

MIKE SCHMITZ  
MILLIGAN V. ALLEN

August 27, 2024  
DISTRICT COURT  
N.D. OF ALABAMA  
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<p>1 IN THE UNITED STATES DISTRICT COURT FOR THE</p> <p>2 NORTHERN DISTRICT OF ALABAMA</p> <p>3 SOUTHERN DIVISION</p> <p>4 CIVIL ACTION NUMBER</p> <p>5 2:21-CV-01530-AMM</p> <p>6</p> <p>7 EVAN MILLIGAN, ET AL.,</p> <p>8 Plaintiffs,</p> <p>9 v.</p> <p>10 WES ALLEN, ET AL.,</p> <p>11 Defendants.</p> <p>12</p> <p>13</p> <p>14 DEPOSITION OF MIKE SCHMITZ</p> <p>15 AUGUST 27, 2024</p> <p>16 1:02 P.M.</p> <p>17</p> <p>18 The deposition of Mike Schmitz was taken</p> <p>19 before Jordan C. Groves, CCR, on August 27, 2024,</p> <p>20 by the plaintiffs, commencing at 1:02 p.m., at the</p> <p>21 offices of Alabama Attorney General,</p> <p>22 501 Washington Avenue, Montgomery, Alabama,</p> <p>23 pursuant to the stipulations set forth herein.</p>	<p>1 is offered in evidence, or prior thereto.</p> <p>2</p> <p>3 IT IS FURTHER STIPULATED AND AGREED that</p> <p>4 the notice of filing of the deposition by the</p> <p>5 Commissioner is waived.</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>
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<p>1 S T I P U L A T I O N S</p> <p>2 IT IS STIPULATED AND AGREED by and between</p> <p>3 the parties through their respective counsel that</p> <p>4 the deposition of Mike Schmitz may be taken before</p> <p>5 Jordan C. Groves, Certified Court Reporter, at the</p> <p>6 offices of Alabama Attorney General,</p> <p>7 501 Washington Avenue, Montgomery, Alabama, on</p> <p>8 August 27, 2024, commencing at approximately</p> <p>9 1:02 p.m.</p> <p>10</p> <p>11 IT IS FURTHER STIPULATED AND AGREED that</p> <p>12 the signature to and the reading of the deposition</p> <p>13 by the witness is not waived, the deposition to</p> <p>14 have the same force and effect as if full</p> <p>15 compliance had been had with all laws and rules of</p> <p>16 Court relating to the taking of depositions.</p> <p>17</p> <p>18 IT IS FURTHER STIPULATED AND AGREED that it</p> <p>19 shall not be necessary for any objections to be</p> <p>20 made by counsel to any questions, except as to</p> <p>21 form or leading questions and that counsel for the</p> <p>22 parties may make objections and assign grounds at</p> <p>23 the time of trial or at the time said deposition</p>	<p>1 I N D E X</p> <p>2</p> <p>3 EXAMINATION INDEX</p> <p>4 PAGE</p> <p>5 EXAMINATION OF MIKE SCHMITZ</p> <p>6 BY MS. GBE 8</p> <p>7 BY MS. RUTAHINDURWA 51</p> <p>8 BY MS. MESSICK 54</p> <p>9 BY MR. TAUNTON 85</p> <p>10 FURTHER BY MS. RUTAHINDURWA 74</p> <p>11 FURTHER BY MS. MESSICK 82</p> <p>12</p> <p>13</p> <p>14 EXHIBIT INDEX</p> <p>15 PLAINTIFFS' PAGE</p> <p>16 Exhibit 1 - (Notice of Deposition) 16</p> <p>17 Exhibit 2 - (Declaration of Mike Schmitz) 27</p> <p>18 Exhibit 3 - (Map, Livingston Congressional 39</p> <p>Plan 3)</p> <p>19</p> <p>20 Exhibit 4 - (Act) 41</p> <p>21</p> <p>22 Exhibit 5 - (Map, Remedial Plan 3) 46</p> <p>23</p> <p>24 Exhibit 6 - (Article) 76</p> <p>25</p> <p>26 Exhibit 7 - (County Summary Highlights: 79</p> <p>2022)</p>

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<p>1 EXHIBIT INDEX (Cont.)</p> <p>2 DEFENDANTS' PAGE</p> <p>3 Exhibit 1 - (Video) 64</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p>Page 5</p> <p>1 I, Jordan C. Groves, a Certified Court</p> <p>2 Reporter, certify that on this date, pursuant to</p> <p>3 the Federal Rules of Civil Procedure and Rules of</p> <p>4 Civil Procedure and the foregoing stipulation of</p> <p>5 counsel, there came before me at the offices of</p> <p>6 Alabama Attorney General, 501 Washington Avenue,</p> <p>7 Montgomery, Alabama, commencing at approximately</p> <p>8 1:02 p.m. on August 27, 2024, MIKE SCHMITZ,</p> <p>9 witness in the above cause, for oral examination,</p> <p>10 whereupon the following proceedings were had:</p> <p>11 COURT REPORTER: Usual stipulations?</p> <p>12 MS. MESSICK: Yes, please, except we would</p> <p>13 encourage the witness to read and sign.</p> <p>14 That means you'll have an opportunity to</p> <p>15 read the transcript when Jordan is done with it</p> <p>16 and identify anything that needs to be corrected.</p> <p>17 THE WITNESS: Okay.</p> <p>18 MS. GBE: And on behalf of the Milligan</p> <p>19 plaintiffs, I am also fine with the stipulation --</p> <p>20 the usual stipulations.</p> <p>21 MS. RUTAHINDURWA: The Caster plaintiffs</p> <p>22 agree as well.</p> <p>23 MS. GBE: So shall we do appearances?</p>
<p>Page 6</p> <p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 APPEARING ON BEHALF OF THE</p> <p>4 PLAINTIFFS:</p> <p>5 Ms. Harmony Gbe</p> <p>6 HOGAN LOVELLS</p> <p>7 1999 Avenue of the Stars, Suite 1400</p> <p>8 Los Angeles, California 90067</p> <p>9 Ms. Makeba Rutahindurwa</p> <p>10 ELIAS LAW GROUP, LLP</p> <p>11 1700 Seventh Avenue, Suite 2100</p> <p>12 Seattle, Washington 98101</p> <p>13</p> <p>14 APPEARING ON BEHALF OF THE</p> <p>15 DEFENDANTS:</p> <p>16 Ms. Misty Messick</p> <p>17 Mr. Richard Mink</p> <p>18 OFFICE OF THE ATTORNEY GENERAL</p> <p>19 STATE OF ALABAMA</p> <p>20 501 Washington Avenue</p> <p>21 Montgomery, Alabama 36104</p> <p>22 Mr. Michael Taunton</p> <p>23 BALCH &amp; BINGHAM, LLP</p> <p>1901 6th Avenue North, Suite 1500</p> <p>Birmingham, Alabama 35203</p>	<p>Page 7</p> <p>1 MS. MESSICK: You're welcome to. We</p> <p>2 normally don't go through, but you certainly may.</p> <p>3 MS. GBE: Sounds good.</p> <p>4 So my name is Harmony Gbe of Hogan</p> <p>5 Lovells. I am here on behalf of the Milligan</p> <p>6 plaintiffs.</p> <p>7 MS. RUTAHINDURWA: Hi, Makeba RUTAHINDURWA</p> <p>8 on behalf of the Caster plaintiffs.</p> <p>9 MS. MESSICK: And good afternoon. My name</p> <p>10 is Misty S. Fairbanks Messick, and I represent</p> <p>11 Secretary of State Allen. And I have here with</p> <p>12 me, who is observing, Richard D. Mink, who also</p> <p>13 represents the secretary of state.</p> <p>14</p> <p>15 MIKE SCHMITZ,</p> <p>16 being first duly sworn, was examined</p> <p>17 and testified as follows:</p> <p>18</p> <p>19 EXAMINATION</p> <p>20 BY MS. GBE:</p> <p>21 Q. Good afternoon, Mr. Schmitz. How are you?</p> <p>22 A. Fine. Thank you.</p> <p>23 Q. We've met once before with respect to this</p>
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<p style="text-align: right;">Page 9</p> <p>1 case in particular, so it's nice to see you again.</p> <p>2 A. Thank you.</p> <p>3 Q. And as you heard a few moments ago, my</p> <p>4 name is Harmony Gbe, and I represent the Milligan</p> <p>5 plaintiffs in this case.</p> <p>6 You have been deposed once in this case;</p> <p>7 correct?</p> <p>8 A. Correct.</p> <p>9 Q. Do you recall the date of that deposition?</p> <p>10 A. No, ma'am.</p> <p>11 Q. Does August 2023 sound familiar?</p> <p>12 A. If you say that's what it is, that is what</p> <p>13 it is. I apologize. I don't remember the date.</p> <p>14 Q. Not at all. It's been quite some time, so</p> <p>15 that's totally understandable.</p> <p>16 But fall 2023, does that sound sort of</p> <p>17 feel generally right? Has it been about a year --</p> <p>18 A. Yes.</p> <p>19 Q. -- in your mind?</p> <p>20 A. I think so, yes.</p> <p>21 Q. Have you been deposed in any other case</p> <p>22 during the last year?</p> <p>23 A. No.</p>	<p style="text-align: right;">Page 11</p> <p>1 MS. GBE: Thank you.</p> <p>2 Q. (BY MS. GBE) So I'm just going to go over</p> <p>3 the ground rules with you, Mr. Schmitz, which we</p> <p>4 discussed last time. I'm just going to go over</p> <p>5 them to refresh your memory this time around.</p> <p>6 Is that okay?</p> <p>7 A. Yes, ma'am.</p> <p>8 Q. So I will be asking you a series of</p> <p>9 questions, and you are going to answer them to the</p> <p>10 best of your ability.</p> <p>11 Do you understand that?</p> <p>12 A. Yes.</p> <p>13 Q. I will ask that you please provide verbal</p> <p>14 answers to my questions so that our court reporter</p> <p>15 can help us make a clear record. For example,</p> <p>16 instead of giving a head nod or saying "uh-huh," I</p> <p>17 will ask that you answer "yes" or "no" or provide</p> <p>18 another response verbally.</p> <p>19 Do you understand that?</p> <p>20 A. I do.</p> <p>21 Q. Relatedly, as the court reporter mentioned</p> <p>22 a bit earlier, we should strive not to talk over</p> <p>23 one another. There's a few challenges posed by a</p>
<p style="text-align: right;">Page 10</p> <p>1 Q. Have you testified at trial in any other</p> <p>2 case over the last year?</p> <p>3 A. No.</p> <p>4 Q. So the deposition that you had in this</p> <p>5 case was the last time that you were deposed;</p> <p>6 correct?</p> <p>7 A. Yes, ma'am.</p> <p>8 Q. And you understand that you are testifying</p> <p>9 under oath today?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. Is there anything that might prevent you</p> <p>12 from understanding my questions or answering</p> <p>13 truthfully this morning?</p> <p>14 A. No.</p> <p>15</p> <p>16 (At which time, Mr. Michael Taunton</p> <p>17 entered the deposition in progress.)</p> <p>18</p> <p>19 MS. GBE: And I see that we have another</p> <p>20 attorney joining.</p> <p>21 Would you like to enter your appearance?</p> <p>22 MR. TAUNTON: Yes. This is Michael</p> <p>23 Taunton with the legislator defendants.</p>	<p style="text-align: right;">Page 12</p> <p>1 remote setup. But I'll ask you to listen to my</p> <p>2 question, and then I will to your answer, and</p> <p>3 we'll try not to speak over each other. Okay?</p> <p>4 A. Yes.</p> <p>5 Q. You understand that we are gathered here</p> <p>6 for the purpose of taking your deposition in the</p> <p>7 Milligan v. Allen case?</p> <p>8 A. Yes.</p> <p>9 MS. MESSICK: Harmony?</p> <p>10 MS. GBE: Yes?</p> <p>11 MS. MESSICK: Could we go off the record</p> <p>12 for 20 seconds?</p> <p>13 MS. GBE: Sure.</p> <p>14</p> <p>15 (At which time, an off-the-record</p> <p>16 discussion was held.)</p> <p>17</p> <p>18 MR. TAUNTON: I just ask that an objection</p> <p>19 to form for one defendant would stand for all</p> <p>20 defendants.</p> <p>21 MS. MESSICK: We agree to that.</p> <p>22 Do the plaintiffs as well?</p> <p>23 MS. GBE: Milligan plaintiff agrees.</p>

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<p style="text-align: right;">Page 13</p> <p>1 MR. TAUNTON: Thanks.</p> <p>2 MS. RUTAHINDURWA: Caster agrees as well.</p> <p>3 MS. MESSICK: Thank you.</p> <p>4 Q. (BY MS. GBE) So, Mr. Schmitz, going back</p> <p>5 through the ground rules, you understand that the</p> <p>6 reporter will be transcribing my questions and</p> <p>7 your answers; correct?</p> <p>8 A. Yes.</p> <p>9 Q. And you understand that you should give</p> <p>10 the same seriousness and truthfulness in answering</p> <p>11 my questions here today as you would if you were</p> <p>12 testifying in court before a judge or a jury;</p> <p>13 correct?</p> <p>14 A. Yes.</p> <p>15 Q. If you do not understand a question, I ask</p> <p>16 that you please tell me. Otherwise, I will assume</p> <p>17 that you understood. Correct?</p> <p>18 A. Okay.</p> <p>19 Q. If an attorney makes an objection, you</p> <p>20 still must answer the question unless you are</p> <p>21 specifically instructed not to answer by an</p> <p>22 attorney.</p> <p>23 Do you understand that?</p>	<p style="text-align: right;">Page 15</p> <p>1 A. Somewhere. I don't know where we are.</p> <p>2 Q. Understood.</p> <p>3 A. Sorry.</p> <p>4 Q. Is there anyone in the room with you right</p> <p>5 now?</p> <p>6 A. Yes.</p> <p>7 Q. Who is in the room with you?</p> <p>8 A. Well, the two attorneys and the court</p> <p>9 reporter.</p> <p>10 Q. The court reporter?</p> <p>11 A. Yes.</p> <p>12 Q. Thank you.</p> <p>13 Do you have any email, chat, or text</p> <p>14 functions currently open and available to you?</p> <p>15 A. I do not.</p> <p>16 Q. How did you learn about this deposition?</p> <p>17 A. A couple weeks ago Misty called me and</p> <p>18 told me -- or asked me about testifying again, and</p> <p>19 that's how I found out.</p> <p>20 Q. Okay. So I'm going to show you a document</p> <p>21 if I can do it right. Bear with me. It should</p> <p>22 appear on the screen.</p> <p>23 Can you let me know if you see the</p>
<p style="text-align: right;">Page 14</p> <p>1 A. I do.</p> <p>2 Q. Please let me know if you need a break at</p> <p>3 any point. If there is a question pending, I just</p> <p>4 ask that you please answer that question before we</p> <p>5 go off the record. All right?</p> <p>6 A. Yes.</p> <p>7 Q. As we go through the questions, you may</p> <p>8 realize that a prior answer was not entirely</p> <p>9 accurate or you may want to change it. If you</p> <p>10 realize that, I just ask that you please let me</p> <p>11 know so that we can correct the record. All</p> <p>12 right?</p> <p>13 A. Yep.</p> <p>14 Q. Do you understand all of these</p> <p>15 instructions that we just discussed?</p> <p>16 A. I do.</p> <p>17 Q. Okay. So, Mr. Schmitz, where are you</p> <p>18 currently?</p> <p>19 A. 501 Washington Avenue, Montgomery,</p> <p>20 Alabama, attorney general's office somewhere.</p> <p>21 Q. Is there --</p> <p>22 A. Sorry.</p> <p>23 Q. I'm sorry. What was that?</p>	<p style="text-align: right;">Page 16</p> <p>1 document?</p> <p>2 A. I do.</p> <p>3</p> <p>4 (Whereupon, Plaintiffs' Exhibit 1 was</p> <p>5 marked for identification and copy of</p> <p>6 same is attached hereto.)</p> <p>7</p> <p>8 Q. Okay. Have you seen this document before?</p> <p>9 A. I don't know. I don't -- when was it</p> <p>10 sent?</p> <p>11 Q. You -- if you received it, it probably was</p> <p>12 just a few days ago. And I will just --</p> <p>13 A. Okay.</p> <p>14 Q. -- preface this by saying you may not have</p> <p>15 seen it, so it --</p> <p>16 A. I have not, that I know of.</p> <p>17 Q. So the answer is "no"?</p> <p>18 A. No.</p> <p>19 Q. Okay. So I will take this document down.</p> <p>20 So you mentioned a bit earlier that you</p> <p>21 received a call from Misty about today's</p> <p>22 deposition.</p> <p>23 What did you do to prepare for your</p>



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<p style="text-align: right;">Page 17</p> <p>1 deposition today?</p> <p>2 A. Not much. I -- she called me this past</p> <p>3 week about she hadn't received a subpoena yet</p> <p>4 so --</p> <p>5 And I didn't care. I was coming no matter</p> <p>6 what.</p> <p>7 -- and she would send me a copy of the</p> <p>8 deposition from last time, and she did that. So I</p> <p>9 read it.</p> <p>10 Q. Did you meet with any attorneys to prepare</p> <p>11 for your deposition today?</p> <p>12 A. I did not.</p> <p>13 Q. Did you meet with anyone who was not an</p> <p>14 attorney to prepare for your deposition today?</p> <p>15 A. I did not.</p> <p>16 Q. You mentioned a few moments ago that you</p> <p>17 reviewed your deposition transcript from your last</p> <p>18 deposition in this case.</p> <p>19 Have you seen any other transcripts from</p> <p>20 any depositions in this case?</p> <p>21 A. I have not.</p> <p>22 Q. Did you visit any websites to prepare for</p> <p>23 your deposition today?</p>	<p style="text-align: right;">Page 19</p> <p>1 A. She called and said that she had not</p> <p>2 received the subpoena; and, again, I of course</p> <p>3 said, "It doesn't matter. I'll be there." And</p> <p>4 then she said, "So" -- "but I'm going to go ahead</p> <p>5 and send you the copy of the transcripts." And</p> <p>6 she did that I think the next day.</p> <p>7 Q. And did you speak with anyone else from</p> <p>8 the Attorney General's office to prepare for your</p> <p>9 deposition today?</p> <p>10 A. I did not.</p> <p>11 Q. Other than your transcript from your last</p> <p>12 deposition, did you review any documents to</p> <p>13 prepare for your deposition today?</p> <p>14 A. I did not.</p> <p>15 Q. Are you being compensated by anyone for</p> <p>16 being here today?</p> <p>17 A. I am not.</p> <p>18 Q. Okay. So I'm going to switch gears a bit</p> <p>19 and talk about some of the things we discussed</p> <p>20 last time about your testimony and also get some</p> <p>21 more information from you about why you got</p> <p>22 involved in this case.</p> <p>23 So during your last deposition, you</p>
<p style="text-align: right;">Page 18</p> <p>1 A. I did not.</p> <p>2 Q. And how many times did you speak with</p> <p>3 Misty to prepare for today's deposition?</p> <p>4 A. Twice.</p> <p>5 Q. And when was that?</p> <p>6 A. One was two weeks ago, and then one was I</p> <p>7 think last Thursday.</p> <p>8 Q. And what did you discuss with Misty two</p> <p>9 weeks ago?</p> <p>10 A. That the -- they had built the case and</p> <p>11 that they needed me to testify again.</p> <p>12 Q. And when you say they, are you referring</p> <p>13 to the attorney general's office?</p> <p>14 A. I'm -- well, Misty called me.</p> <p>15 MS. MESSICK: Object to the form.</p> <p>16 Q. I'm sorry. I didn't quite catch your</p> <p>17 answer, Mr. Schmitz.</p> <p>18 A. Misty called me from the attorney</p> <p>19 general's office.</p> <p>20 Q. And what did you discuss with Misty -- I</p> <p>21 think you said Thursday?</p> <p>22 A. Yeah, this past Thursday.</p> <p>23 Q. This past Thursday. Thank you.</p>	<p style="text-align: right;">Page 20</p> <p>1 testified that you reached out to a few</p> <p>2 legislators, specifically Steve Claus and Senator</p> <p>3 Chesteen, to share the concerns you had about the</p> <p>4 map the legislature was considering enacting.</p> <p>5 Do you recall that?</p> <p>6 A. I do.</p> <p>7 MS. MESSICK: Object to the form.</p> <p>8 A. Yes.</p> <p>9 Q. And if you recall, what were the concerns</p> <p>10 about the map that prompted you to contact</p> <p>11 Mr. Claus and Senator Chesteen?</p> <p>12 A. Well, the number one issue for me was</p> <p>13 southeast Alabama -- we worked together for many</p> <p>14 years. We're small towns, most of us. And I</p> <p>15 wanted to keep us together from Dothan all the way</p> <p>16 up to Montgomery. That was -- because we worked</p> <p>17 together, we collaborated together, we do economic</p> <p>18 development together.</p> <p>19 My concern was that Mobile -- moving us to</p> <p>20 Mobile, our district, because they're --</p> <p>21 they're -- they have different interests than we</p> <p>22 do. I mean, they -- they're bay. They have a</p> <p>23 ship-building place. They build airplanes. We're</p>

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<p style="text-align: right;">Page 21</p> <p>1 farmers. We're medical people. We have Fort 2 Novosel. 3 We have -- we're just -- I just want us to 4 continue -- we have -- our communities have -- 5 we're on our own. We don't -- from Montgomery to 6 Mobile to Huntsville, Birmingham -- they're all 7 good people, but they don't know who we are. So 8 I -- my concern was having representation that 9 represented our people, the people -- I wanted 10 them to know who we were. So that was my concern. 11 Q. Okay. Just circling back a little bit to 12 the last part that you just said, you said you 13 wanted to -- them to know who we were. 14 So who were you referring to by "them"? 15 A. The representative. As we moved the map, 16 does the representative know southeast Alabama? 17 Do they know Troy University? Do they know the 18 mayors of these towns? I mean, do they know who 19 we are? From farming to military, do they know 20 who we are? That's what I meant. 21 Q. And by "we," what do you mean 22 specifically? 23 A. Again, the Wiregrass, Dothan, Enterprise,</p>	<p style="text-align: right;">Page 23</p> <p>1 Our medical community is booming and 2 growing, and we just got -- we're getting a campus 3 from HudsonAlpha science research center in 4 Dothan. We're -- I just want someone that 5 understands where we come from, "we" as a 6 community. It's not me. It's our -- because we 7 all represent different things. But for our 8 community, I want us to prosper. 9 Q. And you said this a few times, but what do 10 you mean exactly by "different interests"? 11 A. Well, you've got military, you've got 12 medical. Agriculture is one of the biggest -- you 13 know, we grow 40 percent of all the peanuts, 14 10 percent of all the cotton within a 100-mile 15 radius of our city. We're farmers. We're not big 16 corporation farmers. We're family generation 17 farmers. 18 And so I don't know that Mobile has that. 19 They may have it, but I'm not aware of it. And so 20 that's -- everyone's -- you know, our -- we are 21 blessed that our community works together to help 22 each other. But everyone has -- I'm in the 23 automobile business. That's my passion. That's</p>
<p style="text-align: right;">Page 22</p> <p>1 Ozark, Abbeville, Eufaula, Greenville, all the way 2 up to Montgomery. All the towns that I have been 3 working with for over 30 years as a past mayor and 4 as doing economic development. And Southeast 5 Alabama Gas, 14 municipalities in that area are 6 partners in that. And they're all mayors on that 7 board, and we work together -- or we did. I'm not 8 mayor anymore, but at that season. 9 So I was afraid -- and we're doing really 10 well. I didn't want to lose our rhythm here. And 11 when I say "we," I say all of us in the southeast 12 Alabama sector. 13 Q. Is it your view that Dothan and the Mobile 14 and Baldwin areas don't have any commonalities? 15 MS. MESSICK: Object to the form. 16 A. They're really good people. Just like 17 we're really good people. They just have 18 different interests. They don't -- they -- they 19 have a congressman -- or they did. And he's never 20 been to Fort Novosel. And the Army base -- the 21 Army aviation base is one of the most important 22 assets we have in our community for many reasons. 23 And so I want someone who knows who we are.</p>	<p style="text-align: right;">Page 24</p> <p>1 my work. That's my interest. And so everyone 2 else has their interest. 3 I just -- my heart is to have 4 representation that they know who everybody is and 5 they know -- they get up every morning and say, 6 "How can I make their lives better?" Not Mobile's 7 life. And nothing against them. I'm just talking 8 about our region, our area. 9 Q. So is it your view that Dothan has more in 10 common with a city area like Montgomery versus a 11 more rural area like Mobile? 12 MS. MESSICK: Object to the form. 13 A. Well, we've been working with folks in 14 Montgomery for years, and so there's relationships 15 that we have. And Montgomery folks have been to 16 Dothan. I'm not sure Mobile people have. So yes, 17 I do believe we -- it's not just rural. There's a 18 lot of things going on. And, like I said, we've 19 been collaborating for years, and I just didn't 20 want to lose that. 21 Q. Is it your view that Dothan should stay 22 connected to Montgomery because it's the seat of 23 state government?</p>

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<p style="text-align: right;">Page 25</p> <p>1 A. No. No. It's because all the communities 2 up 231, 431 -- we all work together. Our medical 3 community, our -- we have Southeast Health, which 4 is a public hospital in Dothan. They were in 5 Eufaula for years and years helping them. They've 6 been in Enterprise and Ozark. So we're all in 7 this together, southeast Alabama. So it's not 8 necessarily -- it has nothing to do with the state 9 capital or the legislature. These are mayors, 10 business people, farmers, military, medical.</p> <p>11 Q. Do you recall submitting a declaration in 12 this case describing some of the concerns you just 13 shared with the enacted map?</p> <p>14 MS. MESSICK: Object to the form.</p> <p>15 A. I'm not sure I understand the question.</p> <p>16 Q. Do you recall -- let me simplify it. 17 Do you recall submitting a declaration in 18 this case?</p> <p>19 A. I did.</p> <p>20 Q. So I would like to show you that 21 declaration and go through it with you.</p> <p>22 A. Okay.</p> <p>23 MS. GBE: Would it be easier to print --</p>	<p style="text-align: right;">Page 27</p> <p>1 MS. MESSICK: -- is going to be the same, 2 if you want me to pull these pages out for him.</p> <p>3 MS. GBE: No need to pull them out. But 4 we can use that copy, Exhibit 2. And I'll put it 5 up on the screen as well.</p> <p>6 MS. MESSICK: And while she's doing that, 7 Mr. Schmitz, if you'd give me a second to object 8 before you answer, that would be very helpful.</p> <p>9 THE WITNESS: Okay.</p> <p>10</p> <p>11 (Whereupon, Plaintiffs' Exhibit 2 was 12 marked for identification and copy of 13 same is attached hereto.)</p> <p>14</p> <p>15 Q. (BY MS. GBE) So I'm showing on the 16 screen -- and I understand you also have a copy in 17 front of you, Mr. Schmitz -- Exhibit 2 from your 18 last deposition, which is a copy of the 19 declaration that you submitted in this case. So I 20 will ask you to take a moment to review it.</p> <p>21 A. (Witness reviews document.)</p> <p>22 I have.</p> <p>23 Q. And do you recognize this document as the</p>
<p style="text-align: right;">Page 26</p> <p>1 have it printed or...</p> <p>2 MS. MESSICK: Let me see if I have an 3 unmarked copy with me.</p> <p>4 MS. GBE: And I'm fine going off the 5 record to have it printed if that is helpful.</p> <p>6 MS. MESSICK: So I have a version with 7 me -- it looks like I printed it from the Caster 8 case. But it is his declaration, if you're okay 9 with that being the exhibit. Or if you want to 10 email me something, I can go print it.</p> <p>11 MS. GBE: I have the exhibit that we 12 actually used in Mr. Schmitz's last deposition, 13 Exhibit 2, so that is what I was planning to show 14 him. So I can email that to you or maybe you can 15 take a look and see if it looks similar to the 16 declaration you're referring to. I'm fine using 17 the printed copy you already have if it's easier.</p> <p>18 MS. MESSICK: So I have a copy of his 19 prior deposition with me, and I have that exhibit. 20 It is marked Exhibit 2 from that declaration. But 21 it is otherwise -- and it's also been bound, but 22 the contents --</p> <p>23 MS. GBE: Okay.</p>	<p style="text-align: right;">Page 28</p> <p>1 declaration that you submitted in this case?</p> <p>2 MS. MESSICK: Object to the form.</p> <p>3 Harmony, I'm going to object when you say 4 "submitted" because we're the ones who submitted 5 it. I would say that he signed it.</p> <p>6 MS. GBE: And that's fair.</p> <p>7 Q. (BY MS. GBE) So I will rephrase and say: 8 Do you recognize this document as the declaration 9 you signed in this case?</p> <p>10 A. I do.</p> <p>11 Q. In addition to signing this declaration, 12 you also attended a public hearing in July 2023 to 13 share some of your concerns about the enacted map; 14 is that right?</p> <p>15 A. That is correct.</p> <p>16 Q. So I have a few questions about the topics 17 in your declaration --</p> <p>18 A. Okay.</p> <p>19 Q. -- beginning with your role as a civilian 20 aide to the Secretary of the Army.</p> <p>21 A. Okay.</p> <p>22 Q. I think you discuss that in paragraph 23 four.</p>

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<p style="text-align: right;">Page 29</p> <p>1 A. I do.</p> <p>2 Q. In that role, you represented Alabama</p> <p>3 south, including a number of military groups such</p> <p>4 as Fort Novosel, the Army Reserve, JROTC, and the</p> <p>5 Army National Guard; correct?</p> <p>6 A. Correct. It's all Army. So it's</p> <p>7 military, but it's all Army folks.</p> <p>8 Q. Understood.</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. And based on that role, you stated in your</p> <p>11 declaration that you believe it's important to</p> <p>12 keep the right -- the Wiregrass community together</p> <p>13 to protect Fort Novosel and the Maxwell air base</p> <p>14 and to promote economic growth in that area.</p> <p>15 MS. MESSICK: Object to the form.</p> <p>16 I'm sorry. Were you done?</p> <p>17 Q. I was just going to say: Is that correct?</p> <p>18 MS. MESSICK: Object to the form.</p> <p>19 A. Yes, it's correct.</p> <p>20 Q. Is it your view that those military</p> <p>21 bases -- their operations will suffer if Dothan</p> <p>22 and Houston County are not kept in line with</p> <p>23 Montgomery and the other counties in the southeast</p>	<p style="text-align: right;">Page 31</p> <p>1 is to protect our country and -- and Fort Novosel</p> <p>2 is extremely important to that.</p> <p>3 Q. And do you have any reason to believe that</p> <p>4 that wouldn't happen if Dothan was connected to</p> <p>5 Mobile and Baldwin County instead?</p> <p>6 MS. MESSICK: Object to the form.</p> <p>7 A. I -- the congressman at that time from</p> <p>8 Mobile had never been, that I know of, to Fort</p> <p>9 Rucker. So if he would represent us, he doesn't</p> <p>10 even know who our command general is. He doesn't</p> <p>11 know what -- what do we do at Fort Novosel? And</p> <p>12 it's -- it's a home of Army aviation excellence.</p> <p>13 There's so much going on. I just want someone</p> <p>14 that lives and breathes what's important to us.</p> <p>15 Q. So you stated in your declaration that</p> <p>16 Fort Novosel contributes more than 1 billion to</p> <p>17 the Wiregrass economy.</p> <p>18 Does that sound right?</p> <p>19 A. That is correct, but I was told by the new</p> <p>20 command general it's more like 4 billion, so it's</p> <p>21 a lot. It's important to us.</p> <p>22 Q. Do you have any reason to believe that</p> <p>23 Fort Novosel's economic growth will suffer if</p>
<p style="text-align: right;">Page 30</p> <p>1 region of Alabama?</p> <p>2 A. My concern would be, and is, that with</p> <p>3 someone from Mobile -- and if they're from Baldwin</p> <p>4 County, that's a very wealthy area. Are they</p> <p>5 going to visit Fort Novosel -- that was Fort</p> <p>6 Rucker -- Fort Novosel or Maxwell?</p> <p>7</p> <p>8 (At which time, Nicki Lawsen entered the</p> <p>9 deposition in progress.)</p> <p>10</p> <p>11 A. Will they understand that there's 13,000</p> <p>12 contract people that work there and their jobs are</p> <p>13 everything to them?</p> <p>14 Because in -- we live in a competitive</p> <p>15 world, and congress has everyone coming after the</p> <p>16 budget and money, all the different military folks</p> <p>17 and everybody else. So what I want is a voice.</p> <p>18 What I'd like to make sure is we have a voice that</p> <p>19 understands how important these men and women</p> <p>20 soldiers are and how we have to keep the base up</p> <p>21 to date and reinvest in our Army bases and give</p> <p>22 them the tools they need to succeed. I want</p> <p>23 someone that really understands how important it</p>	<p style="text-align: right;">Page 32</p> <p>1 Dothan is not kept in with Montgomery and the</p> <p>2 other counties in the southeast region of Alabama?</p> <p>3 A. Well, it depends -- really depends on</p> <p>4 whoever is elected. Are they going to fight for</p> <p>5 Fort Novosel at the Pentagon and in congress and</p> <p>6 get the funding they need and -- and work within</p> <p>7 the community? We have thousands of retired Army</p> <p>8 folks that live in our area, and they have needs</p> <p>9 that need to be taken care of. So someone -- I</p> <p>10 have concerns, yes.</p> <p>11 Q. But I guess -- just restating my question</p> <p>12 because I don't think you quite answered it.</p> <p>13 A. Okay.</p> <p>14 Q. I guess my question is: What -- why --</p> <p>15 what is the basis for those concerns? Why do you</p> <p>16 think that the economic growth of Fort Novosel</p> <p>17 will suffer if Dothan isn't connected to</p> <p>18 Montgomery and the other southeastern counties?</p> <p>19 A. Well, in my mind, if you're representing</p> <p>20 Mobile, you're going to represent the folks that</p> <p>21 make airplanes. You're going to represent the</p> <p>22 people that work on the bay and all the businesses</p> <p>23 that effect that. Where is Fort Novosel going to</p>



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<p style="text-align: right;">Page 33</p> <p>1 fit in your priorities? That's my concern.</p> <p>2 Q. And I think you also mention in your</p> <p>3 declaration that recruiting is a real issue in</p> <p>4 those particular areas, specifically the southeast</p> <p>5 and the Wiregrass area has a strong recruiting</p> <p>6 background.</p> <p>7 Does that sound familiar?</p> <p>8 A. Yes.</p> <p>9 MS. MESSICK: Object to the form.</p> <p>10 A. Yes.</p> <p>11 Q. Do you have any reason to believe</p> <p>12 recruitment at Fort Novosel or Maxwell will</p> <p>13 decrease if Dothan isn't connected to Montgomery</p> <p>14 and the southeastern counties anymore?</p> <p>15 A. Well, again, it comes down to</p> <p>16 representation in D.C. If we can get the funding</p> <p>17 for JROTC. Right now we work really hard -- we</p> <p>18 have -- almost all our high schools have JROTC in</p> <p>19 our region, and it's just an important -- even if</p> <p>20 they don't join the military, the things they</p> <p>21 learn is incredible.</p> <p>22 So does a representative know enough to</p> <p>23 help us recruit? Are you willing to -- the</p>	<p style="text-align: right;">Page 35</p> <p>1 area it'll be a priority. And so if they made it</p> <p>2 a priority and they came here -- "here" -- they</p> <p>3 came to our community and they got involved, they</p> <p>4 worked hard in D.C., it may continue. It might.</p> <p>5 But we're -- why break it up?</p> <p>6 Q. Okay. I understand.</p> <p>7 So I want to talk about some of the</p> <p>8 economic partnerships you also discussed in your</p> <p>9 declaration.</p> <p>10 I think you noted that the Southeast</p> <p>11 Alabama Gas district is a partnership that</p> <p>12 provides natural gas service to customers in the</p> <p>13 southeast region; is that right?</p> <p>14 A. That is correct.</p> <p>15 Q. And I'm specifically looking at paragraph</p> <p>16 eight of your declaration in case you want to</p> <p>17 review that.</p> <p>18 You explain in your declaration that the</p> <p>19 Southeast Alabama Gas district is owned by</p> <p>20 14 municipalities in southeast Alabama, from</p> <p>21 Dothan to Greenville; correct?</p> <p>22 A. That is correct.</p> <p>23 Q. And that representatives from those</p>
<p style="text-align: right;">Page 34</p> <p>1 U.S. Army recruiting office is at Maxwell Air</p> <p>2 Force Base. Have you ever been there? I mean, do</p> <p>3 you know what we need?</p> <p>4 And the world is shifting. It's a</p> <p>5 dangerous place, always has been. But young folks</p> <p>6 don't join the military like they used to. So</p> <p>7 we've got to shift, first of all. "We" -- I say</p> <p>8 "we." The Army has to shift. And so it's just a</p> <p>9 priority.</p> <p>10 The Army has to recruit 60,000 people a</p> <p>11 year to replace people retiring and leaving, and</p> <p>12 so that's a lot. In the southeast, we do really</p> <p>13 well with that. So my concern is let's not break</p> <p>14 up something that's working for America.</p> <p>15 Q. But couldn't a new representative just</p> <p>16 maintain some of the partnerships that you're</p> <p>17 crediting for the recruit in the southeast being</p> <p>18 so strong?</p> <p>19 A. Of course.</p> <p>20 Q. Why would it be broken up, I guess is what</p> <p>21 I don't understand?</p> <p>22 A. Of course they could. It depends on who</p> <p>23 they are. I just don't know that in the Mobile</p>	<p style="text-align: right;">Page 36</p> <p>1 municipalities, usually the mayors, sit down once</p> <p>2 a month and work together to grow the partnership;</p> <p>3 correct?</p> <p>4 A. That is correct.</p> <p>5 Q. And you've served as the mayor of Dothan</p> <p>6 in the past; right?</p> <p>7 A. I have.</p> <p>8 Q. As mayor, wouldn't you have worked with</p> <p>9 any municipal, including the ones that are farther</p> <p>10 west, as long as it benefitted the southeast</p> <p>11 Alabama district customers and helped grow the</p> <p>12 partnership?</p> <p>13 A. Yes, I would have.</p> <p>14 Q. And don't you think that current Southeast</p> <p>15 Alabama Gas district representatives would do the</p> <p>16 same?</p> <p>17 MS. MESSICK: Object to the form.</p> <p>18 A. So the 14, usually mayors, meet once a</p> <p>19 month, and they form relationships. And we're</p> <p>20 right down the road. It may be 50 miles but -- or</p> <p>21 60 miles or 30 miles or 5 miles, but we form</p> <p>22 relationships on a monthly basis. And they come</p> <p>23 to our community. We come to their community. So</p>

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<p style="text-align: right;">Page 37</p> <p>1 it would be difficult, I think, from a Mobile area</p> <p>2 to do the same thing.</p> <p>3 But the -- and when the mayors get</p> <p>4 together, it's more than just Southeast Gas, which</p> <p>5 is an important part, because during 2009 and 2010</p> <p>6 and '11, when the real estate economy collapsed,</p> <p>7 there was dividends paid out by Southeast Alabama</p> <p>8 Gas that helped us -- municipalities, our cities</p> <p>9 and towns -- to pay our bills. So we all worked</p> <p>10 together because financially we were motivated for</p> <p>11 that.</p> <p>12 But it becomes a stronger bond. We get to</p> <p>13 know their wives, their families, their kids. Can</p> <p>14 we do that with someone in Mobile? Sure. But is</p> <p>15 it like this? No. Because there's financial</p> <p>16 benefit of us working together. And I just think</p> <p>17 it works really well.</p> <p>18 Q. So looking at the last paragraph of your</p> <p>19 declaration, paragraph ten, you stated "In my</p> <p>20 opinion, if the Wiregrass is split up and moved</p> <p>21 west, Dothan and Houston County will lose our</p> <p>22 voice and lose our vote."</p> <p>23 What did you mean by that?</p>	<p style="text-align: right;">Page 39</p> <p>1 (At which time, an off-the-record</p> <p>2 discussion was held.)</p> <p>3</p> <p>4 (Whereupon, Plaintiffs' Exhibit 3 was</p> <p>5 marked for identification and copy of</p> <p>6 same is attached hereto.)</p> <p>7</p> <p>8 Q. (BY MS. GBE) All right. So Mr. Schmitz,</p> <p>9 I am going to show you a map that we discussed</p> <p>10 during your last deposition.</p> <p>11 A. Okay.</p> <p>12 Q. It was marked as Exhibit 3, and you should</p> <p>13 have a printed copy in front of you as well.</p> <p>14 A. I do.</p> <p>15 Q. Okay. Let me put it up on the screen.</p> <p>16 Give me one second. Okay. There we go.</p> <p>17 Do you see the map on your screen,</p> <p>18 Mr. Schmitz?</p> <p>19 A. I do.</p> <p>20 Q. And you've seen this map before; correct?</p> <p>21 MS. MESSICK: Harmony, we can only see</p> <p>22 part of it.</p> <p>23 MS. GBE: Oh, okay. Let me fix that.</p>
<p style="text-align: right;">Page 38</p> <p>1 A. Mobile has majority of the voters. Dothan</p> <p>2 and the Wiregrass -- you know, Mobile is big.</p> <p>3 Baldwin County is big. That whole area has got</p> <p>4 majority of the voters. So in my opinion, I</p> <p>5 believe that if they're going to vote for their</p> <p>6 interest, we don't have a chance. That's just</p> <p>7 what I believed.</p> <p>8 Q. And, again, I'm just trying to understand</p> <p>9 exactly what you mean.</p> <p>10 What do you mean by "their interests"?</p> <p>11 A. Well, again, Mobile has a whole different</p> <p>12 manufacturing than we do. They have a lot to do</p> <p>13 with the waterway. We don't have that. So their</p> <p>14 interests are different than ours. Ours, again,</p> <p>15 are what I've already said -- is Fort Novosel, is</p> <p>16 the medical community, is agriculture, is --</p> <p>17 Mobile is not agriculture, that I know of. And so</p> <p>18 that's my concern.</p> <p>19 Q. Okay. So I'm going to --</p> <p>20 MS. GBE: Actually, can we go off the</p> <p>21 record for a few moments?</p> <p>22 MS. MESSICK: Sure.</p> <p>23</p>	<p style="text-align: right;">Page 40</p> <p>1 MS. MESSICK: I mean, he does have the</p> <p>2 paper, but just because you've asked if he can see</p> <p>3 it.</p> <p>4 Q. (BY MS. GBE) How about now? Oh, too</p> <p>5 small.</p> <p>6 How about now?</p> <p>7 A. I can see most of it. And I've got it.</p> <p>8 There you go.</p> <p>9 Q. Okay. Good.</p> <p>10 And you do have a copy of the map in front</p> <p>11 of you as well; correct?</p> <p>12 A. I do.</p> <p>13 Q. And this was the map that was passed by</p> <p>14 the legislature in 2003; right?</p> <p>15 MS. MESSICK: Object to the form. You</p> <p>16 said 2003.</p> <p>17 MS. GBE: I'm sorry. I'll say that again.</p> <p>18 Sorry. 2023. My apologies.</p> <p>19 A. I'm not aware that this passed or didn't</p> <p>20 pass, so I don't -- I can't say that I knew that.</p> <p>21 Q. Okay. But you have seen this particular</p> <p>22 map before; correct?</p> <p>23 A. I've seen it. I think the Dothan Eagle</p>

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<p style="text-align: right;">Page 41</p> <p>1 showed it once, but it wasn't approved at that</p> <p>2 time.</p> <p>3 Q. Correct. That that's what we discussed</p> <p>4 during your last deposition. I think when you --</p> <p>5 A. Yes.</p> <p>6 Q. -- initially saw this map, that's what</p> <p>7 prompted you to reach out to the legislators. But</p> <p>8 it hadn't passed yet.</p> <p>9 Does that sound familiar?</p> <p>10 MS. MESSICK: Object to the form.</p> <p>11 A. Yes.</p> <p>12</p> <p>13 (Whereupon, Plaintiffs' Exhibit 4 was</p> <p>14 marked for identification and copy of</p> <p>15 same is attached hereto.)</p> <p>16</p> <p>17 Q. Okay. So I will mark as Exhibit 4 another</p> <p>18 map that we didn't discuss last time. Actually,</p> <p>19 I'm sorry. Strike that. Before I do that, I will</p> <p>20 mark as Exhibit 4 a document which is the text of</p> <p>21 the bill from the legislature that accompanied the</p> <p>22 map that you were currently looking at. So let's</p> <p>23 do that. And you should have a printed copy of</p>	<p style="text-align: right;">Page 43</p> <p>1 So I'd like to draw your attention to page three</p> <p>2 of Exhibit 4. In particular I'm looking at the</p> <p>3 paragraphs addressing what a community of interest</p> <p>4 is, so that's paragraph (4)a through d.</p> <p>5 A. Okay.</p> <p>6 Q. Do you see that, Mr. Schmitz?</p> <p>7 A. I do.</p> <p>8 Q. So if you could take a moment to read</p> <p>9 those paragraphs to yourself, that would be great.</p> <p>10 A. (Witness reviews document.)</p> <p>11 Okay.</p> <p>12 Q. So I'd like to draw your attention in</p> <p>13 particular to paragraph (4)d where it discusses</p> <p>14 three communities of interest in Alabama, in</p> <p>15 particular the Black Belt, the Gulf Coast, and the</p> <p>16 Wiregrass.</p> <p>17 Do you see that?</p> <p>18 A. Yes, I do.</p> <p>19 Q. So I want us to focus on the Black Belt</p> <p>20 and the Wiregrass. Let's take a look at the</p> <p>21 counties that the legislature identified as part</p> <p>22 of those communities of interest. So if you look</p> <p>23 at pages three and four, I'm looking at paragraph</p>
<p style="text-align: right;">Page 42</p> <p>1 that bill in front of you.</p> <p>2 A. Okay.</p> <p>3 MS. MESSICK: And I've just marked it</p> <p>4 exhibit -- or put a "4" on it in case -- to avoid</p> <p>5 confusion later.</p> <p>6 MS. GBE: Okay. Thank you.</p> <p>7 Q. (BY MS. GBE) So please take a moment to</p> <p>8 review the language of the bill, Mr. Schmitz.</p> <p>9 MS. MESSICK: Are you asking him to read</p> <p>10 the whole thing?</p> <p>11 MS. GBE: No. I would prefer not.</p> <p>12 Q. (BY MS. GBE) But if you can just review</p> <p>13 it quickly just so you have a sense of --</p> <p>14 A. Okay.</p> <p>15 Q. -- what the document is. You don't need</p> <p>16 to read the whole thing. I will direct you to the</p> <p>17 portions that I want you to read carefully.</p> <p>18 A. (Witness reviews document.)</p> <p>19 Okay.</p> <p>20 Q. Okay. So I will represent to you that</p> <p>21 what we just marked as Exhibit 4 is the text of</p> <p>22 the bill from the legislature that accompanied the</p> <p>23 map that we marked as Exhibit 3 when it passed it.</p>	<p style="text-align: right;">Page 44</p> <p>1 (e)1. It says "Alabama's Black Belt region."</p> <p>2 Do you see that?</p> <p>3 A. I do.</p> <p>4 Q. And the counties that are included in the</p> <p>5 Black Belt region, according to the legislature,</p> <p>6 include Barbour, Crenshaw, and Pike; is that</p> <p>7 right?</p> <p>8 A. They do.</p> <p>9 Q. Okay. Now, looking at page seven of this</p> <p>10 document, what we've labeled as Exhibit 4, at the</p> <p>11 top of page seven, there's paragraph (g)1 about</p> <p>12 Alabama's Wiregrass region.</p> <p>13 Do you see that?</p> <p>14 A. I do.</p> <p>15 Q. And we see the counties that are -- that</p> <p>16 compose the Wiregrass region, according to the</p> <p>17 legislature --</p> <p>18 A. I do.</p> <p>19 Q. -- in paragraph (g)1. And those counties</p> <p>20 include Barbour, Crenshaw, and Pike as well;</p> <p>21 correct?</p> <p>22 A. Yes.</p> <p>23 Q. Is it fair to say, then, that the Black</p>



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<p style="text-align: right;">Page 45</p> <p>1 Belt and the Wiregrass communities of interest</p> <p>2 actually overlap in a few counties?</p> <p>3 MS. MESSICK: Object to the form.</p> <p>4 A. I would say yes.</p> <p>5 Q. Doesn't that contradict your view that</p> <p>6 Dothan and the Black Belt do not share similar</p> <p>7 interests?</p> <p>8 MS. MESSICK: Object to the form.</p> <p>9 A. Well, Mobile is not the Black Belt. That</p> <p>10 was my point. And we're more than just rural.</p> <p>11 But if the Black -- I don't know much about the</p> <p>12 Black Belt. So if that's a rural area, then there</p> <p>13 are things that we are -- definitely have</p> <p>14 cointerest in.</p> <p>15 Q. Since you were -- since you were last</p> <p>16 deposed in this case, were you shown any maps by</p> <p>17 anyone from the legislature?</p> <p>18 A. No.</p> <p>19 Q. Since you were last deposed in this case,</p> <p>20 were you shown any maps from anyone in the</p> <p>21 Attorney General's office?</p> <p>22 A. No.</p> <p>23 Q. Have you seen the map that the Court in</p>	<p style="text-align: right;">Page 47</p> <p>1 A. Am I supposed to answer a question?</p> <p>2 Q. Please take a moment to review the</p> <p>3 document.</p> <p>4 A. Okay. Thank you.</p> <p>5 (Witness reviews document.)</p> <p>6 Okay.</p> <p>7 Q. Have you seen this map before,</p> <p>8 Mr. Schmitz?</p> <p>9 A. I have.</p> <p>10 Q. When you testified earlier that you saw</p> <p>11 the map that they passed, is this the map that you</p> <p>12 were referring to?</p> <p>13 A. Yes.</p> <p>14 Q. So I'm going to represent to you that</p> <p>15 Exhibit 5 is the Court-approved 2023 congressional</p> <p>16 map for Alabama, also known as Special Master</p> <p>17 Remedial Plan Three.</p> <p>18 Do you have any opinions about this map?</p> <p>19 A. Well, I am glad that Coffee, Houston,</p> <p>20 Dale, Henry, and Geneva, and Covington all got to</p> <p>21 sort of stay together. I still have issues with</p> <p>22 Baldwin and Mobile but -- but in my world they</p> <p>23 passed it, so it doesn't matter.</p>
<p style="text-align: right;">Page 46</p> <p>1 this case ultimately approved for Alabama's</p> <p>2 upcoming congressional elections?</p> <p>3 A. I have seen it.</p> <p>4 Q. Were you asked to review it?</p> <p>5 A. No.</p> <p>6 Q. Where did you see it?</p> <p>7 A. Probably social media, the Dothan Eagle.</p> <p>8 Because that one passed; right? And so that's the</p> <p>9 one that they have now, District 1 and District 2?</p> <p>10 Is that the map?</p> <p>11 Q. So let's take a look at it so we're</p> <p>12 talking about the same map. So I'm going to show</p> <p>13 you what we're going to mark as Exhibit 5, which</p> <p>14 is the Exhibit 5 that the Court in this case</p> <p>15 approved.</p> <p>16</p> <p>17 (Whereupon, Plaintiffs' Exhibit 5 was</p> <p>18 marked for identification and copy of</p> <p>19 same is attached hereto.)</p> <p>20</p> <p>21 MS. MESSICK: And, once again, I'm marking</p> <p>22 his copy with the number to avoid any confusion.</p> <p>23 MS. GBE: Thank you.</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. And what issues do you have with the way</p> <p>2 Baldwin and Mobile are --</p> <p>3 A. Well, again --</p> <p>4 Q. -- represented in this particular map?</p> <p>5 Sorry.</p> <p>6 A. Well, again, I don't think Baldwin and</p> <p>7 Mobile have the same life interests as Barbour</p> <p>8 County, Pike County, Montgomery, and all the</p> <p>9 Wiregrass counties. So that's my -- that's my</p> <p>10 issue.</p> <p>11 Q. Does this map -- and, again, when I'm</p> <p>12 referring to "this map," it's Exhibit 5, the</p> <p>13 Court-approved map.</p> <p>14 Does it resolve some of the concerns you</p> <p>15 had with the map that prompted you to reach out to</p> <p>16 the legislature in the first instance?</p> <p>17 A. Yes. Some of it, yes. Because they did</p> <p>18 keep the Wiregrass together, and that was</p> <p>19 important. Now, I would like more, all the way up</p> <p>20 to the -- like I said, the 231, 431 corridor to</p> <p>21 Montgomery. But I still -- when all the vote's</p> <p>22 over in Baldwin and Mobile, that concerns me.</p> <p>23 Q. So looking at the 2023 plan that the</p>

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<p style="text-align: right;">Page 49</p> <p>1 legislature passed -- so that was Exhibit 4 --</p> <p>2 Dothan was a part of CD 2; is that right?</p> <p>3 A. Correct.</p> <p>4 MS. MESSICK: Actually, hold on.</p> <p>5 Exhibit 4 was the act.</p> <p>6 Are you referring to Exhibit 3?</p> <p>7 MS. GBE: Oh, I'm sorry. Exhibit 3.</p> <p>8 Thank you for clarifying.</p> <p>9 A. What was the question again, please?</p> <p>10 Q. No problem.</p> <p>11 So let's take a look at Exhibit 3, which</p> <p>12 was the 2023 map that the legislature passed, and</p> <p>13 then Exhibit 5, which is the map that the Court</p> <p>14 ultimately approved.</p> <p>15 A. Right.</p> <p>16 Q. So let me know when you have those two in</p> <p>17 front of you.</p> <p>18 A. I do.</p> <p>19 Q. Okay. Great.</p> <p>20 So with the legislature's map, Dothan was</p> <p>21 part of CD two; is that right?</p> <p>22 A. Correct.</p> <p>23 Q. And with the Court's map, Dothan is now</p>	<p style="text-align: right;">Page 51</p> <p>1 MS. GBE: I have no further questions for</p> <p>2 this witness at this time.</p> <p>3</p> <p>4 EXAMINATION</p> <p>5 BY MS. RUTAHINDURWA:</p> <p>6 Q. I just have a couple of questions.</p> <p>7 Can you hear me okay?</p> <p>8 A. Yes.</p> <p>9 Q. Great. My name is Makeba Rutahindurwa. I</p> <p>10 represent the Caster plaintiffs. Thank you so</p> <p>11 much for being here.</p> <p>12 I just wanted to ask a couple of questions</p> <p>13 about what you testified earlier. You noted that</p> <p>14 one of the concerns you had was that Mobile and</p> <p>15 Baldwin Counties would have different needs and</p> <p>16 interests and kind of overcrowd the needs of the</p> <p>17 southeast counties.</p> <p>18 Do I have that kind of summary correct?</p> <p>19 A. Yes.</p> <p>20 Q. And why would you think that they would</p> <p>21 have a larger voice in a district if you were</p> <p>22 paired with them?</p> <p>23 MS. MESSICK: Object to the form.</p>
<p style="text-align: right;">Page 50</p> <p>1 part of CD 1; is that right?</p> <p>2 A. That is correct.</p> <p>3 Q. Under the legislature's map, Dothan was</p> <p>4 represented by Barry Moore; is that right?</p> <p>5 A. That is correct.</p> <p>6 Q. And Mr. Moore won the Republican primary</p> <p>7 under the Court's map with CD 1.</p> <p>8 Is that also correct?</p> <p>9 A. That is correct.</p> <p>10 Q. So the representation hasn't changed,</p> <p>11 contrary to your earlier testimony?</p> <p>12 MS. MESSICK: Object to the form.</p> <p>13 A. That is correct.</p> <p>14 MS. GBE: I think that is all the</p> <p>15 questions that I have. And if you don't mind, if</p> <p>16 we go off the record for a few moments just so I</p> <p>17 can confer with my co-counsel.</p> <p>18 MS. MESSICK: Thank you.</p> <p>19 MS. GBE: Thank you.</p> <p>20</p> <p>21 (At which time, an off-the-record</p> <p>22 discussion was held.)</p> <p>23</p>	<p style="text-align: right;">Page 52</p> <p>1 A. Again, I think it's because when you grow</p> <p>2 up on the bay and your interests are the water,</p> <p>3 the Navy base, the air -- the manufacturing of</p> <p>4 airplanes -- and we don't have any of that. And</p> <p>5 in Baldwin and Mobile, as far as I know, there's</p> <p>6 no farming or very little if there is any. So I</p> <p>7 don't see how they can understand the interests of</p> <p>8 the people in the Wiregrass.</p> <p>9 Q. And who is your current representative?</p> <p>10 A. Barry Moore.</p> <p>11 Q. Do you think he represents the interests</p> <p>12 of the Wiregrass well?</p> <p>13 A. Yes.</p> <p>14 Q. In what ways?</p> <p>15 A. Well, he's from Enterprise. He's from the</p> <p>16 Wiregrass. He's been at Fort Rucker and Fort</p> <p>17 Novosel many times. He has meetings with the</p> <p>18 farmer association. He -- he owns a small</p> <p>19 business in Enterprise. So he -- his -- he gets</p> <p>20 up knowing who we are and trying to represent us.</p> <p>21 Q. And going into the current November</p> <p>22 election, do you know which candidates are running</p> <p>23 for Congressional District 1?</p>

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<p style="text-align: right;">Page 53</p> <p>1 A. Well, Barry Moore. I do not know the 2 Democrat side. 3 Q. Okay. But Barry Moore is the Republican 4 candidate for the district that you currently 5 would reside in; is that right? 6 A. That is correct. 7 Q. And so if your representation remains and 8 Representative Moore wins in the November 9 election, does that relieve any of the concerns 10 that you have about your community being 11 overlooked by a representative since he is your 12 current and will be potentially your future 13 representative? 14 MS. MESSICK: Object to the form. 15 A. Yes. 16 Q. Okay. And do you think that 17 Representative Moore will also take into 18 consideration the interests of his new 19 constituents? 20 A. I would hope so. I -- 21 Q. Is that something you've seen in the past 22 with Representative Moore, that he takes an 23 interest in his constituents to make sure that he</p>	<p style="text-align: right;">Page 55</p> <p>1 A. Yes. 2 Q. Did you read your declaration, which is 3 Exhibit 2, before you came to this deposition here 4 today? 5 A. Yes. 6 Q. Do you remember if I sent you that 7 declaration? 8 A. Yes, you did. 9 Q. And by that I mean in the last week or so? 10 A. Yes. 11 Q. And do you remember when we talked last 12 week that we also talked about tips for giving a 13 deposition? 14 A. Yes. 15 Q. I want to ask you to look at your 16 declaration for a minute. Paragraph four talks 17 about your appointment as a civilian aide to the 18 Secretary of the Army representing Alabama south; 19 is that correct? 20 A. Yes. 21 Q. You talk about in your declaration and in 22 your testimony here today your interest in taking 23 care of Fort Novosel and military interests in the</p>
<p style="text-align: right;">Page 54</p> <p>1 is an adequate representative? 2 A. Yes. 3 Q. And so he'll also take into consideration 4 your interests and the interests of Dothan as 5 well; right? 6 MS. MESSICK: Object to the form. 7 A. I would think so, yes. 8 MS. RUTAHINDURWA: Those are all the 9 questions I have. Thank you. 10 MS. MESSICK: And I believe Nicki Lawsen 11 is with Milligan; right? So that's all for the 12 plaintiffs? 13 MS. GBE: Yes, that's all the for the 14 plaintiffs. 15 16 EXAMINATION 17 BY MS. MESSICK: 18 Q. Mr. Schmitz, I appreciate your time. I do 19 have a few questions for you. 20 A. Okay. 21 Q. Have you answered the questions put to you 22 today to the best of your knowledge and 23 recollection as you sit here today?</p>	<p style="text-align: right;">Page 56</p> <p>1 Wiregrass; right? 2 A. Yes. 3 Q. Is all of your testimony based solely on 4 your role as a civilian aide to the Secretary of 5 the Army? 6 A. No. 7 Q. Did you have a relationship with Fort 8 Novosel that predated your appointment as a 9 civilian aide to the Secretary -- 10 A. Over 20 years. 11 Q. And did you work with Fort Novosel and 12 other Army interests while you were mayor? 13 A. Yes. 14 Q. Okay. I want to put that aside and ask 15 you -- I believe in one of the questions you were 16 asked earlier, Mobile was described as rural. 17 Do you understand Mobile to be a rural 18 area? 19 A. No, I do not. 20 Q. Describe for me how you understand the 21 city and/or county of Mobile, and let me know what 22 you're describing. 23 A. Well, you've got Baldwin County, and</p>

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1 Mobile and Baldwin County is financially upper  
2 class. There's no manufacturing. It's more of  
3 a -- folks live there because it's on the water.  
4 It's very nice.  
5 Then you have Mobile, which a lot of  
6 working class people work there. They're hard  
7 workers. But, again, they make their living from  
8 the water and from making airplanes so -- I don't  
9 know of any farming. Mobile are hard working,  
10 good people. They just -- they're not farmers.  
11 Q. Okay. And you testified that Barry Moore  
12 is from Enterprise and understands the Wiregrass;  
13 right?  
14 A. Yes.  
15 Q. Under the Court's map, the map imposed by  
16 the Court, which is Exhibit 5, the person who  
17 represents District 1 will need to, in addition to  
18 representing part of the Wiregrass, also represent  
19 some of Mobile and Baldwin County.  
20 Do you see that?  
21 A. Correct.  
22 Q. And I believe you told Plaintiffs' counsel  
23 that you would expect Barry Moore to pay attention

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1 to the needs of the people that he now  
2 represents -- or will represent in Mobile and  
3 Baldwin County should he win; correct?  
4 A. Yes.  
5 Q. Have you interacted with Representative  
6 Moore?  
7 A. Oh, yes. Yes.  
8 Q. How do you know him?  
9 A. Well, when I got appointed as a CASA, we  
10 would meet at Fort Rucker. And I didn't really  
11 know him before. Then he ran for congress and --  
12 with the old district, and he won. So congress --  
13 the representatives we have are really important  
14 to Fort Novosel in D.C., so I definitely went to  
15 meet him and talk to him about the importance.  
16 Q. Do you know if he has a lot of pressures  
17 on his time?  
18 MS. RUTAHINDURWA: I couldn't hear that.  
19 Could you state that again?  
20 Q. Do you know if he has a lot of pressures  
21 on his time?  
22 MS. RUTAHINDURWA: Object to form.  
23 A. Well, he's always busy. I mean, I -- you

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1 know, he's a hard-working guy, so I would think,  
2 yes.  
3 Q. Do you know which committees he serves on  
4 in congress?  
5 A. I do not.  
6 Q. Do you know -- did you know who would win  
7 the 2024 primary election for Congressional  
8 District 1 when you advocated to the legislature  
9 that the map be drawn a certain way in 2023?  
10 A. I'm not sure I understand the question.  
11 Q. In 2023 when you went to express your  
12 concerns to the legislature when the legislature  
13 was drawing the map, could you have possibly known  
14 who would win the election in 2024 with the map  
15 that was then in place?  
16 A. Oh, no.  
17 Q. When you were mayor, did different  
18 constituents bring you concerns and issues they  
19 needed help with?  
20 A. Of course.  
21 Q. And did you try to respond to those issues  
22 and concerns?  
23 A. Absolutely.

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1 Q. And if the people you represented changed,  
2 what -- did that change the issues and concerns  
3 that are brought to you?  
4 A. Well, they're our neighbors. You see them  
5 at church. You see them at restaurants. You see  
6 them on the -- on the sidewalk. So yeah, it's --  
7 being mayor is like just having a large family.  
8 Q. Okay.  
9 A. So yes.  
10 Q. If the Alabama legislature hypothetically  
11 passed a bill that put part of the city of  
12 Mobile -- so this part of Mobile is now going to  
13 be part of Dothan and you were mayor of Dothan  
14 when that happened, would that have changed the  
15 demands on your time?  
16 MS. RUTAHINDURWA: Object to form.  
17 A. Well, if it's part of my job, yeah. I  
18 mean, that's a long drive so -- and I would have  
19 to get to know the people and get to find out  
20 their needs.  
21 Q. And might they have different needs than  
22 the people who lived in Dothan before that  
23 hypothetical legislative act?

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<p style="text-align: right;">Page 61</p> <p>1 A. Well, they do, yes.</p> <p>2 Q. And as a mayor did you have unlimited time</p> <p>3 and resources?</p> <p>4 A. Oh, no. No.</p> <p>5 Q. Do you know if there are any committees in</p> <p>6 congress that focus on agriculture?</p> <p>7 A. Oh, yes.</p> <p>8 Q. Do you know if there are any committees in</p> <p>9 congress that focus on defense?</p> <p>10 A. Yes.</p> <p>11 Q. Is there any way that you can, sitting</p> <p>12 here today, tell anybody exactly how Barry Moore</p> <p>13 will do his job if he is elected with a district</p> <p>14 that looks different than the one he represents</p> <p>15 today?</p> <p>16 A. No, of course not.</p> <p>17 Q. I want you to look at Exhibit 3. This is</p> <p>18 the map -- you see at the top, it says "Livingston</p> <p>19 Congressional Plan Three"?</p> <p>20 A. Yes.</p> <p>21 Q. So this is the map that Senator Livingston</p> <p>22 sponsored that the legislature passed in 2023, and</p> <p>23 I will represent to you that this is the map that</p>	<p style="text-align: right;">Page 63</p> <p>1 Q. That is what I understood you to say. I</p> <p>2 think there might have been some confusion, so I'm</p> <p>3 asking you now --</p> <p>4 A. No, I --</p> <p>5 Q. -- do you have concerns?</p> <p>6 A. No.</p> <p>7 Q. Do you remember before testifying at the</p> <p>8 legislature last year whether you had seen</p> <p>9 proposed maps or any proposed map?</p> <p>10 A. Well, yeah. I mean, Dothan Eagle showed</p> <p>11 the one -- basically it's the one with Mobile, and</p> <p>12 that was the one that I guess the plaintiffs</p> <p>13 brought, I guess. I saw it there.</p> <p>14 Q. Okay. So I will represent to you that the</p> <p>15 plaintiffs -- some of the plaintiffs in these</p> <p>16 cases that you're here testifying in today</p> <p>17 proposed a map, and I understood your testimony</p> <p>18 from last year to be that that map concerned you.</p> <p>19 Is that your recollection of what</p> <p>20 happened?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. I'm going to try to share my screen</p> <p>23 to share a video.</p>
<p style="text-align: right;">Page 62</p> <p>1 the legislature passed after the Supreme Court</p> <p>2 ruled and after you testified to the legislature.</p> <p>3 Okay?</p> <p>4 A. Yes.</p> <p>5 Q. So then having the Supreme Court rule,</p> <p>6 having the legislature drawing a new map, this is</p> <p>7 the map they chose to draw.</p> <p>8 Look at Congressional District 2 for me.</p> <p>9 Does it include most or all of the</p> <p>10 Wiregrass as you think of the Wiregrass area?</p> <p>11 A. Yes, it does.</p> <p>12 Q. Does it join the Wiregrass with Mobile or</p> <p>13 Baldwin?</p> <p>14 A. No.</p> <p>15 Q. Are there any concerns -- I believe you</p> <p>16 testified earlier in response to questions from</p> <p>17 Plaintiffs' counsel that you had concerns about</p> <p>18 this map that the legislature ultimately passed</p> <p>19 last year.</p> <p>20 Can you tell me what those concerns were?</p> <p>21 A. I'm sorry? This map, the plan three?</p> <p>22 Q. Yes.</p> <p>23 A. I said I have concerns about this map?</p>	<p style="text-align: right;">Page 64</p> <p>1 (Video playing.)</p> <p>2</p> <p>3 Q. Sir, was that you testifying in that</p> <p>4 video?</p> <p>5 A. That was I.</p> <p>6 MS. MESSICK: I'd like to mark that, a</p> <p>7 video, as Defendants' Exhibit 1.</p> <p>8</p> <p>9 (Whereupon, Defendants' Exhibit 1 was</p> <p>10 marked for identification and copy of</p> <p>11 same is attached hereto.)</p> <p>12</p> <p>13 MS. RUTAHINDURWA: Ms. Messick, just to</p> <p>14 put on the record, while we heard the audio, I</p> <p>15 didn't really see any video moving. But I did</p> <p>16 hear the audio clearly. I wanted the record to</p> <p>17 reflect that. I don't know if Harmony saw the</p> <p>18 video, but I did not.</p> <p>19 MS. GBE: I did not see the video moving</p> <p>20 either, but I did hear the audio clearly.</p> <p>21 MS. MESSICK: Okay. I'm not sure if</p> <p>22 that's because there wasn't a lot of action or if</p> <p>23 you're telling me you couldn't see the screen at</p>



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<p style="text-align: right;">Page 65</p> <p>1 all.</p> <p>2 Do you want to hear the video -- to watch</p> <p>3 the video again? I'd be happy to do that.</p> <p>4 MS. GBE: No, I don't think that's</p> <p>5 necessary. But it did -- I did see the screen.</p> <p>6 It's just the video itself didn't appear to be</p> <p>7 moving so -- at least that's what I saw on my end.</p> <p>8 So I'm fine noting that for the record, but I</p> <p>9 don't think we need to review it again.</p> <p>10 MS. RUTAHINDURWA: I agree.</p> <p>11 MR. TAUNTON: Misty, just -- again, so the</p> <p>12 record is clear, same thing here. I think that</p> <p>13 the video probably opened in a different</p> <p>14 application, and that application maybe wasn't</p> <p>15 shared or something like that. But the audio was</p> <p>16 crystal clear.</p> <p>17 MS. MESSICK: Okay. Thank you.</p> <p>18 If I haven't already said it, I did want</p> <p>19 to mark that as Defendants' Exhibit 1.</p>	<p style="text-align: right;">Page 67</p> <p>1 paragraph is talking about the Black Belt?</p> <p>2 A. I do.</p> <p>3 Q. And do you remember Plaintiffs' counsel</p> <p>4 asking you if the Black Belt included Barbour,</p> <p>5 Crenshaw, and Pike Counties?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Would you please read that</p> <p>8 paragraph (e)1 that starts near the bottom of page</p> <p>9 three and goes on to page four?</p> <p>10 A. Sure. "Alabama's Black Belt region is a</p> <p>11 community of interest composed of the following 18</p> <p>12 core counties: Barbour, Bullock, Butler, Choctaw,</p> <p>13 Crenshaw, Dallas, Greene, Hale, Lowndes, Macon,</p> <p>14 Marengo, Montgomery, Perry, Pickens, Pike,</p> <p>15 Russell, Sumter, and Wilcox. Moreover, the</p> <p>16 following 5 counties are sometimes considered part</p> <p>17 of the Black Belt: Clarke, Conecuh, Escambia,</p> <p>18 Monroe, and Washington."</p> <p>19 Q. Thank you.</p> <p>20 And would you turn to the page that says</p> <p>21 page seven at the bottom, and do you see at the</p> <p>22 top of that page in paragraph (g)1 it talks about</p> <p>23 the Wiregrass?</p>
<p style="text-align: right;">Page 66</p> <p>20 Q. (BY MS. MESSICK) Mr. Schmitz, when you</p> <p>21 were mayor of Dothan, did you find it necessary to</p> <p>22 go to Mobile very often in your official capacity?</p> <p>23 A. I think I went once. We were trying to</p> <p>1 improve our public education. Mobile had a school</p> <p>2 doing really well. But other than that, no.</p> <p>3 Q. Do you know how far it is from Dothan to</p> <p>4 the city of Mobile?</p> <p>5 A. 3 hours, 32 minutes.</p> <p>6 Q. Is that a route that takes you through</p> <p>7 Alabama or a route that also takes you through</p> <p>8 Florida that you're thinking of?</p> <p>9 A. Well, you definitely start in Alabama, go</p> <p>10 directly to I-10, and head over to Mobile.</p> <p>11 Q. Okay. Do you know how far it is from</p> <p>12 Dothan to Montgomery?</p> <p>13 A. I think 80 miles.</p> <p>14 Q. Okay. I'd like you to look at Plaintiffs'</p> <p>15 Exhibit 3 -- I'm sorry -- Plaintiffs' 4, which is</p> <p>16 the act. It's to your left there, the act.</p> <p>17 A. This or this?</p> <p>18 Q. The act. The legislation.</p> <p>19 A. I don't know what an act is so...</p> <p>20 Q. I'm sorry. The act of the legislature.</p> <p>21 A. Okay.</p> <p>22 Q. Would you turn to the page that says page</p> <p>23 three at the bottom, and do you see the last</p>	<p style="text-align: right;">Page 68</p> <p>1 A. Yes.</p> <p>2 Q. And do you remember Plaintiffs' counsel</p> <p>3 asking you if Barbour, Crenshaw, and Pike counties</p> <p>4 are also part of the Wiregrass?</p> <p>5 A. I don't remember it being worded like</p> <p>6 that.</p> <p>7 Q. Okay.</p> <p>8 A. So I'm sorry.</p> <p>9 Q. Could you read the paragraph from lines</p> <p>10 170 to 173, that paragraph (g)1?</p> <p>11 A. "Alabama's Wiregrass region is a community</p> <p>12 of interest composed of the following nine</p> <p>13 counties: Barbour, Coffee, Covington, Crenshaw,</p> <p>14 Dale, Geneva, Henry, Houston, and Pike."</p> <p>15 Do you want me to keep going?</p> <p>16 Q. No, that's it. Thank you.</p> <p>17 Accepting the legislature's definitions of</p> <p>18 the Wiregrass and the Black Belt, does it sound to</p> <p>19 you like there's substantial overlap between those</p> <p>20 areas?</p> <p>21 MS. RUTAHINDURWA: Object to form.</p> <p>22 A. No.</p> <p>23 Q. The next paragraph on page seven, would</p>

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<p style="text-align: right;">Page 69</p> <p>1 you please read that, paragraph (g)2?</p> <p>2 A. "The Wiregrass region is a characterized</p> <p>3 by rural geography, agriculture, a major military</p> <p>4 base. The Wiregrass region is home to Troy</p> <p>5 University flagship campus in Troy and its campus</p> <p>6 in Dothan."</p> <p>7 Q. Do you agree with those statements?</p> <p>8 A. Yes.</p> <p>9 Q. What can you -- okay.</p> <p>10 Are any communities in Pike County part of</p> <p>11 the Southeast Alabama Gas district?</p> <p>12 A. I'm trying -- that would be Troy; right?</p> <p>13 Yes.</p> <p>14 Q. I believe so, yes.</p> <p>15 A. Yes. Yes. Then yes.</p> <p>16 Q. Do you know if any counties in -- I'm</p> <p>17 sorry -- if any municipalities in Barbour County</p> <p>18 are part of the Southeast Alabama Gas district?</p> <p>19 A. Yes. Eufaula.</p> <p>20 Q. Do you know if any municipalities in</p> <p>21 Crenshaw County are part of the Alabama -- the</p> <p>22 Southeast Alabama Gas district?</p> <p>23 A. I think that's Opp.</p>	<p style="text-align: right;">Page 71</p> <p>1 Q. Okay. Can you tell me about the</p> <p>2 partnerships that you're able to think of as you</p> <p>3 sit here today?</p> <p>4 A. With District 1 and District 2?</p> <p>5 Q. So Dothan is in District 1?</p> <p>6 A. Correct.</p> <p>7 Q. So I'd like you to look at the Wiregrass</p> <p>8 counties in District 2 and tell me about the</p> <p>9 partnerships that Dothan has with any governmental</p> <p>10 entities in those --</p> <p>11 A. Oh, there's no doubt Pike, Barbour,</p> <p>12 Butler, Montgomery. There's probably more. I</p> <p>13 don't know where all the towns are. I don't -- I</p> <p>14 don't know them like counties. I mean, I know</p> <p>15 towns.</p> <p>16 Q. Okay. If we were to get you a map that</p> <p>17 had cities on it, do you think you'd be able to</p> <p>18 speak to --</p> <p>19 A. Sure.</p> <p>20 Q. -- relationships that Dothan and Houston</p> <p>21 County have with municipalities that are now in</p> <p>22 Congressional District 2 under this court-ordered</p> <p>23 map?</p>
<p style="text-align: right;">Page 70</p> <p>1 Q. Is Opp part of the --</p> <p>2 A. Yes.</p> <p>3 Q. -- district -- gas district?</p> <p>4 A. Yeah.</p> <p>5 Q. In your declaration, you list the</p> <p>6 Southeast Alabama Gas district as one example of a</p> <p>7 partnership.</p> <p>8 Are there other partnerships that the city</p> <p>9 of Dothan has with other communities in the</p> <p>10 Wiregrass?</p> <p>11 A. Yes. I mean, the agriculture community --</p> <p>12 and I'm not part of that so I don't know exactly,</p> <p>13 but they have an association where they all meet.</p> <p>14 We also -- Dothan -- the city of Dothan has its</p> <p>15 own utility section, and we partner with several</p> <p>16 of these counties, including Montgomery, for</p> <p>17 utilities.</p> <p>18 Q. Looking at Exhibit 5, which is the</p> <p>19 Court-ordered map, can you think of any</p> <p>20 partnerships that Dothan has with communities that</p> <p>21 are now in Congressional District 2 while Dothan</p> <p>22 is in Congressional District 1?</p> <p>23 A. Yes.</p>	<p style="text-align: right;">Page 72</p> <p>1 A. I believe I could.</p> <p>2 MS. GBE: I think the Caster plaintiff</p> <p>3 just objected, object to the form. But I didn't</p> <p>4 hear it, so I just wanted to make sure that it got</p> <p>5 on the record.</p> <p>6 And sorry to interrupt, Misty. I wanted</p> <p>7 to make a quick stipulation that similar to</p> <p>8 defense counsel, plaintiffs' counsel are also</p> <p>9 joining in the same objection so that we don't</p> <p>10 obscure the record with us repeating ourselves.</p> <p>11 MS. MESSICK: That would be great. Thank</p> <p>12 you.</p> <p>13 MS. GBE: Thank you.</p> <p>14 Q. (BY MS. MESSICK) Looking at Exhibits 3</p> <p>15 and 5, the two maps, sitting here today, knowing</p> <p>16 that Barry Moore has won the Republican primary</p> <p>17 for Congressional District 1 under the Court's</p> <p>18 map, do you have a preference between these two</p> <p>19 maps going forward? If it were up to you, would</p> <p>20 you still put the legislature's map back in place,</p> <p>21 or are you fine with the Court's map because Barry</p> <p>22 Moore was -- is likely to be elected?</p> <p>23 A. I still believe that southeast Alabama</p>



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<p style="text-align: right;">Page 73</p> <p>1 should stay together because even though Barry 2 Moore won, I just believe if Baldwin and Mobile 3 get together and decide they're going to win, they 4 will win. Period. 5 Q. And I believe you mentioned earlier 6 population. 7 Is it your view that -- or is it your 8 understanding that the area of Mobile and Baldwin 9 Counties that are in the Court's District 1 are 10 more populous than the Wiregrass portions of 11 District 1? 12 A. Yes, they are.</p> <p>13 MS. MESSICK: Okay. I don't have any 14 further questions for you at this time. 15 Plaintiffs' counsel may have some follow-up 16 questions. 17 MS. GBE: The Milligan plaintiffs do not 18 have any redirect questions. 19 MS. RUTAHINDURWA: Caster plaintiffs have 20 a few follow-up questions just based on that 21 exchange. 22 23</p>	<p style="text-align: right;">Page 75</p> <p>1 what you stand for and -- and that's the way to do 2 it. 3 Q. And doing so, does it also help you learn 4 about your potential constituents and the needs 5 that they have? 6 A. Absolutely. 7 Q. And it also helps your potential 8 constituents learn about you and what you intend 9 to do as their representative? 10 A. Yeah. It's a two-way street. We've both 11 got to learn what the needs are and how we can 12 work together. 13 Q. And Representative Moore had to do 14 something similar when he became your 15 representative? 16 MS. MESSICK: Object to the form. 17 Q. Right. 18 A. Well, I wasn't part of his campaign, but I 19 would think he did, yes. 20 Q. And you testified earlier that you know 21 him, he's from Enterprise, he knows the community, 22 so that -- 23 A. Yes.</p>
<p style="text-align: right;">Page 74</p> <p>1 REEXAMINATION 2 BY MS. RUTAHINDURWA: 3 Q. So remind me when you were mayor of 4 Dothan. 5 A. 2009 to October 2017. 6 Q. And how many times did you have to 7 campaign to be mayor? 8 A. Well, I ran twice as mayor. 9 Q. In those two campaigns running for mayor, 10 did you have to go out into the community and 11 knock on doors, attend town hall -- 12 A. Absolutely. I'm sorry. 13 Absolutely yes. It was 100 degrees, and I 14 fully surely wore a suit and tie. And people 15 didn't want to open their doors and let the air 16 conditioning out, so I had some learning 17 experiences. 18 Q. And why did you do those things? 19 A. To get the votes. 20 Q. And why is it being involved in the 21 community and going out into the community a way 22 to get votes? 23 A. Well, they've got to know who you are and</p>	<p style="text-align: right;">Page 76</p> <p>1 Q. -- kind of -- he at least is familiar with 2 his constituents in Dothan and the Wiregrass 3 region; right? 4 MS. MESSICK: Object to the form. 5 A. Yes. 6 Q. I'd like to show you an article, and I 7 apologize. I don't know what number we're on, but 8 we can mark this as the next Plaintiffs' exhibit. 9 MS. GBE: It's 6. 10 11 (Whereupon, Plaintiffs' Exhibit 6 was 12 marked for identification and copy of 13 same is attached hereto.) 14 15 Q. Can you see this article? 16 A. Yes. 17 Q. So it was published on March 7, 2024. The 18 title is "Rep Barry Moore Beats Incumbent to Win 19 First Congressional District Republican Primary." 20 And I'm going to direct you to a specific 21 paragraph here. 22 "Compared to his previous district, 23 District 1 has more industry, but Moore says this</p>

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<p style="text-align: right;">Page 77</p> <p>1 isn't something he can't handle. 'There's a 2 little more industry in the Mobile port area, but 3 you've still got the military ties. You still 4 have the agriculture ties,' Moore said. 'It does 5 stretch me a little in that sense, but I'm a 6 business owner, I'm a veteran, and I've got an 7 agriculture science degree, so I tell everybody I 8 understand all three aspects.'" 9 Do you see that there? Did I state that 10 correctly? 11 A. Yes. 12 Q. So Representative Moore identified a 13 couple of interests that he found between the 14 Mobile port area and the Wiregrass regions; right? 15 A. Yes. 16 Q. He notes that the Mobile port has military 17 ties; right? 18 A. Yes, he does. 19 Q. And he also notes that the Mobile port has 20 agriculture ties; right? 21 A. Yes. 22 Q. So would you agree that those two things, 23 military and agriculture, are things that are</p>	<p style="text-align: right;">Page 79</p> <p>1 of going to Mobile a lot, and I've never seen any 2 farms, and we grew up -- in our area you see a 3 farm everywhere so -- so that's what I based it 4 on. But no, I did not do any serious background 5 or any check. 6 Q. I'd like to -- I apologize. I'm losing my 7 voice. 8 I'd like to show one more exhibit, and 9 that's Plaintiffs' Exhibit 7, I believe. 10 11 (Whereupon, Plaintiffs' Exhibit 7 was 12 marked for identification and copy of 13 same is attached hereto.) 14 15 Q. So this is the County Summary Highlights 16 2022 from the U.S. Department of Agriculture's 17 website, and I will find the exact .pdf. But it's 18 from the -- their, like, five-year 2022 19 U.S. Department of Agriculture summary highlights. 20 And I'd like to -- I'm going to -- in the text 21 document, since this is an 18-page document, I'm 22 going to go to Mobile. In the county summary 23 highlights here, it says the number of farms in</p>
<p style="text-align: right;">Page 78</p> <p>1 important to you that you've described when 2 describing the Wiregrass region? 3 A. Yes. 4 MR. TAUNTON: Object to the form. 5 A. They are important to us. 6 Q. And when Representative Moore identified 7 those interests, do you think he has knowledge of 8 the area of the Mobile port and what kind of 9 industries are there? 10 MS. MESSICK: Object to the form. 11 MR. TAUNTON: Objection to form. 12 A. I would hope so, yes. 13 Q. And you mentioned you don't know if the 14 Mobile port area has any farms or farmland; right? 15 A. I do not. 16 Q. And you haven't looked into that? When 17 you were expressing your current concerns to the 18 legislature about the maps, you didn't actually do 19 any research into the Mobile port area or Baldwin 20 and whether there is agricultural land or any 21 other kind of similarities to the Wiregrass? 22 MS. MESSICK: Object to the form. 23 A. No. I was just basing it on my experience</p>	<p style="text-align: right;">Page 80</p> <p>1 Mobile is 657. 2 Do you see that there? 3 A. I can't read it, but yeah, sort of. 4 Q. Okay. And -- 5 A. Yes, I see it now. 6 MS. MESSICK: Well, Mobile is cut off. 7 THE WITNESS: Oh. 8 MS. MESSICK: Okay. 9 Q. (BY MS. RUTAHINDURWA) 657 farms, and the 10 farms comprise about 180,529 acres. 11 Do you see that there? 12 A. I do. 13 Q. And then let's take Houston County, which 14 is where Dothan is; right? 15 A. Yes. 16 Q. And you see here the farms, it's 616? 17 A. Yes. 18 Q. And the land in farms is 187- acres? 19 A. Yes. 20 Q. Those are some pretty similar numbers, 21 would you agree, in terms of the number of farms 22 and the land comprising farms between the two 23 counties?</p>

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<p style="text-align: right;">Page 81</p> <p>1 MS. MESSICK: Object to the form.</p> <p>2 Can we get a copy of this document so he</p> <p>3 can look at both counties at the same time and we</p> <p>4 can as well?</p> <p>5 MS. RUTAHINDURWA: Sure. I'm happy to do</p> <p>6 that.</p> <p>7 Q. (BY MS. RUTAHINDURWA) Can you respond to</p> <p>8 my question?</p> <p>9 A. Yes. They look familiar (sic).</p> <p>10 MS. RUTAHINDURWA: Those are the only</p> <p>11 questions that I have right now. Thank you. And</p> <p>12 I will send those documents.</p> <p>13 MS. MESSICK: Okay. Please send it to</p> <p>14 Michael and to me, and let's take a break so we</p> <p>15 can look at the document.</p> <p>16</p> <p>17 (At which time, a break was taken.)</p> <p>18</p> <p>19 MS. MESSICK: Thank you for providing the</p> <p>20 document via email so that we could look at a</p> <p>21 paper copy of it and look at things in context.</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 83</p> <p>1 A. I am not.</p> <p>2 Q. And do you know where the information</p> <p>3 comes from for this document?</p> <p>4 A. I do not.</p> <p>5 Q. I would like you to find Houston County in</p> <p>6 this document. It appears the counties are in</p> <p>7 alphabetical order across the top.</p> <p>8 A. Okay.</p> <p>9 Q. And can I ask you -- do you remember that</p> <p>10 plaintiffs' counsel asked you about the top two</p> <p>11 lines, farms and land in farms acres?</p> <p>12 A. Yes.</p> <p>13 Q. Can I ask you to please highlight those</p> <p>14 two numbers on that copy?</p> <p>15 A. (Witness complies.)</p> <p>16 Okay.</p> <p>17 Q. And now I would ask you to go to Mobile</p> <p>18 County, and do you see at the top, again, the</p> <p>19 lines for farms and land in farms?</p> <p>20 A. I do.</p> <p>21 Q. And could you highlight the two numbers</p> <p>22 for Mobile County?</p> <p>23 A. Okay.</p>
<p style="text-align: right;">Page 82</p> <p>1 REEXAMINATION</p> <p>2 BY MS. MESSICK:</p> <p>3 Q. So, Mr. Schmitz, I'm going to hand you a</p> <p>4 copy of the exhibit that plaintiffs just emailed</p> <p>5 me.</p> <p>6 MS. MESSICK: Makeba, do you want me to</p> <p>7 mark it as Defendants' Exhibit 2, or is it fine</p> <p>8 with you for it to stay only Plaintiffs'</p> <p>9 Exhibit 7? I am handing you what you emailed.</p> <p>10 MS. RUTAHINDURWA: Plaintiffs' Exhibit 7</p> <p>11 is fine.</p> <p>12 MS. MESSICK: I'm sorry. I couldn't</p> <p>13 understand you.</p> <p>14 MS. RUTAHINDURWA: Plaintiffs' Exhibit --</p> <p>15 keeping it as Plaintiffs' Exhibit is fine. Thank</p> <p>16 you.</p> <p>17 MS. MESSICK: Okay.</p> <p>18 Q. (BY MS. MESSICK) Sir, have you ever seen</p> <p>19 this document before it was put in front of you at</p> <p>20 the deposition a few minutes ago?</p> <p>21 A. I have not.</p> <p>22 Q. Are you familiar with how different terms</p> <p>23 in this document are defined?</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. And putting those two sets of numbers side</p> <p>2 by side --</p> <p>3 A. Okay.</p> <p>4 Q. -- do you see that Houston County,</p> <p>5 according to this document, has 187,714 acres of</p> <p>6 farmland?</p> <p>7 A. Yes.</p> <p>8 Q. And do you see that Mobile County has</p> <p>9 108,529 acres of farmland?</p> <p>10 A. Yes.</p> <p>11 Q. Do you consider -- well, it's hard without</p> <p>12 context, but do you consider 108,000 acres in</p> <p>13 Mobile to be similar to 187,000 acres in Houston</p> <p>14 County?</p> <p>15 A. There's definitely not as much.</p> <p>16 Q. When you testified before the legislature,</p> <p>17 were you there as some kind of expert, or were you</p> <p>18 there to give your perspective?</p> <p>19 A. My perspective.</p> <p>20 Q. And did anybody suggest that you testify?</p> <p>21 A. I called Senator Chesteen, told him about</p> <p>22 my concerns. He told me about the public hearing;</p> <p>23 so, therefore, I went.</p>

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<p style="text-align: right;">Page 85</p> <p>1 Q. And is it your understanding that other</p> <p>2 members of the public also testified from their</p> <p>3 own perspectives as well?</p> <p>4 A. Oh, yes.</p> <p>5 MS. MESSICK: I don't have any further</p> <p>6 questions.</p> <p>7 MS. RUTAHINDURWA: I don't have any</p> <p>8 questions.</p> <p>9 MS. GBE: (Inaudible.)</p> <p>10 COURT REPORTER: Harmony, I didn't get</p> <p>11 what you said --</p> <p>12</p> <p>13 EXAMINATION</p> <p>14 BY MR. TAUNTON:</p> <p>15 Q. I do have one, and that is -- I know</p> <p>16 you've got a variety of maps in front of you, sir.</p> <p>17 First of all, I'm Mike Taunton. I</p> <p>18 represent the legislative defendants in this</p> <p>19 action.</p> <p>20 And we were just talking about farmland</p> <p>21 and how much farmland is in Houston County versus</p> <p>22 how much farmland is in Mobile. If you take a</p> <p>23 look at one of those maps -- I believe Plaintiffs'</p>	<p style="text-align: right;">Page 87</p> <p>1 MS. GBE: I'm sorry. Go ahead.</p> <p>2 MS. MESSICK: A minute ago the court</p> <p>3 reporter was saying she couldn't hear what you</p> <p>4 said after Makeba said she didn't have any further</p> <p>5 questions. I believe you said the same thing, and</p> <p>6 the court reporter was asking.</p> <p>7 MS. GBE: That is correct. I also said no</p> <p>8 further questions.</p> <p>9 COURT REPORTER: Thank you.</p> <p>10</p> <p>11 (At which time, the deposition concluded</p> <p>12 at approximately 3:19 p.m., Central.)</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>
<p style="text-align: right;">Page 86</p> <p>1 Exhibit 3 was the legislature's 2023 adopted map.</p> <p>2 Either by looking at that map or just</p> <p>3 whether you know, is Mobile County geographically</p> <p>4 larger than Houston County?</p> <p>5 A. Oh, yes.</p> <p>6 Q. Is Baldwin County geographically larger</p> <p>7 than Houston County?</p> <p>8 A. I believe so, yes.</p> <p>9 Q. Would you describe them as substantially</p> <p>10 larger than Houston County?</p> <p>11 A. Yes.</p> <p>12 MS. RUTAHINDURWA: Object to the form.</p> <p>13 Q. Do you know what percentage of Houston</p> <p>14 County is dedicated to farming?</p> <p>15 A. I do not.</p> <p>16 Q. Okay. Do you have any idea what</p> <p>17 percentage of Mobile County is dedicated to</p> <p>18 farming?</p> <p>19 A. I do not.</p> <p>20 MR. TAUNTON: That's all I've got.</p> <p>21 MS. GBE: I --</p> <p>22 MS. MESSICK: Harmony, a minute ago the</p> <p>23 court reporter --</p>	<p style="text-align: right;">Page 88</p> <p>1 C E R T I F I C A T E</p> <p>2</p> <p>3 STATE OF ALABAMA</p> <p>4 AT LARGE</p> <p>5</p> <p>6 I hereby certify that the above and</p> <p>7 foregoing deposition of Mike Schmitz was taken</p> <p>8 down by me in stenotype and the questions and</p> <p>9 answers thereto were transcribed by means of</p> <p>10 computer-aided transcription; transcribed by me or</p> <p>11 overseen by me, and that the foregoing represents</p> <p>12 a true and correct transcript of the testimony</p> <p>13 given by said witness upon said hearing.</p> <p>14 I further certify that I am neither of</p> <p>15 counsel, nor of kin to the parties to the action,</p> <p>16 nor am I in anywise interested in the result of</p> <p>17 said cause.</p> <p>18</p> <p>19 I further certify that I am duly licensed</p> <p>20 by the Alabama Board of Court Reporting as a</p> <p>21 Certified Court Reporter as evidenced by the ACCR</p> <p>22 number following my name found below.</p> <p>23 So certified on this date, September 9,</p> <p>2024.</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p> <p>45</p> <p>46</p> <p>47</p> <p>48</p> <p>49</p> <p>50</p> <p>51</p> <p>52</p> <p>53</p> <p>54</p> <p>55</p> <p>56</p> <p>57</p> <p>58</p> <p>59</p> <p>60</p> <p>61</p> <p>62</p> <p>63</p> <p>64</p> <p>65</p> <p>66</p> <p>67</p> <p>68</p> <p>69</p> <p>70</p> <p>71</p> <p>72</p> <p>73</p> <p>74</p> <p>75</p> <p>76</p> <p>77</p> <p>78</p> <p>79</p> <p>80</p> <p>81</p> <p>82</p> <p>83</p> <p>84</p> <p>85</p> <p>86</p> <p>87</p> <p>88</p> <p>89</p> <p>90</p> <p>91</p> <p>92</p> <p>93</p> <p>94</p> <p>95</p> <p>96</p> <p>97</p> <p>98</p> <p>99</p> <p>100</p> <p>101</p> <p>102</p> <p>103</p> <p>104</p> <p>105</p> <p>106</p> <p>107</p> <p>108</p> <p>109</p> <p>110</p> <p>111</p> <p>112</p> <p>113</p> <p>114</p> <p>115</p> <p>116</p> <p>117</p> <p>118</p> <p>119</p> <p>120</p> <p>121</p> <p>122</p> <p>123</p> <p>124</p> <p>125</p> <p>126</p> <p>127</p> <p>128</p> <p>129</p> <p>130</p> <p>131</p> <p>132</p> <p>133</p> <p>134</p> <p>135</p> <p>136</p> <p>137</p> <p>138</p> <p>139</p> <p>140</p> <p>141</p> <p>142</p> <p>143</p> <p>144</p> <p>145</p> <p>146</p> <p>147</p> <p>148</p> <p>149</p> <p>150</p> <p>151</p> <p>152</p> <p>153</p> <p>154</p> <p>155</p> <p>156</p> <p>157</p> <p>158</p> <p>159</p> <p>160</p> <p>161</p> <p>162</p> <p>163</p> <p>164</p> <p>165</p> <p>166</p> <p>167</p> <p>168</p> <p>169</p> <p>170</p> <p>171</p> <p>172</p> <p>173</p> <p>174</p> <p>175</p> <p>176</p> <p>177</p> <p>178</p> <p>179</p> <p>180</p> <p>181</p> <p>182</p> <p>183</p> <p>184</p> <p>185</p> <p>186</p> <p>187</p> <p>188</p> <p>189</p> <p>190</p> <p>191</p> <p>192</p> <p>193</p> <p>194</p> <p>195</p> <p>196</p> <p>197</p> <p>198</p> <p>199</p> <p>200</p> <p>201</p> <p>202</p> <p>203</p> <p>204</p> <p>205</p> <p>206</p> <p>207</p> <p>208</p> <p>209</p> <p>210</p> <p>211</p> <p>212</p> <p>213</p> <p>214</p> <p>215</p> <p>216</p> <p>217</p> <p>218</p> <p>219</p> <p>220</p> <p>221</p> <p>222</p> <p>223</p> <p>224</p> <p>225</p> <p>226</p> <p>227</p> <p>228</p> <p>229</p> <p>230</p> <p>231</p> <p>232</p> <p>233</p> <p>234</p> <p>235</p> <p>236</p> <p>237</p> <p>238</p> <p>239</p> <p>240</p> <p>241</p> <p>242</p> <p>243</p> <p>244</p> <p>245</p> <p>246</p> <p>247</p> <p>248</p> <p>249</p> <p>250</p> <p>251</p> <p>252</p> <p>253</p> <p>254</p> <p>255</p> <p>256</p> <p>257</p> <p>258</p> <p>259</p> <p>260</p> <p>261</p> <p>262</p> <p>263</p> <p>264</p> <p>265</p> <p>266</p> <p>267</p> <p>268</p> <p>269</p> <p>270</p> <p>271</p> <p>272</p> <p>273</p> <p>274</p> <p>275</p> <p>276</p> <p>277</p> <p>278</p> <p>279</p> <p>280</p> <p>281</p> <p>282</p> <p>283</p> <p>284</p> <p>285</p> <p>286</p> <p>287</p> <p>288</p> <p>289</p> <p>290</p> <p>291</p> <p>292</p> 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MIKE SCHMITZ  
MILLIGAN V. ALLEN

August 27, 2024

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1 Reference No.: 11665717	1 Reference No.: 11665717
2 Case: MILLIGAN V. ALLEN	2 Case: MILLIGAN V. ALLEN
3	3 Page No. _____ Line No. _____ Change to: _____
4	4 _____
5 DECLARATION UNDER PENALTY OF PERJURY	5 Reason for change: _____
6 I declare under penalty of perjury that	6 Page No. _____ Line No. _____ Change to: _____
7 I have read the entire transcript of my Depo-	7 _____
8 sition taken in the captioned matter or the	8 Reason for change: _____
9 same has been read to me, and the same is	9 Page No. _____ Line No. _____ Change to: _____
10 true and accurate, save and except for	10 _____
11 changes and/or corrections, if any, as indi-	11 Reason for change: _____
12 cated by me on the DEPOSITION ERRATA SHEET	12 Page No. _____ Line No. _____ Change to: _____
13 hereof, with the understanding that I offer	13 _____
14 these changes as if still under oath.	14 Reason for change: _____
15	15 Page No. _____ Line No. _____ Change to: _____
16	16 _____
17	17 Reason for change: _____
18	18 Page No. _____ Line No. _____ Change to: _____
19	19 _____
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25	25 SIGNATURE: _____ DATE: _____
1 Reference No.: 11665717	1 Reference No.: 11665717
2 Case: MILLIGAN V. ALLEN	2 Case: MILLIGAN V. ALLEN
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