

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION
4 Court File No. 2:17-cv-14148-DPH-SDD
5 -----
6 LEAGUE OF WOMEN VOTERS
7 OF MICHIGAN, ROGER J. BRDAK,
8 JACK E. ELLIS, DONNA E. FARRIS,
9 WILLIAM "BILL" J. GRASHA,
10 ROSA L. HOLLIDAY, DIANA L.
11 KETOLA, JON "JACK" G. LASALLE,
12 Richard "DICK" W. LONG,
13 LORENZO RIVERA,
14 and RASHIDA H. TLAIB,
15
16 Plaintiffs,
17
18 v.
19
20 RUTH JOHNSON, in her official
21 capacity as Michigan
22 Secretary of State,
23
24 Defendant.
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26 -----
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28 -----
29
30 DEPOSITION OF
31 DANIEL McMASTER
32
33 -----
34
35 Taken August 17, 2018 By Kelly A. Herrick

1 APPEARANCES:

2

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5
By: Hassan Beydoun
6 For the House Representatives and the
witness in his capacity as a former
7 House Representative staff

8
Also present: Deborah M. Barclay, Notary

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I N D E X

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1 THE DEPOSITION OF DANIEL McMASTER is taken
2 on this 16th day of August, 2018, at Dykema
3 Gossett, 201 Townsend Street, Suite 900,
4 Lansing, Michigan, commencing at 8:45 a.m.

5 DANIEL McMASTER,

6 A witness in the above-entitled action,
7 after having been first duly sworn,
8 testifies and says as follows:

9 EXAMINATION

10 BY MR. GIFFIN:

11 Q. Okay. Mr. McMaster, can you say and spell
12 your full name.

13 A. Daniel L. McMaster, D-A-N-I-E-L, L,
14 M-C-M-A-S-T-E-R.

15 Q. My name is Matt Giffin. I represent the
16 League of Women Voters and the individual
17 Plaintiffs in this lawsuit.

18 Have you ever had your deposition
19 taken before?

20 A. Once.

21 Q. When was that?

22 A. It was a law enforcement, loitering, traffic
23 parking lot issue.

24 Q. About how long ago?

25 A. 18 years ago maybe.

1 A. I'm not sure.

2 Q. Did you go back to the drawing board?

3 A. Yeah, we created -- I know we created
4 several variations, but I believe we
5 ultimately said this is what it's -- kind of
6 one of these, I hope you like it, because
7 this is what it's going to be.

8 Q. Is this the only map that complied with the
9 Apol standards that you could have drawn?

10 A. Any map we would have drawn for him would
11 follow Apol standards. We were under strict
12 guidance from Pete to keep everything within
13 Apol standards.

14 Q. Did you ever draw maps, even ones that
15 weren't publically released, just sort of
16 draft versions, that either didn't follow
17 the Apol standards or that you didn't check
18 to see if they followed the Apol standards?

19 A. We may have drawn some and then once we
20 found out they weren't, then we crossed them
21 off.

22 Q. Briefly just walk me through how you found
23 out they weren't. Who did that work?

24 A. (Indicating).

25 Q. You?

- 1 A. I mean, I talked to Brian, Brian punched it
2 into his computer, map prints out, we start
3 looking at it, I start literally physically
4 writing population numbers on each township,
5 making sure that when we cut across the
6 county line, we're grabbing the right
7 township, counting up all the county breaks.
- 8 Q. Can the software do that for you? And by
9 "you," I mean you in general, can it do that
10 for a person?
- 11 A. I'm not sure. I'm not sure if you can set
12 it -- if you can -- if it's got like a -- I
13 don't know. That's a Brian Began question.
14 I don't know.
- 15 Q. Did you ever save draft maps?
- 16 A. Did I what?
- 17 Q. Did you ever save draft maps?
- 18 A. I didn't have a computer.
- 19 Q. Did you ever tell Brian Began to save draft
20 maps?
- 21 A. Yes.
- 22 Q. Do you know if he did that?
- 23 A. I would assume so on the laptop.
- 24 Q. You think they were saved on his laptop?
- 25 A. Yeah.

1 Q. Did you ever print out maps to be saved or
2 tell him to print out maps to be saved?

3 A. Well, we had -- we had a ton of stuff
4 printed out, yeah.

5 Q. Did you keep that stuff?

6 A. No.

7 Q. What happened to it?

8 A. When we were told in 2012, January/February
9 2012, that we had passed our last court case
10 or approval from the Justice Department or
11 whatever it was, we no longer had to hold on
12 to stuff and it was up to us to do whatever
13 with it.

14 Q. Who had told you to hold on to stuff in the
15 first place?

16 A. Joe Baumann.

17 Q. Joe Baumann?

18 A. House legal counsel.

19 Q. Did he do that via letter?

20 A. I don't know if it was an email, if it was a
21 conversation, I'm not sure.

22 Q. And Joe Baumann was the one that told you
23 you didn't need to keep things anymore
24 afterwards?

25 A. He said it was up to us to do whatever we

1 want with it. Pete wanted his office
2 cleaned. It was a pigsty.

3 Q. So Pete Lund, did he tell you to get rid of
4 these drafts or did he just tell you to get
5 them out of his office?

6 A. He said, tidy up the office, clean up the
7 office.

8 Q. And you decided that you would just get rid
9 of them?

10 A. Yes.

11 Q. Do you have any drafts from that period in
12 your possession?

13 A. Hmm-um.

14 MS. MAPPE: You need to answer yes
15 or no.

16 THE WITNESS: Yes -- no -- I mean,
17 no, no. I mean, yes to you.

18 MS. MAPPE: Sorry.

19 THE WITNESS: No, I did not have
20 any map drafts, I didn't save -- no, I was
21 so burned out, I was so like (indicating).

22 BY MR. GIFFIN:

23 Q. Can you tell me how these meetings with
24 legislators happened logistically?

25 A. They were held in Pete Lund's legislative

1 STATE OF MINNESOTA
2 CERTIFICATE
3 COUNTY OF WASHINGTON

4 I, Kelly A. Herrick, hereby
5 certify that I reported the deposition of
6 DANIEL McMASTER on the 17th day of August,
7 2018 in Lansing, Michigan, and that the
8 witness was by me first duly sworn to tell
9 the truth and nothing but the truth
10 concerning the matter in controversy
11 aforesaid;

12 That I was then and there a notary
13 public in and for the County of Washington,
14 State of Minnesota; that by virtue thereof I
15 was duly authorized to administer an oath;

16 That the foregoing transcript is a
17 true and correct transcript of my
18 stenographic notes in said matter,
19 transcribed under my direction and control;

20 That the cost of the original has
21 been charged to the party who noticed the
22 deposition and that all parties who ordered
23 copies have been charged at the same rate
24 for such copies;

25 That the reading and signing of
the deposition was not waived;

That I am not related to any of
the parties hereto, nor interested in the
outcome of the action and have no contract
with any parties, attorneys or persons with
an interest in the action that has a
substantial tendency to affect my
impartiality;

WITNESS MY HAND AND SEAL this 24th
day of August, 2018.

Kelly A. Herrick
Notary Public