

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

COMMON CAUSE, et al.,)
)
Plaintiffs,)
)
vs.) Civil Action No.
) 1:16-CV-2016-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.)
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LEAGUE OF WOMEN VOTERS OF NORTH)
CAROLINA, et al.,)
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vs.) Civil Action No.
) 1:16-CV-1164
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30 (b) (6) DEPOSITION OF
THE LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA
BY MARY TROTTER KLENZ

9:55 A.M.
Tuesday, April 4, 2017

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CHARLOTTE, NORTH CAROLINA

1 Women Voters, interacting with public policy, elected officials,
2 you know, candidates, I guess you'd say elected and all of that.

3 Q. Now, in terms of political organizations that you're
4 involved with, is the League of Women Voters it or are you
5 involved with other organizations or campaigns or political
6 party organizations?

7 A. No.

8 Q. So the answer, is it the League is it?

9 A. As a formal membership affiliation, yes. Let me think
10 now. No. Let me backtrack. I am a member of the Democratic
11 Women of Mecklenburg County.

12 Q. And how long have you been a member of that?

13 A. Off and on for I would say less than ten years. I
14 don't keep a calendar of all that.

15 Q. What do you have to do to be a member of that?

16 A. Pay dues.

17 Q. As far as you know, you've been paying dues to that
18 organization?

19 A. Kind of off and on.

20 Q. Okay.

21 A. I believe I'm current.

22 Q. How about to be a member of the League of Women
23 Voters, what do you have to do to be a member of that?

24 A. It's a membership-based organization and they
25 broadened the requirements to include -- as far as lower the age

1 and it's open to all men and women under the -- over the age of
2 16 I believe. That was just recently changed at the national
3 level.

4 Q. So I understand membership is open to all people --

5 A. Yes.

6 Q. -- men and women over age 16 or is it 16 and over?

7 A. You know, that's a good question. I'm not quite sure.
8 They just changed it at the last national convention.

9 Q. Okay. Now, tell me about the relationship between the
10 national League of Women Voters organization and the state
11 organization. I guess first of all, I understand the national
12 group is the League of Women Voters of the United States. Is
13 that what that's called?

14 A. Yes.

15 Q. Okay. And then you have the League of Women Voters of
16 North Carolina. Is that right?

17 A. Correct.

18 Q. Now, and the organization that you're representing
19 here today is the League of Women Voters of North Carolina. Is
20 that right?

21 A. Correct.

22 Q. And what is your role with that organization?

23 A. I'm co-president.

24 Q. And how long have you been co-president of the
25 organization?

1 Q. Now, as I understand it, before you -- before the
2 League, that is, adopts a position, you go through a process of
3 researching and vetting that position. Is that right?

4 A. It's called study and consensus.

5 Q. And can you explain how that process works?

6 A. Well, the process would be if the member were -- we're
7 a grassroots organization so if our members are concerned with
8 an issue or see something that they think the League should be
9 involved in or they think -- you know, basically it comes up --
10 bubbles up from the bottom. They can conduct a study, which is
11 research and -- there's a whole guide on what a study is
12 supposed to be, and then present to their members, whether it's
13 at the state -- or the local, state or national, a -- what we
14 call a position, the League will support blah, blah, blah, blah.
15 And the members -- there's a vigorous debate, as
16 people in the organization basically like to do, and then
17 there's a vote to adopt the position or not.

18 Q. And who takes that vote? Who votes on the position?

19 A. Who votes on the position?

20 Q. Maybe we should start at the local, the state and the
21 national level and tell me first at the local level.

22 A. The members.

23 Q. And in what form do they do that? Do they do it by
24 mail? Do they do it at a convention? How does that work?

25 A. To my knowledge, they do it at their -- a local has to

1 duty-specific.

2 Q. How about on the state board, did you have -- as
3 co-president, did you have a portfolio or an area of focus?

4 A. An area of focus would be probably a better
5 description and at the state and local level -- see, we're all
6 volunteers.

7 Q. Uh-huh.

8 A. So you kind of have to fill in where needed and
9 take -- and as -- let's say topics, issues, situations present
10 themselves so you can -- advocacy was also what -- a big part of
11 what I wanted to do and liked to do. I haven't been able to do
12 that because I've had to do so much administrative work this
13 term.

14 Q. And what kind of advocacy does the organization get
15 involved with?

16 A. Well, we have -- we -- generally, there's what we call
17 issues for emphasis. And this is not etched in stone, but it's
18 more of a guideline or a plan. And they can -- they are talked
19 about and voted on, approved let's say, at one of your annual
20 meeting or your conventions. So a lot of my focus throughout,
21 sporadically, not always, but was tax, budget and taxes.

22 Q. Now, did you ever have anything to do with voting
23 rights or redistricting or anything in that area?

24 A. Voting rights, yes. We had a national effort --
25 voting rights, voter protection, all those issues are just

1 ingrained in the organization so it's like an ongoing thing.
2 You would have voter registration, candidate debates, forums,
3 public education on the -- or not public education, educational
4 forums on the issues.

5 And the reason I came back, I forgot about this now,
6 in 2014, the state league received a grant from national called
7 a Public Advocacy for Voter -- PAVP, Public Advocacy for Voter
8 Protection. And I administered that grant in that program
9 during that 2014-2015 period pretty much.

10 Q. And that grant came from the national --

11 A. Correct.

12 Q. -- organization?

13 A. Uh-huh.

14 Q. How much was the amount of that grant?

15 A. There's -- you have to present an RPF and the board
16 had voted to do that and it was \$11,000.

17 Q. And what did you use those funds for?

18 A. We used them to do a lot of public forums on -- this
19 is during the period of time when there was a lot of legislation
20 and changes going on with the voter ID, all the different voting
21 issues that were coming out of the general assembly related to
22 changes in voting procedures and processes, which would then
23 impact the state -- the local leagues in what happened locally.

24 So the focus of that grant was to educate our members
25 and members of the general public on what was happening, what

1 they needed to be aware of particularly around let's say the
2 voter ID issues, the change in same-day registration, all those
3 related issues.

4 Q. And so I think you said the purpose was to educate
5 people about what those changes were?

6 A. What the changes were, correct, what that means on the
7 ground. So the local leagues and different groups would be
8 always invited so they could educate their people, their members
9 at the -- you know, before they went to vote.

10 Q. Now, do you pass that grant money down to local
11 organizations or do you just use it at the state level to
12 facilitate?

13 A. It's a combination of both.

14 Q. Okay.

15 A. We did a local league passthrough of some of the money
16 and we did -- we, when I say we now -- I'm talking about the
17 state league. We organized and facilitated and conducted
18 forums --

19 Q. So --

20 A. -- training sessions, things like that.

21 Q. And were those open to members or the general public
22 or how did that work?

23 A. Mostly members, but the general public, I mean, if
24 somebody wanted to come, they would certainly be welcome to be
25 there. And word of it spread.

1 Q. And those forums, where were they held?

2 A. Well, we held a number of them in Greensboro -- at the
3 library in Greensboro -- because of the central location. That
4 would be more of a state -- you know, bring people in from
5 different parts of the state. And we may have done others. I
6 really can't remember to tell you the truth.

7 Q. Now, thinking about the 2016 redistricting process
8 that involved the congressional districts --

9 A. Uh-huh.

10 Q. -- did you-all engage in any kind of public forums or
11 educational efforts related to that?

12 A. We -- as far as the process?

13 Q. Or anything about it.

14 A. Oh, anything about it. Well, it was public
15 discussions certainly on the process of redistricting, how it
16 worked, what it was. People didn't even know, you know, what it
17 mattered. Our members took part as individuals. And we always
18 encourage our members to take part in these processes of their
19 own -- whatever their particular interest would be as
20 individuals.

21 Q. And what I'm referring to is specifically the
22 redistricting process that took place in 2016, which just redrew
23 the congressional maps. I understand that we had a larger
24 redistricting process so to speak in 2011 --

25 A. Uh-huh.

1 calendar to -- it's not something that we just take out now and
2 then. It's --

3 Q. Yeah. I didn't know if you were engaged specifically
4 though an effort related to the -- this would have been in early
5 2016 I believe that these congressional maps were redrawn.

6 A. Tell me the question again so I can --

7 Q. Sure.

8 A. I'm not sure where -- because it's such an ongoing
9 process, it doesn't just happen and then not happen. It just is
10 part of the general discussion all the time.

11 Q. Let me back up a minute. You're saying your
12 educational efforts about redistricting are ongoing. I mean, is
13 there more of a focus on those while it's happening? Because I
14 mean, it normally happens -- absent a court order, it normally
15 happens after each census is taken --

16 A. Correct.

17 Q. -- at the beginning of each decade.

18 A. This is ongoing. This one's been ongoing.

19 Q. Okay. All right. And what --

20 A. It's still going on.

21 Q. And what is ongoing specifically?

22 A. The redistricting question.

23 Q. Like?

24 A. I mean, we're still talking about it today.

25 Q. Okay. Well, has the League of Women Voters of North

1 Carolina, have they taken any position on redistricting in North
2 Carolina?

3 A. Well, we have a position on redistricting.

4 Q. Okay.

5 A. And, I mean, that's why we're involved in this
6 litigation.

7 Q. Can you tell me what that position is?

8 A. Well, in this case, related to this would be the
9 representative government piece of it, more the outcome than the
10 process.

11 Q. Explain what you mean by that.

12 A. People have to be educated on the process so, I mean,
13 people can come up and ask you, you know -- or a meeting, just
14 in -- during a meeting on some changes, somebody could ask a
15 question or we would have guest speakers come in, not the state,
16 I'm thinking of the locals actually.

17 Q. Uh-huh.

18 A. The locals do more on that.

19 Q. Have you focused any specific resources specifically
20 on the 2016 congressional redistricting process?

21 A. On the process. I would say probably time, some time
22 would be -- I can't give you any one specific time because it
23 would be integrated into the larger questions that we talk about
24 all the time, and drawing some maps. We did have -- not maps
25 but the -- to show what the new districts are. And we have one

1 of our board members who's talked about that.

2 Q. So you may have printed out --

3 A. Printed out.

4 Q. -- a map to show your members where the districts
5 are --

6 A. Yeah --

7 Q. -- where the new districts are?

8 A. -- I guess that would be --

9 Q. Okay. Would that be something that would happen at
10 the local level or the state level?

11 A. Both.

12 Q. I mean, are you just kind of speculating about what
13 might have happened or is -- I'm asking you about what --

14 A. I --

15 Q. -- what the state organization --

16 A. I know --

17 Q. -- specifically did related to the 2016 congressional
18 redistricting.

19 A. I find this very difficult to answer because it is
20 such a part of what the organization is about, good government,
21 representative government. So it would almost be integrated
22 into all kinds of things just like we integrate discussions on
23 voting, voting processes, who votes, who doesn't vote. So let
24 me say it would be kind of ongoing as it kind of bubbles up from
25 our member interest is the best answer I can give you.

1 MS. EARLS: Oh, don't write -- I'm sorry.

2 THE WITNESS: Oh.

3 MS. EARLS: This is an official copy.

4 Q. Yeah. No need to -- we'll take down your testimony.

5 A. Okay.

6 Q. No reason to mark it up or mark it out. That's fine
7 though. Thank you.

8 A. Okay. We have 17 local leagues and one MAL unit
9 member.

10 Q. Okay.

11 A. And members, we're now up to over 1,400 members.

12 Q. And those are people who've paid their dues and filled
13 out a membership form --

14 A. Correct.

15 Q. -- either at the local or state level?

16 A. Uh-huh. Mostly at the local level.

17 Q. Okay. And looking at the next page, page seven, this
18 paragraph continues on and it talks about the voter registration
19 and the Get Out The Vote efforts of the League of Women Voters.

20 A. Now, do you want me to read this or --

21 Q. No, no. I'm just settling up my question I guess.

22 A. Okay.

23 MS. EARLS: But if you are going to ask her a question
24 on the paragraph, I would ask that you give her a moment to read
25 it.

1 MR. MCKNIGHT: Sure, absolutely.

2 A. If you ask a question, can I read it then?

3 Q. Absolutely. Why don't you read the sentence that
4 starts with if and it ends with Get Out The Vote efforts. It's
5 on page seven. It says with members in almost every county in
6 the state --

7 A. Oh, here. Do you want me to read this?

8 Q. You don't have to read it out loud. Read it to
9 yourself and then I'll ask you some questions about it.

10 A. Okay.

11 Q. All right. So we've talked about some of the civic
12 engagement efforts --

13 A. Uh-huh.

14 Q. -- I think that the League of Women Voters is involved
15 with. Can you tell me about the voter registration efforts that
16 the League is involved with?

17 A. That would be at the local level. We really wouldn't
18 be doing that at the state level. General -- I'm not aware that
19 we've ever done that as a state project. It would be to support
20 local leagues in their efforts.

21 Q. All right. And how about Get Out The Vote efforts?

22 A. Same thing.

23 Q. Local level?

24 A. Yeah. Our strength is to engage our local leagues and
25 support them in those type of on-the-ground efforts.

1 Q. And have you designated any specific amount of the
2 league's state budget for those efforts or how does that work?

3 A. That's more human capital, people, because those are
4 so -- everything is so local.

5 Q. All right.

6 A. Mecklenburg is different than -- not in the rules and
7 regulations, but the locations and the local boards and things
8 like that.

9 Q. So the League of Women Voters of North Carolina is not
10 spending money of those type of things?

11 A. Well, we have -- we spent money on a program with the
12 state -- with the national league called Vote 411 and that we
13 engaged state candidates. It's an online voter guide and voter
14 information.

15 Q. Now, when did you do that?

16 A. At the last election cycle.

17 Q. Okay. And that would have been in 2016?

18 A. Yeah.

19 Q. Now, the last sentence of this paragraph says, this
20 work involves continual attention to and advocacy concerning
21 issues of transparency, a strong and diverse judiciary, fair and
22 equal nonpartisan redistricting and appropriate government
23 oversight.

24 A. Uh-huh.

25 Q. So I want to ask you about those things. What issues

1 of transparency is the League of Women Voters involved with?

2 A. Well, transparency in this case in the sense of -- and
3 again most of this would come down to the state -- the local
4 leagues working with their local boards of elections to
5 understand the process locally, how they pick early voting
6 sites, how -- those kind of nitty-gritty, nuts-and-bolts issues,
7 so the League can then carry out its mission to inform and
8 educate people.

9 Q. All right. And those are all the issues that you see
10 as being part of the transparency efforts?

11 A. Yes, transparency as far as related to -- concerning
12 issues this work involves, continuing advocacy, issues of
13 transparency, a strong and diverse -- yeah.

14 Q. Okay. And then the strong and diverse judiciary, do
15 you know what's meant by that?

16 A. Well, we haven't been doing work on the judiciary in a
17 long time, but it's -- we have way back in the past. And the
18 judiciary would -- well, diverse so it represents the general
19 population, the diversity issue, that it's accessible,
20 responsive. See, our representative government position really
21 is kind of an overriding let's call it an umbrella, where
22 government is -- a governmental system is responsive,
23 representative and accountable.

24 Q. And you hear those phrases a lot when you talk about
25 these type things. Can you tell me what the League of Women

1 Voters means by that?

2 A. What the League of Women Voters means by
3 representative -- we say representative, responsive and
4 accountable.

5 Q. Uh-huh.

6 A. So representative would be that -- think about -- this
7 is how I think about it and I think this how the league --
8 depending on what level you're at of course. If you're talking
9 local, state or national, you might have different examples of
10 how that would actually play out in reality. But that the --
11 they represent the state, the voters in the state, the people in
12 the state.

13 In this case we're talking about the state level, that
14 it reflects what represents the state and is responsive to
15 voters' issues and concerns. And that can be played out in a
16 number of different ways. And it's accountable for the -- to
17 answer the questions, answer to the voters, what's going on
18 here. That would be transparency, how does this happen, tell us
19 more about this, does this represent the state as a whole, not
20 as individual.

21 Q. And what specifically are you talking about there, the
22 government in general or --

23 A. The government in general, a governmental system.

24 Q. Now, was the League of Women Voters involved in any
25 judicial elections in 2016?

1 A. The only way that -- the way the state would be in
2 judicial elections would be through the Vote 411, which is an
3 online voter guide. And that was sent out to the judges that
4 were running. And I didn't -- I wasn't involved -- I don't
5 recall exactly. The ideal is -- would be able to cover it from
6 the local level all the way, in this case, up to the state
7 level, where you vote on the judicial -- the judges that you
8 vote on. That would be what we would want as the best of all
9 worlds, through a voter guide for voter information.

10 Q. Now, in your voter guide, do you endorse candidates --

11 A. No.

12 Q. -- or just provide information?

13 A. No, never endorse, never oppose either.

14 Q. Now, in the last sentence, you also mentioned fair and
15 equal nonpartisan redistricting.

16 A. Correct.

17 Q. And that's a pretty heavy term I guess you could say.

18 A. It is.

19 Q. It could involve a lot of things in other words.

20 A. Uh-huh.

21 Q. Can you tell me what the League of Women Voters of
22 North Carolina means by fair and equal nonpartisan
23 redistricting?

24 A. I guess the proof would be in the pudding, is the
25 process open -- but we're talking about -- in this case, we're

1 talking about outcome so you'd have to look at the outcomes in
2 equal nonpartisan and see how they reflect the overall
3 population of the state.

4 Q. And when you say look at the outcomes, what do you
5 mean by that?

6 A. Well, in this case, we're talking about congressional
7 districts, do they reflect the voting population of the state.

8 Q. And --

9 A. Are they representative. Excuse me.

10 Q. And by outcomes, are you talking about looking at
11 who's elected in those districts? Is that what you mean?

12 A. Yes, who's -- not the individual --

13 THE WITNESS: Should I be talking about this? Is this
14 all right?

15 MS. EARLS: You answer his questions to the best of
16 your ability.

17 THE WITNESS: Okay.

18 A. I've answered it then. I guess ask me your question
19 again.

20 Q. Sure. I'm just trying to understand what you mean by
21 fair and nonpartisan redistricting. And you've told me that one
22 way that you assess that is that you look at the outcome of an
23 election. Right? You look at --

24 A. Well, that would be one way, yeah, I mean.

25 Q. Okay.

1 it go through a process?

2 A. Well, we work with our board members -- I mean, we
3 talk to the board members. The board makes the decision.

4 Q. Now, in terms of joining this particular lawsuit, did
5 the board decide that it wanted to sue over these congressional
6 districts and seek out counsel or did counsel seek out the board
7 and the board agreed to join the lawsuit?

8 A. I went to the counsel --

9 Q. Okay.

10 A. -- and said we want to be part of this.

11 Q. And why did you decide to do that?

12 A. Because of the outcomes of this 2016 plan.

13 Q. And tell me specifically what you mean by that.

14 A. Well, the heavy-handedness in which representatives --
15 it was in the Observer and all the papers, said this is what we
16 did and this is why we did it. It didn't sound very democratic.
17 It certainly is not very representative of the population of the
18 state. We were basically offended by the whole situation. It's
19 undemocratic.

20 Q. And are you basing that on things that were in --

21 A. I'm basing that --

22 Q. -- the paper?

23 A. -- on the fact that the outcomes are practically
24 preordained of the elections, the outcomes of the elections, the
25 way that districts are drawn.

1 Q. And how do you know that?

2 A. Through a lot of experience and listening to
3 candidates and reading a lot of comments and -- they're very
4 skewed, we know that.

5 Q. Well, we've only had one election under these new
6 districts. Right?

7 A. This plan is on steroids. It's just -- it's taken
8 this to a whole new level. It's very off the charts as to what
9 the outcome -- expected outcomes were. It was -- the people who
10 drew it, I mean, it's in the documents, what they said. They
11 knew what they were doing. They talked about it publicly.

12 Q. Well, a lot of times though people in government,
13 people in legislatures, people in congress for that matter, they
14 say they -- this is what we intend to do, but that doesn't
15 always happen. Right?

16 A. Well, this happened.

17 Q. Well, it happened in --

18 A. They said what they intended to do and they did it.

19 Q. Well, it happened in one election. Right?

20 A. It happened on these maps, which is why we're here.

21 Q. Okay. But we've only had one election on this map.
22 Right?

23 A. We're talking about the maps and being
24 representative --

25 Q. Okay.

1 A. -- and the electorate within the maps and it's not.

2 Q. And how do you determine whether it's representative?

3 Are you looking at the statewide vote totals? Are you looking

4 at registration? How are you making that determination?

5 A. I would say as the whole -- North Carolina is a purple
6 state.

7 Q. Uh-huh.

8 A. I think everybody agrees to that. Correct?

9 Q. Well, I can't agree or disagree with anything. But if
10 you -- you continue with what you're saying. It's your

11 assumption that North Carolina is what you call a purple state?

12 A. Well, it's not my assumption.

13 Q. Yeah.

14 A. It's the assumption of a whole bunch of experts. It's
15 all over the paper. It's been talked about a lot in this past
16 election, that it's a purple state. The outcomes do not reflect
17 the fact that it is a purple state.

18 Q. And are you referencing the number of --

19 A. And it was intended --

20 Q. Okay.

21 A. -- as stated in our case.

22 Q. Now, are you referencing the number of Republicans who
23 were reflected versus the number of Democrats who were elected
24 statewide to congress?

25 A. Yes. And I'm -- yes. The congressional delegation

1 does not represent the state.

2 Q. And is that really the League's complaint in this
3 case?

4 A. You have to read the complaint.

5 Q. Well, I guess I'm asking you what the League --

6 A. No. It's in the complaint. You read the -- you've
7 read it. I've read it. We've all read it. It's in the
8 complaint, read it there.

9 Q. Yeah. I guess that's the part I'm not clear on,
10 whether --

11 A. Well, you'll have to figure that out.

12 Q. But the League doesn't have a problem with any
13 specific districts?

14 A. I'm not -- I'm not prepared or able to answer that.
15 It's the total outcome.

16 Q. The total statewide outcome?

17 A. Yes, the total congressional delegation.

18 MR. MCKNIGHT: I guess we've been going about an hour
19 so why don't we take a break.

20 (A recess was taken.)

21 Q. All right. Ms. Klencz, before we took a break, we were
22 talking about the League of Women Voters' involvement in this
23 lawsuit and I think you mentioned that the board decided to
24 initiate litigation here?

25 A. Correct.

1 being questioned in court.

2 Q. Okay. Why don't we look at paragraph 17 then of the
3 amended complaint. That'll be on page seven. Paragraph 17, why
4 don't you take a moment to read that and then I'll ask you some
5 questions.

6 A. Okay.

7 Q. All right. So in the second sentence of that
8 paragraph you say that the plan, and you're talking about the
9 2016 congressional redistricting plan, directly impairs the
10 League of Women Voters of North Carolina's mission of
11 encouraging civic engagement in nonpartisan redistricting
12 reform. Do you see that?

13 A. Yes.

14 Q. Can you tell me what's meant by that?

15 A. Well, I would say impairs the mission, the mission of
16 the league is to inform, engage voters in the process of voting
17 and civic participation in their government. And so when you
18 have an outcome that is so skewed, that harms the mission of the
19 League of Women Voters in the sense that voters are not fully
20 represented -- they do not fully represent the voters of the
21 state. So how do we overcome that outcome in that when we're
22 talking to people and trying to educate, it makes our job much
23 more difficult, much more time consuming and that to try to cut
24 through the fog of what's going on here and how did it end up
25 this way, for number one.

1 The other part -- another part of this is it affects
2 the candidates and their ability or lack of ability to run for
3 office. If a district is so skewed in almost like this
4 preordained outcome, candidates generally are not that
5 enthusiastic about running, they're not enthusiastic -- the
6 candidate that is expected to win and projected to win is not
7 very enthusiastic in many cases, not all cases, in to
8 participating -- or motivated, let me put it that way, in voter
9 forums, debates, voter guides, because the outcome is so skewed
10 in favor or in disfavor of one or the other.

11 So it puts a, for want of a better term, just a -- the
12 whole process is disrupted and disputed. And it's very
13 destructive to democracy when we end up having something that
14 most people can tell well in advance, who pay attention to this,
15 where this thing is going to end up. There's not many times
16 when you have to guess.

17 Q. Can you think of any specific examples of what you're
18 talking about that occurred in relation to the 2016 election and
19 particularly with respect to the 2016 congressional elections?

20 A. I would say that what we hear from our local leagues
21 is the lack of being able to engage the candidates in dialogue,
22 talking about the issues, public forums, participating in the
23 voter guides that local leagues put out. It puts a tremendous
24 damper on the whole process and it is not representative, it is
25 not responsive and it is not accountable.

1 congressional map was drawn?

2 A. Not -- because we don't hold congressional debates.

3 Q. Now, you say here in this paragraph 17, you say
4 additionally the League of Women Voters of North Carolina is a
5 membership organization and its members are harmed by the plan
6 because it dilutes Democratic votes and impairs Democratic
7 voters' ability to elect their preferred congressional
8 candidates. Do you see that?

9 A. Yes.

10 Q. Okay. Now, is the League of Women Voters of North
11 Carolina, is it suing on behalf of its members in this lawsuit?

12 A. That's a legal question I don't want to go down.

13 Q. Well, you can't tell me whether you're suing on behalf
14 of your members or not?

15 A. We're suing on behalf of the League of Women Voters of
16 North Carolina and our members are our local members --

17 Q. Okay.

18 A. -- are also members of the -- and our local leagues
19 are local affiliates of the state league. So yes, I guess you
20 could say that's the connection there.

21 Q. And you referenced the members being harmed. Is that
22 harm what you've just described to me at the local level or is
23 there some other harm?

24 A. What do you mean, as individual members?

25 Q. Yes.

1 A. They're individual voters.

2 Q. Okay.

3 A. So if they're Democrats, they're not -- in this case,
4 they're not given the choices of a viable candidate in a
5 district that is so skewed against, in this case, a Democratic
6 voter.

7 Q. And you can't give me specific examples of that?

8 A. Me.

9 Q. Okay. Tell me --

10 A. I'm the example.

11 Q. Tell me about that.

12 A. I'm in Congressional District 9 and I'm a Democratic
13 voter.

14 Q. Okay. And your representative is Robert Pittenger.
15 Right?

16 A. Correct.

17 Q. All right. And before 2016 --

18 A. I could name a bunch of other people, too --

19 Q. Okay.

20 A. -- but stick with me.

21 Q. We'll stick with you then. So in District 9, Robert
22 Pittenger was your representative and he was elected in the 2016
23 election. Correct?

24 A. Correct.

25 Q. Now, did he have a Democratic opponent?

1 Q. Now, the League of Women Voters North Carolina has not
2 been financially harmed in any way as a result of the way that
3 the 2016 congressional districts were drawn, have they?

4 A. I don't know how you would define financially harmed.
5 We've had to put a lot more resources into educating people
6 about this whole process.

7 Q. Now, I think when you said resources, you said though
8 you meant time?

9 A. Well, in most cases time. Some places -- some cases,
10 printed materials, copies, things like that. Most cases, time,
11 sweat equity.

12 Q. Okay. Now, how would the change in the -- or the way
13 the districts were drawn affect the amount of materials you
14 needed to provide?

15 A. You mean hypothetically?

16 Q. Well, no. In reality for 2016.

17 A. I don't know of any -- I can't think of -- pull
18 something out of my head for 2016, you know, specific to 2016.

19 Q. You don't think you had to create any more materials
20 or anything like that for 2016 as a result of the way the
21 districts were drawn?

22 A. We created materials that came out of the civics -- or
23 the Citizen Education Foundation.

24 Q. Okay.

25 A. Probably more around the issues -- just the how

1 redistricting is, what is, you know, what it turned out,
2 general -- general information on the topic.

3 Q. Is that anything different than what you would do in a
4 normal redistricting cycle then?

5 A. We would do more probably in this cycle because of the
6 way the outcomes have been so out of balance. I think there's a
7 greater -- people are more interested in the topic now.

8 Q. But you couldn't say specifically how much more was
9 spent or anything like that?

10 A. Not off the top of my head, no.

11 Q. All right. Looking at interrogatory number two, you
12 were asked whether the League of Women Voters had drawn any
13 alternative maps and you told me that you had not?

14 A. No.

15 Q. Okay. Was the League of Women Voters involved in any
16 sort of exercise at Duke University where some retired judges
17 drew a map? Does that ring a bell?

18 A. I know that it happened and a lot of our members
19 attended.

20 Q. Okay.

21 A. We -- other than promoting it, that you should go to
22 this and you can learn more about it, no.

23 Q. So the League of Women Voters was not involved in
24 doing that?

25 A. No.

1 Q. All right. Okay. Didn't sponsor it?

2 A. We attended. I mean, I didn't attend, but a lot of
3 members attended.

4 Q. Okay.

5 A. But as individuals.

6 Q. But they didn't participate to your knowledge either?

7 A. I don't know what you mean.

8 Q. Well --

9 A. Other than go to it, no.

10 Q. Okay. None of your members were involved --

11 A. No.

12 Q. -- in drawing the map?

13 A. No, no. Correct, none were.

14 Q. Okay. Now, has the League of Women Voters contributed
15 any funds or resources toward the creation of any alternative
16 maps?

17 A. No.

18 Q. To your knowledge, have any board members, officers or
19 staff of the League of Women Voters drawn any alternative maps
20 aside from --

21 A. No.

22 Q. -- what -- okay. No?

23 A. No. Excuse me, I interrupted you. Ask again.

24 Q. I'm sorry. Have any board members, officers or staff
25 of the League of Women Voters drawn any alternative maps that

1 you're aware of?

2 A. No.

3 Q. All right.

4 A. They have not drawn any.

5 Q. Now, looking at interrogatory number five, I think we
6 talked about this earlier, you've got -- there are two lawsuits
7 listed here; one was about HB 589, which you referenced --

8 A. Uh-huh.

9 Q. -- in which the League of Women Voters was a party and
10 the other was the Dixon versus Rucho case?

11 A. Uh-huh.

12 Q. And then other the other one that's not listed here,
13 there's a lawsuit called the Curry case that also challenges
14 voter ID that was in state court. I think you remember -- you
15 were not familiar with that one because you were not on the
16 board or something?

17 A. Yeah, I wasn't familiar.

18 Q. Okay.

19 A. I didn't think we were part of that.

20 Q. Okay. Now, interrogatory seven you were asked about
21 your communications with other people about this lawsuit and you
22 just mentioned that you had discussed it with the League of
23 Women Voters of the United States, but the only conversation you
24 had with them about this lawsuit was the conversation with
25 Mr. Leonard that also involved your counsel.

1 A. Correct.

2 Q. Is that right?

3 A. Uh-huh.

4 Q. Okay. And has the state organization had any specific
5 meetings to discuss the 2016 maps, congressional maps?

6 A. Specific. Has the state? No.

7 Q. How about the -- let's look at interrogatory 12. It's
8 on page seven.

9 A. No. There -- are you asking me for --

10 MS. EARLS: Why don't you let him ask a question.

11 Q. Yeah. I just wanted to -- I just want you to read it,
12 give you a chance to read it so I can ask a question. So just
13 to confirm, I think you said you did not participate in any
14 public hearings in 2016 as an organization?

15 A. Correct.

16 Q. But the League did participate in the 2011?

17 A. Correct.

18 Q. Okay. Now, when you decide to take on a lawsuit like
19 this, is that a decision that the board makes or do you poll
20 your members in some way or how does that work?

21 A. It would be a board decision.

22 Q. Okay. And have you done any types of surveys or
23 questionnaires of your members regarding the 2016 congressional
24 redistricting process?

25 A. No.

1 Q. And have you received any e-mails from any members of
2 the League of Women Voters of North Carolina talking about the
3 congressional maps? I guess has the organization or you in your
4 capacity as the co-president received or exchanged any e-mails
5 with members of the organization about those districts?

6 A. I'm going to say no, not that I can recall.

7 Q. Well, if you think of any, will you let your counsel
8 know after this so that they can be produced?

9 A. Yes.

10 Q. Okay. Now, I think we've covered most of the
11 interrogatories. Did you also understand that you were asked to
12 produce any documents that were relevant to this case?

13 A. Uh-huh.

14 Q. I think you just testified that you didn't think that
15 you had any e-mails that were about the congressional maps or
16 anything like that?

17 A. Not that I can recall off the top of my head.

18 Q. All right. And you wouldn't have any copy of any
19 budget or any meeting minutes where the 2016 congressional maps
20 were either taken into account or discussed?

21 A. No.

22 Q. Well, I'll break that question down. That's probably
23 a compound question. So in the organization's budget, the
24 organization didn't budget any additional --

25 A. Oh, did we budget? No.

1 Q. -- money to deal with the 2016 congressional maps?

2 A. No, we did not budget it.

3 Q. And that wouldn't be reflected in any budget that you
4 have. Right?

5 A. Correct.

6 Q. Okay. What is the organization's annual budget? Does
7 it vary depending upon the year or --

8 A. It's been pretty stable.

9 Q. Okay.

10 A. We just went through the budgeting process. It's
11 presented to the convention delegates every two years -- or
12 actually every year, but now we're changing to a two-year
13 budget. It's very, very basic, pay the rent, pay the phone, pay
14 the stamps, cover the cost of board meeting lunches, things like
15 that. I'm going to say less than 20,000, maybe more in the area
16 of 15,000.

17 Q. And that hasn't changed since when?

18 A. It hasn't changed. I mean, this year is changing, but
19 for -- not that I remember that it's changed very much at all
20 since I can remember. I don't -- haven't paid a lot of
21 attention to it.

22 Q. So going back --

23 A. It's very basic. We live off the fat of the land.

24 Q. So since at least 2014 --

25 A. Probably not.

1 Q. -- to present --

2 A. No. Yeah, yeah.

3 Q. -- no changes?

4 A. No, no.

5 Q. But you said it might be changing this year?

6 A. We're -- hope to be more intentional on doing some
7 fund-raising and having some better communications with our
8 local leagues as an aspiration.

9 Q. Attached to these discovery responses that we just
10 looked at is -- your counsel's attached a couple of documents
11 here, one is Exhibit A and I want to ask you about that.

12 A. Okay.

13 Q. If you'll take a minute, look at Exhibit A and then
14 let me know when you're ready for some questions.

15 A. Well, I have to read it.

16 Q. That's okay.

17 A. Okay.

18 Q. All right. And did you understand this to be the
19 engagement letter that you had with your counsel in this case?

20 A. Uh-huh.

21 Q. Yes?

22 A. Yes.

23 Q. Okay. We're just trying to avoid the uh-huhs and all
24 that other stuff if we can for the record. That's okay. Now,
25 who signed this letter? This doesn't appear to be your

1 signature. It's on page two.

2 A. Oh, that's Willie. She's the other co-president.

3 Q. Who is the other co-president then?

4 A. The other co-president, Willie Taylor.

5 Q. All right. And so looking at this letter, I'm looking
6 at the third bullet point down and it says you and other
7 Democratic voters in North Carolina are our clients. Does
8 membership in the League of Women Voters include both
9 Republicans and Democrats?

10 A. I would assume it does. We don't ask -- that's not
11 part of anything that we ask or really don't talk about it. I
12 think our members honor the nonpartisan piece of it very
13 carefully.

14 Q. Okay. So do your members ever self-disclose what
15 party they're in? I mean, how do you know how many members are
16 Republicans versus Democrats? Because one of the bases of the
17 lawsuit is that Democratic voters have been disenfranchised in
18 some sense by these maps, so I guess that's what I wanted to
19 understand. Is that something that you know about in terms of
20 your membership?

21 A. We don't ask.

22 Q. Okay.

23 A. I mean, it's basically a practice, a best practice,
24 you know, we're not going to go down the partisan line during
25 functions.

1 Q. Okay.

2 A. It's pretty well-honored, too.

3 MR. MCKNIGHT: Why don't we take a quick break here
4 and then I'll be in a position to wrap up.

5 MS. EARLS: Okay.

6 (A recess was taken.)

7 Q. Ms. Klenz, before we took a break, we were talking
8 about the -- I guess the partisan breakdown of the League of
9 Women Voters. I think you had indicated that you don't know how
10 many members of the League of Women Voters are Democrats versus
11 Republicans versus unaffiliated. Is that right?

12 A. Correct.

13 Q. And so in the amended complaint, the allegation was
14 made that the redistricting plan at issue here discriminates
15 against North Carolina voters who associate with the Democratic
16 party.

17 A. Uh-huh.

18 Q. You can't say what percentage of your membership that
19 that statement applies to, can you?

20 A. No.

21 Q. All right. I'm going to hand you another document,
22 Ms. Klenz, and I'm going to mark this as LWV Exhibit 3.

23 (LWV Exhibit No. 3 was marked for identification.)

24 A. Is that the board?

25 Q. I think you'll recognize it.

1 A. Uh-huh.

2 Q. Do you recognize this document?

3 A. Yes.

4 Q. And what is it?

5 A. It's officers and board of directors contact
6 information 2015 to 2017.

7 Q. Okay. And I see that your name is at the top here
8 along with Ms. Taylor who was the person who signed the
9 engagement letter in the lawsuit?

10 A. Uh-huh.

11 Q. Amongst the people who would have voted to commence
12 this lawsuit on your organization's board, this would have been
13 that list of people. Is that correct?

14 A. Except Louise Romanow --

15 Q. Okay.

16 A. -- would be.

17 Q. Now, when did you say she resigned?

18 A. I think it was right after the November election,
19 which would have made it -- I don't know the official date, but
20 I think it was shortly after the election.

21 Q. All right. But other than her, how long have the
22 people on this list been serving on the board in their current
23 positions as listed here?

24 A. For -- since 2015.

25 Q. Would that have been May of 2015?

1 A. Actually it was June of 2015.

2 Q. Okay.

3 A. I think the convention last time was June.

4 Q. And their terms expire this May at your next
5 convention?

6 A. Correct.

7 Q. And you don't see anything inaccurate --

8 A. No --

9 Q. -- on this list?

10 A. -- other than what I've noted with Louise's name
11 should be removed.

12 Q. All right. Ms. Klenz, I'm going to hand you another
13 document then that I'm going to mark as Exhibit 2 (sic) and it's
14 a two-page document. I think you'll recognize this as well.

15 (LWV Exhibit No. 4 was marked for identification.)

16 Q. And, Ms. Klenz, do you recognize this document that's
17 been marked as LWV Exhibit 4?

18 A. Yeah. I don't think I've seen it before, but it's
19 from our website.

20 Q. Okay.

21 A. I don't think I've looked at it to be honest with you.

22 Q. All right. Well, is this a membership form that a
23 person would use to join the League of Women Voters of North
24 Carolina?

25 A. Yes.

1 Q. And they can also fill out a separate membership form
2 and join the League of Women Voters of North Carolina with a
3 local league. Is that right?

4 MS. EARLS: Objection to the form.

5 MR. MCKNIGHT: Let me ask it a different way then.

6 Q. Another way someone could join the League of Women
7 Voters of North Carolina is by filling out a form with a local
8 group. Is that right?

9 A. Correct.

10 Q. And it be different from this?

11 A. They don't do two.

12 Q. Okay.

13 A. They just do one if it's at the local.

14 Q. Okay.

15 A. Yeah, either way, you just fill out one.

16 Q. But is this the membership form that you were
17 testifying to earlier that was on the website?

18 A. If it was on the website, it's --

19 Q. Okay.

20 A. You got it off the website I assume.

21 Q. Yes, ma'am. So I wanted to know if you recognized it
22 as being the form --

23 A. Yeah.

24 Q. -- because I think you specifically testified you
25 thought it would be on the website and I just wanted to know if

1 this was the form that you were referring to or --

2 A. Yes.

3 Q. -- whether you think it was.

4 A. Looks like it, yes.

5 Q. Okay.

6 MR. MCKNIGHT: All right, Ms. Klenz. I don't think I
7 have any further questions for you at this time. Your counsel
8 may have some questions.

9 MR. BERNIER: I don't have any questions.

10 MS. EARLS: All right. Yes, I do have a couple
11 questions.

12 EXAMINATION

13 BY MS. EARLS:

14 Q. You testified that it was part of the League's mission
15 to ensure that our democracy was representative, responsive and
16 accountable. Where does that phrase, that language, come from?

17 A. It's very powerful language and it's been used around
18 for a long, long time. Where you would find it is in --
19 basically in two places, one is on the national league
20 website -- or excuse me, no, no, no. Let me backtrack. There
21 is a document which is now on the website that is called Impact
22 on Issues and it lists, in this case, the national league
23 positions and background and history on that. And the very
24 first one is representative government, on the national website.
25 The positions are listed also -- I mean, the state

1 positions are on the state website and I believe that is the
2 very -- one of the very first ones on the state website.

3 Q. And is it the League's mission that the -- to work
4 towards making democracy representative for all voters
5 regardless of their political party?

6 A. Oh, yeah, yeah. And we make a very clear point of
7 that in our nonpartisan statement to make sure that that is
8 clearly understood by the public and members. And it's honored,
9 it's honored pretty much down the way from my experience.

10 Q. And so your participation in this litigation, would
11 you have filed a lawsuit if the districts had been 10-3 -- in a
12 purple state, if the districts had been 10-3, 10 Democrat and 3
13 Republican?

14 A. Yeah. The partisan mix is not the issue here. The
15 issue is, in our view, this is not representative of the voting
16 population of North Carolina.

17 Q. And you also testified about the League's work around
18 judicial -- having a fair and impartial judiciary and you talked
19 a little bit about some of the work that the League's done in
20 the past around judicial elections. Is it generally a practice
21 of the local leagues that have candidate forums to also have
22 judicial candidates at those forums?

23 A. Yes. And that has been a challenge all along because
24 many of the judges in some cases feel they can't answer
25 questions when in fact I think there are a lot of questions that

1 they could answer. But they -- some -- there's a varying
2 opinion on that. But absolutely. In fact, some of the judges
3 will ask us and thank, in this case the local league, and make
4 a -- an encouraging comment is how much they appreciate the
5 League doing this.

6 MS. EARLS: I have no other questions.

7 THE WITNESS: No other questions.

8 EXAMINATION

9 BY MR. MCKNIGHT:

10 Q. We're talking about the state league and the local
11 league. Are they set up -- are the local leagues set up
12 separately from the state entity or how does that work, do you
13 know?

14 A. Well, you can't have local leagues if you don't have a
15 state league. In other words --

16 Q. Okay.

17 A. I don't know how to explain that legally, but if the
18 state league wasn't there, you couldn't have local leagues.

19 Q. So local leagues are just a branch or a chapter of the
20 state. Is that right?

21 A. Well, that -- I mean, the local leagues have a lot of
22 autonomy and there is -- they apply to the state -- maybe this
23 will answer the question --

24 Q. Okay.

25 A. -- a local league -- a group will get together and