To: lottman@lottman@gmail.com; adamfoltz@gmail.com; adamfoltz@gmail.com
Cc: McLeod, Eric M (22257); EmMcLeod@michaelbest.com; Taffora, Raymond P (22244); Tptaffora@michaelbest.com
From: Jim Troupis
Sent: Fri 7/15/2011 10:26:13 PM
Subject: Hispanic

Tad or Adam,
Please send the latest Hispanic map and stats to Gaddie, copy me. In talking with RNC they have concerns about Citizenship and it's impact. Did Gaddie look at those and take it into account? What is the citizen Hispanic vote, if you know! That is the reason for much higher. What percent elected The present and past Hispanic legislators if you know? Also please review the contiguity problems noted by RNC and verify all are legally permissible. Please respond to RNC and copy us.

Thanks
Jim

Sent from my iPhone
Gaddie’s analysis showed that the Hispanic community turns out to vote at a rate of around 14-15%, hence his recommendation that we draw the 8th Assembly District at 65% HVAP, in order for the community to control the election (the 9th AD would then be left with a HVAP of 50%). We then made the decision to draft the 8th and 9th at 57%/57% and offer an amendment at the originally drawn 65% HVAP, believing the community would take this amendment given their quest for supermajority county supervisor seats. Obviously that changed as things progressed.

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On Fri, Jul 15, 2011 at 5:26 PM, Jim Troupis <jrtroupis@troupislawoffice.com> wrote:

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Sent from my iPhone
To: "AdamFoltz@gmail.com" [AdamFoltz@gmail.com]
Cc: "tottman@gmail.com" [tottman@gmail.com]; Taffora, Raymond P (22244); rptaffora@michaelbest.com
From: McLeod, Eric M (22257)
Sent: 5/17/2011 4:16:17 PM
Subject: Re: Hispanic

Adam and Tad,

I would have no problem with any of the three options on 8 and 9. The issue has been community buy in. However, I am concerned Jim is trying reassess issues we have already resolved. Now is not the time for that.

EMM

Eric M. McLeod
Michael Best & Friedrich LLP
608-283-2257 (Office)
608-692-1371 (Cell)
emmcleod@michaelbest.com

From: Adam Foltz [mailto:adamfoltz@gmail.com]
Sent: Friday, July 15, 2011 5:49 PM
To: Jim Troupis <jrtroupis@troupislawoffice.com>
Cc: totman <tottman@gmail.com>; McLeod, Eric M (22257); Taffora, Raymond P (22244)
Subject: Re: Hispanic

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Sent from my iPhone
To: Adam Foltz <adamfoltz@gmail.com>
Cc: tonman@tonman@gmail.com; McLeod, Eric M (22257); pallflora@michaelbest.com; Taffora, Raymond P (22244)
From: Jim Troupis
Sent: Sat 7/16/2011 2:45:04 PM
Subject: Re: Hispanic

Did you forward the latest districts to him? We could amend to the higher number on the floor I assume if we think we must. Please send those and copy me.
I do not have Keith's contact info with me so please send that to me and I will call him today or tomorrow.
Jim

Sent from my iPhone

On Jul 15, 2011, at 5:49 PM, Adam Foltz <adamfoltz@gmail.com> wrote:

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To: McLeod, Eric M (22257)<EMMcleod@michaelbest.com>
Cc: AdamFoltz@gmail.com[AdamFoltz@gmail.com]; Taffora, Raymond P (22244)<rptaffora@michaelbest.com>
From: tottmann
Sent: Sat 7/16/2011 4:29:27 PM
Subject: Re: Hispanic

I had the same thought. I thought we had resolved that we would go with the higher number unless there was support in the community for one of the other alternatives, which there now is. Further, if we were to change this on the floor, we would be substituting an alternative for which no one in the community has advocated.

On Sat, Jul 16, 2011 at 11:14 AM, McLeod, Eric M (22257) <EMMcleod@michaelbest.com> wrote:

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EMM

Eric M. McLeod
Michael Best & Friedrich LLP
608 283-2257 (Office)
608 692-1371 (Cell)
emmcleod@michaelbest.com

From: Adam Foltz [mailto:adamfoltz@gmail.com]
Sent: Friday, July 15, 2011 05:49 PM
To: Jim Troupis <jtroupis@troupislawoffice.com>
Cc: tottmann <tottman@gmail.com>; McLeod, Eric M (22257); Taffora, Raymond P (22244)
Subject: Re: Hispanic

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Here is a brief suggestion on Spindell.

Troupis Law Office LLC
7609 Elmwood Ave
Suite 102
Middleton, WI 53562
608.807.4096
jrtroupis@troupislawoffice.com

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I left a voice mail for Eileen to call me back.

In terms of prepping them on specifics, what do we want them to testify on? I assume not minority districts. Communities of interest? Population trends?

Produced 10/16/2012 (34 Total Emails)
Are there subjects we do not want them to touch on?

On Mon, Jul 11, 2011 at 4:26 PM, Jim Troupis <jrtroupis@troupislawoffice.com> wrote:

Tad & Adam,

Bob and I talked and I began to brief him. He is expecting a call from one of you to walk him thru specifics. You will need to coordinate who is going to testify, and, unfortunately, you will need to prep people on specifics. We can give them talking points, but on the specifics, you’ll know better than any of us.

Also, let me know when you have talked to Eileen. Again, she should limit her comments to things she understands, but she will not know the map (nor did Bob).

Thanks.

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Rich Zipperer contacted Bob Spindel, who is on the Milwaukee Elections Commission, about testifying in favor of the map. Bob was going to reach out to Gerard Randall and Manny Perez about them testifying as well.

Bob would like someone to call him and walk through what his testimony should cover. I thought one of the attorneys would be best for that. Bob’s number is 414.276.6331. If you mention that either Rich Zipperer or I asked to call, he will know what the call is about.

A call after 4:15 today should give him enough time to reach out to Gerard and Manny.

Is one of you able to make that call?

Thanks,

Tad
DRAFT TESTIMONY

Bob Spindell

I.) Personal Background.
   a. Name, Residence, Public positions (not political)
   b. Reviewed the Proposed Maps and am here to testify in SUPPORT.

II.) Population.
   a. Shifts in population made for some difficult choices. Here the maps satisfy all those criteria for population.

III.) Communities of Interest.
   a. City of Milwaukee—Important to keep it together.
      i. Here, there are ___ Assembly and ___ Senate Districts wholly within the City.
       ii. Suburban nature of parts of the County
           iii. Some of those Suburban areas are now combined outside the County with similar areas. That is a positive.
   b. Election Official—important to try to keep things within municipal boundaries.
      i. That too is accomplished here as I said.

IV.) Wards.
   a. As an election official it is best not to have wards—the unit of elections—among multiple districts. Splits in a voting unit always cause problems. That is minimized here with the wards coming after the assembly and senate districts.
I left a voice mail for Eileen to call me back.

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From: tottman [mailto:tottman@gmail.com]
Sent: Monday, July 11, 2011 3:49 PM
To: McLeod, Eric M (22257); Jim Trupis; Taffora, Raymond P (22244)
Cc: adam foltz
Subject: Testimony from Milwaukee

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To: tolm@toltman@gmail.com; McLeod, Eric M (22257); EMcLeod@michaelbest.com; Taffora, Raymond P (22244); rptaffora@michaelbest.com
Cc: adamf@adamfoltz@gmail.com
From: Jim Troupis
Sent: Mon 7/11/2011 9:26:31 PM
Subject: RE: Testimony from Milwaukee

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Ted
To: totman@gmail.com; McLeod, Eric M (22257); McLeod@michaelbest.com; Talfora, Raymond P (22244); rptaffora@michaelbest.com
Cc: adam foltz
From: Jim Troupis
Sent: Mon 7/11/2011 9:06:17 PM
Subject: RE: Testimony from Milwaukee

I am on the phone with him now.

Jim

Troupis Law Office LLC
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Suite 102
Middleton, WI 53562
608.807.4096
jtroupis@troupislawoffice.com

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Cc: McLeeod, Eric M (22257)<EMcLeod@michaelbesl.com>; adam foltz(adamfoltz@gmail.com)
From: Jim Troupis
Sent: Mon 7/11/2011 10:39:23 PM
Subject: RE: Testimony from Milwaukee

All,

We need some very clear direction on who is testifying on what, and the preparation.

Let’s allocate responsibilities and schedule—here are my suggestions:

1.) TAD & ADAM: Testify together at the opening. Outline has already been prepared. If there are changes, they need those tonight so they can be prepared tomorrow. 10 A.M.—Conf. Call tomorrow to review their testimony.

2.) Bruskewitz: JRT spoke to already. Outline provided by JRT to Tad/Adam. Tad or Adam to discuss with her tonight and provide the details she needs and forward an appropriate outline for her (remember this may be discovered) Main Point: Population equality & Communities of interest

3.) Spindell: JRT spoke to already. Outline provided by JRT to Tad/Adam. Tad or Adam to call discuss his testimony and provide the details he needs tonight. Again, an outline can be provided but it may be discoverable. Main Point: Communities in Milwaukee kept together, Wards are best after the districts

4.) Gerard & Manny: Spindell is to call. Then follow-up by Tad or Adam. No outline yet prepared. If the agree to testify, then they will need the specifics of the districts and compare those to the prior maps.Main Point: Supportive of Minority district representation as shown on the maps

5.) MALDEF: JRT has spoken to and forwarded map proposals for evaluation. They will want to know in the morning if the proposal is acceptable, and if it is how they should go about it. We need someone to commit, and I’m not sure how that is to go forward. Main Point: Supportive of Latino districts.

6.) Esenberg: All materials have been forwarded. He will prepare his own testimony.

COMMITTEE Prep: What is the plan? What time for briefing? I assume this is just to say ‘don’t say much’, just the points, population, communities of interest & compact, sensitivity to minority representation.
CONFERENCE CALL: Let's do a conference call on the process at 9 a.m. Tuesday morning so we know that all is getting done. We can use my call-in,(608-807-4108; pin 53214) or and MB&F number.

Witness Line-up: 1.) Tad/Adam; 2.) Esenberg; 3.) Spindell; 4.) Gerard/Manny; 5.) Bruskewitz; 6.) MALDEF. Thoughts?

Timing: What time does it start on Wens? What room? Who will meet with the witnesses before and during the hearing?

Please let me know what you think of this. Thanks.

Jim T.

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Communities of interest would be their topics. They are there for the "softer" subjects. Eisenberg should handle constitutional issues like equal population and, if possible, the requirements of the VRA (racial minorities).

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Cc: Taffora, Raymond P (22244); [rptaffora@michaelbest.com]; adamfoltz@gmail.com [adamfoltz@gmail.com]; McLeod, Eric M (22257) [EMMcLeod@michaelbest.com]
From: Jim Troupis
Sent: Mon 7/11/2011 1:49:18 PM
Subject: RE: Wisconsin Hispanic Districts

Thanks Tad. You and Adam have done a GREAT job on all this. By Friday, perhaps you'll be able to take a day off....maybe....

Jim

James R. Troupis

Troupis Law Office LLC

jrtroupis@troupislawoffice.com

ph. 608-807-4096

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From: totman [mailto:tottman@gmail.com]
Sent: Sunday, July 17, 2011 8:57 PM
To: Jim Troupis
Cc: Taffora, Raymond P (22244); adamfoltz@gmail.com; McLeod, Eric M (22257)
Subject: Re: Wisconsin Hispanic Districts

The software we use generates a report of all non-contiguous areas that require individual examination. Adam and I have each examined these areas multiple times and found no discontiguous areas that didn't fall within the law. We'll take another pass through the map tomorrow to confirm.

On Sun, Jul 17, 2011 at 7:46 PM, Jim Troupis <jrtroupis@troupislawoffice.com> wrote:

All,

To be clear for everyone, evaluating everything now and understanding what we are in
for is a critical exercise. Obviously the maps will be tested very seriously in court, and equally obvious is that we can predict at this point some of those challenges. We all appreciate that there has been an enormous amount of work that has gone into this, and that the choices were made based on the best information we have had at the time.

Also, in the event the recalls are successful for the Democrats there will be a limitless war chest, I assume, to pay experts and attorneys on the other side so everyone’s analysis will be tested at every turn. (Not that they don’t already have that war chest in place....)

—As we discussed throughout, a key litigation strategy was to have the 3 assembly districts encompass virtually all the area in question so that a Court, even if it is concerned about percentages, can simply correct those districts within the senate district. In 1981 in the Illinois that was our strategy—we were the plaintiffs seeking only to help one representative—and the Supreme Court of Illinois took that option (a win for the party, but no change to the balance of the map).

—The citizenship issue is being played out in the Carolina’s already, as well as Florida. We will need to know that information and have a very clear idea of how to approach it.

—The USDOJ is certainly going to look at the Wisconsin maps starting with their passage. It will not be surprising if AG Holder brings some type of action because Obama’s Presidency could hang in the balance of how Wisconsin votes. This next week I’ll try to get the legal arguments that are playing out on this and other issues from counsel around the country so we can be better prepared when they come here, as well. I’ll try to circulate something later in July.

— One benefit of having Keith on Board is that he has been and continues to be involved in other parts of the country. That provides needed insight.

—TAD—thank you for the numbers. It looks like they went to the 65/50 (poorly) map. It also looks like the Hispanic community was able to elect a representative at a lower HVAP than the proposed maps, so that certainly works against any challenge premised on electability. Tomorrow, could you look-up the blue book numbers for the elections immediately following the Court map and show the totals in primaries and general for the Hispanic District. We should continue to build the case with real elections, to the extent we can. Also, we will want to collect the data on any Aldermanic and/or Supervisory districts in Milwaukee that had a Hispanic surname candidate in the past 10 years. We can then compare those results against the HVAP for those districts. Again, I am assuming those elections will show no particular animus against Hispanic candidates and show election of Hispanic candidates in areas where there were significantly lower % than the two Assembly districts of the map.