# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

WES ALLEN, in his official capacity as Secretary of State, et al.,   Defendants.   EVAN MILLIGAN, et al.,  Plaintiffs,   V.   WES ALLEN, in his official capacity as Secretary of State, et al.,   Defendants.   MARCUS CASTER, et al.,  Plaintiffs,   V.   Case No.: 2:21-cv-01530-AMN   THREE-JUDGE COURT   THREE-JUDGE COURT   Case No.: 2:21-cv-01536-AMN   Case No.: 2:21	Case No.: 2:21-cv-1291-AMM  THREE-JUDGE COURT  THREE-JUDGE COURT  Plaintiffs,  Case No.: 2:21-cv-01530-AMM  THREE-JUDGE COURT  Case No.: 2:21-cv-01530-AMM  THREE-JUDGE COURT  THREE-JUDGE COURT  Case No.: 2:21-cv-01530-AMM  THREE-JUDGE COURT  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM	BOBBY SINGLETON, et al.,	)
WES ALLEN, in his official capacity as Secretary of State, et al.,   Defendants.   EVAN MILLIGAN, et al.,  Plaintiffs,   V.   WES ALLEN, in his official capacity as Secretary of State, et al.,   Defendants.   MARCUS CASTER, et al.,  Plaintiffs,   V.   Case No.: 2:21-cv-01530-AMN   THREE-JUDGE COURT   THREE-JUDGE COURT   Case No.: 2:21-cv-01536-AMN   Case No.: 2:21	THREE-JUDGE COURT  Case No.: 2:21-cv-01530-AMM  THREE-JUDGE COURT  THR	Plaintiffs,	)
capacity as Secretary of State, et al.,  Defendants.  EVAN MILLIGAN, et al.,  Plaintiffs,  V.  Case No.: 2:21-cv-01530-AMN  WES ALLEN, in his official capacity as Secretary of State, et al.,  Defendants.  MARCUS CASTER, et al.,  Plaintiffs,  V.  Case No.: 2:21-cv-01536-AMN	pacity as Secretary of State, et al.,  Defendants.  VAN MILLIGAN, et al.,  Plaintiffs,  Case No.: 2:21-cv-01530-AMM  THREE-JUDGE COURT  Pacity as Secretary of State, et al.,  Defendants.  IARCUS CASTER, et al.,  Plaintiffs,  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM	v.	) Case No.: 2:21-cv-1291-AMM
EVAN MILLIGAN, et al.,  Plaintiffs,  v.  Case No.: 2:21-cv-01530-AMN  WES ALLEN, in his official capacity as Secretary of State, et al.,  Defendants.  MARCUS CASTER, et al.,  Plaintiffs,  v.  Case No.: 2:21-cv-01536-AMN	VAN MILLIGAN, et al.,  Plaintiffs,  Case No.: 2:21-cv-01530-AMM  THREE-JUDGE COURT  THREE-JUDGE COURT  Defendants.  IARCUS CASTER, et al.,  Plaintiffs,  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM	•	) THREE-JUDGE COURT
Plaintiffs,  v.  Case No.: 2:21-cv-01530-AMN  WES ALLEN, in his official capacity as Secretary of State, et al.,  Defendants.  MARCUS CASTER, et al.,  Plaintiffs,  v.  Case No.: 2:21-cv-01536-AMN	Plaintiffs,  Case No.: 2:21-cv-01530-AMM  THREE-JUDGE COURT  THREE-JUDGE COURT  Defendants.   ARCUS CASTER, et al.,  Plaintiffs,  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM	Defendants.	)
v. Case No.: 2:21-cv-01530-AMN  WES ALLEN, in his official THREE-JUDGE COURT  Defendants. )  MARCUS CASTER, et al., )  Plaintiffs, )  v. Case No.: 2:21-cv-01536-AMN	Case No.: 2:21-cv-01530-AMM  PES ALLEN, in his official apacity as Secretary of State, et al.,  Defendants.  IARCUS CASTER, et al.,  Plaintiffs,  Case No.: 2:21-cv-01530-AMM  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM  Case No.: 2:21-cv-01536-AMM	EVAN MILLIGAN, et al.,	)
WES ALLEN, in his official capacity as Secretary of State, et al.,  Defendants.  MARCUS CASTER, et al.,  Plaintiffs,  v.  Case No.: 2:21-cv-01536-AMN  WES ALLEN, in his official capacity as Secretary of State, et al.,  )	THREE-JUDGE COURT  TREE-JUDGE COURT	Plaintiffs,	)
capacity as Secretary of State, et al.,  Defendants.  MARCUS CASTER, et al.,  Plaintiffs,  v.  Case No.: 2:21-cv-01536-AMN  WES ALLEN, in his official capacity as Secretary of State, et al.,  )	Apacity as Secretary of State, et al.,  Defendants.  IARCUS CASTER, et al.,  Plaintiffs,  Case No.: 2:21-cv-01536-AMM  Pres Allen, in his official  Apacity as Secretary of State, et al.,  Defendants.  Case No.: 2:21-cv-01536-AMM  Defendants.  Defendant	v.	) Case No.: 2:21-cv-01530-AMM
MARCUS CASTER, et al.,  Plaintiffs,  v.  Case No.: 2:21-cv-01536-AMN  WES ALLEN, in his official capacity as Secretary of State, et al.,  )	IARCUS CASTER, et al.,  Plaintiffs,  Case No.: 2:21-cv-01536-AMM  CES ALLEN, in his official  apacity as Secretary of State, et al.,  )		THREE-JUDGE COURT
Plaintiffs,  v.  Case No.: 2:21-cv-01536-AMN  WES ALLEN, in his official capacity as Secretary of State, et al.,  )	Plaintiffs, ) Case No.: 2:21-cv-01536-AMM ) VES ALLEN, in his official pacity as Secretary of State, et al., )	Defendants.	)
v. Case No.: 2:21-cv-01536-AMN ) WES ALLEN, in his official ) capacity as Secretary of State, et al., )	Case No.: 2:21-cv-01536-AMM  (VES ALLEN, in his official )  (Appacity as Secretary of State, et al., )	MARCUS CASTER, et al.,	)
WES ALLEN, in his official ) capacity as Secretary of State, et al., )	/ES ALLEN, in his official ) apacity as Secretary of State, et al., )	Plaintiffs,	)
capacity as Secretary of State, et al., )	apacity as Secretary of State, et al., )	v.	) Case No.: 2:21-cv-01536-AMM
Defendants )	Defendants. )		) ) )
Defendants.		Defendants.	, )

#### **DEFENDANTS' RESPONSE TO ORDER CONCERNING CARTOGRAPHERS**

On July 24, 2023, the Court informed the parties that Dr. Persily will no longer serve as the Court's Cartographer, should one be needed, and directed the parties to suggest three to five persons who could so serve. Defendants propose the following persons they believe may be qualified to serve:

- James G. Gimpel, Professor, University of Maryland
- Thomas L. Brunell, Professor, University of Texas at Dallas
- Louis Hines, Alabama State University Center for Leadership and Public Policy
- Douglas M. Johnson, Claremont McKenna College

Defendants have not spoken to these persons about the case and do not know of their willingness or availability to serve.

Respectfully Submitted,

Steve Marshall *Attorney General* 

Edmund G. LaCour Jr. (ASB-9182-U81L) Solicitor General

/s/ James W. Davis
James W. Davis (ASB-4063-I58J)
Deputy Attorney General

A. Barrett Bowdre (ASB-2087-K29V)

Deputy Solicitor General

Misty S. Fairbanks Messick (ASB-1813-T71F) Brenton M. Smith (ASB-1656-X27Q) Benjamin M. Seiss (ASB-2110-O00W) Assistant Attorneys General

OFFICE OF THE ATTORNEY GENERAL STATE OF ALABAMA 501 Washington Avenue P.O. Box 300152 Montgomery, Alabama 36130-0152 Telephone: (334) 242-7300 Edmund.LaCour@AlabamaAG.gov Jim.Davis@AlabamaAG.gov Barrett.Bowdre@AlabamaAG.gov Misty.Messick@AlabamaAG.gov Brenton.Smith@AlabamaAG.gov Ben.Seiss@AlabamaAG.gov

## Counsel for Secretary Merrill

#### s/ Dorman Walker (with permission)

Dorman Walker (ASB-9154-R81J) BALCH & BINGHAM LLP Post Office Box 78 (36101) 105 Tallapoosa Street, Suite 200 Montgomery, AL 36104 Telephone: (334) 269-3138 Email: dwalker@balch.com

Counsel for Sen. Livingston and Rep. Pringle

### **CERTIFICATE OF SERVICE**

I certify that on July 28, 2023, I electronically filed the foregoing notice with the Clerk of the Court using the CM/ECF system, which will send notice to all counsel of record.

/s/ James W. Davis Counsel for Secretary Allen