

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

COMMON CAUSE, et al.,)
)
Plaintiffs,)
)
vs.) CIVIL ACTION NO.
) 1:16-CV-1026-WO-JEP

ROBERT A. RUCHO, in his official)
capacity as Chairman of the North)
Carolina Senate Redistricting)
Committee for the 2016 Extra)
Session and Co-Chairman of the)
Joint Select Committee on)
Congressional Redistricting,)
et al,)
)
Defendants.)

LEAGUE OF WOMEN VOTERS OF,)
NORTH CAROLINA, et al.,)
)
Plaintiffs,)
)
vs.) CIVIL ACTION NO.
) 1:16-CV-1164-WO-JEP

ROBERT A. RUCHO, in his official)
capacity as Chairman of the North)
Carolina Senate Redistricting)
Committee for the 2016 Extra)
Session and Co-Chairman of the)
Joint Select Committee on)
Congressional Redistricting,)
et al,)
)
Defendants.)

DEPOSITION OF JOHN J. QUINN, III

11:00 A.M.
MONDAY, APRIL 10, 2017

THE JACKSON BUILDING
22 SOUTH PACK SQUARE, 12TH FLOOR
ASHEVILLE, NORTH CAROLINA

1 A. Yes, sir, I do recognize this as such.

2 Q. And did you understand that you were
3 answering the interrogatories under oath?

4 A. Yes, sir.

5 Q. And do you believe that your answers were
6 true and accurate?

7 A. Yes, sir.

8 Q. And if you happen to see anything in these
9 today that you think is not accurate, will you let me
10 know so we can correct that for the record?

11 A. Yes, sir.

12 Q. All right. I just want to look at
13 interrogatory number 1 then. You were asked to state
14 the addresses where you have lived in the past ten
15 years, and you listed your address as 428 Sunset Drive
16 in Asheville, is that right?

17 A. Yes, sir.

18 Q. And is that the only address that you've
19 lived at since you've lived in Asheville?

20 A. Yes, sir.

21 Q. And you also were asked about congressional
22 elections that you had voted in, and you said that you
23 voted for a candidate running for Congress in the 2016
24 election, is that right?

25 A. Yes, sir.

1 Q. And was your candidate of choice elected in
2 that election?

3 A. No.

4 Q. And from 2005 to 2011 you say you were
5 assigned to the 11th Congressional District, is that
6 correct?

7 A. Yes, sir.

8 Q. And you say in 2011 you were assigned to the
9 10th Congressional District?

10 A. Yes, sir.

11 Q. From 2005 to 2011 when you were in the 11th
12 Congressional District was your candidate of choice
13 elected between those years?

14 A. Yes, sir.

15 Q. So he was elected then?

16 A. Yes, sir.

17 Q. And during that time the 11th Congressional
18 District it was represented, I guess, until the
19 beginning of 2007 by Charles Taylor, right?

20 A. Yes, sir.

21 Q. Okay. And did you ever have occasion to vote
22 for Mr. Taylor?

23 A. No, sir, I never voted for Mr. Taylor.

24 Q. And that was because you moved from the
25 Washington area down here after that election, is that

1 right?

2 A. Well, I had an opportunity to vote for Mr.
3 Taylor in 2006. I did not take advantage of that
4 opportunity.

5 Q. Okay. I take it you voted for his opponent
6 who was Hugh Shuler, is that right?

7 A. That is correct, and I did vote for Mr.
8 Shuler.

9 Q. And then after -- from 2006 and 2008, and
10 2010, Mr. Shuler was elected and reelected, is that
11 right?

12 A. Yes, sir.

13 Q. All right. And then in 2012 you were shifted
14 to the 10th Congressional District, is that right?

15 A. Yes, sir.

16 Q. But back in the 11th Congressional District,
17 if you know this, Mr. Shuler chose not to run again,
18 is that right?

19 A. That is right.

20 Q. So, even if you had been living in the 11th
21 Congressional District in the 2012 election you could
22 not have voted for Mr. Shuler, right?

23 A. I could not have voted for Mr. Shuler because
24 did not run. His Chief of Staff ran instead.

25 Q. Now, in the 10th District you've been

1 represented since, I guess 2013, by Patrick McHenry,
2 is that right?

3 A. Well, before that. I mean, Mr. McHenry has
4 been holding that office ever since I've been in that
5 district.

6 Q. All right. So whenever -- I guess we can say
7 you started living in the 10th District --

8 A. There was an election in 2012, in which I
9 participated in the 10th District, that Mr. McHenry
10 won.

11 Q. Okay. Now, you say here in part (d) you
12 voted in every congressional election since 2002.
13 Before 2006 you were referring to elections you voted
14 in in Maryland, is that correct?

15 A. That is correct.

16 Q. Okay. Now, have you had any contact with Mr.
17 McHenry since he's represented you after the 2011
18 round of redistricting?

19 A. I have sent e-mails to his office.

20 Q. And can you tell me how many times you did
21 that?

22 A. I don't know. I don't recall offhand.

23 Q. Do you recall if you ever received a
24 response?

25 A. Yes, I have received responses.

1 with Mr. Sarver took place?

2 A. It was on the phone. It was a telephone
3 call.

4 Q. But you don't remember when, like around the
5 date?

6 A. Unfortunately, I don't have any notes with
7 me. I could probably piece it together if I went home
8 and tried to figure it out, but I don't know.

9 Q. Now, before Mr. Sarver contacted you, had you
10 planned to file a lawsuit related to redistricting, or
11 specifically the 2016 congressional districts?

12 A. I had not planned it, but I had considered
13 it. As we've mentioned, I'm very active in my local
14 Democratic Party, and when the 2011 maps came out I
15 expressed my concern about them.

16 When the new maps came out in 2016 I
17 expressed my concern about them, to the extent of
18 stating that these need to be challenged in court.

19 Q. And who did you express those concerns to?

20 A. To a room full of people; anyone who would
21 listen.

22 Q. And do you recall on what occasion you
23 expressed those concerns?

24 A. We have regular meetings over at our Party
25 headquarters. We have volunteer luncheons. We have

1 officers' meetings. We have monthly dinners. And I
2 would get up to the microphone during those occasions
3 and express myself.

4 Q. Now, what was your concern about the
5 districts? What is your concern about the districts,
6 specifically speaking of the 2016 congressional
7 districts?

8 A. Well, my concern about the 2016 redraw is
9 that we have not yet achieved what we set out to
10 achieve; and that is fair districts that give North
11 Carolina voters an honest chance to choose their
12 representatives.

13 Q. And in your view what would that look like?
14 How should the districts look like, in other words?

15 A. The districts should be compact. Land masses
16 within the districts should be contiguous, not
17 separated by large bodies of water or other such
18 obstacles. Congressional districts should respect
19 existing political boundaries to the fullest extent
20 possible, be they precinct boundaries or county lines.

21 Congressional districts should respect
22 natural geographic boundaries: Bodies of water,
23 mountains, gorges, other significant land formations.
24 And, of course, congressional districts should have
25 equal populations, and congressional districts ought

1 number of counties that were split, do you know how
2 the number of counties that were split in the 2016
3 plan compares to the number that were split in prior
4 plans, either plans drawn in 2011 or before then?

5 A. Again, off hand, no, but as I eyeball the
6 2011 and 2016 maps, there appear to be fewer counties
7 split in 2016 than in 2011.

8 Q. All right, and in terms of precincts, do you
9 know how many precincts were split in 2016 versus
10 previous maps? Do you know if it was more or less?

11 A. That I don't know, because I know that I
12 still suffer from split precincts locally, which
13 complicate the administration of elections and make
14 them more expensive.

15 I don't know how widespread that phenomenon
16 is. There is 2709 precincts in the state the last
17 time I saw. And I know I've got enough split
18 precincts in my own county to be concerned about it.

19 Q. Do you know how many precincts were split in
20 Buncombe County?

21 A. Do I know the exact number? No, I don't.

22 Q. Do you live in a split precinct?

23 A. I do not.

24 Q. And you say that that causes more costs in
25 election administration, is that right?

1 A. Yes, sir.

2 Q. Do you know how much more cost there would
3 be?

4 A. I don't have a specific number.

5 Q. Again, what's your basis for saying that?

6 A. My basis for saying that is because I am very
7 active with our Board of Elections. I attend most
8 every Board of Elections meeting.

9 I am aware that in several precincts in this
10 county we use multiple ballot styles because those
11 precincts are split between legislative districts, be
12 they U.S. congressional districts or state legislative
13 districts.

14 Every time the county has to introduce
15 multiple ballot styles it introduces risks that some
16 voters might end up with the wrong one. It also makes
17 it so that our staff have to be that much more careful
18 in greeting voters and making sure that they get that
19 right ballot style.

20 We do have the occasional error where the
21 improper ballot style is given to the voter. That
22 requires a good deal of time on the back end to
23 correct. I have been in attendance at any number of
24 Board of Elections meetings and canvasses where these
25 issues have to be addressed, and it takes a lot of

1 time. It takes a lot of staff time.

2 It takes a lot of research to make sure that
3 when we have these split precincts that we make sure
4 that we get every household located exactly where it's
5 supposed to district wise; and then make sure that the
6 members of those households receive the correct ballot
7 styles. It's labor intensive.

8 Q. And can you say whether there has been more
9 or less of that as a direct result of the 2016
10 congressional redistricting?

11 A. More or less relative to --

12 Q. Previous elections that you've been involved
13 in.

14 A. I would say that we saw just as much issue in
15 2016 as we saw in '14 and '12. I believe that some
16 voters have been very confused about which districts
17 they are in because our lines have been changed so
18 much recently.

19 Just here in Asheville, there are households
20 that were in one district in 2010, a different
21 district in 2012, '14, and then a different district
22 for 2016. That kind of confusion is expensive. We
23 have to make sure that voters know where they are
24 supposed to go. That voter education requires
25 resources. We have to send mail outs to voters

1 reminding them of their current precinct location, as
2 well as the districts in which they are eligible to
3 vote.

4 That changes a lot. It has changed a lot in
5 Buncombe over the past eight years, and there is a
6 good deal of expense associated with that. I know,
7 because our Board of Elections has to continue to add
8 to its budget. It has added to its staff. It's added
9 two full-time staff members over the past three years
10 because of these additional complications.

11 Q. Do you know if it's because of that or it's
12 because of population growth? Do you know what
13 factors go into why the Board of Elections might have
14 to hire more people?

15 A. We do have population growth occurring in
16 Buncombe County; there is no doubt about that. But we
17 also have an election calendar that has been made very
18 challenging in recent years with new districts, with
19 special elections, and government has to devote
20 sufficient resources to make sure that even with those
21 new difficulties we have, that we have smooth, fair
22 elections, and so they have had to hire more staff.

23 Q. Now, can you identify any specific people or
24 persons who were in one of the congressional districts
25 in 2012 or 2014 elections and were in a different one

1 and tells me they are confused, I unconfuse them.

2 Q. You straighten them out?

3 A. That's what I do. I say, here, let me help
4 you. I can answer this for you, and I can tell you
5 what's going on and so I do. It's part of what I do
6 in my community.

7 Q. And you've been able to successfully do that.

8 A. For people whom I actually encounter, I can
9 get it across. But for people I don't encounter, for
10 people who don't come up to me and ask questions, I
11 don't have that opportunity.

12 Q. Uh-huh. Now, have you ever served on the
13 Board of Elections or have you held any role with the
14 Buncombe County Board of Elections since you've lived
15 here in Asheville?

16 A. No, sir.

17 Q. And you say that you've observed things at
18 the elections board. In what capacity were you
19 observing things?

20 A. I have observed at the Elections Board in
21 multiple capacities.

22 Q. Okay.

23 A. The first time was in 2007 when I was working
24 on a political campaign, and I was a witness for the
25 recounts in that campaign, and that's when I fell in

1 love with the work. And I have been monitoring Board
2 of Elections ever since.

3 I have been the Buncombe County Democratic
4 Party's liaison to the Board of Elections for the past
5 few years. I'm a liaison of the local NAACP chapter
6 to the Board of Elections.

7 And what I do in those roles is, I report on
8 what was discussed, what was decided at the Board of
9 Elections to those two groups just to keep them up to
10 date on what's happening. Most of the issues that are
11 handled at the Board, you know, folks aren't going to
12 get real concerned about, you know, the mundane stuff.
13 But things such as scheduling, early voting, and
14 choosing election sites, there is a good deal of
15 interest; and I've participated as much as I possibly
16 could in those discussions.

17 I've also participated in recounts. I've
18 participated in discussions of election issues, voter
19 eligibility questions. I'm very engaged with my local
20 Board.

21 Q. And I can tell that. And I guess I should
22 ask you a more narrow question like -- and I'm
23 thinking about there was a special election for
24 Congress in 2016, right?

25 A. Right.

1 Q. Did have any involvement with the Board of
2 Elections in connection with that special election?
3 There was a primary, I guess.

4 A. Right, there was. No, I don't work for the
5 Board of Elections but because I'm so interested in
6 the electoral process, as a citizen I take advantage
7 of our open meetings, and I go down, and I offer my
8 opinions, and I ask questions.

9 I can't think of anything specifically with
10 respect to the special election that we had last year
11 that --

12 Q. And how about the 2016 general election? Did
13 you have any interaction with the Buncombe County
14 Board in connection with that election?

15 A. Well, I'm there all the time. And so when we
16 were recounting and recounting and recounting I was
17 there every second observing, asking questions when
18 they needed to be asked.

19 Q. Now, the recounts you were talking about were
20 not for Congress, though, correct?

21 A. No, it was for governor.

22 Q. And you were there to represent the Cooper
23 campaign?

24 A. No, sir. There was an attorney there
25 representing the Cooper campaign. I go there because

1 I just care. And then I'll tell my local party and
2 I'll tell the NAACP, but even if they don't want to
3 know I'm going to go there because it's what I do.
4 Retirement is pretty cool.

5 Q. Now, looking down the page here,
6 interrogatory 5 you were asked about other legal
7 proceedings you were involved in.

8 A. Uh-huh. Oh, yeah. Okay.

9 Q. Well, let me stop. Have we talked about
10 every way, the concerns or issues that you had with
11 the way the 2016 congressional districts were drawn or
12 were you just getting started?

13 A. With the way they were drawn.

14 Q. Yeah. The concerns with the districts that
15 have caused you to join in this lawsuit.

16 A. Oh, I have a lot of concerns that prompted me
17 to join this lawsuit.

18 Q. Well, tell me about the ones that you haven't
19 told me about so far.

20 A. Okay. I'm very active in my party. One of
21 the things that I try to make sure we do is run good,
22 strong candidates in each and every race. Now I might
23 reside in the 10th District but I care about all 13.
24 I'm a North Carolina Democrat and I've held office at
25 the state level within the Party.

1 And I'm very concerned that when I see
2 districts that are not drawn in a way that gives
3 voters a real chance to choose their representatives
4 because the representatives seem to be doing a real
5 good job choosing their voters -- I get concerned
6 about my ability to recruit candidates. I have
7 concerns about my ability to raise funds. I have
8 concerns about my ability to generate a strong
9 volunteer base. Because if I see the playing field is
10 tilted, then I know there are that many more people
11 who will not want to play on it.

12 People want a level playing field, as level
13 as possible so that they have the best chance for
14 their hard work to benefit them. When they see it
15 tilted, a lot of times they won't even start the work.
16 They are discouraged before they start. Some people
17 might suggest that that's the objective.

18 Q. Well, can you give any specific examples of
19 what you are talking about there?

20 A. Sure. I looked at the 11th District. We had
21 our national party look at the 11th District. The
22 11th District was known as the single most competitive
23 district in the State of North Carolina until the 2011
24 redistricting, and now it's viewed as one of the least
25 competitive districts in the State of North Carolina.

1 That makes it harder for me to raise money;
2 it makes it harder for me to recruit candidates; makes
3 it harder to just mobilize a campaign. Give me a
4 level playing field. Give voters a level playing
5 field and we'll let the chips fall where they may.

6 Q. And what would a level playing field look
7 like?

8 A. A level playing field is a congressional
9 district that is compact, contiguous, respects
10 existing political boundaries, acknowledges geographic
11 features, and acknowledges communities of interest.
12 If you give me that, I'll let the chips fall where
13 they may every single time. But when you don't give
14 me that, then I know I've got a playing field that
15 isn't level; it's skewed, it's tilted.

16 And a playing field that is tilted in the
17 favor of one party or another is a playing field that
18 only the party with the advantage wants to play on,
19 and that is detrimental to our electoral process. We
20 want people to feel that they have a chance.

21 And when the maps are drawn to make people
22 feel that they don't have a chance it discourages
23 participation. We need to be lowering barriers to
24 participation rather than raising barriers to
25 participation.

1 Q. So you mention your list of criteria there
2 again. Can you tell me what geographic boundaries
3 were not respected by the current congressional
4 districts?

5 A. Yes, sir. Whenever I leave Buncombe County
6 heading east or heading south, I've got to make sure
7 my brakes are in good shape, because I'm going to go
8 down the grade at Old Fort, or I'm going to go down
9 the grade at Saluda, but I'm going to get down off the
10 mountains. That mountain range is a natural
11 geographic feature that the current map flatly
12 ignores.

13 The community of interest of people in the
14 mountains is one that we know about, and when you get
15 down off the hill you are looking at different
16 communities of interest. Well, when I drive down the
17 hill to Old Fort I know that, yeah, okay, I'm in the
18 10th District. Actually, I'm not in the 10th District
19 when I'm in McDowell County, am I. I'm in the 11th
20 District.

21 But I'll finally get down to Gaston County or
22 Lincoln County, and I'm looking at a community that
23 knows nothing about what's going on up in the
24 mountains. And for some reason when these maps were
25 drawn people ignored the fact that there is mountains

1 out here, and the mountain counties need to be
2 together in a congressional district rather than
3 carving them up and putting us in with Piedmont
4 Counties, but that happened. It's as plain as can be.

5 And prior to the redraw in 2011 when we had
6 all of Buncombe in the 11th District -- and I think we
7 had McDowell County too. I could be wrong about that
8 -- it just made more sense to look at it. Here it is.
9 It's the western tail of North Carolina is a
10 congressional district.

11 Q. Uh-huh.

12 A. It makes sense no matter how you look at it.
13 Intuitively it makes sense. Geographically it makes
14 sense. Commercially and socially it makes sense. And
15 I look at the thing now where -- well, heck, the folks
16 across the street from me in Precinct 4 are in the
17 11th District. I'm in the 10th District. We live in
18 the same town. We live in the same county. It
19 doesn't make sense for us to be divided.

20 Certainly we have a strong community of
21 interest, and my community of interest with my good
22 friends down in Gaston County is much, much slimmer.
23 So how come I'm not districted with my neighbors.

24 We need representation in Congress that's
25 strong, and is going to do a really good job of

1 representing our community. Right now we've got two
2 different people, and we are at the fringe of their
3 respective districts. What it does is, it disempowers
4 voters in my community.

5 Q. Well, can you give me specific examples? I
6 mean, you are saying a lot of things here, but I'm not
7 -- these are a lot of, I guess general statements. So
8 it disempowers voters, but can you give me an example
9 of how that happens?

10 A. Okay. There is a current -- there is an
11 issue currently before Congress before the nation that
12 has a lot of attention and it's health insurance.
13 Right now my congressman is Mr. McHenry. My
14 neighbor's congressman is Mr. Meadows. And I happen
15 to know that there is about 86,000 people in Western
16 North Carolina, Districts 10 and 11, who get their
17 health insurance through the Affordable Care Act
18 health insurance exchanges. And the debate that I'm
19 hearing in Washington wants those things to go away.

20 Now, I've got a lot of neighbors who need
21 those things, who rely on those things. If I had a
22 single representative that I could turn to and talk
23 about these 86,000 people it would be one thing, but I
24 don't, I've got two; and one of them is not mine. Mr.
25 Meadows is not my representative.

1 And so in terms of tackling this issue on
2 behalf of my neighbors, my fellow community members, I
3 have a really hard time because I've got two different
4 directions I've got to go and this is big issue. And
5 unfortunately in both cases, I can't even get a
6 response from either office on the issue.

7 So, here is something that is hugely
8 important to my community. Neither one of my members
9 of Congress wants to deal with it in my community, and
10 I'm stuck; and I'm stuck because of that gerrymander.

11 Q. Now, you said earlier that you contacted
12 McHenry's office and you had received a response.

13 A. We had a healthcare town hall in February. I
14 was the MC at that thing. I am not the one who
15 extended the offer to Congressman Meadows and
16 Congressman McHenry to please come and participate at
17 our town hall, but I was told by my colleagues that
18 not only did both congressmen turn us down, they
19 wouldn't even send staff.

20 Q. Who was the town hall hosted by?

21 A. Healthcare CPR.

22 Q. What is that group?

23 A. It's a small, local group of folks who are
24 concerned about producing healthcare to all members of
25 the community. And we had a really nice town hall out

1 at Highland Brewing and we invited -- and when I say
2 we, I say we as a member of the team. It was not my
3 name on the invitation. But we invited Congressman
4 McHenry and we invited Congressman Meadows. Both of
5 them, neither one of them -- neither one of them came.
6 Neither one of them sent staff. And we had a very,
7 very well attended session. I wish they had been
8 there.

9 Q. Well, who spoke at it?

10 A. We had a number of subject matter experts
11 talk about the ramifications of repeal of the
12 Affordable Care Act.

13 Q. Is it fair to say that group opposes repeal
14 of the Affordable Care Act?

15 A. I can't speak for any of the subject matter
16 experts we had up on the stage that evening.

17 Q. Uh-huh.

18 A. But I can tell you that Healthcare CPR is
19 opposed to repeal of the Affordable Care Act.

20 Q. And Congressman McHenry and Congressman
21 Meadows support repeal of that act, is that right?

22 A. They have made that abundantly clear. And
23 what we wanted them to hear were the stories of people
24 in the community, the Affordable Care Act customers,
25 people who have relied on the Affordable Care Act, and

1 unfortunately they didn't come hear these stories.

2 Q. But Congressman Shuler who was a Democratic
3 didn't support the Affordable Care Act, did he.

4 A. Congressional Shuler did not vote for it, but
5 the Affordable Care Act passed while Congressman
6 Shuler held office.

7 Q. So with respect to that issue, how were you
8 any better off being in the 11th District represented
9 by a Democrat?

10 A. Because Congressman Shuler always voted for a
11 Democrat to be speaker of the U.S. House of
12 Representatives. Because Congressman Shuler added to
13 the numbers of the Democratic caucus in the U.S.
14 House. Because Congressman Shuler invited more people
15 across the 11th District to participate in the
16 Democratic Party. Because Congressman Shuler,
17 demonstrated that Democrats can win in the 11th
18 District even after Congressman Taylor held that seat
19 for a good long time.

20 Congressman Shuler helped Democrats in
21 Western North Carolina have their voices heard, but
22 also helped Democrats grow the Party and make it more
23 relevant to people in Western North Carolina. So it's
24 more than just votes. His presence as a member of
25 Congress was beneficial to our party.

1 Q. Now, tell me about any other issues that we
2 haven't talked about that you have with the 2016
3 congressional districts.

4 A. Any other issues. That's just so broad.

5 Q. I'm just making sure we have covered what
6 your concerns were about the district.

7 A. My concerns are -- my concern is basic
8 fairness. I want voters across the state to believe
9 that our political leaders have created fair
10 districts. Because when people believe that they are
11 more inclined to participate in the process, and the
12 more people who participate in the process, the more
13 legitimate is the process's outcome.

14 If we get everybody to participate we get
15 less kvetching after we hear the result. The simple
16 fact is, fewer, fewer people participate in the
17 political process for a host of reasons; but one of
18 them are these districting concerns. And I want
19 people to feel that their voice is respected; that it
20 will be heard. And so that's why I want to see fair
21 districts at every level, to help to encourage people
22 to participate regardless of their politics.

23 Q. Well, how have these congressional districts
24 by themselves hampered any participation?

25 A. Because people look at the process and they

1 see the cynicism that characterizes so much of it.
2 When legislators are trying to choose their voters
3 rather than letting voters choose their legislators it
4 turns off huge segments of the population who ask, why
5 should I bother because they are stacking the deck.

6 What I want people to believe is the deck is
7 not stacked. That everyone has a fair shot, and if
8 you show up, your voice is going to be heard just as
9 everyone else's is. It's really a matter of
10 confidence in the process. The greater the confidence
11 in process, the better the process is going to work
12 and the more value will be its outcome. So I'm all
13 for cleaning this up.

14 You saw one of my little jobs here? I'm a
15 baseball umpire. I just want a fair game. At the end
16 of the game I want everyone to think, okay, that was
17 fair. That's it. It's not -- for me, it's not who
18 wins or loses. Did we play this game fairly.

19 And the way I'm seeing this with the tilted
20 playing field, you can't have a fair game with a
21 tilted playing field. I want fairness.

22 Q. Have you done any studies about -- you've
23 talked about voter cynicism. Have you conducted any
24 study of that?

25 A. Have I conducted -- a formal study, I have

1 not. But I have looked at declines in voter
2 participation rates. I see how voters become -- more
3 and more people are registering unaffiliated because
4 they are losing faith in parties that seem to be more
5 self-interested than generally interested.

6 Q. Uh-huh.

7 A. And a lot of people have observed those
8 trends. I want to see those trends reversed. And I
9 think one of the ways we can reverse that trend is to
10 use nonpartisan districting techniques that help
11 restore faith in the process, and encourage higher
12 levels of participation, not only as a voter but also
13 as a candidate.

14 There is a lot of times where it is hard to
15 recruit candidates to run because, again, the playing
16 field is tilted. And the candidate does not want to
17 spend his or her time, goodwill, and wealth running an
18 uphill fight that they don't think they can win. If
19 it's a more level playing field, then it's easier for
20 me to get people to run as candidates; it's easier for
21 me to get people to contribute resources to
22 candidates, whether it's time or money. It's easier
23 for me to get volunteers to help candidates when it's
24 a more level playing field. Let's have a fair game.

25 Q. Have you tried to recruit any candidate for

1 Q. So I want to ask you a few questions about
2 some of these. For the Buncombe County Democratic
3 Party?

4 A. Uh-huh.

5 Q. You've been a County Executive Committee
6 Member of the Buncombe Democratic Party from 2007 to
7 the present, correct?

8 A. That is correct.

9 Q. And you have been a member of the State
10 Executive Committee from 2007 to present, is that
11 right?

12 A. That's correct.

13 Q. And then you say you've been Executive
14 Council member from 2012 to present, is that correct,
15 for the State Democratic Party?

16 A. No. 2016 to present, for Council -- I'm
17 sorry. Executive Council, '12, right. Yeah, okay.
18 My bad.

19 Q. That's all right. What is Executive Council?

20 A. Executive Council is a group of about 40, 44
21 people who are the senior most governing body in the
22 state party. It's the president. It's each of the 13
23 district chairs. It's the State Executive Officers.
24 It's the president of each of the state level
25 auxiliaries. It's the five members of the Democratic

1 National Committee, and a handful of other notables.

2 Q. And the purpose of that group is to get
3 Democrats elected to office?

4 A. Yes, sir, that is the purpose of the
5 Democratic Party, to help elect Democrats, period.

6 Q. And we've discussed your service on the
7 Council of Review. And since 2016 you've been the
8 Interim President of the Progressive Caucus?

9 A. That's correct, yes.

10 Q. What is that?

11 A. Progressive Caucus is an axillary like the
12 Democratic Women's Club or the African-American
13 Caucus. Like minded Democrats who work together to
14 build the Party. And we just had this authorized in
15 February so it's all very new. But there was a huge
16 level of interest after 2016 to further build the
17 Party and the establishment of Progressive Caucus was
18 a step viewed as one that would be very productive;
19 and considering the response we've received I would
20 have to say that was right. We've had a lot of people
21 interested.

22 Q. And is that intended to encourage the Party
23 to take more progressive or more liberal positions
24 than it has been taking?

25 A. No, no. Actually, it is to encourage people

1 who are feeling very liberal and progressive to
2 participate in the Democratic Party to have their
3 voices heard under our big tent.

4 Q. So maybe aiming at some disaffected Bernie
5 Sanders people and stuff like that? Is that what you
6 are thinking?

7 A. Sure; disaffected any kind of a person. I
8 want folks to believe that the Democratic Party is
9 where they should turn to get representation in the
10 political arena, and the Progressive Caucus has been
11 effective in encouraging some people to join the Party
12 or to become active within the Party.

13 Q. Right below that you say that you were a
14 member of the Democratic National Committee. In other
15 words, you were a Democratic National Committeeman
16 from 2012 to 2016, is that right?

17 A. Correct.

18 Q. You are currently not doing that?

19 A. That's correct.

20 Q. And that's a position you are elected to by

21 --

22 A. By the State Executive Committee.

23 Q. And you said there are five members of the
24 Democratic National Committee in North Carolina?

25 A. Yeah, who are elected to four year terms.

1 There is other members of the DNC for North Carolina,
2 but the core five are the people who were elected just
3 a little over a year ago, and they will serve a four
4 year term that concludes at the end of the 2020
5 convention.

6 Q. Right. And you were one of the core five --

7 A. I was.

8 Q. -- for the last four years, 2012 to 2016?

9 A. Yes, sir.

10 Q. So does that put you -- I guess you would
11 consider yourself one of the top State Democratic
12 Party leaders, is that correct?

13 A. I was for a little while; for four years. It
14 was fun.

15 Q. And looking at page 9 here, you've listed
16 some other organizations and you talked about your
17 involvement with Democracy North Carolina?

18 A. Yes.

19 Q. So you volunteered with them from 2010 to
20 present, is that right?

21 A. That is correct.

22 Q. And do you know whether you have to be a
23 member of Democracy North Carolina, do you know if you
24 have to pay a membership fee or anything like that?

25 A. You know, I don't know. I know that I've

1 given them money, but I don't know if they have dues
2 per say, but I've worked with Democracy North Carolina
3 a lot.

4 Q. So you consider yourself to be aligned with
5 that group?

6 A. Yes, sir.

7 Q. And you mentioned -- similar to what you did
8 with the Asheville Buncombe NAACP, I see that listed
9 here.

10 A. Yes, sir.

11 Q. You say you volunteered for them from 2013 to
12 present, is that right?

13 A. That's correct.

14 Q. And you paid the annual dues?

15 A. That's correct. I paid my 30 bucks.

16 Q. Was it your understanding that as a member of
17 the local NAACP, you are also a member of the state
18 and national NAACP?

19 A. I am a member of the state and national by
20 virtue of being a member of the local.

21 Q. Now, in interrogatory 12 you were asked about
22 whether you attended any public hearings regarding the
23 2011 or 2016 congressional redistricting process, and
24 I think you said that you did attend a hearing --

25 A. A-B Tech.

1 Q. -- at the Asheville-Buncombe Technical
2 College here in July of 2011, is that right?

3 A. Yes, sir.

4 Q. A copy of your --

5 A. It was just a one pager.

6 Q. Yeah, what is attached as Exhibit A to your
7 discovery responses here? Actually, you have a copy
8 too.

9 A. Okay.

10 Q. Yeah, I'm sorry. If you look after page 16
11 there is an Exhibit A.

12 A. That's it. That's my one pager.

13 Q. Is this something you prepared?

14 A. Yes, sir.

15 Q. So this is not necessarily an exact
16 transcript?

17 A. That is correct. I just wanted to have notes
18 so that I wouldn't get too tongue tied. And when I
19 saw the interrogatory -- it's like, yeah, now I know I
20 testified. And so I just went into my computer and
21 looked for something from the summer of 2011. And
22 there it was, July something of 2011, and that's the
23 one pager.

24 But my recollection was, you know, I typed it
25 up, printed it out, ran over to A-B Tech, sat around

1 for a long time, listened to a lot of people; said my
2 piece, and then that was that.

3 Q. And you didn't provide any testimony or
4 submit any comments during the 2016 process, did you?

5 A. No, sir.

6 Q. And why was that?

7 A. I was busy with a lot of other things. I was
8 very busy in '16.

9 Q. Now, behind Exhibit A is something called
10 Exhibit B?

11 A. Uh-huh.

12 Q. That's your voter history?

13 A. Uh-huh.

14 Q. So I want to take a look at this and just
15 have you verify whether this appears to be correct.
16 Now, this appears to be a printout from the State
17 Board of Elections of your voter history. Is that
18 what you understand --

19 A. Yes, sir, I recognize this printout.

20 Q. And you were registered as a Democratic, is
21 that right?

22 A. That is correct.

23 Q. And you reside in Precinct 17.1, is that
24 right?

25 A. That is correct.

1 MR. MCKNIGHT: And that's all of my questions
2 for Mr. Quinn at this point.

3 MR. BERNIER: I have no questions.

4 MS. EARLS: I just have a couple of
5 questions.

6 EXAMINATION

7 BY MS. EARLS:

8 Q. If I could go back to the event that you
9 mentioned about the Affordable Care Act, and correct
10 me if I'm wrong, but you said that was in February of
11 this year?

12 A. Oh, the healthcare town hall, yes, it was
13 February 20th.

14 Q. And do you have a rough estimate of how many
15 people attended?

16 A. Yeah. There were about 400 people there. It
17 was standing room only. It was a Monday night at
18 Highland Brewing, and we put out every chair that we
19 could -- every chair we could find in the place and it
20 wasn't enough. There were people standing in the
21 back. I had the best view because I was up on stage.
22 About 400 people. We also had the local television
23 there and local newspaper was there.

24 Q. Was this explicitly a partisan event?

25 A. In fact, it was an explicitly nonpartisan

1 event. The subject matter experts were healthcare
2 providers, facilitators, attorneys, who talked about
3 the Affordable Care Act and the ramifications of its
4 possible repeal.

5 There wasn't any -- it wasn't partisan at
6 all. It wasn't Republicans and Democrats. It was
7 people talking about the availability of healthcare in
8 the community.

9 MS. EARLS: I have no further questions.

10 EXAMINATION

11 BY MR. McKNIGHT:

12 Q. Just one follow-up on that. Did any of the
13 speakers at that event express the opinion that the
14 Affordable Care Act should be repealed?

15 A. I don't recall anyone suggesting it should be
16 repealed because -- replaced perhaps, but I don't
17 recall just flat out repealed. Repeal and replace, I
18 know some people were interested in that.

19 Q. And did any of the speakers at that event
20 express an opinion that you understand is consistent
21 with what Congressman Meadows or Congressman McHenry
22 have taken on the Affordable Care Act?

23 A. Aside from Congressman McHenry and
24 Congressman Meadows consistently voting to repeal the
25 Affordable Care Act, I have to confess that I'm not