

BRAD KIMBRO
MILLIGAN V. ALLENAugust 29, 2024
DISTRICT COURT
N.D. OF ALABAMA
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<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 NORTHERN DISTRICT OF ALABAMA</p> <p>3 SOUTHERN DIVISION</p> <p>4</p> <p>5 EVEN MILLIGAN, et al.,)</p> <p>6 Plaintiffs,)</p> <p>7 vs)2:21-CV-01530-AMM</p> <p>8 WES ALLEN, et al.,)</p> <p>9 Defendants.)</p> <p>10</p> <p>11</p> <p>12</p> <p>13 DEPOSITION OF BRAD KIMBRO</p> <p>14 10:00 a.m. - 1:00 p.m.</p> <p>15 AUGUST 29, 2024</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22 BY: Susan Bell</p> <p>23 Certified Court Reporter, CSR, CCR#14</p>	<p style="text-align: right;">Page 3</p> <p>1</p> <p>2 IT IS FURTHER STIPULATED AND AGREED</p> <p>3 that it shall not be necessary for any objection</p> <p>4 to be made by counsel as to any questions except</p> <p>5 as to form or leading questions, and that counsel</p> <p>6 for the parties may make objections and assign</p> <p>7 ground at the time of trial, or at the time said</p> <p>8 deposition is offered in evidence, or prior</p> <p>9 thereto.</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 style="text-align: right;">Page 2</p> <p>1 STIPULATIONS</p> <p>2 IT IS HEREBY STIPULATED AND AGREED,</p> <p>3 by and between the parties through the respective</p> <p>4 counsel that the deposition of BRAD KIMBRO, a</p> <p>5 witness in the above-entitled cause, may be taken</p> <p>6 before Susan Bell, Certified Shorthand Reporter,</p> <p>7 at the OFFICE OF THE ATTORNEY GENERAL, STATE OF</p> <p>8 ALABAMA, 501 Washington Avenue, Montgomery, AL on</p> <p>9 the 29th of August, 2024, commencing at 10:00 a.m.</p> <p>10</p> <p>11 IT IS FURTHER STIPULATED AND AGREED</p> <p>12 that the signature to and the reading of the</p> <p>13 deposition by the witness is NOT waived, the</p> <p>14 deposition to have the same force and effect as</p> <p>15 if full compliance had been had with all laws and</p> <p>16 rules of court relating to the taking of</p> <p>17 depositions.</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 4</p> <p>1 APPEARANCES</p> <p>2 FOR THE PLAINTIFFS:</p> <p>3 HOGAN LOVELLS US, LLP</p> <p>4 Ms. Amanda N. Allen</p> <p>5 Ms. Shelita M. Stewart</p> <p>6 555 Thirteenth Street, NW</p> <p>7 Washington, DC 20004</p> <p>8 (202)637-5600</p> <p>9 amanda.n.allen@hoganlovells.com</p> <p>10</p> <p>11 FOR THE DEFENDANTS:</p> <p>12 OFFICE OF THE ATTORNEY GENERAL</p> <p>13 STATE OF ALABAMA</p> <p>14 Ms. Misty S. Fairbanks Messick</p> <p>15 Mr. Richard D. Mink</p> <p>16 501 Washington Avenue</p> <p>17 Montgomery, AL 36130-0152</p> <p>18 (334)353-8674</p> <p>19 Misty-Messick@alabamaAG.gov</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>

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<p>1 INDEX</p> <p>2</p> <p>3 EXAMINATION BY: PAGE:</p> <p>4 Ms. Allen 7</p> <p>5 Ms. Messick 78</p> <p>6 FURTHER EXAMINATION BY:</p> <p>7 Ms. Allen 103</p> <p>8</p> <p>9 EXHIBITS</p> <p>10</p> <p>11 FOR THE PLAINTIFFS: PAGE:</p> <p>12 Plaintiff Exhibit 1 13</p> <p>13 Plaintiff Exhibit 2 14</p> <p>14 Plaintiff Exhibit 3 17</p> <p>15 Plaintiff Exhibit 4 57</p> <p>16 Plaintiff Exhibit 5 58</p> <p>17 Plaintiff Exhibit 6 62</p> <p>18 FOR THE DEFENDANTS: PAGE:</p> <p>19 Defendant Exhibit 1 80</p> <p>20 Defendant Exhibit 2 83</p> <p>21</p> <p>22 --oOo--</p> <p>23</p>	<p>Page 5</p> <p>Page 7</p> <p>1 would hope the witness will reserve the right</p> <p>2 to read and sign?</p> <p>3 MS. ALLEN: Read and?</p> <p>4 MS. MESSICK: Sign.</p> <p>5 MS. ALLEN: Yes.</p> <p>6 MS. MESSICK: Okay. Mr. Kimbro,</p> <p>7 do you want to read and sign?</p> <p>8 THE WITNESS: Yes.</p> <p>9 MS. MESSICK: Okay. Did the court</p> <p>10 reporter hear he said "Yes"?</p> <p>11 COURT REPORTER: Yes. Who do I</p> <p>12 send it to?</p> <p>13 MS. MESSICK: You can send it to</p> <p>14 me and I'll send it along.</p> <p>15</p> <p>16 EXAMINATION BY MS. ALLEN:</p> <p>17</p> <p>18 Q. Good morning, Mr. Kimbro.</p> <p>19 A. Good morning.</p> <p>20 Q. My name is Amanda Allen. As you</p> <p>21 may recall from about a year ago, I represent</p> <p>22 the Milligan Plaintiffs in this case. I'm</p> <p>23 joined by my colleague, Shelita Stewart, who</p>
<p>Page 6</p> <p>1 I, Susan Bell, Certified Shorthand</p> <p>2 Reporter, acting as commissioner, certify</p> <p>3 that there came before me at the OFFICE OF</p> <p>4 THE ATTORNEY GENERAL, STATE OF ALABAMA, 501</p> <p>5 Washington Avenue, Montgomery, Alabama on</p> <p>6 August 29, 2024 at 10:00 a.m., BRAD KIMBRO,</p> <p>7 witness in the above cause, for oral</p> <p>8 examination, whereupon the following</p> <p>9 proceedings were had:</p> <p>10</p> <p>11 BRAD KIMBRO, first having been</p> <p>12 duly sworn (affirmed) and testified as</p> <p>13 follows:</p> <p>14</p> <p>15 MS. MESSICK: And, Amanda, before</p> <p>16 you get started, would you agree to the usual</p> <p>17 stipulations except that I would recommend</p> <p>18 that the witness read and sign and I hope he</p> <p>19 will reserve that right?</p> <p>20 MS. ALLEN: I missed the last part</p> <p>21 you said. I'm sorry.</p> <p>22 MS. MESSICK: I said would you</p> <p>23 agree to the usual stipulations except that I</p>	<p>Page 8</p> <p>1 is also counsel for Milligan Plaintiffs.</p> <p>2 MS. STEWART: Good morning,</p> <p>3 Mr. Kimbro.</p> <p>4 THE WITNESS: Good morning.</p> <p>5 A. Yes, I do recognize you, Amanda.</p> <p>6 I remember.</p> <p>7 Q. (By Ms. Allen) Mr. Kimbro, you've</p> <p>8 been deposed once in this case before; right?</p> <p>9 A. Yes.</p> <p>10 Q. Do you recall the date of that</p> <p>11 deposition?</p> <p>12 A. I do not.</p> <p>13 Q. Does August 11th, 2023 sound</p> <p>14 familiar?</p> <p>15 A. It does. That's around that time,</p> <p>16 yes.</p> <p>17 Q. Have you been deposed at any point</p> <p>18 in the last year?</p> <p>19 A. No, I have not.</p> <p>20 Q. Did you testify at trial at any</p> <p>21 point in the last year?</p> <p>22 A. No, ma'am, I have not.</p> <p>23 Q. You understand you are testifying</p>

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<p style="text-align: right;">Page 9</p> <p>1 under oath today?</p> <p>2 A. Yes, ma'am, I do.</p> <p>3 Q. And is there anything that might</p> <p>4 prevent from you understanding my questions</p> <p>5 or answering truthfully this morning?</p> <p>6 A. No, ma'am, nothing.</p> <p>7 Q. Are you represented by counsel</p> <p>8 today?</p> <p>9 A. I have Russ Parrish. He is our --</p> <p>10 the company I am CO for, Wiregrass Electric</p> <p>11 Cooperative, he's our corporate attorney so</p> <p>12 he's with us in the room today. He is the</p> <p>13 legal counsel for our cooperative.</p> <p>14 Q. Is he your attorney today?</p> <p>15 A. No. He's representing the</p> <p>16 interest of Wiregrass Electric.</p> <p>17 Q. I know you probably remember some</p> <p>18 of these key rules of the road for a deposi-</p> <p>19 tion but just so that we're on the same page</p> <p>20 I'm going to go over them again so just bear</p> <p>21 with me.</p> <p>22 I'm going to be asking a series of</p> <p>23 questions and you're going to answer them to</p>	<p style="text-align: right;">Page 11</p> <p>1 A. Yes, correct.</p> <p>2 Q. You understand that you should</p> <p>3 give the same seriousness and truthfulness</p> <p>4 in answering my questions here today as you</p> <p>5 would if you were testifying in court before</p> <p>6 a judge or a jury; correct?</p> <p>7 A. Correct, yes.</p> <p>8 Q. Okay. If you don't understand a</p> <p>9 question, please tell me. Otherwise, I will</p> <p>10 assume that you understand; is that fair?</p> <p>11 A. Yes, fair.</p> <p>12 Q. If an attorney makes an objection,</p> <p>13 you must still answer the question.</p> <p>14 Do you understand?</p> <p>15 A. Yes, I do.</p> <p>16 Q. Please let us know if you need a</p> <p>17 break at any point. However, if there is a</p> <p>18 question pending, I will ask that you please</p> <p>19 answer the question before we take a break;</p> <p>20 okay?</p> <p>21 A. Okay, yes.</p> <p>22 Q. As we go through the questions you</p> <p>23 may realize a prior answer was not entirely</p>
<p style="text-align: right;">Page 10</p> <p>1 the best of your ability.</p> <p>2 Do you understand that?</p> <p>3 A. Yes.</p> <p>4 Q. Please provide verbal answers to</p> <p>5 my questions so the court reporter can help</p> <p>6 us make a clear record.</p> <p>7 For example, instead of giving a</p> <p>8 head nod or saying "uh-huh," please provide a</p> <p>9 verbal response much like you're doing now.</p> <p>10 Relatedly, we should strive to not</p> <p>11 talk one another. There are challenges posed</p> <p>12 by our remote setup so I'm going to ask that</p> <p>13 you listen to my questions and I will listen</p> <p>14 to your answer and we will try not to speak</p> <p>15 over one another; okay?</p> <p>16 A. Okay.</p> <p>17 Q. You understand that we're gathered</p> <p>18 here virtually for the purpose of taking your</p> <p>19 deposition testimony; correct?</p> <p>20 A. Yes, correct.</p> <p>21 Q. And do you understand the reporter</p> <p>22 will transcribe my questions and your answers</p> <p>23 to them; correct?</p>	<p style="text-align: right;">Page 12</p> <p>1 accurate.</p> <p>2 If you realize that, will you let</p> <p>3 me know so we can correct the record?</p> <p>4 A. Yes, I will.</p> <p>5 Q. Do you understand all of these</p> <p>6 instructions that we just discussed?</p> <p>7 A. Yes, I do.</p> <p>8 MS. MESSICK: Can we go off the</p> <p>9 record for 20 seconds.</p> <p>10 (Off the record.)</p> <p>11 Q. Mr. Kimbro, where are you at now?</p> <p>12 A. In Montgomery, Alabama at the</p> <p>13 Office of the Attorney General.</p> <p>14 Q. Who is all in the room with you</p> <p>15 right now?</p> <p>16 A. I'm sorry if I don't remember</p> <p>17 everybody's name. Russ Parrish, Ms. Messick,</p> <p>18 and our court reporter.</p> <p>19 I'm sorry, sir, I don't remember</p> <p>20 your name.</p> <p>21 MR. MINK: Richard Mink.</p> <p>22 A. Richard Mink.</p> <p>23 Q. (By Ms. Allen) Do you have any</p>

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<p style="text-align: right;">Page 13</p> <p>1 E-mail, Chat, text, instant messaging func- 2 tions, phones or other devices currently open 3 in front of you? 4 A. No, ma'am, I don't. 5 Q. Okay. How did you learn about the 6 deposition today? 7 A. Ms. Messick informed me about a 8 week and a half ago. 9 Q. Now I'm going to mark and publish 10 Exhibit 1, which is your deposition notice. 11 (Defendant's Exhibit Number 1 was 12 marked for identification.) 13 MS. MESSICK: And you're okay with 14 me marking them here? 15 MS. ALLEN: That's fine by me. 16 Q. Take a moment to review it. 17 A. (Witness reads document.) 18 Q. Have you ever seen this document 19 before? 20 A. Yes. It was E-mailed to me. 21 Q. Do you recognize this exhibit as 22 the Notice of 30(b)(1) Deposition for your 23 deposition?</p>	<p style="text-align: right;">Page 15</p> <p>1 Q. When, yes. 2 A. It was about a week ago in that 3 same E-mail. 4 Q. Who showed it to you? 5 MS. MESSICK: Object to the form 6 of the question. 7 A. I just opened it up through the 8 E-mail that Ms. Messick sent. That was it. 9 Q. (By Ms. Allen) What did you do to 10 prepare for the deposition today? 11 A. Nothing really. I did reread my 12 previous deposition and I guess the court 13 reporting document, whatever that's called, 14 the dialogue that was recorded the day you 15 and I previously spoke in August last year. 16 Those two things, I just reread them. 17 Q. The first document you're talking 18 about is your prior deposition in this case; 19 is that correct? 20 A. That's correct, yes. 21 MS. MESSICK: Object to the form 22 of the question. 23 Q. (By Ms. Allen) And can you describe</p>
<p style="text-align: right;">Page 14</p> <p>1 A. Yes, ma'am. 2 Q. Who showed you this document? 3 A. E-mailed to me by Ms. Messick. 4 Q. When did you receive the E-mail? 5 A. Approximately a week ago maybe, 6 something like that. 7 Q. Did you receive a subpoena, too? 8 A. I believe I did, yes. 9 Q. I'm going to mark and publish 10 Exhibit 2, which is the subpoena that was 11 sent to you. Take a moment to review it. 12 (Defendant's Exhibit Number 2 was 13 marked for identification.) 14 A. (Witness reads document.) 15 Q. Have you ever seen this document 16 before? 17 A. Yes. 18 Q. Do you recognize this exhibit as 19 the subpoena that you received? 20 A. Yes. I believe that's it, yes. 21 Q. When did you receive this document 22 previously? 23 A. When?</p>	<p style="text-align: right;">Page 16</p> <p>1 the second document you were referring to 2 again? 3 A. It's the official court reporter 4 note or document from my previous deposition. 5 Q. And what do you mean by "court 6 reporter note or document"? 7 A. The official document the court 8 reporter -- similar to what's happening now, 9 the notes being taken of what was stated, 10 questions asked by you and answers provided 11 by me. 12 Q. Going back to the first document 13 where you said you reviewed your deposition, 14 was that a transcript? 15 A. Well, no. It's the original depo- 16 sition. 17 Q. And what do you mean by "original 18 deposition"? 19 A. What was submitted originally 20 before. 21 Q. I'm going to mark and publish as 22 Exhibit 3 your Declaration that you submitted 23 in this case. Take a moment to review it.</p>

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<p style="text-align: right;">Page 17</p> <p>1 (Defendant's Exhibit Number 3 was 2 marked for identification.) 3 MS. MESSICK: Object to the form 4 of the question. 5 A. (Witness reads document.) Yes, 6 this is it. 7 Q. (By Ms. Allen) Is this one of the 8 documents that you were referring to? 9 A. Yes, ma'am. 10 Q. So you looked at Exhibit 3, your 11 Declaration, and a transcript of the deposi- 12 tion that you participated in last year; is 13 that right? 14 A. Yes, that is correct. 15 Q. Did you review any other documents 16 in preparation for your deposition? 17 A. No, I did not. 18 Q. Did you meet with anybody in 19 preparation for your deposition? 20 A. Yesterday, Ms. Messick and Russ. 21 We were on a Zoom call and she was just going 22 over the -- I guess the rules of today and 23 just reminding me about being under oath and</p>	<p style="text-align: right;">Page 19</p> <p>1 of the question. 2 A. Other than yesterday, Ms. Messick 3 to ask -- or inform about the meeting today, 4 picking out a date. 5 I say "the meeting today." The 6 deposition trying to figure out a time in a 7 short period of time to select a date that 8 would be free on my calendar. That's when we 9 arrived at today as the date that seemed to 10 work for everyone. 11 Q. (By Ms. Allen) Did that conversa- 12 tion happen over the phone? 13 A. It did, yes. 14 Q. How long was the phone conversa- 15 tion? 16 A. Three minutes max. 17 Q. Do you recall when the conversa- 18 tion occurred? 19 A. Week and a half ago approximately, 20 something like that. 21 Q. Now I want to turn back to your 22 meeting yesterday with Ms. Messick. Was that 23 meeting in person or over the phone?</p>
<p style="text-align: right;">Page 18</p> <p>1 sharing -- answering questions that you ask 2 and truthfully doing so. 3 Q. Did you talk about anything else 4 on that call? 5 A. No. We just went over I guess 35 6 it seems like points to think about or to be 7 aware of, what to expect today, answering 8 truthfully being the primary one. 9 Q. When you say you went over 35 10 points to be aware of, what do you mean? 11 A. From Ms. Messick's list. I didn't 12 see the list. She was just going over what 13 seemed to be a series of just general things 14 to be aware of and expect and what I needed 15 to do, again, answer the question and do so 16 truthfully and, similar to what you said this 17 morns, if I remember something in my deposi- 18 tion, to go back and, if I needed to correct, 19 do so. So general points of that nature. 20 Q. How many times did you speak with 21 Ms. Messick -- and you said Russell? 22 A. Yes. 23 MS. MESSICK: Object to the form</p>	<p style="text-align: right;">Page 20</p> <p>1 A. It was over the phone. It was 2 Zoom. 3 MS. MESSICK: Object to the form 4 of the question. 5 Q. (By Ms. Allen) How long did that 6 conversation last? 7 A. Approximately an hour. 8 Q. Did you meet with anyone else to 9 prepare for today's deposition? 10 A. No, not to prepare. 11 I did speak with Power South Vice 12 President of External Affairs, Horace Horn, 13 Jr., and Taylor Williams, Vice President of 14 External Affairs and their -- Power South is 15 our wholesale power supplier and just shared 16 with them the opportunity that this -- I was 17 going to have and just informed them really 18 since they're involved in our wholesale power 19 supplier and governmental affairs, so just 20 making them aware. 21 I also shared with our board at 22 our last board meeting about a week ago that 23 I would be doing this just to inform them of</p>

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<p style="text-align: right;">Page 21</p> <p>1 what I would be doing just to make them aware 2 of it. 3 Q. Did you speak with any of the 4 defendants in anticipation of or to help you 5 prepare for your deposition here today? 6 MS. MESSICK: Object to the form 7 of the question. 8 A. I don't know who the defendants 9 are. I'm sorry. No. 10 Q. (By Ms. Allen) Anyone from the 11 State of Alabama or affiliated with the State 12 legislature? 13 A. Okay. Yes. I had a call -- sent 14 a text to Senator Chasteen, Donnie Chasteen, 15 just making sure being an elected official 16 it's something that again was okay to do. I 17 got his opinion. He said "Sure, absolutely." 18 I did have lunch on a separate 19 issue with representative Barry Moore. We do 20 that from time to time and I mentioned to him 21 I would be doing this. He said "Hey, I have 22 no comment, I don't" -- he didn't say "Yes" 23 or "No" or anything. I just at that lunch</p>	<p style="text-align: right;">Page 23</p> <p>1 Did he say anything else? 2 A. That was it. He just wasn't going 3 to get in it. 4 Q. Other than your transcript from 5 last year in this case, have you seen any 6 other transcript from any other deposition in 7 this case? 8 A. No, I have not. 9 Q. Did you visit any websites to 10 prepare for your deposition today? 11 A. No, I did not. 12 Q. You mentioned earlier that you 13 told your Board of Directors that you were 14 participating in this deposition. 15 What did they say in response? 16 A. "Okay." 17 Many of them were really kind of 18 clueless about what this was even about. So 19 I just shared with them what I would be doing 20 and they're like "Okay, thank you for the 21 information, sounds fine to us." 22 They collectively wanted Russ. 23 Since I am the CO of Wiregrass Electric, they</p>
<p style="text-align: right;">Page 22</p> <p>1 shared with him what I would be doing. 2 Q. And, going back to your text with 3 Senator Chasteen, when was that sent? 4 A. Approximately a week and a half 5 ago, two weeks ago, somewhere in that range. 6 Not long. 7 Q. And what did he say? 8 A. Yeah, you know, just -- 9 Q. What did he say to you? 10 A. Yeah, he said "Yes," to do it if 11 you could, if you're schedule would allow. 12 Q. Did he say anything else? 13 A. That's really it. 14 Q. When did you have lunch with 15 Representative Moore? 16 A. I'm sorry, repeat that. 17 Q. When did you have lunch with 18 Representative Moore? 19 A. About last week, maybe Tuesday or 20 Wednesday, one of those days. 21 Q. You mentioned earlier that he had 22 said in regard to you participating in this 23 deposition he had no comment.</p>	<p style="text-align: right;">Page 24</p> <p>1 wanted him to be here with me. 2 Q. Did they tell you why they wanted 3 him to be here? 4 A. Not specifically, no. 5 Q. Okay. Did you do anything else to 6 prepare for this deposition that we haven't 7 already talked about today? 8 A. Not that I'm aware of, no. 9 Q. Are you being compensated by any- 10 one for being here today? 11 A. No, I am not. 12 Q. Since we talked back in August of 13 2023, have you had any further involvement in 14 this lawsuit? 15 MS. MESSICK: Object to the form 16 of the question. 17 A. No, I have not. 18 Q. (By Ms. Allen) I want to turn your 19 attention to Exhibit 3, your Declaration. I 20 just want to walk through your Declaration so 21 you can help me understand what you have put 22 in here. 23 A. Okay.</p>

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<p style="text-align: right;">Page 25</p> <p>1 Q. Let's turn to paragraph 5 of your 2 Declaration that is on page 3 of Exhibit 3. 3 A. Okay, I'm there. 4 Q. You state: "In my experience, the 5 Wiregrass is a rural area in the southeastern 6 corner of the state populated by proud and 7 hardworking people who have learned that we 8 need to work together and speak with one 9 voice at the state and federal level to move 10 the area forward." 11 What do you mean when you say 12 that? 13 A. It's just that it's best to work 14 together for common good, common causes, and 15 everybody trying to pull in the same direc- 16 tion for the benefit of the whole the entire 17 communities we're part of. 18 Q. When you say "common good" and 19 "common policies," what do you mean? 20 A. Things that help people, things 21 that provide opportunities, things that help 22 with infrastructure. Infrastructure being 23 broadband, being highways, roads, bridges and</p>	<p style="text-align: right;">Page 27</p> <p>1 community that's the Wiregrass that has some 2 uniqueness and challenges maybe if you will. 3 Again, back to infrastructure, being a rural 4 farming community and the history and just 5 trying to make sure we have infrastructure in 6 place. 7 Again, I mentioned the roads and 8 highways and bridges and we don't have an 9 interstate highway that's running through our 10 community like some other parts of the state. 11 So just trying to work together to continue 12 to have things that will help to advance our 13 community and provide opportunities for job 14 growth, growth in general, have a community 15 that's thriving and growing so our citizens 16 don't have to leave the area to look for work 17 and there's growth and job opportunities and 18 they can remain and stay home. 19 Q. (By Ms. Allen) In paragraph 5 of 20 Exhibit 3 on page 3 you also state: "The 21 Wiregrass is a community of small communit- 22 ies." 23 What did you mean by that?</p>
<p style="text-align: right;">Page 26</p> <p>1 just the general things that help a community 2 grow, prosper, thrive to help the citizens, 3 the men and women in our communities have 4 opportunities. 5 Q. Why do you say the Wiregrass needs 6 to work together to move the area forward? 7 A. Well, I guess the counter to that 8 would be, if you're not working together, you 9 would maybe not have the ability to move the 10 area forward as well as you would if everyone 11 is trying to work together for a common goal 12 and you know coming together and talking out 13 things and perhaps working out differences if 14 needed and allowing everyone's voice to be 15 heard and then coming together to agree on 16 whatever needs to be agreed upon and everyone 17 working together for that common goal. 18 Q. Let me ask: In what ways does the 19 Wiregrass need to move forward? 20 A. Okay. In what ways? 21 MS. MESSICK: Object to the form 22 of the question. 23 A. In Southeast Alabama we're a</p>	<p style="text-align: right;">Page 28</p> <p>1 A. Yeah, it's centered around Dothan. 2 That's our biggest city in the Wiregrass but 3 it's made up of a lot of more smaller towns, 4 smaller communities many of them, basically 5 from east of Dothan back to -- back west to 6 Samson, Florala, those areas. There's a lot 7 of smaller towns and cities in the Wiregrass 8 or in the footprint of what's called the 9 Wiregrass area. 10 Q. Turning to paragraph 6 of Exhibit 11 3 on page 3, you discuss the ISA Corporation 12 opening a latex factory at the Geneva County 13 Industrial Park. 14 What's the significance of a latex 15 factory opening in Geneva County? 16 A. The significance of that is it's a 17 company that's going to provide jobs for the 18 communities. It's a company as I stated here 19 locating from their home base of Portland, 20 Oregon into our rural community in Geneva 21 County that will provide 80 jobs and benefits 22 included, a good hourly rate and the company 23 is making latex.</p>

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<p style="text-align: right;">Page 29</p> <p>1 So that's the significance of what 2 they are actually doing but 80 jobs in our 3 rural community in Geneva County, Hartford, 4 will be very significant for that area and, 5 again, provide people opportunities for hope, 6 hope through a job, a better life. 7 Q. Do you have any reason to believe 8 that the latex factory would not have ended 9 up in Geneva County if the Wiregrass counties 10 were not in the same district? 11 MS. MESSICK: Object to the form 12 of the question. 13 A. Well, I know they had looked at 14 other places across the country. I'm not 15 sure exactly what all those places were or 16 where they were but I know we were a site and 17 they ultimately selected that site. 18 We as Wiregrass Electric did all 19 we could to meet our mission of providing a 20 good quality of life in all that we try to 21 do. We did all we could. 22 Power South I referenced earlier, 23 our wholesale power supplier, we partnered</p>	<p style="text-align: right;">Page 31</p> <p>1 Wiregrass communities like together, do you 2 have any reason to believe that that factory, 3 the latex factory, would not have ended up in 4 Geneva County? 5 A. I don't know that I can -- I don't 6 know. I know that it did and I know it did 7 in large part because the legislative delega- 8 tion in the Wiregrass, economic developers 9 that represent our communities, Dothan and 10 those small towns, and our cooperative with 11 Power South Electric, our wholesale power 12 supplier, I know that it did. 13 Now, if there had been a different 14 line drawn, I don't know. I guess I would be 15 speculating there if I answered but I know we 16 did our very best working together to make 17 sure it happened, and it did. 18 So, had those circumstances been 19 different for whatever reason, we'd speculate 20 but I know the way it was it did land there. 21 Q. Turning to paragraph 7 of Exhibit 22 3, you also discuss the HudsonAlfa Institute 23 for Biotechnology coming to Dothan and the</p>
<p style="text-align: right;">Page 30</p> <p>1 together to try -- we built a spec building, 2 speculative building and they ultimately came 3 in and occupied that speculative building and 4 made it their own. 5 I think we had a good plan, a good 6 package and again working together with our 7 local legislative delegation and our economic 8 developers and, again, our cooperative. So I 9 think we had a good package and we certainly 10 wanted them to choose and select our area, 11 our Wiregrass community. 12 Q. (By Ms. Allen) Do you have any 13 basis to think the latex factory would not 14 have been in Geneva County if the Wiregrass 15 counties were in the same congressional 16 district? 17 MS. MESSICK: Object to the form 18 of the question. 19 A. I'm not understanding the question 20 I guess. Maybe try to help me there. 21 Q. (By Ms. Allen) I think what I'm 22 asking is: If the lines drawn for Alabama's 23 congressional district did not leave those</p>	<p style="text-align: right;">Page 32</p> <p>1 Wiregrass for the creation of the HudsonAlpha 2 Wiregrass. 3 What is the significance of the 4 HudsonAlfa Institute coming to Dothan? 5 A. The significance is it's another 6 major business, major organization that's 7 investing in our Wiregrass community and my 8 familiarity with them being in Huntsville and 9 seeing the growth they've had there and the 10 opportunities they provided the Huntsville 11 area. 12 To have something of that magni- 13 tude that's been that successful to be in our 14 community, our Wiregrass community, when I 15 suppose they could've been in other communit- 16 ies as well but they chose us and that was a 17 concerted effort led by, again, our folks I'd 18 mentioned before, the legislative delegation, 19 local mayor, economic developers, Chamber of 20 Commerce, everybody in our community really 21 pulling together and working hard to help 22 them see the value of relocating -- or not 23 relocating but having another branch in our</p>

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<p style="text-align: right;">Page 33</p> <p>1 Wiregrass community.</p> <p>2 We were thankful they selected us</p> <p>3 and very happy that they're here and they're</p> <p>4 doing well and we believe we will continue to</p> <p>5 do well in our community.</p> <p>6 Q. I want to ask you about paragraph</p> <p>7 9 on page 4 of Exhibit 3.</p> <p>8 A. Okay.</p> <p>9 Q. Where you talk about attending</p> <p>10 Troy University, you mention that many of</p> <p>11 your classmates were from the Wiregrass area</p> <p>12 and many of your Troy classmates remained in</p> <p>13 the Wiregrass.</p> <p>14 What other areas or counties were</p> <p>15 your Troy classmates from?</p> <p>16 A. I recall my experience there going</p> <p>17 back a few years now, certainly my graduating</p> <p>18 high school class. Many of those I graduated</p> <p>19 high school with attended Troy with me but I</p> <p>20 obviously met other people when I got to Troy</p> <p>21 and some from the other Wiregrass communities</p> <p>22 of course; Dothan as an example, Covington</p> <p>23 County as an example.</p>	<p style="text-align: right;">Page 35</p> <p>1 MS. MESSICK: Object to the form</p> <p>2 of the question.</p> <p>3 A. From Troy University when I was</p> <p>4 there, were any of them --</p> <p>5 Q. (By Ms. Allen) Correct.</p> <p>6 A. I gotcha. I see. Let me think.</p> <p>7 Probably. Gosh, it's been so long.</p> <p>8 MS. MESSICK: If you'll give me a</p> <p>9 minute, I can give him a map which I can mark</p> <p>10 or not mark and I can share the screen so you</p> <p>11 can see it as well.</p> <p>12 Q. (By Ms. Allen) Actually, now that</p> <p>13 I'm thinking about it, we're going to go over</p> <p>14 I guess the kind of definition of the "Black</p> <p>15 Belt" later. So, if there's anything that</p> <p>16 you want to clarify in some of this question,</p> <p>17 we can do that.</p> <p>18 A. Sure. Okay.</p> <p>19 Q. So it sounds like you may have had</p> <p>20 classmates that were from the Black Belt</p> <p>21 region from Troy University?</p> <p>22 MS. MESSICK: Object to the form</p> <p>23 of the question.</p>
<p style="text-align: right;">Page 34</p> <p>1 I obviously met some folks from</p> <p>2 out of state as well but the primary bulk of</p> <p>3 who I hung around with and I met were those</p> <p>4 that were from the Wiregrass community or my</p> <p>5 classmates.</p> <p>6 Q. Do you know anybody from the Black</p> <p>7 Belt region?</p> <p>8 A. Define the "Black Belt region" so</p> <p>9 I can make sure that I understand what you're</p> <p>10 saying there.</p> <p>11 Q. So that would be counties like</p> <p>12 Barbour, Bullock, Butler, Montgomery, Perry,</p> <p>13 Pickens. There's a lot of counties; Russell,</p> <p>14 Sumter, like that general area.</p> <p>15 MS. MESSICK: Amanda, I have a map</p> <p>16 of just the State's counties. Would that</p> <p>17 help you or --</p> <p>18 MS. ALLEN: If it would be helpful</p> <p>19 for Mr. Kimbro to look at.</p> <p>20 A. You're asking again to make sure</p> <p>21 I'm clear what you're asking?</p> <p>22 Q. Were any of your classmates from</p> <p>23 the Black Belt region?</p>	<p style="text-align: right;">Page 36</p> <p>1 A. Yeah, I'm sure I did. I met a lot</p> <p>2 people when I was at Troy, yes.</p> <p>3 Q. (By Ms. Allen) Okay. Turning to</p> <p>4 paragraph 10 of Exhibit 3 on page 4 where you</p> <p>5 are talking about recording the meetings that</p> <p>6 Wiregrass Electric Cooperative has.</p> <p>7 Other than elected leaders from</p> <p>8 Houston County and Geneva County, what other</p> <p>9 counties attend the meeting?</p> <p>10 MS. MESSICK: Object to the form</p> <p>11 of the question.</p> <p>12 A. Those two counties primarily but</p> <p>13 I'm not saying there hasn't been someone from</p> <p>14 time to time from the Department of Commerce</p> <p>15 who may have attended or something like that.</p> <p>16 The Southeastern Regional Planning Commission</p> <p>17 might have been outside of our two counties.</p> <p>18 The purpose of that meeting was</p> <p>19 Wiregrass electric serving in the Wiregrass</p> <p>20 area primarily our most populated counties in</p> <p>21 which we serve is Houston and Geneva County.</p> <p>22 So Houston, which is where Dothan</p> <p>23 is, which is larger because of the City of</p>

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<p style="text-align: right;">Page 37</p> <p>1 Dothan, and Geneva County, which is where our 2 corporate headquarters is in Hartford, which 3 has a bunch of smaller communities. 4 It was just an effort working with 5 the Dothan Area Chamber of Commerce we could 6 once a quarter come together and Wiregrass 7 Electric facilitate a meeting where we could 8 all be in a room with out elected officials, 9 economic developers, education professionals 10 and those types and some business leaders as 11 well in the community and just meet and talk 12 about issues that the group sees and try to 13 work together to try to provide solutions to 14 the issues that were brought up in a way to 15 help Geneva be involved with Houston County 16 and Houston County be involved with Geneva 17 County and again a catalyst to try to spear- 18 head a meeting just to meet and try to work 19 together. 20 Q. You mentioned earlier you talked 21 about issues that were brought up. 22 What you do mean by "issues that 23 were brought up"?</p>	<p style="text-align: right;">Page 39</p> <p>1 the accomplishments that have been made so 2 far. We're not finished but where we started 3 and where we are today a lot of people, about 4 85 percent of our membership, have access to 5 high speed broadband in the rural areas that 6 didn't when we first started. Those type of 7 things, those type of discussions. 8 Another big thing is G-Tech in 9 Geneva County. Prior to these meetings there 10 was no place to really go to have some type 11 of technical training like G-Tech provides in 12 Geneva County. A student would have to go 13 outside of Geneva County and whether that be 14 in Enterprise or whether that be in Dothan it 15 was for many folks it was just unattainable 16 because of the transportation need and again 17 serving rural areas. 18 Having G-Tech now, which is in the 19 old armory in Geneva City, I give our group 20 a lot of credit talking about that and it's 21 really doing well and providing our young 22 students a real opportunity to seek and to 23 master a trade that will help them become</p>
<p style="text-align: right;">Page 38</p> <p>1 A. Things in the community that might 2 be challenges that we could work together as 3 a group to fix. 4 For example, broadband, the rural 5 broadband in the Wiregrass was the genesis -- 6 those discussions were really the genesis of 7 Wiregrass Electric getting involved and then 8 partnering with Troy Cable at the time, which 9 has now be purchased by C Spire, where we'd 10 work together to try to help broadband get to 11 the rural areas, which is primarily where we 12 serve as an electric cooperative being a not 13 for profit and at-cost electric provider. 14 So we were able to talk about that 15 and we were able to get high speed broadband 16 to our 15 substations across the Wiregrass 17 community and of course once that backbone 18 was built then the partnership with Troy 19 Cable/C Spire allowed them to build in the 20 communities from there. 21 These substations as you may know 22 are in very rural areas because that's where 23 we're serving and it was -- I'm very proud of</p>	<p style="text-align: right;">Page 40</p> <p>1 employed and have opportunities there. 2 Things like the ISA Corporation, 3 those 80 jobs that are going to be produced. 4 G-Tech with the technical training certainly 5 can help that which helps companies like ISA 6 with G-Tech training opportunities so they're 7 comfortable coming into communities knowing 8 the workforce will be there, that we have a 9 trained workforce. 10 Things like that in the meeting 11 that you're referencing is what we talked 12 about. 13 Q. You just went over a lot that I 14 want to unpack. 15 A. Okay. 16 Q. Is my understanding correct that 17 G-Tech is like a career center? 18 MS. MESSICK: Object to the form 19 of the question. 20 A. Yeah, that's my understanding. 21 It's a career tech center or technical trade 22 center, yes. 23 Q. (By Ms. Allen) What does G-Tech</p>

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<p style="text-align: right;">Page 41</p> <p>1 do?</p> <p>2 A. They provide technical training.</p> <p>3 Examples would be welding, maybe some nursing</p> <p>4 or healthcare type, fabrication for sheet</p> <p>5 metal, things like that.</p> <p>6 Q. In your Declaration in paragraph</p> <p>7 11 you talked about when C Spire was hiring.</p> <p>8 Do you know whether C Spire hired</p> <p>9 exclusively from the Wiregrass region when it</p> <p>10 needed employees?</p> <p>11 MS. MESSICK: Object to the form</p> <p>12 of the question.</p> <p>13 A. Okay. I'm sorry, I was rereading.</p> <p>14 Will you state your question again, please?</p> <p>15 Q. (By Ms. Allen) When you talk about</p> <p>16 when C Spire needed employees. Sounds like</p> <p>17 they were hiring.</p> <p>18 Do you know whether C Spire hired</p> <p>19 exclusively from the Wiregrass region when it</p> <p>20 needed employees?</p> <p>21 MS. MESSICK: Object to the form</p> <p>22 of the question.</p> <p>23 A. What I was saying in paragraph 11</p>	<p style="text-align: right;">Page 43</p> <p>1 pursue a career as a fiber installer so they</p> <p>2 had the trade there to do it.</p> <p>3 Q. (By Ms. Allen) Let me ask my</p> <p>4 question a different way.</p> <p>5 You don't presently know whether</p> <p>6 or not C Spire hired outside of the Wiregrass</p> <p>7 -- hired people from outside the Wiregrass</p> <p>8 community?</p> <p>9 MS. MESSICK: Object to the form</p> <p>10 of the question.</p> <p>11 A. I know they hired people in the</p> <p>12 Wiregrass community and I am certain they</p> <p>13 hired people outside the Wiregrass community.</p> <p>14 Now, C Spire is not just in the</p> <p>15 Wiregrass community. They are statewide so</p> <p>16 they are throughout the state.</p> <p>17 Q. (By Ms. Allen) Do you happen to</p> <p>18 know what counties the students are from that</p> <p>19 attend Wallace College?</p> <p>20 A. Well, I know -- I mean, I get them</p> <p>21 all but I know Houston, Dale, Geneva for sure</p> <p>22 for certain, probably Covington, Coffee and</p> <p>23 those in the Wiregrass I know would.</p>
<p style="text-align: right;">Page 42</p> <p>1 was working with Wallace College, a coalition</p> <p>2 community support.</p> <p>3 When they needed technicians to</p> <p>4 install the broadband, the fiber, the glass</p> <p>5 fiber on the poles or on the right of way</p> <p>6 getting it deployed, Wallace College -- or,</p> <p>7 because C Spire needed those technicians,</p> <p>8 Wallace College stepped in to create a pro-</p> <p>9 gram specifically to have people that wanted</p> <p>10 to get into that line of work or technical</p> <p>11 trade to train internet fiber technicians.</p> <p>12 Now, to your question of did they</p> <p>13 hire exclusively from the Wiregrass, they are</p> <p>14 based, or were -- Troy Cable was obviously</p> <p>15 based out of Troy. C Spire, which purchased</p> <p>16 them now, is in our communities but also in</p> <p>17 Mississippi as well but the local technician</p> <p>18 through Wallace would have been students from</p> <p>19 the Wiregrass community.</p> <p>20 I don't know the extent they hired</p> <p>21 or how they hired but the training class was</p> <p>22 specifically at Wallace College to help those</p> <p>23 in our Wiregrass community that wanted to</p>	<p style="text-align: right;">Page 44</p> <p>1 So, if they have people outside of</p> <p>2 that, they're certainly not commuting. They</p> <p>3 would be on scholarship for some reason or</p> <p>4 playing sports or whatever, living on campus</p> <p>5 and going there.</p> <p>6 Q. You discuss in your Declaration,</p> <p>7 Exhibit 3, infrastructure needs of the Wire-</p> <p>8 grass in Paragraph 12 on page 5 of Exhibit 3.</p> <p>9 Can you help me understand what</p> <p>10 you mean when you say: "I believe we will</p> <p>11 be more likely to receive funding working</p> <p>12 together"?</p> <p>13 A. Again, in Southeast Alabama known</p> <p>14 as the Wiregrass we don't have an interstate</p> <p>15 highway running through our community and the</p> <p>16 interstate highways are very good in terms of</p> <p>17 attracting larger industrial commercial-type</p> <p>18 businesses that employ people, larger -- some</p> <p>19 larger total number of jobs when you've got</p> <p>20 these interstate highways running through a</p> <p>21 community.</p> <p>22 We don't have that so we're trying</p> <p>23 to work hard through our coalition; again,</p>

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<p style="text-align: right;">Page 45</p> <p>1 legislatives, the legislative body, economic 2 developers, utilities like Wiregrass Electric 3 and Power South, trying to look at the infra- 4 structure we have and improving on it when we 5 can; like 167, looking at trying to four lane 6 that, widen it instead of two lanes now, that 7 would connect to the Florida Alabama state 8 line and then hopefully have Florida from 9 I-10, that road that would connect to 167 at 10 the state line, Alabama Florida state line, 11 that the State of Florida would decide that 12 would be a great four lane as well that would 13 tie it back to I-10. 14 So, although it wouldn't be an 15 interstate, per se, it would be a four-lane 16 highway that would connect to I-10 that would 17 then run through our Wiregrass community and 18 we believe that that would be good for our 19 community and help with the growth of our 20 businesses. 21 We think that it would be good for 22 Florida as well. People travel through our 23 community, the Wiregrass community, down to</p>	<p style="text-align: right;">Page 47</p> <p>1 Novosel for years and many of our citizens 2 are employed at Novosel. 3 When I say "citizens," Wiregrass 4 community citizens. 5 There's a lot of support. I can't 6 give the exact timeline or date but there has 7 been administrations in the past that might 8 have looked at or tried to either reduce or 9 altogether remove the military bases. 10 That was something that I know 11 Fort Novosel has been looked at in the past 12 for and I know our Wiregrass delegation and 13 our Wiregrass coalition made up of mayors and 14 business leaders working the legislatures and 15 economic developers certainly made it known 16 and did everything they could to make sure 17 Fort Rucker at the time, Fort Novosel now, 18 remained in our community where it is. 19 It's just such a viable economic 20 engine for our citizens and I know in the 21 past that the Wiregrass representation has 22 really made a difference in making the voice 23 known that Fort Novosel is very much needed.</p>
<p style="text-align: right;">Page 46</p> <p>1 the beach. 2 Also, in evacuation needs when the 3 hurricanes are in the Gulf. It would be -- 4 having four lanes instead of two would help 5 with the evacuation process much better. So 6 there's a safety component there for certain. 7 Again, everybody was benefit from that. 8 So those are some things we're 9 talking about or I'm talking about in that 10 particular paragraph improving infrastructure 11 in our community. 12 Q. Let's turn to your discussion of 13 Fort Novosel that you discuss in there your 14 Declaration. 15 Do you have any reason to believe 16 Fort Novosel's economic growth will suffer if 17 Dothan and Houston Counties are not kept in 18 line with Montgomery and other counties along 19 the southeastern border of Alabama? 20 A. Fort Novosel is majorly important 21 to the Wiregrass community. We have been a 22 partner -- the Wiregrass community has been 23 a partner with what was Fort Rucker now Fort</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. Do you have any basis to think 2 that Fort Novosel's economic growth will be 3 harmed if Dothan and Houston Counties are not 4 for the purposes of drawing redistricting 5 lines kept in line with Montgomery and other 6 counties along the southeastern border of 7 Alabama? 8 A. Well, I'll answer it this way. I 9 know dealing with the men and women in our 10 coalition, legislative delegation, economic 11 developers, I know the significance Fort 12 Novosel has for them and I know what they 13 have done and will continue to do to fight to 14 keep it and keep it a viable option for our 15 country, a trained -- an area for military 16 training that protects the national security 17 of our country. It's a focal point. It's -- 18 really it's the base. It's the military base 19 in our community. 20 I don't know. I'd be speculating 21 in someone else had a primary interest or 22 legislative relationship over Fort Novosel. 23 Some other areas might have other military</p>

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<p style="text-align: right;">Page 49</p> <p>1 bases they might have to pay attention to as 2 well.</p> <p>3 Again, I just know the importance 4 of our delegation fighting for and supporting 5 Fort Novosel and it really provides a lot of 6 opportunity for our Wiregrass citizens in 7 terms of employment and opportunity.</p> <p>8 Q. Okay. I understand based on your 9 testimony that Fort Novosel is in your view 10 important to the Wiregrass. My question is 11 slightly different.</p> <p>12 Is it fair to say that you don't 13 have any basis to believe that Fort Novosel's 14 economic growth will be harmed if Dothan and 15 Houston Counties are not kept in line with 16 Montgomery and other counties along the 17 southeastern border of Alabama?</p> <p>18 MS. MESSICK: Object to the form 19 of the question.</p> <p>20 A. Well, all I can do is answer based 21 on what I know and I know the importance that 22 fort Novosel has with our current delegation, 23 the current boundaries of it.</p>	<p style="text-align: right;">Page 51</p> <p>1 and I know the importance it has with our 2 delegation currently.</p> <p>3 Again, I would hope if it were in 4 another area, district, whatever the term is, 5 the importance of it for our community, for 6 the state, and quite frankly for the county, 7 that it would be important for anyone; and 8 certainly anyone can see the importance of 9 Fort Novosel but I know that our Wiregrass 10 delegation does.</p> <p>11 Q. (By Ms. Allen) I want to turn back 12 to Exhibit 3, turning to paragraph 15. That 13 would be on page 6 of your Declaration, the 14 last page.</p> <p>15 A. Okay.</p> <p>16 Q. What do you mean when you say "The 17 Tomato Festival, the Rattlesnake Rodeo, and 18 Dothan Peanut Festival are cultural touch 19 points"?</p> <p>20 A. That people set their calendar to 21 these events, the local Wiregrass citizens. 22 They look forward to them.</p> <p>23 These three particular is a place</p>
<p style="text-align: right;">Page 50</p> <p>1 Something like Fort Novosel, you 2 would hope and think whatever district it was 3 in that those people would see the importance 4 and fight for it just as hard but I would be 5 speculating. I don't know that but I do know 6 that our Wiregrass delegation has fought for 7 it remaining and being there.</p> <p>8 Q. (By Ms. Allen) But is it fair to 9 say you don't know if Fort Novosel's economic 10 growth will suffer if Dothan and Houston 11 Counties are not kept in line with Montgomery 12 and other counties along the southeastern 13 border of Alabama?</p> <p>14 MS. MESSICK: Object to the form 15 of the question.</p> <p>16 A. I would say that's not fair to 17 say. That's not what I'm saying at all. I'm 18 just trying to share anything that would be 19 speculative in nature, which you're asking if 20 it's in another district would it have -- you 21 know, it just would be speculation.</p> <p>22 I'm going back and trying to be -- 23 trying to answer your question of what I know</p>	<p style="text-align: right;">Page 52</p> <p>1 for what I personally have seen the community 2 come and enjoy a day or multiple days.</p> <p>3 All walks of life attend these in 4 our Wiregrass community and they are -- it's 5 part of our fabric of life there and people 6 really love these festivals and they turn out 7 for them and it's place to see friends and 8 meet new ones. It's great for our community.</p> <p>9 Q. What harm if any do you believe 10 Fort Novosel's economic growth will suffer if 11 Dothan and Houston Counties are not kept in 12 line with Montgomery and other counties along 13 the southeastern border of Alabama?</p> <p>14 MS. MESSICK: Object to the form 15 of the question.</p> <p>16 A. Please state that again so I can 17 make sure I understand what you're asking me. 18 I'm sorry.</p> <p>19 Q. (By Ms. Allen) What harm do you 20 think will happen to Fort Novosel's economic 21 growth if Dothan and Houston Counties were 22 not kept in line with Montgomery and other 23 counties along the southeastern border of</p>

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<p style="text-align: right;">Page 53</p> <p>1 Alabama?</p> <p>2 MS. MESSICK: Object to the form</p> <p>3 of the question.</p> <p>4 A. What harm? Well, again, back to</p> <p>5 our previous conversation. I know what is</p> <p>6 happening now with the current situation and</p> <p>7 the importance I know and see our leaders in</p> <p>8 our community supporting Fort Novosel.</p> <p>9 You know, the Wiregrass working</p> <p>10 together as we are trying to do things that</p> <p>11 are positive for our community and citizens,</p> <p>12 to say other areas aren't doing that is not</p> <p>13 what I would say. It's just that, when you</p> <p>14 start looking at different regions of the</p> <p>15 state, you know, they are not the Wiregrass</p> <p>16 and the Wiregrass is not other regions of the</p> <p>17 state.</p> <p>18 Now, to say that one is more right</p> <p>19 or more wrong than the other is not what I'm</p> <p>20 saying at all. I'm saying that the Wiregrass</p> <p>21 is made up of a large land mass and a lot of</p> <p>22 different communities, smaller communities in</p> <p>23 that larger footprint called the Wiregrass.</p>	<p style="text-align: right;">Page 55</p> <p>1 other different things from across the state.</p> <p>2 So I'm certain others outside the Wiregrass</p> <p>3 attend these festivals but certainly the</p> <p>4 Wiregrass community attends.</p> <p>5 Q. Can you tell me what concerns if</p> <p>6 any that you have about the Wiregrass as it</p> <p>7 relates to redistricting the congressional</p> <p>8 redistricting in Alabama?</p> <p>9 MS. MESSICK: Object to the form</p> <p>10 of the question.</p> <p>11 A. I guess I would just say it would</p> <p>12 be important for our Wiregrass community to</p> <p>13 retain the ability to make certain that the</p> <p>14 voice was heard, the Wiregrass community</p> <p>15 voice was heard and is being represented.</p> <p>16 The Wiregrass community represents</p> <p>17 every walk of life; but, again, that's not to</p> <p>18 say another community like Baldwin or Mobile</p> <p>19 is any less important or more important than</p> <p>20 the Wiregrass. That's not what I'm saying.</p> <p>21 It's just that I'm sure there are</p> <p>22 differences and different things that might</p> <p>23 be important to one area over another and so</p>
<p style="text-align: right;">Page 54</p> <p>1 You know peanuts are king. Farming is great,</p> <p>2 big industry.</p> <p>3 We have things in the Wiregrass</p> <p>4 that are different than other parts of the</p> <p>5 state and, again, that's not making it more</p> <p>6 right or more wrong. It's just keeping the</p> <p>7 Wiregrass together and working together is --</p> <p>8 it's important.</p> <p>9 Q. (By Ms. Allen) Now, going back to</p> <p>10 paragraph 15 of your Declaration, which is</p> <p>11 marked as Exhibit 3, where you talk about the</p> <p>12 festivals and traditions of Wiregrass, do you</p> <p>13 know if people from outside the Wiregrass</p> <p>14 attend those events?</p> <p>15 A. I'm sure they do. I'm certain</p> <p>16 that people even from the State of Florida</p> <p>17 drive across the state line to participate.</p> <p>18 I'm certain that other parts of</p> <p>19 the state outside the Wiregrass would attend</p> <p>20 these festivals. They are very well run and</p> <p>21 they're nice events and I'm sure they have</p> <p>22 following from different parts of the state.</p> <p>23 People like to travel, experience</p>	<p style="text-align: right;">Page 56</p> <p>1 having representation from our community, the</p> <p>2 Wiregrass community, I think would be really</p> <p>3 important to retain.</p> <p>4 Q. (By Ms. Allen) When we last spoke</p> <p>5 back in August of 2023 at the last deposition</p> <p>6 you testified that you had not reviewed the</p> <p>7 Enacted 2023 Congressional Map for Alabama</p> <p>8 that was later enjoined by the Court.</p> <p>9 Have you reviewed it since we last</p> <p>10 talked?</p> <p>11 A. No, ma'am, not to my knowledge.</p> <p>12 Q. Have you reviewed the 2023 plan</p> <p>13 that was enacted by the District Court of</p> <p>14 Alabama -- the United States District for the</p> <p>15 Northern District of Alabama?</p> <p>16 MS. MESSICK: Object to the form</p> <p>17 of the question.</p> <p>18 A. No, ma'am, not to my knowledge. I</p> <p>19 can't recall seeing that.</p> <p>20 Q. (By Ms. Allen) In Exhibit 3, in</p> <p>21 paragraph 2, you say: "Wiregrass Electric</p> <p>22 Cooperative primarily serves Houston County,</p> <p>23 Geneva County, Coffee County, Dale County,</p>

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<p style="text-align: right;">Page 57</p> <p>1 and Covington County;" right?</p> <p>2 A. Yes, ma'am, right.</p> <p>3 Q. I'm going to mark and publish</p> <p>4 Exhibit 4, which is the 2023 Court Enacted</p> <p>5 Plan containing the Court's injunction and</p> <p>6 order.</p> <p>7 (Defendant's Exhibit Number 4 was</p> <p>8 marked for identification.)</p> <p>9 MS. MESSICK: Object to the form</p> <p>10 of the question.</p> <p>11 Q. (By Ms. Allen) The top of the</p> <p>12 document should say "Appendix A."</p> <p>13 A. Yes.</p> <p>14 Q. Review that and let me know when</p> <p>15 you're done.</p> <p>16 A. Appendix A, Remedial Plan 3;</p> <p>17 right?</p> <p>18 Q. Yes.</p> <p>19 A. Yes, ma'am, I have it.</p> <p>20 Q. Have you ever seen this document</p> <p>21 before?</p> <p>22 A. I have not. Not that I recall,</p> <p>23 no, ma'am.</p>	<p style="text-align: right;">Page 59</p> <p>1 Q. Take a moment to review that and</p> <p>2 let me know when you're done reviewing it.</p> <p>3 MS. MESSICK: Are you asking him</p> <p>4 to read the 12-page Act?</p> <p>5 MS. ALLEN: There's no need to</p> <p>6 read through it. We'll walk through it.</p> <p>7 Q. Mr. Kimbro, just take the time you</p> <p>8 need to familiarize yourself with this and I</p> <p>9 can ask you the next question.</p> <p>10 A. (Witness reads document.)</p> <p>11 Q. While you're reviewing it, I want</p> <p>12 to draw your attention particularly to pages</p> <p>13 3 and 7 of Exhibit 5.</p> <p>14 A. Okay.</p> <p>15 Q. Have you ever seen this document</p> <p>16 before?</p> <p>17 A. No, I have not.</p> <p>18 Q. So, if you take a look at pages 3</p> <p>19 and 7, the Alabama Legislature stated in SB5,</p> <p>20 Exhibit 5, the counties of Crenshaw, Pike and</p> <p>21 Barbour are both in the Wiregrass and the</p> <p>22 Black Belt.</p> <p>23 Do you agree with the Legisla-</p>
<p style="text-align: right;">Page 58</p> <p>1 Q. I'm going to represent to you this</p> <p>2 is the plan that the Court enacted after it</p> <p>3 enjoined Alabama's 2023 Enacted Plan.</p> <p>4 A. Okay.</p> <p>5 MS. MESSICK: Object to the form</p> <p>6 of the question.</p> <p>7 Q. (By Ms. Allen) The counties that</p> <p>8 we discussed Wiregrass Electric primarily</p> <p>9 serves; Houston County, Geneva County, Coffee</p> <p>10 County, Dale County and Covington County are</p> <p>11 all kept together in the Court Enacted Map;</p> <p>12 correct?</p> <p>13 MS. MESSICK: Object to the form</p> <p>14 of the question.</p> <p>15 A. Yes. That's what this shows, yes.</p> <p>16 Q. (By Ms. Allen) I'm going to mark</p> <p>17 and publish as Exhibit 5 Alabama's 2023 Plan</p> <p>18 as passed in SB5.</p> <p>19 (Defendant's Exhibit Number 5 was</p> <p>20 marked for identification.)</p> <p>21 MS. MESSICK: I'm sorry, are you</p> <p>22 asking for the Act or the map?</p> <p>23 MS. ALLEN: The Act.</p>	<p style="text-align: right;">Page 60</p> <p>1 ture's assessment?</p> <p>2 MS. MESSICK: Object to the form</p> <p>3 of the question.</p> <p>4 A. Okay. The Black Belt consists of</p> <p>5 by the legislature, Crenshaw County, Barbour</p> <p>6 County; and what was the other one, Pike</p> <p>7 County?</p> <p>8 Q. (By Ms. Allen) Alabama stated that</p> <p>9 -- the Alabama Legislature stated that the</p> <p>10 Counties of Crenshaw, Pike, and Barbour are</p> <p>11 in both the Wiregrass and the Black Belt.</p> <p>12 A. Well, they would be the counties</p> <p>13 that would border I guess each. I could see</p> <p>14 how someone would derive they could be a part</p> <p>15 of both.</p> <p>16 Q. Do you agree with the legislative</p> <p>17 assessment?</p> <p>18 A. I would say certainly Crenshaw and</p> <p>19 Pike being a part of the Wiregrass.</p> <p>20 Barbour I'm not sure that I would</p> <p>21 agree necessarily to that, but maybe. I can</p> <p>22 see how someone would.</p> <p>23 Q. You said that you can could see</p>

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<p style="text-align: right;">Page 61</p> <p>1 how Crenshaw and Pike could be part of the 2 Wiregrass. 3 Could you also see how they could 4 be a part of the Black Belt? I'm just trying 5 to make sure I understand what you're saying. 6 MS. MESSICK: Object to the form 7 of the question. 8 A. I could see someone making a case 9 for them to be part of the Black Belt, yes, I 10 could see that. 11 Q. (By Ms. Allen) Turning back to 12 Exhibit 4, the Court Enacted Plan, that was 13 the one with the "Appendix A, Review Plan 3" 14 at the top of the document. 15 A. Okay. Got it. 16 Q. Do you agree that the current plan 17 from the Court keeps all the counties that 18 are solely within the Wiregrass; so Coffee, 19 Covington, Dale, Geneva, Henry, and Houston, 20 in the same district? 21 MS. MESSICK: Object to the form 22 of the question. 23 A. They are in the same district in</p>	<p style="text-align: right;">Page 63</p> <p>1 of the question. 2 Q. (By Ms. Allen) So, for example, 3 Covington County is in District 1 on this 4 map. 5 A. Yes. 6 MS. MESSICK: Object to the form 7 of the question. 8 A. I see, yes. 9 Q. (By Ms. Allen) Do you know of any 10 reason that the Black Belt should be split in 11 this area rather than the Wiregrass being 12 split? 13 MS. MESSICK: Object to the form 14 of the question. 15 A. Well, if you're asking would it be 16 best in my opinion to keep Covington in the 17 Wiregrass as it is in Exhibit 4 versus how it 18 is in Exhibit 6 -- is that what you're asking 19 me? 20 Q. (By Ms. Allen) My question is a 21 little broader than that. It maybe helpful 22 to turn to Exhibit 5 and I will direct you to 23 page 3.</p>
<p style="text-align: right;">Page 62</p> <p>1 what is represented here on this Appendix A, 2 Remedial Plan 3. District 1 does keep those 3 counties you referenced in the same district. 4 Q. (By Ms. Allen) You can said set 5 Exhibit 4 to the side. 6 Do you know of any reason that the 7 Black Belt should be split in the area that 8 we were just talking about rather than the 9 Wiregrass being split? 10 MS. MESSICK: Object to the form 11 of the question. 12 A. Please ask the question again to 13 make sure I understand what you're asking. 14 Q. (By Ms. Allen) I'm going to mark 15 and publish as Exhibit 6 the 2023 Alabama Map 16 that was later enjoined by the Court. 17 (Defendant's Exhibit Number 6 was 18 marked for identification.) 19 A. Okay. 20 Q. Do you see how on Exhibit 6, the 21 2023 Alabama Map that was later enjoined, how 22 the Black Belt is split on this map? 23 MS. MESSICK: Object to the form</p>	<p style="text-align: right;">Page 64</p> <p>1 The last paragraph starts at line 2 80 of Exhibit 5 is where the State of Alabama 3 Legislature defines the Black Belt region and 4 it lists a series of counties. 5 A. Okay. So your question then? I'm 6 sorry. 7 Q. Based off those counties, you'll 8 see that under Exhibit 6 the 2023 Alabama Map 9 that was later enjoined by the Court some of 10 the Black Belt counties were split. 11 SO my question is: Is there any 12 reason that the Black Belt should be split 13 rather than the Wiregrass region being split? 14 MS. MESSICK: Object to the form 15 of the question. 16 A. If you're asking my opinion what 17 -- you know, splitting from my perspective 18 the Wiregrass, which is not stretched across 19 the state more of the southeastern part, I 20 think splitting that versus a larger region, 21 you know, I would say that not splitting the 22 Wiregrass would be what I would say would be 23 best.</p>

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<p style="text-align: right;">Page 65</p> <p>1 Q. (By Ms. Allen) Now, turning back 2 to Exhibit 4, the Court Enacted Plan, since 3 Dothan is included with the Wiregrass in this 4 Court Enacted Plan rather than split it out 5 as it is in some plans, does that solve your 6 concerns about the Wiregrass? 7 MS. MESSICK: Object to the form 8 of the question. 9 A. So are you asking my opinion if 10 Exhibit 4 is better than Exhibit 6? Is that 11 what you're asking? 12 Q. (By Ms. Allen) No, that's not my 13 question. 14 My question is: If you take a 15 look at Exhibit 4, the Court Enacted Plan, 16 Dothan you see is included in the Wiregrass 17 in the Court Enacted Plan; right? 18 MS. MESSICK: Object to the form 19 of the question. 20 A. In Exhibit 4, yes, I see that. 21 Q. (By Ms. Allen) Okay. I'm going to 22 represent to you that in some plans Dothan is 23 split out away from the Wiregrass.</p>	<p style="text-align: right;">Page 67</p> <p>1 remain together and I could certainly make a 2 case for the Wiregrass including Crenshaw, 3 Pike, and Barbour counties as part of the 4 Wiregrass. 5 Q. Turning back to Exhibit 6, which 6 is Alabama's 2023 map that was enacted, do 7 you see how on Exhibit 6 Covington County is 8 split from the rest of the Black Belt? 9 A. I do. 10 MS. MESSICK: Object to the form 11 of the question. 12 A. Yes, I do see that. 13 Q. (By Ms. Allen) Now take a look at 14 Exhibit 4, which is the Court map that was 15 enacted or the Court Plan, do you see that 16 Covington County is included with the rest of 17 the core Wiregrass in Congressional District 18 1 in the Court Plan? 19 MS. MESSICK: Object to the form 20 of the question. 21 A. Yes, I do. 22 Q. (By Ms. Allen) Do you prefer that 23 Covington County be included with the core</p>
<p style="text-align: right;">Page 66</p> <p>1 If Dothan like in the Court Enact- 2 ed Plan is included in the Wiregrass, does 3 that solve any concerns that you would have 4 about the line -- about any line drawn of the 5 Alabama maps? 6 MS. MESSICK: Object to the form 7 of the question. 8 A. Dothan is part of the Wiregrass. 9 So certainly any plan would certainly want 10 to -- I would support keeping Dothan in that 11 district in the Wiregrass but, you know, as 12 we shared earlier, the Wiregrass is not just 13 Dothan and it's not just Houston County. 14 Dothan relies on those counties, 15 other Wiregrass counties; and the Wiregrass 16 counties, the other Wiregrass counties not 17 named Houston, certainly rely on Dothan. I 18 would support all those counties remaining, 19 again, as part of the Wiregrass footprint. 20 Q. (By Ms. Allen) When you say "all 21 those counties," you mean what counties? 22 A. Specifically Houston, Geneva, Dale 23 Covington, Coffee, and Henry would certainly</p>	<p style="text-align: right;">Page 68</p> <p>1 Wiregrass like it is in the current Court 2 Plan? 3 MS. MESSICK: Object to the form 4 of the question. 5 A. Yeah, I would say Covington would 6 need to remain with the Wiregrass, yes. 7 Q. (By Ms. Allen) Like it is in the 8 Court Plan, Exhibit 4? 9 A. Covington is in that plan as you 10 referenced, yeah. 11 Q. Do you understand if Alabama is 12 successful in this lawsuit Covington will be 13 split off again? 14 MS. MESSICK: Object to the form 15 of the question. 16 A. No, I don't have that knowledge. 17 I didn't have that knowledge, no. 18 Q. (By Ms. Allen) In that scenario, 19 does Covington being split off reflect the 20 preservation of the Wiregrass community of 21 interest? 22 MS. MESSICK: Object to the form 23 of the question.</p>

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<p style="text-align: right;">Page 69</p> <p>1 A. I would prefer Covington remain 2 with the Wiregrass. 3 Q. (By Ms. Allen) Okay. Would you 4 support a plan that did not include Dothan in 5 the Wiregrass? 6 MS. MESSICK: Object to the form 7 of the question. 8 A. No, I wouldn't. I think Dothan 9 needs to be in the Wiregrass. 10 Q. (By Ms. Allen) Please turning to 11 paragraph 6 of your Declaration, which is 12 Exhibit 3. 13 A. Paragraph 6? 14 Q. Paragraph 6, correct. 15 A. Yes, ma'am, I'm there. 16 Q. You discuss collaborations with 17 Houston, Henry, and Geneva Counties. 18 Taking a look at Exhibit 4, the 19 Court Plan, under the current plan, Houston, 20 Henry and Geneva Counties are in the same 21 district; correct? 22 A. Correct, yes. 23 Q. Turn now to paragraph 15 of your</p>	<p style="text-align: right;">Page 71</p> <p>1 A. Correct, yes. 2 MS. MESSICK: Hold on a second. I 3 couldn't hear the last part of that sentence. 4 Can you read it back, please? 5 (Whereupon, the court reporter 6 read back the question.) 7 Q. (By Ms. Allen) Do you know who he 8 is? 9 MS. MESSICK: Object to the form 10 of the question. 11 A. Do I know who Barry Moore is? 12 Q. (By Ms. Allen) Yes. 13 A. Yes, I do, yes. 14 Q. Are you aware that he is the 15 Republican nominee for Congressional District 16 1 for the 2024 election? 17 MS. MESSICK: Object to the form 18 of the question. 19 A. Yes, I'm aware. 20 Q. (By Ms. Allen) Today we've talked 21 about some issues I guess the Wiregrass faces 22 in your Declaration. 23 Is it fair to say that economic</p>
<p style="text-align: right;">Page 70</p> <p>1 Declaration, Exhibit 3, the last page on page 2 6 of Exhibit 3. 3 A. Right. 4 Q. Here you mention Slocum, Opp, and 5 Dothan as -- 6 A. Uh-huh. 7 Q. -- examples of community festivals 8 and events. 9 A. Right. 10 Q. These are all in Congressional 11 District 1 in the Court Enacted Plan; right? 12 MS. MESSICK: Object to the form 13 of the question. 14 Q. (By Ms. Allen) The Court Enacted 15 Plan is Exhibit 4. 16 MS. MESSICK: Object to the form 17 of the question. 18 A. Yes, that is correct. 19 Q. (By Ms. Allen) And you mentioned 20 earlier -- you can set that exhibit aside. 21 You mentioned earlier in the depo- 22 sition that you had lunch with Representative 23 Barry Moore; right?</p>	<p style="text-align: right;">Page 72</p> <p>1 development is one of them? 2 MS. MESSICK: Object to the form 3 of the question. 4 A. I'm sorry, I didn't -- there was 5 one word I didn't clearly understand. 6 Q. (By Ms. Allen) We've talked a lot 7 about your Declaration today and some of the 8 issues the Wiregrass faces. 9 Is economic development one of the 10 issues? 11 A. I think -- 12 Q. Let me rephrase. A better way to 13 say it would be something that is a priority 14 to the Wiregrass. 15 A. Yeah, that's a better way to say 16 it, yes. Economic development is a priority 17 for the Wiregrass community, yes. 18 Q. What about workforce development? 19 A. Equally important, yes. 20 Q. And heavy high speed broadband 21 internet? 22 A. Yes, extremely important. 23 Q. What about infrastructure?</p>

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<p style="text-align: right;">Page 73</p> <p>1 A. Yes. Roads, bridges, highways, 2 good infrastructure, yes. 3 Q. What about keeping Fort Novosel in 4 the Wiregrass? 5 A. Yes, and -- 6 MS. MESSICK: Object to the form 7 of the question. 8 A. Let me also add reliable, safe, 9 and affordable electricity as part of that 10 infrastructure. 11 Q. (By Ms. Allen) Now I want to walk 12 through each of those items we just talked 13 about. 14 What reasons if any at all do you 15 have to believe that Representative Moore 16 won't prioritize economic development? 17 MS. MESSICK: Object to the form 18 of the question. 19 A. I believe that he will prioritize 20 economic development. 21 Q. (By Ms. Allen) What reasons if any 22 do you believe Representative Moore won't 23 prioritize workforce development?</p>	<p style="text-align: right;">Page 75</p> <p>1 Q. (By Ms. Allen) What reasons if any 2 do you have to believe that Representative 3 Moore won't prioritize keeping Fort Novosel 4 in the Wiregrass? 5 MS. MESSICK: Object to the form 6 of the question. 7 A. I have none. 8 Q. (By Ms. Allen) We talked a little 9 bit earlier in your Declaration about the 10 importance of these annual festivals and 11 traditions in the Wiregrass. 12 Do you remember that? 13 A. Yes, ma'am, I do. 14 Q. What reasons if any do you have to 15 believe Representative Moore won't prioritize 16 the annual festivals and traditions of the 17 Wiregrass? 18 MS. MESSICK: Object to the form 19 of the question. 20 A. I have no reason to believe that 21 he won't. 22 MS. ALLEN: Let's take a 5-minute 23 break and go off the record.</p>
<p style="text-align: right;">Page 74</p> <p>1 MS. MESSICK: Object to the form 2 of the question. 3 A. I have no reason to believe he 4 won't prioritize workforce development. 5 Q. (By Ms. Allen) What reasons if any 6 do you have to believe Representative Moore 7 won't prioritize bringing or maintaining high 8 speed broadband internet to the rural areas 9 of the Wiregrass? 10 MS. MESSICK: Object to the form 11 of the question. 12 A. I have no reason to believe he 13 won't be supportive of high speed broadband 14 internet. 15 Q. (By Ms. Allen) What reasons if any 16 do you have to believe that Representative 17 Moore won't prioritize infrastructure includ- 18 ing having reliable electricity for the 19 Wiregrass? 20 MS. MESSICK: Object to the form 21 of the question. 22 A. I have no reason to believe he 23 will not prioritize those things.</p>	<p style="text-align: right;">Page 76</p> <p>1 (Short recess.) 2 Q. Mr. Kimbro, you're testifying in 3 your personal capacity today; correct? 4 MS. MESSICK: Object to the form 5 of the question. 6 A. Yes, correct. 7 Q. (By Ms. Allen) Okay. You're not 8 testifying as a representative of Wiregrass 9 Electric Cooperative? 10 A. That's correct. 11 Q. Wiregrass Electric Cooperative is 12 not a part in this matter? 13 A. Yes, that's correct. 14 Q. You said that in the room with you 15 from Wiregrass Electric Cooperative today -- 16 forgive me if I misheard you -- is Mr. Russ 17 Parrish? 18 MS. MESSICK: Object to the form 19 of the question. 20 A. Yes, that's correct. 21 Q. (By Ms. Allen) And Mr. Parrish is 22 not your attorney; correct? 23 A. That's correct, yes.</p>

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<p style="text-align: right;">Page 77</p> <p>1 Q. Mr. Parrish is an attorney for 2 Wiregrass Electric Cooperative? 3 A. Yes. 4 Q. Did Mr. Parrish help prepare you 5 for the deposition at all? 6 MS. MESSICK: Object to the form 7 of the question. 8 A. No, he did not. He participated 9 in the call with Mr. Messick yesterday. 10 Q. (By Ms. Allen) Did he say anything 11 during the call with Ms. Messick? 12 A. Nothing of -- "Hello," "Good-bye," 13 who I am, that kind of thing that I recall, 14 that I can remember. 15 MS. ALLEN: Mr. Kimbro, that's all 16 the questions I have for you today. Misty 17 might have some questions for you. I thank 18 you for your time and I don't want to take up 19 too much of your time so you can get back 20 work to or maybe an early start on your 21 holiday weekend. 22 THE WITNESS: Thank you. 23</p>	<p style="text-align: right;">Page 79</p> <p>1 that. 2 Do you know if Spire operates in 3 every county in the State of Alabama? 4 A. I don't believe they operate in 5 every county in the State of Alabama. 6 Q. Do you know offhand which counties 7 they do operate in? 8 A. Well, I know for certain in all of 9 the Wiregrass counties, including Troy and 10 Crenshaw but I'm not sure from there. I know 11 there are other places but I don't know the 12 exact counties from there. 13 Q. Okay. Do you know if C Spire has 14 expanded into Montgomery County? 15 A. I believe they have but I can't 16 for sure state they have or haven't. I would 17 almost be certain they have. 18 Q. What is Fort Novosel? 19 A. It's a United States military base 20 of the Army. Helicopter training primarily 21 is what they do; flights and schools training 22 helicopter pilots. 23 Q. Thank you. I'm going to mark as</p>
<p style="text-align: right;">Page 78</p> <p>1 EXAMINATION BY MS. MESSICK: 2 3 Q. Mr. Kimbro, I do have just a few 4 questions for you. 5 Could we start -- would you gather 6 those Plaintiff's Exhibits up and give them 7 to the court reporter. I'm going to give you 8 some exhibits as well and I don't want there 9 to be any confusion. 10 A. Okay. 11 Q. Mr. Kimbro, I really appreciate 12 your time here today. 13 Let me first ask you: Have you 14 answered the question that have been put to 15 you today to the best of your knowledge and 16 your recollection as you sit here today? 17 A. Yes, ma'am, I have. 18 Q. Is it possible that -- like, when 19 you were asked about priorities of Wiregrass, 20 that you might not have named every single 21 priority in the Wiregrass? 22 A. That is possible, yes. 23 Q. And is it possible that -- strike</p>	<p style="text-align: right;">Page 80</p> <p>1 Defendant's Exhibit 1 the plan imposed by the 2 Federal Court. I'm sharing -- 3 (Defendant's Exhibit Number 1 was 4 marked for identification.) 5 MS. ALLEN: Misty, I have a quick 6 question. Is this the Exhibit 4 plan we were 7 talking about earlier? 8 MS. MESSICK: I'm now sharing my 9 screen to show you Exhibit 4. 10 MS. ALLEN: Got it. Thank you. 11 MS. MESSICK: So, to show you my 12 Defendant's Exhibit 1, it is the same map as 13 you know will are three different lawsuits. 14 I don't know if we both printed from the same 15 one. 16 MS. ALLEN: Understood. 17 MS. MESSICK: It looks like we 18 did. 19 MS. ALLEN: Yeah. 20 Q. (By Ms. Messick) Actually, I'm 21 going to ask you to get back from the court 22 reporter Plaintiff's Exhibit 5, which is the 23 Act from the Alabama Legislature.</p>

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<p style="text-align: right;">Page 81</p> <p>1 In the Act, would you please turn 2 to the page that says at the bottom that it 3 is page 3? I say it that way because it 4 starts with a page 0. 5 A. I'm there, page 3. 6 Q. And do you see that at the bottom 7 of the page labeled 3 is a paragraph E1 about 8 the Black Belt? 9 A. I see that. 10 Q. Okay. Would you please read that 11 paragraph which continues onto page 4? 12 A. "Alabama's Black Belt region is a 13 community of interest composed of the follow- 14 ing 18 core counties: Barbour, Bullock, 15 Choctaw, Crenshaw, Dallas, Greene, Dale, 16 Lowndes, Macon, Marengo, Montgomery, Perry, 17 Pickens, Pike, Russell, Sumter, and Wilcox. 18 Moreover, the following five counties are 19 sometimes considered part of the Black Belt: 20 Clarke, Conecuh, Escambia, Monroe, and 21 Washington." 22 Q. Thank you. Can I ask you to look 23 back to where it says "Greene County"? Third</p>	<p style="text-align: right;">Page 83</p> <p>1 A. Okay. I wish I had my glasses for 2 this. 3 Q. I have reading glass that may or 4 may not suit you. 5 A. Much better, yes. 6 Q. I'm going to mark as Defendant's 7 Exhibit 2 a second map, which I'm going to 8 share my screen on as well and you can see 9 this one has the counties labeled much 10 better. 11 (Defendant's Exhibit Number 2 was 12 marked for identification.) 13 A. Yes. 14 Q. You can use that as a guide. 15 A. But I am still marking on this 16 exhibit? 17 Q. Yes. Please just mark the Court 18 Ordered Plan but use the other one to see a 19 city if you need to, or a county. 20 A. Do you want these other five that 21 are sometimes there? 22 Q. Yes, please. 23 A. (Witness complies.)</p>
<p style="text-align: right;">Page 82</p> <p>1 row from the bottom toward the right-hand 2 side. 3 A. Yes, there. 4 Q. The county after Greene, I believe 5 that I heard you say "Dale." Might that say 6 "Hale"? 7 A. Yes, it does. It's a little bit 8 smeared. It does say "Hale." I'm sorry, 9 yes. 10 Q. So this paragraph says there are 11 18 core counties and 5 sometimes counties; is 12 that correct? 13 A. Yes, that's correct. 14 Q. And Plaintiff's counsel asked you 15 about Crenshaw, Pike and Barbour, which would 16 be three counties? 17 A. Right. 18 Q. I'm handing you a pen with black 19 ink. Would you please put a checkmark on 20 Defendant's Exhibit 1 in each county that the 21 Legislature has said is part of Black Belt? 22 Just put a checkmark on the map. That's why 23 I gave you a separate map from Plaintiffs.</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. Looking at the checkmarks you have 2 placed on the Court Imposed map and those 3 checkmarks being based on the Legislature's 4 list, are all of the counties the Legislature 5 said were part of the Black Belt in one 6 Congressional District? 7 A. Not according to Appendix A they 8 are not. 9 Q. Thank you very much. You can put 10 that aside for a minute. 11 MS. ALLEN: Is there any way you 12 can show the map that he marked? I just want 13 to see it on the screen. 14 MS. MESSICK: (Shows marked map.) 15 MS. ALLEN: Okay. Thank you. 16 Q. (By Ms. Messick) Now, on that map, 17 while you were marking it, I believe that you 18 noted that Crenshaw County actually wasn't 19 labeled but you knew where it was because you 20 grew up there; is that correct? 21 A. Yes, that's correct. 22 Q. Do you consider Crenshaw County to 23 be part of the Wiregrass?</p>

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<p style="text-align: right;">Page 85</p> <p>1 A. I do, yes.</p> <p>2 Q. Do you consider Pike County --</p> <p>3 strike that.</p> <p>4 Is Crenshaw County in Congressio-</p> <p>5 nal District 1 under the Court's map?</p> <p>6 A. Which is Appendix A?</p> <p>7 Q. Yes, that is correct.</p> <p>8 A. No, it is not.</p> <p>9 Q. Okay. Is Pike County part of the</p> <p>10 Wiregrass in your opinion?</p> <p>11 A. I think it's more a part of the</p> <p>12 Wiregrass than any other region, yes.</p> <p>13 Q. And is Pike County included in</p> <p>14 Congressional District 1 under the Court's</p> <p>15 map?</p> <p>16 A. No, it is not.</p> <p>17 Q. I'm giving you a red pen. Would</p> <p>18 you circle Crenshaw County and Pike County on</p> <p>19 the map that you have, Defendant's Exhibit 1?</p> <p>20 A. (Witness complies.)</p> <p>21 Q. Are there -- I would like you to</p> <p>22 look at the Act from the Alabama Legislature.</p> <p>23 We just looked at how at to define the Black</p>	<p style="text-align: right;">Page 87</p> <p>1 We already talked about Crenshaw</p> <p>2 and Pike. Do you consider Montgomery to be</p> <p>3 part of the Wiregrass?</p> <p>4 A. No, I do not.</p> <p>5 Q. Do you consider Mobile to be part</p> <p>6 of the Wiregrass?</p> <p>7 A. No, I do not.</p> <p>8 Q. What is the closest large city to</p> <p>9 the Wiregrass?</p> <p>10 A. That would be outside of what we</p> <p>11 are saying is the Wiregrass?</p> <p>12 Q. Outside of what you think of as</p> <p>13 the Wiregrass, what would be the closest big</p> <p>14 city?</p> <p>15 A. You have the Opelika area, you</p> <p>16 have Montgomery, you have Daphne, Fairhope,</p> <p>17 Mobile. Those are all outside the Wiregrass</p> <p>18 footprint.</p> <p>19 Q. Thank you. Would you now get back</p> <p>20 from the Plaintiff's Exhibits Exhibit 3 which</p> <p>21 is your Declaration?</p> <p>22 A. Okay.</p> <p>23 Q. You mention in your Declaration</p>
<p style="text-align: right;">Page 86</p> <p>1 Belt.</p> <p>2 Let's turn forward to the page</p> <p>3 labeled 7 and look at how the Legislature</p> <p>4 defines the Wiregrass. Do you see paragraph</p> <p>5 G1 at the top of the page labeled 7?</p> <p>6 A. I do.</p> <p>7 Q. Would you please read paragraph G1</p> <p>8 for me?</p> <p>9 A. Sure. "Alabama's Wiregrass region</p> <p>10 is a community of interest composed of the</p> <p>11 following nine counties: Barbour, Coffee,</p> <p>12 Covington, Crenshaw, Dale, Geneva, Henry,</p> <p>13 Houston, and Pike.</p> <p>14 Q. Do you agree with the Legislature</p> <p>15 that Barbour County is part of the Wiregrass?</p> <p>16 A. I would, yeah.</p> <p>17 Q. Okay. Is Barbour County part of</p> <p>18 Congressional District 1 on the Court's map?</p> <p>19 A. No, it is not.</p> <p>20 Q. Would you circle Barbour County</p> <p>21 with the red pen?</p> <p>22 A. (Witness complies.)</p> <p>23 Q. Thank you.</p>	<p style="text-align: right;">Page 88</p> <p>1 the Dothan Area Chamber of Commerce really</p> <p>2 ought to be called the Wiregrass Chamber of</p> <p>3 Commerce.</p> <p>4 Can you tell me a little bit more</p> <p>5 about why you feel that way?</p> <p>6 A. Because the Wiregrass is not just</p> <p>7 Dothan and Dothan is not just Dothan.</p> <p>8 You know, Dothan as the Chamber</p> <p>9 of Commerce has economic development initia-</p> <p>10 tives, responsibilities; and they recruit</p> <p>11 business, part of the coalition, for other</p> <p>12 areas in the Wiregrass, not just Dothan.</p> <p>13 For example, our ISA Corporation</p> <p>14 that decided to locate in the Geneva County</p> <p>15 Industrial Park just north of Hartford. That</p> <p>16 is in Geneva County.</p> <p>17 So, Matt Parker, the President of</p> <p>18 the Dothan Area Chamber of Commerce was very</p> <p>19 instrumental in helping lead the coalition's</p> <p>20 efforts along with Senator Chasteen and Com-</p> <p>21 mission Chair, Probate Judge Toby Seay of</p> <p>22 Geneva County, those three worked very hard</p> <p>23 to help secure that company's location.</p>

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<p style="text-align: right;">Page 89</p> <p>1 It was not in Dothan but yet Matt 2 Parker -- and he's done it -- I can give you 3 other examples but he represents -- or that 4 chamber represents more than just Dothan. 5 Q. What is the Industrial Board 6 Association? 7 A. It's a board in -- this was prior 8 to ISA locating or that effort to get them to 9 locate it was Houston County and Henry County 10 I believe and they brought in Geneva County. 11 So I know those three counties. 12 There might be another one I'm not aware of 13 but they have funds that are used for those 14 economic development initiatives, helping 15 with incentives, and things like that. 16 So, as an example, with the ISA 17 Corporation, again, in Geneva County, that 18 effort -- that board -- at the time Geneva 19 was not a part of it. They appropriated some 20 dollars to help with the incentive package 21 for specifically the ISA Corporation to be 22 located in Geneva County. 23 Q. Would you turn to paragraph 9 in</p>	<p style="text-align: right;">Page 91</p> <p>1 to our quarterly meeting as an example, Troy 2 University. I mentioned that earlier in my 3 Declaration. 4 It's a good community organization 5 with good community citizens but certainly 6 provides our citizens an opportunity to have 7 an education opportunity. 8 Q. Thank you. Now would you look at 9 paragraph 14 of your Declaration? 10 A. (Witness complies.) 11 Q. Please read for me that paragraph. 12 A. "In term of media, WTVY, WTHN, 13 'Dothan Eagle' and MPR's Troy affiliate 14 broadcast throughout the Wiregrass." 15 Q. When you refer to "MPR's Troy 16 affiliate," is that a radio station in Pike 17 County? 18 A. I believe that's right, yes. 19 Q. Do you know where WTVY is located? 20 A. The Wiregrass affiliate station is 21 there in Dothan, Alabama. They're owned by a 22 larger -- I think it's Gray Television that 23 would be -- it's a headquartered some place</p>
<p style="text-align: right;">Page 90</p> <p>1 your Declaration? 2 A. (Witness complies.) 3 Q. Do you see the last -- would you 4 read for me please the last sentence in that 5 paragraph? 6 A. "Troy University in my mind is 7 integral to the economic development efforts 8 in the Wiregrass area due to helping our 9 Wiregrass community have an educated work- 10 force." 11 Q. Do you stand by that statement? 12 A. Yes, I do. 13 Q. Are there any other things that 14 Troy University does that you can think of as 15 you are sitting here today that are important 16 to the Wiregrass other than helping educate 17 the workforce? 18 A. Well, that's a big one. They are 19 involved in a lot of different philanthropic 20 activities throughout the community and they 21 sponsor events for charitable organizations, 22 things like that. 23 They are active in -- they come</p>	<p style="text-align: right;">Page 92</p> <p>1 else but the actual WTVY local station is in 2 Dothan, Alabama. 3 Q. And do you happen to know which 4 counties it broadcasts to? 5 A. Yeah. Certainly what I consider 6 the Wiregrass; Crenshaw, Pike, Barbour, Henry 7 Dale, Coffee, Covington, Geneva, and Houston 8 but they also go down to Florida as well, the 9 panhandle. I'm not sure those county names. 10 Q. Thank you. What about WDHN, do 11 you know where that media broadcasts to? 12 A. Similar. It is not as strong of a 13 tower as WTVY's but certainly WDHN would be 14 in Houston, Henry, Dale, Geneva, Covington, 15 Pike, Barbour, and Crenshaw. 16 Q. Is WDHN a television station or a 17 radio station? 18 A. It's a television station. 19 Q. And is WTVY a television station 20 or a radio station? 21 A. In this context where I -- in this 22 paragraph, a television station but there is 23 a radio station that's not affiliated with</p>

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<p style="text-align: right;">Page 93</p> <p>1 the television station that also has the same</p> <p>2 callers WTVY.</p> <p>3 Q. Do you know where it broadcasts</p> <p>4 to, the radio station.</p> <p>5 A. Every county that I mentioned and</p> <p>6 probably a little bit -- being radio station</p> <p>7 a little bit longer reach.</p> <p>8 Q. Is the "Dothan Eagle" a newspaper?</p> <p>9 A. Yes, it is.</p> <p>10 Q. Is it your understanding -- when</p> <p>11 you say it's broadcast around the Wiregrass,</p> <p>12 what do you mean by that?</p> <p>13 A. The "Dothan Eagle" specifically.</p> <p>14 Q. Yes.</p> <p>15 A. Their circulation would be all</p> <p>16 those counties that I mentioned as part of</p> <p>17 the Wiregrass.</p> <p>18 They also have an online version,</p> <p>19 too. I'm not sure that it goes outside the</p> <p>20 Wiregrass.</p> <p>21 Q. Thank you. Now, since we're not</p> <p>22 going to mark it up, can you also go back to</p> <p>23 Plaintiff's Exhibit -- I'm going to ask you</p>	<p style="text-align: right;">Page 95</p> <p>1 Congressional District 2 on the state map on</p> <p>2 your left there?</p> <p>3 A. Yes, it is.</p> <p>4 Q. Congressional District 2 as drawn</p> <p>5 by the Legislature, that includes Houston,</p> <p>6 Henry, Geneva, Dale and Coffee; correct?</p> <p>7 A. Correct.</p> <p>8 Q. Okay. As well as some additional</p> <p>9 counties?</p> <p>10 A. That's correct.</p> <p>11 Q. And one of those counties is Pike</p> <p>12 County?</p> <p>13 A. That's correct.</p> <p>14 Q. Looking back to Court Imposed map</p> <p>15 which is the one you have on your right, have</p> <p>16 you also circled Pike County as a county that</p> <p>17 you consider to be part of the Wiregrass?</p> <p>18 A. Yes.</p> <p>19 Q. And that is not included in the</p> <p>20 Court's Congressional District 1?</p> <p>21 A. Yes.</p> <p>22 Q. Do you see that?</p> <p>23 A. Yes.</p>
<p style="text-align: right;">Page 94</p> <p>1 to look at their Exhibit 6 that you returned</p> <p>2 to the court reporter.</p> <p>3 A. Okay.</p> <p>4 Q. This, Exhibit 6, is the map that</p> <p>5 the Alabama Legislature passed last year?</p> <p>6 A. Okay.</p> <p>7 Q. I would like you to put that side</p> <p>8 by side with Defendant's Exhibit 1, which is</p> <p>9 the Court Imposed map where you have check-</p> <p>10 marks and circles.</p> <p>11 A. Okay.</p> <p>12 Q. Do you see that you have circled</p> <p>13 Crenshaw County as part of the Wiregrass that</p> <p>14 is not included in the Court Imposed map?</p> <p>15 A. This is the Court -- help me.</p> <p>16 Q. Yes. The Court imposed map is</p> <p>17 Defendant's Exhibit 1 and you have circled</p> <p>18 Crenshaw County.</p> <p>19 A. Yes, I do see that.</p> <p>20 Q. And you consider Crenshaw County</p> <p>21 to be part of the Wiregrass; correct?</p> <p>22 A. Yes.</p> <p>23 Q. And is Crenshaw County included in</p>	<p style="text-align: right;">Page 96</p> <p>1 Q. And do you see looking to the</p> <p>2 Legislature's map which you have to your left</p> <p>3 that Pike County is in Congressional District</p> <p>4 2 with Henry, Houston, Dale, Geneva, Coffee,</p> <p>5 Henry et cetera?</p> <p>6 A. Yes.</p> <p>7 Q. And, finally, looking back to the</p> <p>8 Court's map, Defendant's Exhibit 1, do you</p> <p>9 see that you have circled Barbour County --</p> <p>10 A. Yes.</p> <p>11 Q. -- as a county that you consider</p> <p>12 to be a part of the Wiregrass that is not</p> <p>13 included in Congressional District 1 within</p> <p>14 the Court's map?</p> <p>15 A. Yes.</p> <p>16 Q. Now, looking to the Legislature's</p> <p>17 map to the left, do you see Barbour County is</p> <p>18 in the State's Congressional District 2 which</p> <p>19 places it with Houston, Geneva, Dale, Henry,</p> <p>20 Coffee and some other counties?</p> <p>21 A. Yes, I do.</p> <p>22 Q. And, looking to the State's map,</p> <p>23 which is Plaintiff's Exhibit 6 on your left</p>

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<p style="text-align: right;">Page 97</p> <p>1 there, is there any county that you consider 2 to be part of the Wiregrass that the State 3 has not managed to put in Congressional 4 District 2? 5 A. Yes. 6 Q. Other than Covington County? 7 A. Other than Covington County, no. 8 Q. Both the Court and the Legislature 9 had to split the Wiregrass. The Legislature 10 did not put Covington County with the rest of 11 Wiregrass; correct? 12 A. Correct. 13 Q. The Court did not put Crenshaw, 14 Pike, and Barbour County with the rest of the 15 Wiregrass but did put Covington there? 16 A. Correct. 17 Q. Let's put the maps aside. 18 A. Okay. 19 Q. Do you remember talking with -- 20 actually, strike that. 21 Do you consider yourself to be a 22 redistricting expert? 23 A. No.</p>	<p style="text-align: right;">Page 99</p> <p>1 workforce development. 2 Do you remember that conversation? 3 A. I do, yes. 4 Q. In one of your answers I think 5 what you said was that he would not but what 6 you meant was that he would and we can go 7 through the list if we need to. 8 Was it your intent to say that you 9 expect Representative Moore to work hard on 10 these various issues that would be good for 11 the Wiregrass? 12 A. Every topic that we need support, 13 my answer is yes, he would support every 14 topic the plaintiff lists. 15 Q. Thank you. I just wanted to be 16 sure -- 17 A. If I misspoke on that, I didn't 18 mean to. 19 Q. -- was clear on that. 20 A. Yes. 21 Q. Do you know -- so Barry Moore is 22 in office right now; isn't he? 23 A. Yes.</p>
<p style="text-align: right;">Page 98</p> <p>1 Q. Do you know all the considerations 2 of how a map is drawn? 3 A. No, I do not. 4 Q. Are you aware that one of the 5 considerations is population and that for 6 congressional maps the State tries to get the 7 population the same down to the person as 8 possible? 9 A. I would assume that would be a 10 criteria for any type thing like that. So 11 yes, but I have not read that specifically. 12 Q. You don't know what other criteria 13 or principles the Legislature might follow in 14 drawing the map? 15 A. No, I do not. 16 Q. Do you remember speaking with 17 plaintiff's counsel earlier about Represent- 18 ative Barry Moore? 19 A. I do remember that conversation. 20 Q. And she asked you if you had any 21 reason to believe he would not prioritize 22 different items that were important to the 23 Wiregrass including economic development and</p>	<p style="text-align: right;">Page 100</p> <p>1 Q. He is currently the Representative 2 for Congressional District 2, which is where 3 Houston County is currently? 4 A. That's correct. 5 Q. Do you have a sense of whether he 6 is busy with his job in Congress? 7 A. Yes, I believe him to be very 8 busy. 9 Q. Do you think that he would be more 10 or less busy if in addition to representing 11 parts of the Wiregrass he also has to repre- 12 sent the Port in Mobile and the interests of 13 Baldwin County? 14 A. Yes, exponentially more so I would 15 think. 16 Q. Do you happen to know if Barry 17 Moore has any pre-existing relationships with 18 Mobile and Baldwin Counties? 19 A. I don't know that he does but I 20 would -- my opinion would be he wouldn't. 21 Q. Barry Moore is from the Wiregrass; 22 right? 23 A. Yes, correct.</p>

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1 Q. With the Court Drawn map, do you
2 feel confident that whoever is elected to
3 represent Congressional District 1 is always
4 going to be somebody from the Wiregrass?
5 A. Let me make sure I understood your
6 question. Do I see someone that represents
7 District 1 always being from the Wiregrass?
8 Q. Under the Court's Map, do you feel
9 confident that whoever is elected to District
10 1 under the Court's Map is always going to be
11 somebody who is from the Wiregrass?
12 A. I don't feel confident in that,
13 no.
14 Q. Looking to the State's map, which
15 was Plaintiff's 6, do you think that somebody
16 represented from the State's Congressional
17 District 2 is more likely to have Wiregrass'
18 interest as a priority than somebody who is
19 from Mobile or Baldwin County?
20 A. Yes.
21 MS. MESSICK: I would like to take
22 just a two-minute break.
23 (Short recess.)

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1 Q. We are back on the record. I have
2 just a few more questions.
3 Do you believe that representation
4 in Congress impacts what happens in the Wire-
5 grass, what life is like there, and business?
6 A. Yes.
7 Q. Do you know whether Congress is
8 the entity that decides where Army bases are
9 located?
10 A. I know they have input. I'm not
11 sure what extent, if they make the proposal
12 and it's signed off by the Executive Branch
13 or if they have sole discretion. So I'm not
14 sure but I know they have input through their
15 recommendations.
16 MS. MESSICK: I don't have any
17 further questions.
18 MS. ALLEN: I have just a couple
19 of questions for redirect and we will get you
20 out of here.
21 THE WITNESS: Okay.
22
23

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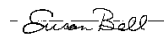
1 FURTHER EXAMINATION BY MS. ALLEN:
2
3 Q. Do you remember earlier when you
4 and I talked about exhibit 5, the Milligan
5 Exhibit 5, the Senate Bill 5 Act?
6 A. Yes.
7 Q. And how the State of Alabama noted
8 that in particular Crenshaw and Pike Counties
9 were listed as part of the Wiregrass as well
10 as part of the Black Belt?
11 A. I remember that discussion, yes.
12 Q. You testified you could understand
13 why Crenshaw County and Pike County would be
14 also considered part of the Black Belt; is
15 that right?
16 A. Well, because they are bordering
17 counties, yes.
18 Q. You also testified you would not
19 support a map that doesn't include Covington
20 as part of the Wiregrass; is that correct?
21 A. I think Covington should be part
22 of the Wiregrass, if I had my desire, yes.
23 Q. Turning to Plaintiff's Milligan 6,

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1 the 2023 Alabama map that was enjoined by the
2 Court, Covington is not a part of the Wire-
3 grass on that map; correct?
4 A. Correct.
5 Q. Why do you think Alabama's 2023
6 map that was enjoined by the Court would
7 better represent the Wiregrass?
8 MS. MESSICK: Object to the form
9 of the question.
10 A. This is Exhibit 6 you're talking
11 about; right, this map?
12 Q. (By Ms. Allen) Correct.
13 A. Why do I think this is a better
14 map than Exhibit 1?
15 MS. MESSICK: For the record, when
16 he said "Exhibit 1," he was pointing to the
17 Defendant's Exhibit 1, which has a different
18 number from the Plaintiff's Exhibits. It's
19 the Court Ordered map.
20 I'm sorry, go ahead. I just did
21 not want any confusion.
22 THE WITNESS: Sure. I understand.
23 A. Just between the two I think that

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<p style="text-align: right;">Page 105</p> <p>1 Exhibit 6 represents the Wiregrass region 2 better. It's more concentrated to what's 3 traditionally known as the Wiregrass, the 4 southeastern part of Alabama. 5 Exhibit 1 encompasses and brings 6 in another region of the state, Mobile and 7 Baldwin, which has different interests than 8 the Wiregrass because they have a port, they 9 have a beach, just different things. 10 So to me Exhibit 6 is the better 11 one that incorporates more of the Wiregrass 12 -- traditional Wiregrass communities. 13 Q. (By Ms. Allen) And, referring now 14 to Plaintiff's 4, the Court's Enacted Plan, 15 which I think you are looking at which is 16 Defendant's Exhibit 1, Representative Moore 17 is running for Congressional District 1. 18 Am I correct in understanding you 19 don't have any concern about his ability to 20 represent the interests of the Wiregrass 21 community as under the Court's Map? 22 MS. MESSICK: Object to the form 23 of the question.</p>	<p style="text-align: right;">Page 107</p> <p>1 CERTIFICATE 2 STATE OF ALABAMA) 3 4 COUNTY OF JEFFERSON) 5 6 I hereby certify that the above and foregoing 7 deposition was taken down by me in stenotype and the questions 8 and answers thereto were transcribed by means of 9 computer-aided transcription, and that the foregoing 10 represents a true and correct transcript of the testimony 11 given by and witness upon said hearing. 12 I further certify that I am neither of counsel, nor 13 kin to the parties to the action, nor am I in anyway 14 interested in the result of said cause named in said caption. 15 I further certify that I am duly licensed by the 16 Alabama Board of Court Reporting as a Certified Court Reporter 17 evidenced by the CCR number following my name below. 18 19  20 Susan Bell, Commissioner 21 Certified Court Reporter 22 CCR#14-Expires: 9/30/24 23 Commission Expires: 10/25</p>
<p style="text-align: right;">Page 106</p> <p>1 A. I don't have any as far as him. 2 Regardless of any map, I think he's going to 3 represent the Wiregrass whatever district he 4 is running in. That's specific to Represent- 5 ative Moore. 6 Q. (By Ms. Allen) You can set those 7 exhibits aside. 8 I have no further questions for 9 you. Thank you for your time today. 10 A. Yes, ma'am. 11 MS. MESSICK: And I also have no 12 further questions. Thank you for your time. 13 COURT REPORTER: Ms. Messick, do I 14 send your copy along with Mr. Kimbro's read 15 and sign to you? 16 MS. MESSICK: Yes, you can send 17 that to me. 18 COURT REPORTER: My understanding 19 is that this is an expedite; is that correct? 20 MS. ALLEN: Yes. 21 22 --o0o-- 23</p>	<p style="text-align: right;">Page 108</p> <p>1 Reference No.: 11664916 2 3 Case: MILLIGAN V. ALLEN 4 5 DECLARATION UNDER PENALTY OF PERJURY 6 7 I declare under penalty of perjury that 8 I have read the entire transcript of my Depo- 9 sition taken in the captioned matter or the 10 same has been read to me, and the same is 11 true and accurate, save and except for 12 changes and/or corrections, if any, as indi- 13 cated by me on the DEPOSITION ERRATA SHEET 14 hereof, with the understanding that I offer 15 these changes as if still under oath. 16 17 _____ 18 Brad Kimbro 19 20 NOTARIZATION OF CHANGES 21 (If Required) 22 23 Subscribed and sworn to on the _____ day of 24 _____, 20____ before me, 25 26 (Notary Sign)_____ 27 28 (Print Name) _____ Notary Public, 29 30 in and for the State of _____</p>

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1 Reference No.: 11664916
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25 Brad Kimbro

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13 _____
14 Reason for change: _____
15 Page No. _____ Line No. _____ Change to: _____
16 _____
17 Reason for change: _____
18 Page No. _____ Line No. _____ Change to: _____
19 _____
20 Reason for change: _____
21 Page No. _____ Line No. _____ Change to: _____
22 _____
23 Reason for change: _____
24
SIGNATURE: _____ DATE: _____
25 Brad Kimbro



BRAD KIMBRO
MILLIGAN V. ALLEN

August 29, 2024
108

Reference No.: 11664916

Case: MILLIGAN V. ALLEN

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that I have read the entire transcript of my Deposition taken in the captioned matter or the same has been read to me, and the same is true and accurate, save and except for changes and/or corrections, if any, as indicated by me on the DEPOSITION ERRATA SHEET hereof, with the understanding that I offer these changes as if still under oath.



Brad Kimbro

NOTARIZATION OF CHANGES

(If Required)

Subscribed and sworn to on the _____ day of

_____, 20____ before me,

(Notary Sign) _____

(Print Name) _____ Notary Public,

in and for the State of _____

BRAD KIMBRO
MILLIGAN V. ALLENAugust 29, 2024
109

Reference No.: 11664916
Case: MILLIGAN V. ALLEN

Page No. 9 Line No. 10 Change to: the company I am
CEO for Wiregrass Electric Cooperative

Reason for change: CEO is spelled CO & for has a comma behind

Page No. 18 Line No. 5 & 6 Change to: We just went over
35 or so points to think about.

Reason for change: to remove unnecessary words

Page No. 22 Line No. 19 Change to: last week, maybe Tuesday
or Wednesday

Reason for change: The word "about" is not needed.

Page No. 23 Line No. 23 Change to: Since I am the CEO
of Wiregrass Electric, they

Reason for change: CEO is spelled "CO"

Page No. 45 Line No. 5 Change to: can; like Hwy 167,
looking at trying to four lane

Reason for change: Hwy should have been added in front of 167

Page No. 45 Line No. 9 Change to: I-10, that road would
connect to Hwy 167 at

Reason for change: Hwy should have been added in front of 167

Page No. 79 Line No. 2 Change to: Do you know if C-Spire
operates

Reason for change: The correct company name is C-Spire

SIGNATURE: Brad Kimbro
Brad Kimbro

DATE: 10/8/24



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BRAD KIMBRO
MILLIGAN V. ALLENAugust 29, 2024
109

Reference No.: 11664916
Case: MILLIGAN V. ALLEN

Page No. 45 Line No. 3 Change to: and PowerSouth, trying to
look at the infra-

Reason for change: Powersouth is one word

Page No. 39 Line No. 12-14 Change to: A student would have to go
outside of Geneva County, whether that be in Enterprise or Dothan.

Reason for change: remove run on sentence

Page No. 39 Line No. 15-17 Change to: For many folks it was just
unattainable because of the transportation need and again serving rural areas.

Reason for change: to correct the run on sentence.

Page No. 44 Line No. 13 & 14 Change to: Again, in Southeast
Alabama, known as the Wiregrass, we don't have an interstate

Reason for change: commas are needed

Page No. 48 Line No. 21 Change to: if someone else
had a primary interest or

Reason for change: the word in was used instead of if

Page No. 49 Line No. 22 Change to: Fort Novosel has
with our current delegation

Reason for change: Fort should be capitalized

Page No. Line No. Change to:

Reason for change:

SIGNATURE: Brad Kimbro
Brad Kimbro

DATE: 10/8/24

BRAD KIMBRO
MILLIGAN V. ALLEN

August 29, 2024
110

Reference No.: 11664916
Case: MILLIGAN V. ALLEN

Page No. 18 Line No. 17 Change to: morning, if I remember
something in my deposit

Reason for change: morns was typed instead of morning

Page No. 20 Line No. 11 & 14 Change to: PowerSouth

Reason for change: PowerSouth is one word and listed as two on both lines

Page No. 22 Line No. 11 Change to: you could, if your schedule
would allow.

Reason for change: You're is used instead of your

Page No. 29 & 31 Line No. 22 & 11 Change to: PowerSouth

Reason for change: PowerSouth is one word and listed as two in both places

Page No. 63 Line No. 19 Change to: Wiregrass Electric
serving in the Wiregrass

Reason for change: Electric needs to be capitalized

Page No. 37 Line No. 8 Change to: all be in a room with
our elected officials

Reason for change: the word our is misspelled

Page No. 47 Line No. 14 Change to: business leaders
working the legislature and

Reason for change: legislature should be singular

SIGNATURE: Brad Kimbro
Brad Kimbro

DATE: 10/8/2024



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