

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

MARCUS CASTER, LAKEISHA  
CHESTNUT, BOBBY LEE DUBOSE,  
BENJAMIN JONES, RODNEY ALLEN  
LOVE, MANASSEH POWELL,  
RONALD SMITH, and WENDELL  
THOMAS,

Plaintiffs,

v.

WES ALLEN, in his official capacity  
as Alabama Secretary of State,

Defendant,

and

CHRIS PRINGLE and JIM  
McCLENDON,

Intervenor-Defendants.

Case No. 2:21-CV-1536-AMM

**PLAINTIFFS' NOTICE OF SUBMISSION OF TRIAL EXHIBITS**

Plaintiffs respectfully submit and hereby file the following exhibits they may offer as substantive evidence at trial.<sup>1</sup> Plaintiffs reserve the right to revise or supplement these exhibits within a reasonable time before trial or due to exigent

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<sup>1</sup> Exhibits 127, 128, 130-135, and 148-151 are videos and will therefore be provided to the Court on a USB drive, as they are incapable of being filed on the docket.

circumstances, including but not limited to revisions or supplements in response to Defendants' witness lists, proposed deposition designations, and exhibit lists. Plaintiffs further reserve the right to offer exhibits listed or offered by Defendants or by another plaintiff. In addition to exhibits, Plaintiffs reserve the right to present demonstratives.

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
<b><i>Plaintiffs' Expert Reports</i></b>		
1	2024 05-17 Expert Report of William S. Cooper	
2	2024 09-06 Corrected Supplemental Report of William S. Cooper	
3	2024 05-17 Expert Report of Maxwell Palmer	
4	2024 07-31 Rebuttal Report of Maxwell Palmer	
5	2024 05-17 Expert Report of Joseph Bagley	
6	2024 07-31 Rebuttal Report of Joseph Bagley	
7	2024 05-17 Expert Report of Traci Burch	
8	2024 07-31 Rebuttal Report of Traci Burch	

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
9	2023 07-28 Expert Report of Maxwell Palmer in Support of Caster Objections	ECF No. 179-2 (Remedial Hearing Exhibit 1)
10	2023 7-28 Expert Report of Joseph Bagley in Support of Milligan Objections	
11	2021 12-10 Expert Report of William S. Cooper	PI Hearing Exhibits 1-58
12	2021 12-20 Rebuttal Report of William S. Cooper	PI Hearing Exhibits 59-78
13	2021 12-10 Expert Report of Maxwell Palmer	PI Hearing Exhibit 79
14	2021 12-10 Declaration of Bridgett King	PI Hearing Exhibit 80
15	2021 12-20 Second Declaration of Bridgett King	PI Hearing Exhibit 81
16	2021 12-10 Expert Report of Joseph Bagley	
17	2021 12-20 Rebuttal Report of Joseph Bagley	
<b><i>Legislative Redistricting Materials</i></b>		
18	Remedial Plan 3 – Adopted Court Ordered Plan	ECF No. 253
19	SB 5 Enrolled	ECF Nos. 191-11
20	2023 SB 5 Enacted Plan (Livingston 3 Plan)	ECF Nos. 165-1, 179-1

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
21	2023 Enacted Plan Performance Analysis	Livingston Deposition Exhibit 13
22	2023 Second Special Session Proclamation	ECF Nos. 161-1, 180-2
23	June 27, 2023 Reapportionment Committee Meeting Minutes	Pringle Deposition Exhibit C (RC 049490)
24	July 13, 2023 Permanent Legislative Committee on Reapportionment Agenda	Pringle Deposition Exhibit F
25	July 13, 2023 Permanent Legislative Committee on Reapportionment Hearing Transcript	
26	July 13, 2023 Reapportionment Committee Meeting Minutes	Pringle Deposition Exhibit C (RC 049556)
27	July 13, 2023 Proposed Amendment to Reapportionment Committee Guidelines	Pringle Deposition Exhibit D
28	VRA Plaintiffs' June 26, 2023 Letter and Remedial Plan	Pringle Deposition Exhibit B
29	2023 CLC Map 1	Pringle Deposition Exhibit C (RC 049462-63)
30	2023 Singleton Congressional Plan 3	Pringle Deposition Exhibit C (RC 049464-65)

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
31	2023 Hatcher Remedial Congress Plan 1	Pringle Deposition Exhibit C (RC 049468-69)
32	2023 Community of Interest Plan	Livingston Deposition Exhibit 6
33	2023 Community of Interest Plan Performance Analysis	Livingston Deposition Exhibit 7; Hinaman Deposition Exhibit 5
34	2023 Opportunity Plan	Pringle Deposition Exhibit C (RC 049488-89)
35	2023 Livingston 2 Plan	Livingston Deposition Exhibit 10
36	2023 Russell Split Plan	Pringle Deposition Exhibit C (RC 049478-79)
37	2023 Expanded Blackbelt Plan	Pringle Deposition Exhibit C (RC 049473-74)
38	2023 Whole Jefferson County Plan	Pringle Deposition Exhibit C (RC 049466-67)
39	2023 AKC Remedial Plan 1	Pringle Deposition Exhibit C (RC 049480-81)

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
40	2023 Pringle Congressional Plan 1	Pringle Deposition Exhibit C (RC 049491-508)
41	2021 Enacted Plan	ECF No. 48-5
42	Redistricting Guidelines adopted by the Alabama Legislative Committee on Reapportionment on May 5, 2021	ECF No. 56-1 (PI Hearing Exhibit 82)
43	2011 AL Congressional Districts Map	ECF No. 48-11
44	2021 SBOE Plan	ECF No. 48-14
<b><i>Transcripts of Court Proceedings</i></b>		
45	<i>Caster v. Allen</i> Objections to Special Master Report Hearing Transcript (October 3, 2023)	
46	<i>Caster v. Allen</i> Motion Hearing Transcript (August 14, 2023)	
47	<i>Caster v. Allen</i> Status Conference Transcript (July 31, 2023)	
48	<i>Caster v. Merrill</i> Status Conference Transcript (June 16, 2023)	ECF No. 180-1
49	<i>Caster v. Merrill</i> Preliminary Injunction Hearing Transcript (January 4-12, 2022)	ECF No. 99
50	Volume 1 of the Trial Transcript in <i>Chestnut v. Merrill</i> , No. 2:18-cv-907-KOB (N.D. Ala.), ECF No. 103	PI Hearing Exhibit 84

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
51	Volume 2 of the Trial Transcript in <i>Chestnut v. Merrill</i> , No. 2:18-cv-907-KOB (N.D. Ala.), ECF No. 104	PI Hearing Exhibit 85
52	Volume 3 of the Trial Transcript in <i>Chestnut v. Merrill</i> , No. 2:18-cv-907-KOB (N.D. Ala.), ECF No. 105	PI Hearing Exhibit 86
53	Volume 5 of the Trial Transcript in <i>Chestnut v. Merrill</i> , No. 2:18-cv-907-KOB (N.D. Ala.), ECF No. 107	PI Hearing Exhibit 87
<b><i>Deposition Exhibits</i></b>		
54	Hood et al., <i>The Rational Southerner</i> (Excerpts)	Carrington Deposition Exhibit 9; Hood Deposition Exhibit C
55	M.V. Hood III and Seth C. McKee, <i>Rural Republican Realignment in the Modern South</i>	Carrington Deposition Exhibit 10
56	Philip Bump and Lenny Bronner, <i>Another lens into the rightward shift of Black and Hispanic Americans</i> , Washington Post (Mar. 11, 2024)	Carrington Deposition Exhibit 11
57	Maya King, <i>Behind the Republican Effort to Win Over Black Men</i> , New York Times (Jun. 10, 2024)	Carrington Deposition Exhibit 12
58	Jeffrey M. Jones and Lydia Saad, <i>Democrats Lose Ground With Black and Hispanic Adults</i> , GALLUP (Feb. 7, 2024)	Carrington Deposition Exhibit 13

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
59	Russell Contreras, <i>Democrats' big vulnerability: Why they're losing Black, Hispanic voters</i> , Axios (Mar. 13, 2024)	Carrington Deposition Exhibit 14
60	Ralph Chapoco, <i>History; lack of competition, lack of access keep Alabama's voter turnout rate low</i> , Alabama Reflector (Aug. 6, 2024)	Carrington Deposition Exhibit 15
61	Emily Cochrane, <i>Alabama Republicans Pass Expansive Legislation Targeting D.E.I.</i> , New York Times (Mar. 19, 2024)	Carrington Deposition Exhibit 16
62	Leada Gore, <i>Jefferson Davis birthday holiday in Alabama is today: What that means to you; will mail run?</i> , AL.com (Jun. 5, 2023)	Carrington Deposition Exhibit 17
63	Hubbard, <i>Storming the State House The Campaign that Liberated Alabama from 136 Years of Democrat Rule</i>	Carrington Deposition Exhibit 18
64	Arizona Congressional Districts Map	Trende Deposition Exhibit 4
65	4/18/22 Expert Report of Sean P. Trende, Ph.D. in <i>Alexander v. South Carolina State Conference of the NAACP</i>	Trende Deposition Exhibit 6
66	Alabama Regions Map	Trende Deposition Exhibit 7
67	12/27/21 Memo from Grofman and Trende re: Redistricting Maps	Trende Deposition Exhibit 8



<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
68	Expert Report of Dr. Wilfred Reilly in <i>Stone v. Allen</i>	Reilly Deposition Exhibit 2
69	Christopher A. Cooper, M.V. Hood III, et al., <i>Switching sides but still fighting the Civil War in southern politics</i>	Hood Deposition Exhibit B
70	State Senate County-Wide Election Analysis 2022	Bonneau Deposition Exhibit 6
71	State House County-Wide Election Analysis 2022	Bonneau Deposition Exhibit 7
72	2021 Alabama House Plan	Bonneau Deposition Exhibit 8
73	2022 Congressional Elections Data and Statistics	Bonneau Deposition Exhibit 10
74	Billy Ray Todd – Campaign Website	Todd Deposition Pls Exhibit 2
75	Billy Ray Todd – Screenshots of X/Twitter Post 1	Todd Deposition Pls Exhibit 3
76	Billy Ray Todd – Screenshots of X/Twitter Post 2	Todd Deposition Pls Exhibit 4
77	Billy Ray Todd – Twitter Video	Todd Deposition Pls Exhibit 5
78	HD 27 Special Primary Election Unofficial Results	Todd Deposition Defs Exhibit 1

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
79	FY 2023 Community Planning and Development Formula Program Allocations Sheet	Boswell Deposition Exhibit 2 (SOS156602)
80	ADECA 2023 Annual Report	Boswell Deposition Exhibit 3 (SOS154710-SOS154728)
81	ADECA, Five-Year Action Plan 2023	Boswell Deposition Exhibit 4 (SOS157206-SOS157230)
82	ADECA, Agencies Administering Alabama's Low-Income Home Energy Assistance Program	Boswell Deposition Exhibit 5 (SOS156232-SOS156234)
83	Alabama WAP Local Providers	Boswell Deposition Exhibit 6 (SOS156301)
84	Biggs Facebook Post 2020 Election	Biggs Deposition Exhibit 3
85	PBS, <i>In Alabama, racial disparities in health outcomes predate the pandemic</i> (Jul. 24, 2020)	Landers Deposition Plaintiffs' Exhibit 3

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
86	Alander Rocha, <i>Report: Alabama has poor health system performance, stark health care disparities</i> , Alabama Reporter (Apr. 22, 2024)	Landers Deposition Plaintiffs' Exhibit 6
87	Alabama Performance Data: Health System Performance by Race/Ethnicity	Landers Deposition Plaintiffs' Exhibit 7
88	Sean Dowling, <i>Alabama doctors urging Black women to participate in landmark study on cancer amid low survival rates</i> , 48 WAFF news (May 23, 2024)	Landers Deposition Plaintiffs' Exhibit 8
89	Alabama Public Health, <i>What is Health Equity</i>	Landers Deposition Plaintiffs' Exhibit 9
90	SB 129 Enrolled	Landers Deposition Plaintiffs' Exhibit 10
91	<i>AP focuses on Alabama patient in its series on alleged medical racism in the U.S.</i> , Associated Press (May 23, 2023)	Landers Deposition Plaintiffs' Exhibit 11
92	Alabama Public Health, 2020 Maternal Mortality Review	Landers Deposition Plaintiffs' Exhibit 12
93	Alabama Public Health, Infant Mortality Alabama 2022	Landers Deposition Plaintiffs' Exhibit 13
94	Debbie Elliot, <i>Black residents in rural Alabama demand sanitation equity, saying 'it's a right'</i> , NPR (Oct. 13, 2023)	Landers Deposition Plaintiffs' Exhibit 14

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
95	Interim Resolution Agreement, DOJ and DHHS and Alabama Department of Public Health 2023	Landers Deposition Plaintiffs' Exhibit 15
96	Expert Report Joseph Bagley, <i>Stone v. Allen</i>	Landers Deposition Plaintiffs' Exhibit 16
97	Jefferson County Board of Health, Resolution "Racism as a Public Health Problem" (2021)	Landers Deposition Plaintiffs' Exhibit 17
98	Mike Cason, <i>Alabama GOP's minority outreach message: 'OK to have dark skin' and be Republican</i> , AL.com (Sept. 10, 2022)	Coley Deposition Plaintiffs' Exhibit 1
99	State of the Workforce Report XVII: Southwest AlabamaWorks	Nix Deposition Exhibit 3
100	Alabama Department of Labor, Mobile County Profile	Nix Deposition Exhibit 4
101	Alabama Career Centers	Turner Deposition Exhibit 2
102	Alabama Department of Labor – Career Centers Website	Turner Deposition Exhibit 3
103	Alabama Career Centers – Region 7	Turner Deposition Exhibit 4
104	Alabama Department of Labor – Labor Market Information	Turner Deposition Exhibit 5
105	Alabama Career Center System Area Supervisors	Turner Deposition Defs Exhibit 1

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
106	Memorandum of Agreement – U.S. Department of Transportation and Alabama Law Enforcement Agency 2016	Archer Deposition Pls Exhibit 4
107	ALEA DL Office Closure Locations	Archer Deposition Defs Exhibit 1 (SOS153492)
108	ALEA DL Office Locations	Archer Deposition Defs Exhibit 4
109	SmartBank Website, Regional Leadership	Williams Deposition Exhibit 4
110	<i>Julia Avant, Rep. Barry Moore beats incumbent to win 1<sup>st</sup> Congressional Dist. Republican primary, WSFA News (Mar. 7, 2024)</i>	Williams Deposition Exhibit 7
111	Baldwin County EDA Post About Gulf Shores International Airport (Aug. 7, 2024)	Lawson Deposition Exhibit 2
112	2023 Alabama Tourism Economic Report	Lawson Deposition Exhibit 3
113	Wiregrass Economic Development – Major Employers	Lawson Deposition Exhibit 4
114	Baldwin by the Numbers	Lawson Deposition Exhibit 5
115	USDA 2022 Census of Agriculture – County Data	Schmitz Deposition Exhibit 7

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
<b><i>Requests for Admission and Interrogatory Responses</i></b>		
116	Secretary's Response to First Set of Interrogatories	
117	Secretary's Response to Second Set of Interrogatories	
118	Sen. Livingston Response to Third Set of Interrogatories	
119	Rep. Pringle Response to Third Set of Interrogatories	
120	Sen. Livingston and Rep. Pringle Response to Interrogatories	
121	Secretary's Response to Final Set of Interrogatories	
122	Sen. Livingston and Rep. Pringle Response to Caster Requests for Admission	
123	Secretary's Response to Caster Requests for Admission	
<b><i>Stipulated Facts</i></b>		
124	Joint Stipulated Facts for Remedial Proceedings	ECF No. 213
125	Joint Stipulated Facts for PI Proceedings	ECF No. 44
126	<i>Milligan</i> Stipulated Facts for PI Proceedings	ECF No. 56-3

Exhibit Number	Exhibit Description	Document Identification
<i>Additional Exhibits</i>		
127	Video: Allen Long SBOE District 7 Ad— “Protect Our Schools”	
128	Video: Steve Marshall 2022 AG Campaign Ad—“Good Golfer. Bad Politician.”	
129	Shomari Figures Attack Flyer— “Supports Releasing Dangerous Criminals onto Alabama Streets”	
130	Video: Senator Tuberville interview, Dale Jackson Show, “Obama lookalike”	
131	Video: Eric Bradner, <i>Kayla Moore: ‘One of our attorneys is a Jew’</i> , CNN (Dec. 12, 2027)	RFA No. 46
132	Video: Kay Ivey 2018 Governor Campaign Ad— “Monuments”	RFA Nos. 47, 48
133	Video: Bradley Byrne 2020 U.S. Senate Campaign Ad— “Dale”	RFA No. 52
134	Video: Chris Pringle 2020 U.S. Congress Campaign Ad— “Your Fault”	RFA No. 58
135	Video: Alabama 2nd Congressional District candidate forum, Fox10 News (Feb. 25, 2024)	RFA No. 62

Exhibit Number	Exhibit Description	Document Identification
<b><i>Remaining Preliminary Injunction Hearing Exhibits</i></b>		
136	Expert Report of Maxwell Palmer filed in <i>Chestnut v. Merrill</i> , No. 2:18-cv-907-KOB (N.D. Ala.), ECF No. 113-79	PI Hearing Exhibit 83
137	December 9, 2021 Deposition of Randy Hinaman	PI Hearing Exhibit 88
138	December 17, 2021 Deposition of Chris Pringle	PI Hearing Exhibit 89
139	December 17, 2021 Deposition of Jim McClendon	PI Hearing Exhibit 90
140	Carol Robinson, Black Protestor Attacked at Donald Trump Rally Called ‘Monkey’ and Other Racial Slurs, He Says, AL.com (Nov. 21, 2015)	PI Hearing Exhibit 91
141	<i>Alabama Lawmaker Who Honored Klan Leader says He’s Surprised by Criticism</i> , WSFA (July 27, 2020)	PI Hearing Exhibit 92
142	Nick Patterson, <i>Coronavirus Rates in Alabama Hit Blacks the Hardest – and Experts Are Not Surprised</i> , BirminghamWatch (Apr. 20, 2020)	PI Hearing Exhibit 93
143	Safiya Charles, <i>Alabama Data Shows Majority of Coronavirus Deaths are African Americans</i> , Montgomery Advertiser (Apr. 9, 2020)	PI Hearing Exhibit 95



Exhibit Number	Exhibit Description	Document Identification
144	Ari Shapiro & Farah Eltohamy, <i>Alabama Official on Vaccine Rollout: ‘How Can This Disparity Exist in This Country?’</i> , NPR (Mar. 11, 2021)	PI Hearing Exhibit 96
145	Sean McMinn et al., <i>Across the South, COVID-19 Vaccine Sites Missing from Black and Hispanic Neighborhoods</i> , NPR (Feb. 5, 2021)	PI Hearing Exhibit 97
146	Brian Lyman, <i>Racial Profiling Bill Dies on Final Day of Alabama Legislative Session</i> , Montgomery Advertiser (Mar. 29, 2018)	PI Hearing Exhibit 98
147	Azavea, Redrawing the Map on Redistricting: 2012 Addendum	PI Hearing Exhibit 99
148	Video: Alabama Supreme Court Justice Tom Parker 2018 Campaign Ad—“Invasion”	PI Hearing Exhibit 100
149	Video: Alabama Supreme Court Justice Tom Parker 2018 Campaign Ad—“Mob Rule”	PI Hearing Exhibit 101
150	Video: LA Times Releases Audio of Roy Moore’s Offhand Comment on Slavery	PI Hearing Exhibit 102
151	Video: Roy Moore: “New Rights in 1965, and Today We’ve Got a Problem”	PI Hearing Exhibit 103
152	Alabama Voter Registration Form	PI Hearing Exhibit 104; ECF No. 84-1

<b>Exhibit Number</b>	<b>Exhibit Description</b>	<b>Document Identification</b>
153	Department of Justice Census Data Guidelines	PI Hearing Exhibit 105
154	Evenwel Brief	PI Hearing Exhibit 106

Dated: December 18, 2024

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Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on December 18, 2024, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Abha Khanna

Abha Khanna

Counsel for Plaintiffs