

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 AARON J. SARVER

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12:42 P.M.

MONDAY, APRIL 10, 2017

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

1 A. No, sir.

2 Q. And are you married?

3 A. I am.

4 Q. Okay. And how long have you been married?

5 A. This July 4th it will be seven years.

6 Q. Okay. And what is your spouse's name?

7 A. Lisa Natasha Sousa.

8 Q. And what does your wife do?

9 A. She is development director for a counseling  
10 center called All Souls Counseling here in Asheville.

11 Q. And I take it she lives in your household?

12 A. Correct.

13 Q. Does anyone else live in your household?

14 A. No.

15 Q. All right. And how long have you lived at  
16 your current address?

17 A. Since August of 2011.

18 Q. And what is your current address?

19 A. 45 Morningside Drive. That's Asheville  
20 28806.

21 Q. And when did you start living in Asheville?

22 A. In April of 2009.

23 Q. And where did you live before then?

24 A. 32 Pennsylvania Avenue. That's also  
25 Asheville, and also 28806. It's very close to where

1 we currently live.

2 Q. Okay. So you lived there from, 32  
3 Pennsylvania Avenue from April of 2009 until you moved  
4 to your current address in August of 2011, is that  
5 right?

6 A. Correct.

7 Q. Where did you live before April of 2009?

8 A. Chicago, Illinois.

9 Q. And what did you do in Chicago?

10 A. Well, the last job I had in Chicago was for a  
11 nonprofit called Angelic Organics Learning Center,  
12 which basically is an organic farmer training program,  
13 and I did development and communications work. But  
14 the nineish years I lived in Chicago I had a couple of  
15 different jobs.

16 Q. Okay, and were any of those in political  
17 organizing or with a political organization or  
18 anything like that, or any kind of policy  
19 organization?

20 A. Well, I worked for a magazine where I  
21 reported on policy issues, but nothing that was a  
22 political party or in electoral politics, no, not in a  
23 paid capacity.

24 Q. And what magazine was that?

25 A. It's called In These Times.

1 when I was submitting it, or it got added in  
2 somewhere, but I'm not familiar with that address. I  
3 don't think I've ever been to Plymouth, North  
4 Carolina.

5 Q. Okay. I thought that's an unusual place to  
6 live given your -- what you had told me, so I wanted  
7 to check on that. All right, so that's just not  
8 correct.

9 So before 32 Pennsylvania Avenue in  
10 Asheville, did you live anywhere else in Asheville?

11 A. I did not.

12 Q. Okay. So before that you were in Chicago,  
13 right?

14 A. Correct.

15 Q. Okay. All right. And so you voted for a  
16 candidate for Congress in the 2016 election and you  
17 were living here in Buncombe County then, is that  
18 correct?

19 A. Yes.

20 Q. And you said you have lived here in Buncombe,  
21 County and in a congressional district, either the  
22 10th or 11th; it would have been since 2009, is that  
23 right?

24 A. Yes, correct.

25 Q. So, before 2009 you weren't assigned to any

1 before, like somebody should file a lawsuit type  
2 conversations but nothing specific; nothing where like  
3 actively, you know -- no.

4 Q. Now, you mentioned gerrymandering. What  
5 would be your definition of gerrymandering?

6 A. Well, that's funny you bring that up.  
7 Merriam Webster, which has wonderful social media  
8 accounts just had the definition up the other day.  
9 So I believe the gentleman who it is named  
10 after is named Elbridge Gerry who was like in the  
11 Virginia House of Delegates way back when -- and if I  
12 had a sharper memory I could probably recite it  
13 verbatim, but something along the lines of when  
14 election districts are drawn for partisan political  
15 advantage.

16 Q. Have you written anything about the election  
17 districts in this case?

18 A. I have not.

19 Q. Have you, other than, I guess general  
20 discussions that you say that you had with Ms. Zambon,  
21 and I think you mentioned discussions in Democratic  
22 Party circles about the districts, what kind of -- I  
23 guess, are these discussions you are talking about  
24 having, are they official Democratic Party events or  
25 where are they taking place?

1 that your position?

2 A. Yeah, I think that was the question of, if  
3 Trump totally implodes the Republican Party and we  
4 have a wave election where Republicans are wiped out  
5 everywhere, yes.

6 Q. So, it would have been possible then in your  
7 view for Democrats to win in the 10th and 11th  
8 districts under that scenario, is that fair?

9 A. Not in the 11th. If I look at the ratings,  
10 the 10th District seemed to have a little more  
11 speculation of the kind that if we have a once in a  
12 generation landslide that there would be an outside  
13 shot in the 10th District but not the 11th.

14 Q. But you were encouraging people to get out  
15 and vote because they could have affected the outcome  
16 of the election possibly in 2016. That was the  
17 purpose of your editorial, is that correct?

18 A. Yes.

19 Q. Now, you say here that you joined the lawsuit  
20 because you were subjected to an election using the  
21 2016 plan that diluted the strength of your vote as a  
22 Democrat. Can you explain what is meant by that?

23 A. Can you repeat that?

24 Q. Yeah, if you'll look at the response to  
25 interrogatory number 4 --

1 A. Uh-huh.

2 Q. -- you were explaining why you joined this  
3 lawsuit. And you said you came to be a plaintiff in  
4 this lawsuit because of the harm you experienced after  
5 being subjected to an election using the 2016  
6 Congressional Redistricting Plan which diluted the  
7 strength of your vote solely because you were a  
8 Democrat.

9 A. Got you. Yes. So, similar to what Jake said  
10 earlier, I think there is a couple of different points  
11 there, and I'll try to be relatively concise.

12 One is that because Asheville is divided into  
13 two Congressional Districts the political voice is  
14 diluted, so that can mean very concrete stuff. Like  
15 again, around the Affordable Care Act and Repeal and  
16 Replace vote, and American Healthcare Act or whatever  
17 it's called -- the most recent version that didn't  
18 pass.

19 What is a struggle for a lot of local folks  
20 is having to reach out to both Representative Meadows  
21 and Representative McHenry. And, you know, if  
22 Asheville was in one Congressional District I feel  
23 like there would be a lot more accountability for them  
24 to show up to a town hall or to respond to  
25 constituents, but that political power is divided

1 between the two districts. That would be one case.

2 I think the other is with candidate  
3 recruitment, and again Jake talked about this as well.  
4 But because it's widely held, and has been since the  
5 new districts have been unmapped -- or have been  
6 mapped, that the 10th or 11th are not winnable, it's  
7 hard to recruit candidates. And those two kind of  
8 factors play together.

9 So, the political kind of base of Asheville  
10 is divided. So, not just in terms of voting strength,  
11 but in terms of volunteers, in terms of fundraising,  
12 it's -- you know, it's pretty hard when you have a  
13 conversation with people in Asheville who are  
14 interested in running for office, to try and convince  
15 them that running for Congress in either one of those  
16 districts is worth their time or effort; because very  
17 quickly people are going to say, that's not a winnable  
18 race.

19 Q. But do you know anybody specifically who said  
20 that?

21 A. I do, yes.

22 Q. Who is that?

23 A. Well, you know, Drew Reisinger who is the  
24 Register of Deeds. And the Citizen Times has a great  
25 columnist, John Boyle, who kind of comments on



1 everything. I believe his column is titled Answer  
2 Man. So he answers questions about potholes and  
3 everything under the sun.

4 And, you know, he's commented that Drew has  
5 been very effective at recruiting good candidates for  
6 office and running them, and that I think just  
7 generally, the Buncombe County Democratic Party is  
8 recognized as a very organized and competent political  
9 county party, but that hits the limits at the  
10 Congressional races.

11 So I've had, you know, those conversations,  
12 again, in those big kind of meetings where they go on  
13 way too long, where everybody talks too long, to kind  
14 of having beers with Drew of saying, you know, it's  
15 not worth kind of really trying to get someone who  
16 would be seen as a strong, competent candidate to run  
17 for those races. We would be better off putting them,  
18 or encouraging people to run for other races where  
19 they have a chance of winning.

20 And, so, Parker Sloan who is a friend who was  
21 former past Chair of the Buncombe County Young  
22 Democrats, those same conversations. You know, I  
23 think -- yeah, anyway.

24 Q. But the goal of all of those people in making  
25 the decisions they made was to, I guess, help make

1 two Congressional representatives? And by that I mean  
2 is it possible that someone could believe that it is a  
3 good thing for a metropolitan area to have two  
4 advocates rather than one in Washington?

5 A. Certainly cities that have enough population,  
6 yes, if you had -- you know, Chicago has five or six  
7 or seven or eight Congressional representatives, so if  
8 you have enough there, absolutely.

9 I think in regards to a city like Asheville,  
10 I think it dilutes -- it dilutes the political power,  
11 but I'm not an expert on that.

12 Q. But people could disagree about whether  
13 that's a good thing or a bad thing to have one or two  
14 representatives for a place like Asheville?

15 A. I'm sure Republicans feel that having two  
16 representatives in Asheville serves them, yes.

17 Q. And why would it only serve Republicans?

18 A. Well, just like if we look at the statewide  
19 map, if we look at the totality of the representation,  
20 and I believe at the 13th Congressional District it's  
21 ten Republicans and three Democrats currently, is that  
22 correct?

23 Q. I can tell you that is correct.

24 A. Okay. So if we look at it in the kind of  
25 statewide context I think we have a great example

1 of -- when we just had the American Healthcare Act --  
2 I believe that's what it was called, the proposal  
3 before Congress, and, you know, President Trump said  
4 when he was vote counting, when they were discussing  
5 passage that it was very, very, very close; and I  
6 believe he said it was five votes or less, at one  
7 point like that.

8 Q. Uh-huh.

9 A. Well, if that's the case, if it was in fact  
10 five votes or less, that decided the fate of Repeal  
11 and Replace or the future of healthcare -- whatever  
12 you want to call it -- then having those two  
13 Republican districts in Asheville certainly serves  
14 them.

15 If we had a more balanced map and a non  
16 gerrymandered map, and let's say it was seven/six or  
17 something like that, and that's a swing of six  
18 districts, so we have seven Republicans and six  
19 Democrats in North Carolina, well, that's a swing of  
20 six seats.

21 Therefore, if we look at that American  
22 Healthcare Act, that's more than the margin that  
23 President Trump was talking about. So, again, yes, I  
24 would assume Republicans find it extremely  
25 advantageous to have two districts in Asheville

1 representing their interests as opposed to having one  
2 district that wouldn't, you know, possibly be  
3 competitive.

4 Q. And let's take the American Healthcare Act as  
5 an example, because here in Asheville you have two  
6 representatives, right, Representative McHenry and  
7 Representative Meadows, and they voted different ways  
8 on that, didn't they?

9 A. I don't think they actually -- I don't think  
10 there was actually a vote, right?

11 Q. You are correct. That's a good point. But  
12 in terms of explaining how they were going to vote on  
13 that if it came up, Representative Meadows opposed  
14 that, and Representative McHenry supported it,  
15 correct?

16 A. Honestly, I was confused because there was  
17 kind of like -- of all the back and forth. I believe  
18 the bill that was put out for debate was not  
19 conservative enough for Representative Meadows, is my  
20 understanding.

21 Q. And Representative Meadows was in fact a  
22 leader in ultimately killing that bill, is that  
23 correct?

24 A. My understanding is he would have voted no on  
25 it. I think he was relatively clear about that, yes.

1 Q. So even if Asheville had two Republicans  
2 representing the district there was a difference of  
3 opinion amongst those two Republicans about how to  
4 approach that particular issue.

5 A. I think they are slightly different on the  
6 ideologically spectrum, but I think they are both -- I  
7 don't think anybody would confuse Representative  
8 McHenry for a Liberal.

9 Q. And when you are talking about political  
10 power in Asheville being divided, are you talking  
11 about the fact that Asheville is traditionally more  
12 liberal than the surrounding area, or are you talking  
13 -- what are you talking about specifically?

14 A. Well, if we have a -- if there is an  
15 understanding that Asheville is a kind of economic and  
16 cultural and professional services hub for Western  
17 North Carolina -- so, for instance, people come here  
18 from all around Western North Carolina for healthcare,  
19 you know, especially like surgery and stuff. They  
20 probably come here if they need to hire a specialty  
21 attorney.

22 There is a lot of things in Asheville as far  
23 as services, et cetera, that aren't anywhere else in  
24 Western North Carolina. If we understand the kind of  
25 mountains as a geographic region, certainly that's

1 true culturally with music. That's true for LGBTQ  
2 support groups. People come from all around Western  
3 North Carolina to come here for support meetings or  
4 PFLAG meetings or whatever.

5 So that hub of shared interest, shared  
6 economic, and I would argue political interest, is  
7 divided where Representative McHenry's district which  
8 is partially in Asheville, and also goes way down to  
9 Hickory, I believe, is the kind of the farthest  
10 distance, and obviously the 11th Congressional  
11 District is very large. So, those two large swaths of  
12 land are not all representative of Asheville. So,  
13 therefore, I do think you are dividing the kind of  
14 political and cultural interest in Asheville along two  
15 elected representatives.

16 So, for instance, I mean, I think your kind  
17 of question of like McHenry and Meadows being  
18 different on the ideological spectrum, I think they  
19 are relatively close but there are some differences.

20 I think they are both pretty far outliers  
21 from where they stand on the issues as far as the  
22 average voter in Asheville or Buncombe County, and  
23 what I would consider the kind of base and certainly  
24 the population base of the district.

25 So, again, when it comes to stuff like the

1 town hall, bring up the town hall thing again that  
2 Jake mentioned, or just in general trying to get a  
3 meeting -- and it doesn't have to be on healthcare.  
4 It could be about transportation or taxes or whatever  
5 issue. You know, trying to get their attention is  
6 much more difficult, and part of that is their  
7 districts are split.

8 If we had all the population of Asheville in  
9 Buncombe County for one representative it would be so  
10 great, as to I think it would be hard to ignore when  
11 we want to have a meeting or have a town hall. Now  
12 it's divided, and their interests are spread out  
13 population wise and geographically, and I think it's  
14 easier for them to kind of ignore their constituents  
15 in Asheville.

16 Q. But you don't know why either one of them  
17 didn't attend that town hall meeting, do you?

18 A. I don't know specifically whether they had a  
19 scheduling conflict or what the exact reason was, no,  
20 I do not.

21 Q. Okay.

22 A. Although, I will add, I find it pretty  
23 disappointing that they weren't even able to send a  
24 staff member. Both -- Representative Meadows does  
25 have a staff member in Buncombe County down at the

1 Q. So even when Asheville was included in the  
2 district it was represented a Republican for a number  
3 of years before Congressman Shuler was elected?

4 A. It was, but it was a competitive district,  
5 right? That's the whole point, is that we had both a  
6 Republican and a Democrat representing the same  
7 district because it was actually competitive. And  
8 part of the reason that Representative Shuler ran is,  
9 and he was obviously a top level recruit, and a very  
10 strong candidate, it was because he would say, hey,  
11 this is a winnable race. It's a competitive district.

12 The reason it's widely speculated that he  
13 didn't run in -- I'm sorry, I believe he stated, and  
14 you have to fact check me on this -- but I believe  
15 when Representative Shuler did not run in 2012 it was  
16 because he said on the record, a Democrat cannot win  
17 in the newly drawn 11th Congressional District.

18 And I also believe, actually, Representative  
19 McHenry -- and this is pretty amazing --  
20 Representative McHenry told Politico prior to the  
21 election, and prior to the filing date once the new  
22 maps were out that Representative Shuler has served  
23 his last term.

24 He was so confident in the new maps that  
25 Representative McHenry said, Representative Shuler has



1 served his last term. And then Shuler did not run  
2 again because what everybody knew was, they had drawn  
3 the district to such a partisan advantage that  
4 Representative Shuler who is as great a fit for a  
5 Democrat for the district as you are going to find --  
6 you mentioned Blue Dog earlier -- and obviously  
7 Representative Shuler has local ties. He is literally  
8 the hometown hero with the Heisman Trophy, and knows a  
9 lot of people. He is the ideal candidate. He is the  
10 best possible candidate we could get for the newly  
11 drawn 11th District; and even he knew that he would  
12 not be able to win to the degree that he said, I'm not  
13 going to run.

14 Q. I guess the bottom line is, we don't know how  
15 it would have come out because he didn't run in 2012.  
16 We don't know how it would have come out had he  
17 actually run in that district.

18 A. Well, it's a hypothetical so, of course, we  
19 don't know. But again, if we look at the Larry Sabato  
20 Roll Call prediction, and Mr. Shuler, who I think  
21 everybody would agree is a pretty smart political  
22 player, we do know that he wouldn't have won.

23 I mean, obviously, anything can happen in the  
24 theoretical terms, but as far as like looking and  
25 assessing and kind of saying is it within the realm of

1 reasonable possibility, then, Sabato said no. Shuler  
2 said no, and basically all the national politicians that  
3 I understand when they were trying to assess the new  
4 district said, no, it's not winnable for a Democrat.

5 Q. But I think as you pointed out, Shuler was a  
6 unique Democrat, and Democrats had run in the 11th  
7 District before Shuler ever ran, is that correct?

8 A. I would assume that Democrats fielded  
9 candidates prior to Shuler but I wasn't living in  
10 Asheville at that time, but, yes.

11 Q. But it took someone who was, as you said a  
12 hometown hero and a Heisman Trophy contender to  
13 initially win that district even in 2006 when it was  
14 drawn -- the 11th District was drawn with Asheville  
15 included, right?

16 A. Correct. But the previous district was much  
17 closer. Again, I don't have those numbers in front of  
18 me, but I do know that if you look at the 11th -- and  
19 I'm also pretty sure the 10th District prior to the  
20 2012 remaps, both of those races were closer, right?  
21 So, it's not like Representative Taylor was winning by  
22 the outrageous margins that Representative Meadows is.

23 So, there is a difference between a Democrat  
24 losing by three points, or five or ten points, and  
25 losing by 25 points when you are assessing a race, and

1 that's get complicated.

2 I also think it's not as simple as just  
3 positioning candidates as a kind of progressive  
4 Democrat or a Blue Dog Democrat, or a Freedom Caucus  
5 Republican. The partisan party ID matters a lot, but  
6 a lot of Representative Shuler's positions, especially  
7 on economic issues, yes, he was a Blue Dog which is  
8 considered to be conservative, but he was for a higher  
9 minimum wage. He was against NAFTA.

10 So a lot of his economic positions -- and it  
11 gets complicated. Where I would argue he was actually  
12 liberal on a lot of things, and that helped him  
13 resonate across the district, including,  
14 quote/unquote, liberal or progressive voters in the  
15 district.

16 Q. But that's also true of Republicans, as well;  
17 they've got to be responsive to those issues too,  
18 correct?

19 A. Well, yes, but I think the party ID is a big  
20 part of it. I've worked enough elections and stood  
21 out front of enough polling places handing out the  
22 Democratic candidates from everything from Soil and  
23 Water Commissioner up to U.S. Senate or President.  
24 And nine times out of ten when I'm standing out in  
25 front of the west Asheville library early voting site,

1 you know, people say, give me the Democratic ballot;  
2 give me the Republican ballot; and I honestly don't  
3 super believe that they know who their candidates are.

4 I mean, you know, there is a lot of  
5 statistics about people can't name who their  
6 congressperson is. That certainly seems to be true,  
7 based on my experience, spending a lot of time, many,  
8 many hours standing out in front of polling places on  
9 election day and during early voting -- we have great  
10 early voting here in North Carolina -- where people  
11 are just politically partisan. They either want the  
12 Republican ballot or they want the Democrat ballot.

13 And if I'm handing out the Democrat stuff and  
14 Republican's, I say here is the Democratic sample  
15 ballot. Oh, I don't want that. I'm a Republican.  
16 Or, vice versa: The Republican person is standing  
17 next to me and the Democrat says, you know, hopefully  
18 in a kind way, but honestly not always a nice way. I  
19 don't want no stinking Republican ballot. I'm a  
20 Democrat.

21 Q. All right. Why don't we look at  
22 interrogatories 10 and 11. And this lists civic and  
23 political organizations that you are a member of or  
24 involved with in the last 15 years or so, so I want to  
25 talk about these.

1 A. Sure.

2 Q. And so you currently serve as the 3rd Vice  
3 Chair of the Buncombe County Democratic Party, is that  
4 right?

5 A. Not currently. From 2011 to 2013 I was  
6 elected by the County Democratic Party to the 3rd Vice  
7 Chair position.

8 Q. Do you have any position with the Buncombe  
9 County Democratic Party now?

10 A. Not currently I do not.

11 Q. And then for the State Democratic Party,  
12 North Carolina Democratic Party you were a State  
13 Executive Committee Member from 2013 to 2015?

14 A. Correct.

15 Q. All right. And, again, the Executive  
16 Committee is the governing body of the State  
17 Democratic Party?

18 A. Correct.

19 Q. And then looking at interrogatory 11, does  
20 that accurately list the political organizations that  
21 you've been involved with?

22 A. Yes. Again, kind of along the lines of Jake  
23 with this, I just listed the organizations that I've  
24 been heavily involved in. You know, I've donated to  
25 the League of Women Voters. Asheville-Buncombe in the

1 past, I didn't list that.

2 You know, again, Sarah Zambon who I know very  
3 well, I've had meetings with her where I've helped her  
4 with a communications plan and kind of pushing out  
5 social media stuff for the League of Women Voters.

6 But as far as stuff where I feel like I was  
7 an elected kind of visible public heavy lift, these  
8 are the positions, you know. But along the lines of  
9 Jake, of like organizations that I've given \$25 to or  
10 along those lines are not listed here.

11 Q. Now, in interrogatory 12 you were asked if  
12 you had attended any public hearing of the General  
13 Assembly in either 2011 or 2016 regarding  
14 Congressional redistricting and you testified, or you  
15 wrote here that you had not.

16 A. That is correct, I have not.

17 Q. And have you had any conversation with  
18 anybody in the General Assembly about the criteria  
19 that were used to draw the 2016 Congressional Plan?

20 A. I have not.

21 Q. So you have no personal knowledge of the  
22 criteria that went into that plan?

23 A. I mean, I know that the congressional  
24 districts have to have the same population of people  
25 in them. You know, I know that they do look at voter

1 rolls when determining that and look at, you know,  
2 party and race stats, but I don't have a good or deep  
3 understanding of that. I certainly do not.

4 Q. And so you don't understand what specific  
5 factors went into drawing the 2016 plan specifically?

6 A. I do not have that information.

7 Q. I want to look at some attachments then to  
8 these discovery responses, and the first one I will  
9 look at is one called Exhibit A, which is a printout  
10 of the State Board of Elections records of your voter  
11 history and voter registration information. Do you  
12 see that?

13 A. I do, yes.

14 Q. Okay. And I just want to verify whether some  
15 of this information is correct. You are currently  
16 registered as a Democrat, is that right?

17 A. Correct.

18 Q. Have you ever registered in North Carolina as  
19 anything but a Democrat?

20 A. I don't believe so. There is a chance I  
21 might have been unaffiliated when I first registered  
22 back in, you know, '96 or whenever, but I'm not sure  
23 of that. I would be like 97 percent sure I was a  
24 Democrat.

25 Q. And you currently reside in Precinct 15.1 in

1 A. I do.

2 Q. And do you know any third parties who were  
3 paying the cost of attorneys fees or expenses related  
4 to this litigation?

5 A. I do not.

6 MR. McKNIGHT: Why don't we take a break and  
7 I think we can wrap this up shortly.

8 (A recess was taken.)

9 BY MR. McKNIGHT:

10 Q. All right. Back on the record after a short  
11 break here, I just have a couple more questions for  
12 you.

13 A. Sure.

14 Q. What factors affect how you decide what  
15 candidate to vote for? And I'm thinking about  
16 Congress specifically, here.

17 A. The main factors are for me, political party.  
18 I mean, that would kind of be the main one.

19 Q. And for you, would you only consider voting  
20 for a Democrat?

21 A. No, I think in extreme circumstances, you  
22 know, if there was someone under indictment or had  
23 been convicted of embezzling money or something, I  
24 would not vote for a Democratic candidate that had  
25 been convicted of that kind of a crime. Or, you know,



1 had gotten a DWI or something like that would  
2 certainly, you know, weigh in; stuff like that.  
3 Obviously there is, you know, factors.

4 Q. But short of that, you would pick the  
5 Democratic candidate over the Republican?

6 A. Almost always, yes.

7 Q. And have there been circumstances where you  
8 have voted for a Republican?

9 A. There have been. In Chicago -- and I love  
10 Chicago, but I also know there is occasionally  
11 political corruption there. There were a couple of  
12 Republican candidates that I voted for; not so much  
13 because I supported them, but just as a protest vote  
14 against the Democratic candidate, who again, in a  
15 couple of examples, you know, they had been heavily  
16 involved in corruption and just were clearly unfit to  
17 hold office.

18 MR. McKNIGHT: I don't think I have any  
19 further questions for Mr. Sarver at this point.

20 MR. BERNIER: No questions.

21 MS. EARLS: I just want to follow up on a  
22 couple of things.

23 EXAMINATION

24 BY MS. EARLS:

25 Q. Earlier you were asked about if you had known

1 anyone specifically who had declined to run following  
2 the 2011 or 2016 redistricting, and I want to ask you  
3 if you are aware of any well-funded, strong, credible  
4 Democratic candidates who did run following the  
5 redistricting that happened in 2011.

6 MR. McKNIGHT: I just object to the form.

7 BY MS. EARL:

8 Q. You can answer the question.

9 A. So, strong candidates who have run. Well, I  
10 think another example in the 10th -- we've been  
11 talking a lot about the 11th Congressional District  
12 and Meadows. With McHenry in 2012, which was the  
13 first new election under the new map of the 2011 maps,  
14 Patsy Keverer ran against McHenry, and I think a lot of  
15 people were really excited about that race.

16 She's a former State Representative in the  
17 General Assembly. Former Chair of the Buncombe County  
18 Commission, so extremely well-known, extremely well  
19 liked, competent, professional; just a great person.  
20 So I think people were really excited about that race  
21 in 2012, and she lost by a pretty large margin. I  
22 don't know that number off the top of my head, but it  
23 was significant; it was a blowout.

24 And I think people were kind of in denial  
25 that that was going to happen. Again, if you look at

1 the race ratings or rankings from the political  
2 pundits they said the 10th Congressional District, a  
3 Republican is going to win this. This isn't going to  
4 be a close race. But because we were all so biased,  
5 and part of that was just for me personally knowing  
6 Representative Keever -- I know her well, so I call  
7 her Patsy -- not out of disrespect but because I know  
8 her as a personal friend.

9 You know, we really believed in her ability  
10 to win. She raised money. She had a great campaign  
11 team. She had the full weight of the Buncombe County  
12 Democratic Party behind her, and unfortunately, you  
13 know, she got her butt kicked on election day.

14 So I think, you know, that's another case of  
15 just kind of proving under these new maps. You know,  
16 she is maybe close to an ideal candidate for the 10th,  
17 in the way that Shuler was close to an ideal candidate  
18 in the 11th. And following that has been another,  
19 again, that side of, hey, if Patsy is going to lose by  
20 20, 25 points to McHenry, I'm sure as heck not going  
21 to run. You know, I'm not going to be the sacrificial  
22 lamb in that race.

23 She did everything right. She had a great  
24 campaign team. She raised money. She worked her butt  
25 off. I believe she was retired at the time so she

1 could campaign full-time. She was traveling the  
2 district. And, you know, it was just insurmountable  
3 based on the maps.

4 Q. And then I want to ask you about the  
5 challenges of Asheville being divided between two  
6 congressional districts. Are there any other examples  
7 other than the ones you've already talked about that  
8 come to mind as to why that presents a challenge for  
9 Asheville voters?

10 A. Well, again, I think -- and Jake talked about  
11 this a lot before with the kind of town hall. So if  
12 you have an issue, whether it's healthcare, other  
13 advocacy organizations that I know who work around  
14 LGBTQ rights, including WNCAP, which is Western North  
15 Carolina AIDS Project, they are struggling to get  
16 meetings because what's happening -- and I think this  
17 is pretty widely known with people calling and asking  
18 for meetings, not with the Congressperson themselves,  
19 but even with the district rep, and I've done this  
20 with Meadows' 11th District rep, again, down at the  
21 Skyland Fire Station in south Buncombe.

22 They verify, they ask where you are  
23 registered to vote. So they will not meet --  
24 Representative Meadows will not meet with you unless  
25 you live in the 11th District; and, okay, that sort of

1 sounds reasonable and fine, even though it's just a  
2 staffer, not the Congressperson them self. But what  
3 happens when you have an organization that represents  
4 the entirety of Buncombe County, or the entirety of  
5 Western North Carolina, Appalachia, you know, policy  
6 concerns, then you have these organizations or these  
7 groups. And if people are working closely together on  
8 an issue area but one lives in the 10th and one lives  
9 in the 11th, well, then we can't meet together with  
10 Representative Meadows' staff district.

11 I don't know that Representative McHenry is  
12 verifying in the same way, but Representative Meadows  
13 is. So that has an impact of kind of, you know,  
14 people organize based on county, and also based on the  
15 region -- that actually even stretches across state  
16 lines where people from East Tennessee, and North  
17 Georgia are coming into Asheville for services like I  
18 mentioned here, that's neither here nor there.

19 But that's problematic when you break up this  
20 region. As Jake said, once you come up the mountain  
21 or go down the mountain you've literally hit the  
22 Eastern Continental Divide. When y'all all drive back  
23 today and go down 40, you'll see the signs for Eastern  
24 Continental Divide. Well, people, once you get up on  
25 this side of the mountain work together on policy and

1 have a lot of shared interests, and if that's broken  
2 apart by not being able to sit in the same room  
3 together -- if I'm used to talking with Jake about  
4 stuff and he's in the 10th Congressional District so  
5 he can't come to the meeting and we can't tag team it,  
6 again, on whatever issue area with Representative  
7 Meadows, then, you know, that has a very real impact  
8 on kind of the ability to talk about stuff and, you  
9 know, share that kind of lived experience that people  
10 may have based on they live on the other side of  
11 Asheville, or they live on the other side of Merrimon  
12 Avenue or whatever it may be.

13 MS. EARLS: Okay. I have no further  
14 questions.

15 MR. McKNIGHT: I just have a few clarifying  
16 questions.

17 EXAMINATION

18 BY MR. McKNIGHT:

19 Q. Now, are you saying that if you represent a  
20 countywide organization here in Buncombe County, are  
21 you saying that you know for a fact that  
22 Representative Meadows would not meet with such a  
23 person, if the person who is -- would not allow  
24 someone who does not live in his district to attend a  
25 meeting?