and/or successors-in-interest.
8. Where a request calls for information that is not available to you in the form requested, but is available in another form or can be obtained, in whole or in part, from other data in your possession or control, you must so state and either supply the information requested in the

form in which it is available, or supply the data from which the information requested can be obtained.

9. In addition to the responsive document, you shall produce all non-identical copies, including all drafts, of each responsive document.
10. If any requested document is not or cannot be produced in full, you shall produce it to extent possible, indicating what document or portion of such document is not or cannot be produced and the reason why it is not or cannot be produced.
11. Each document produced must include all attachments and enclosures.
12. Documents attached to each other shall not be separated.
13. Documents not otherwise responsive to a request for production shall be produced if such documents refer to, concern, or explain the documents called for by any request for production and constitute routing slips, transmittal memoranda or letters, comments, valuations, or similar documents.
14. In accordance with Rule 34(b), all documents shall be produced as they are kept in the usual course of business or shall be organized and labeled to correspond with the categories in the requests and identify the name of the person from whose files the documents were produced.
15. Each request shall be responded to separately. Nevertheless, a document that is responsive to more than one request may be produced for one request and incorporated by reference in another response, provided that the relevant, corresponding portion is so labeled or marked.
16. If any requested document or other document potentially relevant to this action is subject to destruction under any document retention or destruction program, the document(s) should be exempted from any scheduled destruction and should not be destroyed until the conclusion of this lawsuit or unless otherwise permitted by the Court. Any reference in these document

requests to an individual includes any and all agents, advisors, employees, representatives, attorneys, successors-in-interest, and all other persons or entities acting on his, her, or its behalf or under his, her, or its control.

17. No part of a document request shall be left unanswered because an objection is interposed to another part of the document request. If you object to any document request or sub-part thereof, state with specificity your objection and all grounds therefore. Any ground not stated will be waived.

18. All documents are to be produced in electronic form. Documents produced electronically should be produced in native format with all metadata intact. to the extent documents can be accurately represented in black and white, they should be produced in single-page Tagged Image File Format ("TIFF"), together with any related field-delimited load files (e.g., Concordance DAT, CSV, OPT, LOG). Each TIFF document shall be produced with an image load file in standard Opticon (*.log) format that reflects the parent / child relationship and also includes the beginning Bates number; ending Bates number; beginning Attachment Bates number; ending Attaching Bates number; custodian; date sent (for email messages); date modified (for email and non-email messages) where information is available; author (for email and non-email messages); and subject (for email messages). The TIFF images shall also be accompanied by extracted text or, for those files that do not have extracted text upon being processed (such as hard copy documents), optical character recognition ("OCR") text data; such extracted text or OCR text data shall be provided in document level form and named after the TIFF image. Documents that contain redactions shall be OCR'd after the redaction is applied to the image, and the OCR will be produced in place of extracted text at the document level.

19. If you contend that it would be unduly burdensome to obtain and provide all of the documents called for in response to any request, then in response to each such request you shall:

    a. produce all documents and information available to you without undertaking what you contend to be an unreasonable burden; and

    b. set forth the particular grounds on which you contend that additional efforts to obtain such documents and information would be unduly burdensome.

20. If any document is withheld, in whole or in part, under any claim of privilege, including without limitation, the work-product doctrine, attorney-client privilege, deliberative process privilege, or investigative or law enforcement privilege, your answer should provide the following information in a single log:

    a. the type of document;

    b. the date of the document;

    c. the names of its author(s) or preparer(s) and an identification by employment and title of each such person;

    d. the name of each person who was sent or furnished with, received, viewed, or has had custody of the document or a copy thereof together with an identification of each such person;

    e. its title and reference, if any;

    f. a description of the document sufficient to identify it without revealing the information for which privilege is claimed;

    g. the type of privilege asserted;

h. a description of the subject matter of the document in sufficient detail to allow the Court to adjudicate the validity of the claim for privilege; and

i. the paragraph of this request to which the document relates.

21. Any requests propounded in the disjunctive shall be read as if propounded in the conjunctive and vice versa. Any request propounded in the singular shall be read as if propounded in the plural and vice versa. Any request propounded in the present tense shall also be read as if propounded in the past tense and vice versa.

22. These document requests cover the period from January 1, 2021 to the present, unless otherwise indicated in the request itself. The document requests set forth below encompass all documents and information concerning this period, even though dated, prepared, generated, or received prior to this period.

23. These document requests are continuing in nature and require further and supplemental production if additional documents are acquired and located following the time of the initial production, to the fullest extent under the Rules and any applicable laws or rules.

DOCUMENTS REQUESTED

REQUEST FOR PRODUCTION NO. 1

All documents You provided to Defendants, Committee Members, or the South Carolina General Assembly, or communications between You and Defendants, Committee Members, or the South Carolina General Assembly, from January 1, 2021 through the present that concern congressional redistricting in South Carolina, including, but not limited to, all (a) documents that reflect or discuss the rationale(s), purpose(s), interpretation(s), or analysis of S. 865 and/or Predecessor Maps; (b) documents or data provided to, considered, or relied upon by persons who drew, reviewed, approved, or adopted the districts as reflected in S. 865 and Predecessor Maps; (c) documents concerning the Racially Polarized voting in the South Carolina electorate,

congressional districts, and the role of race in drawing districts; (d) any and all criteria used in drawing and approving the district lines, contours, limits, or boundaries included in the districts adopted in S. 865 or the Predecessor Maps; (e) documents concerning the impact of potential impact of S. 865 and any Predecessor Maps on Voters of Color; (f) documents concerning any survey results, databases, estimates, or statistics regarding racial or ethnic group affiliation or identification among South Carolina voters in the Challenged Districts and Districts Bordering the Challenged Districts or regarding partisan or political affiliation among South Carolina voters in the Challenged Districts and Districts Bordering the Challenged Districts.

REQUEST FOR PRODUCTION NO. 2

All correspondence and documents You received from Mr. Adam Kincaid, the National Republican Redistricting Trust, Fair Lines America, Magellan Consulting, or anyone else from January 1, 2021 to the present concerning S. 865 and any Predecessor Maps, the drawing of congressional districts or any congressional draft maps of the districts considered but not adopted, and congressional redistricting in South Carolina.

REQUEST FOR PRODUCTION NO. 3

All documents You provided to or received from Defendants, Committee Members, or the South Carolina General Assembly, and communications between You and Defendants, Committee Members, or the South Carolina General Assembly, relating to the following hearings:

a. The South Carolina Senate Redistricting Subcommittee's hearing held on July 20, 2021;

b. The South Carolina Senate Redistricting Subcommittee's hearing held on November 12, 2021;

c. The South Carolina Senate Redistricting Subcommittee's hearing held on November 29, 2021;

d. The South Carolina House of Representatives Redistricting Ad Hoc Committee's hearing held on December 16, 2021;

e. The South Carolina House of Representatives Redistricting Ad Hoc Committee's hearing held on December 29, 2021;

f. The South Carolina House of Representatives Redistricting Ad Hoc Committee's hearing held on January 10, 2022;

g. The South Carolina House of Representatives Judiciary Committee's hearing held on January 10, 2022; and

h. The South Carolina Senate Redistricting Subcommittee's hearing held on January 13, 2022.

REQUEST FOR PRODUCTION NO. 4

All documents concerning any retainer agreement, fee agreement, or any other contract or agreement between You and Defendants, Committee Members, or the South Carolina General Assembly regarding redistricting in South Carolina from January 1, 2021 through the present.

Dated: June 1, 2022

Respectfully submitted,

/s/ Allen Chaney
Allen Chaney, Fed. ID 13181
AMERICAN CIVIL LIBERTIES UNION
OF SOUTH CAROLINA
Charleston, SC 29413-0998
Tel.: (843) 282-7953
Fax: (843) 720-1428
achaney@aclusc.org

Christopher J. Bryant, Fed. ID 12538
BOROUGHS BRYANT, LLC
1122 Lady St., Ste. 208
Columbia, SC 29201
Tel.: (843) 779-5444
chris@boroughsbryant.com

Somil B. Trivedi**
Patricia Yan**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
915 15th St., NW
Washington, DC 20005
Tel.: (202) 457-0800
strivedi@aclu.org

Jeffrey A. Fuisz**
Paula Ramer**
Andrew Hirschel*
ARNOLD & PORTER KAYE SCHOLER LLP
250 West 55th Street
New York, NY 10019
Tel: (212) 836-8000
jeffrey.fuisz@arnoldporter.com

Sarah Gryll**
ARNOLD & PORTER KAYE SCHOLER LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
sarah.gryll@arnoldporter.com

Counsel for Plaintiffs the South Carolina Conference of the NAACP and Taiwan Scott

Leah C. Aden**
Stuart Naifeh**
Raymond Audain**
John S. Cusick**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector St, 5th Fl.
NY, NY 10006
Tel.: (212) 965-7715
laden@naacpldf.org

Antonio L. Ingram II**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
700 14th St, Ste. 600
Washington, D.C. 20005
Tel.: (202) 682-1300
aingram@naacpldf.org

Adriel I. Cepeda Derieux**
Samantha Osaki**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Tel.: (212) 549-2500
acepedaderieux@aclu.org

John A. Freedman**
Elisabeth S. Theodore*
Gina M. Colarusso**
John M. Hindley**
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Ave., N.W.
Washington, D.C. 20001
Tel: (202) 942-5000
john.freedman@arnoldporter.com

** Motion for admission Pro Hac Vice forthcoming*
*** Admitted Pro Hac Vice*

Janette M. Louard*
Anthony P. Ashton*
Anna Kathryn Barnes**
NAACP OFFICE OF THE GENERAL COUNSEL
4805 Mount Hope Drive
Baltimore, MD 21215
Tel: (410) 580-5777
jlouard@naacpnet.org

* Motion for admission *Pro Hac Vice* forthcoming or pending
** Admitted *Pro Hac Vice*

Counsel for Plaintiff the South Carolina Conference of the NAACP

CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2022, a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ Allen Chaney
Allen Chaney

Exhibit P

South Carolina Congressional Enacted Districts Core Preservation

District	% of Benchmark District in Enacted District	% of Enacted District from Benchmark District
1	82.84%	92.78%
2	98.01%	96.75%
3	98.02%	94.75%
4	94.34%	98.09%
5	94.38%	95.04%
6	87.55%	77.41%
7	99.96%	99.51%

Date Prepared: July 29, 2022

Exhibit Q

Kenny, Stephen J.

From: Gore, John M.
Sent: Tuesday, July 5, 2022 4:01 PM
To: Gatchalian, Jan Paolo G.; MParente@nexsenpruet.com; chris@boroughsbryant.com; MMoore@nexsenpruet.com; JHollingsworth@nexsenpruet.com; HBarber@nexsenpruet.com; AMathias@nexsenpruet.com; RRicard@nexsenpruet.com; BWilkins@nexsenpruet.com; KDiamaduros@nexsenpruet.com; SRabon@nexsenpruet.com; SWerdenie@nexsenpruet.com; LSmith@nexsenpruet.com; lcrum@burr.com; jcusick@naacpldf.org; cnygord@robinsongray.com; achaney@aclusc.org; aingram@naacpldf.org; laden@naacpldf.org; pyan@aclu.org; raudain@naacpldf.org; sosaki@aclu.org; sarah.gryll@arnoldporter.com; strivedi@aclu.org; snaifeh@naacpldf.org; ACepedaDerieux@aclu.org; john.freedman@arnoldporter.com; john.hindley@arnoldporter.com; jeffrey.fuisz@arnoldporter.com; paula.ramer@arnoldporter.com; gina.colarusso@arnoldporter.com; JTrinkley@burr.com; mburchstead@burr.com; tnicholson@elections.sc.gov; rtyson@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com; EShedd@NexsenPruet.com; scoleman@naacpldf.org; Andrew.Hirschel@arnoldporter.com
Cc: Crosland, Stewart; Kenny, Stephen J.
Subject: RE: SC NAACP v. Alexander: Senate Defendants' Production

Counsel:

Per the Court's order today, this production completes production of all documents listed on the Senate Defendants' legislative privilege log.

Thanks,
John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Gatchalian, Jan Paolo G. <jpgatchalian@JonesDay.com>
Sent: Tuesday, July 5, 2022 3:46 PM
To: MParente@nexsenpruet.com; chris@boroughsbryant.com; MMoore@nexsenpruet.com; JHollingsworth@nexsenpruet.com; HBarber@nexsenpruet.com; AMathias@nexsenpruet.com; RRicard@nexsenpruet.com; BWilkins@nexsenpruet.com; KDiamaduros@nexsenpruet.com; SRabon@nexsenpruet.com; SWerdenie@nexsenpruet.com; LSmith@nexsenpruet.com; lcrum@burr.com; jcusick@naacpldf.org; cnygord@robinsongray.com; achaney@aclusc.org; aingram@naacpldf.org; laden@naacpldf.org; pyan@aclu.org; raudain@naacpldf.org; sosaki@aclu.org; sarah.gryll@arnoldporter.com; strivedi@aclu.org; snaifeh@naacpldf.org; ACepedaDerieux@aclu.org; john.freedman@arnoldporter.com; john.hindley@arnoldporter.com; jeffrey.fuisz@arnoldporter.com; paula.ramer@arnoldporter.com; gina.colarusso@arnoldporter.com; JTrinkley@burr.com; mburchstead@burr.com; tnicholson@elections.sc.gov; rtyson@robinsongray.com; ltraywick@robinsongray.com; lstringfellow@robinsongray.com; EShedd@NexsenPruet.com; scoleman@naacpldf.org; Andrew.Hirschel@arnoldporter.com
Cc: Gore, John M. <jmgore@jonesday.com>; Crosland, Stewart <scrosland@jonesday.com>; Kenny, Stephen J. <skenny@jonesday.com>
Subject: RE: SC NAACP v. Alexander: Senate Defendants' Production

SCSENATE004.7z Password: **fgtyhuji(*&^%$#@**

Jan Paolo Gatchalian
Practice Support Project Specialist
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue., N.W.
Washington, D.C. 20001-2113
Office +1.202.879.3648
jpgatchalian@jonesday.com

From: Gatchalian, Jan Paolo G.
Sent: Tuesday, July 5, 2022 3:45 PM
To: 'MParente@nexsenpruet.com' <MParente@nexsenpruet.com>; 'chris@boroughsbryant.com' <chris@boroughsbryant.com>; 'MMoore@nexsenpruet.com' <MMoore@nexsenpruet.com>; 'JHollingsworth@nexsenpruet.com' <JHollingsworth@nexsenpruet.com>; 'HBarber@nexsenpruet.com' <HBarber@nexsenpruet.com>; 'AMathias@nexsenpruet.com' <AMathias@nexsenpruet.com>; 'RRicard@nexsenpruet.com' <RRicard@nexsenpruet.com>; 'BWilkins@nexsenpruet.com' <BWilkins@nexsenpruet.com>; 'KDiamaduros@nexsenpruet.com' <KDiamaduros@nexsenpruet.com>; 'SRabon@nexsenpruet.com' <SRabon@nexsenpruet.com>; 'SWerdenie@nexsenpruet.com' <SWerdenie@nexsenpruet.com>; 'LSmith@nexsenpruet.com' <LSmith@nexsenpruet.com>; 'lcrum@burr.com' <lcrum@burr.com>; 'jcusick@naacpldf.org' <jcusick@naacpldf.org>; 'cnygord@robinsongray.com' <cnygord@robinsongray.com>; 'achaney@aclusc.org' <achaney@aclusc.org>; 'aingram@naacpldf.org' <aingram@naacpldf.org>; 'laden@naacpldf.org' <laden@naacpldf.org>; 'pyan@aclu.org' <pyan@aclu.org>; 'raudain@naacpldf.org' <raudain@naacpldf.org>; 'sosaki@aclu.org' <sosaki@aclu.org>; 'sarah.gryll@arnoldporter.com' <sarah.gryll@arnoldporter.com>; 'strivedi@aclu.org' <strivedi@aclu.org>; 'snaifeh@naacpldf.org' <snaifeh@naacpldf.org>; 'ACepedaDerieux@aclu.org' <ACepedaDerieux@aclu.org>; 'john.freedman@arnoldporter.com' <john.freedman@arnoldporter.com>; 'john.hindley@arnoldporter.com' <john.hindley@arnoldporter.com>; 'jeffrey.fuisz@arnoldporter.com' <jeffrey.fuisz@arnoldporter.com>; 'paula.ramer@arnoldporter.com' <paula.ramer@arnoldporter.com>; 'gina.colarusso@arnoldporter.com' <gina.colarusso@arnoldporter.com>; 'JTrinkley@burr.com' <JTrinkley@burr.com>; 'mburchstead@burr.com' <mburchstead@burr.com>; 'tnicholson@elections.sc.gov' <tnicholson@elections.sc.gov>; 'rtyson@robinsongray.com' <rtyson@robinsongray.com>; 'ltraywick@robinsongray.com' <ltraywick@robinsongray.com>; 'lstringfellow@robinsongray.com' <lstringfellow@robinsongray.com>; 'EShedd@NexsenPruet.com' <EShedd@NexsenPruet.com>; 'scoleman@naacpldf.org' <scoleman@naacpldf.org>; 'Andrew.Hirschel@arnoldporter.com' <Andrew.Hirschel@arnoldporter.com>
Cc: Gore, John M. <jmgore@jonesday.com>; Crosland, Stewart <scrosland@jonesday.com>; Kenny, Stephen J. <skenny@jonesday.com>
Subject: RE: SC NAACP v. Alexander: Senate Defendants' Production

Below please find a link to a document production of the Senate Defendants. The 7-zip file is password protected; We will send you the password by separate email. If you have any issues accessing the production, please email me at jpgatchalian@jonesday.com or call me at (202) 879-3648.

Sincerely,

Jan Paolo Gatchalian
Practice Support Project Specialist
JONES DAY® - One Firm Worldwide℠
51 Louisiana Avenue., N.W.
Washington, D.C. 20001-2113

Office +1.202.879.3648
jpgatchalian@jonesday.com

Exhibit R

Gore, John M.

From: Hindley, John <John.Hindley@arnoldporter.com>
Sent: Tuesday, August 16, 2022 8:17 PM
To: Gore, John M.; raudain@naacpldf.org; Crum, Liz; Mparente@nexsenpruet.com; jcusick@naacpldf.org; MMoore@nexsenpruet.com
Cc: Rob Tyson; Lisle Traywick; La'Jessica Stringfellow; Kenny, Stephen J.; Cynthia D. Nygord; Hollingsworth, Jennifer J.; Mathias, Andrew A.; KDiamaduros@nexsenpruet.com; Crosland, Stewart; Wilkins, William W.; Ricard, Rhett D.; Rabon, Sheree M.; Smith, Laura L.; Trinkley, Jane; Burchstead, Michael; Werdenie, Sharon A.; Barber, Hamilton B.; Gibson, Lisa; Leah Aden; aingram@naacpldf.org; Santino Coleman; Rick Rozos; Michelle Charles; acepedaderieux@aclu.org; strivedi@aclu.org; pyan@aclu.org; sosaki@aclu.org; chris@boroughsbryant.com; achaney@aclusc.org; Freedman, John A.; Colarusso, Gina; Hirschel, Andrew; Ramer, Paula; Gryll, Sarah; Ellis, Rodney; Rick Rozos; Michelle Charles
Subject: RE: [SC Redistricting Case] Discovery Follow Up [IWOV-NPCOL1.FID2240915]

Mr. Gore:

For your planning purposes, Plaintiffs anticipate filing their motion for *in camera* review on Thursday.

John

From: Gore, John M. <jmgore@jonesday.com>
Sent: Saturday, August 13, 2022 12:14 PM
To: zzz.External.raudain@naacpldf.org <raudain@naacpldf.org>; Crum, Liz <lcrum@burr.com>; zzz.External.Mparente@nexsenpruet.com <Mparente@nexsenpruet.com>; Hindley, John <John.Hindley@arnoldporter.com>; zzz.External.jcusick@naacpldf.org <jcusick@naacpldf.org>; zzz.External.MMoore@nexsenpruet.com <MMoore@nexsenpruet.com>
Cc: rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; zzz.External.KDiamaduros@nexsenpruet.com <KDiamaduros@nexsenpruet.com>; Crosland, Stewart <scrosland@jonesday.com>; Wilkins, William W. <BWilkins@nexsenpruet.com>; Ricard, Rhett D. <RRicard@nexsenpruet.com>; Rabon, Sheree M. <SRabon@nexsenpruet.com>; Smith, Laura L. <LSmith@nexsenpruet.com>; Trinkley, Jane <JTrinkley@burr.com>; Burchstead, Michael <mburchstead@burr.com>; Werdenie, Sharon A. <SWerdenie@nexsenpruet.com>; Barber, Hamilton B. <HBarber@nexsenpruet.com>; Gibson, Lisa <LGibson@burr.com>; Leah Aden <laden@naacpldf.org>; zzz.External.aingram@naacpldf.org <aingram@naacpldf.org>; Santino Coleman <scoleman@naacpldf.org>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; zzz.External.acepedaderieux@aclu.org <acepedaderieux@aclu.org>; zzz.External.strivedi@aclu.org <strivedi@aclu.org>; zzz.External.pyan@aclu.org <pyan@aclu.org>; zzz.External.sosaki@aclu.org <sosaki@aclu.org>; zzz.External.chris@boroughsbryant.com <chris@boroughsbryant.com>; zzz.External.achaney@aclusc.org <achaney@aclusc.org>; Freedman, John A. <John.Freedman@arnoldporter.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Ramer, Paula <Paula.Ramer@arnoldporter.com>; Gryll, Sarah <Sarah.Gryll@arnoldporter.com>; Ellis, Rodney <Rodney.Ellis@arnoldporter.com>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>
Subject: RE: [SC Redistricting Case] Discovery Follow Up [IWOV-NPCOL1.FID2240915]

External E-mail

Exhibit S

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP, et al.,

Plaintiffs,

vs. CASE NO.: 3:21-CV-03302-MGL-TJH-RMG

THOMAS C. ALEXANDER, et al.,

Defendants.

DEPOSITION OF: SENATOR LUKE A. RANKIN
(APPEARING VIA VIRTUAL ZOOM)

DATE: August 2, 2022

TIME: 10:52 AM

LOCATION OF
THE DEPONENT: Rankin & Rankin Law Firm
201 Beaty Street
Conway, SC

TAKEN BY: Counsel for the Plaintiffs

REPORTED BY: TERRI L. BRUSSEAU
(APPEARING VIA VIRTUAL ZOOM)

APPEARANCES OF COUNSEL:

ATTORNEYS FOR THE PLAINTIFFS THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP, et al.:

AMERICAN CIVIL LIBERTIES UNION FOUNDATION
BY: SOMIL B. TRIVEDI
(APPEARING VIA VIRTUAL ZOOM)
PATRICIA YAN
(APPEARING VIA VIRTUAL ZOOM)
LILY BAGGOTT, LAW CLERK
(APPEARING VIA VIRTUAL ZOOM)
915 15th Street NW
Washington, DC 20005
(202) 457-0800
strivedi@aclu.org
pyan@aclu.org
and
AMERICAN CIVIL LIBERTIES UNION FOUNDATION
BY: ADRIEL I. CEPEDA DERIEUX
(APPEARING VIA VIRTUAL ZOOM)
125 Broad Street, 18th Floor
New York, NY 10004
(212) 549-2500
acepedaderieux@aclu.org

and

NAACP LEGAL DEFENSE & EDUCATIONAL FUND, INC.
BY: JOHN S. CUSICK
(APPEARING VIA VIRTUAL ZOOM)
LEAH C. ADEN
(APPEARING VIA VIRTUAL ZOOM)
GENEVA GUADALUPE, LEGAL INTERN
(APPEARING VIA VIRTUAL ZOOM)
40 Rector Street #5
New York, NY 10006
(212) 965-7715
jcusick@naacpldf.org
laden@naacpldf.org

(Continued)

ATTORNEYS FOR HOUSE DEFENDANTS, SPEAKER JAMES H. LUCAS, CHAIRMAN CHRIS MURPHY AND CHAIRMAN WALLACE JORDAN:
NEXSEN PRUET, LLC
BY: MARK C. MOORE
(APPEARING VIA VIRTUAL ZOOM)
KONSTANTINE DIAMADUROS
(APPEARING VIA VIRTUAL ZOOM)
1230 Main Street, Suite 700
Columbia, SC 29201
(803) 253-8221
mmoore@nexsenpruet.com
kdiamaduros@nexsenpruet.com

ATTORNEYS FOR ELECTION DEFENDANTS:

BURR FORMAN, LLP
BY: MICHAEL R. BURSTEAD
(APPEARING VIA VIRTUAL ZOOM)
M. ELIZABETH CRUM
(APPEARING VIA VIRTUAL ZOOM)
1221 Main Street, Suite 1800
Columbia, SC 29201
(803) 799-9800
mburstead@burr.com
ecrum@burr.com

ATTORNEYS FOR THE SENATE DEFENDANTS:
JONES DAY
BY: JOHN M. GORE
(APPEARING VIA VIRTUAL ZOOM)
CINDY NYGORD, PARALEGAL
(APPEARING VIA VIRTUAL ZOOM)
51 Louisiana Avenue NW
Washington, DC 20001
(202) 879-3939
jmgore@jonesday.com

(INDEX AT REAR OF TRANSCRIPT)

SENATOR LUKE A. RANKIN

being first duly sworn, testified as follows:

EXAMINATION

BY MR. TRIVEDI:

Q. Good morning, Mr. Rankin. Nice to see you again.

A. Good morning.

Q. My name is Somil Trivedi. As you know, I represent the plaintiffs in this suit. Even though you just did for the court reporter, could you please state your full name for the record, spelling your last name.

A. Luke Rankin. L-U-K-E, R-A-N-K-I-N.

Q. Great. For today's deposition, I just want to start with some basic ground rules, which you probably are already familiar with, but just so that we're on the same page. You understand that you're testifying under oath today, is that right?

A. Yes, sir.

Q. Is there any reason you aren't able to truthfully answer my questions today?

A. No.

Q. Are you on any medication or anything else that might inhibit your capacities or anything like that?

A. That's the guidelines that we adopted September 17th.

Q. Okay. And these are the guidelines governing redistricting?

A. Correct.

Q. Okay. I'm just going to call these the guidelines going forward if that's okay.

A. All right.

Q. So were you involved in creating these?

A. No.

Q. Who was?

A. Charlie and Andy, based -- and these were very similar to what we had done in South Carolina every ten years.

Q. Okay. Did you have any input in what should and shouldn't be a guideline?

A. Well, we voted on these, so, yeah.

Q. Okay. But did you have any input on the draft that was considered by the committee?

A. No. No.

Q. That was just Andy and Will?

A. No, Andy and Charlie.

Q. Oh, I'm sorry about that. Andy and Charlie.

A. I assume. Again, those would be

questions to ask those two gentlemen.

Q. Okay. Do you know if Andy and Charlie consulted with any outside lawyers?

A. Do not.

Q. Okay. Do you know if Andy and Charlie conducted any legal research before they submitted this to the committee?

A. Do not.

Q. Did you ever ask them to to make sure that you were getting the law right in here?

A. Directly, probably not. Again, Paula's been involved in redistricting before. They attended CL -- not CLE's, but seminars on these across the country. Charlie again has been either a litigant or representing some party, at least three of these, if not four, which may be -- seem odd, but it's maybe because he's perhaps around my age and so maybe -- but, anyway, he's familiar with this.

Q. Okay. Do you know the parties that Charlie's represented in redistricting litigation by any chance?

A. The Senate the last time, I believe.

Q. Okay. He's never represented plaintiffs in a redistricting case?

Exhibit T

Kenny, Stephen J.

From: Gore, John M.
Sent: Tuesday, August 23, 2022 3:31 PM
To: Hindley, John; rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow; Kenny, Stephen J.; Cynthia D. Nygord; Hollingsworth, Jennifer J.; Mathias, Andrew A.; Mparente@nexsenpruet.com; KDiamaduros@nexsenpruet.com; Wilkins, William W.; Ricard, Rhett D.; Rabon, Sheree M.; Smith, Laura L.; jtrinkley@burr.com; lcrum@burr.com; mburchstead@burr.com; Werdenie, Sharon A.; Barber, Hamilton B.; Gibson, Lisa; Leah Aden; aingram@naacpldf.org; raudain@naacpldf.org; Santino Coleman; Rick Rozos; Michelle Charles; acepedaderieux@aclu.org; strivedi@aclu.org; pyan@aclu.org; sosaki@aclu.org; chris@boroughsbryant.com; achaney@aclusc.org; Crosland, Stewart; Freedman, John A.; Colarusso, Gina; Hirschel, Andrew; Ramer, Paula; Gryll, Sarah; Ellis, Rodney; Rick Rozos; Michelle Charles; MMoore@nexsenpruet.com; jcusick@naacpldf.org
Subject: RE: SCNAACP v. Alexander - Privilege Logs
Attachments: Language for Redistricting

Counsel:

The Senate Defendants have learned that the House Defendants already have produced the document noted at Entry 42 of the Senate Defendants' attorney-client privilege log and referenced in Plaintiffs' motion for *in camera* review. I have attached the document here. The House Defendants produced it with the Bates range SC_HOUSE_0105039-0105040.

Thanks,
John

John M. Gore
Partner
JONES DAY® - One Firm Worldwide®
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Office +1.202.879.3930

From: Gore, John M.
Sent: Thursday, August 18, 2022 4:47 PM
To: 'Hindley, John' <John.Hindley@arnoldporter.com>; rtyson@robinsongray.com; ltraywick@robinsongray.com; La'Jessica Stringfellow <lstringfellow@robinsongray.com>; Kenny, Stephen J. <skenny@jonesday.com>; Cynthia D. Nygord <cnygord@robinsongray.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>; Mathias, Andrew A. <AMathias@nexsenpruet.com>; Mparente@nexsenpruet.com; KDiamaduros@nexsenpruet.com; Wilkins, William W. <BWilkins@nexsenpruet.com>; Ricard, Rhett D. <RRicard@nexsenpruet.com>; Rabon, Sheree M. <SRabon@nexsenpruet.com>; Smith, Laura L. <LSmith@nexsenpruet.com>; jtrinkley@burr.com; lcrum@burr.com; mburchstead@burr.com; Werdenie, Sharon A. <SWerdenie@nexsenpruet.com>; Barber, Hamilton B. <HBarber@nexsenpruet.com>; Gibson, Lisa <LGibson@burr.com>; Leah Aden <laden@naacpldf.org>; aingram@naacpldf.org; raudain@naacpldf.org; Santino Coleman <scoleman@naacpldf.org>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>; acepedaderieux@aclu.org; strivedi@aclu.org; pyan@aclu.org; sosaki@aclu.org; chris@boroughsbryant.com; achaney@aclusc.org; Crosland, Stewart <scrosland@jonesday.com>; Freedman, John A. <John.Freedman@arnoldporter.com>; Colarusso, Gina <Gina.Colarusso@arnoldporter.com>; Hirschel, Andrew <Andrew.Hirschel@arnoldporter.com>; Ramer, Paula <Paula.Ramer@arnoldporter.com>; Gryll, Sarah <Sarah.Gryll@arnoldporter.com>; Ellis, Rodney <Rodney.Ellis@arnoldporter.com>; Rick Rozos <rrozos@naacpldf.org>; Michelle Charles <mcharles@naacpldf.org>;