

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

BOBBY SINGLETON, *et al.*,

Plaintiffs,

v.

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

Defendant.

Case No. 2:21-cv-01291-AMM

THREE-JUDGE COURT

EVAN MILLIGAN, *et al.*,

Plaintiffs,

v.

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

Defendant.

Case No. 2:21-cv-01530-AMM

THREE-JUDGE COURT

MARCUS CASTER, *et al.*,

Plaintiffs,

v.

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

Defendant.

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

DEFENDANTS' NOTICE OF FILING EXHIBITS

Defendants respectfully notify the Court and the parties of additional exhibits upon which they intend to rely at the August 14 hearing, as follows:

1. Pursuant to an Order entered Saturday in all three cases, the parties are to “[p]repare multiple hard copies of all exhibits and demonstratives that the parties intend to use during the preliminary injunction hearing for each Judge on th[e] three-judge court” and, *inter alia*, “[t]he exhibits should be file-stamped[.]” *Singleton* Doc. 163 at 2; *Milligan*, Doc. 221 at 2; *Caster* Doc. 192 at 2.

2. Pursuant to an Order entered July 27, 2023 in all three cases, the parties are to file exhibit lists by August 10, 2023. *Singleton* Doc. 146 at 3; *Milligan*, Doc. 194 at 3; *Caster* Doc. 171 at 2.

3. Defendants intend to include on their exhibit list the materials attached to their response to the Plaintiffs’ objections, already filed into the record. Additional exhibits Defendants wish to list must be filed in order to provide “file-stamped” copies to the Court.

4. Accordingly, in compliance with this Court’s Orders, the Defendants submit the following additional exhibits upon which they intend to rely at the August 14 hearing:

- a. Exhibit S – Declaration of Jeffrey V. Williams¹;

¹ This exhibit is also the subject of Defendants’ Joint Motion to Substitute Exhibit S in the *Milligan* and *Caster* proceedings. *Milligan* Doc. 224; *Caster* Doc. 194.

- b. Exhibit T – Defendant Secretary of State Wes Allen’s Objections and Responses to *Singleton* Plaintiffs’ First Set of Requests for Admission;
- c. Exhibit U – Exhibit M.1 at the July 13, 2023 proceedings before the Alabama Legislature’s Permanent Legislative Committee on Reapportionment, namely the deposition testimony of Congressman Bradley Bryne in *Chestnut v. Merrill*, Case No. 2:18-cv-00907-KOB (N.D. Ala.), dated July 24, 2019, *sans* Exhibits 1 through 4 thereto and with highlighting having been added;
- d. Exhibit V – Exhibit N at the July 13, 2023 proceedings before the Alabama Legislature’s Permanent Legislative Committee on Reapportionment, namely the testimony of Congressman Bradley Bryne in the January 2022 preliminary injunction proceedings in these cases, with highlighting having been added, saved 4-up to mimic travel transcript format; and,
- e. Exhibit W – Exhibit O at the July 13, 2023 proceedings before the Alabama Legislature’s Permanent Legislative Committee on Reapportionment, namely the deposition testimony of Congressman Jo Bonner in *Chestnut v. Merrill*, Case No. 2:18-cv-00907-KOB (N.D. Ala.), dated July 30, 2019, *sans* Exhibit 9 thereto and with highlighting having been added.

5. The Defendants previously filed as Exhibit B in the *Milligan* and *Caster* proceedings a transcript that should have been the complete transcript for the July 13, 2023 proceedings before the Alabama Legislature's Permanent Legislative Committee on Reapportionment. That transcript was incomplete, and we are working to determine whether we can timely secure a complete transcript.

Respectfully Submitted,

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Attorney General

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CERTIFICATE OF SERVICE

I certify that on August 3, 2023, I electronically filed the foregoing notice with the Clerk of the Court using the CM/ECF system, which will send notice to all counsel of record.

/s/ Edmund G. LaCour Jr.
Counsel for Secretary Allen