
EXHIBIT 4

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RE: *Covington, et al. v. State of North Carolina, et al.*

Dear Counsel:

I write regarding Plaintiffs' Objections and Responses to Defendants' First Set of Interrogatories and First Request for Production of Documents. The responses are deficient in several areas, described below. This will serve as Defendants' request that Plaintiffs supplement those deficient responses. We ask that you provide supplemental responses as soon as possible but at least two days before the scheduled deposition of any plaintiff about whom additional information or documents have been requested.

Interrogatory #2: Interrogatory #2 requests information regarding the individual plaintiffs' involvement with political party organizations, political committees, candidate campaign committees, or any related organization. Please answer Interrogatory #2 with respect to plaintiffs Herman Lewis, Crystal Johnson, Channelle James, Catherine Kimel, and Mark R. Englander.

Interrogatory #3: Interrogatory #3 requests information regarding plaintiffs' membership in organizations that were plaintiffs in the *Dickson* litigation. Please answer Interrogatory #3 with respects to plaintiffs Herman Lewis, Viola Figueroa, Crystal Johnson, DeDreana Freeman, Mary Thomas, Channelle James, Rosa Mustafá, Ruth Sloane, and Mark R. Englander.

Interrogatory #4: Interrogatory #4 requests information regarding plaintiffs' associations with organizations that were plaintiffs in the *Dickson* litigation. Please answer Interrogatory #4 with respects to plaintiffs Herman Lewis, Viola Figueroa, Crystal Johnson, DeDreana Freeman,

Athens • Austin • Berlin (Germany) • Birmingham • Boston • Charleston • Charlotte • Chicago • Cleveland • Columbia • Dallas • Denver • Detroit • Metro
Greenville • Houston • Indianapolis • Jackson • Kansas City • Las Vegas • London (England) • Los Angeles • Memphis • Mexico City (Mexico) • Miami
Milwaukee • Minneapolis • Monroeville • Nashville • New Orleans • New York City • Orange County • Philadelphia • Phoenix • Pittsburgh • Portland • Raleigh
Richmond • St. Louis • St. Thomas • San Antonio • San Diego • San Francisco • Seattle • Stamford • Tampa • Toronto (Canada) • Toronto • Tucson • Washington

Chanelle James, Susan Campbell, Rosa Mustafa, Antoinette Mingo, Ruth Sloane, and Mark R. Englander. Additionally, please supplement your responses to include the dates of any financial support, the dates of any communications received, and a summary of the nature of any communications.

Interrogatory #5: Interrogatory #5 requests information regarding any relationships between plaintiffs' and the plaintiffs in the *Dickson* and *Harris* litigation. Plaintiffs have objected to this interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. The request, on its face, is limited to a discrete set of individuals (prior plaintiffs) and therefore cannot be construed as "overly broad." The existence and nature of any relationship with the plaintiffs in earlier, nearly identical redistricting lawsuits is relevant to the issue of how each individual plaintiff became involved in this lawsuit, their reasons for doing so, and defenses that have been raised by defendants to the claims asserted in this matter by the Plaintiffs.

Interrogatory #6: Interrogatory #6 requests information regarding attorney's fees and costs that each individual Plaintiff is responsible for, and if the Plaintiff is not responsible for paying such fees and costs, the identity of the individual who is responsible. Plaintiffs have objected to this interrogatory on the grounds that it seeks attorney-client privileged information and that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiffs have not shown how the information sought in Interrogatory #6 infringes on Plaintiffs' attorney-client privilege. The information sought is relevant to the issue of how each individual Plaintiff became involved in this lawsuit, their reasons for doing so, and defenses that have been raised by defendants to the claims asserted in this matter.

Interrogatory #9: Interrogatory #9 requests information regarding the individual Plaintiffs' social media accounts. Please answer Interrogatory #9 with respects to plaintiffs Herman Lewis, Crystal Johnson, Gregory Tucker, Sr., Chanelle James, Catherine Kimmel, Vanessa Martin, Antoinette Mingo, and Mark R. Englander. Regarding information already produced, please supplement responses lacking the usernames for each account, e-mail addresses associated with the account, and the dates of membership.

Interrogatory #10: Interrogatory #10 asks Plaintiffs to identify any of the findings of fact made by the three-judge panel in *Dickson, et al., v. Rucho, et al.*, No. 11 CVS 16896, and *North Carolina State Conference of Branches of the NAACP, et al., v. State of North Carolina, et al.*, No. 11 CVS 16940 with which they disagree. Plaintiffs have objected on the grounds that the interrogatory is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiffs in this case have challenged the legality of a number of North Carolina legislative districts. Plaintiffs' factual contentions regarding findings of fact made by the *Dickson* court regarding these same legislative districts are relevant to Plaintiffs' claims that the districts violate the law. Furthermore, Interrogatory #10 does not seek Plaintiffs' legal opinions or conclusions regarding the previously made findings of fact. The interrogatory instead seeks to understand why Plaintiffs believe that any finding of fact made by the *Dickson* court with respect to a district in which they reside is erroneous. It is also difficult to understand Plaintiffs' objection regarding the "pending litigation" in *Dickson* since Plaintiffs have repeatedly contended that they

are different from those in *Dickson*. Finally, Plaintiffs have served 456 separate Requests for Admissions on Defendants in this matter seeking similar factual information from Defendants. In fairness, Plaintiffs should provide responses to this Interrogatory.

Requests for Production: In response to Defendants' Requests for Production from the thirty-one (31) individual plaintiffs, Plaintiffs produced thirty-three (33) pages of documents, including a number of blank pages. This production consists of six e-mail alerts from various advocacy groups that only briefly mention the redistricting process, one publicly-available newspaper article describing the instant lawsuit, photocopies of plaintiffs Claude Harris III's and Vanessa Martin's NAACP membership cards and related mission statements, and one email, with attachment, to plaintiff Milo Pyne regarding generic talking points for an upcoming redistricting public hearing.

Based on the broad requests and the number of individual plaintiffs responsible for producing relevant documents, Plaintiffs' discovery responses appear substantially deficient and require supplementation. By way of example, in response to Interrogatory #3, twelve (12) plaintiffs indicated they have been involved in some way with a number of advocacy organizations. Request for Production #3 seeks documents relating to or reflecting involvement in these advocacy organizations. Plaintiffs' production, though, lacks documents evidencing these involvements for the majority of the twelve plaintiffs who indicated involvement. For example, one would expect to see documents such as membership cards, records of dues paid or contributions made, and similar documents with respect to these Plaintiffs. These examples are merely illustrative of the deficiency that we believe exists with respect to this response and are not exhaustive since Defendants do not know what additional documents, if any, Plaintiffs may have in their possession.

Please confirm that Plaintiffs have conducted meaningful searches of their electronically stored information and email archives by providing the databases searched, the custodians searched, search terms used, and any limitations to the searches. To the extent Plaintiffs are withholding any materials, provide an appropriate log identifying the information or materials withheld and the basis for withholding these materials.

Request for Production #1: Request for Production #1 seeks documents regarding each Plaintiff's responsibility for paying attorney's fees and costs in this litigation. Plaintiffs have objected to this request on the grounds that it seeks attorney-client privileged information and that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiffs have not shown how the information sought in this request infringes on plaintiffs' attorney-client privilege. As with Interrogatory # 6 above, the documents sought are relevant to the issue of how each individual plaintiff became involved in this lawsuit, their reasons for doing so, and defenses that have been raised by Defendants to the claims asserted in this matter.

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Thank you in advance for your prompt attention to these issues. Please do not hesitate to contact me should we need to discuss any matter raised in this letter.

Sincerely,



Michael D. McKnight

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