

NO. 24-1602

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

SUSAN SOTO PALMER, et al.,

Plaintiff-Appellees,

v.

STEVEN HOBBS, in his official
capacity as Secretary of State of
Washington, and the STATE OF
WASHINGTON,

Defendants-Appellees,

JOSE TREVINO, ISMAEL G.
CAMPOS, and State Representative
ALEX YBARRA,

Intervenor-Defendants-
Appellants.

APPELLEE STEVEN HOBBS'S
RESPONSE TO APPELLANTS'
EMERGENCY MOTION FOR A
STAY PENDING APPEAL

Washington Secretary of State Steve Hobbs takes no position on whether this Court should grant Appellants' Emergency Motion for a Stay Pending Appeal. The purpose of this response is to correct certain errors in the motion.

First, March 25, 2024, is "the latest date a finalized legislative district map must be transmitted to counties without significantly disrupting the 2024 election cycle." App. at 27 (¶ 124). This is a deadline, not a "preferred date."

DktEntry 7.1 at 47. And while Appellants appear to seek to distance themselves from that deadline, *see* DktEntry 7.1 at 6 (referring to March 25 as “the deadline set by the Secretary (not Appellants)”), all parties—including Appellants—affirmatively agreed that March 25 was the deadline:

The following facts are admitted by the parties:

.....

124. Should the Court determine a new legislative district map must be drawn as a remedy, March 25, 2024 is the latest date a finalized legislative district map must be transmitted to counties without significantly disrupting the 2024 election cycle.

App. at 10, 27. Further, the district court record contains a detailed factual basis for the March 25, 2024 deadline. App. at 1–6. Adjusting boundaries is a time-consuming process and must be completed no later than the candidate filing period. *Id.* at 2–4 (¶¶ 10–22). In light of additional ballot-preparation deadlines, pushing the candidate filing period back is not feasible and would interfere with the State’s ability to successfully hold the 2024 primary election. *Id.* at 4–6 (¶¶ 23–35). The record contains no factual basis for any deadline other than March 25. In light of the agreed statement of facts, no party further developed the record at trial.

Second, and less significantly, Appellants incorrectly state that the Secretary of State submitted an expert report during the remedial phase.

DktEntry 7.1 at 25. Throughout this litigation, the Secretary has taken no position on the merits and did not submit any expert reports. The Secretary did file a memorandum regarding the remedial maps, accompanied by a declaration identifying minor technical adjustments to a proposed remedial map, but the Secretary expressly stated that the submission “is not intended to be an expert report.” App. at 94–95, 97–123.

In sum, the Secretary takes no position on whether Appellants are entitled to a stay of the of the district court’s decision and remedial map. The Secretary’s role with respect to redistricting is largely ministerial and does not include adjudicating the legality of legislative maps or creating legislative districts. The Secretary does, however, have a strong interest in ensuring that legislative maps are implemented without disrupting elections, and the March 25, 2024 deadline is essential to achieving that interest.

RESPECTFULLY SUBMITTED this 20th day of March, 2024.

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APPENDIX

Declaration of Stuart Holmes in Support of Defendant Secretary of State Steven Hobbs’s Response to Plaintiffs’ Motion for Clarification Regarding Trial Schedule Filed May 9, 2023 Dkt. No. 179.....	001–007
Joint Pretrial Statement and [Proposed] Order Filed May 24, 2023 Dkt. No. 191.....	008–093
Defendant Secretary of State Steven Hobbs’s Memorandum Regarding Remedial Maps Filed February 23, 2024 Dkt. No. 269.....	094–096
Declaration of Nicholas Pharris in Support of Defendant Secretary of State Steven Hobbs’s Memorandum Regarding Remedial Maps Filed February 23, 2024 Dkt. No. 270.....	097–124

The Honorable Robert S. Lasnik

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

SUSAN SOTO PALMER, et al.,

Plaintiffs,

v.

STEVEN HOBBS, et al.,

Defendants,

and

JOSE TREVION, et al.,

Intervenor-Defendants.

NO. 3:22-cv-05035-RSL

DECLARATION OF STUART HOLMES
IN SUPPORT OF DEFENDANT
SECRETARY OF STATE STEVEN
HOBBS'S RESPONSE TO PLAINTIFFS'
MOTION FOR CLARIFICATION
REGARDING TRIAL SCHEDULE

BENANCIO GARCIA III,

Plaintiffs,

v.

STEVE HOBBS, et. al.

Defendants.

NO. 3:22-cv-05152-RSL-DGE-LJCV

I, Stuart Holmes, declare as follows:

1. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge. I am currently employed as Director of Elections in the Office of the Secretary of State, a position I have held since November 2021. During a portion of this period my title was Acting Director of Elections.

DECLARATION OF STUART HOLMES IN
SUPPORT OF DEFENDANT HOBBS'S
MOTION FOR CLARIFICATION RE:
TRIAL SCHEDULE
NO. 3:22-cv-05035-RSL

ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 753-6200

1 2. Before I became Director of Elections, I was Deputy Director of Elections.

2 3. I have worked for the Office of the Secretary of State since 2014 and worked in
3 elections administration since 2005.

4 4. I am a nationally and state certified election administrator.

5 5. As director I oversee the statewide voter registration and election management
6 system; voter education and outreach; and election official certification and training.

7 6. I supervise a staff of 27 people, who include Specialists in Candidate Filing,
8 Auditing, Voter Education, Election Certification, Training, as well as Management Analysts
9 for the statewide voter registration and election management system.

10 7. I understand that Plaintiffs in this litigation seek revised legislative district maps
11 based on their contention that Legislative District 15, as drawn by the Redistricting Commission
12 in 2021, violates Section 2 of the Voting Rights Act.

13 8. Based on my knowledge and experience, any revised district maps would need to
14 be final by March 25, 2024, to allow my office and county elections officials to perform
15 necessary tasks before the primary election on August 6, 2024.

16 9. Any change to the district maps after this date would put us in serious jeopardy
17 of failing to meet our constitutional obligations.

18 10. When the a new legislative district plan is adopted, my office transmits that
19 information—not just the maps showing district lines, but the files containing the geographic
20 data underlying those maps, known as shapefiles—from the Commission to county auditors’
21 offices.

22 11. County auditors use that information to redraw precinct lines within the new
23 districts.

24 12. My office is not directly responsible for drawing precinct boundaries.

25 13. We do provide technical assistance to counties as needed in the precinct revision
26 process. My staff serve as subject matter experts and provide assistance with understanding of

1 the Geographic Information System (GIS) software, assistance with collaboration with county
2 GIS experts, integration with the voter registration and election management system, and
3 precinct requirements under state law. This is particularly true for smaller counties that lack
4 technical resources.

5 14. Once revised, precinct boundaries require approval from a county commission or
6 county council, which would take one to two weeks. Many counties require a public comment
7 period before approving precincts.

8 15. After counties finish revising precinct boundaries—which must, by law, be
9 complete no later than one week before candidate filing opens—counties submit their precinct
10 lines and the associated shapefiles to us. We consolidate files from all the counties into our
11 Geographic Information System (GIS) software.

12 16. We then validate the precinct boundaries counties have drawn to make sure they
13 comply with state law and do not contain errors. For example, our staff must confirm that
14 precinct boundaries do not cross congressional or legislative district boundaries, cross county
15 lines, or have gaps or overlap. Depending on the size of the county, this may take anywhere from
16 several hours to a few days per county.

17 17. We then import those shapefiles into a consolidated data file and import it into
18 our statewide system, which connects the precinct information to voter information.

19 18. We then inform counties which voters are affected by the revisions and have
20 changed precincts in the statewide voter registration and election management system.

21 19. The counties review groups of voters subject to split precincts and approve
22 changes in the statewide voter registration and election management system.

23 20. Voters' precinct assignments are updated by an authorized county user in the
24 statewide voter registration and election management system.

25 21. Precinct assignments (and for some types of offices, even more precise
26 information) determine what districts a voter will vote in, but also in what districts they are

1 eligible to run for office. When candidates file online, our VoteWA system determines their
2 eligibility based upon what precinct, or portion of a precinct, they are registered to vote in.

3 22. For that reason, the precinct revision process must be complete before candidate
4 filing opens, which, barring a veto of recent legislation, will be May 6, 2024.

5 23. The candidate filing dates are set by state law.

6 24. Any change to the candidate filing dates would create significant impacts for my
7 office and for counties.

8 25. Pushing back the candidate filing deadline will cost time that we don't have. It
9 would force us to delay all other dates and deadlines related to the election, including the election
10 date itself.

11 26. Barring a veto of recent legislation, in 2024, the candidate withdrawal deadline
12 will be May 18, eleven days after the filing period opens.

13 27. Barring a veto of recent legislation, the deadline for candidates to submit
14 photographs and candidate statements for the voter pamphlet will be May 20, 2024.

15 28. As soon as we have that information from candidates, our staff has to prepare
16 material for voter pamphlets for the primary election. We compile, review, approve, and translate
17 the material content for all candidates that file with the state. This includes candidates for federal
18 office, statewide executive office, legislative office, supreme court justices, court of appeals
19 judges, and superior court judges. We translate that content into Spanish statewide and Chinese
20 and Vietnamese for King County.

21 29. Counties are then responsible for printing the voter pamphlets for the Primary.
22 Materials for state and federal candidates need to be completed before each county's print
23 deadline for printing of their voter pamphlet.

24 30. Each county prepares the ballots to be sent to voters in their county. Substantial
25 time is required for ballot formatting after its content is certain, because every county must
26 prepare multiple ballot styles based on every combination of issues and offices that will appear

1 in various parts of the county. This can amount to many different ballot styles within a single
2 county. Each of the resulting ballot styles must be carefully reviewed and proofread for accuracy.
3 Counties must allow voters who will be 18 by the time of the General Election to participate in
4 the Primary. These “Primary Only Voters” are prohibited from participating in any special or
5 general election. This results in effectively doubling the number of necessary ballot styles to
6 accommodate this new category of voters to ensure they are only able to participate in their
7 eligible contests. In addition, some counties must translate ballots, a task that requires additional
8 time. Counties must also test each ballot style in their vote tallying system to ensure the ballots
9 are formatted properly and can be tabulated correctly.

10 31. Many counties use private vendors to print, assemble, and mail ballot packets to
11 voters. Once the ballots are final, counties then provide the electronic file to their contracted
12 vendor to print the ballots. After printers receive the ballot orders, they prepare proofs of each
13 ballot style, and provide them to the county auditors for final review and correction of any errors,
14 as well as for testing of the proofs in the tabulation equipment. After counties approve these
15 proofs (with or without changes), the ballots are printed.

16 32. After ballots are printed, county auditors (or their vendors) must collate each
17 ballot style with the correct personalized outgoing envelope, correct personalized return
18 envelope, a security envelope, and instruction sheet. In some counties, the ballot printing vendor
19 and mailing vendor are the same. In other counties, they are not.

20 33. Each county also must compile and print a voter pamphlet before each Primary
21 and as soon as practical mail the voter pamphlet to each residence or registered voter. The Office
22 of Secretary of State strives to have the approved voter pamphlet content available electronically
23 online before the mailing of ballots to military and overseas voters.

24 34. Under Washington law, counties must mail ballots to military and overseas voters
25 45 days before an election. Federal law also requires that ballots for elections for federal offices
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1 be available for mailing to military and overseas voters at the same time. For the 2024 Primary,
2 that deadline is June 22.

3 35. Between candidate filing and mailing of the first ballots, there are just six weeks.
4 There is no wasted time in that time period. Any compression of that schedule would be
5 extremely cost-intensive and cumbersome for my staff and for the counties we work with and
6 support.


7

8 I declare under penalty of perjury under the laws of the State of Washington and the
9 United States that the foregoing is true and correct.

10 SIGNED this 9 day of May 2023, at Olympia, Washington.

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STUART HOLMES
Director of Elections

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DECLARATION OF SERVICE

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court’s CM/ECF System which will serve a copy of this document upon all counsel of record.

DATED this 9th day of May 2023, at Olympia, Washington.

s/ Leena Vanderwood
Leena Vanderwood
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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

Hon. Robert S. Lasnik

SUSAN SOTO PALMER, et al.,

Plaintiffs,

v.

STEVEN HOBBS, in his official capacity
as Secretary of State of Washington, and
the STATE OF WASHINGTON,

Defendants,

and

JOSE TREVINO, ISMAEL G. CAMPOS,
and State Representative, ALEX YBARRA,

Intervenor-Defendants.

Case No. 3:22-cv-05035-RSL

**JOINT PRETRIAL STATEMENT
AND [PROPOSED] ORDER**

I. JURISDICTION

1. The Court has federal jurisdiction over Plaintiffs’ claims pursuant to 28 U.S.C. §§ 1331; 1343(a)(3) and (4); 1357, 42 U.S.C. § 1983, and 52 U.S.C. § 10301. The Court has jurisdiction to grant relief pursuant to 28 U.S.C. §§ 2201 and 2202; the Declaratory Judgments Act, and Federal Rules of Civil Procedure 57 and 65.

2. The Court has jurisdiction over Plaintiffs’ claim for costs and attorneys’ fees under Federal Rule of Civil Procedure 54, 42 U.S.C. § 1988, and 52 U.S.C. § 10310(e).

II. CLAIMS AND DEFENSES

Plaintiffs will pursue the following claims at trial:

1. Race and language minority discrimination with discriminatory results in violation of Section 2 of the Voting Rights Act, 52 U.S.C. § 10301.

1 3. Race and language minority discrimination with discriminatory intent in violation
2 of Section 2 of the Voting Rights Act, 52 U.S.C. § 10301.

3 4. Based on the conclusions of the State of Washington’s expert, the other record
4 evidence, and factual findings in relevant VRA cases, the State cannot and does not intend to
5 dispute at trial that *Soto Palmer* Plaintiffs have satisfied the three *Gingles* preconditions for
6 pursuing a claim under section 2 of the VRA based on discriminatory results. Based on the same
7 evidence, the State cannot and does not intend to dispute that the totality of the evidence test
8 likewise favors the *Soto Palmer* Plaintiffs’ claim based on discriminatory results.

9 5. The State disputes, however, that the Redistricting Commission intentionally
10 discriminated against Hispanic voters, and intends to present evidence to the contrary, if necessary.

11 6. The State does not intend to assert any affirmative defenses or counterclaims.

12 7. Secretary Hobbs does not intend to pursue any affirmative defenses at trial.

13 8. *Soto Palmer* Plaintiffs contend Intervenor-Defendants waived defenses Nos. 7 and
14 8 below by failing to raise them as affirmative defenses in their Answer.

15 **Intervenor-Defendants will raise the following defenses at trial:**

16 1. *Thornburg v. Gingles*, 478 U.S. 30 (1986), lists three preconditions (“*Gingles*
17 preconditions”) necessary to prove a claim under Section 2 of the Voting Rights Act, 52 U.S.C. §
18 10301, and Plaintiff cannot establish any of those three preconditions. Specifically, Plaintiff cannot
19 prove the following:

20 a. That a minority group is sufficiently large and geographically compact to
21 constitute a majority in a reasonably configured Legislative District 15 (“LD”
22 15”);

23 b. That the same minority group is politically cohesive; and

1 c. That LD 15’s white majority votes sufficiently as a bloc to usually defeat the
2 minority’s preferred candidate.

3 2. Plaintiffs cannot prove by a totality of circumstances—using the Senate Report
4 Factors, *Gingles*, 478 U.S. at 35–37—that the proposed map has a discriminatory impact.

5 3. “[Section] 2 of the Voting Rights Act of 1965 does not apply to redistricting.”
6 *Abbott v. Perez*, 138 S. Ct. 2305, 2335 (2018) (Thomas, J. concurring).

7 4. Plaintiffs have no lawful remedy. Specifically, Plaintiffs seek a remedy that violates
8 the Fourteenth Amendment to the U.S. Constitution by requiring a map drawn on the basis of race.

9 5. Plaintiffs are unable to establish the elements required for injunctive relief.

10 6. Plaintiffs seek inappropriate relief, including relief that is not within Intervenors or
11 any of the present Defendants’ authority to accomplish.

12 7. Section 2 of the Voting Rights Act does not protect political parties or correlations
13 between race and politics, and is only available to protect against the specified government actions
14 “on account of race.”

15 8. Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, does not establish a private
16 right of action.

17 III. ADMITTED FACTS

18 The following facts are admitted by the parties:

19 Party Information

20 1. Plaintiff Susan Soto Palmer is registered to vote at 1214 Voelker Avenue, Yakima,
21 WA 98902, which is located in Legislative District 15 in the Enacted Plan.

22 2. Plaintiff Soto Palmer identifies her ethnicity as Hispanic Latino.

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25 Joint Pretrial Statement and [Proposed] Order 3
No. 3:22-cv-05035-RSL

1 3. Plaintiff Alberto Isaac Macias is registered to vote at 1517 Cherry Avenue, Yakima,
2 WA 98902.

3 4. Plaintiff Macias resides in LD 14 in the Enacted Plan, and voted in that district in
4 the 2022 elections.

5 5. Plaintiff Macias identifies his ethnicity as Latino Hispanic.

6 6. Plaintiff Faviola Lopez is registered to vote at 3291 Kays Road, Wapato, WA
7 98951, which is located in LD 14 in the Enacted Plan.

8 7. Plaintiff Lopez identifies her ethnicity as Latina.

9 8. Plaintiff Caty Padilla is registered to vote at 1401 Hammond Lane, Toppenish, WA
10 98948, which is located in LD 14 in the Enacted Plan.

11 9. Plaintiff Padilla identifies her ethnicity as Latina.

12 10. Plaintiff Heliadora Morfin is registered to vote at 1115 W. Irving Street, Pasco, WA
13 99301, which is located in LD 15 in the Enacted Plan.

14 11. When asked, Plaintiff Morfin identified her ethnicity as Mexican and her race as
15 other.

16 12. The U.S. Census Bureau defines Hispanic or Latino as a “person of Cuban,
17 Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless
18 of race.”

19 13. Intervenor-Defendant Alex Ybarra lives in Quincy, Washington, in LD13 in the
20 Enacted Plan.

21 14. Intervenor Defendant Ybarra is a State Representative for the State of Washington,
22 a United States citizen, over the age of eighteen, and a registered voter in the State of Washington.

1 15. Intervenor-Defendant Ismael Campos is a United States citizen, over the age of
2 eighteen, and a registered voter in the State of Washington.

3 16. Intervenor-Defendant Campos resides in Kennewick, Washington, in LD 8 in the
4 Enacted Plan.

5 17. Intervenor-Defendant Jose Trevino resides in Granger, Washington, in LD 15 in
6 the Enacted Plan.

7 18. Intervenor-Defendant Trevino is the current Mayor of Granger, Washington, a
8 United States citizen, over the age of eighteen, and a registered voter in the State of Washington.

9 19. Intervenor Defendant Trevino identifies his ethnicity as Hispanic.

10 **Demographics of Washington**

11 20. According to the 2020 Census, over one million people in Washington identify as
12 Hispanic or Latino.

13 21. Washington received P.L. 94-171 data on August 12, 2021.

14 22. According to P.L. 94-171 data, Washington State's population grew by 980,741
15 residents from 2010 to 2020, a growth rate of 14.5%.

16 23. According to the 2020 Census data, Washington has the eleventh-largest population
17 of people identified as Hispanic or Latino among the fifty states.

18 24. According to the 2020 Census, the combined population of people who identify as
19 Hispanic or Latino in Yakima, Franklin, and Benton counties was 231,833.

20 25. According to 2010 and 2020 Census data, the Latino or Hispanic identified
21 population in Washington grew by 303,423 between 2010 and 2020 for a growth rate of
22 approximately 40.1%, compared to a growth rate of approximately 11.3% for non-
23 Hispanic/Latinos.

1 26. According to 2020 Census Data, the total population of Yakima County identified
2 as Hispanic or Latino in 2020 was 130,049, approximately 50.7% of the county population.

3 27. According to 2020 Census Data, the total population of Franklin County identified
4 as Hispanic or Latino in 2020 was 52,445, approximately 54.2% of the county population.

5 28. According to 2020 Census Data, the total population of Benton County identified
6 as Hispanic or Latino in 2020 was 49,339, approximately 23.8% of the county population.

7 29. According to 2020 Census Data, the total population of Grant County identified as
8 Hispanic or Latino in 2020 was 42,401, approximately 42.8% of the county population.

9 30. According to 2020 Census Data, the total population of Adams County identified
10 as Hispanic or Latino in 2020 was 13,120, approximately 63.6% of the county population.

11 31. According to 2020 Census Data, the total population in Yakima County identified
12 as Hispanic or Latino grew by 20,579 between 2010 and 2020.

13 32. According to 2020 Census Data, the total population in Franklin County identified
14 as Hispanic or Latino grew by 12,441 between 2010 and 2020.

15 33. According to 2020 Census Data, the total population in Benton County identified
16 as Hispanic or Latino grew by 16,643 between 2010 and 2020.

17 34. According to 2020 Census Data, the total population in Grant County identified as
18 Hispanic or Latino grew by 8,238 between 2010 and 2020.

19 35. According to 2020 Census Data, the total population in Adams County identified
20 as Hispanic or Latino grew by 2,021 between 2010 and 2020.

21 36. According to the Census Bureau's 2020 5-Year American Community Survey
22 ("ACS") estimates, the CVAP of Hispanic or Latino identified individuals in Yakima County was
23 48,250, approximately 32.8% of the county CVAP.

1 37. According to the Census Bureau’s 2020 5-Year ACS estimates, the CVAP of
2 Hispanic or Latino identified individuals in Franklin County was 17,695, approximately 35.2% of
3 the county CVAP.

4 38. According to the Census Bureau’s 2020 5-Year ACS estimates, the CVAP of
5 Hispanic or Latino identified individuals in Benton County was 17,550, approximately 13% of the
6 county CVAP.

7 39. According to the Census Bureau’s 2020 5-Year ACS estimates, the CVAP of
8 Hispanic or Latino identified individuals in Grant County was 13,660, approximately 24% of the
9 county CVAP.

10 40. According to the Census Bureau’s 2020 5-Year ACS estimates, the CVAP of
11 Hispanic or Latino identified individuals in Adams County was 3805, approximately 41.4% of the
12 county CVAP.

13 41. According to the Census Bureau’s 2019 1-Year ACS estimates, in 2019, Yakima
14 County’s Hispanic CVAP (“HCVAP”) was 46,611.

15 42. According to the Census Bureau’s 2019 1-year ACS estimates, in 2019, Franklin
16 County’s HCVAP was 16,931.

17 43. According to the Census Bureau’s 2019 1-year ACS estimates, in 2019, Benton
18 County’s HCVAP was 17,526.

19 **Geography of LD 15**

20 44. LD 15 includes parts of the Yakima Valley and Pasco.

21 45. LD 15 includes parts of Adams, Benton, Grant, Franklin, and Yakima counties.

22 46. LD 15 includes the city of Othello, in Adams County.

1 47. The cities of Yakima, Toppenish, Wapato, and Mabton are located in Yakima
2 County.

3 48. LD 15 contains the eastern portion of Yakima County.

4 49. LD 15 does not include the cities of Wapato, Toppenish, and Mabton.

5 **Procedural Issues**

6 50. Jurisdiction for Plaintiffs' claim for costs and attorneys' fees is based upon 42
7 U.S.C. § 1988, and 52 U.S.C. § 10310(e).

8 51. Venue is proper in this judicial district because a substantial part of the events or
9 omissions giving rise to Plaintiff's claim occurred in this district.

10 52. Venue is also proper in this district as Defendant Hobbs is a state official
11 performing his official duties in the Western District of Washington.

12 53. Defendant Steve Hobbs is being sued in his official capacity as the Secretary of
13 State of Washington. Hobbs, as Secretary of State, "shall be the chief election officer for all federal,
14 state, county, city, town, and district elections." RCW 29A.04.230. The Secretary of State shall
15 accept and file certain documents including declarations of candidacy for the state legislature in
16 LD15. RCW 29A.04.255; RCW 29A.24.070(2).

17 54. Defendant State of Washington is properly joined as a Defendant in this case. *See*
18 *Dkt. # 13.*

19 **Structure and Mandate of Redistricting Commission**

20 55. Article II, Section 43 of the Washington Constitution mandates the creation of a
21 bipartisan Washington State Redistricting Commission (the "Commission").

22 56. The Commission is composed of five members; including four voting members and
23 one non-voting member who acts as a chairperson. *See Wash. Const. art II, § 43(2).*

1 57. Four members of the Commission are appointed by the legislative leaders of the
2 two largest political parties in each house of the legislature. *Id.* The fifth member is selected by
3 the four appointed members by an affirmative vote of at least three. *Id.*

4 58. Article II, Section 43(6) states that the Commission “shall complete redistricting as
5 soon as possible following the federal decennial census, but no later than November 15th of each
6 year ending in one. At least three of the voting members shall approve such a redistricting plan. If
7 three of the voting members of the commission fail to approve a plan within the time limitations
8 provided in this subsection, the supreme court shall adopt a plan by April 30th of the year ending
9 in two in conformance with the standards set forth in subsection (5) of this section.”

10 59. Under RCW 44.05.100, “[i]f three of the voting members of the commission fail to
11 approve and submit a plan within the time limitations provided in subsection (1) of this section,
12 the supreme court shall adopt a plan by April 30th of the year ending in two. Any such plan
13 approved by the court is final and constitutes the districting law applicable to this state for
14 legislative and congressional elections, beginning with the next election held in the year ending in
15 two. This plan shall be in force until the effective date of the plan based on the next succeeding
16 federal decennial census or until a modified plan takes effect as provided in RCW 44.05.120(6).”

17 60. State legislative redistricting plans in Washington State must adhere to the
18 requirements set out in RCW 44.05.090. Districts shall have a population as nearly equal as is
19 practicable, excluding nonresident military personnel, based on the population reported in the
20 federal decennial census as adjusted by RCW 44.05.140. And to the extent consistent with the
21 equal-population requirement, insofar as practical: (a) District lines should be drawn so as to
22 coincide with the boundaries of local political subdivisions and areas recognized as communities
23 of interest. The number of counties and municipalities divided among more than one district should
24

1 be as small as possible; (b) Districts should be composed of convenient, contiguous, and compact
2 territory. Land areas may be deemed contiguous if they share a common land border or are
3 connected by a ferry, highway, bridge, or tunnel. Areas separated by geographical boundaries or
4 artificial barriers that prevent transportation within a district should not be deemed contiguous; (c)
5 Whenever practicable, a precinct shall be wholly within a single legislative district. RCW
6 44.05.090.

7 61. Additionally, the Commission's redistricting plan "shall not be drawn purposely to
8 favor or discriminate against any political party or group." Wash. Const. art. II, § 43(5).

9 62. After the approval of a redistricting plan by three of the voting members of the
10 Commission, the Commission submits its plan to the Washington Legislature. RCW 44.05.100.

11 63. Once a plan is submitted, the legislature has thirty days during any regular or special
12 session to amend the Commission's plan by an affirmative vote of two-thirds of the members in
13 each house. *Id.* After such 30-day period, "[t]he plan approved by the commission, with any
14 amendment approved by the legislature, shall be final . . . and shall constitute the districting law
15 applicable to this state for legislative and congressional elections, beginning with the next elections
16 held in the year ending in two." *Id.*

17 64. The amended edits to the plan by the legislature "may not include more than two
18 percent of the population of any legislative or congressional district." *Id.*

19 65. Following the passage of a map, the Commission is required to cease operations by
20 July 1st. *Id.*

21 66. "If a commission has ceased to exist, the legislature may, upon an affirmative vote
22 in each house of two-thirds of the members elected or appointed thereto, adopt legislation
23 reconvening the commission for the purpose of modifying the redistricting plan." RCW 44.05.120.

1 67. All districting plans must comply with the United States Constitution.

2 68. All districting plans must comply with the federal Voting Rights Act.

3 69. The Secretary of State is the State of Washington's current custodian of the
4 Commission's official record for purposes of re-precincting and election administration. RCW
5 44.05.110.

6 **Activities of the 2021 Commission**

7 70. Commissioners Brady Piñero Walkinshaw and April Sims were appointed to the
8 Washington Redistricting Commission on December 10, 2020, as the two Democratic Party
9 representatives.

10 71. On January 15, 2021, Paul Graves and Joe Fain were appointed to the Washington
11 Redistricting Commission as the two Republican Party representatives.

12 72. The four voting members, Brady Piñero Walkinshaw, April Sims, Paul Graves, and
13 Joe Fain, voted unanimously to appoint Sarah Augustine as Chair of the 2021 Washington
14 Redistricting Commission on January 30, 2021.

15 73. Between February 2021 and November 16, 2021, the Commission had Regular
16 Business Meetings, Special Business Meetings, and Public Outreach Meetings to develop
17 districting plans.

18 74. On September 21, 2021, all four voting Commissioners each submitted publicly
19 proposed legislative maps.

20 75. According to adjusted 2020 Census data, Commissioner Fain's September 21,
21 2021 legislative map proposal for LD15 had a total population of 157,196. According to the
22 2020 Census, LD15 had an HVAP of 48.8%. According to the 2020 ACS 5-Year estimates,
23

24

25

1 LD15 had an HCVAP of 35.5%, and according to the 2019 5-Year ACS estimates, LD15 had an
2 HCVAP of 33.8%.

3 76. According to adjusted 2020 Census data, Commissioner Graves's September 21,
4 2021 legislative map proposal for LD15 had a total population of 157,249. According to the
5 2020 Census, LD15 had an HVAP of 48.3%. According to the 2020 ACS 5-Year estimates,
6 LD15 had an HCVAP of 36.3%, and according to the 2019 5-Year ACS estimates, LD15 had an
7 HCVAP of 34.2%.

8 77. According to adjusted 2020 Census data, Commissioner Sims's September 21,
9 2021 legislative map proposal for LD15 had a total population of 157,207. According to the
10 2020 Census, LD15 had an HVAP of 59.6%. According to the 2020 ACS 5-Year estimates,
11 LD15 had an HCVAP of 46.1%, and according to the 2019 5-Year ACS estimates, LD15 had an
12 HCVAP of 44.7%.

13 78. According to adjusted 2020 Census data, Commissioner Walkinshaw's September
14 21, 2021 legislative map proposal for LD14 had a total population of 157,240. According to the
15 2020 Census, LD14 had an HVAP of 55.5%. According to the 2020 ACS 5-Year estimates, LD14
16 had an HCVAP of 41.5%, and according to the 2019 5-Year ACS estimates, LD14 had an HCVAP
17 of 40.4%.

18 79. On October 25, 2021, Commissioners Piñero Walkinshaw and Sims submitted
19 revised maps.

20 80. According to adjusted 2020 Census data, Commissioner Sims's October 25, 2021
21 legislative map proposal for LD14 had a total population of 157,245. According to the 2020
22 Census, LD14 had an HVAP of 67.8%. According to the 2020 ACS 5-Year estimates, LD14 had
23

1 an HCVAP of 53.0%, and according to the 2019 5-Year ACS estimates, LD14 had an HCVAP
2 of 51.6%.

3 81. According to adjusted 2020 Census data, Commissioner Walkinshaw’s October 25,
4 2021 legislative map proposal for LD14 had a total population of 157,252. According to the 2020
5 Census, LD14 had an HVAP of 67.8%. According to the 2020 ACS 5-Year estimates, LD14 had
6 an HCVAP of 53.0%, and according to the 2019 5-Year ACS estimates, LD14 had an HCVAP of
7 51.6%.

8 82. In House Concurrent Resolution 4407 (“HCR 4407”), the legislature amended the
9 map submitted by the Commission to the Washington Supreme Court; it added 7 Census Blocks
10 to Legislative District 15 and removed 2 Census Blocks. Each of the added and removed Census
11 Blocks had zero (0) population.

12 83. When HCR 4407 was brought up for a vote in the Washington State House, the
13 House Majority Leader, the first of three representatives to speak about the measure before it was
14 voted upon, stated that, “[T]hese [changes] are technical in nature” and that “As a legislature, we
15 really have two options in this redistricting process. If we do nothing, then the maps come into
16 being without our vote. But they come into being without those changes that were recommended
17 by the county commissioners. By making these—by adopting this resolution, we adopt the maps
18 as well as the changes that were suggested by the county commissioners, which are important to
19 get done.” The House Minority Leader, the final of three representatives to speak, said, “We have
20 looked at these, checked with our staff, and believe them to not make a partisan difference . . . I’m
21 guessing that many of these very minor adjustments would have been either never recognized or
22 corrected by the mapmakers in previous years.”

1 84. When HCR 4407 was brought up for a vote in the Washington State Senate, the
2 Senate Majority Leader, the first senator to speak about the measure, began his speech by stating
3 that “I want to start by talking about what this resolution is not. It is not an approval of the
4 redistricting map and the redistricting plans; it’s not an endorsement of that plan. The Legislature
5 does not have the power to approve or endorse the redistricting plan that the Redistricting
6 Commission approved. What we do have the power to do is to make minor changes. And that
7 brings us to what this resolution does. This resolution makes over 70 small changes to the
8 redistricting plan. They’re minor, mostly technical changes. Almost all of them were
9 recommended by the county auditors, who are the local elections officials. And they help to make
10 the maps work better.”

11 85. LD 15 in the Enacted Plan has a Hispanic or Latino CVAP of 50.02% and a white
12 CVAP of 44.9% according to 2019 5-Year ACS estimates. LD 15 in the Enacted Plan has a
13 Hispanic or Latino CVAP of 51.5% and a white CVAP of 43.2% according to 2020 5-year ACS
14 estimates.

15 **Map Proposals**

16 86. The Census Bureau publicly released the 2020 5-Year ACS estimates in March
17 2022.

18 87. None of the four legislative maps proposed by the Commissioners on September
19 21, 2021 included a district with majority-Hispanic or Latino CVAP.

20 88. Plaintiffs use the term “southcentral Washington” to refer to the area encompassed
21 in Yakima, Adams, Benton, Grant, and Franklin Counties.

22 89. The southcentral Washington (as defined by Plaintiffs) district with the highest
23 Hispanic or Latino CVAP percentage in Commissioner Graves’s September 21, 2021 proposal,
24

1 determined by importing the shapefile for that proposal into Dave's Redistricting, was LD 15,
2 which had a Hispanic or Latino CVAP of 34.2% according to the 2019 5-Year ACS estimates and
3 36.3% according to the 2020 5-Year ACS estimates.

4 90. The southcentral Washington (as defined by Plaintiffs) district with the highest
5 Hispanic or Latino CVAP percentage in Commissioner Fain's September 21, 2021 proposal,
6 determined by importing the shapefile for that proposal into Dave's Redistricting, was LD 15,
7 which had a Hispanic or Latino CVAP of 33.8% according to the 2019 5- Year ACS estimates and
8 35.5% according to the 2020 5-Year ACS estimates.

9 91. The southcentral Washington (as defined by Plaintiffs) district with the highest
10 Hispanic or Latino CVAP percentage in Commissioner Sims's September 21, 2021 proposal,
11 determined by importing the shapefile for that proposal into Dave's Redistricting, was LD 15,
12 which had a Hispanic or Latino CVAP of 44.7% according to the 2019 5-Year ACS estimates and
13 46.1% according to the 2020 5-Year ACS estimates.

14 92. The southcentral Washington (as defined by Plaintiffs) district with the highest
15 Hispanic or Latino CVAP percentage in Commissioner Walkinshaw's September 21, 2021
16 proposal, determined by importing the shapefile for that proposal into Dave's Redistricting, was
17 LD 14, which had a Hispanic or Latino CVAP of 40.4% according to the 2019 5-Year ACS
18 estimates and 41.5% according to the 2020 5-Year ACS estimates.

19 93. The southcentral Washington district (as defined by Plaintiffs) with the highest
20 Hispanic or Latino CVAP percentage in Commissioner Sims's October 25, 2021 proposal,
21 determined by importing the shapefile for that proposal into Dave's Redistricting, was LD 14,
22 which had a Hispanic or Latino CVAP of 51.6% according to the 2019 5- Year ACS estimates and
23 53% according to the 2020 5-Year ACS estimates.

1 94. The southcentral Washington (as defined by Plaintiffs) district with the highest
2 Hispanic or Latino CVAP percentage in Commissioner Walkinshaw’s October 25, 2021 proposal,
3 determined by importing the shapefile for that proposal into Dave’s Redistricting, was LD 14,
4 which had a Hispanic or Latino CVAP of 51.6% according to the 2019 5-Year ACS estimates and
5 53% according to the 2020 5-Year ACS estimates.

6 95. On or about October 19, 2021, the Washington State Senate Democratic Caucus
7 circulated a presentation slide deck bearing the name, title and contact information of Matt Barreto.

8 96. Dr. Barreto’s slide deck included a slide that stated that the maps proposed by
9 Commissioners Graves and Fain on September 21, 2021 displayed “[t]ext-book ‘cracking’ of [the]
10 Latino population” in the Yakima Valley.

11 97. LD 15 in the Enacted Plan has a Hispanic or Latino CVAP of 50.02% according to
12 2019 5-Year ACS estimates and 51.5% according to 2020 5-year ACS estimates.

13 98. LD 14 in the Enacted Plan has a Hispanic or Latino CVAP of 22.6% according to
14 2019 5-year ACS estimates and 23.1% according to 2020 5-year ACS estimates.

15 **Elections in LD15 and Yakima Valley/Pasco Area**

16 99. Elections for State Representatives are held every two years.

17 100. In elections for the Washington State Legislature, candidates identify their partisan
18 preference. Primary and general elections often feature at least one candidate who “Prefers
19 Democratic Party” and at least one candidate who “Prefers Republican Party.”

20 101. In 2012, Pablo Gonzalez, who preferred the Democratic party, lost a race for State
21 Representative in Legislative District 15 to David Taylor, the incumbent, who preferred the
22 Republican party.

1 102. In the 2014 State Senate election for Legislative District 15, Gabriel Muñoz, who
2 preferred the Democratic party, lost to Jim Honeyford, the incumbent, who preferred the
3 Republican party.

4 103. In the 2014 State Representative election for Legislative District 15, Teodora
5 Martinez-Chavez, who preferred the Democratic party, lost to David Taylor, the incumbent, who
6 preferred the Republican party.

7 104. Evangelina Aguilar, who preferred the Democratic party, was a candidate for state
8 senate in Legislative District 15 in 2018, and received 39.41% of the vote in the general election.

9 105. In the 2018 State Senate election for Legislative District 15, Evangelina Aguilar
10 lost to Jim Honeyford, the incumbent, who preferred the Republican party.

11 106. Pablo Gonzalez, Teodora Martinez-Chavez, and Evangelina Aguilar have each
12 been candidates for state legislative positions in the former Legislative District 15 and each did
13 not win.

14 107. Susan Soto Palmer, who prefers the Democratic party, ran for State Representative
15 in Legislative District 14 in 2016 against the incumbent representative who preferred the
16 Republican party, and did not win.

17 108. Maria Cantwell was a candidate for U.S. Senate in 2018.

18 109. Jesse Palacios was elected to the Yakima County Board of Commissioners in 2002.

19 110. Prior to the last election, Legislative District 15 was represented in the State House
20 by Representatives Bruce Chandler and Jeremie Dufault, and in the State Senate by Jim
21 Honeyford.

22 111. Representative Mary Skinner identified as Latina, and was elected to the State
23 House from LD 14 as a Republican in elections she ran in from 1994 until 2006.

1 112. “Skinner” is not included in the U.S. Census Bureau’s list of Spanish surnames.

2 113. LD 13, which includes a portion of Yakima County, is currently represented in the
3 State House by Intervenor Alex Ybarra, who identifies as Latino.

4 114. The 2022 Elections took place under the Enacted Plan. In LD 15, Nikki Torres, who
5 preferred the Republican party, prevailed over her opponent, Lindsey Keesling, who preferred the
6 Democratic party, in the State Senate race by 67.68% to 32.09%.

7 115. Presently, Legislative District 15 is represented in the State House by
8 Representatives Bruce Chandler and Bryan Sandlin, and in the State Senate by Nikki Torres.

9 116. Legislative District 14 is currently represented in the State House by Chris Corry
10 and Gina Mosbrucker, and in the State Senate by Curtis King.

11 **Other Activities in the Area**

12 117. Pasco Police shot and killed Antonio Zambrano-Montes.

13 118. During a September 21, 2021, Franklin County Commissioners’ meeting,
14 Commissioner Mullen stated, in reference to the discussion of Latino citizen voting age population
15 in the current commissioner districts, that he “believes that there are non-citizens that are voting
16 in the elections.” *See* Franklin County Commissioners Meeting (Sept. 21, 2021),
17 <https://media.avcaptureall.cloud/meeting/e3e60dfb-87e0-4b8f-bb49-14dbe5167045> at 1:12:00-
18 1:12:30. 257.

19 **Other Litigation**

20 119. Three recent cases have applied the federal VRA and Washington Voting Rights
21 Act to elections in Yakima and Pasco.

22 120. In *Montes v. City of Yakima*, the court concluded that Yakima’s at-large voting
23 system for city council elections violated Section 2 of the VRA. 40 F. Supp. 3d 1377 (E.D. Wash.

1 2014). The court reviewed evidence regarding the three *Gingles* factors and concluded that each
2 was satisfied with respect to Latino voters in the City of Yakima. *Id.* At 1390-1407. The Court
3 also found that the totality of the circumstances demonstrated that the City's electoral process was
4 not equally open to participation by Latino voters after analyzing the Senate Factors. *Id.* At 1408-
5 1414.

6 121. In *Glatt v. City of Pasco*, a challenge to Pasco's at-large voting system, the court
7 entered a consent decree in which the parties stipulated to each *Gingles* factor as well as a finding
8 that the totality of the circumstances shows an exclusion of Latinos from meaningfully
9 participating in the political process. *See* Partial Consent Decree, *Glatt v. City of Pasco*, No. 4:16-
10 CV-05108-LRS, ECF No. 16 ¶¶ 15-22 (E.D. Wash. Sep. 2, 2016); *see also* Mem. Op. and Order,
11 *Glatt v. City of Pasco*, No. 4:16-CV-05108-LRS, ECF No. 40 at 29 (E.D. Wash. Jan. 27, 2017).

12 122. In *Aguilar v. Yakima County*, No. 20-2-0018019 (Kittitas Cnty. Super. Ct.), a
13 challenge against the at-large voting system used in Yakima County, the parties entered and the
14 court approved a settlement agreement finding that the conditions for a violation of the Washington
15 Voting Rights Act, including a showing of racially polarized voting, had been met in Yakima
16 County.

17 **2024 Elections**

18 123. Under recently enacted legislation, statutory deadlines for the 2024 election cycle
19 include RCW 29A.16.040, which will require precinct boundaries be drawn no later than 7 days
20 before the first day for candidates to file for the primary election, and RCW 29A.24.050, which
21 sets the first Monday in May as the first day for candidates to declare their candidacy.

1 124. Should the Court determine a new legislative district map must be drawn as a
2 remedy, March 25, 2024 is the latest date a finalized legislative district map must be transmitted
3 to counties without significantly disrupting the 2024 election cycle.

4 **IV. ISSUES OF LAW**

5 **The following are the issues of law to be determined by the court:**

6 1. Whether Plaintiffs have established the three *Gingles* preconditions to establish a
7 discriminatory results claim under Section 2 VRA including:

- 8 a. Whether the Latino community in the Yakima Valley region is sufficiently large
9 and geographically compact to constitute a majority in a single-member district;
- 10 b. Whether the Latino community in the Yakima Valley region is politically cohesive;
- 11 c. Whether the white majority in the Yakima Valley region votes sufficiently as a bloc
12 to enable it, absent special circumstances, usually to defeat the Latino community's
13 preferred candidates.

14 2. Whether the totality of the circumstances shows that LD15 has the effect of denying
15 Latino voters in the Yakima Valley region an equal opportunity to participate in the political
16 processes and to elect their candidates of choice.

17 3. Whether Plaintiffs are prevailing parties entitled to attorneys' fees under 42 U.S.C.
18 § 1988 and 52 U.S.C. § 10310(e).

19 4. Plaintiffs contend that Intervenor-Defendants did not raise Nos. 11 and 12 below
20 as affirmative defenses in their Answer, and have thus waived these arguments.

21 5. Secretary Hobbs does not have any objections, additions, or changes to Plaintiffs'
22 statement of issues of law.

1 **Intervenor-Defendants raise these further questions of law:**

2 6. Whether LD15 was adopted with the intent to discriminate on the basis of race,
3 national origin, and/or language minority group status and has a discriminatory effect on that basis
4 by intentionally cracking Latino voters to ensure that Latino voters in the region are unable to elect
5 their candidates of choice.

6 7. Whether Section 2 of the Voting Rights Act of 1965 applies to redistricting. *See*
7 *Abbott v. Perez*, 138 S. Ct. 2305, 2335 (2018) (Thomas, J. concurring) (opining that it does not).

8 8. Whether Plaintiffs seek a lawful remedy. Specifically, whether Plaintiffs' requested
9 remedy violates the Fourteenth Amendment to the U.S. Constitution by requiring a map drawn on
10 the basis of race.

11 9. Whether Plaintiffs are able to establish the elements required for injunctive relief.

12 10. Whether Plaintiffs seek inappropriate relief, including relief that is not within any
13 of the present Defendants' authority to accomplish.

14 11. Whether Section 2 of the Voting Rights Act protects political parties via
15 correlations between race and politics, or whether it is only available to protect against the
16 specified government actions "on account of race." *See, e.g., Greater Birmingham Ministries v.*
17 *Sec'y of State of Ala.*, 992 F.3d 1299, 1330 (11th Cir. 2021) ("[T]he challenged law must have
18 caused the denial or abridgement of the right to vote on account of race.").

19 12. Whether Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, establishes a
20 private right of action.

21 13. Finally, if the map is stricken, the appropriate state entity to be given the first
22 opportunity to redraw Legislative District 15.

23 **V. EXPERT WITNESSES**

24
25 Joint Pretrial Statement and [Proposed] Order 21
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1 The names and addresses of the expert witnesses to be used by each party at the trial and
2 the issue upon which each will testify are:

3 **1. On behalf of Plaintiffs:**

4 Will Testify

5 **Dr. Loren Collingwood**
6 University of New Mexico,
7 Department of Political Science
8 1 University of New Mexico
9 Albuquerque, NM 87131

10 Dr. Collingwood will testify about the possibility of creating a majority-Latino CVAP
11 district in the Yakima Valley region, the presence of racially-polarized voting in the Yakima
12 Valley region, the possibility of creating a legislative district which would allow Latinos in the
13 Yakima Valley region the opportunity to elect their candidates of choice, Latino and white voter
14 turnout in the Yakima Valley area, and characteristics and the performance of maps considered
15 and adopted by the 2021 Washington Redistricting Commission.

16 **Dr. Josué Q. Estrada**
17 Central Washington University
18 Department of History
19 400 University Way
20 Ellensburg, WA 98926

21 Dr. Estrada will testify about the shared history of Latinos as well as about the presence of
22 the following Senate Factors in the Yakima Valley and Pasco region: the history of official voting-
23 related discrimination (Senate Factor 1); the extent to which Washington state and the political
24 subdivisions in the Yakima Valley and Pasco areas have used voting practices and procedures that
25 tend to enhance the opportunity for discrimination against Latinos (Senate Factor 3); the extent to
26 which Latinos in the region bear the effects of discrimination in areas such as education,
27 employment and health (Senate Factor 5); the use of direct and indirect racial appeals in political

1 campaigns (Senate Factor 6); the extent to which Latinos have been elected to public office in the
2 jurisdiction (Senate Factor 7); and the lack of responsiveness on the part of elected officials to the
3 particularized needs of the Latino community (Senate Factor 9).

4 May Testify

5 **Dr. Matthew Barreto**
6 University of California, Los Angeles
7 3345 Bunche Hall
8 Los Angeles, CA 90095

9 Dr. Barreto may testify as a non-retained expert about efforts by the Latino community to
10 obtain a Latino opportunity district in the Yakima Valley region, voting patterns of Latino and
11 white voters in the Yakima Valley region, Latino voter turnout patterns, the maps considered and
12 adopted by the 2021 Washington Redistricting Commission, and alternative configurations of
13 legislative districts in the Yakima Valley region.

14 Plaintiffs properly disclosed Dr. Barreto as a non-retained expert under FRCP 26. Dr.
15 Barreto was included in Plaintiffs' initial disclosures (sent March 3, 2022) as well as supplemental
16 disclosures and Plaintiffs' expert disclosure filed with the Court (Dkt. 104). In addition, the parties
17 had time to conduct discovery on Dr. Barreto. Dr. Barreto produced documents in his possession
18 in response to a subpoena, and a deposition of Dr. Barreto was scheduled by both the State and
19 Intervenors but twice canceled.

20 Objections:

21 The State does not object to Dr. Barreto testifying as a non-retained expert so long as his
22 testimony is limited to opinions that were formed during the course of his participation in the
23 relevant events of the case, and only to those opinions which were properly disclosed. *See*
24 *Guarantee Tr. Life Ins. Co. v. Am. Med. & Life Ins. Co.*, 291 F.R.D. 234, 237 (N.D. Ill. 2013). The
25 State also does not object to Dr. Barreto testifying as a fact witness.

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1 Intervenor-Defendants incorporate the above-stated objection from the State regarding Dr.
2 Barreto's involvement as a witness.

3 **2. On Behalf of the State:**

4 Will Testify

5 **Dr. John Alford**
6 Rice University
7 Department of Political Science
8 203 Herzstein Hall
9 6100 Main St.
10 Houston, TX 77005-1827

11 Dr. Alford will testify about the possibility of creating a majority-Latino CVAP district in
12 the Yakima Valley region, the presence of racially polarized voting in the Yakima Valley region,
13 and the performance of the map adopted by the 2021 Washington Redistricting Commission.

14 **3. On Behalf of the Secretary of State:**

15 Secretary Hobbs does not intend to call any witnesses at trial.

16 **4. On Behalf of Intervenor-Defendants:**

17 Will Testify:

18 **Dr. Mark Owens**
19 Associate Professor
20 Department of Political Science
21 University of Texas at Tyler
22 3900 University Blvd
23 Tyler, Texas 75799

24 Dr. Owens may testify about the possibility of creating a majority-Latino CVAP district in
25 the Yakima Valley region, the possibility of the presence of racially-polarized voting in the
Yakima Valley region, the possibility of creating a legislative district which would allow Latinos
in the Yakima Valley region the opportunity to elect their candidates of choice, Latino and white
voter turnout in the Yakima Valley area, various elections returns, and characteristics and the
performance of maps considered and adopted by the 2021 Washington Redistricting Commission.

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Objections:

Soto Palmer Plaintiffs object to Dr. Owens offering any opinion with regard to *Gingles* Prong 3 because he testified in his deposition that he was not offering an opinion on non-Latino bloc voting, and such analysis is absent from his report(s). Similarly, Plaintiffs object to Dr. Owens offering any opinions regarding the performance of any maps considered or adopted by the Commission, as he did not disclose any such opinions in his reports.

VI. OTHER WITNESSES

The names and addresses of the lay witnesses to be used by each party at the trial and the issue(s) upon which each will testify are:

A. On behalf of Plaintiffs:Will Testify:**Joe Fain**

c/o K&L Gates LLP
925 Fourth Avenue, Ste. 2900
Seattle, WA 98104

Mr. Fain is expected to testify to information related to Plaintiffs' claims including efforts by the Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps considered by the Commission, and the actions of Commissioners and staff.

Paul Graves

c/o K&L Gates LLP
925 Fourth Avenue, Ste. 2900
Seattle, WA 98104

Mr. Graves is expected to testify to information related to Plaintiffs' claims including efforts by the Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps considered by the Commission, and the actions of Commissioners and staff.

Faviola Lopez (possibly testifying by deposition)
c/o Plaintiffs' Counsel

1 Ms. Lopez will testify to the circumstances supporting her claims including her experiences
2 as a Latina in her community, her experience voting, volunteering, and campaigning for public
3 office, her experience of the governmental responsiveness to the Latino community in her district,
4 and her experience advocating for an effective majority-minority district for the Yakima Valley.

5 **Ali O'Neil**
6 c/o Jason Rittereiser
7 600 Steward Street, Ste. 901
8 Seattle, WA 98101

9 Ms. O'Neil is expected to testify to information related to Plaintiffs' claims including
10 efforts by the Latino community to obtain a Latino opportunity district in the Yakima Valley, the
11 maps considered by the Commission, and the actions of Commissioners and staff.

12 **April Sims**
13 c/o K&L Gates LLP
14 925 Fourth Avenue, Ste. 2900
15 Seattle, WA 98104

16 Ms. Sims is expected to testify to information related to Plaintiffs' claims including efforts
17 by the Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
18 considered by the Commission, and the actions of Commissioners and staff.

19 **Susan Soto Palmer** (possibly testifying by deposition)
20 c/o Plaintiffs' Counsel

21 Ms. Soto Palmer will testify to the circumstances supporting her claims including her
22 experiences as a Latina in her community, her experience voting, volunteering, and campaigning
23 for public office, her experience of the governmental responsiveness to the Latino community in
24 her district, and her experience advocating for an effective majority-minority district for the
25 Yakima Valley.

Brady Walkinshaw
c/o K&L Gates LLP
925 Fourth Avenue, Ste. 2900

1 Seattle, WA 98104

2 Mr. Walkinshaw is expected to testify to information related to Plaintiffs' claims including
3 efforts by the Latino community to obtain a Latino opportunity district in the Yakima Valley, the
4 maps considered by the Commission, and the actions of Commissioners and staff.

5 Possible Witness Only:

6 **Sarah Augustine** (possibly testifying by deposition)
7 c/o K&L Gates LLP
8 925 Fourth Avenue, Ste. 2900
9 Seattle, WA 98104

10 Ms. Augustine may testify to information related to Plaintiffs' claims including efforts by
11 the Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
12 considered by the Commission, and the actions of Commissioners and staff.

13 **Representative of Dave's Redistricting App (Dave Bradlee)**
14 (possibly testifying by deposition)
15 c/o Mason Kortz
16 Harvard Law School Cyberlaw Clinic
17 Berkman Klein Center for Internet & Society
18 1557 Massachusetts Ave., 4th Floor
19 Cambridge, MA 02138

20 Mr. Bradlee, as a representative of Dave's Redistrict App, may testify to the functionality
21 of, the information and data included in, the storage of data for, and other information related to
22 the web app DRA 2020, aka Dave's Redistricting App.

23 **Matt Bridges** (possibly testifying by deposition)
24 c/o Jessica Goldman, Summit Law Group
25 315 5th Avenue S, Ste. 1000
Seattle, WA 98104

Mr. Bridges may testify to information related to Plaintiffs' claims including efforts by the
Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
considered by the Commission, and the actions of Commissioners and staff.

1 **Ismael Campos** (possibly testifying by deposition)
2 c/o Intervenor-Defendants' Counsel

3 Mr. Campos may testify to information related to his experiences as a Latino in the region
4 and his intervention in this matter.

5 **Paul Campos**
6 c/o Jessica Goldman, Summit Law Group
7 315 5th Avenue S, Ste. 1000
8 Seattle, WA 98104

9 Mr. Campos may testify to information related to Plaintiffs' claims including efforts by the
10 Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
11 considered by the Commission, and the actions of Commissioners and staff.

12 **Osta Davis**
13 c/o Jessica Goldman, Summit Law Group
14 315 5th Avenue S, Ste. 1000
15 Seattle, WA 98104

16 Ms. Davis may testify to information related to Plaintiffs' claims including efforts by the
17 Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
18 considered by the Commission, and the actions of Commissioners and staff.

19 Note:

20 *Soto Palmer* Plaintiffs include Osta Davis as a witness who may possibly testify by
21 deposition. Plaintiffs maintain that because of the number of claims that must be heard in a limited
22 amount of time, any party that is not called in person should have deposition designations admitted,
23 as is common in similar redistricting cases.

24 The State of Washington objects to Ms. Davis testifying by deposition because the witness
25 is not unavailable within the meaning of Fed. R. Civ. P. 32(a)(4). Although the parties have
stipulated to the admissibility of certain deposition testimony notwithstanding Fed. R. Civ. P.
34(a)(4), both the State and Intervenor-Defendants have been clear that they would not stipulate

1 to the admissibility of deposition testimony of the Commissioners or their four primary legislative
2 staffers, including Ms. Davis. *See* Dkt. #180 at p. 4.

3 **Benancio Garcia** (possibly testifying by deposition)
4 c/o Drew Stokesbary; Holtzman Vogel

5 Mr. Garcia may testify to information related to Plaintiffs' claims including information
6 related to current legislative district 15, Latino voter suppression in the Yakima Valley area, and
7 his claims in the *Garcia* matter.

8 **Anton Grose**
9 c/o Jessica Goldman, Summit Law Group
315 5th Avenue S, Ste. 1000
Seattle, WA 98104

10 Mr. Grose may testify to information related to Plaintiffs' claims including efforts by the
11 Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
12 considered by the Commission, and the actions of Commissioners and staff.

13 **Adam Hall** (possibly testifying by deposition)
14 c/o Jessica Goldman, Summit Law Group
315 5th Avenue S, Ste. 1000
Seattle, WA 98104

15 Mr. Hall may testify to information related to Plaintiffs' claims including efforts by the
16 Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
17 considered by the Commission, and the actions of Commissioners and staff.

18 **Alberto Macias** (possibly testifying by deposition)
19 c/o Plaintiffs' Counsel

20 Mr. Macias may testify to the circumstances supporting his claims including his
21 experiences as a Latino in his community, his experience voting, volunteering, and campaigning
22 for public office, his experience of the governmental responsiveness to the Latino community in
23

1 his district, and his experience advocating for an effective majority-minority district for the
2 Yakima Valley.

3 **Lisa McLean** (possibly testifying by deposition)
4 c/o K&L Gates LLP
5 925 Fourth Avenue, Ste. 2900
6 Seattle, WA 98104

7 Ms. McLean may testify to information related to Plaintiffs' claims including efforts by
8 the Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
9 considered by the Commission, and the actions of Commissioners and staff.

10 **Heliodora Morfin** (possibly testifying by deposition)
11 c/o Plaintiffs' Counsel

12 Ms. Morfin may testify to the circumstances supporting her claims including her
13 experiences as a Latina in her community, her experience voting, volunteering, and campaigning
14 for public office, her experience of the governmental responsiveness to the Latino community in
15 her district, and her experience advocating for an effective majority-minority district for the
16 Yakima Valley.

17 **Caty Padilla** (possibly testifying by deposition)
18 c/o Plaintiffs' Counsel

19 Ms. Padilla may testify to the circumstances supporting her claims including her
20 experiences as a Latina in her community, her experience voting, volunteering, and campaigning
21 for public office, her experience of the governmental responsiveness to the Latino community in
22 her district, and her experience advocating for an effective majority-minority district for the
23 Yakima Valley.

1 **Gabriel Portugal**
2 804 N RD 52
3 Pasco, WA 99302

4 Mr. Portugal may testify to information related to Plaintiffs' claims including information
5 relating to his experience as a Latino in his community, his experience voting, volunteering, and
6 campaigning for public office, his experiences of governmental responsiveness to the Latino
7 community in the Yakima Valley area, and his experience advocating for an effective majority-
8 minority district for the Yakima Valley area.

9 **Sen. Rebecca Saldaña**
10 c/o Jessica Goldman, Summit Law Group
11 315 5th Avenue S, Ste. 1000
12 Seattle, WA 98104

13 Senator Saldaña may testify to information related to Plaintiffs' claims including efforts by
14 the Latino community to obtain a Latino opportunity district in the Yakima Valley area, the impact
15 of the enacted maps on the Yakima Valley area, and the responsiveness of the state legislature to
16 the needs of the Latino community in the Yakima Valley area.

17 **Jose Trevino** (possibly testifying by deposition)
18 c/o Intervenor-Defendants' Counsel

19 Mr. Trevino may testify to information related to his experiences as a Latino in the region
20 and his intervention in this matter.

21 **James Troyer**
22 c/o Jessica Goldman, Summit Law Group
23 315 5th Avenue S, Ste. 1000
24 Seattle, WA 98104

25 Mr. Troyer may testify to information related to Plaintiffs' claims including efforts to
recruit candidates in legislative district 15, interactions between Commission staff and Legislative
staff, and litigation challenging legislative district 15.

1 **Rep. Alex Ybarra** (possibly testifying by deposition)
2 c/o Intervenor-Defendants' Counsel

3 Representative Ybarra may testify to information related to the formation and passage of
4 the legislative district plan, his experiences as a Latino in the region and his intervention in this
5 matter.

6 **B. On Behalf of the State:**

7 Will Testify:

8 The State of Washington adopts and incorporates Plaintiffs' "will testify" list with four
9 modifications: (1) the State does not presently anticipate calling Ali O'Neil, but reserves the right
10 to do so; (2) the State does not intend to call Susan Soto Palmer; (3) the State does not intend to
11 call Faviola Lopez; and (4) the State intends to call Adam Hall, and Mr. Hall is expected to testify
12 to information related to efforts by the Commission and staff to comply with the Voting Rights
13 Act.

14 May Testify:

15 The State of Washington adopts and incorporates Plaintiffs' "may testify" list with one
16 modification: Sarah Augustine may testify via deposition, according to the deposition designations
17 submitted herewith.

18 **C. On Behalf of the Secretary of State:**

19 Secretary Hobbs does not intend to call any witnesses at trial.

20 **D. On Behalf of Intervenor-Defendants:**

21 Will Testify:

1 **Paul Graves**

2 c/o K&L Gates LLP
3 925 Fourth Avenue, Ste. 2900
4 Seattle, WA 98104

5 Mr. Graves is expected to testify to information related to Plaintiff's claims including
6 process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
7 Washington, the maps considered by the Commission, and the actions and knowledge of
8 Commissioners and staff during the redistricting process in 2021 and 2022.

9 **April Sims**

10 c/o K&L Gates LLP
11 925 Fourth Avenue, Ste. 2900
12 Seattle, WA 98104

13 Ms. Sims is expected to testify to information related to Plaintiff's claims including process
14 of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
15 Washington, the maps considered by the Commission, and the actions and knowledge of
16 Commissioners and staff during the redistricting process in 2021 and 2022.

17 **Sarah Augustine** (possibly testifying by deposition)

18 c/o K&L Gates LLP
19 925 Fourth Avenue, Ste. 2900
20 Seattle, WA 98104

21 Ms. Augustine is expected to testify to information related to Plaintiff's claims including
22 process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
23 Washington, the maps considered by the Commission, and the actions and knowledge of
24 Commissioners and staff during the redistricting process in 2021 and 2022.

25 **Paul Campos**

 c/o Jessica Goldman, Summit Law Group
 315 5th Avenue S, Ste. 1000
 Seattle, WA 98104

1 Mr. Campos is expected to testify to information related to Plaintiff's claims including
2 process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
3 Washington, the maps considered by the Commission, and the actions and knowledge of
4 Commissioners and staff during the redistricting process in 2021 and 2022.

5 **Osta Davis**
6 c/o Jessica Goldman, Summit Law Group
7 315 5th Avenue S, Ste. 1000
8 Seattle, WA 98104

9 Ms. Davis is expected to testify to information related to Plaintiff's claims including
10 process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
11 Washington, the maps considered by the Commission, and the actions and knowledge of
12 Commissioners and staff during the redistricting process in 2021 and 2022.

13 **Lisa McLean** (possibly testifying by deposition)
14 c/o K&L Gates LLP
15 925 Fourth Avenue, Ste. 2900
16 Seattle, WA 98104

17 Ms. McLean is expected to testify to information related to Plaintiff's claims including
18 process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
19 Washington, the maps considered by the Commission, and the actions and knowledge of
20 Commissioners and staff during the redistricting process in 2021 and 2022.

21 **Anton Grose**
22 c/o Jessica Goldman, Summit Law Group
23 315 5th Avenue S, Ste. 1000
24 Seattle, WA 98104

25 Mr. Grose is expected to testify to information related to Plaintiff's claims including
process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
Washington, the maps considered by the Commission, and the actions and knowledge of
Commissioners and staff during the redistricting process in 2021 and 2022.

1 May Testify:

2 **Joe Fain**

3 c/o K&L Gates LLP
4 926 Fourth Avenue, Ste. 2900
5 Seattle, WA 98104

6 Mr. Fain may testify to information related to Plaintiff's claims including process of
7 negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington,
8 the maps considered by the Commission, and the actions and knowledge of Commissioners and
9 staff during the redistricting process in 2021 and 2022.

10 **Ali O'Neil**

11 c/o Jason Rittereiser
12 600 Steward Street, Ste. 901
13 Seattle, WA 98101

14 Ms. O'Neil may testify to information related to Plaintiff's claims including process of
15 negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington,
16 the maps considered by the Commission, and the actions and knowledge of Commissioners and
17 staff during the redistricting process in 2021 and 2022.

18 **Brady Walkinshaw**

19 c/o K&L Gates LLP
20 925 Fourth Avenue, Ste. 2900
21 Seattle, WA 98104

22 Mr. Walkinshaw may testify to information related to Plaintiff's claims including process
23 of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
24 Washington, the maps considered by the Commission, and the actions and knowledge of
25 Commissioners and staff during the redistricting process in 2021 and 2022.

Representative of Dave's Redistricting App (Dave Bradlee)

(possibly testifying by deposition)
c/o Mason Kortz
Harvard Law School Cyberlaw Clinic
Berkman Klein Center for Internet & Society

1 1557 Massachusetts Ave., 4th Floor
2 Cambridge, MA 02138

3 Mr. Bradlee, as a representative of Dave's Redistrict App, may testify to the functionality
4 of, the information and data included in, the storage of data for, and other information related to
5 the web app DRA 2020, aka Dave's Redistricting App.

6 **Matt Bridges** (possibly testifying by deposition)
7 c/o Jessica Goldman, Summit Law Group
8 315 5th Avenue S, Ste. 1000
9 Seattle, WA 98104

10 Mr. Bridges may testify to information related to Plaintiff's claims including process of
11 negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington,
12 the maps considered by the Commission, and the actions and knowledge of Commissioners and
13 staff during the redistricting process in 2021 and 2022.

14 **Benancio Garcia** (possibly testifying by deposition)
15 c/o Drew Stokesbary; Holtzman Vogel

16 Mr. Garcia may testify to information related to Plaintiff's claims including information
17 related to current legislative district 15, the Yakima Valley area, and his claims in the *Garcia*
18 matter.

19 **Jose Trevino** (possibly testifying by deposition)
20 c/o Drew Stokesbary; Holtzman Vogel

21 Mr. Trevino may testify to information related to his experiences as a Latino in the region
22 and his intervention in this matter.

23 **Ismael Campos** (possibly testifying by deposition)
24 c/o Drew Stokesbary; Holtzman Vogel

25 Mr. Campos may testify to information related to his experiences as a Latino in the region
and his intervention in this matter.

1 **Rep. Alex Ybarra** (possibly testifying by deposition)
c/o Drew Stokesbary; Holtzman Vogel

2 Representative Ybarra may testify to information related to the formation and passage of
3 the legislative district plan, his experiences as a Latino in the region and his intervention in this
4 matter.

5 **Adam Hall** (possibly testifying by deposition)
6 c/o Jessica Goldman, Summit Law Group
315 5th Avenue S, Ste. 1000
7 Seattle, WA 98104

8 Mr. Hall may testify to information related to Plaintiff's claims including process of
9 negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington,
10 the maps considered by the Commission, and the actions and knowledge of Commissioners and
11 staff during the redistricting process in 2021 and 2022.

12 VII. EXHIBITS

13 PLAINTIFFS' EXHIBITS

14 Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
15 1	Expert Report of Dr. Loren Collingwood			State: X Int/Garcia: X
16 2	Supplemental Expert Report of Dr. Loren Collingwood			State: X Int/Garcia: X
17 3	February 25, 2022 Declaration of Dr. Loren Collingwood			State: X Int/Garcia: X
18 4	Dr. Josue Estrada, Totality of the Circumstances Analysis Under Section 2 of the Voting Rights Act			State: X Int/Garcia: X
19 5	February 25, 2022 Declaration of Dr. Matt Barreto		State: X - FRE 802 Int/Garcia: X - FRE 802	
20 6	March 25, 2022 Second Declaration of Dr. Loren Collingwood			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
7	Defendant Steven Hobbs' Responses and Objections to Plaintiffs' First Set of Interrogatories			State: X Int/Garcia: X
8	Intervenor-Defendants' Objections and Responses to Plaintiffs' First Set of Interrogatories			State: X Int/Garcia: X
9	Plaintiffs' Amended First Set of Interrogatories to State of Washington, And Defendant State of Washington's Answers and Objections Thereto			State: X Int/Garcia: X
10	Intervenor-Defendants' Objections and Responses to Plaintiffs' Second Set of Interrogatories			State: X Int/Garcia: X
11	Intervenor-Defendants' Objections and Responses to Plaintiffs' Amended First Set of Requests for Admission to Intervenor Defendants			State: X Int/Garcia: X
12	Defendant Steven Hobbs' Responses and Objections to Plaintiffs' Amended First Requests for Admission			State: X Int/Garcia: X
13	Plaintiffs' Amended First Set of Requests for Admission to Defendant State of Washington, and Defendant State of Washington's Objections and Responses Thereto			State: X Int/Garcia: X
14	Intervenor-Defendants' Objections and Responses to Plaintiffs' Amended First Set of Requests for Admission to Intervenor-Defendants			State: X Int/Garcia: X
15	Plaintiffs' Second Set of Requests for Admission to Defendant State of Washington, and State of Washington's Responses and Objections Thereto			State: X Int/Garcia: X
16	Defendant Steven Hobbs' Responses and Objections to			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	Plaintiffs' Second Requests for Admission			
17	Intervenor-Defendants' Objections and Responses to Plaintiffs' Second Set of Requests for Admission to Intervenor-Defendants			State: X Int/Garcia: X
18	Intervenor-Defendants' Objections and Responses to Plaintiffs' Third Set of Interrogatories to Intervenor-Defendants			State: X Int/Garcia: X
19	12/29/2011 2011 Commission Meeting Minutes			State: X Int/Garcia: X
20	1/27/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
21	1/27/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
22	1/30/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
23	1/30/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
24	2/21/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
25	2/21/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
26	3/08/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
27	3/08/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
28	3/15/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
29	3/15/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
30	3/29/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
31	3/29/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
32	4/12/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
33	4/12/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
34	4/19/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
35	4/19/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
36	4/26/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
37	4/26/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
38	5/10/21 Washington Redistricting Business Meeting Minutes			State: X Int/Garcia: X
39	5/10/21 Washington Redistricting Business Meeting (Video)			State: X Int/Garcia: X
40	5/17/2021 Washington State Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
41	WSRC Public Outreach Meeting 5.22.21-CD 7 (Transcript)			State: X Int/Garcia: X
42	WSRC Public Outreach Meeting 5.22.21- CD 5 (Transcript)			State: X Int/Garcia: X
43	5/22/21 Washington Redistricting Commission CD 7 Public Outreach Meeting (Video)			State: X Int/Garcia: X
44	5/22/21 Washington Redistricting Commission CD			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	5 Public Outreach Meeting (Video)			
45	5/24/21 Washington Redistricting Commission CD 4 Public Outreach Meeting (Transcript)			State: X Int/Garcia: X
46	5/24/21 Washington Redistricting Commission CD 4 Public Outreach Meeting (Video)			State: X Int/Garcia: X
47	WSRC Public Outreach Meeting 6.05.21-CD 4 (Transcript)			State: X Int/Garcia: X
48	WSRC Public Outreach Meeting 6.05.21-CD 1 (Transcript)			State: X Int/Garcia: X
49	6/05/21- Washington Redistricting Commission CD 1 Public Outreach Meeting (Video)			State: X Int/Garcia: X
50	6/07/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
51	6/07/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
52	WSRC Public Outreach Meeting 6.14.2021- CD 3 (Transcript)			State: X Int/Garcia: X
53	6/14/21 Washington Redistricting Commission CD 3 Public Outreach Meeting (Video)			State: X Int/Garcia: X
54	6/21/21 Washington Redistricting Commission Regular Business Meeting Minutes			State: X Int/Garcia: X
55	6/21/21 Washington Redistricting Commission Regular Business Meeting (Video)			State: X Int/Garcia: X
56	WSRC Public Outreach Meeting 6.22.2021- CD 2 (Transcript)			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
57	WSRC Public Outreach Meeting 6.22.2021- CD 10 (Transcript)			State: X Int/Garcia: X
58	6/22/21 Washington Redistricting Commission CD 2 Public Outreach Meeting (Video)			State: X Int/Garcia: X
59	6/22/21 Washington Redistricting Commission CD 10 Public Outreach Meeting (Video)			State: X Int/Garcia: X
60	WSRC Public Outreach Meeting 6.26.21-CD 9 (Transcript)			State: X Int/Garcia: X
61	6/26/21 Washington Redistricting Commission CD 9 Public Outreach Meeting (Video)			State: X Int/Garcia: X
62	WSRC Public Outreach Meeting 6.28.21- CD 8 (Transcript)			State: X Int/Garcia: X
63	6/28/21 CD 8 Washington Redistricting Commission Public Outreach Meeting (Video)			State: X Int/Garcia: X
64	7/31/21 Washington Redistricting Commission CD 7 & 9 Public Outreach Meeting (Video)			State: X Int/Garcia: X
65	7/19/21 Washington Redistricting Commission Regular Business Meeting Minutes			State: X Int/Garcia: X
66	7/19/21 Washington Redistricting Commission Regular Business Meeting (Video)			State: X Int/Garcia: X
67	WSRC Public Outreach Meeting 7.24.21- CD 1&2 (Transcript)			State: X Int/Garcia: X
68	WSRC Public Outreach Meeting 7.24.21- CD 4&5 (Transcript)			State: X Int/Garcia: X
69	7/24/21 Washington Redistricting Commission CD			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	1 & 2 Public Outreach Meeting (Video)			
70	WSRC Public Outreach Meeting 7.26.21- CD 3&6 (Transcript)			State: X Int/Garcia: X
71	7/26/21 Washington Redistricting Commission Public Outreach Meeting (Video)			State: X Int/Garcia: X
72	WSRC Public Outreach Meeting 7.31.21- CD 7 &9 (Transcript)			State: X Int/Garcia: X
73	WSRC Public Outreach Meeting 7.31.21- CD 8& 10 (Transcript)			State: X Int/Garcia: X
74	7/31/21 Washington Redistricting Commission CD 8 & 10 Public Outreach Meeting (Video)			State: X Int/Garcia: X
75	8/16/21 Washington Redistricting Commission Regular Business Meeting Minutes			State: X Int/Garcia: X
76	8/16/21 Washington Redistricting Commission Regular Business Meeting (Video)			State: X Int/Garcia: X
77	9/20/21 Washington Redistricting Commission Regular Business Meeting Minutes			State: X Int/Garcia: X
78	9/20/21 Washington Redistricting Commission Regular Business Meeting (Video)			State: X Int/Garcia: X
79	10/5/2021 WSRC Public Outreach Meeting 10.05.21 (Transcript)			State: X Int/Garcia: X
80	10/05/21- Washington Redistricting Commission Statewide Legislative Districts Meeting (Video)			State: X Int/Garcia: X
81	WSRC Public Outreach Meeting 10.09.21- Statewide Congressional (Transcript)			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
82	10/09/21 Washington Redistricting Commission Statewide Congressional Districts Meeting (Video)			State: X Int/Garcia: X
83	10/11/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
84	10/11/2021 WSRC Meeting 10.11.21 (Transcript)			State: X Int/Garcia: X
85	10/11/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
86	10/18/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
87	10/18/2021 WSRC Regular Business Meeting 10/18/21 (Transcript)			State: X Int/Garcia: X
88	10/18/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
89	10/25/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
90	10/25/21 WSRC Meeting 10.25.21 (Transcript)			State: X Int/Garcia: X
91	10/25/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
92	11/01/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
93	11/01/2021 WSRC Meeting 11.01.21 (Transcript)			State: X Int/Garcia: X
94	11/01/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
95	11/08/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
96	11/08/21 WSRC Meeting 11.08.2021 (Transcript)			State: X Int/Garcia: X
97	11/08/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
98	11/15/21 Washington Redistricting Commission Regular Business Meeting Minutes			State: X Int/Garcia: X
99	11/15/2021 WSRC Meeting 11.15.21 (Transcript)			State: X Int/Garcia: X
100	11/15/21 Washington Redistricting Commission Regular Business Meeting			State: X Int/Garcia: X
101	11/18/21 Washington Redistricting Commission Press Availability Meeting (Video)			State: X Int/Garcia: X
102	11/18/21 Washington Redistricting Commission Press Availability Meeting (Transcript)			State: X Int/Garcia: X
103	11/24/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
104	11/24/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
105	11/29/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
106	11/29/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
107	12/13/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
108	12/13/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
109	12/14/21 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
110	12/14/21 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
111	1/06/22 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
112	1/06/22 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
113	1/18/22 Washington Redistricting Commission Regular Business Meeting Minutes			State: X Int/Garcia: X
114	1/18/22 Washington Redistricting Commission Regular Business Meeting (Video)			State: X Int/Garcia: X
115	2/23/22 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
116	2/23/22 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
117	3/7/22 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
118	3/7/22 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
119	6/22/22 Washington Redistricting Commission Meeting Minutes			State: X Int/Garcia: X
120	6/22/22 Washington Redistricting Commission Meeting (Video)			State: X Int/Garcia: X
121	Washington State Redistricting Commission, 2022 Washington State Map Book Congressional & Legislative Districts			State: X Int/Garcia: X
122	WITHDRAWN			
123	11/16/21 Email and Attachments from Lisa McLean to Washington Supreme Court re Redistricting News for Chief Justice and the Supreme Court			State: X Int/Garcia: X
124	WITHDRAWN			
125	WITHDRAWN			
126	2/8/22 Senate Floor Debate Video HCR 4407			State: X Int/Garcia: X
127	House Concurrent Resolution 4407			State: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
				Int/Garcia: X
128	Yakima County Voter Registration Statistics, 2021			State: X Int/Garcia: X
129	3/4/22 Email Thread with Paul Graves, Benancio Garcia, Robert Maguire, and David Nordlinger re: Introduction re redistricting lawsuits			State: X Int/Garcia: X
130	MGGG Analysis of RPV in Yakima County Commission elections, January 2020			State: X Int/Garcia: X
131	March 25, 2021 email from Osta Davis to April Sims re: A couple of things			State: X Int/Garcia: X
132	February 6, 2013 Barreto RPV analysis of Yakima Valley area			State: X Int/Garcia: X
133	March 25, 2021 email chain between Osta Davis, Sarah Augustine re: Job Descriptions and Budget Items			State: X Int/Garcia: X
134	6/5/21 Email Thread with Paul Graves, Joe Fain, Paul Campos, Anton Grose, Margot Spindola re: RJW monthly meeting			State: X Int/Garcia: X
135	June 18, 2021 text messages between Fain and Sims, "2.9 to 8.26 (AS-JF)"			State: X Int/Garcia: X
136	6/24/21 Email and Attachment between Fain and Campos re SRC Caucus retreat			State: X Int/Garcia: X
137	6/24/21 Email Thread with Paul Campos and Joe Fain			State: X Int/Garcia: X
138	WITHDRAWN			
139	Asst. Attorney General Brian J. Sutherland Presentation: Minority Vote Dilution in the Context of Redistricting			State: X Int/Garcia: X
140	Excerpts of July 16, 2021 Deposition of Jose Trevino in Aguilar v. Yakima County		Int/Garcia: X – FRE 802 & 106	State: X
141	8/12/21 Email Thread with Paul Campos, James Troyer, and @SRC Members email			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
142	9/1/21 Email Thread with Paul Campos, Anton Grose, James Crandall, and Min Fei re: CVAP population question			State: X Int/Garcia: X
143	9/1/21 Email from Matt Bridges to Dominique Meyers			State: X Int/Garcia: X
144	September 9, 2021 email and attachment from Ali O'Neil to Brady Pinero Walkinshaw, Adam Hall, Matt Bridges, Adam Bartz, Paulette Avalos re: Leg Map One Pager-DRAFT_9.8.docx			State: X Int/Garcia: X
145	9/8/21 Email from Dominique Meyers to April Sims, Joe Fitzgibbon re: draft map			State: X Int/Garcia: X
146	Screenshot of Daves Redistricting App LD Draft - 9/8 (corrected population) dom edits			State: X Int/Garcia: X
147	WITHDRAWN			
148	9/10/21 Email Thread with April Sims, Dominique Meyers, Joe Fitzgibbon, Amy Ruble, and Melissa Vanderwerf re: Latest Map			State: X Int/Garcia: X
149	Final Sims map 9/13/21			State: X Int/Garcia: X
150	September 16, 2021 email and attachment from Ali O'Neil to Brady re: leg map slideshow			State: X Int/Garcia: X
151	WITHDRAWN			
152	9/21/21 Email and Attachment from Anton Grose to Paul Graves and Evan Ridley re: TOP8 District Partisanship Breakdown Spreadsheet			State: X Int/Garcia: X
153	9/21/21 Email Thread with Paul Campos, Joe Fain, James Troyer, and James Crandall re: Draft map comparisons			State: X Int/Garcia: X
154	Walkinshaw Proposed Legislative Map September 21, 2021			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
155	Commissioner Sims' September 21, 2021 Proposed Legislative District Map			State: X Int/Garcia: X
156	Commissioner Pinero Walkinshaw's September 21, 2021 Proposed Legislative District Map			State: X Int/Garcia: X
157	Commissioner Fain's September 21, 2021 Proposed Legislative District Map			State: X Int/Garcia: X
158	Commissioner Grave's September 21, 2021 Proposed Legislative District Map			State: X Int/Garcia: X
159	SRC Spreadsheet Comparing 9/21 Draft Proposals			State: X Int/Garcia: X
160	WITHDRAWN			
161	9/21/21 Texts between Anton Grose and Paul Graves re: Checking addresses for potential LD 15 legislators proposed by Dufault			State: X Int/Garcia: X
162	September 21, 2021 text messages between Paul Graves and Jeremie Dufault re: drawing 15th to include potential candidates			State: X Int/Garcia: X
163	September 24, 2021 email from Adam Hall to Brady Pinero Walkinshaw, Ali O'Neil, Adam Bartz, Matt Bridges re: Talking points on Republican legislative proposals (Yakima Valley)			State: X Int/Garcia: X
164	September 24, 2021 email from Ali O'Neil to Jim Brunner, Brady Pinero Walkinshaw re: Analysis of Analysis of commissioners' proposed legislative maps, attaching Commissioner Leg Maps FINAL.pdf			State: X Int/Garcia: X
165	8/26/21 Email from James Troyer to Paul Campos, James Crandall re: Crosscut Article "WA redistricting efforts aim			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	to give more power to people of color"			
166	September 28, 2021 email chain between Matt Barreto, Adam Hall, Paulette Avalos re: VRA analysis data			State: X Int/Garcia: X
167	9/28/21 Email and Attachment from Dominique Meyers to April Sims re: DRAFT Messaging Doc 9-23-21			State: X Int/Garcia: X
168	September 28, 2021 email chain between Adam Hall, Brady Pinero Walkinshaw, Matt Bridges, Ali O'Neil, Adam Barts re: talking points on Republican legislative proposals (Yakima Valley)			State: X Int/Garcia: X
169	9/29/2021 Email from Matt Barreto to Adam Hall			State: X Int/Garcia: X
170	9/30/2021 Emails between Adam Hall and Matt Barreto			State: X Int/Garcia: X
171	October 4, 2021 email from April Sims to Paul Graves re:			State: X Int/Garcia: X
172	October 6, 2021 email from Adam Hall to Ali O'Neil, Brady Pinero Walkinshaw re: Grave's map does not comply with the VRA			State: X Int/Garcia: X
173	10/6-9/21 Text Messages between Paul Graves and Anton Grose		Int/Garcia: X – FRE 106	State: X
174	10/11/2021 Email from Matt Barreto to Adam Hall			State: X Int/Garcia: X
175	10/12/21 Email from Anton Grose to Paul Graves re: 2019 ACS Demo Comparisons			State: X Int/Garcia: X
176	10/13/21 E-Mail from O'Neil to Meyers, re: Press release			State: X Int/Garcia: X
177	10/13/2021 Email from Adam Hall to Matt Barreto			State: X Int/Garcia: X
178	10/15/21 Dr. Matt Barreto, "Assessment of Voting Patterns in Central / Eastern Washington and Review of			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	Federal Voting Rights Act, Section 2 Issues"			
179	10/19/21 Dr. Matt Barreto, "Assessment of Voting Patterns in Central / Eastern Washington and Review of Federal Voting Rights Act, Section 2 Issues"			State: X Int/Garcia: X
180	October 19, 2021 email chain between Adam Hall, Brady Pinero Walkinshaw, Ali O'Neil re: Possible Billig line re: Yakima on TVW tomorrow			State: X Int/Garcia: X
181	10/20/21 Text Messages between Paul Graves and Anton Grose			State: X Int/Garcia: X
182	10/21/21 Email Thread with April Sims, Brady Walkinshaw, Sarah Augustine, Lisa McLean, Dominique Meyers, and Osta Davis re: Commission funding for counsel to advise on VRA			State: X Int/Garcia: X
183	10/21/21 Email from Ali O'Neil on behalf of Brady Walkinshaw re: RELEASE: New analysis shows final Washington state legislative map must include a VRA-compliant district in the Yakima Valley			State: X Int/Garcia: X
184	Oct. 21, 2021 Email from Sims to Davis, "Re: RELEASE: New analysis shows final Washington state legislative map must include a VRA-compliant district in the Yakima Valley"			State: X Int/Garcia: X
185	10/21/21 Text messages between Fain and Graves			State: X Int/Garcia: X
186	October 21, 2021 texts between Paul Graves and Joe Fain			State: X Int/Garcia: X
187	October 22, 2021 email chain among April Sims, Dominique			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	Meyers, Osta Davis re: Apologies			
188	10/22/21 Email Thread with Grose, Graves, Ridley re Walkinshaw Press Release on Barreto Analysis			State: X Int/Garcia: X
189	October 22, 2021 email from Racial Justice Washington Coalition to Brady Pinero Walkinshaw, April Sims, Joe Fain, Paul Graves, Anton Grose, Ali O'Neil, Dominique Meyers, Kamau Chege, Katie Stultz, Margot Spindola re: Redistricting Justice Washington Ranked Priorities			State: X Int/Garcia: X
190	October 22, 2021 email thread with Osta Davis, April Sims, Dominique Meyers re: More Recent Draft			State: X Int/Garcia: X
191	October 23 email from April Sims to Paul Graves re: 10/23			State: X Int/Garcia: X
192	10-23.xlsx (titled Walkinshaw Exhibit 12)			State: X Int/Garcia: X
193	10/25/21 Email and Attachment from Osta Davis to April Sims, Dominique Meyers re: Statement			State: X Int/Garcia: X
194	10/25/21 Email from Osta Davis to April Sims re: Most Updated Map			State: X Int/Garcia: X
195	10/25/21 email from Brady Pinero Walkinshaw RELEASE: Commissioner Walkinshaw Releases New VRA-Compliant Legislative District Map			State: X Int/Garcia: X
196	Pinero Walkinshaw Revised Map October 25, 2021			State: X Int/Garcia: X
197	Commissioner Sims' Revised Legislative District Map - October 25, 2021			State: X Int/Garcia: X
198	Commissioner Walkinshaw's Revised Legislative District Map - October 25, 2021			State: X Int/Garcia: X
199	WITHDRAWN			

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
200	October 25, 2021 Tweet by April Sims re: legislative map			State: X Int/Garcia: X
201	10/25/21 Text Messages between Paul Graves and Anton Grose			State: X Int/Garcia: X
202	10/26/21 Email from James Troyer to Joe Fain, Paul Campos, James, Crandall, and Min Fei re: some screenshots - Dems on redistricting			State: X Int/Garcia: X
203	10/27/21 E-Mail from O'Neil to Walkinshaw, "Leg map must-haves.pdf"			State: X Int/Garcia: X
204	10/28/21 Email from O'Neil to Walkinshaw, re: Voting Rights Act AAG Assessment			State: X Int/Garcia: X
205	WITHDRAWN			
206	October 28, 2021 email submission to Washington Redistricting Commission from Giovanni Severino at the Latino Community Fund re: All Maps Should Comply with the Voting Rights Act			State: X Int/Garcia: X
207	October 28, 2021 text messages between Fain and Graves re: LD14			State: X Int/Garcia: X
208	October 28, 2021 texts between April Sims and Paul Graves re: VRA analysis			State: X Int/Garcia: X
209	RSOpEd-10.29 edits.docx			State: X Int/Garcia: X
210	10/25-30/21 Text Thread between Paul Graves, Chris Corry, and Jeremie Dufault			State: X Int/Garcia: X
211	WITHDRAWN			
212	WITHDRAWN			
213	11/1/21 Email and Attachment from O'Neil to Augustine, McLean, Emma Grunberg, Tera Heintz, Brady Walkinshaw, Adam Hall re: Dr. Barreto's VRA Analysis			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
214	November 1, 2021 email and attachment from Lisa McLean to Washington Redistricting Commission official comment email address re: Dr. Barreto's VRA analysis			State: X Int/Garcia: X
215	11/1/21 Texts between Paul Graves and April Sims			State: X Int/Garcia: X
216	November 2, 2021 email chain between Osta Davis, Kurt Fritts, April Sims re: Map w/ new E.WA district			State: X Int/Garcia: X
217	November 2, 2021 email chain between Adam Hall, Ali O'Neil, Brady Pinero Walkinshaw, Adam Bartz, Matt Bridges, Paulette Avalos re: Similar States w Legislative Data			State: X Int/Garcia: X
218	11/2/21 Text Messages between Paul Graves and Anton Grose			State: X Int/Garcia: X
219	November 1-3, 2021 text messages between April Sims, Paul Graves re: 14 th			State: X Int/Garcia: X
220	November 3, 2021 email from Anton Grose to Paul Graves re: Stats			State: X Int/Garcia: X
221	Nov. 3, 2021 E-mail from Ali O'Neil to Walkinshaw, Fwd: LD Offer from Graves.pdf			State: X Int/Garcia: X
222	Graves LD14(2) Map (screenshot)			State: X Int/Garcia: X
223	Nov 3.csv			State: X Int/Garcia: X
224	November 3, 2021 text messages between Fain and Graves, "Fain 11.03 (2).png"			State: X Int/Garcia: X
225	November 4, 2021 Davis Wright Tremaine Memo re: Legal Analysis of Arguments Regarding Creation of a Majority-Minority District			State: X Int/Garcia: X
226	Nov. 2021 Text Messages between April Sims and Brady Walkinshaw			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
227	Compilation of Nov. 2021 Text Messages between April Sims and Brady Walkinshaw			State: X Int/Garcia: X
228	November 4, 2021 email from Davis to Sims re: "New 14 th .pdf"			State: X Int/Garcia: X
229	11/14/21 Email from Paul Campos to Joe Fain re: Sims CVAP 14LD filled out			State: X Int/Garcia: X
230	November 4-10 email chain between Brady Pinero Walkinshaw, Sen. Rebecca Saldana, Adam Hall, Nicole Herrera, Coco Chang re: PLZ REVIEW ASAP Saldana – Redistricting VRA OpEd			State: X Int/Garcia: X
231	11/4/2021 Email from Adam Hall to Matt Barreto			State: X Int/Garcia: X
232	11/4/2021 Email from Adam Hall to Matt Barreto			State: X Int/Garcia: X
233	WITHDRAWN			
234	11/4/21 DWT Engagement Letter			State: X Int/Garcia: X
235	11/4/21 Texts between Graves and Fain, "Fain_11.04.png"			State: X Int/Garcia: X
236	November 4, 2021 texts between April Sims, Brady Pinero Walkinshaw			State: X Int/Garcia: X
237	November 5, 2021 e-mail from Graves to Sims, "Fwd_ Legal memo.pdf"			State: X Int/Garcia: X
238	November 5, 2021 email and attachment from Adam Hall to Paulette Avalos, Ali O'Neil, Adam Bartz, Matt Bridges re: Rebuttal to Maguire memo 1105.docx			State: X Int/Garcia: X
239	WITHDRAWN			
240	11/7/21 Email from Anton Grose to Paul Graves re New Leg Proposal			State: X Int/Garcia: X
241	district-shapes (5).geojson			State: X Int/Garcia: X
242	block-assignments (13).csv			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
243	11/7-8/21 Texts between Graves and Fain, "Fain 11.07 .08.png"			State: X Int/Garcia: X
244	Email from Ali O'Neil to Brady Walkinshaw, April Sims re: Fain LD Map			State: X Int/Garcia: X
245	WITHDRAWN			
246	11/8/21 Email from Min Fei to Paul Campos, Joe Fain re Fain v_2 ranking cover email			State: X Int/Garcia: X
247	November 8, 2021 comment submission from Dulce Gutierrez to Washington Redistricting Commission re: Washington State needs a Latino CVAP Majority Legislative District for Yakima and Pasco			State: X Int/Garcia: X
248	Depo screenshot of Fain v2 map			State: X Int/Garcia: X
249	Fain v_2 spreadsheet with data			State: X Int/Garcia: X
250	Ali O'Neil Personal Notes - Part 4			State: X Int/Garcia: X
251	Sarah Augustine handwritten notes from September 1, 2021-November 8, 2021			State: X Int/Garcia: X
252	November 8, 2021 written public testimony submitted to Commission from Sandra Aguilar re: Yakima			State: X Int/Garcia: X
253	11/8/21 text messages between Fain and Graves			State: X Int/Garcia: X
254	11/8/21 Texts between Paul Graves and Anton Grose			State: X Int/Garcia: X
255	November 8, 2021 texts between April Sims, Brady Pinero Walkinshaw			State: X Int/Garcia: X
256	November 8, 2021 texts between Paul Graves and April Sims re: 14th			State: X Int/Garcia: X
257	Nov. 9, 2021 E-mail thread between Sims, Davis, Meyers, "RE_Map draft.pdf"			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
258	11/9/21 Email from Jeremie Dufault to Paul Graves and Chris Corry forwarding email from Debra Manjarrez re: Call to Action			State: X Int/Garcia: X
259	November 9, 2021 email from Dulce Gutierrez to Official Redistricting Comment Email, Lisa McLean, Sarah Augustine, Maria Garza, Daniel Pailthorp re: Petition for Latino CVAP Majority for Yakima and Pasco			State: X Int/Garcia: X
260	Screenshot of "11/9 AM Proposal, Weaker LD14 & 42" Map			State: X Int/Garcia: X
261	11/9/21 Texts between Paul Graves and Anton Grose			State: X Int/Garcia: X
262	11/10/21 Email from Paul Campos to Min Fei and Joe Fain re ranking 11.10 Brady map			State: X Int/Garcia: X
263	Nov. 10, 2021 E-mail from Campos to Fain, "FW_Walkinshaw 11.10 leg map, new VRA.pdf"			State: X Int/Garcia: X
264	11/10/21 Email from Dulce Gutierrez to Redistricting Commission Comment Email, Lisa McLean, Aminta Spencer, Daniel Pailthorp, Maria Garza re: Please consider our proposal for a Latino CVAP Majority for Yakima and Pasco			State: X Int/Garcia: X
265	November 10, 2021 email thread between Paul Campos, Joe Fain re: Graves and Fain drafts			State: X Int/Garcia: X
266	Screenshot 484 (Davis Deposition)			State: X Int/Garcia: X
267	Screenshot of Daves Redistricting App BW 11.10 new VRA block-assignments			State: X Int/Garcia: X
268	Brady 11.10 Map with new VRA configuration			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
269	BW>Fain 11.10 new VRA Map			State: X Int/Garcia: X
270	Ranking spreadsheet for 11.10 Walkinshaw map			State: X Int/Garcia: X
271	Graves Prop 11-10.xlsx			State: X Int/Garcia: X
272	Proposal Metrics 1110.xlsx			State: X Int/Garcia: X
273	10/11/21 to 11/10/21 Text Thread between Joe Fain and Curtis King "10.11 to 11.10 (JF+King).png"			State: X Int/Garcia: X
274	Nov. 10-11, 2021 text messages between Fain and Graves, "Fain 11.11 12.png"			State: X Int/Garcia: X
275	Nov. 10-11, 2021 texts between April Sims and Paul Graves			State: X Int/Garcia: X
276	11/11/21 Email and Attachment from Anton Grose to Paul Graves re: Prop Metrics 11-11 Spreadsheet			State: X Int/Garcia: X
277	Nov. 11, 2021 E-mail chain with Graves, Grose, Sims, Davis, and Meyers, RE: New map proposal			State: X Int/Garcia: X
278	November 11, 2021 email from Ali O'Neil to Brady Walkinshaw, forwarding email from Matt Bridges, FW: Graves 11-10 LD Proposal			State: X Int/Garcia: X
279	November 11, 2021 email from Ali O'Neil to Brady Pinero Walkinshaw re: 11.11. leg map proposal			State: X Int/Garcia: X
280	November 11, 2021 email from Anton Grose to Paul Graves re: Message to April about today's map			State: X Int/Garcia: X
281	11/11/21 Email from Anton Grose to Paul Campos re: 14th negotiation			State: X Int/Garcia: X
282	November 11, 2021 email thread between Joe Fain, Paul			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	Campos, Min Fei FW: Sims plan activematrix.xlsx.pdf			
283	Screenshot of "D Only Commission Vote" Map			State: X Int/Garcia: X
284	WITHDRAWN			
285	November 11, 2021 spreadsheet comparing Brady Pinero Walkinshaw's latest proposal to April Sims'			State: X Int/Garcia: X
286	SimsDraftNov10.xlsx			State: X Int/Garcia: X
287	Rebecca Saldaña, Latinx community needs fair redistricting map			State: X Int/Garcia: X
288	November 11, 2021 text messages between Walkinshaw and Sims, "Sims_11.11(4).pdf"			State: X Int/Garcia: X
289	November 11, 2021 texts between April Sims and Brady Pinero Walkinshaw re: email from Paul Graves			State: X Int/Garcia: X
290	November 12, 2021 email thread between April Sims, Paul Graves, Anton Grose, Paul Campos, Joe Fain and forwarded to Brady Pinero Walkinshaw, Ali O'Neil, Osta Davis, Dominique Meyers re: Fwd_Updated Proposal Email			State: X Int/Garcia: X
291	11/12/21 Email Thread with April Sims, Osta Davis, and Dominique Meyers re: "Newest version" of state legislative map			State: X Int/Garcia: X
292	11/12/21 Email between Paul Campos, Joe Fain, and Min Fei re: Fain Draft Nov12v2			State: X Int/Garcia: X
293	November 12, 2021 comment submission from Maria Siguenza to Washington Redistricting Commission re: Comment Submission: Commission on Hispanic Affairs			State: X Int/Garcia: X
294	11/12/21 Email from Dulce Gutierrez to Redistricting			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	Commission Comment Email, Lisa McLean, Aminta Spencer, Daniel Pailthorp, Maria Garza re: Please create a Latino CVAP Majority for Yakima and Pasco			
295	11/12/2021 Email from Adam Hall to Matt Barreto			State: X Int/Garcia: X
296	November 12, 2021 email thread between Joe Fain, Min Fei, and Paul Campos re: Sims Proposal Nov12.xlsx			State: X Int/Garcia: X
297	Graves Draft Nov 12(1) Map			State: X Int/Garcia: X
298	Spreadsheet for Fain Draft Nov12v2			State: X Int/Garcia: X
299	Sims Proposal Nov12.xlsx			State: X Int/Garcia: X
300	11/12/21 Text Messages between Paul Graves and Anton Grose			State: X Int/Garcia: X
301	11/12-14/2021 texts between O'Neil and Walkinshaw			State: X Int/Garcia: X
302	November 13, 2021 email and attachment from Joe Fain to Sarah Augustine, Paul Graves, April Sims, Brady Pinero Walkinshaw re: Memo			State: X Int/Garcia: X
303	Nov. 13 E-mail from Adam Hall to Walkinshaw, "Fwd Updated Proposal Email.eml.msg.pdf"			State: X Int/Garcia: X
304	November 13, 2021 email from Paul Graves to April Sims, Anton Grose, Osta Davis, Dominique Meyers re: Map Proposal; forwarded to Brady Pinero Walkinshaw, Ali O'Neil, Fwd: Map proposal.			State: X Int/Garcia: X
305	Nov. 13, 2021 E-mail from Walkinshaw to Fain, "Fwd_BW 11.13 leg map proposal.pdf"			State: X Int/Garcia: X
306	WITHDRAWN			

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
307	Email from Paul Campos to Joe Fain re: labeling of LD14 and LD15			State: X Int/Garcia: X
308	11/13/21 Email and Attachment from Anton Grose to Paul Graves re: Proposal Metrics 11-13 Spreadsheet			State: X Int/Garcia: X
309	11/13/21 Email from Adam Hall to Matt Barreto re Latest drafts for analysis			State: X Int/Garcia: X
310	WITHDRAWN			
311	November 13, 2021 email thread among Joe Fain, Paul Campos, Min Fei FW: Graves Draft Nov12.xlsx			State: X Int/Garcia: X
312	Screenshot of Daves Redistricting App Page for BW 11/13 leg proposal			State: X Int/Garcia: X
313	BW 11/13 leg proposal			State: X Int/Garcia: X
314	11/13/21 Email from Osta Davis to April Sims re Map w/ 444/47/28 adjusted			State: X Int/Garcia: X
315	Spreadsheet for Walkinshaw Draft Nov13			State: X Int/Garcia: X
316	WITHDRAWN			
317	Graves Draft Nov12.xlsx			State: X Int/Garcia: X
318	WITHDRAWN			
319	11/13-11/21 Sarah Augustine Handwritten Notes			State: X Int/Garcia: X
320	Nov. 13, 2021 Text from Fain to Walkinshaw, "BW 11.11 13 14.png"			State: X Int/Garcia: X
321	11/13/21 messages between Campos and O'Neil			State: X Int/Garcia: X
322	11/13/21 Texts between Paul Graves and Joe Fain			State: X Int/Garcia: X
323	11/13 messages between Davis and O'Neil			State: X Int/Garcia: X
324	November 14, 2021 email from Osta Davis to April Sims, Dominique Meyers re: FWD:			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	scheduling a meeting with Matt Barreto today			
325	11/14/21 Email from Paul Campos to Joe Fain re: Fain_GravesPropLD			State: X Int/Garcia: X
326	11/14/2021 Email from Adam Hall to Matt Barreto			State: X Int/Garcia: X
327	Nov. 14, 2021 E-mail chain between O'Neil and Davis, "DAVIS 019053"			State: X Int/Garcia: X
328	November 14, 2021 email from Redistricting Justice for Washington Coalition to Brady Pinero Walkinshaw, April Sims, Ali O'Neil, Dominique Meyers, Dulce Gutierrez, David Morales re: Statement on Yakima VRA District			State: X Int/Garcia: X
329	November 14, 2021 comment submission from Dulce Gutierrez to the Washington Redistricting Commission re: Commission will do the right thing by creating a Latino CVAP Majority LD for Yakima and Pasco			State: X Int/Garcia: X
330	November 14, 2021 comment submission from David Morales to Washington Redistricting Commission re: Maps for Central Washington			State: X Int/Garcia: X
331	Spreadsheet for Fain_GravesPropLD			State: X Int/Garcia: X
332	11/13-14/2021 Text Thread with Osta Davis, Dominique Meyers, April Sims			State: X Int/Garcia: X
333	11/14/21 texts between Brady Pinero Walkinshaw, April Sims			State: X Int/Garcia: X
334	11/14/21 Text messages between Fain and Walkinshaw			State: X Int/Garcia: X
335	11/14/21 Texts between Paul Graves and Joe Fain			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
336	11/14/2021 texts between O'Neil and Walkinshaw re travel			State: X Int/Garcia: X
337	11/15/21 Email from Paul Campos to Joe Fain re: Fain_Graves_Propv2			State: X Int/Garcia: X
338	November 15, 2021 email thread with Ali O'Neil, Brady Pinero Walkinshaw, April Sims, Osta Davis, Dominique Meyers re: Merged leg map			State: X Int/Garcia: X
339	Nov. 15 E-mail from Davis to O'Neil, "FW_ R Map Proposal.pdf"			State: X Int/Garcia: X
340	November 15, 2021 email from Osta Davis to April Sims re: MAP			State: X Int/Garcia: X
341	November 15, 2021 email chain among Adam Hall, Matt Bridges, Ali O'Neil, Brady Walkinshaw, Adam Bartz, Paulette Avalos forwarding email from Katie Stultz re: Coalition LD 14 (RJW final request)			State: X Int/Garcia: X
342	November 15, 2021 comment submission and attached signatures for petition "Washington State needs a Latino CVAP Majority Legislative District for Yakima and Pasco" from Dulce Gutierrez to Washington Redistricting Commission re: Please improve representation in southcentral Washington			State: X Int/Garcia: X
343	Dissent – document drafted for Commissioner Walkinshaw			State: X Int/Garcia: X
344	Screenshot of "Cleanest Possible Map"			State: X Int/Garcia: X
345	Spreadsheet for Fain_Graves_Propv2			State: X Int/Garcia: X
346	November 15, 2021 Teams chat messages between Ali O'Neil, Adam Hall, Matt			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	Bridges, Paulette Avalos re: Map negotiations			
347	November 15, 2021 teams chat messages between Adam Hall, Ali O'Neil, Matt Bridges, Paulette Avalos starting at 8:24 PM re: map negotiations			State: X Int/Garcia: X
348	November 15, 2021 teams chat messages between Adam Hall, Ali O'Neil, Matt Bridges, Paulette Avalos starting at 11:23 PM re: map negotiations			State: X Int/Garcia: X
349	November 15, 2021 teams chat messages between Adam Hall, Ali O'Neil, Matt Bridges, Paulette Avalos starting at 10:41 PM re: map negotiations			State: X Int/Garcia: X
350	November 15, 2021 teams chat messages between Adam Hall, Ali O'Neil, Matt Bridges, Paulette Avalos starting at 11:38 PM re: map negotiations			State: X Int/Garcia: X
351	WITHDRAWN			
352	Teams chat messages between Ali O'Neil, Adam Hall, Matt Bridges, and Paulette Avalos re: Map negotiations			State: X Int/Garcia: X
353	11/15/21 Texts between Sarah Augustine and April Sims			State: X Int/Garcia: X
354	11/15/21 Texts between Sarah Augustine and April Sims			State: X Int/Garcia: X
355	11/15/21 J.T. Wilcox text chain with Paul Graves			State: X Int/Garcia: X
356	November 15, 2021 texts between April Sims and Laurie Jenkins re: map agreement			State: X Int/Garcia: X
357	November 15, 2021 texts between April Sims and Laurie Jenkins re: negotiations			State: X Int/Garcia: X
358	November 15, 2021 texts between Brady Pinero Walkinshaw and April Sims re: negotiations			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
359	November 15, 2021 texts between Paul Graves, April Sims re: counter			State: X Int/Garcia: X
360	11/15-16/21 Texts between Paul Graves and JT Wilcox			State: X Int/Garcia: X
361	11/14/2021 Texts between Paul Graves and Joe Fain			State: X Int/Garcia: X
362	Nov. 16 E-mail from Washington State Redistricting Commission to Walkinshaw, "The Washington State Redistricting Commission p....pdf"			State: X Int/Garcia: X
363	11/16/21 Email from Justin Bennett to Anton Grose, Paul Campos, Ali O'Neil, Lisa McLean, Sarah Augustine, and Osta Davis re: receiving files in accordance with resolution			State: X Int/Garcia: X
364	WITHDRAWN			
365	11/16/21 Email from Paul Campos to Joe Fain re: LD Final			State: X Int/Garcia: X
366	WITHDRAWN			
367	Fain Spreadsheet of Final Plan			State: X Int/Garcia: X
368	November 16, 2021 Spokesman Review article		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802	
369	Billig_11/16 texts between Brady Pinero Walkinshaw and Sen. Andrew Billig			State: X Int/Garcia: X
370	11/16/21 texts between Brady Pinero Walkinshaw and Sen. Andrew Billig			State: X Int/Garcia: X
371	November 16, 2021 texts between Brady Pinero Walkinshaw, April Sims re: map vote			State: X Int/Garcia: X
372	November 16, 2021 texts between Brady Pinero Walkinshaw, April Sims re: legal concerns			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
373	November 16, 2021 texts between April Sims, Paul Graves re: maps			State: X Int/Garcia: X
374	11/16/21 PM texts between O'Neil and Walkinshaw			State: X Int/Garcia: X
375	11/16/21 Text from Walkinshaw to Augustine			State: X Int/Garcia: X
376	11/15-16/21 texts between O'Neil and Walkinshaw			State: X Int/Garcia: X
377	11/16/21 messages between Grose and O'Neil			State: X Int/Garcia: X
378	November 16, 2021 text messages between Ali O'Neil and Brady Pinero Walkinshaw			State: X Int/Garcia: X
379	11/17/21 Email and Attachment from Paul Campos to Joe Fain re: Caucus redistricting briefing			State: X Int/Garcia: X
380	November 17, 2021 email chain between Paulette Avalos, Brady Pinero Walkinshaw, and Ali O'Neil re: Billig statement			State: X Int/Garcia: X
381	WITHDRAWN			
382	November 17, 2021 texts between April Sims, Osta Davis, Dominique Meyers re: final map			State: X Int/Garcia: X
383	Text messages between Ali O'Neil, Brady Pinero Walkinshaw re: final maps			State: X Int/Garcia: X
384	November 18, 2021 texts between Ali O'Neil, Adam Hall, Paulette Avalos, Matt Bridges, and Aaron Wasser re: commissioner press conference			State: X Int/Garcia: X
385	11/18/21 texts between O'Neil and Walkinshaw			State: X Int/Garcia: X
386	11/18/21 texts between SDC team			State: X Int/Garcia: X
387	Text messages between Ali O'Neil, Brady Pinero Walkinshaw re: final maps			State: X Int/Garcia: X
388	Ali O'Neil Production, "Timeline of Redistricting			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	Commission Events 11.19.docx"			
389	November 21, 2021 Ali O'Neil Memorandum re: Timeline of Redistricting Commission Events			State: X Int/Garcia: X
390	11/22/21 Email and Attachment from Anton Grose to Paul Graves and Evan Ridley re: Final Map Metrics			State: X Int/Garcia: X
391	WITHDRAWN			
392	12/3/21 Email from James Troyer to Paul Campos, Jeannie Gorrell, James Crandall re: RE: Redistricting: Supreme Court Order		State: X - FRE 802	Int/Garcia: X
393	2/2/22 Email from James Troyer to Paul Campos, James Crandall re: Maintaining LD 15 50%+ CVAP		State: X - FRE 802 Int/Garcia: X FRE 802	
394	2/2/22 Email from James Troyer to Paul Campos, James Crandall re: Uniting Moxee in LD15		State: X - FRE 802 Int/Garcia: X FRE 802	
395	2/7/22 Email and Attachment from Menzeba Hasati Re: Latino Civic Alliance 2022 Bill List		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802	
396	WITHDRAWN			
397	February 21, 2022 texts between Benancio Garcia III and Duke Machado re: campaign			State: X Int/Garcia: X
398	February 28, 2022 email thread between Paul Graves, Adam Kincaid, Jason Torchinsky, Joy Lee, Kamilah Prince re: Washington Litigation			State: X Int/Garcia: X
399	3/1/22 Text Thread with Paul Graves, Benancio Garcia, and Maia Espinoza			State: X Int/Garcia: X
400	3/2/22 Text Thread with Benancio Garcia, Paul Graves			State: X Int/Garcia: X
401	3/4-7/22 Email Thread with Drew Stokesbary, Rob Maguire, Adam Kincaid,		State: X - FRE 802; lack of foundation	

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	David Nordlinger, and Harry Korrell re: Connect re Washington state		Int/Garcia: X FRE 802; lack of foundation	
402	3/10/21 DRA Blog Post			State: X Int/Garcia: X
403	Plaintiffs Proposed Plan - Preliminary Injunction			State: X Int/Garcia: X
404	Texts through State-paid phones through 3.29.22			State: X Int/Garcia: X
405	3/28/22-4/21/22 Email Thread with Drew Stokesbary, John Braun, JT Wilcox, Jim Troyer, and Caleb Heimlich re: Status of Redistricting Litigation		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
406	Redistricting Timeline of Events 2021-2022		Int/Garcia: X FRE 802	State: X
407	May 24, 2022 email from James Troyer to Senate Republican Caucus re: These legislators are running unopposed in their districts		State: X - FRE 802; lack of foundation	Int/Garcia: X
408	May 27, 2022 texts between Benancio Garcia III and Duke Machado re: voicemail mix up			State: X Int/Garcia: X
409	September 30, 2022 text chain between Benancio Garcia III and Duke Machado re: phone banking			State: X Int/Garcia: X
410	8/8/22 DRA Document Subpoena			State: X Int/Garcia: X
411	9/29/22 DRA Deposition Subpoena			State: X Int/Garcia: X
412	10/25/22 DRA Second Document Subpoena			State: X Int/Garcia: X
413	11/15/21 PM messages between O'Neil and Bridges			State: X Int/Garcia: X
414	11/15/22 Email from James Troyer to SRC Caucus with Yakima Herald Article "After redistricting rancor, Republicans maintain hold on Yakima Valley legislative districts"		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
415	Excel Spreadsheet with Election Results from 2022 Election in LD 15		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
416	15LD EI Results of Torres Race		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
417	EI Plots for Torres and Keesling Race		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
418	October 25, 2021 email from Osta Davis to April Sims, Dominique Meyers re: Statement			State: X Int/Garcia: X
419	Screenshot 487			State: X Int/Garcia: X
420	Final Enacted State Legislative Map			State: X Int/Garcia: X
421	Screenshot of "Fain V2"			State: X Int/Garcia: X
422	Screenshot of "Southern LD 14" Map			State: X Int/Garcia: X
423	11.7 New leg proposal v. Enacted block assignment file			State: X Int/Garcia: X
424	11.7 New leg proposal v. Graves1110LD block assignment file			State: X Int/Garcia: X
425	Graves Draft Nov. 12 v. Enacted block assignment file			State: X Int/Garcia: X
426	Graves1110LD v. Graves Draft Nov. 12 block assignment file			State: X Int/Garcia: X
427	Commission Final LD 15 v. Legislature Enacted LD 15 block assignment file			State: X Int/Garcia: X
428	11/16/21 Final Commission LD Plan, FINAL_LD_111521.zip			State: X Int/Garcia: X
429	2/2/22 Enacted LD Plan as Amended by Legislature Shapefile, LEG_AMEND_FINAL.zip			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
430	2/2/22 Enacted LD Plan as Amended by Legislature Block Assignment File, LEG_AMEND_FINAL.txt			State: X Int/Garcia: X
431	Map of 1980s State Legislative Districts			State: X Int/Garcia: X
432	Map of 1990s State Legislative Districts			State: X Int/Garcia: X
433	Map of 2000s State Legislative Districts			State: X Int/Garcia: X
434	Map of 2010s State Legislative Districts			State: X Int/Garcia: X
435	Analysis of Republican Legislative Map Proposals			State: X Int/Garcia: X
436	April Sims Handwritten Notes re: Proposal for Paul			State: X Int/Garcia: X
437	Citizen Action Defense Fund One Pager on Washington Redistricting Litigation		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
438	April Sims Handwritten Notes re: "Thoughts on 14th & exchange"			State: X Int/Garcia: X
439	April Sims Handwritten Notes re: what wants, needs, what willing to give to get needs, willing to give to get wants			State: X Int/Garcia: X
440	Official Washington Redistricting Commission Proposed Maps			State: X Int/Garcia: X
441	Ali O'Neil's Personal Notes - Part 3			State: X Int/Garcia: X
442	Text chain between Osta Davis, Dominique Meyers, and April Sims re: VRA district			State: X Int/Garcia: X
443	Text messages between Paul Graves, Caleb Heimlich re: Tweet by Washington State GOP re LD15			State: X Int/Garcia: X
444	Texts between Benancio Garcia III, Duke Machado re: March 4, 2022 email from Paul Graves to Davis Wright Tremaine attorneys re:			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	Introduction re redistricting lawsuits			
445	Texts from Benancio Garcia III to Duke Machado re: Latino voter suppression			State: X Int/Garcia: X
446	Texts between Benancio Garcia III and Manis Pierre re: Latino voter suppression			State: X Int/Garcia: X
447	DRA My Maps Page			State: X Int/Garcia: X
448	DRA Map View			State: X Int/Garcia: X
449	DRA Shared with Me Page			State: X Int/Garcia: X
450	DRA Map View Datasets			State: X Int/Garcia: X
451	DRA About Data Page			State: X Int/Garcia: X
452	8/22/22 DRA Response to Subpoena1			State: X Int/Garcia: X
453	9/9/22 DRA Response to Subpoena2			State: X Int/Garcia: X
454	10/31/2022 Response to Request for Revisions			State: X Int/Garcia: X
455	DRA ReadMe.txt (archive-updated.zip)			State: X Int/Garcia: X
456	9/13/22 archive-updated.zip			State: X Int/Garcia: X
457	10/31/22 revisions.zip			State: X Int/Garcia: X
458	11/3/22 Response to Subpoena3			State: X Int/Garcia: X
459	11/3/2022 archive3.zip			State: X Int/Garcia: X
460	11/22/22 antongrose_y.zip			State: X Int/Garcia: X
461	Washington Secretary of State 2020 Precinct Level Election Results			State: X Int/Garcia: X
462	U.S. Census Bureau 2015-2019 ACS Citizen Voting Age Estimates (Block Group Level)			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
463	Washington P.L. 94-171 Adjusted per RCW 44.05.140			State: X Int/Garcia: X
464	U.S. Census P.L. 94-171 for Washington, 2021 Redistricting Data			State: X Int/Garcia: X
465	9/21/21 Fain Public Legislative Map Proposal Shapefile			State: X Int/Garcia: X
466	9/21/21 Graves Public Legislative Map Proposal Shapefile			State: X Int/Garcia: X
467	9/21/21 Sims Public Legislative Map Proposal Shapefile			State: X Int/Garcia: X
468	9/21/21 Walkinshaw Public Legislative Map Proposal Shapefile			State: X Int/Garcia: X
469	10/25/21 Sims Public Legislative Map Proposal Shapefile			State: X Int/Garcia: X
470	10/25/21 Walkinshaw Public Legislative Map Proposal Shapefile			State: X Int/Garcia: X
471	BW 11.10 new VRA block-assignments.csv			State: X Int/Garcia: X
472	11/11/21 Graves1110LD block-assignments			State: X Int/Garcia: X
473	11/12/2021 Graves Draft Nov12 (1) block-assignments			State: X Int/Garcia: X
474	Summary Compilation of "LD Draft - 9/8 (corrected population) dom edits" archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
475	Summary Compilation of "GravesLD14 (2)" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
476	Summary Compilation of "DRA - Fain V2" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
477	Summary Compilation of "11/11 PM Base Proposal" in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
478	Summary Compilation of "Graves1110LD" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
479	Summary Compilation of "11/12" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
480	Summary Compilation of "Graves Draft Nov12 (1)" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
481	Summary Compilation of "BW 11/13 leg proposal" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
482	Summary Compilation of "Copy of Merged 11/12" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
483	Summary Compilation of "Copy of 11/14 7:30pm Merged D Map - LD" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
484	Summary Compilation of "Copy of Copy of Copy of R Prop Rebalanced" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
485	Summary Compilation of "Copy of Copy of Copy of 11/14 7:30pm Merged D Map - LD" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
486	Summary Compilation of "FINAL DRAFT" Archive in Dave's Redistricting App			State: X, per FRE 1006 Int/Garcia: X
487	Summary Compilation of Draft LD14/LD15 Maps Created by Commissioner Paul Graves (11/7/21 Map, 11/11/21 Map, 11/12/21 Map, & Enacted Map)			State: X, per FRE 1006 Int/Garcia: X
488	Summary Compilation Comparing Final Commission LD15 Map with Final LD15 Map Enacted by Legislature			State: X, per FRE 1006 Int/Garcia: X
489	WITHDRAWN			

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
490	Ten-Year Plan to End Homelessness in Yakima County, 2012 Update			State: X Int/Garcia: X
491	2/14/12 "Immigracion, Seguridad, y Comunidad (Immigration, Security, and Community): The Effect of Secure Communities on Latinos and Local Law Enforcement in Eastern Washington State"		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
492	Expert Report of Luis Ricardo Fraga in Montes v. City of Yakima, February 22, 2013		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
493	8/20/14 Sunnyside Sun Article "Councilman taken to task for on-line posting" and Accompanying 5/22/10 Jason Raines Blog Sunnyside Post "Political Humor: A Mexican, An Arab, and an Arizona Girl"		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
494	February 16, 2015 article, Killing in Washington State Offers "Ferguson" Moment for Hispanics, New York Times		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
495	3/29/2017 Email and Attachment from Susan Soto Palmer (hotmail) to herself (gmail) re: KKK Flyer from YWCA Racial Justice forum		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
496	WITHDRAWN			
497	March 15, 2018 article, Franklin County coroner posted a 'white power' meme. Some say his apology isn't enough, Yakima Herald		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
498	Steve Gonzalez faces Nathan Choi in Washington Supreme Court re-election bid, September 17, 2018, The Spokesman-Review		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
499	November 19, 2019 article, The Divide in Yakima is the		State: X - FRE 802; lack of foundation	

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	Divide in America, New York Times		Int/Garcia: X FRE 802; lack of foundation	
500	7/16/2020 NYT Article "Seeing 'Black Lives Matter' Written in Chalk, One City Declares It a Crime"		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
501	Excerpt of January 29, 2021 Deposition of Yakima County Commissioner Ron Anderson in Aguilar v. Yakima County		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
502	01/25/2021 Email from Graves to Kincaid			State: X Int/Garcia: X
503	February 22, 2021 article, Latino voters being silenced in Franklin commission races, voting rights group claims, Tri-City Herald		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
504	Affidavit of Susan Soto Palmer in Aguilar v. Yakima County, April 29, 2021		State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation	
505	2012 Executive Director Bonnie B. Bunning's Advice to the Future			State: X Int/Garcia: X
506	7/21/21 Email and Attachment from Lisa McLean to Sarah Augustine, Justin Bennett, Maria Garza, Jamie Nixon, Daniel Pailthorp; and Aminta Spencer re: Research on Redistricting Negotiations			State: X Int/Garcia: X
507	Oct. 21, 2021 Email from Sims to Davis, "Re: RELEASE: New analysis shows final Washington state legislative map must include a VRA-compliant district in the Yakima Valley"			State: X Int/Garcia: X
508	10/30/21 Email from ONeil to Walkinshaw re FW: Voting Rights Act Advice		State: X - Attorney-client privileged communication Int/Garcia: X State maintains attorney-client communication	

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
509	RCW 44.05			State: X Int/Garcia: X
510	Constitution of the State of Washington Section 43 Redistricting			State: X Int/Garcia: X
511	Summary Compilation of Fain 9.21.21 Proposal			State: X Int/Garcia: X
512	Summary Compilation of Graves 9.21.21 Proposal			State: X Int/Garcia: X
513	Summary Compilation of Sims 9.21.21 Proposal			State: X Int/Garcia: X
514	Summary Compilation of Walkinshaw 9.21.21 Proposal			State: X Int/Garcia: X
515	Summary Compilation of Sims 10.25.21 Proposal			State: X Int/Garcia: X
516	Summary Compilation of Walkinshaw 10.25.21 Proposal			State: X Int/Garcia: X
517	Summary Compilation of Graves Nov. 7 Draft Map Proposal			State: X Int/Garcia: X
518	Summary Compilation of Walkinshaw Nov. 10 Map Proposal			State: X Int/Garcia: X
519	Summary Compilation of BW - Fain 11.10 new VRA Archive in DRA			State: X Int/Garcia: X
520	Summary Compilation of 11-16-21 Final Commission Legislative District Plan			State: X Int/Garcia: X
521	Summary Compilation of 2-2-22 Final Enacted Legislative District Plan			State: X Int/Garcia: X
522	Washington 2012-2020 State Legislative District Map block-assignments			State: X Int/Garcia: X
523	Summary Compilation of Washington 2012-2020 State Legislative District Map			State: X Int/Garcia: X
524	12/27/11 Video Recording of 2011 Redistricting Commission Meeting			State: X Int/Garcia: X
525	12/28/11 Video Recording of 2011 Redistricting Commission Meeting			State: X Int/Garcia: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
526	12/29/11 Video Recording of 2011 Redistricting Commission Meeting			State: X Int/Garcia: X
527	12/30/11 Video Recording of 2011 Redistricting Commission Meeting			State: X Int/Garcia: X
528	12/31/11 Video Recording of 2011 Redistricting Commission Meeting			State: X Int/Garcia: X
529	1/1/12 Video Recording of 2011 Redistricting Commission Meeting			State: X Int/Garcia: X
530	3/4/22 WashCOG v. State of Washington Judgment and Consent Decree			State: X Int/Garcia: X
531	Dr. Loren Collingwood CV			State: X Int/Garcia: X

STATE DEFENDANT'S EXHIBITS

Pursuant to Local Civil Rule 16(i), the State of Washington below lists only those exhibits which are not listed by another party in *Soto Palmer v. Hobbs* or *Garcia v. Hobbs*:

Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
601	Expert Report of John Alford			Plaintiffs: X Int/Garcia: X
602	<i>Montes v. City of Yakima</i> , 40 F. Supp. 3d 1377 (E.D. Wash. 2014)			Plaintiffs: X Int/Garcia: X
603	Partial Consent Decree, <i>Glatt v. City of Pasco</i> , Case No. 4:16-05108-LRS (E.D. Wash. Sep. 2, 2016) (ECF #16)			Plaintiffs: X Int/Garcia: X
604	Memorandum Opinion and Order, <i>Glatt v. City of Pasco</i> , Case No. 4:16-05108-LRS (E.D. Wash. Jan. 27, 2017) (ECF #40)			Plaintiffs: X Int/Garcia: X

1	605	Settlement Agreement in <i>Aguilar v. Yakima County</i> , Case No. 20-2.00180-19 (Kittitas Cnty)			Plaintiffs: X Int/Garcia: X
2	606	Order Approving Settlement and Entering Judgment, <i>Aguilar v. Yakima County</i> , Case No. 20-2.00180-19 (Kittitas Cnty Oct. 29, 2021).			Plaintiffs: X Int/Garcia: X
3	607	Release: Commissioner Joe Fain releases draft 2021 legislative redistricting plan			Plaintiffs: X Int/Garcia: X
4	608	Nov. 13, 2021 email from Adam Hall to Brady Walkinshaw re: "Matt Barreto's advice and availability"			Plaintiffs: X Int/Garcia: X
5	609	Nov. 14, 2021 email from Adam Hall to Brady Walkinshaw re: "FW: Republican claims in Washington state"			Plaintiffs: X Int/Garcia: X
6	610	Nov. 21, 2021 Sworn Declaration of Sarah Augustine, Chair of the Washington State Redistricting Commission, Washington Supreme Court No. 25700-B-675			Plaintiffs: X Int/Garcia: X

SECRETARY OF STATE'S EXHIBITS

Secretary Hobbs does not intend to offer any exhibits at the time of trial.

INTERVENOR-DEFENDANTS' EXHIBITS

Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
1001	Expert Report of Dr. Mark Owens			Plaintiffs: X State: X
1002a	Supplemental Report of Dr. Mark Owens – 12/16/2022			Plaintiffs: X State: X
1002b	Supplemental Response Report of Dr. Mark Owens – 2/6/2023			Plaintiffs: X State: X
1003	Intervenor-Defendants' First Set of Requests for Production of Documents to Plaintiffs (Palmer)			Plaintiffs: X State: X
1004	Intervenor-Defendants' First Set of Requests for Production of			Plaintiffs: X State: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
	Documents to Defendant State of Washington (Palmer)			
1005	Intervenor-Defendants' First Set of Requests for Production of Documents to Defendant Steven Hobbs (Palmer)			Plaintiffs: X State: X
1006	Intervenor-Defendants' First Set of Interrogatories to Plaintiffs (Palmer)			Plaintiffs: X State: X
1007	Intervenor-Defendants' First Set of Interrogatories to Defendant State of Washington (Palmer)			Plaintiffs: X State: X
1008	Intervenor-Defendants' First Set of Interrogatories to Defendant Steven Hobbs (Palmer)			Plaintiffs: X State: X
1009	Intervenor-Defendants' First Requests for Admissions to Plaintiffs (Palmer)			Plaintiffs: X State: X
1010	Intervenor-Defendants' First Requests for Admissions to Defendant State of Washington (Palmer)			Plaintiffs: X State: X
1011	Intervenor-Defendants' First Requests for Admissions to Defendant Steven Hobbs (Palmer)			Plaintiffs: X State: X
1012	Plaintiffs' Responses and Objections to Intervenor-Defendants' First Set of Requests for Documents			Plaintiffs: X State: X
1013	Defendant State of Washington's Objections and Responses to Intervenor-Defendants' First Set of Requests for Production			Plaintiffs: X State: X
1014	Defendant Steve Hobbs' Objections and Responses to Intervenor-Defendants' First Set of Requests for Production			Plaintiffs: X State: X
1015	Plaintiffs' Responses and Objections to Intervenor-Defendants' First Set of Interrogatories			Plaintiffs: X State: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
1016	Defendant State of Washington's Objections and Responses to Intervenor-Defendants' First Set of Interrogatories			Plaintiffs: X State: X
1017	Defendant Steve Hobbs' Objections and Responses to Intervenor-Defendants' First Set of Interrogatories			Plaintiffs: X State: X
1018	Plaintiffs' Responses and Objections to Intervenor-Defendants' First Requests for Admission			Plaintiffs: X State: X
1019	Defendant State of Washington's Objections and Responses to Intervenor-Defendants' First Requests for Admissions			Plaintiffs: X State: X
1020	Defendant Steve Hobbs' Objections and Responses to Intervenor-Defendants' First Requests for Admissions			Plaintiffs: X State: X
1021	WITHDRAWN			
1022	WITHDRAWN			
1023	WITHDRAWN			
1024	WITHDRAWN			
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1041	WITHDRAWN			

Joint Pretrial Statement and [Proposed] Order 80
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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
1042	WITHDRAWN			
1043	Currently Enacted Map			Plaintiffs: X State: X
1044	State of WA Members of the Legislature			Plaintiffs: X State: X
1045	WITHDRAWN			
1046	Order re: WA Redistricting Commission's Letter to the Supreme Court and the Commission Chair's Declaration - 12.3.21			Plaintiffs: X State: X
1047	WITHDRAWN			
1048	WITHDRAWN			
1049	WITHDRAWN			
1050	WITHDRAWN			
1051	WITHDRAWN			
1052	WITHDRAWN			
1053	WITHDRAWN			
1054	WITHDRAWN			
1055	November 8, 2022, General Election – Legislative District 15			Plaintiffs: X State: X
1056	Washington State Legislative Map – Final			Plaintiffs: X State: X
1057	WITHDRAWN			
1058	WITHDRAWN			
1059	WITHDRAWN			
1060	3.11.22 Seattle Times Op Ed from Sarah Augustine		Plaintiffs' Objections: 802 hearsay	State: X
1061	Members of the Wash. Legislature 1889-2019			Plaintiffs: X State: X
1062	Emails between various state officials regarding preparation of HCR 4407—01/24/2022-01/25/2022			Plaintiffs: X State: X
1063	Emails between various state officials regarding preparation of HCR 4407—12/09/2021			Plaintiffs: X State: X
1064	Trapped Polygon and Problematic Boundary Analysis regarding HCR 4407			Plaintiffs: X State: X

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Ex. No.	Description	Authenticity & Admissibility Contested	Authenticity Stipulated, Admissibility Contested	Admissibility Stipulated
1065	02/02/2022—Washington House Floor Debate on HCR 4407 (Video)			Plaintiffs: X State: X
1066	Seattle Times article on Death of Rep Mary Skinner		Plaintiffs' Objections: FRE 802, lack of foundation State: X - FRE 802, lack of foundation	

VIII. ACTION BY THE COURT

(a) This case is scheduled for trial without a jury on June 2, 2023, at 8:30 a.m.

(b) Trial briefs shall be submitted to the Court on or before May 31, 2023.

This order has been approved by the parties as evidenced by the signatures of their counsel. This order shall control the subsequent course of the action unless modified by a subsequent order. This order shall not be amended except by order of the court pursuant to agreement of the parties or to prevent manifest injustice.

Dated this ___ day of _____, 2023.

United States District Judge Robert S. Lasnik

FORM APPROVED

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Legal Director
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Joint Pretrial Statement and [Proposed] Order 83
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DECLARATION OF SERVICE

I certify that all counsel of record, listed below, were served a copy of the foregoing this 24th day of May, via electronic mail:

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The Honorable Robert S. Lasnik

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

SUSAN SOTO PALMER, et al.,
Plaintiffs,
v.
STEVEN HOBBS, et al.,
Defendants.
JOSE TREVINO, et al.
Intervenor-Defendants.

NO. 3:22-cv-05035-RSL
DEFENDANT SECRETARY OF STATE
STEVEN HOBBS'S MEMORANDUM
REGARDING REMEDIAL MAPS

The purpose of this memorandum and accompanying declaration is to provide this Court with technical information related to proposed Remedial Map 3A. Specifically, the attached declaration identifies 18 instances where the proposed map creates "trapped polygons," which are areas caught between county boundaries, congressional district lines, legislative district lines, county council or commissioner district lines, and city or town limits. While the declaration identifies possible remedies to the issues of trapped polygons, these would be very minor adjustments. In ten instances, the changes would affect zero people. Each of the remaining instances would affect between 2 and 17 people.

DEFENDANT SECRETARY OF STATE
STEVEN HOBBS'S MEMORANDUM
REGARDING REMEDIAL MAPS
NO. 3:22-cv-05035-RSL

ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 753-6200

1 This is not intended to be an expert report. Instead, this is the type of information that the
2 Secretary provided to the Legislature after the Redistricting Commission submitted its
3 congressional and legislative district maps. This information is solely intended to assist the Court
4 and the expert retained to assist the Court.

5 RESPECTFULLY SUBMITTED this 23rd day of February, 2024.

6 ROBERT W. FERGUSON
7 *Attorney General*
8 *s/ Karl D. Smith*
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10 *Deputy Solicitor General*
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Appendix - 95

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DECLARATION OF SERVICE

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court’s CM/ECF System which will serve a copy of this document upon all counsel of record.

DATED this 23rd day of February 2024, at Olympia, Washington.

s/ Leena Vanderwood
Leena Vanderwood
Paralegal
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The Honorable Robert S. Lasnik

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

SUSAN SOTO PALMER, et al.,

Plaintiffs,

v.

STEVEN HOBBS, et al.,

Defendants.

JOSE TREVINO, et al.

Intervenor-Defendants.

NO. 3:22-cv-05035-RSL

DECLARATION OF NICHOLAS
PHARRIS IN SUPPORT OF DEFENDANT
SECRETARY OF STATE STEVEN
HOBBS'S MEMORANDUM
REGARDING REMEDIAL MAPS

I, Nicholas Pharris, declare as follows:

1. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge. I am currently employed as the Support Lead for the VoteWA/TotalAddress election management system in the Elections Division of the Office of the Secretary of State, a position I have held since 2019.

2. In 2011 and 2012, I worked for the Washington State Redistricting Commission as a GIS and data analyst.

3. I served as Washington's designated Redistricting Data Liaison for the 2020 Census.

1 4. Following the adoption of the 2021 Redistricting Commission’s final plan, I
2 worked with county election administrators to review the proposed redistricting changes and
3 identify technical fixes to district lines necessary for effective election administration.

4 5. I have reviewed the proposed Remedial Map 3A to identify technical issues and
5 proposed solutions.

6 6. Washington law creates certain requirements related to voting precincts.
7 Specifically, RCW 29A.16.050 provides as follows:

8 (1) Every voting precinct must be wholly within a single congressional
9 district, a single legislative district, a single district of a county
legislative authority, and, if applicable, a single city.

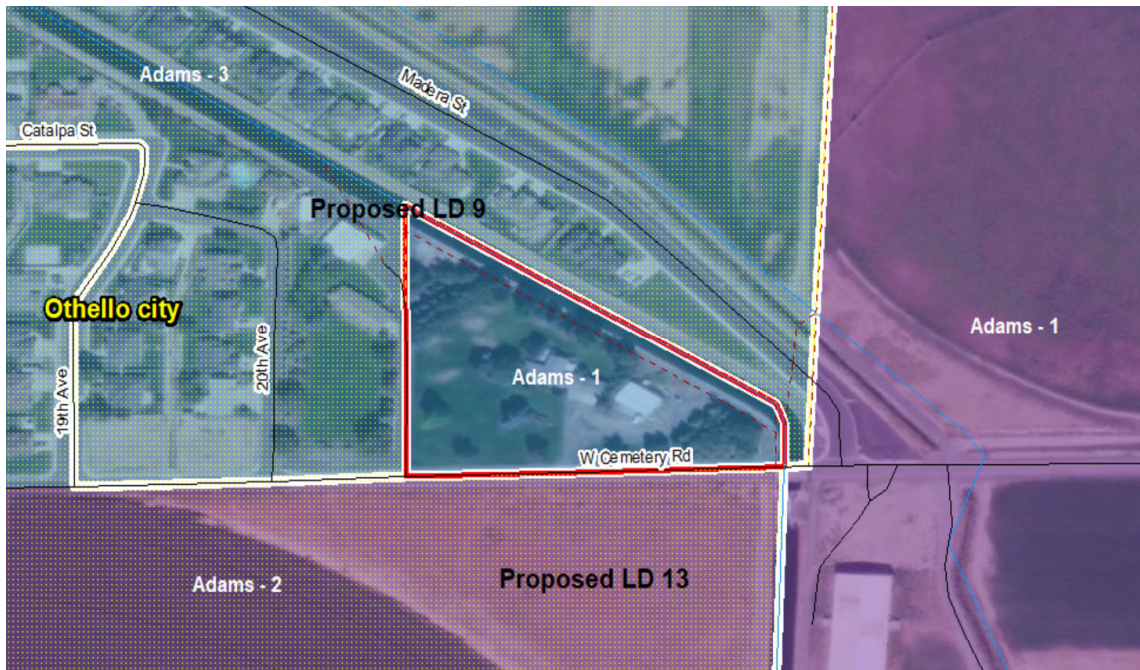
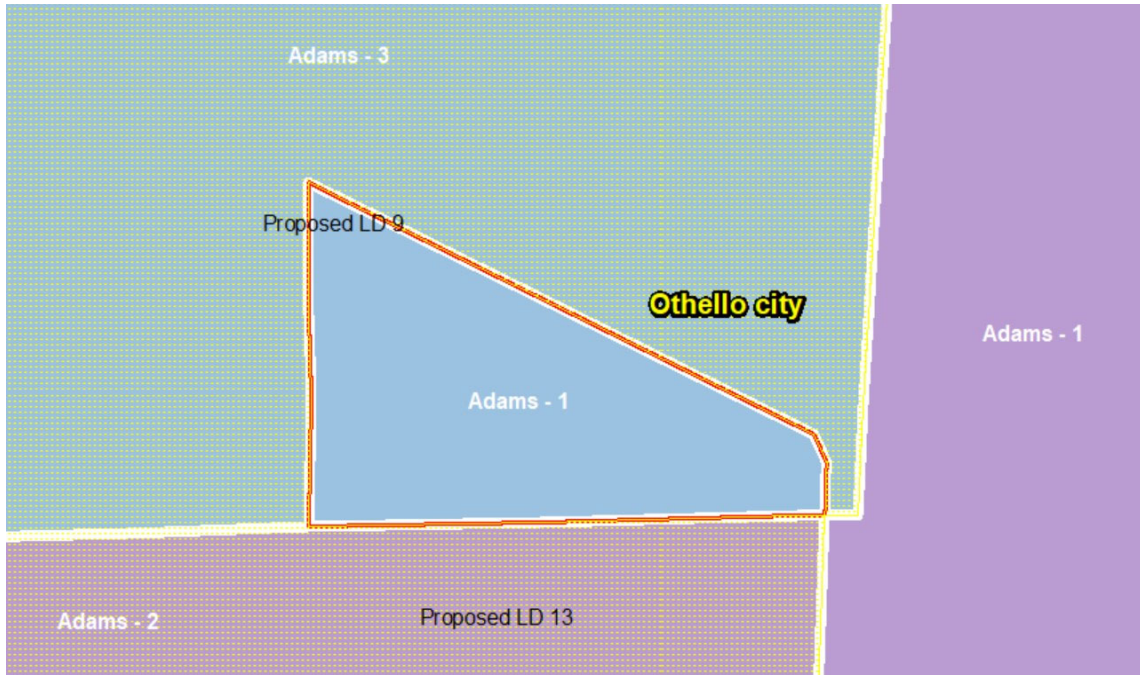
10 (2) Every voting precinct shall be composed, as nearly as practicable, of
11 contiguous and compact areas.

12 7. The statutory restrictions related to precincts mean that “trapped polygons”—
13 areas caught between county boundaries, congressional district lines, legislative district lines,
14 county council or commissioner district lines, and city or town limits—are supposed to be made
15 into separate voting precincts. Sometimes these areas are unpopulated, creating a (marginal)
16 waste of resources for the county and in the state elections database. Sometimes they contain a
17 small population, which is worse, because it jeopardizes the secrecy of the ballots of any voters
18 residing there.

19 8. Since it is the legislative district lines that are at issue here, I include below only
20 those trapped polygons created specifically by the location of the legislative district lines
21 proposed under proposed Remedial Map 3A.

22 9. Adams County: LD 9/LD 13 (colored areas), Adams County Commissioner
23 Districts 1, 2, and 3 (white lines), city limits of Othello (yellow lines and stippling):
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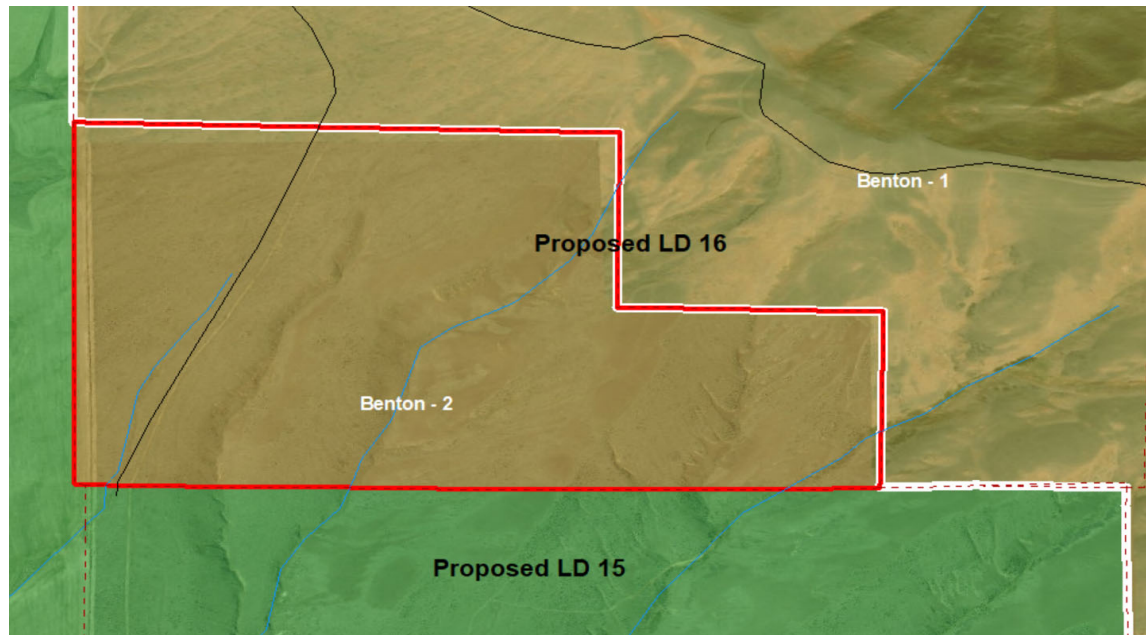
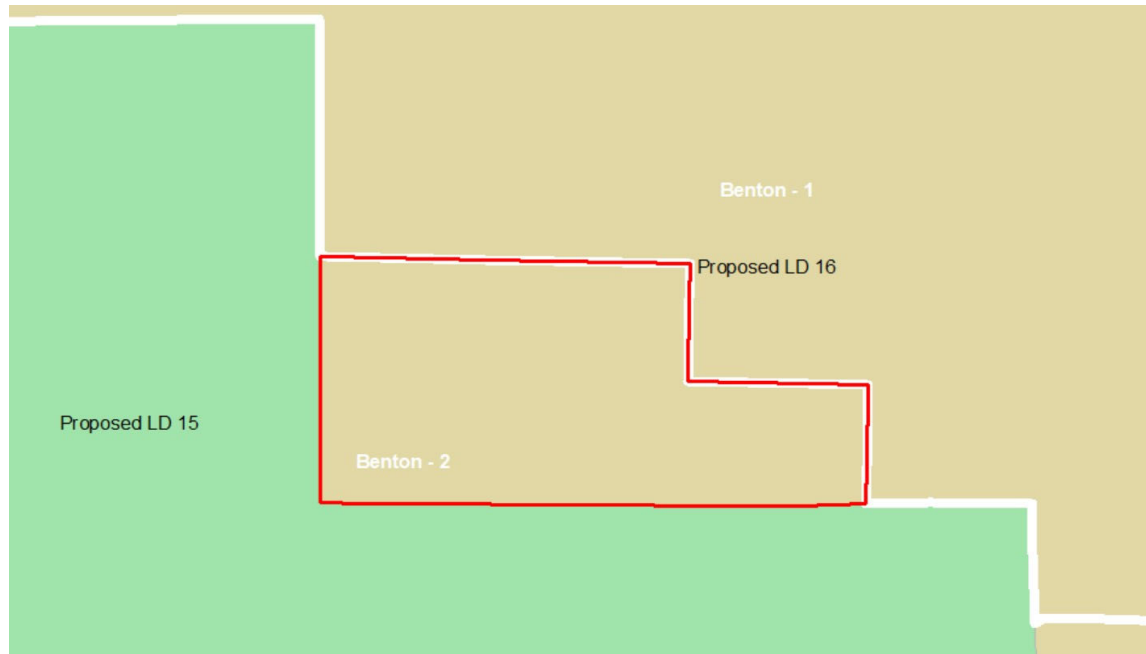
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A possible remedy is to move block 530019505001067 (population 8) from LD 9 to LD 13. This area is actually contiguous with the unincorporated area to the east in LD 13 along

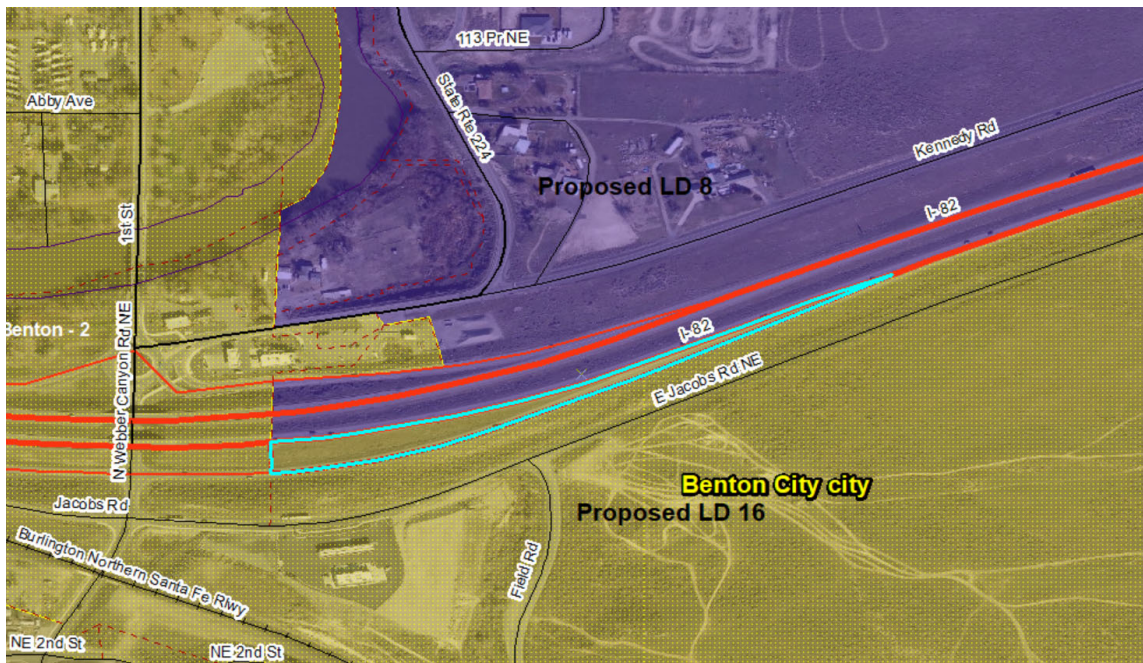
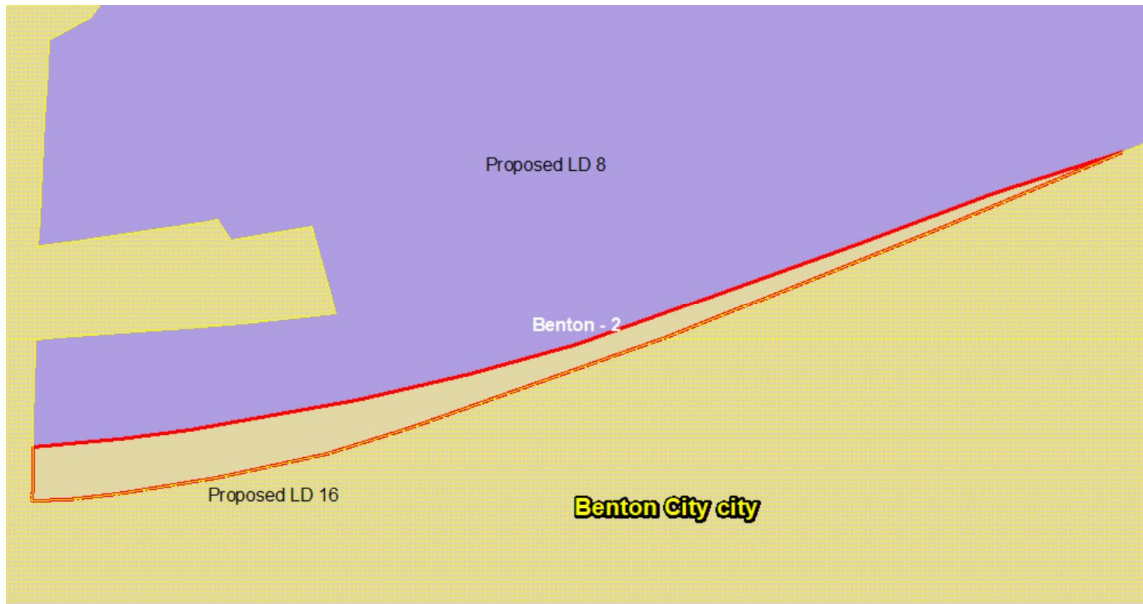
1 the right of way of Cemetery Rd; for Census purposes, the city limits are approximated as
2 running along the centerline of the road.

3 10. Benton County: LD 15/LD 16, Benton County Commissioner Districts 1 and 2:



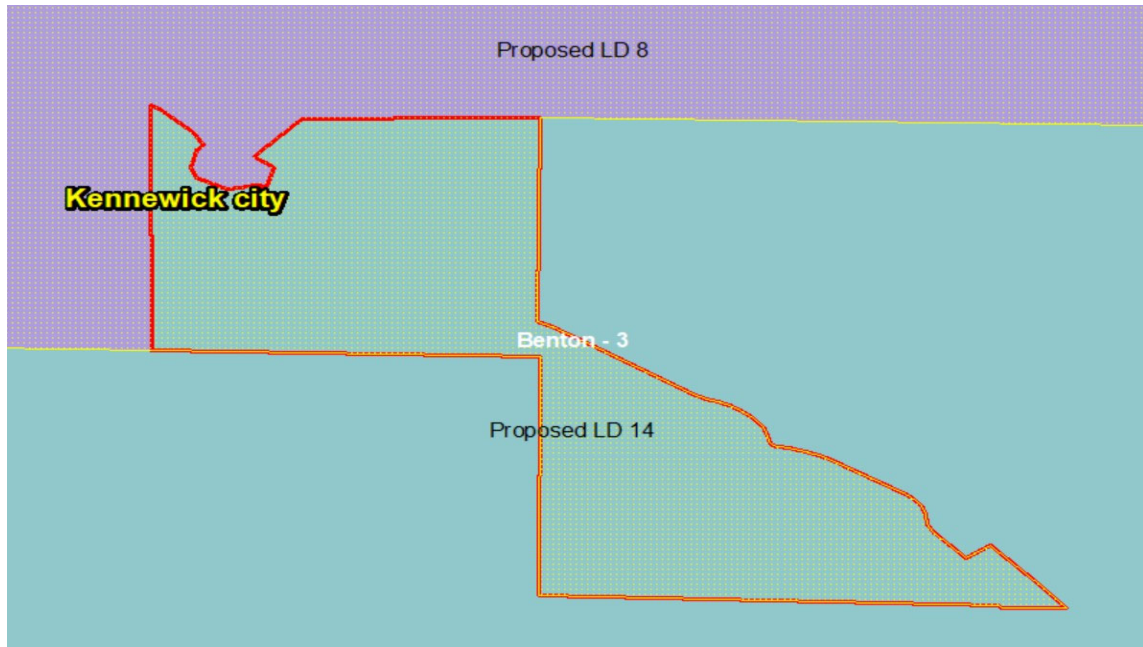
1 A possible remedy is to move block 530050120001039 (population zero) from LD 16 to
2 LD 15.

3 11. Benton County: LD 8/LD 16, city limits of Benton City:
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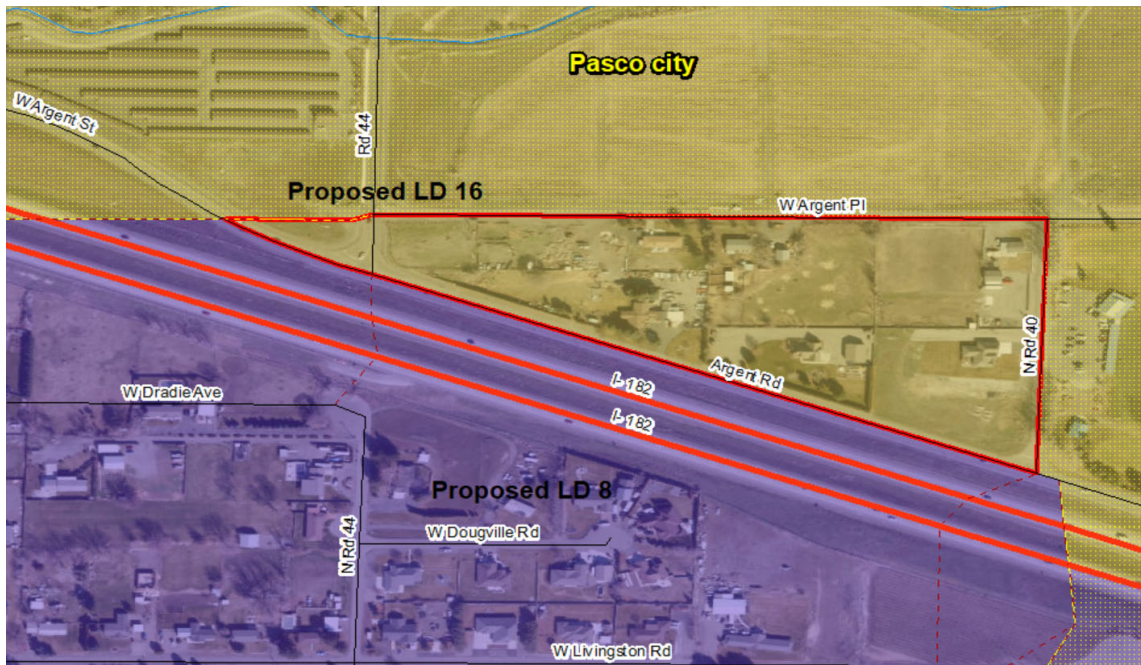
1 A possible remedy is to move block 530050108071017 (population zero) from LD 16 to
2 LD 8.

3 12. Benton County: LD 8/LD 14, city limits of Kennewick as modified by Ordinance
4 6001, effective 12/14/2022:



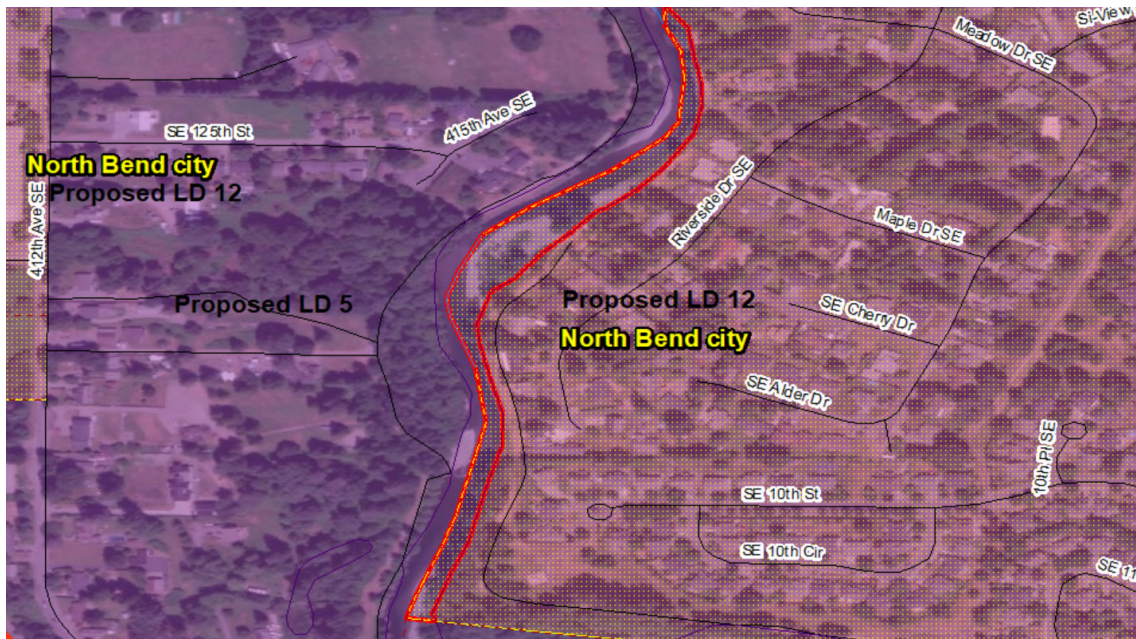
1 A possible remedy is to move blocks 530050115042006 and 530050115061031 (total
2 population 8) from LD 14 to LD 8.

3 13. Franklin County: LD 8/LD 16, city limits of Pasco:



1 A possible remedy is to move blocks 530210206051057 and 530210206051059 (total
2 population 17) from LD 16 to LD 8.

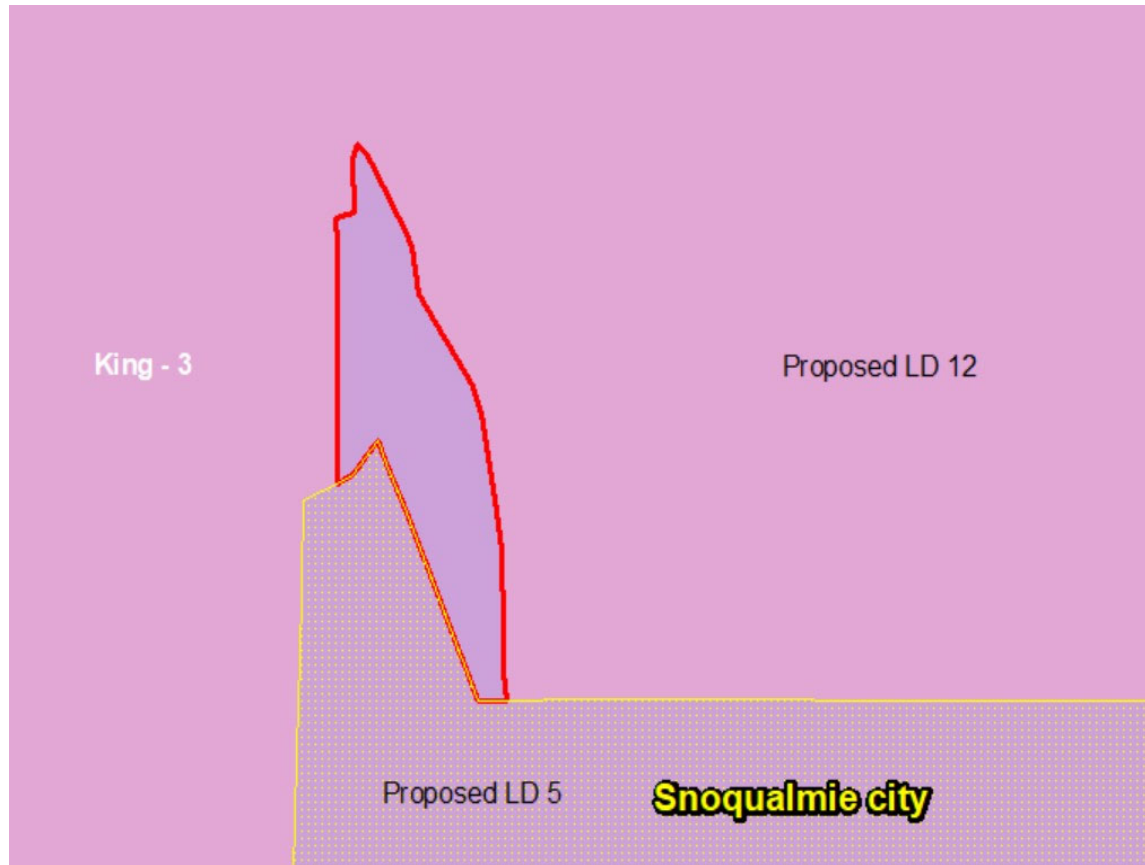
3 14. King County: LD 5/LD12, city limits of North Bend:



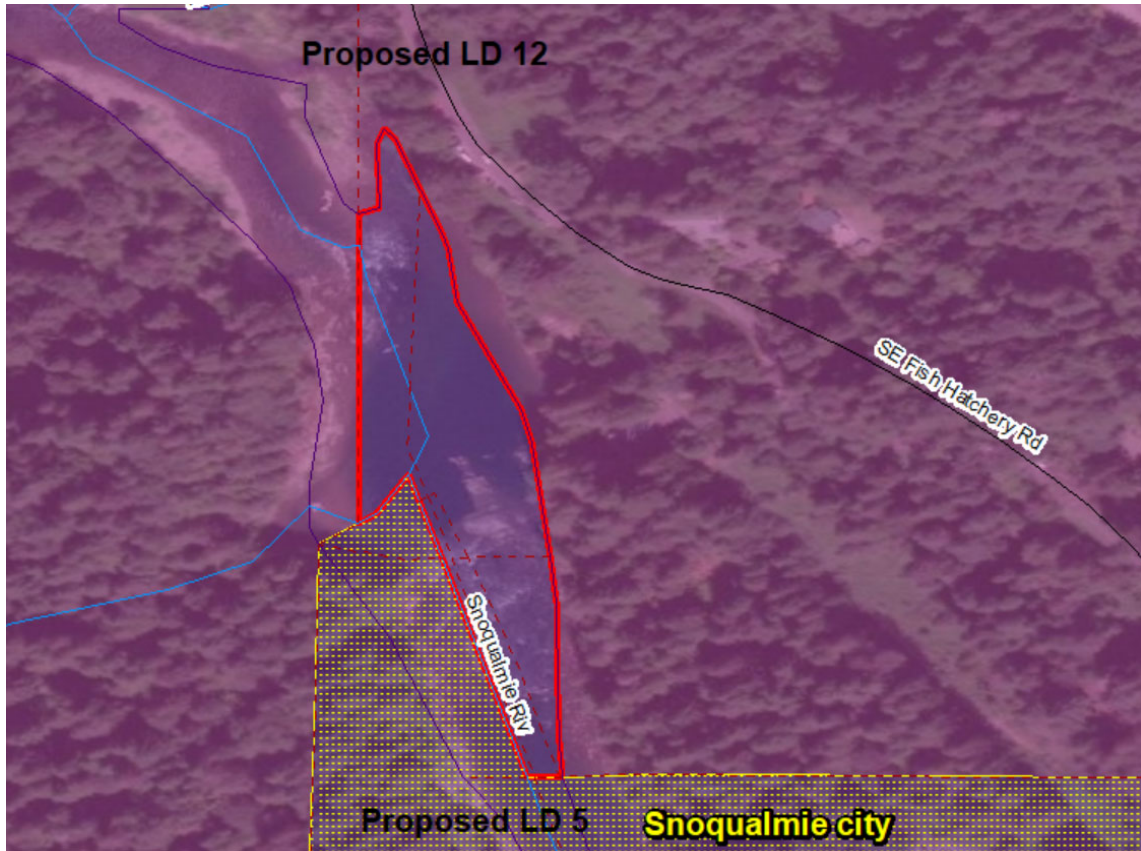
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A possible remedy is to move block 530330327044025 (population zero) from LD 5 to LD 12.

15. King County: LD 5/LD 12, city limits of Snoqualmie:



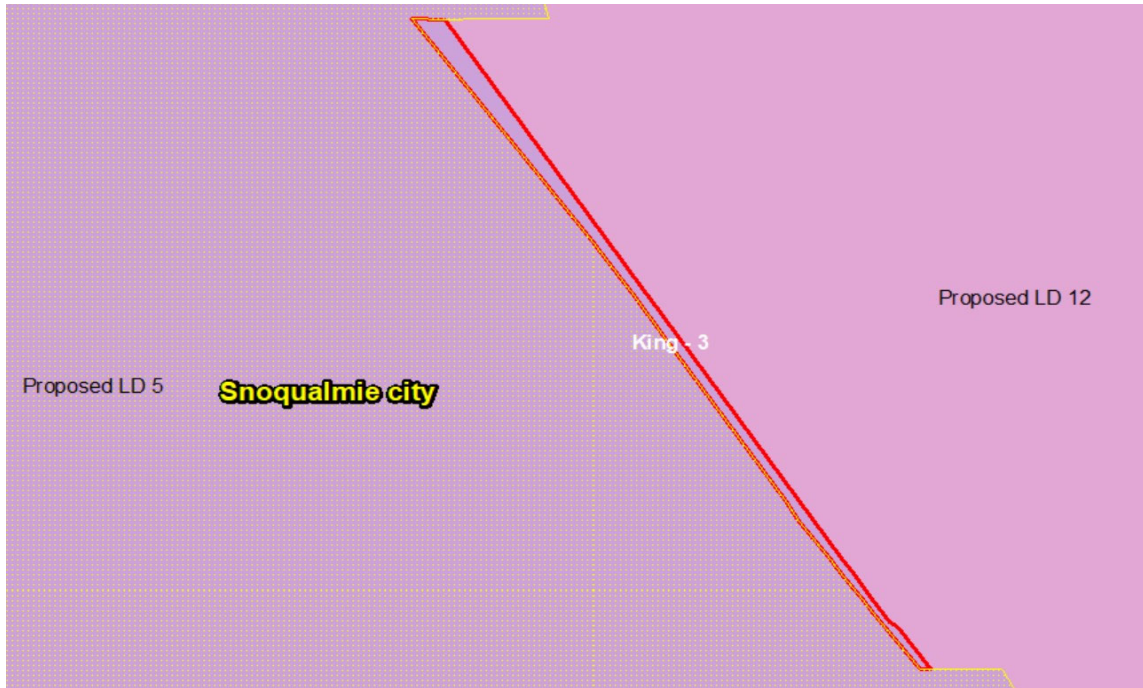
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A possible remedy is to move blocks 530330326033001 and 530330328001053 (total population zero) from LD 5 to LD 12.

16. King County: LD 5/LD 12, city limits of Snoqualmie:

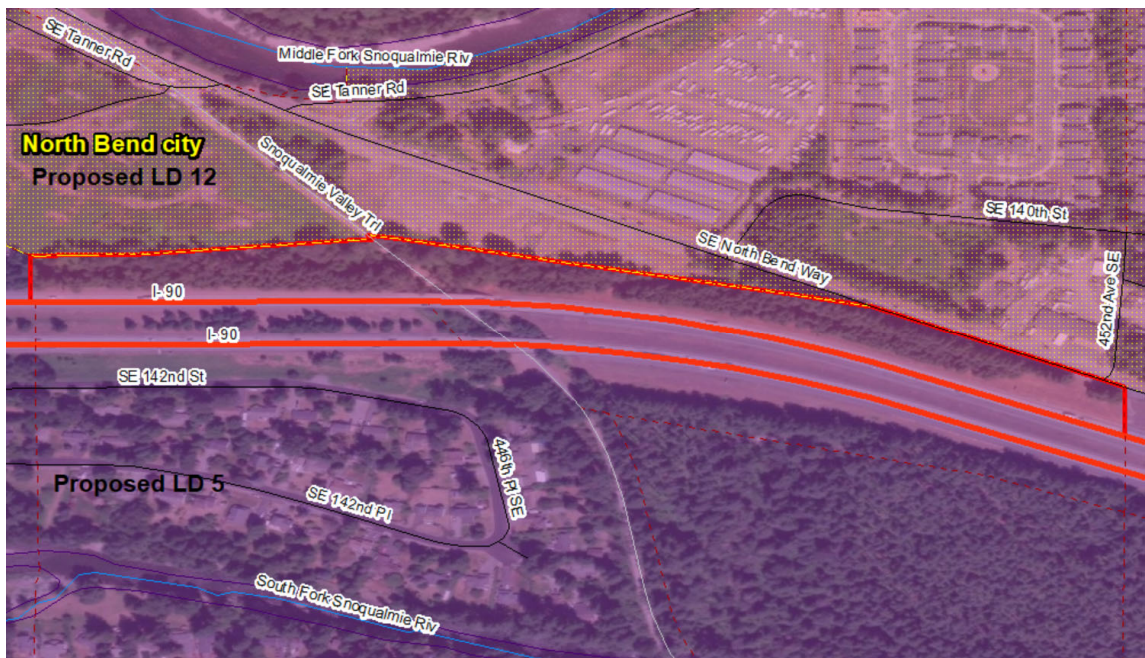
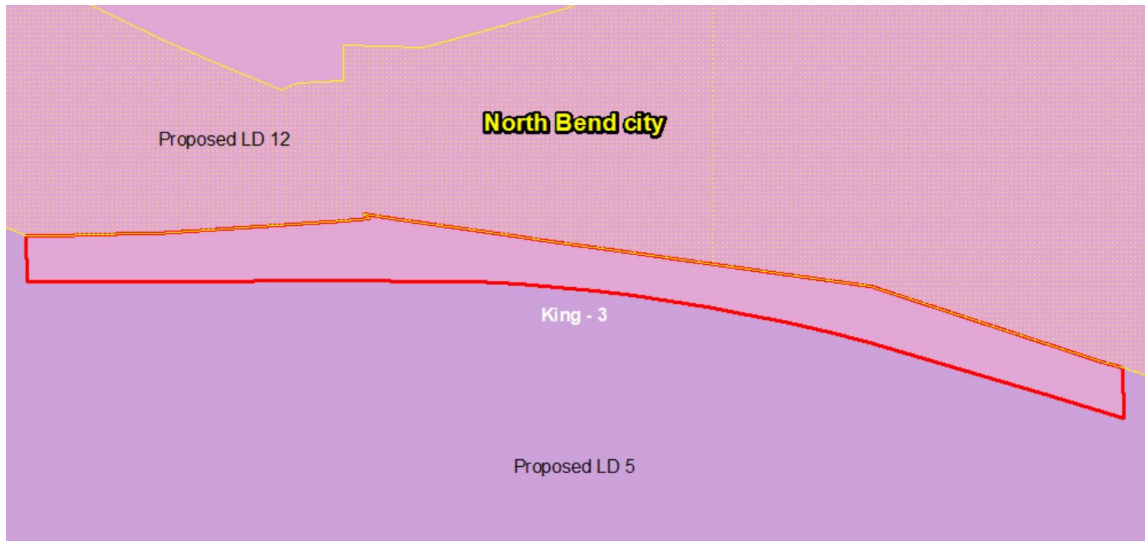
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A possible remedy is to move blocks 530330327032002 and 530330328001041 (total population zero) from LD 5 to LD 12.

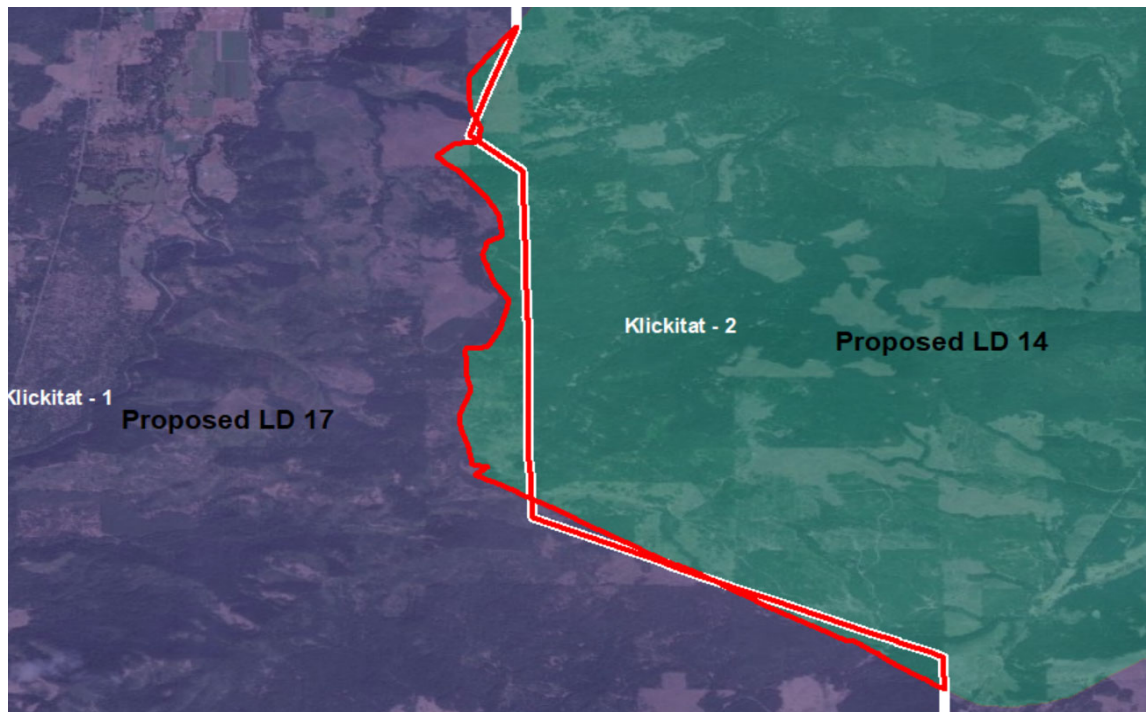
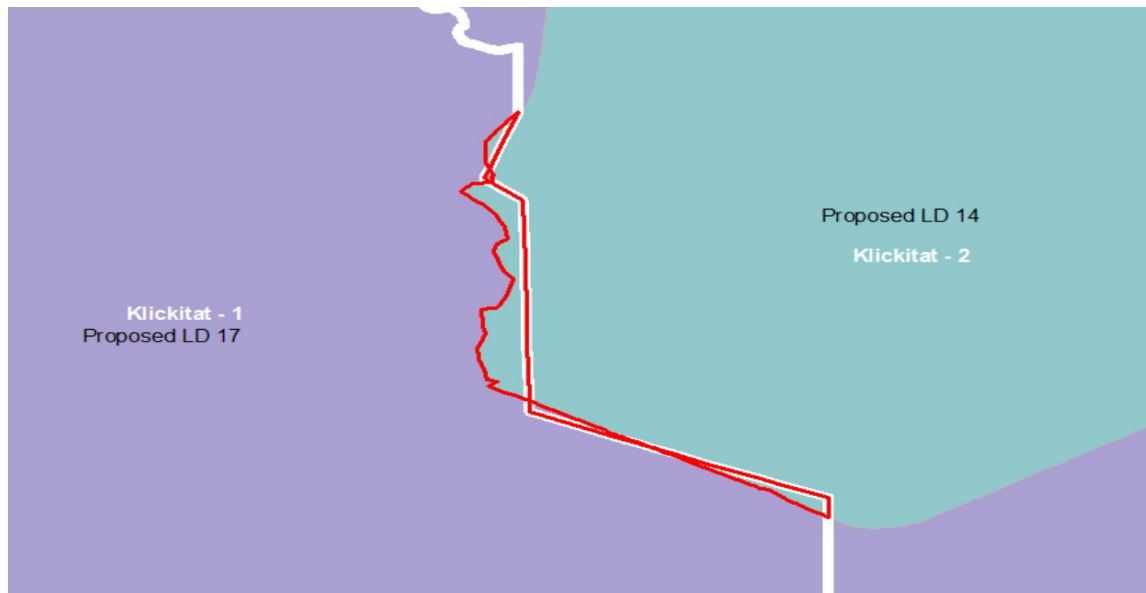
17. King County: LD 5/LD 12, city limits of North Bend:

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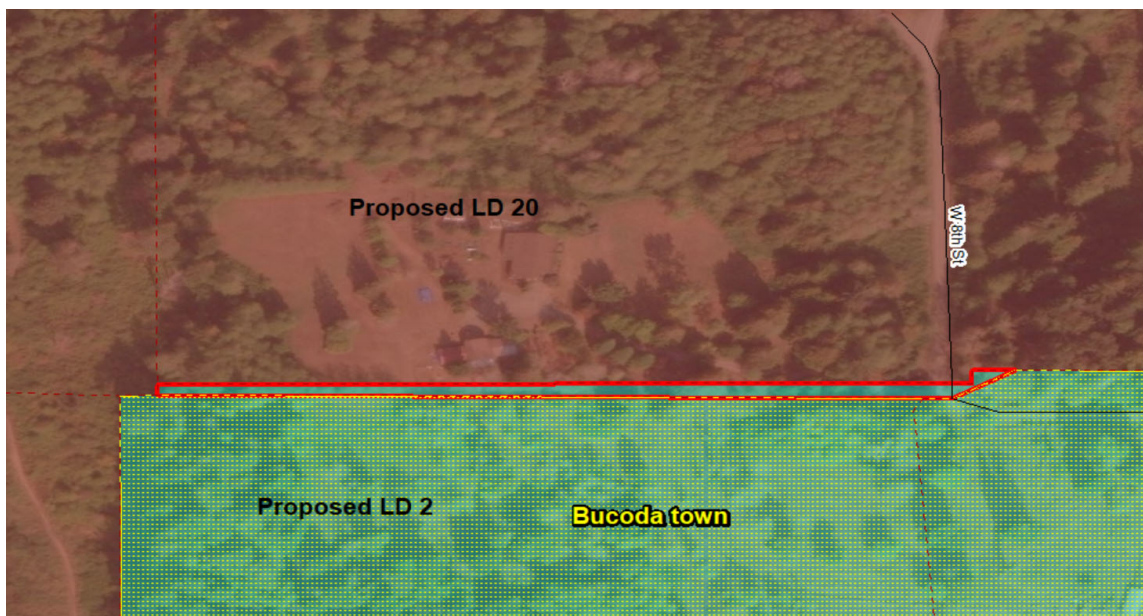
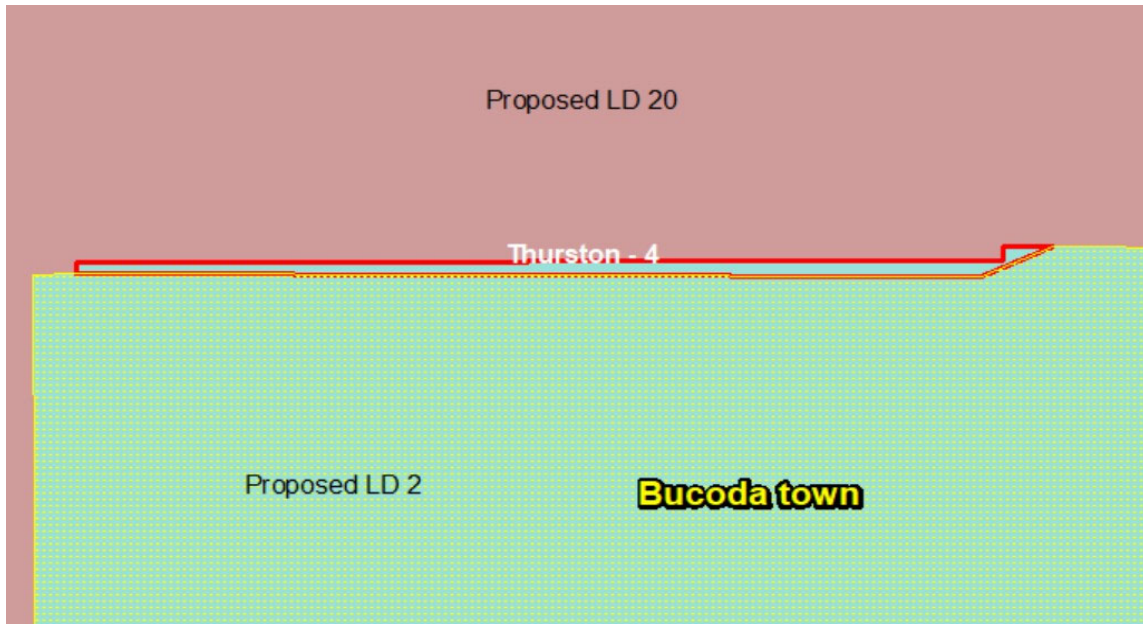
A possible remedy is to move block 530330327041013 (population zero) from LD 12 to LD 5.

1 18. Klickitat County: five zero-population polygons created by the interweaving of
2 the proposed LD 14/LD 17 boundary with the boundary between Klickitat County
3 Commissioner Districts 1 and 2:

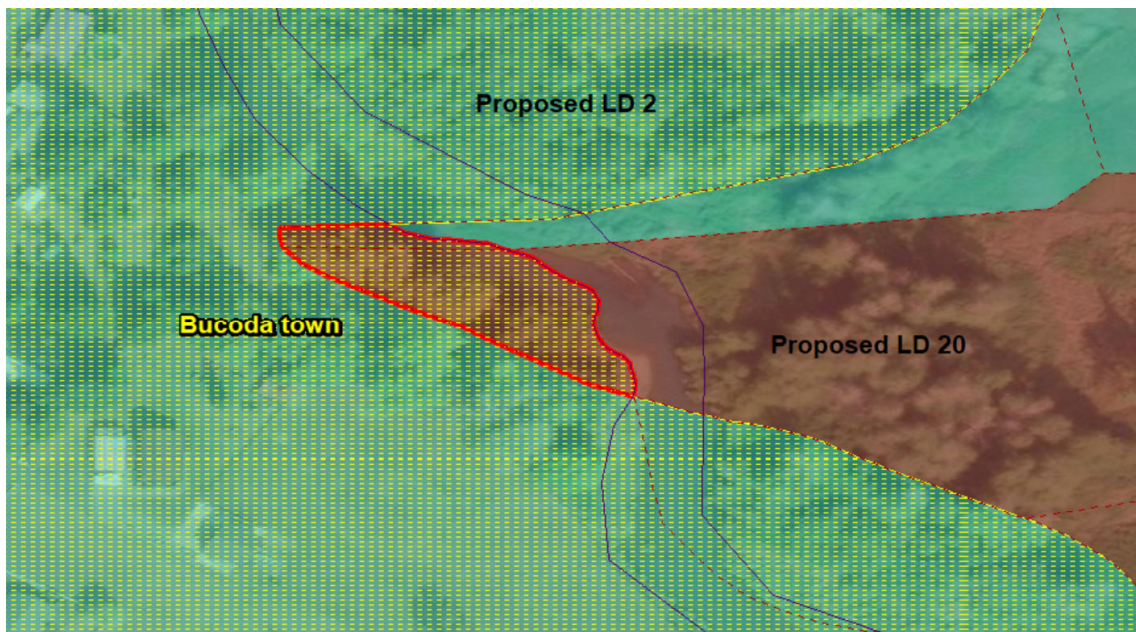
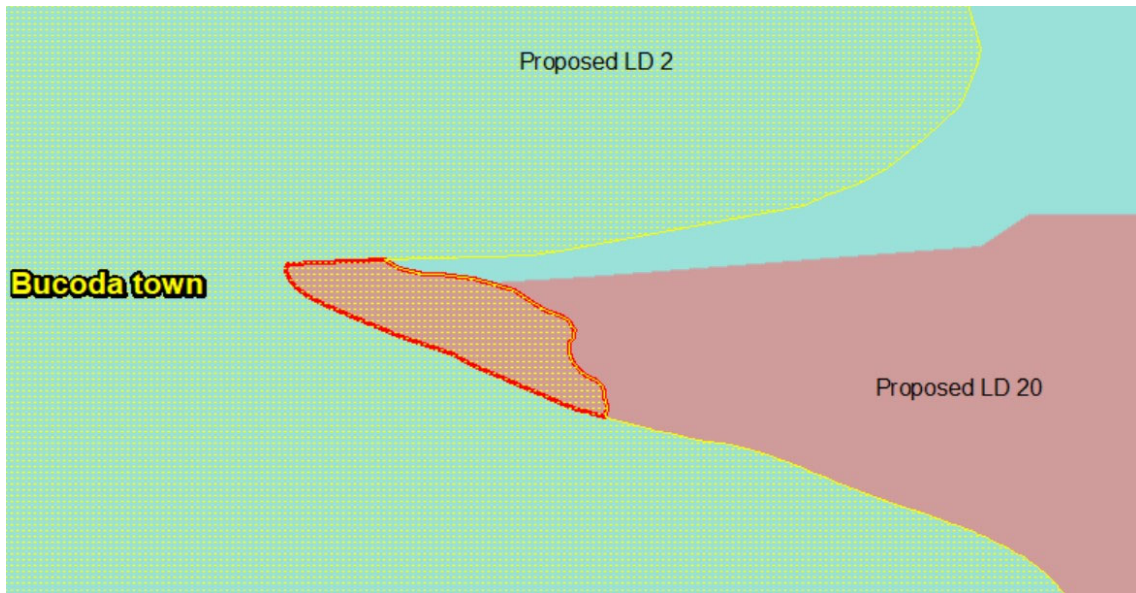


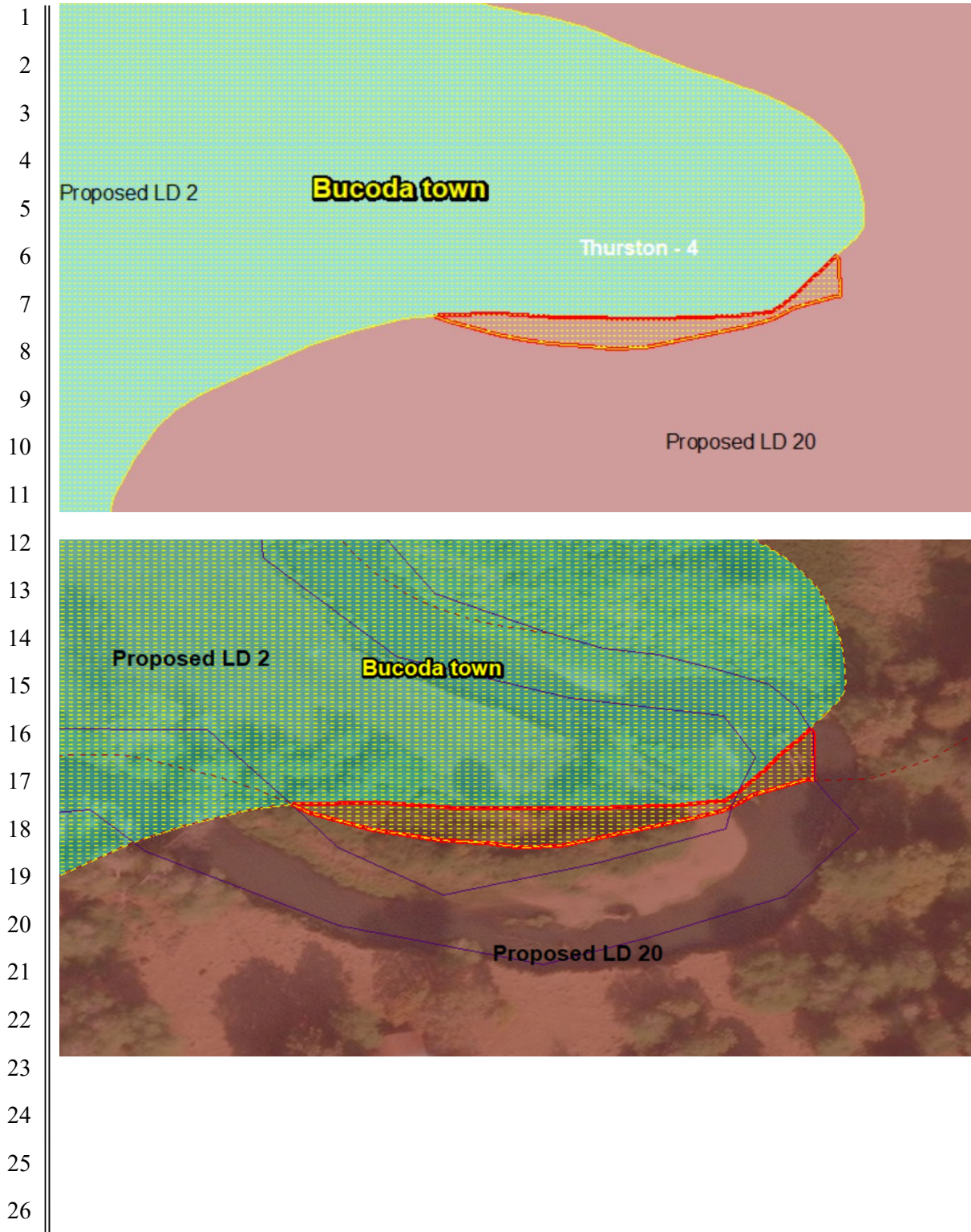
1 I have not identified a good solution for this. Plaintiffs' proposed line is the federally
2 recognized boundary of the Yakama Nation reservation.

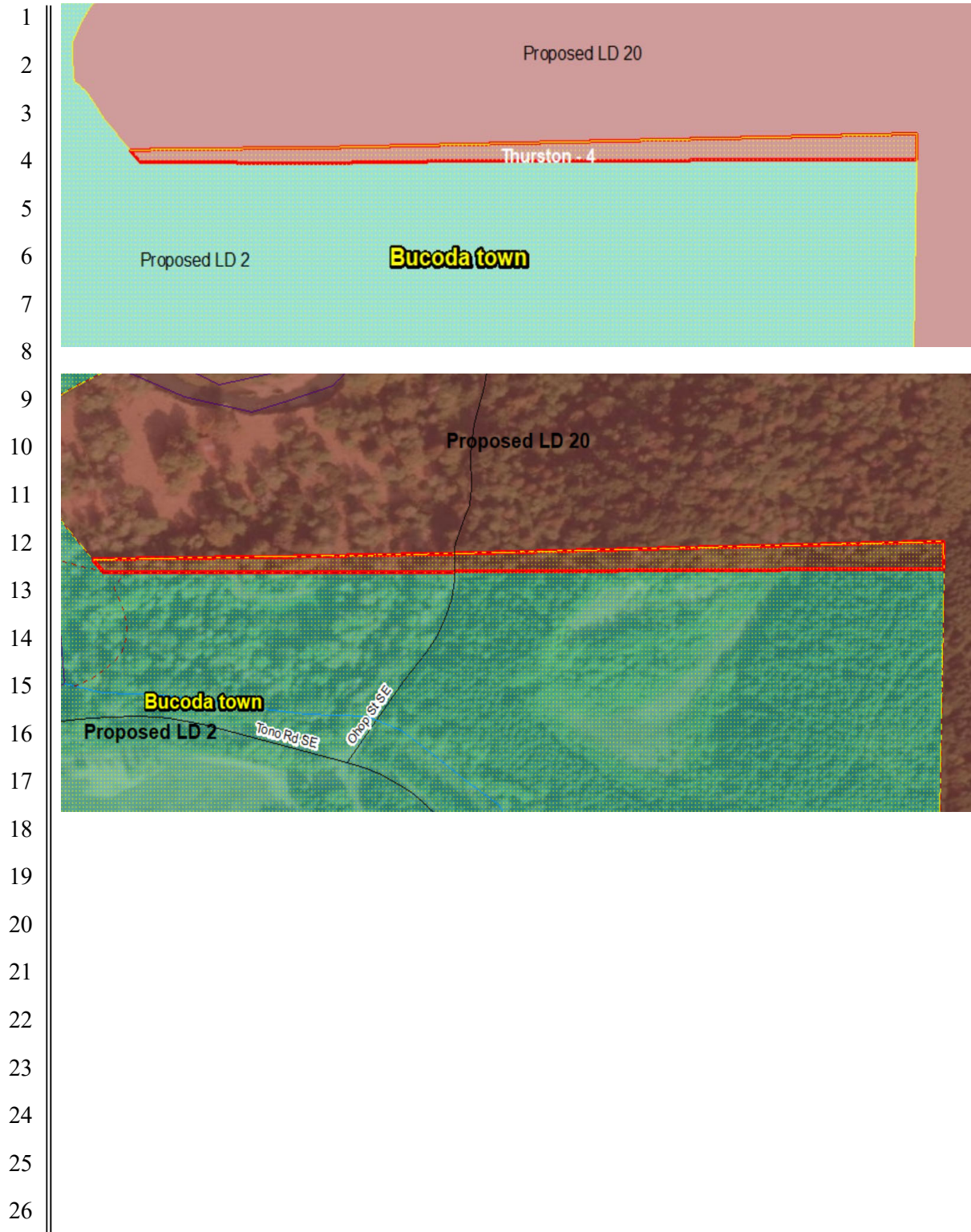
3 19. Thurston County: LD 2/LD 20, town limits of Bucoda (five zero-population
4 polygons):

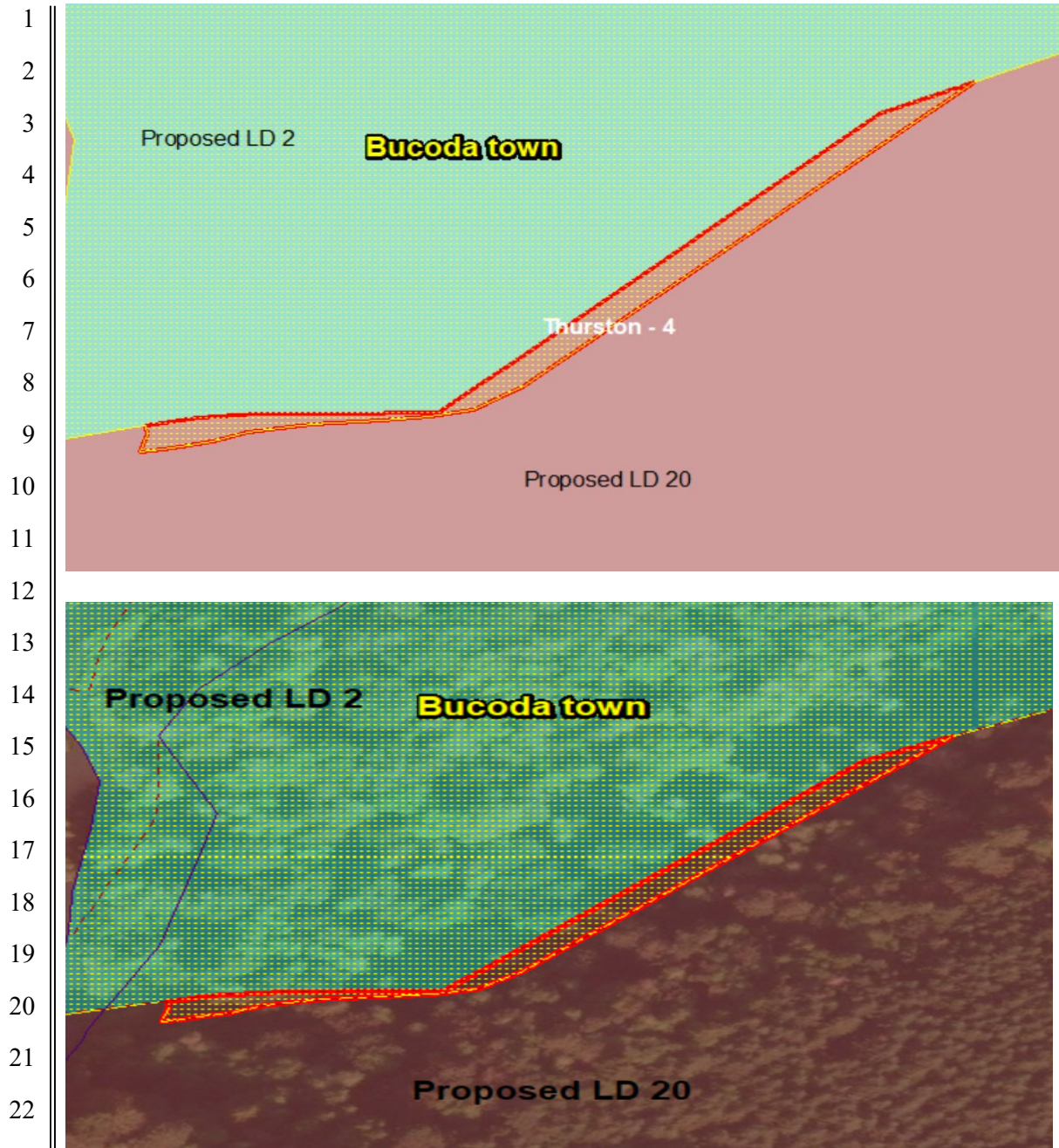


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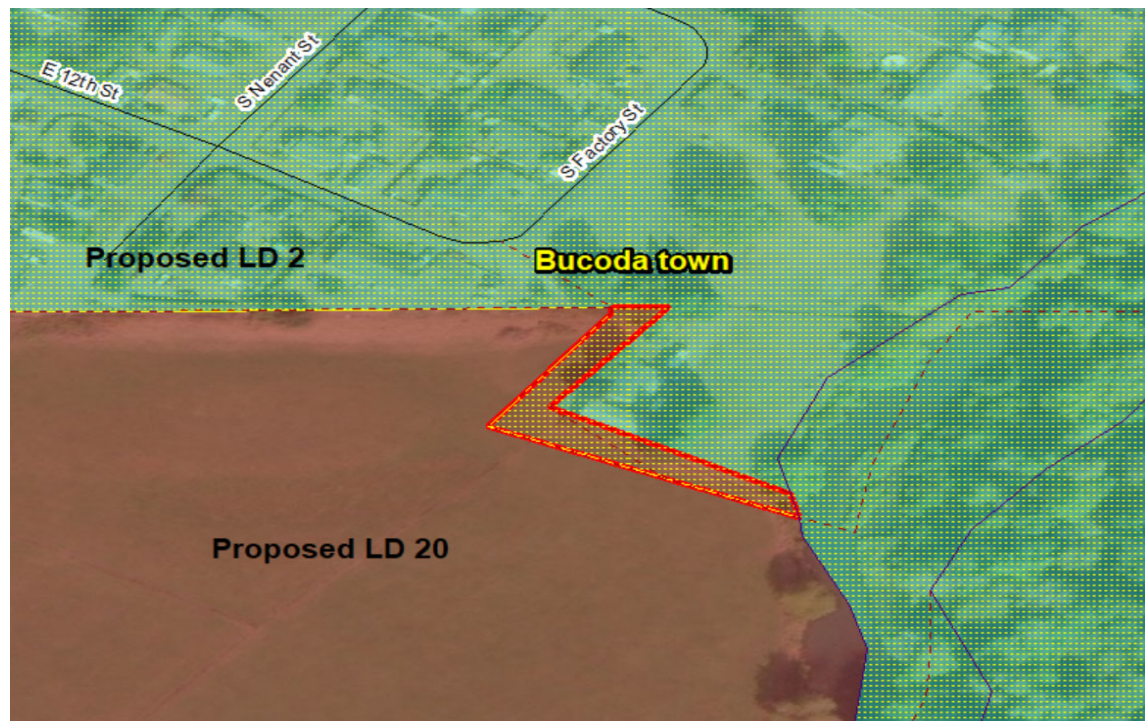
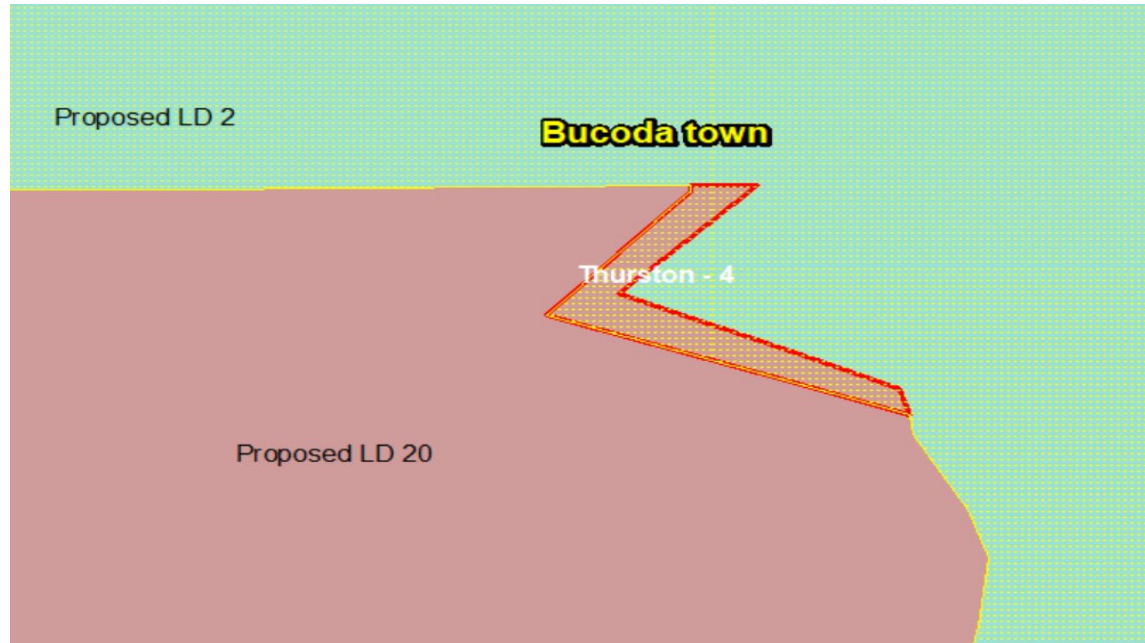






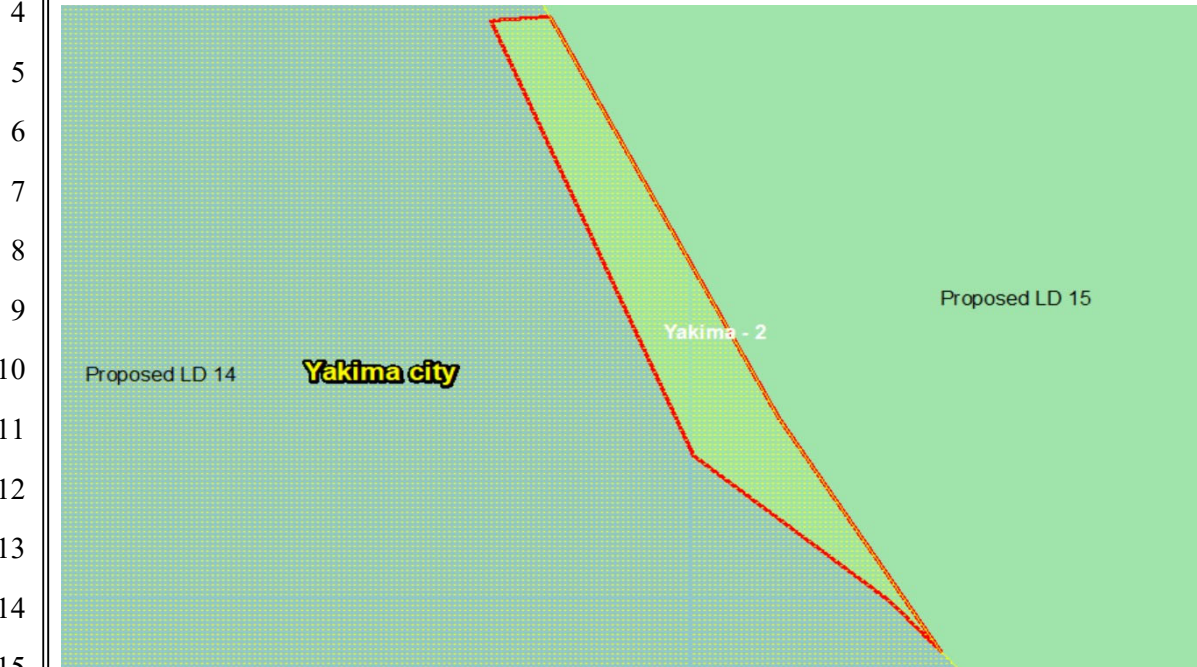
24 A possible remedy is to move block 530670126201015 (population zero) from LD 2
25 to LD 20; move blocks 530670126205018, 530670126205032, 530670126205071,
26 530670126205028, 530670126205038 (total population zero) from LD 20 to LD 2.

1 20. Thurston County: LD 2/LD 20, town limits of Bucoda (enumerated population 8,
2 but from aerial photos it looks like the population is really located in an adjacent block):



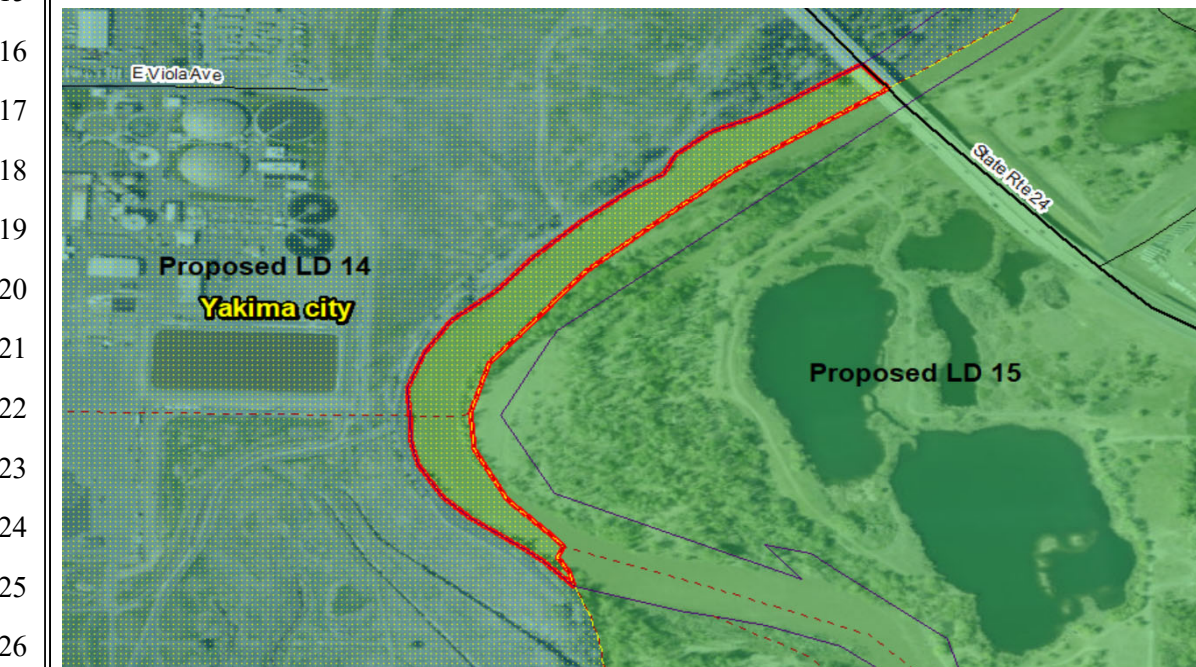
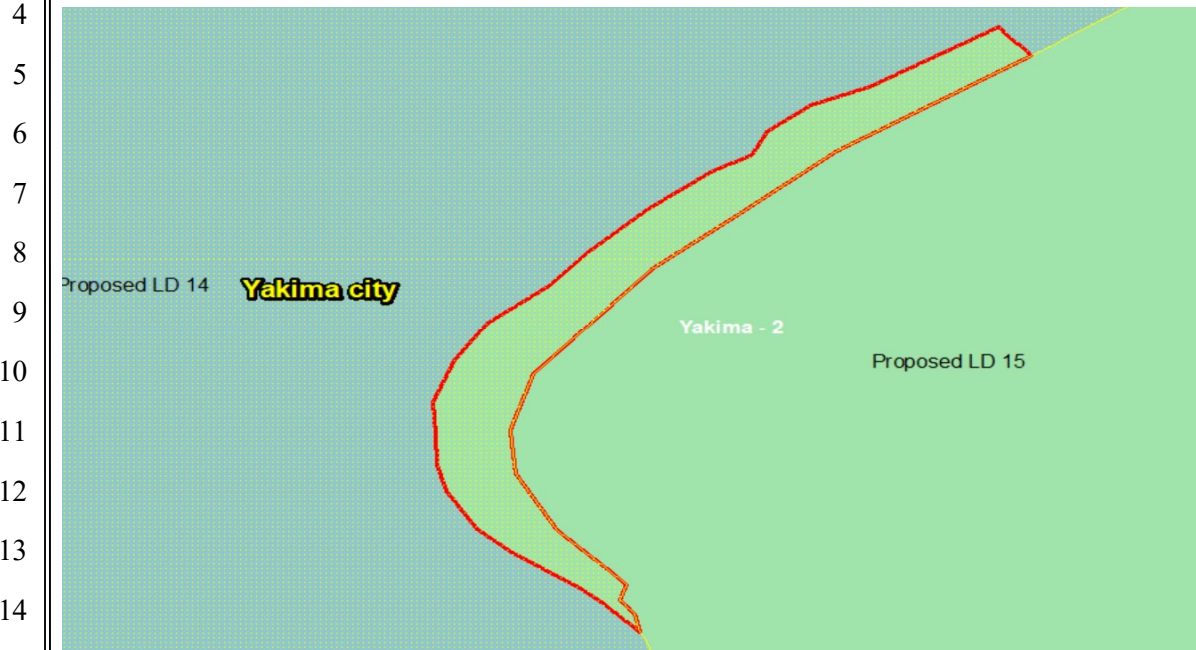
1 A possible remedy is to move block 530670126205057 (population supposedly 8) from
2 LD 20 to LD 2.

3 21. Yakima County: LD 14/LD 15, city limits of Yakima:



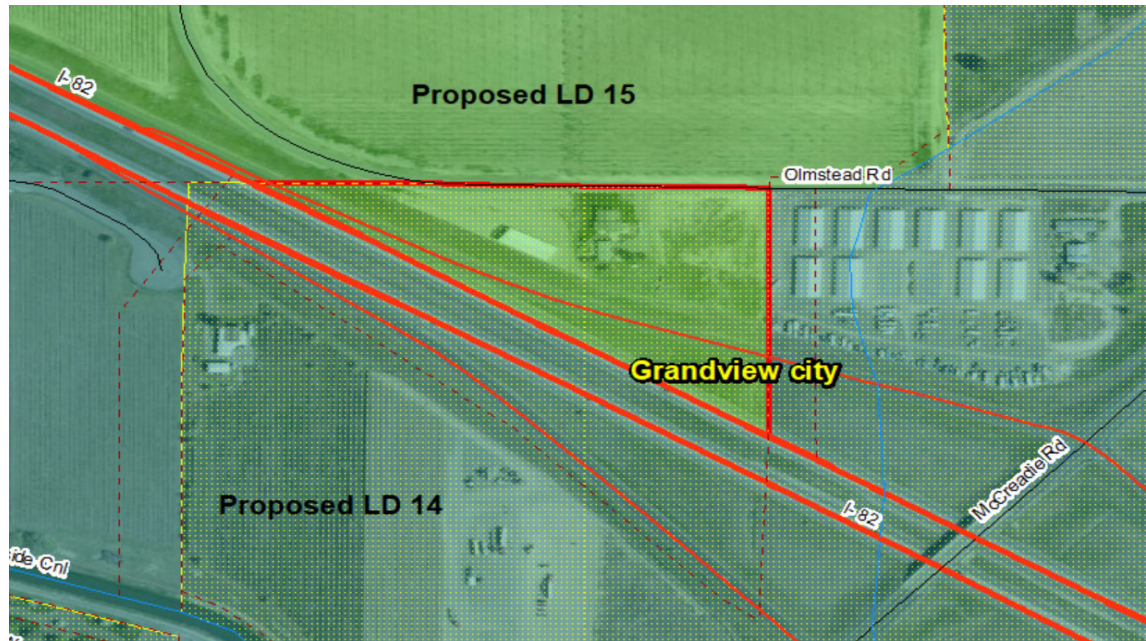
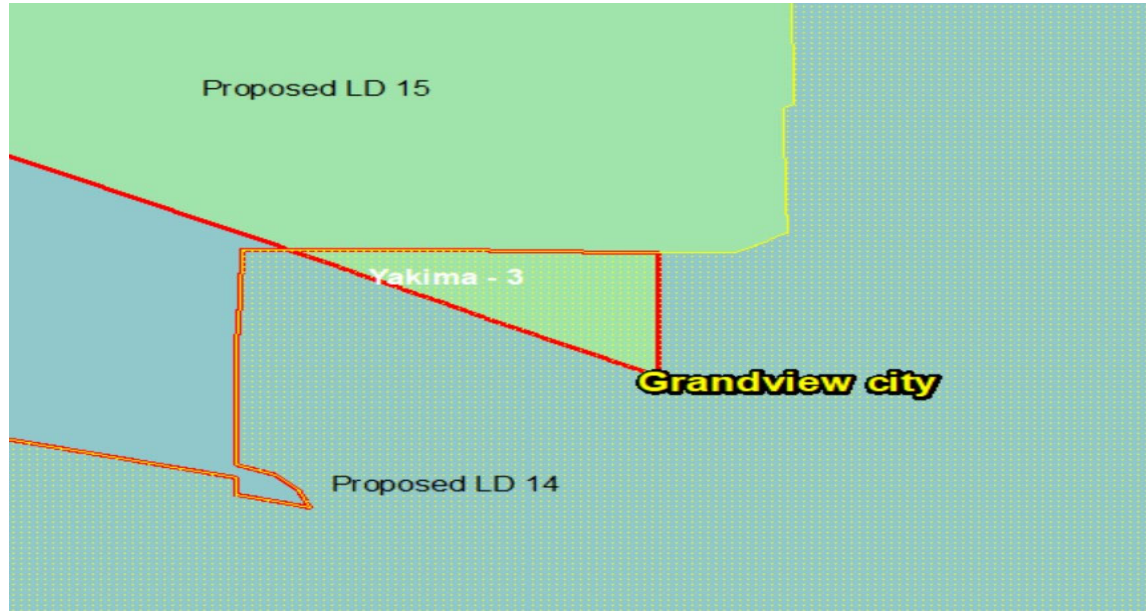
1 A possible remedy is to move block 530770016022016 (population zero) from LD 15
2 to LD 14.

3 22. Yakima County: LD 14/LD 15, city limits of Yakima:



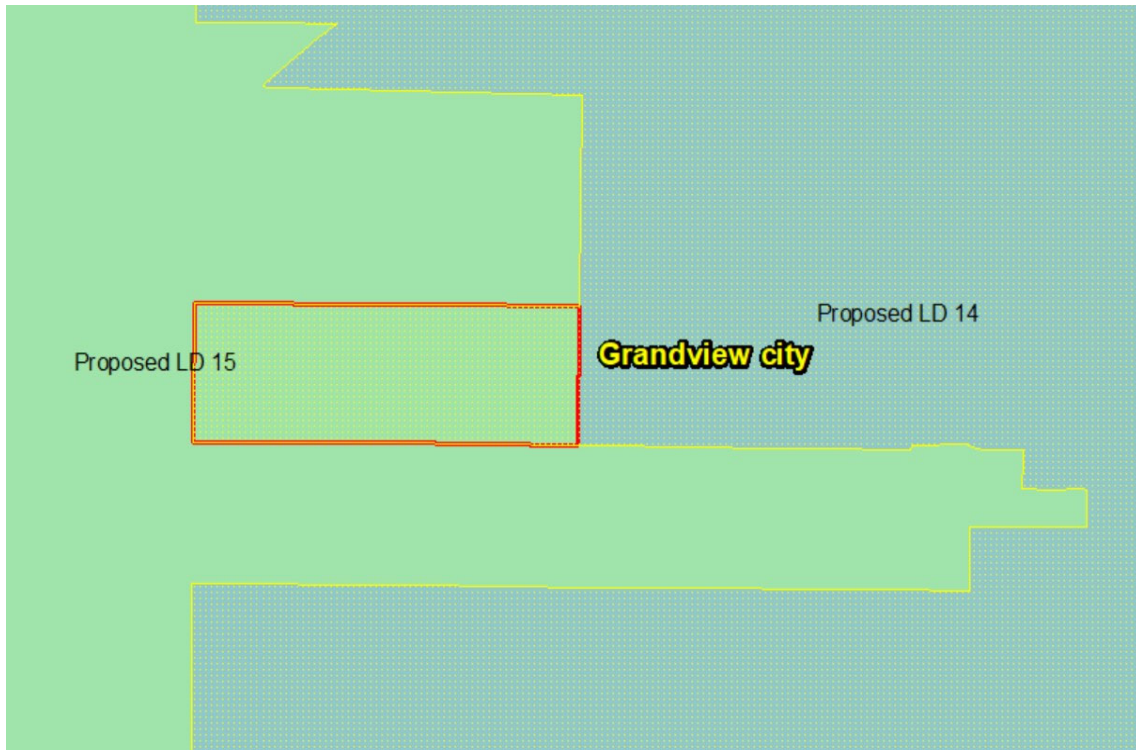
1 A possible remedy is to move blocks 530770017021015 and 530770017021018 (total
2 population zero) from LD 15 to LD 14.

3 23. Yakima County: LD 14/LD 15, city limits of Grandview as modified by
4 Ordinance 2022-12, effective 8/29/2022:



1 A possible remedy is to move the portion of block 530770018013012 currently lying
2 within the city limits of Grandview from LD 15 to LD 14 (the annexation survey recorded two
3 people in one dwelling in the area to be moved, and there is one voter registered there).

4 24. Yakima County: LD 14/LD 15, city limits of Grandview as modified by
5 Ordinance 2021-13, effective 10/4/2021:



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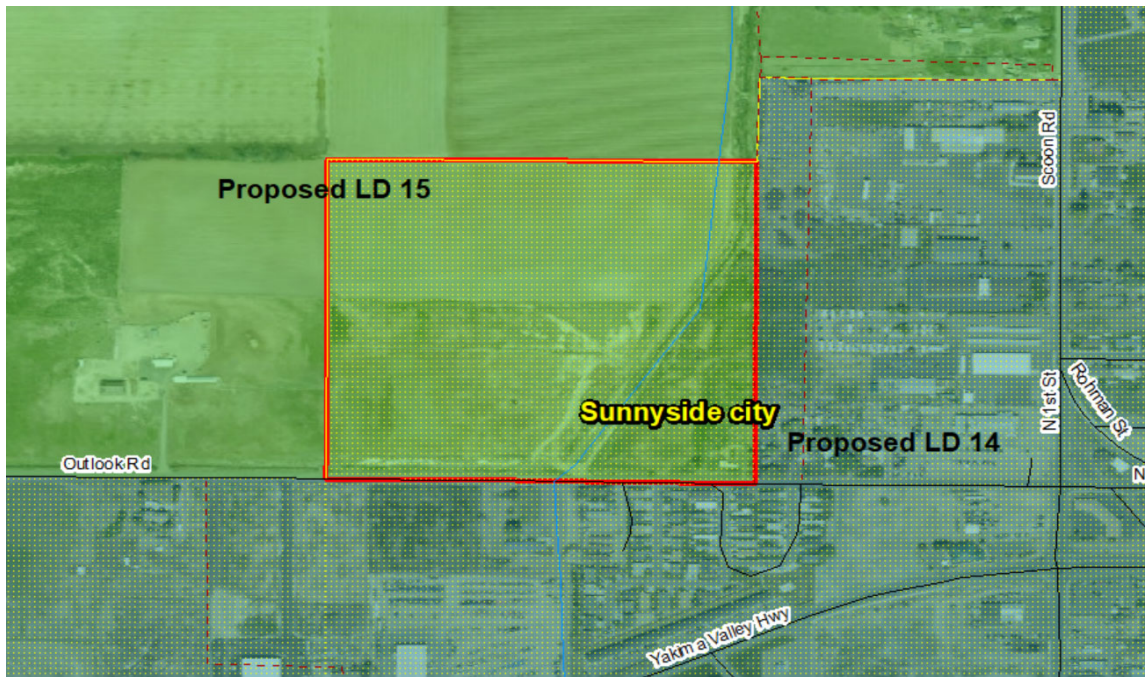
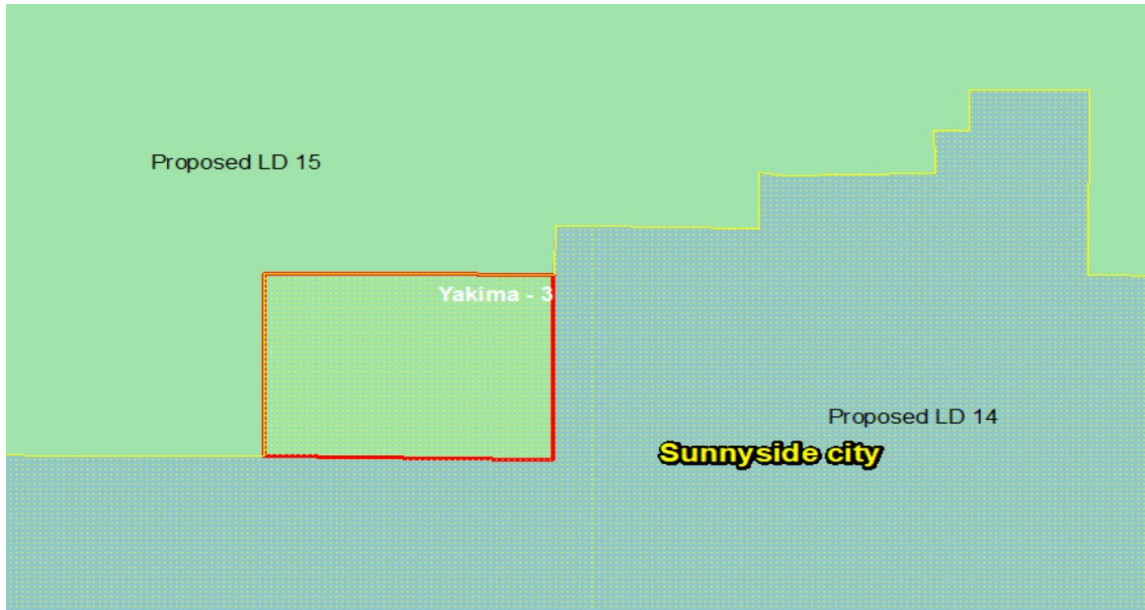
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A possible remedy is to move the portion of block 530770018012077 currently lying within the city limits of Grandview from LD 15 to LD 14. The annexation survey recorded no population in the annexed area.

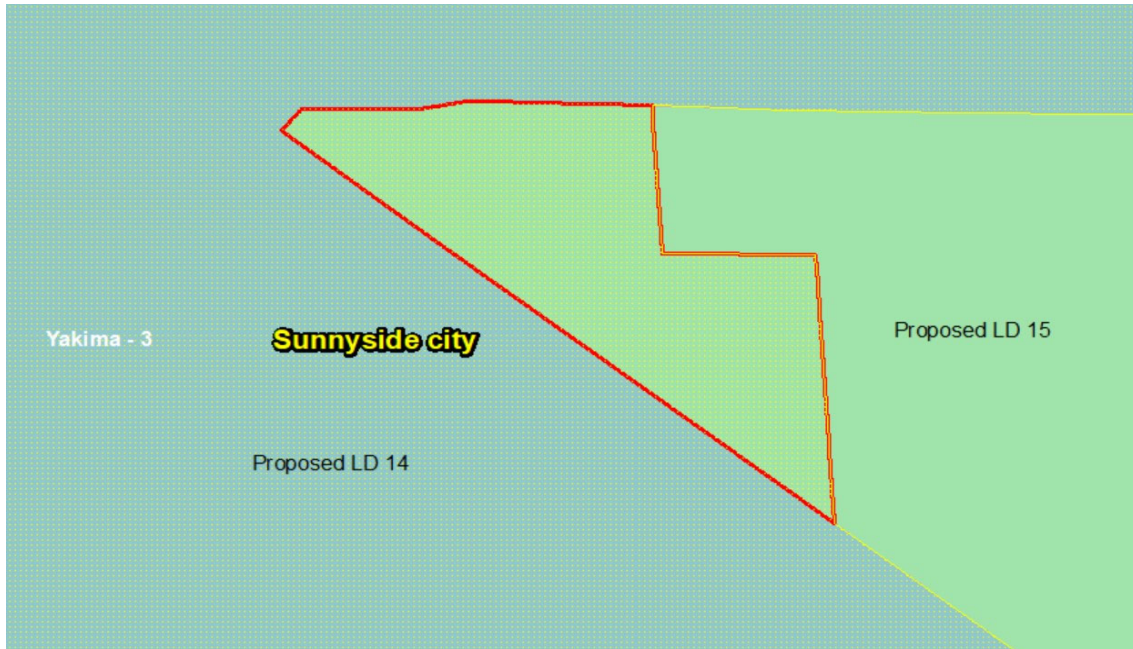
25. Yakima County: LD 14/LD 15, city limits of Sunnyside as modified by Ordinance 2020-06A, effective 8/10/2020:

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A possible remedy is to move the portions of blocks 530770020042004 and 530770020042005 currently lying within the city limits of Sunnyside from LD 15 to LD 14. The annexation survey recorded two people in one dwelling in the area to be moved.


1 26. Yakima County: LD 14/LD 15, city limits of Sunnyside as modified by
2 Ordinance 2021-06, effective 6/21/2021:



1 A possible remedy is to move the portion of block 530770018011075 currently lying
2 within the city limits of Sunnyside from LD 15 to LD 14. The annexation survey recorded two
3 people in one dwelling in the area to be moved, and there are two voters registered there.

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5 I declare under penalty of perjury under the laws of the State of Washington and the
6 United States that the foregoing is true and correct.

7 SIGNED this 23rd day of February 2024, at Olympia, Washington.

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11 NICHOLAS PHARRIS
12 Vote WA Support Lead

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DECLARATION OF SERVICE

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court’s CM/ECF System which will serve a copy of this document upon all counsel of record.

DATED this 23rd day of February 2024, at Olympia, Washington.

s/ Leena Vanderwood
Leena Vanderwood
Paralegal
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Olympia, WA 98504-0100
(360) 753-6200
Leena.Vanderwood@atg.wa.gov