

# EXHIBIT 2

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ROUGH DRAFT

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PROCEEDINGS

ROSA MUSTAFA,

Page 1

3 Q. And what is Ms. Waddell's race?

4 A. She's African American.

5 Q. How about, like, in council district five  
6 or six? Do you think a candidate of choice in the  
7 African American community could win in one of those  
8 districts?

9 A.. I can't say. I don't know.

10 Q. And Ms. Mustafa, how did you become a  
11 plaintiff in this case?

12 A. A member from the North Carolina Democratic  
13 Party had asked me if I would consider being a  
14 plaintiff in the case, and I told him to let me  
15 review the documents to see, and I would let him  
16 know, and that's how I became involved.

17 Q. So you said a member of the North Carolina  
18 Democratic Party?

19 A. Uh-huh.

20 Q. Who was that?

21 A. Doug Wilson.

22 Q. Who is Mr. Wilson?

23 A. He's at the state level for the democratic  
24 party.

25 Q. What is his position?

24

1 A. I don't know what his role is now. I know  
2 he worked with Kay Hagan's campaign, too.

3 Q. Where does Mr. Wilson live?

4 A. I think he lives in Charlotte.

5 Q. Do you know if he's an employee of the  
6 state Democratic Party?

7 A. He is.

1 Commissioner District 2?

2 A. Maybe 40. I would say 40 percent,  
3 something like that.

4 Q. Now, going back to Mr. Wilson and when you  
5 were asked to join this lawsuit, was Mr. Wilson the  
6 only person who approached you about joining the  
7 lawsuit?

8 A. Yes.

9 Q. And I know you can't put a time frame on  
10 it, but you think maybe 2013, 2014 was the first  
11 conversation that you had with Mr. Wilson about  
12 joining the lawsuit?

13 A. Yes.

14 Q. And do you remember specifically what  
15 Mr. Wilson told you the first time he spoke with you  
16 about that?

17 A. I can't be specific, no. I mean, vaguely  
18 regarding the district, and a court case that was  
19 coming up regarding the lines, and that's it.

20 Q. You said he vaguely talked to you about the  
21 district. What district are you talking about?

22 A. I'm not sure which district, whether it's  
23 congressional. I don't know, really.

24 Q. He just talked to you about a district that  
25 you lived in?

1 A. Yes, one I actually lived in. I used to be  
2 in 12, and then I was moved.

12 Q. Were you aware that a lawsuit similar to  
13 this one was filed over the 12th congressional  
14 district?

15 A. Yes. Yes.

16 Q. And how did you become aware of that?

17 A. Just television. Hearsay. It wasn't,  
18 like, anything that I was involved in on that. You  
19 know what I mean?

20 Q. Did Mr. Wilson or anybody tell you that a  
21 lawsuit had been filed involving the 12th  
22 congressional district?

23 A. No.

24 Q. You think you heard about it on television  
25 at some point?

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1 A. I think so. Some kind of coverage.

2 Q. Do you remember when you first heard about  
3 that?

4 A. No.

5 Q. Now, in your conversation with Mr. Wilson  
6 about this lawsuit, did Mr. Wilson tell you what the  
7 goals of the lawsuit were?

8 A. No.

9 Q. And I think you said you told him that you  
10 would be willing to be involved; is that right?

11 A. Yes.

12 Q. How did you make the decision to be  
13 involved in a lawsuit if you didn't know what the  
14 goals of the lawsuit were?

15 A. Well, I knew that our district was -- the  
16 district that I lived in -- my belief was that our

3 A. Yes.

4 Q. And you would do it for the congressional  
5 district that you live in?

6 A. Yes.

7 Q. I see. And do you have organizations for  
8 any of legislative districts that you live in? Do  
9 you have State House or State Senate district  
10 committee?

11 A. Do I have?

12 Q. Do you participate? Does the democratic  
13 party have a -- is there a Senate District 38  
14 executive committee, for example?

15 A. Not that I know of. I don't think so.

16 Q. Some parties do that. So I didn't know  
17 whether that was the case here.

18 So, again, thinking back to Mr. Wilson,  
19 you're saying he didn't tell you what the goals of  
20 the lawsuit was?

21 A. No.

22 Q. Did he tell you who was paying for the  
23 lawsuit?

24 A. No.

25 Q. At what point did you decide that you

38

1 wanted to participate in the lawsuit?

2 A. Probably the second conversation, I said I  
3 would participate in a lawsuit.

4 Q. I want to understand, I guess, what kind of  
5 motivated you to participate in the lawsuit because a  
6 lot of people don't want to get involved in lawsuits.

7 A. I know.

17 this case, right?

18 A. Sure.

19 Q. What if someone didn't pay one of your  
20 attorneys? Was that a concern for you?

21 A. It would be unfortunate, but that is not my  
22 concern, no.

23 Q. But you didn't think you would be on the  
24 hook for it?

25 A. No.

♀

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1 Q. Why did you believe that you would never be  
2 on the hook for any attorneys' fees or costs?

3 MS. MACKIE: I'm going to object because if  
4 your understanding of this comes from  
5 information you got from our office or the  
6 southern coalition for social justice, then it  
7 would be privileged.

8 THE WITNESS: Okay. Help me.

9 MS. MACKIE: Can you repeat your question?

10 BY MR. MCKNIGHT:

11 Q. Why is it that you were not concerned about  
12 being on the hook for any attorneys' fees or costs in  
13 this lawsuit?

14 A. Well, my past experience you have to be  
15 contracted to be on the hook for any financial  
16 responsibilities.

17 So I knew I never signed anything to be the  
18 paying party or financially responsible, so I didn't  
19 have a concern with that.

20 Q. And you so you don't have a contract or an

21 agreement with any of the attorneys who are  
22 representing you in this case?

23 MS. MACKIE: Objection to the extent that  
24 calls for an answer that's privilege.

25 BY MR. MCKNIGHT:

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f  
1 Q. I don't think the existence of an agreement  
2 itself would be privilege. I'm not asking about what  
3 the agreement says. We can talk about that offline,  
4 but I'm asking whether you believe or whether you  
5 know if you have an agreement with any of the  
6 attorneys who are representing you in this lawsuit  
7 with respect to the payment of fees?

8 A. No, I have no agreement.

9 Q. To your knowledge, you've never signed any  
10 engagement agreement or any other sort of agreement?

11 A. That's correct.

12 Q. Now, after you spoke with Mr. Wilson, I  
13 guess, the second time, is that when you told him  
14 that you wanted to participate?

15 A. Yes.

16 Q. These times that you talked with  
17 Mr. Wilson, were they in person or over the  
18 telephone?

19 A. Phone.

20 Q. Okay. So he called you at your home or on  
21 your cell phone?

22 A. That's correct.

23 Q. And did you -- are you saying you only  
24 spoke to him two times or after the second time that  
25 he approached you, is that when you -- did you speak



8 Q. We're back on the record after a short  
9 break here. And during the course of the break, you  
10 didn't discuss the substance of your testimony today  
11 with your counsel, did you?

12 A. No.

13 Q. Ms. Mustafa, we were talking about when  
14 Mr. Wilson recruited you for this lawsuit. You said  
15 that at some point he sent you a document that you  
16 reviewed and that after reading that document you  
17 decided you wanted to join the lawsuit.

18 Can you tell me what you said to Mr. Wilson  
19 when you told him that you wanted to join the  
20 lawsuit?

21 A. I said, "sure. I would help out in any way  
22 that I could."

23 Q. And what happened next?

24 A. He just added my name. He said, "I'll put  
25 your name in," and that was it. There was nothing

1 else to do.

2 Q. After he put your name in, did anyone  
3 contact you?

4 A. The law firm contacted me months and months  
5 and months later. I had almost forgotten about it.

6 Q. And what law firm was that? Is it the law  
7 firm that Mr. O'Hale and Ms. Mackie work for?

8 A. Spruill.

9 Q. Poyner and Spruill?

10 A. Yeah.

11 Q. Okay. There are several law firms involved

8 A. I don't know.

9 MR. MCKNIGHT: Ms. Mustafa, I'm going to  
10 hand you a copy of a document that I'm going to  
11 mark as Mustafa 2.

12 (EXHIBIT NO. 2 MARKED FOR IDENTIFICATION.)

13 BY MR. MCKNIGHT:

14 Q. I'll be glad to give you a minute to just  
15 look at this document or thumb through it or whatever  
16 you feel like you need to do, and then you can let me  
17 know when you're ready for some questions.

18 A. How much of this do you want me to read?

19 Q. I don't want to ask about any specific  
20 paragraphs. I just want to know, first of all, do  
21 you recognize this document that has been marked as  
22 Exhibit 2?

23 A. I cannot say 100 percent. I think I've  
24 seen the first couple of pages.

25 Q. Well, you know this first page has you

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1 listed on it as a plaintiff.

2 A. Yes, I've seen this.

3 Q. Okay. So you've seen at least the first  
4 page before?

5 A. I've probably -- yeah, this first couple of  
6 pages. Maybe one through five or so.

7 Q. So I'll represent to you, ma'am, that this  
8 is a copy of the complaint that was filed by your  
9 counsel in this matter.

10 you're saying that you think that you have  
11 seen perhaps the first five pages of this before

12 today?

13 A. Yes.

14 Q. And do you remember the first time that you  
15 ever saw this complaint?

16 A. Not 100 percent sure, but this appears to  
17 be the document that Doug Wilson sent to me.

18 Q. And how long ago did you say that you  
19 thought Mr. Wilson had sent you this document?

20 A. Year and a half, two years ago, something.

21 Q. Ms. Mustafa, if you will turn with me to  
22 page 45 of this complaint, I want to direct your  
23 attention to a map that appears at the bottom of that  
24 page. Do you see that?

25 A. Yes.

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1 Q. Now, do you recognize what this map is?

2 A. Is it the precincts for -- precinct map  
3 for -- district map for 38?

4 Q. Yes, ma'am. I think you're exactly on the  
5 right track. This is a map that shows all of the  
6 State Senate Districts in Mecklenburg County and it's  
7 divide up by precinct, and the precincts are labeled  
8 by number. Do you see that?

9 A. Yes.

10 Q. And do you see your precinct on this map?

11 A. I do.

12 Q. And that's precinct 80?

13 A. Yes.

14 Q. And that precinct is not split between any  
15 other senate District, is it?

16 A. No.