

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:22-cv-24066-KMM

GRACE, INC.; ENGAGE MIAMI, INC.;
SOUTH DADE BRANCH OF THE NAACP;
MIAMI-DADE BRACH OF THE NAACP;
CLARICE COOPER; YANELIS VALDES;
JARED JOHNSON; and ALEXANDER
CONTRERAS, and STEVEN MIRO,

Plaintiffs,

v.

CITY OF MIAMI,

Defendant.

DEFENDANTS' RULE 26(A)(3) DISCLOSURES

Defendant, City of Miami, in its official capacities, by and through undersigned counsel, pursuant to the Order for Pretrial Conference (ECF No. 32), serves its Disclosures under Federal Rule of Civil Procedure 26(a)(3) as follows:

(i) Names/Addresses/Telephone Numbers of Defendants' Witnesses.

Defendants expect to present the following witnesses at trial:

1. Miguel A. DeGrandy, Esq., Defendant's Expert
c/o GrayRobinson, P.A.
333 S.E. 2nd Avenue, Suite 3200
Miami, FL 33131
Facts concerning the creation and methodology behind the City's redistricting plans and compliance with the applicable constitutional criteria
2. Stephen M. Cody, J.D., Defendant's Expert
c/o GrayRobinson, P.A.
333 S.E. 2nd Avenue, Suite 3200
Miami, FL 33131

Facts concerning the analysis of the City's racial and ethnic makeup for compliance with the Voting Rights Act and Equal Protection Clause

3. Alexandra Contreras, Plaintiff
c/o ACLU Foundation of Florida, Inc.
336 East College Avenue, Suite 203
Tallahassee, FL 32301
c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts concerning Plaintiff's standing
4. Clarice Cooper, Plaintiff
c/o ACLU Foundation of Florida, Inc.
336 East College Avenue, Suite 203
Tallahassee, FL 32301
c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts concerning Plaintiff's standing
5. Jared Johnson, Plaintiff
c/o ACLU Foundation of Florida, Inc.
336 East College Avenue, Suite 203
Tallahassee, FL 32301
c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts concerning Plaintiff's standing
6. Steven Miro, Plaintiff
c/o ACLU Foundation of Florida, Inc.
336 East College Avenue, Suite 203
Tallahassee, FL 32301
c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts concerning Plaintiff's standing
7. Yanelis Valdes, Plaintiff
c/o ACLU Foundation of Florida, Inc.

336 East College Avenue, Suite 203
Tallahassee, FL 32301
c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts concerning Plaintiff's standing

8. GRACE, Inc., Plaintiff
Rev. Nathaniel Robinson, III, Corporate Representative
c/o ACLU Foundation of Florida, Inc.
336 East College Avenue, Suite 203
Tallahassee, FL 32301
c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts concerning Plaintiff's standing
9. Engage Miami, Inc., Plaintiff
Rebecca Pelham, Corporate Representative
c/o ACLU Foundation of Florida, Inc.
336 East College Avenue, Suite 203
Tallahassee, FL 32301
c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts concerning Plaintiff's standing
10. Miami-Dade Branch of the NAACP, Plaintiff
Daniella Pierre, Corporate Representative
c/o ACLU Foundation of Florida, Inc.
336 East College Avenue, Suite 203
Tallahassee, FL 32301
c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts concerning Plaintiff's standing
11. South Dade Branch of the NAACP, Plaintiff
Carolyn Donaldson, Corporate Representative
c/o ACLU Foundation of Florida, Inc.
336 East College Avenue, Suite 203
Tallahassee, FL 32301

c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts concerning Plaintiff's standing

12. Harold Ford, President, South Dade NAACP
c/o ACLU Foundation of Florida, Inc.
336 East College Avenue, Suite 203
Tallahassee, FL 32301
c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts concerning Plaintiff's standing
13. John Alford, Ph.D., Plaintiffs' Expert
c/o ACLU Foundation of Florida, Inc.
336 East College Avenue, Suite 203
Tallahassee, FL 32301
c/o Dechert LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Facts and expert opinion concerning the City's narrow tailoring of District 5 and compliance with the Voting Rights Act and Equal Protection Clause
14. Any witnesses identified by Plaintiffs

Defendants may call the following witnesses if the need arises:

1. Todd Hannon, City of Miami, City Clerk
c/o GrayRobinson, P.A.
333 S.E. 2nd Avenue, Suite 3200
Miami, FL 33131
Facts concerning the City's processes and procedures for passing resolutions, including resolutions for redistricting
2. Larry Spring, City of Miami, Chief Financial Officer
and Assistant City Manager
c/o GrayRobinson, P.A.
333 S.E. 2nd Avenue, Suite 3200
Miami, FL 33131
Facts concerning the City's expenditures for elections

3. Christina White, City of Miami, Supervisor of Elections
for Miami-Dade County
Elections Department
2700 NW 87 Avenue
Miami, FL 33172
Facts concerning the conduct of the City’s elections

(ii) Designation of witnesses whose testimony the Defendants will present by Deposition. Defendants do not intend to present testimony by deposition; however, Plaintiffs have requested the ability to present the following witnesses at trial; Defendants are willing to accept such deposition designations, subject to the ability to present counter designations.

1. Todd Hannon, City of Miami, City Clerk
c/o GrayRobinson, P.A.
333 S.E. 2nd Avenue, Suite 3200
Miami, FL 33131
2. Larry Spring, City of Miami, Chief Financial Officer
and Assistant City Manager
c/o GrayRobinson, P.A.
333 S.E. 2nd Avenue, Suite 3200
Miami, FL 33131
3. Christina White, City of Miami, Supervisor of Elections
for Miami-Dade County
Elections Department
2700 NW 87 Avenue
Miami, FL 33172

(iii) Documents the Defendants expect to offer into evidence at trial.

EXHIBIT NO.	DESCRIPTION	PLAINTIFFS’ OBJECTIONS
1.	City of Miami Resolution R-21-0485	
2.	City of Miami Resolution R-22-0030	
3.	City of Miami Resolution R-22-0031	
4.	City of Miami Resolution R-22-0032	

EXHIBIT NO.	DESCRIPTION	PLAINTIFFS' OBJECTIONS
5.	City of Miami Resolution R-22-0033	
6.	City of Miami Resolution R-22-0070	
7.	City of Miami Resolution R-22-0851	
8.	City of Miami Resolution R-22-0114	
9.	City of Miami Resolution R-22-0117	
10.	City of Miami Resolution R-23-171	
11.	City of Miami Resolution R-23-271	
12.	City of Miami Resolution R-22-131 adopting Enacted Plan, with exhibit	
13.	City of Miami Master Report on Resolution R-22-131	
14.	Recording and transcript of Commission Meeting addressing redistricting held on November 18, 2021	
15.	Recording and transcript of Commission Meeting addressing redistricting held on December 9, 2021	
16.	Recording and transcript of Commission Meeting addressing redistricting held on February 7, 2022	
17.	Recording and transcript of Commission Meeting addressing redistricting held on February 25, 2022	
18.	Recording and transcript of Commission Meeting addressing redistricting held on March 11, 2022	
19.	Recording and transcript of Commission Meeting addressing redistricting held on March 24, 2022	
20.	Recording and transcript of Commission Meeting addressing redistricting held on June 14, 2023	
21.	Records maintained by the City of Miami regarding public submissions related to proposed redistricting plans	

EXHIBIT NO.	DESCRIPTION	PLAINTIFFS' OBJECTIONS
22.	Consultant Presentations made to the Miami City Commission on November 18, 2021	
23.	Consultant Presentations made to the Miami City Commission on February 7, 2022	
24.	Consultant Presentations made to the Miami City Commission on February 25, 2022	
25.	Consultant Presentations made to the Miami City Commission on March 11, 2022	
26.	Consultant Presentations made to the Miami City Commission on March 24, 2022	
27.	2013 Benchmark plan and supporting materials	
28.	2023 Enacted plan and supporting materials	
29.	P.L. 94-171 Redistricting Data for City of Miami	
30.	Data utilized and relied on by City of Miami Consultants in drawing Enacted Plan, including current and historic demographic data, and current and historic elections data	
31.	Organizational plaintiffs information regarding membership, composition, and organizational mission and historic operations	
32.	1997 Redistricting Plan and supporting materials	
33.	2003 Redistricting Plan and supporting materials	
34.	Redistricting Miami 2022, Revised Districting Plan Report by Miguel A. DeGrandy, Esq. and Stephen M. Cody, J.D. dated February 22, 2022	
35.	Deposition Transcript – Miguel A. DeGrandy, Esq.	
36.	Deposition Transcript – Stephen M. Cody, J.D.	
37.	Deposition Transcript – Alexandra Contreras	

EXHIBIT NO.	DESCRIPTION	PLAINTIFFS' OBJECTIONS
38.	Deposition Transcript – Clarice Cooper	
39.	Deposition Transcript – Harold Ford	
40.	Deposition Transcript – Jared Johnson	
41.	Deposition Transcript – Steven Miro	
42.	Deposition Transcript – Yanelis Valdes	
43.	Deposition Transcript – GRACE, Inc.	
44.	Deposition Transcript – Engage Miami, Inc.	
45.	Deposition Transcript – Miami-Dade NAACP	
46.	Deposition Transcript – South Dade NAACP	
47.	Deposition Transcript – City of Miami, Todd Hannon	
48.	Deposition Transcript – City of Miami, Larry Spring	
49.	Deposition Transcript –Miami-Dade County Elections Department, Christina White	
50.	Deposition Transcript – Carolyn Abbot, Ph.D.	
51.	Deposition Transcript – John Alford, Ph.D.	
52.	Deposition Transcript – Cory McCartan, Ph.D.	
53.	Deposition Transcript – Bryant Moy, Ph.D.	
54.	Expert Report – Carolyn Abbot, Ph.D.	
55.	Expert Report – John Alford, Ph.D.	
56.	Expert Report – Cory McCartan, Ph.D.	
57.	Expert Report – Bryant Moy, Ph.D.	
58.	Documents produced by Plaintiffs and their experts, including Plaintiffs' expert reports, Plaintiffs' Plans 1 through 4, and the associated demographic data	

EXHIBIT NO.	DESCRIPTION	PLAINTIFFS' OBJECTIONS
59.	All documents necessary for rebuttal or impeachment	
60.	All documents identified as exhibits by Plaintiffs	
61.	All demonstrative exhibits	

Respectfully submitted on December 29, 2023.

GRAYROBINSON, P.A.

By: /s/ Christopher N. Johnson

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email on this 29th day of December 2023, to the following:

Counsel of Record for Plaintiffs.

/s/ Christopher N. Johnson
Counsel for City of Miami