

# EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

No. 1:15-CV-00399

SANDRA LITTLE COVINGTON, )

et al., )

Plaintiffs, )

v. )

THE STATE OF NORTH CAROLINA, )

et al., )

Defendant. )

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DEPOSITION OF VIOLA FIGUEROA

Volume I

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3:42 P.M.

FRIDAY, FEBRUARY 5, 2016

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OGLETREE, DEAKINS, NASH, SMOAK & STEWART

4208 SIX FORKS ROAD, SUITE 1100

RALEIGH, NORTH CAROLINA 27609

By: Sophie Brock, RPR, CRR

1 Q. Okay.

2 Have you held any other positions in any  
3 kind of political organization?

4 A. No.

5 Q. And let's go with since you came back to  
6 Wayne County 12 years ago.

7 A. I was a treasurer, at one point, for the  
8 African American Caucus, before taken on as president.

9 Q. All right. Are you still a member of the  
10 African American Caucus?

11 A. No.

12 Q. Okay. But I assume you are still a member of  
13 Democratic Women, if you are --

14 A. Yes.

15 Q. -- still the Region 8 director?

16 A. Yes.

17 Q. All right.

18 Let me turn to some -- to this case  
19 specifically. How did you become a plaintiff in this  
20 case?

21 A. Other than living in the position -- the  
22 district at the time -- location -- I was asked by  
23 Mr. Doug William -- Wilson -- Doug Wilson -- about it.

24 Q. Okay. And who is Doug Wilson?

25 A. He -- I forgot what position holds at the

1 Democratic headquarters in Raleigh.

2 Q. All right. But is it your understanding that  
3 he is with the Raleigh headquarters of the Democratic  
4 Party?

5 A. Yes, sir, he is.

6 Q. All right. How long have you known him?

7 A. About a year and a half, two years.

8 Q. All right. How did you meet him?

9 A. Via the Democratic headquarters and  
10 Kay Hagan.

11 Q. And Kay Hagan?

12 A. Yes.

13 Q. Was that in connection with the Kay Hagan  
14 campaign?

15 A. Yes, sir.

16 Q. Did you do any work with that campaign?

17 A. Volunteer, so that I would know more about  
18 the ins and outs of the political world.

19 Q. All right. Have you volunteered with other  
20 campaigns?

21 A. Senator Davis. And I am currently a campaign  
22 manager for -- well, a DA who's going for a judge.

23 Q. All right. Is that in Wayne County?

24 A. Yes, sir.

25 Q. Okay. Do you recall whether Mr. Wilson

1 contacted you or approached you about being a  
2 plaintiff in the case, or did you approach him about  
3 it?

4 A. No, he called me.

5 Q. He called you; so it was by telephone call?

6 A. Yes.

7 Q. Okay. Do you recall when that was?

8 A. I'm going to say last summer, if I had to  
9 guess.

10 Q. All right. And again, this is not a test --

11 A. Right.

12 Q. -- I'm just asking to the best of your  
13 recollection.

14 A. Yes. I believe 2015. Summer of 2015.

15 Q. Okay. Since it was a telephone conversation,  
16 was anyone else involved in that telephone  
17 conversation?

18 A. Not that I know of.

19 Q. All right. Do you recall what he said to you  
20 when he called?

21 A. Word for word, no, but that, because I lived  
22 in the district that was affected -- involved, he  
23 asked me would I be willing to participate in it; and  
24 I said yes.

25 Q. All right. Did you say yes right then --

1 A. Yes.

2 Q. -- on the phone?

3 A. Yes.

4 Q. What he did tell you -- let me back up.

5 You said since you lived in the district  
6 that was affected. Which district are you talking  
7 about?

8 A. District 5 -- Senate District 5 and House 21.

9 Q. Both of those districts?

10 A. Yes.

11 Q. All right.

12 Did he -- what did he tell you about the  
13 lawsuit? About what the goal was or ...

14 A. I don't recall him mentioning what the end  
15 goal was. However, when he was saying about the way  
16 it was redistricting, how it could -- or it affected  
17 the black voters, that's why I said yes. And  
18 I didn't -- I don't feel personally he would have, you  
19 know, reached out to ask me to be a part of anything  
20 that would be harmful, so I trusted him with that.

21 Q. Okay. Did you have any conversation with him  
22 about -- after that conversation, about the lawsuit?

23 A. No, because shortly thereafter, a gentleman  
24 contacted me -- and I don't remember his name --  
25 contacted me, informed me what it was about, the gist

1 of it, and that he would be forwarding some  
2 information to me.

3 Q. Okay. Did you say you don't recall that  
4 gentleman's name?

5 A. No. It was a -- no, I don't remember.

6 Q. Do you recall where he was from?

7 A. That was through the Southern Coalition.

8 Q. Somebody from the Southern Coalition --

9 A. Yes.

10 Q. -- contacted you? Okay.

11 When you talked with Mr. Wilson, did he have  
12 any conversation with you about how the lawsuit would  
13 be paid for? How the attorneys would be paid in the  
14 case?

15 A. No.

16 Q. Did the topic of payment come up at all?

17 A. No. No.

18 Q. So you didn't ask him?

19 A. I didn't ask him. It did not come up. I did  
20 ask the gentleman that initially made contact with me,  
21 would we, as plaintiffs, have to pay anything. He  
22 said no.

23 Q. Okay. Do you know how the lawyers are being  
24 paid? Do you know?

25 A. No, sir.

1 BY MR. PETERS:

2 Q. The document is the First Amended Complaint  
3 in this lawsuit, and it is 95 pages. I fully  
4 recognize it is long.

5 So let me ask you this: Going back, you  
6 said you had a conversation with Mr. Wilson about  
7 whether or not you would participate in this lawsuit.  
8 You had a conversation with the gentleman whose name  
9 you don't remember at the Southern Coalition for  
10 Social Justice. Between that time and the time the  
11 lawsuit was filed, do you recall any other  
12 conversations that you had with anyone about the  
13 lawsuit?

14 And before I finish that question, I want to  
15 be really clear that if it's a conversation you had  
16 with one of your lawyers, I don't want to know what  
17 you talked about. I'm not asking you to tell me what  
18 was said.

19 But just do you recall between that  
20 conversation with the gentleman at the Southern  
21 Coalition and the time the lawsuit was filed -- do you  
22 recall whether there were more conversations about the  
23 lawsuit?

24 A. No.

25 Q. Okay. No, you don't recall?

1 A. No, there was no conversation.

2 Q. Okay. Do you recall anybody ever saying to  
3 you, "This is doc-" -- or providing you with a  
4 document that was going to be filed in the case?

5 A. No. There was no conversation or document.

6 Q. All right.

7 Do you know when the case was filed?

8 A. No.

9 Q. All right. Between the time that you --  
10 well, strike that.

11 Let me ask you to look at page 24.

12 MS. RIGGS: You don't have a color copy  
13 of this, do you?

14 MR. PETERS: I'm afraid I don't. Yeah,  
15 this really isn't going to work without a color copy.

16 MS. RIGGS: I have one color copy we  
17 could use.

18 MR. PETERS: I don't think it's a big  
19 enough deal to worry about that at this point --

20 MS. RIGGS: Okay.

21 MR. PETERS: -- so let's just strike  
22 that.

23 BY MR. PETERS:

24 Q. Let me hand you -- this isn't quite as thick  
25 as the last exhibit was. This is going be a Figueroa

1 date of birth and address you've given earlier in the  
2 deposition; right?

3 A. Yes.

4 Q. All right. Do you recall when anyone  
5 obtained that information from you about your date of  
6 birth and your address?

7 A. No, I do not.

8 Q. Okay.

9 Let me ask you to keep turning a little bit.  
10 Let me ask you to look at page 12. Are you there?

11 A. Yes.

12 Q. Do you see the Interrogatory No. 2?

13 A. Um-hum.

14 Q. And tell me if I'm reading this correctly:

15 "Identify any political party  
16 organization, political committee,  
17 candidate campaign committee, or  
18 related organization for which you  
19 have worked, volunteered, or held  
20 any position with since January 1,  
21 2004. For each organization  
22 identified, state the dates you  
23 worked, volunteered, or held any  
24 position with the organization,  
25 the nature of the work or

1 volunteer duties you performed for  
2 the organization, and the  
3 position(s) you held with the  
4 organization."

5 Do you see that?

6 A. Yes.

7 Q. All right. Let me ask you to look at the  
8 next page, page 13, and again, tell me if you see your  
9 name a little down below the middle of the page.

10 A. Yes.

11 Q. All right. And you see it says:

12 "President of the African American  
13 Caucus of the Wayne County  
14 Democratic Party."

15 A. Yes.

16 Q. It does not say anything about Democratic  
17 Women, does it?

18 A. No.

19 Q. And it doesn't say anything about your role  
20 as a precinct chair, does it?

21 A. No.

22 Q. And it doesn't say anything about you working  
23 with the Kay Hagan campaign, does it?

24 A. No.

25 Q. Or with Donald Davis's campaign?

1 A. No.

2 Q. All right.

3 Do you recall when anybody asked you for  
4 this information or gathered this information from  
5 you?

6 A. No.

7 Q. Okay. Do you recall that anybody ever asked  
8 you for this kind of information?

9 A. No.

10 Q. Okay. All right.

11 Let's keep turning through the pages. This  
12 takes a little while sometimes because there are lots  
13 of names here, and obviously the answers are being  
14 given for every plaintiff.

15 Let me ask you to look at No. 4 on page 30.  
16 And it's long, so rather than me reading the whole  
17 thing, I'm just going to ask you to read it, if you  
18 will.

19 A. Okay.

20 Q. I'm just going to ask you -- take these  
21 organizations in here one by one -- whether you've  
22 ever been a member of the North Carolina State  
23 Conference of Branches of the NAACP?

24 A. No.

25 Q. What about the League of Women Voters?

1 Q. Let me ask you to look further down that page  
2 and the next page. Do you see anything where that is  
3 listed, that you were a plaintiff in that case?

4 I'll represent to you I see a Julian Charles  
5 Pridgen, and that's the only person I see listed under  
6 that before you get to the next interrogatory, 9.

7 A. Are we on page 40?

8 Q. We were on page 39, going on to page 40.

9 A. Okay.

10 Q. But you'll see Interrogatory 9 starts toward  
11 the top of page 40.

12 A. Okay.

13 Q. So your name is not listed there as having  
14 had a previous lawsuit?

15 A. No, sir, it's not.

16 Q. Do you recall anybody seeking that  
17 information from you?

18 A. No, sir.

19 Q. Okay.

20 Now, on page 40, if you look at  
21 Interrogatory 9, do you see it asks for social media  
22 information?

23 A. Yes.

24 Q. And do you see down at the bottom, it says,  
25 at the very bottom of page 40, that you have a Twitter

1           Now, let me ask you to turn back to page 45.

2           A. Okay.

3           Q. You'll see down at the bottom there a heading  
4 that's "Request for Production" of documents?

5           A. Yes.

6           Q. And this is where we ask the plaintiffs to  
7 produce a variety of documents that we believe are  
8 pertinent to the case.

9           To your recollection, has anybody asked you  
10 whether you have in your possession any documents that  
11 might be relevant to this case or relevant to a  
12 response from the defendants?

13          A. No, they have not asked.

14           MR. PETERS: Let me ask you a question.  
15 We've been going about an hour. I don't have a whole  
16 lot more, but enough more that if anybody wants to  
17 take a break ...

18           My guess is, if we don't take a break, we're  
19 probably talking maybe 15 more minutes.

20           MS. RIGGS: It's up to you.

21           MR. PETERS: I'll leave it up to you  
22 whether you want to keep going or --

23           THE WITNESS: If I can get something to  
24 quench my thirst.

25           MR. PETERS: Absolutely.

1 Q. -- that I believe we received last night --

2 MR. LAWLER: Early this morning.

3 BY MR. PETERS:

4 Q. -- or early this morning, between the time  
5 I last looked at email last night and the time  
6 I looked at it this morning.

7 MR. PETERS: And I'll note again there's  
8 no verification, so I can assume that's coming?

9 MS. RIGGS: Yes.

10 MR. PETERS: Okay.

11 BY MR. PETERS:

12 Q. Let me ask you to look at page 4 -- actually,  
13 start at page 3, and you'll see Interrogatory 3. And  
14 that should be the same question about member in the  
15 NAACP and other groups?

16 A. Yes.

17 Q. And do you see on page 4 that it says you're  
18 not a member of these organizations?

19 A. That is correct.

20 Q. And, again, do you recall anybody asking you  
21 for that information?

22 A. No one has asked.

23 Q. Okay. Look down at the bottom of that page,  
24 you'll see Interrogatory 4?

25 A. Yes.

1 A. No.

2 Q. Do you know how that information might have  
3 been obtained to make this response, if you weren't  
4 asked about it?

5 A. Correction.

6 Q. Sure.

7 A. I was asked if I was a member of any of those  
8 organizations, and I told them no, I was not --

9 Q. Okay.

10 A. -- but I do get emails.

11 Q. Okay.

12 A. Yes.

13 Q. Well, just so that we're clear, there were a  
14 number of things I asked you about before where  
15 I asked you if anyone had asked you about them and you  
16 said no. Do we need to go back and look at those  
17 again to see if somebody might have asked you about  
18 them?

19 We can do that if we need to, because  
20 I don't want to -- I want to make sure we're accurate  
21 here.

22 A. Prior to yesterday, no, no one had asked me  
23 about any of those other items you asked me about.

24 Q. But yesterday you were asked about them?

25 A. Yes.