

EXHIBIT 9

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.)
_____)

DEPOSITION OF GREGORY TUCKER
Volume I

2:59 P.M.

THURSDAY, FEBRUARY 11, 2016

OGLETREE, DEAKINS, NASH, SMOAK & STEWART
4208 SIX FORKS ROAD, SUITE 1100
RALEIGH, NORTH CAROLINA 27609

By: Sophie Brock, RPR, CRR

1 case?

2 A. I became a plaintiff in this case -- I was
3 referred by Betsy Leach, a Democrat in Greenville.
4 I was referred to someone on a state level of the
5 Democrats. And I can't recall this guy's name because
6 it was so -- it was last year.

7 And from there, he called me, and we talked,
8 and he explained what this case was going to be about.
9 And he had my attorneys, Poyner & Spruce [sic] -- if
10 I'm saying it right.

11 Am I? Because I mess it up every time. I'm
12 being honest. I mess it up every time.

13 And they called me and we spoke about this.

14 Q. Okay. Let me back up on that just a little
15 bit.

16 You said you talked with Betsy Leach?

17 A. Mm-hmm.

18 Q. And who is she exactly?

19 A. She is a member of the Pitt County Democrats.

20 Q. All right. Did she approach you about being
21 a plaintiff in the case, or did you approach her?

22 A. She had mentioned it to me, and I said would
23 it be okay to give him my name.

24 Q. Okay.

25 A. I cannot tell you the guy's name.

1 Q. Might it have been Doug Wilson?

2 A. That's him.

3 Q. Okay.

4 A. That's him. Doug Wilson, yes. Because
5 I talked to him several times.

6 Q. All right. Do you remember when you had
7 conversations with him?

8 A. I cannot -- no. I cannot tell -- I know I've
9 had several conversations with him, but dates, times,
10 I cannot give you, no.

11 Q. That's fine. Like I said, this is not a
12 test.

13 A. Mm-hmm.

14 Q. So am I correct in understanding that Betsy
15 Leach approached you; you told her it would be fine
16 for Doug Wilson to contact you; and then he contacted
17 you?

18 A. Yes.

19 Q. And then am I correct that after some
20 conversations with him, he referred you to Poyner &
21 Spruill?

22 A. Yes.

23 Q. All right. When you had the conversations
24 with Doug Wilson, was anyone else involved in those
25 conversations?

1 Q. Did he talk at all about whether you would be
2 responsible for paying any of the cost of the case?

3 A. I know that I'm not responsible for paying
4 for it. I got paperwork on that that stated I'm not
5 responsible for payment.

6 Q. Okay. What paperwork is that?

7 A. There's a special word used for that type of
8 paperwork, because it came from the lawyers' office
9 and I signed it. But I can't tell you what the name
10 of it is called, because I'm not a lawyer --

11 Q. That's fine.

12 A. -- but I did sign it, and it did read that
13 I was not responsible for payment.

14 Q. Okay. Might it have been called a retention
15 letter?

16 A. A retention letter?

17 Q. Mm-hmm.

18 A. That doesn't sound like it, no.

19 Q. Okay.

20 MR. PETERS: I'll note we haven't gotten
21 that in production. Is that -- privilege being
22 claimed for that?

23 MS. MACKIE: We're debating. We'll be
24 in touch about that.

25 MR. PETERS: Okay.