

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
NO. 1:15-CV-00399

SANDRA LITTLE COVINGTON,)
et al,)
)
Plaintiffs,)
)
vs.)
)
THE STATE OF NORTH)
CAROLINA, et al.,)
)
Defendants.)
)

DEPOSITION OF MILO PYNE

9:08 A.M.

FRIDAY, FEBRUARY 12, 2016

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

By: Cynthia S. Boyd, RPR



1 when you first learned about that?

2 A. I don't recall exactly.

3 Q. How about the one that you mentioned that
4 was in the paper yesterday? It's called Dickson
5 versus Rucho sometimes.

6 A. I think I wasn't -- it was hard to keep
7 track of how many there were. So I was aware of
8 the one involving Mr. Harris because I know
9 Mr. Harris. I was not aware of the other one until
10 here recently.

11 Q. All right. How do you know Mr. Harris?

12 A. We have served together on the
13 Coordinating Committee of the People's Alliance and
14 we have served together on the Executive Committee
15 of the Durham Democratic Party as well as the State
16 Executive Committee of the Democratic Party.

17 Q. And when you say "the People's Alliance,"
18 is that a group in Durham?

19 A. It is a community group in Durham that has
20 its own political action committee, and David
21 served as the president of the parent C4
22 organization.

23 Q. What sorts of advocacy or activities is
24 People's Alliance involved with?

25 A. They work on economic justice issues,

1 civil rights issues, environmental issues, that
2 sort of thing.

3 Q. Did you review any documents in
4 preparation for your deposition today?

5 A. No.

6 Q. And other than this lawsuit, have you ever
7 been involved in another lawsuit as a party either
8 as a plaintiff or defendant? And that could be
9 civil or criminal.

10 A. Not as I recall.

11 (Pyne Exhibit No. 1 was marked for
12 identification.)

13 BY MR. McKNIGHT:

14 Q. Mr. Pyne, I'm going to hand you an exhibit
15 that I'm going to mark as Pyne Exhibit 1. I'm also
16 going to hand a copy to your counsel. I want you
17 to take a minute to look at this document and let
18 me know if you're ready for some questions.

19 A. Yeah. Go ahead.

20 Q. All right. Mr. Pyne, do you recognize
21 this document?

22 A. It appears to be a printout from a website
23 of the North Carolina State Board of Elections and
24 it appears to be my voter information file.

25 Q. All right. And looking at the left-hand

1 large, it can be split and that's happened in parts
2 of Durham where lots of new apartment houses are
3 constructed and all of a sudden the precinct is
4 enormous and it's too large. It's all got to be in
5 one polling place and there has to be so many
6 square feet and parking places and so forth, and
7 all those factors might mitigate the precinct be
8 split. So we have one called like 30-1, 30-2, so
9 on and so forth. So they will be split simply when
10 they become too large but there's no requirement
11 for them to be equal population.

12 Q. Do you believe that you have been harmed
13 in the manner in which Senate District 20 or House
14 District 29 is currently drawn?

15 A. Well, I believe that all the people of the
16 state of North Carolina are harmed when we're
17 provided with unconstitutional districts and I
18 believe these districts are unconstitutional
19 because they pack African-American voters -- they
20 unnecessarily pack African-American voters in
21 certain districts as opposed to others and that
22 deprives the African-American community of its
23 political influence in these other districts in
24 which they are not the majority. So both these
25 districts have increased their proportion of

1 African-American voters between the pre 2010 and
2 post 2010 districts.

3 Q. So you don't believe African-American
4 voters are deprived of any influence in the two
5 districts that you live in, House District 29 and
6 Senate District 20?

7 A. They're not deprived -- well, let me
8 think. Not in that district. They're deprived of
9 influence in the adjacent districts. So the
10 districts are made more demographically uniform in
11 terms of race, which is egregious.

12 Q. You use the term "packing" and that's a
13 term that we see thrown about a lot in these
14 redistricting disputes. What does the term
15 "packing" mean to you?

16 A. Well, it means that the members of this
17 group, in this case African-Americans, and I'm sure
18 there's other ways that could work out, but it's
19 possible to do this because of the distribution of
20 people of different racial and ethnic groups into
21 neighborhoods and districts. So prior to 2010,
22 these districts had African-American
23 representatives but they were not majority black
24 districts. So that showed that people of all races
25 were willing to vote for these particular